



United States Department of State  
*Bureau of International Narcotics  
and Law Enforcement Affairs*

# **International Narcotics Control Strategy Report**

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**Volume II**

**Money Laundering**

**March 2021**



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# Table of Contents

Common Abbreviations .....	5
Definitions .....	8
Legislative Basis and Methodology for the INCSR.....	13
Overview.....	15
Training Activities.....	18
Board of Governors of the Federal Reserve System (FRB).....	18
Department of Homeland Security .....	19
Customs and Border Patrol (CBP) .....	19
Immigration and Customs Enforcement Homeland Security Investigations (ICE HSI) .....	19
Department of Justice .....	20
Drug Enforcement Administration (DEA).....	20
Federal Bureau of Investigation (FBI) .....	20
Office of Overseas Prosecutorial Development, Assistance and Training (OPDAT) .....	21
Department of State .....	22
Department of the Treasury .....	25
Financial Crimes Enforcement Network (FinCEN).....	25
Internal Revenue Service, Criminal Investigations (IRS-CI).....	25
Office of the Comptroller of the Currency (OCC) .....	26
Office of Technical Assistance (OTA).....	26
Comparative Table Key .....	28
Comparative Table.....	30
Afghanistan .....	35
Albania .....	37
Algeria .....	39
Antigua and Barbuda.....	41
Argentina.....	43
Armenia.....	45
Aruba.....	48
Bahamas .....	50
Barbados.....	52
Belgium.....	54
Belize.....	55
Benin .....	58
Bolivia .....	60
Brazil.....	62
British Virgin Islands .....	64
Burma .....	66
Cabo Verde .....	68
Canada.....	70
Cayman Islands .....	72
China, People's Republic of.....	74
Colombia .....	76

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Costa Rica .....	78
Cuba.....	80
Curacao .....	82
Cyprus .....	84
Dominica.....	88
Dominican Republic .....	90
Ecuador .....	92
El Salvador.....	95
Georgia .....	96
Ghana .....	98
Guatemala .....	101
Guyana .....	103
Haiti .....	105
Honduras.....	107
Hong Kong .....	109
India.....	111
Indonesia .....	113
Iran .....	115
Italy.....	117
Jamaica.....	119
Kazakhstan.....	121
Kenya .....	123
Kyrgyz Republic .....	125
Laos.....	127
Liberia .....	129
Macau .....	132
Malaysia .....	134
Mexico.....	136
Morocco.....	138
Mozambique.....	140
Netherlands .....	142
Nicaragua .....	144
Nigeria .....	147
Pakistan .....	149
Panama .....	151
Paraguay.....	153
Peru.....	155
Philippines.....	157
Russian Federation.....	159
St. Kitts and Nevis .....	161
St. Lucia.....	163
St. Vincent and the Grenadines.....	165
Senegal.....	168
Sint Maarten .....	170

---

<b>Spain .....</b>	<b>172</b>
<b>Suriname .....</b>	<b>174</b>
<b>Tajikistan .....</b>	<b>176</b>
<b>Tanzania .....</b>	<b>177</b>
<b>Thailand .....</b>	<b>179</b>
<b>Trinidad and Tobago .....</b>	<b>181</b>
<b>Turkey .....</b>	<b>183</b>
<b>Turkmenistan.....</b>	<b>185</b>
<b>Ukraine .....</b>	<b>187</b>
<b>United Arab Emirates .....</b>	<b>190</b>
<b>United Kingdom .....</b>	<b>192</b>
<b>Uzbekistan .....</b>	<b>194</b>
<b>Venezuela .....</b>	<b>196</b>
<b>Vietnam .....</b>	<b>198</b>

## Common Abbreviations

1988 UN Drug Convention	1988 United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances
AML	Anti-Money Laundering
APG	Asia/Pacific Group on Money Laundering
ARS	Alternative Remittance System
BMPE	Black Market Peso Exchange
CBP	Customs and Border Protection
CDD	Customer Due Diligence
CFATF	Caribbean Financial Action Task Force
CFT	Combating the Financing of Terrorism
CTR	Currency Transaction Report
DEA	Drug Enforcement Administration
DHS	Department of Homeland Security
DHS/HSI	Department of Homeland Security/Homeland Security Investigations
DNFBP	Designated Non-Financial Businesses and Professions
DOJ	Department of Justice
DOS	Department of State
EAG	Eurasian Group to Combat Money Laundering and Terrorist Financing
EC	European Commission
ECOWAS	Economic Community of West African States
EDD	Enhanced Due Diligence
EO	Executive Order
ESAAMLG	Eastern and Southern Africa Anti-Money Laundering Group
EU	European Union
FATF	Financial Action Task Force
FBI	Federal Bureau of Investigation
FinCEN	Department of the Treasury's Financial Crimes Enforcement Network
FIU	Financial Intelligence Unit
FTZ	Free Trade Zone
GABAC	Action Group against Money Laundering in Central Africa

GAFILAT	Financial Action Task Force of Latin America
GDP	Gross Domestic Product
GIABA	Inter Governmental Action Group against Money Laundering
IBC	International Business Company
ILEA	International Law Enforcement Academy
IMF	International Monetary Fund
INCSR	International Narcotics Control Strategy Report
INL	Bureau of International Narcotics and Law Enforcement Affairs
IRS	Internal Revenue Service
IRS-CI	Internal Revenue Service, Criminal Investigations
ISIL	Islamic State of Iraq and the Levant
KYC	Know-Your-Customer
MENAFATF	Middle East and North Africa Financial Action Task Force
MER	Mutual Evaluation Report
MLAT	Mutual Legal Assistance Treaty
MONEYVAL	Committee of Experts on the Evaluation of Anti-Money Laundering Measures and the Financing of Terrorism
MOU	Memorandum of Understanding
MSB	Money Service Business
MVTS	Money or Value Transfer Service
NGO	Non-Governmental Organization
NPO	Non-Profit Organization
NRA	National Risk Assessment
OAS	Organization of American States
OAS/CICAD	OAS Inter-American Drug Abuse Control Commission
OECD	Organization for Economic Cooperation and Development
OFAC	Office of Foreign Assets Control
OPDAT	Office of Overseas Prosecutorial Development, Assistance and Training
OTA	Office of Technical Assistance
PEP	Politically Exposed Person
SAR	Suspicious Activity Report

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STR	Suspicious Transaction Report
TBML	Trade-Based Money Laundering
TTU	Trade Transparency Unit
UN	United Nations
UNCAC	United Nations Convention against Corruption
UNGPML	United Nations Global Programme against Money Laundering
UNODC	United Nations Office on Drugs and Crime
UNSCR	United Nations Security Council Resolution
UNTOC	United Nations Convention against Transnational Organized Crime
USAID	United States Agency for International Development



## Definitions

**419 Fraud Scheme:** An advanced fee fraud scheme, known as “419 fraud” in reference to the fraud section in Nigeria’s criminal code. This specific type of scam is generally referred to as the Nigerian scam because of its prevalence in that country. Such schemes typically involve promising the victim a significant share of a large sum of money, in return for a small up-front payment, which the fraudster claims to require in order to cover the cost of documentation, transfers, etc. Frequently, the sum is said to be lottery proceeds or personal/family funds being moved out of a country by a victim of an oppressive government, although many types of scenarios have been used. This scheme is perpetrated globally through email, fax, or mail.

**Anti-Money Laundering/Combating the Financing of Terrorism (AML/CFT):** Collective term used to describe the overall legal, procedural, and enforcement regime countries must implement to fight the threats of money laundering and terrorism financing.

**Bearer Share:** A bearer share is an equity security that is solely owned by whoever holds the physical stock certificate. The company that issues the bearer shares does not register the owner of the stock nor does it track transfers of ownership. The company issues dividends to bearer shareholders when a physical coupon is presented.

**Black Market Peso Exchange (BMPE):** One of the most pernicious money laundering schemes in the Western Hemisphere. It is also one of the largest, processing billions of dollars’ worth of drug proceeds a year from Colombia alone via trade-based money laundering (TBML, defined below), “smurfing,” cash smuggling, and other schemes. BMPE-like methodologies are also found outside the Western Hemisphere. There are variations on the schemes involved, but generally drug traffickers repatriate and exchange illicit profits obtained in the United States without moving funds across borders. In a simple BMPE scheme, a money launderer collaborates with a merchant operating in Colombia or Venezuela to provide him, at a discounted rate, U.S. dollars in the United States. These funds, usually drug proceeds, are used to purchase merchandise in the United States for export to the merchant. In return, the merchant who imports the goods provides the money launderer with local-denominated funds (pesos) in Colombia or Venezuela. The broker takes a cut and passes along the remainder to the responsible drug cartel.

**Bulk Cash Smuggling:** Bulk cash refers to the large amounts of currency notes criminals accumulate as a result of various types of criminal activity. Smuggling, in the context of bulk cash, refers to criminals’ subsequent attempts to physically transport the money from one country to another.

**Cross-border currency reporting:** Per FATF recommendation, countries should establish a currency declaration system that applies to all incoming and outgoing physical transportation of cash and other negotiable monetary instruments.

**Counter-valuation:** Often employed in settling debts between hawaladars or traders. One of the parties over-or-undervalues a commodity or trade item such as gold, thereby transferring value to another party and/or offsetting debt owed.

**Currency Transaction Report (CTR):** Financial institutions in some jurisdictions are required to file a CTR whenever they process a currency transaction exceeding a certain amount. In the United States, for example, the reporting threshold is \$10,000. The amount varies per jurisdiction. These reports include important identifying information about accountholders and the transactions. The reports are generally transmitted to the country's FIU.

**Customer Due Diligence/Know Your Customer (CDD/KYC):** The first step financial institutions must take to detect, deter, and prevent money laundering and terrorism financing, namely, maintaining adequate knowledge and data about customers and their financial activities.

**Egmont Group of FIUs:** The international standard-setter for Financial Intelligence Units (FIUs). The organization was created with the goal of serving as a center to overcome the obstacles preventing cross-border information sharing between FIUs.

**FATF-Style Regional Body (FSRB):** These bodies – which are modeled on the Financial Action Task Force (FATF) and are granted certain rights by that organization – serve as regional centers for matters related to AML/CFT. Their primary purpose is to promote a member jurisdiction's implementation of comprehensive AML/CFT regimes and implement the FATF recommendations.

**Financial Action Task Force (FATF):** FATF was created by the G7 leaders in 1989 in order to address increased alarm about money laundering's threat to the international financial system. This intergovernmental policy making body was given the mandate of examining money laundering techniques and trends and setting international standards for combating money laundering and terrorist financing.

**Financial Intelligence Unit (FIU):** In many countries, a central national agency responsible for receiving, requesting, analyzing, and/or disseminating disclosures of financial information to the competent authorities, primarily concerning suspected proceeds of crime and potential financing of terrorism. An FIU's mandate is backed up by national legislation or regulation. The Financial Crimes Enforcement Network (FinCEN) is the U.S. financial intelligence unit.

**Free Trade Zone (FTZ):** A special commercial and/or industrial area where foreign and domestic merchandise may be brought in without being subject to the payment of usual customs duties, taxes, and/or fees. Merchandise, including raw materials, components, and finished goods, may be stored, sold, exhibited, repacked, assembled, sorted, or otherwise manipulated prior to re-export or entry into the area of the country covered by customs. Duties are imposed on the merchandise (or items manufactured from the merchandise) only when the goods pass from the zone into an area of the country subject to customs. FTZs may also be called special economic zones, free ports, duty-free zones, or bonded warehouses.

**Funnel Account:** An individual or business account in one geographic area that receives multiple cash deposits, often in amounts below the cash reporting threshold, and from which the funds are withdrawn in a different geographic area with little time elapsing between the deposits and withdrawals.

**Hawala:** A centuries-old broker system based on trust, found throughout South Asia, the Arab world, and parts of Africa, Europe, and the Americas. It allows customers and brokers (called hawaladars) to transfer money or value without physically moving it, often in areas of the world where banks and other formal institutions have little or no presence. It is used by many different cultures, but under different names; “hawala” is used often as a catchall term for such systems in discussions of terrorism financing and related issues.

**Hawaladar:** A broker in a hawala or hawala-type network.

**Hundi:** See Hawala

**International Business Company (IBC):** Firms registered in an offshore jurisdiction by a non-resident that are precluded from doing business with residents in the jurisdiction. Offshore entities may facilitate hiding behind proxies and complicated business structures. IBCs are frequently used in the “layering” stage of money laundering.

**Integration:** The last stage of the money laundering process. The laundered money is introduced into the economy through methods that make it appear to be normal business activity, to include real estate purchases, investing in the stock market, and buying automobiles, gold, and other high-value items.

**Kimberly Process (KP):** The Kimberly Process was initiated by the UN to keep “conflict” or “blood” diamonds out of international commerce, thereby drying up the funds that sometimes fuel armed conflicts in Africa’s diamond producing regions.

**Layering:** This is the second stage of the money laundering process. The purpose of this stage is to make it more difficult for law enforcement to detect or follow the trail of illegal proceeds. Methods include converting cash into monetary instruments, wire transferring money between bank accounts, etc.

**Legal Person:** A company or other entity that has legal rights and is subject to obligations. In the FATF Recommendations, a legal person refers to a partnership, corporation, association, or other established entity that can conduct business or own property, as opposed to a human being.

**Mutual Evaluation (ME):** All FATF and FSRB members have committed to undergoing periodic multilateral monitoring and peer review to assess their compliance with FATF’s recommendations. Mutual evaluations are one of the FATF’s/FSRB’s primary instruments for determining the effectiveness of a country’s AML/CFT regime.

**Mutual Evaluation Report (MER):** At the end of the FATF/FSRB mutual evaluation process, the assessment team issues a report that describes the country’s AML/CFT regime and rates its effectiveness and compliance with the FATF Recommendations.

**Mobile Payments or M-Payments:** An umbrella term that generally refers to the growing use of cell phones to credit, send, receive, and transfer money and virtual value.

**Natural Person:** In jurisprudence, a natural person is a real human being, as opposed to a legal person (see above). In many cases, fundamental human rights are implicitly granted only to natural persons.

**Offshore Financial Center:** Usually a low-tax jurisdiction that provides financial and investment services to non-resident companies and individuals. Generally, companies doing business in offshore centers are prohibited from having clients or customers who are resident in the jurisdiction. Such centers may have strong secrecy provisions or minimal identification requirements.

**Over-invoicing:** When money launderers and those involved with value transfer, trade-fraud, and illicit finance misrepresent goods or services on an invoice by indicating they cost more than they are actually worth. This allows one party in the transaction to transfer money to the other under the guise of legitimate trade.

**Politically Exposed Person (PEP):** A term describing someone who has been entrusted with a prominent public function, or an individual who is closely related to such a person. This includes the heads of international organizations.

**Placement:** This is the first stage of the money laundering process. Illicit money is disguised or misrepresented, then placed into circulation through financial institutions, casinos, shops, and other businesses, both local and abroad. A variety of methods can be used for this purpose, including currency smuggling, bank transactions, currency exchanges, securities purchases, structuring transactions, and blending illicit with licit funds.

**Shell Company:** An incorporated company with no significant operations, established for the sole purpose of holding or transferring funds, often for money laundering purposes. As the name implies, shell companies have only a name, address, and bank accounts; clever money launderers often attempt to make them look more like real businesses by maintaining fake financial records and other elements. Shell companies are often incorporated as IBCs.

**Smurfing/Structuring:** A money laundering technique that involves splitting a large bank deposit into smaller deposits to evade financial transparency reporting requirements.

**Suspicious Transaction Report/Suspicious Activity Report (STR/SAR):** If a financial institution suspects or has reasonable grounds to suspect that the funds involved in a given transaction derive from criminal or terrorist activity, it is obligated to file a report with its national FIU containing key information about the transaction. In the United States, SAR is the most common term for such a report, though STR is used in most other jurisdictions.

**Tipping Off:** The disclosure of the reporting of suspicious or unusual activity to an individual who is the subject of such a report, or to a third party. The FATF Recommendations call for such an action to be criminalized.

**Trade-Based Money Laundering (TBML):** The process of disguising the proceeds of crime and moving value via trade transactions in an attempt to legitimize their illicit origin.

**Trade Transparency Unit (TTU):** TTUs examine trade between countries by comparing, for example, the export records from Country A and the corresponding import records from Country B. Allowing for some recognized variables, the data should match. Any wide discrepancies could be indicative of trade fraud (including TBML), corruption, or the back door to underground remittance systems and informal value transfer systems, such as hawala.

**Under-invoicing:** When money launderers and those involved with value transfer, trade fraud, and illicit finance misrepresent goods or services on an invoice by indicating they cost less than they are actually worth. This allows the traders to settle debts between each other in the form of goods or services.

**Unexplained Wealth Order (UWO):** A type of court order to compel someone to reveal the sources of their unexplained wealth. UWOs require the owner of an asset to explain how he or she was able to afford that asset. Persons who fail to provide a response may have assets seized or may be subject to other sanctions.

**UNSCR 1267:** UN Security Council Resolution 1267 and subsequent resolutions require all UN member states to take specific measures against individuals and entities associated with the Taliban and al-Qaida. The “1267 Committee” maintains a public list of these individuals and entities, and countries are encouraged to submit potential names to the committee for designation.

**UNSCR 1373:** UN Security Council Resolution 1373 requires states to freeze without delay the assets of individuals and entities associated with any global terrorist organization. This is significant because it goes beyond the scope of Resolution 1267 and requires member states to impose sanctions against all terrorist entities.

**Virtual Currency:** Virtual currency is an internet-based form of currency or medium of exchange, distinct from physical currencies or forms of value such as banknotes, coins, and gold. It is electronically created and stored. Some forms are encrypted. They allow for instantaneous transactions and borderless transfer of ownership. Virtual currencies generally can be purchased, traded, and exchanged among user groups and can be used to buy physical goods and services, but can also be limited or restricted to certain online communities, such as a given social network or internet game. Virtual currencies are purchased directly or indirectly with genuine money at a given exchange rate and can generally be remotely redeemed for genuine monetary credit or cash. According to the U.S. Department of Treasury, virtual currency operates like traditional currency, but does not have all the same attributes; i.e., it does not have legal tender status.

## Legislative Basis and Methodology for the INCSR

The 2021 volume on *Money Laundering* is a legislatively-mandated section of the annual International Narcotics Control Strategy Report (INCSR), in accordance with section 489 of the Foreign Assistance Act of 1961, as amended (the “FAA,” 22 U.S.C. § 2291).<sup>1</sup>

The FAA requires the Department of State to produce a report on the extent to which each country or entity that received assistance under chapter 8 of Part I of the Foreign Assistance Act in the past two fiscal years has “met the goals and objectives of the United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances” (“1988 UN Drug Convention”) (FAA § 489(a)(1)(A)).

In addition to identifying countries in relation to illicit narcotics, the INCSR is mandated to identify “major money laundering countries” (FAA §489(a)(3)(C)). The INCSR also is required to report findings on each country’s adoption of laws and regulations to prevent narcotics-related money laundering (FAA §489(a)(7)(C)). This volume is the section of the INCSR that reports on money laundering and country efforts to address it.

The statute defines a “major money laundering country” as one “whose financial institutions engage in currency transactions involving significant amounts of proceeds from international narcotics trafficking” (FAA § 481(e)(7)). The determination is derived from the list of countries included in INCSR Volume I (which focuses on narcotics) and other countries proposed by U.S. government experts based on indicia of significant drug-related money laundering activities. Given money laundering activity trends, the activities of non-financial businesses and professions or other value transfer systems are given due consideration.

Inclusion in Volume II is not an indication that a jurisdiction is not making strong efforts to combat money laundering or that it has not fully met relevant international standards. The INCSR is not a “black list” of jurisdictions, nor are there sanctions associated with it. The U.S. Department of State regularly reaches out to counterparts to request updates on money laundering and AML efforts, and it welcomes information.

The following countries/jurisdictions have been identified this year:

### **Major Money Laundering Jurisdictions in 2020:**

Afghanistan, Albania, Algeria, Antigua and Barbuda, Argentina, Armenia, Aruba, Bahamas, Barbados, Belgium, Belize, Benin, Bolivia, Brazil, British Virgin Islands, Burma, Cabo Verde, Canada, Cayman Islands, China, Colombia, Costa Rica, Cuba, Curacao, Cyprus, Dominica,

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<sup>1</sup> This 2021 report on Money Laundering is based upon the contributions of numerous U.S. government agencies and international sources. Specifically, the White House Office of National Drug Control Policy, U.S. Treasury Department’s Office of Terrorist Financing and Financial Crimes, Financial Crimes Enforcement Network, Internal Revenue Service, Office of the Comptroller of the Currency, and Office of Technical Assistance; Department of Homeland Security’s Immigrations and Customs Enforcement and Customs and Border Protection; Department of Justice’s Money Laundering and Asset Recovery Section, Office of International Affairs, Drug Enforcement Administration, Federal Bureau of Investigation, and Office for Overseas Prosecutorial Development, Assistance, and Training. Also providing information on training and technical assistance is the independent Board of Governors of the Federal Reserve System.

Dominican Republic, Ecuador, El Salvador, Georgia, Ghana, Guatemala, Guyana, Haiti, Honduras, Hong Kong, India, Indonesia, Iran, Italy, Jamaica, Kazakhstan, Kenya, Kyrgyz Republic, Laos, Liberia, Macau, Malaysia, Mexico, Morocco, Mozambique, Netherlands, Nicaragua, Nigeria, Pakistan, Panama, Paraguay, Peru, Philippines, Russia, St. Kitts and Nevis, St. Lucia, St. Vincent and the Grenadines, Senegal, Sint Maarten, Spain, Suriname, Tajikistan, Tanzania, Thailand, Trinidad and Tobago, Turkey, Turkmenistan, Ukraine, United Arab Emirates, United Kingdom, United States, Uzbekistan, Venezuela, and Vietnam.

## Overview

The COVID-19 pandemic disrupted governments and commercial activity around the globe in 2020. Onsite supervisory and audit programs were delayed or cancelled. Financial institutions and businesses adjusted their functions and adopted new methods of communicating and conducting transactions. Yet, despite the contraction of the global economy, the flow of illicit money continued. Criminals not only continued to perpetrate traditional financial crimes but devised new ways to exploit the pandemic through counterfeiting essential goods and telephone and email scams promoting health or medical products.

The 2021 edition of the Congressionally mandated “International Narcotics Control Strategy Report, Volume II: Money Laundering” focuses on the exposure to this threat in the specific context of narcotics-related money laundering. The report reviews the anti-money laundering (AML) legal and institutional infrastructure of jurisdictions and highlights the most significant steps each has taken to improve its AML regime. It also describes key vulnerabilities and deficiencies of these regimes, identifies each jurisdiction’s capacity to cooperate in international investigations, and highlights the United States’ provision of AML-related technical assistance.

The United States is a founding member of the Financial Action Task Force (FATF) and has worked within the organization and with partner countries and FATF-style regional bodies to promote compliance with the FATF 49 Recommendations. It has also supported, through technical assistance and other means, the development and implementation of robust national-level AML regimes around the world.

Corruption continues to flourish in many parts of the world, facilitating organized criminal enterprises and money laundering. Although the potential for corruption exists in all countries, weak political will, ineffective institutions, or deficient AML infrastructure heighten the risk that it will occur. The 2021 report highlights actions several governments are taking to more effectively address corruption and its links to money laundering. While legislative and institutional reforms are an important foundation for preventing corruption, robust and consistent enforcement is also key. In 2020, the Kyrgyz Republic passed an anticorruption strategy for 2021-2024, which includes plans to better repatriate stolen assets. The Government of Mozambique adopted a new asset recovery bill as well as unique account numbers for individuals to use in banks nationwide. Afghanistan issued regulations implementing asset forfeiture for corruption cases in the country’s first such asset-recovery regulation and, in October 2020, Afghan officials announced they prevented the illegal transfer of \$1.6 million over the preceding four months.

Increasing the transparency of beneficial ownership remains a central focus of AML efforts, appearing in coverage of some recent high-level corruption allegations in the media. Shell companies, many located in offshore centers with secrecy stipulations, are used by drug traffickers, organized criminal organizations, corrupt officials, and some regimes to launder money and evade sanctions. “Off-the shelf” international business companies (IBCs), which can be purchased via the internet, remain a significant concern by effectively providing



anonymity to true beneficial owners. While this report reflects that beneficial ownership transparency remains a vulnerability in many jurisdictions, it also highlights important steps taken by many governments.

In a major anticorruption and AML milestone for the United States, the U.S. Congress passed the Corporate Transparency Act in 2020. Once completed, regulations to implement the act will require corporations and limited liability companies to disclose their beneficial owners to the U.S. Department of the Treasury's Financial Crimes Enforcement Network (FinCEN), which will make the information available to appropriate government entities and financial institutions. The United States was not the only jurisdiction to take action in 2020. In The Bahamas, the country's Attorney General's Office and Financial Intelligence Unit (FIU) implemented a secure search system for accessing online information on beneficial ownership of legal entities registered in the country. Belize enacted legislation to give effect to tax transparency obligations. Since October 2020, the names of subscribers, registered offices, year-end share capital, and nature of business of companies in the Cayman Islands are publicly available. A new law in the Netherlands requires all corporate and other legal entities to list their ultimate beneficial owners in a transparent register. The United Arab Emirates (UAE) Council of Ministers (Cabinet) issued a resolution requiring declaration of beneficial ownership, shareholder disclosure, and timely updating of ownership information.

As new technologies emerge, crimes like money laundering evolve, posing new challenges for societies, governments, and law enforcement. The rapid growth of global mobile payments (m-payments) and virtual currencies demands particular attention in the AML sphere. The use of mobile telephony to send and receive money or credit continues to exceed the rate of bank account ownership in many parts of the world. The risk that criminal and terrorist organizations will co-opt m-payment services is real, particularly as the services can manifest less than optimal financial transparency.

Virtual currencies are growing in popularity and expanding their reach. In 2020, The Bahamas launched the Sand Dollar, the world's first central bank-backed digital currency. The Sand Dollar is stored in a non-interest-bearing digital wallet accessible through mobile devices. China is currently piloting a central bank-backed digital currency known as the eCNY or eCNY Digital Currency Electronic Payment. In March 2020, the Supreme Court of India removed an earlier government ban on trading in virtual currencies.

A growing number of jurisdictions are responding to the challenges posed by the rapid development of such anonymous e-payment methodologies. In 2020, the Prosecution Service of Georgia created a new cybercrime department and is in the process of developing virtual currency seizure guidelines for law enforcement. The Cayman Islands passed new legislation identifying its Monetary Authority as the AML supervisor of virtual asset service providers. The Peruvian Financial Intelligence Unit began supervising virtual currency exchanges and launched a risk analysis of virtual currencies, which will inform the drafting of a specific regulation. Antigua and Barbuda adopted legislation to introduce warrants for law enforcement to search the contents of electronic devices. The United Kingdom updated its AML regulations to cover virtual assets. In Thailand, the government held public hearings on proposed legislative amendments designed to cover financial technology service providers. Canada passed regulatory

amendments that now require money service businesses (MSBs) dealing in virtual currencies to comply with AML requirements and register with the Financial Transactions and Reports Analysis Centre (FINTRAC). Foreign MSBs also must fulfill new AML compliance measures and register with FINTRAC.

Although new technologies are gaining popularity, money launderers continue to use free trade zones and gaming enterprises to launder illicit funds. Trade-based money laundering (TBML), in particular, is a long-standing area of concern. Trade-based systems act as a kind of parallel method of transferring money and value around the world. Because systems such as hawala, the black market peso exchange, and the use of commodities such as gold and diamonds are not captured by many financial reporting requirements, they pose tremendous challenges for law enforcement. These methods are often based simply on the alteration of shipping documents or invoices, and thus are frequently undetected unless jurisdictions work together to share information and compare documentation. The UAE now mandates hawaladars and informal money transfer service providers formally register with its central bank. The growing network of Trade Transparency Units (TTUs), now numbering 16 active units, has revealed the extent of transnational TBML through the monitoring of import and export documentation. These units focus on detecting anomalies in trade data—such as deliberate over- and under-invoicing—that can be a powerful predictor of TBML. In recognition of this ongoing threat, a joint FATF-Egmont Group project is developing new guidelines for the identification of possible TBML.

As political stability, democracy, and free markets depend on solvent, stable, and honest financial, commercial, and trade systems, the continued development of effective AML regimes consistent with international standards is vital. The United States looks forward to continuing to work with international partners in furthering this important agenda, promoting compliance with international norms and strengthening capacities globally to prevent and combat money laundering.

## Training Activities

During 2020, the United States continued its endeavors to strengthen the capacity of our partners in the fight against money laundering despite the impact of the COVID-19 pandemic. Although some activities were curtailed or completed remotely, U.S. regulatory agencies and law enforcement continued to share best practices and provide training and technical assistance on money laundering countermeasures, financial investigations, and related issues to their counterparts around the globe. The programs built the capacity of our partners and provided the necessary tools to recognize, prevent, investigate, and prosecute money laundering, financial crimes, terrorist financing, and related criminal activity. U.S. agencies provided instruction directly or through other agencies or implementing partners, unilaterally or in collaboration with foreign counterparts, and with either a bilateral recipient or in multijurisdictional training exercises. The following is a representative, but not necessarily exhaustive, overview of the capacity building provided and organized by sponsoring agencies.

### ***Board of Governors of the Federal Reserve System (FRB)***

The FRB conducts a Bank Secrecy Act (BSA) and OFAC compliance program review as part of its regular safety and soundness examination. These examinations are an important component in the United States' efforts to detect and deter money laundering and terrorist financing. The FRB monitors its supervised financial institutions' conduct for BSA and OFAC compliance. Internationally, during 2020, the FRB did not conduct any in person AML/CFT international trainings or technical assistance missions due to the COVID-19 pandemic. It did conduct remote training programs for over 300 participants.

## **Department of Homeland Security**

### ***Customs and Border Protection (CBP)***

Both the International Operations Directorate and International Support Directorate of CBP provide international training programs and/or technical assistance. CBP did not conduct any AML training or technical assistance programs in calendar year 2020.

### ***Immigration and Customs Enforcement Homeland Security Investigations (ICE HSI)***

During 2020, ICE HSI provided critical training and technical assistance to the United States' foreign law enforcement partners. In Canada, ICE HSI worked with Canadian law enforcement agencies to provide training on cryptocurrency, the dark web, asset forfeiture, and financial investigative techniques. ICE HSI deployed personnel to the Canada Border Services Agency's Trade Fraud and Trade Based Money Laundering Center as well as with Public Safety Canada and the Royal Canadian Mounted Police Financial Crimes Coordination Center to increase information sharing in financial investigations and combatting money laundering. ICE HSI partnered with Caribbean law enforcement agencies to provide training on U.S.-based firearm export violations and its ties to narcotic smuggling within the United States. In Asia and Europe, ICE HSI trained bank officials and law enforcement partners in Malaysia and France on the ties between cryptocurrency money laundering and those engaged in crimes against children, child exploitation, and overall TBML. In South America, ICE HSI assisted the Peruvian National Police in investigating TBML occurring within Peru and trained Colombian military, tax and customs, and financial investigative offices on money laundering and contraband targeting to identify and disrupt illicit financial activity taking place along the country's remote coasts. Finally, in Central America, ICE HSI provided training on cryptocurrency investigations to Panamanian partners within the Panama National Police, its Public Ministry, and other Panamanian law enforcement bodies.

## Department of Justice

### ***Drug Enforcement Administration (DEA)***

The Office of Domestic Operations, Financial Investigations Section (ODF) coordinates DEA's efforts to target the financial aspects of transnational criminal organizations across domestic and foreign offices. ODF works in conjunction with DEA field offices, foreign counterparts, and the interagency community to provide guidance and support on financial investigations and offers a variety of investigative tools and oversight on DEA's undercover financial investigations. ODF also liaises with the international law enforcement community to further cooperation between countries and investigative efforts, to include prosecution of money launderers, the seizure of assets, and denial of revenue.

ODF regularly briefs and educates United States government officials and diplomats, foreign government officials, and military and law enforcement counterparts regarding the latest trends in money laundering, narcoterrorism financing, international banking, offshore corporations, international wire transfer of funds, and financial investigative tools and techniques.

ODF also conducts training for DEA field offices, both domestic and foreign, as well as for foreign counterparts, in order to share strategic ideas and promote effective techniques in financial investigations. During 2020, ODF participated in and led a number of virtual workshops and strategy sessions focused on COVID-19 money laundering trends, TBML, private sector engagement, virtual currency, and investigative case coordination. Also during 2020, DEA participated in virtual money laundering training courses and workshops with a number of international partners, to include but not limited to: Colombia, Panama, Costa Rica, Guatemala, Mexico, and Canada.

### ***Federal Bureau of Investigation (FBI)***

The FBI provides training and/or technical assistance to national law enforcement personnel globally. Training and technical assistance programs enhance host country law enforcement's capacity to investigate and prosecute narcotics-related money laundering crimes. The FBI has provided workshops introducing high-level money laundering techniques used by criminal and terrorist organizations. The training may focus on topics such as a foundational understanding of drug trafficking investigative and analytical techniques and tactics, money laundering and public corruption, or terrorism financing crimes and their relationship to drug trafficking as a support for terrorism activities. In 2020, the FBI provided financial crime and money laundering training to Argentina, Antigua and Barbuda, Brazil, Chile, Colombia, Costa Rica, the Dominican Republic, Ecuador, Guatemala, Hungary, Jamaica, Kazakhstan, Mexico, Nicaragua, Panama, Peru, Paraguay, and Trinidad and Tobago. The FBI also participated in training provided through UNODC.

## ***Office of Overseas Prosecutorial Development, Assistance and Training (OPDAT)***

In 2020, with funding from INL, OPDAT provided expert AML assistance throughout the world consistent with international standards and in furtherance of U.S. national security:

### **Africa**

In The Gambia, OPDAT assisted in pursuing foreign assets of the corrupt former president, including assistance to the USDOJ's Money Laundering and Asset Recovery Section to initiate civil forfeiture proceedings on a multimillion-dollar property in Maryland. Additionally, in late 2020, FBI Special Agents returned to Ghana to continue case-based mentoring with investigators.

### **Asia and the Pacific**

In the Maldives, OPDAT-mentored prosecutors secured a 20-year sentence of the former vice president for money laundering and corruption. In Indonesia, OPDAT worked with the anticorruption commission and provided training to over 1,200 journalists, academics, civil servants, and others on how money is laundered through corporations and the role the media can and should play. In Nepal, OPDAT has continually advocated for the creation of specialized units, including AML prosecutors. In Bangladesh, OPDAT held an anticorruption/AML virtual program for approximately 50 prosecutors and law enforcement officers. In Burma, OPDAT drafted an AML concept note and continued promoting a set of written police prosecutor guidelines for AML cases, which reflect international standards.

### **Europe**

Through regional and bilateral workshops, as well as extensive case-based mentoring, in 2020 OPDAT developed the financial investigation skills of police and prosecutors throughout the Western Balkans, including Albania, Bosnia and Herzegovina, Kosovo, North Macedonia, Montenegro, and Serbia, as well as in Bulgaria, Latvia, and Romania; this capacity building has resulted in significant AML successes. OPDAT provided AML instruction throughout the region to judges on reviewing complex financial evidence and to journalists and civil society representatives on conducting open source financial investigations. OPDAT also assisted the government of Malta to enact AML reforms necessary to comply with international standards.

### **Western Hemisphere**

In Mexico, OPDAT provided case-based mentoring to prosecutors handling AML cases, as well as support to the Mexican Congress. These engagements have resulted in significant arrests and prosecutions of cartel members and leaders. OPDAT also provided regular AML and asset forfeiture assistance and mentoring to Guatemalan, Honduran, and Salvadoran prosecutors, investigators, judges, and AML units, and led regional efforts to share best practices and promote increased regional sharing of information on these topics. Finally, OPDAT hosted a Pan American AML/CFT Seminar Series with the goal of strengthening cross-border cooperation throughout the Americas against money laundering and terrorist financing. More than 250 prosecutors, judges, and analysts participated.

## Department of State

The Department of State's Bureau of International Narcotics and Law Enforcement (INL) works to keep Americans safe by countering crime, illegal drugs, and instability abroad. Through its international technical assistance and training programs, in coordination with other Department bureaus, U.S. government agencies, and multilateral organizations, INL addresses a broad range of law enforcement and criminal justice areas, including developing strong AML regimes around the world.

INL and its partners design programs and provide AML training and technical assistance to countries that demonstrate the political will to develop viable AML regimes. The strategic objective is to disrupt the activities of transnational criminal organizations and drug trafficking organizations by disrupting their financial resources. INL funds many of the regional training and technical assistance programs offered by U.S. law enforcement agencies, including those provided at the INL-managed International Law Enforcement Academies.

Examples of INL sponsored programs include:

### Europe and Asia

**Afghanistan:** Through agreements with the Department of Justice and UNODC, INL supported mentoring and technical assistance on AML/CFT to Afghan investigators and prosecutors engaged in processing corruption, major crimes, narcotics, and national security cases.

**Central Asia Region:** The United States supports a regional AML/CFT advisor to provide training and mentoring to FIU and prosecutorial personnel in Kazakhstan, Kyrgyz Republic, Tajikistan, Turkmenistan and Uzbekistan in order to improve the effectiveness of national AML/CFT frameworks.

**Europe:** INL is working closely with partners in Europe to detect and stop the flow of illicit funds derived from criminal enterprises, often involving corruption and organized crime. INL is working closely with authorities in Latvia, Slovak Republic, Cyprus, Malta, Bulgaria, and Romania, among others, to enhance their efforts to investigate financial crimes, including money laundering and other crimes related to corruption and organized crime.

**Laos:** The United States supported training for the Lao Anti-Money Laundering Intelligence Office, Customs, police, prosecutors, and judges on financial investigations, AML, bulk-cash smuggling, and risk identification and assessment.

**Mongolia:** The United States supported training on financial crimes and AML for Mongolian law enforcement, prosecutors, and FIU staff, as well as the provision of specialized software to facilitate data collection, management, analysis, and workflow.

**Philippines:** The USG has supported training for AMLC on areas including the collection of electronic evidence, casino financial crimes, counter terrorism financing, case preparation, asset management, database support, and investigations.

**Western Hemisphere**

**Caribbean:** The United States partnered with the Caribbean Community Implementation Agency for Crime and Security (CARICOM IMPACS) to host a three-day virtual Caribbean Financial Crimes Technical Working Group covering civil asset forfeiture, financial crimes legislation, money laundering, electronic evidence, and regional financial crimes and case studies. Participating countries included The Bahamas, Barbados, Belize, Dominica, Grenada, Guyana, Jamaica, Haiti, St. Lucia, St. Kitts and Nevis, St. Vincent and the Grenadines, Suriname, and Trinidad and Tobago.

The United States supported UNODC trainings on TBML for 1,247 Caribbean officials and an AML training led by Trinidad and Tobago for an additional 573 Caribbean officials.

**Central America:** In El Salvador, Guatemala, and Honduras, INL supports the deployment of Department of Justice resident legal advisors who focus on financial crimes. INL also works with specialized units in the offices of the attorneys general in each of these countries to provide mentoring, advice, and the skills needed to investigate and prosecute crimes with a money laundering nexus. INL interagency agreements with the Department of Justice support law enforcement and prosecutorial coordination through quarterly meetings and technical assistance. In November 2020, these coordination efforts brought together gang prosecutors and investigators from El Salvador, Guatemala, Honduras, Mexico, and the United States in a one-week coordinated law enforcement action that resulted in criminal charges in Central America against more than 700 members of transnational criminal organizations. To ensure continuity in justice sector training during the COVID-19 pandemic, INL supported increased online training opportunities for justice sector actors.

Similarly, INL support to U.S. ICE-vetted transnational criminal investigative units in El Salvador, Guatemala, Honduras, and Panama helps disrupt and dismantle transnational criminal organizations and investigate crimes, including money laundering.

**Colombia:** INL provides training, equipment, and case-based mentoring to prosecutors and investigators in the Attorney General's Office. These lines of effort are designed to prioritize complex, transnational organized crime cases with the goal of prosecuting money laundering and disrupting financing for drug trafficking and other organized crime activities. Further, INL supports the Special Assets Entity in developing procedures to recover assets forfeited using non-conviction-based forfeiture procedures. Additionally, INL supports training and technical assistance for Colombian judicial actors to make informed decisions in complex AML cases.

**Ecuador:** Ecuadorian cooperation with U.S. law enforcement agencies improved due to increased United States technical assistance for Ecuador's FIU, the Financial and Economic Analysis Unit (UAFE) and the formation of a vetted AML unit comprised of the Attorney General's Office, UAFE, and National Police personnel.

**Peru:** The United States supported AML trainings on virtual currencies and financial technology.



**Suriname:** The FIU is developing further technical skills through INL-supported training programs.

## Department of the Treasury

### ***Financial Crimes Enforcement Network (FinCEN)***

FinCEN is the United States FIU, administrator of the Bank Secrecy Act, and primary regulator of AML/CFT activity. FinCEN conducts bilateral and multilateral training and assistance with foreign counterpart FIUs and various domestic and international agencies and departments. This work includes but is not limited to: multilateral information sharing projects focused on specific topics of interest among jurisdictions; analyst exchange programs and training; and programs that enhance analytic capabilities and strengthen operational collaboration to identify, track, and develop actionable operational intelligence. In 2020, FinCEN did a presentation to the FATF Virtual Asset Contact Group (which included participation across all FATF regions); participated in the UNODC Southeast Asia Cryptocurrency Working Group meeting and training, which was focused especially on Southeast Asia; the United States-United Kingdom Virtual Currency Roundtable; and a training program for the Kuwait FIU on the role of an FIU in SAR analysis and assistance to law enforcement.

### ***Internal Revenue Service, Criminal Investigations (IRS-CI)***

IRS-CI provides training and technical assistance to international law enforcement officers in detecting and investigating financial crimes involving tax, money laundering, terrorist financing, and public corruption. With funding provided by the DOS, DOJ, and other sources, IRS-CI delivers training through agency and multi-agency technical assistance programs.

IRS-CI delivered the Inter-Agency Cooperation in Financial Investigations course at the ILEA Regional Training Center in Accra, Ghana in March 2020. The training was co-delivered with DEA instructors.

The IRS-CI international training program created a virtual training alternative to meet the needs of our training partners abroad. In 2020, IRS-CI offered webinars focused on a variety of financial techniques and case studies involving financial crimes. These webinars benefited criminal investigators and their supervisors, tax enforcement officials, and government prosecutors in combating serious crimes. Current webinar offerings include the following topics: International Public Corruption with Foreign Corrupt Practices Act and Money Laundering Violations Case Study; TBML via Value Added Tax Fraud Case Study; PEP Case Study; Narcotics and the Dark Web Case Study; and Democratic People's Republic of Korea Cyber Hack and Cryptocurrency Case Study.

The IRS-CI international training program delivered webinars for government officials in Belize, Canada, Cayman Islands, Colombia, Costa Rica, El Salvador, Guatemala, Honduras, Mexico, Panama, and Paraguay.

## ***Office of the Comptroller of the Currency (OCC)***

The U.S. Department of Treasury's OCC charters, regulates, and supervises all national banks and federal savings associations in the U.S. The OCC's goal is to ensure these institutions operate in a safe and sound manner and comply with all laws and regulations, including the Bank Secrecy Act, as well as consumer protection laws and implementing regulations. The OCC also sponsors several initiatives to provide AML/CFT training to foreign banking supervisors. However, in 2020, due to COVID-19, the OCC was not able to offer its annual AML/CFT School, designed specifically for foreign banking supervisors, to increase their knowledge of money laundering and terrorism financing typologies and improve their ability to examine and enforce compliance with national laws. OCC officials met with representatives from foreign law enforcement authorities, FIUs, and AML/CFT supervisory agencies to discuss the U.S. AML/CFT regime, the agencies' risk-based approach to AML/CFT supervision, examination techniques and procedures, and enforcement actions. The OCC is preparing to offer virtual AML/CFT training to foreign regulators in 2021.

## ***Office of Technical Assistance (OTA)***

Each of OTA's five teams – Revenue Policy and Administration, Budget and Financial Accountability, Government Debt and Infrastructure Finance, Banking & Financial Services, and Economic Crimes – focuses on particular areas to establish strong financial sectors and sound public financial management in developing and transition countries. OTA follows a number of guiding principles to complement its holistic approach to technical assistance and supports self-reliance by equipping countries with the knowledge and skills required to reduce dependence on international aid and achieve sustainability. OTA is selective and only works with governments that are committed to reform – reform that counterparts design and own – and to applying U.S. assistance effectively. OTA works side-by-side with counterparts through mentoring and on-the-job training, which is accomplished through co-location at a relevant government agency. OTA's activities are funded by a direct appropriation from the U.S. Congress as well as transfers from other U.S. agencies, notably the U.S. Department of State and USAID.

The mission of the OTA Economic Crimes Team (ECT), in particular, is to provide technical assistance to help foreign governments develop and implement internationally compliant AML/CFT regimes. In this context, the ECT also addresses underlying predicate crimes, including corruption and organized crime. To ensure successful outcomes, ECT engagements are based on express requests from foreign government counterparts. The ECT responds to a request with an onsite assessment by ECT management, which considers the jurisdiction's noncompliance with international standards and the corresponding needs for technical assistance, as well as the willingness by the counterparts to engage in an active partnership with the ECT to address those deficiencies.

An ECT engagement, tailored to the specific conditions of the jurisdiction, may involve placement of a resident advisor and/or utilization of intermittent advisors under the coordination of a team lead. The scope of ECT technical assistance is broad and can include awareness-raising aimed at a range of AML/CFT stakeholders; improvements to an AML/CFT legal

framework, including legislation, regulations, and formal guidance; and improvement of the technical competence of stakeholders. The range of on-the-job training provided by the ECT is equally broad and includes, among other topics, supervisory techniques for relevant regulatory areas; analytic and financial investigative techniques; cross-border currency movement and TBML; asset seizure, forfeiture, and management; and the use of interagency financial crimes working groups.

In 2020, following these principles and methods, the ECT delivered technical assistance to Angola, Argentina, Belize, Botswana, Cabo Verde, Dominican Republic, Ecuador, Estonia, Iraq, Latvia, the Maldives, Mongolia, Sierra Leone, Sri Lanka, and Zambia.

## Comparative Table Key

The comparative table following the Glossary of Terms below identifies the broad range of actions, effective as of December 31, 2020, that jurisdictions have, or have not, taken to combat drug money laundering. This reference table provides a comparison of elements that include legislative activity and other identifying characteristics that can have a relationship to a jurisdiction's money laundering vulnerability. **For those questions relating to legislative or regulatory issues, "Y" is meant to indicate legislation has been enacted to address the captioned items. It does not imply full compliance with international standards.**

### Glossary of Terms

- "Criminalized Drug Money Laundering": The jurisdiction has enacted laws criminalizing the offense of money laundering related to illicit proceeds generated by the drug trade.
- "Know-Your-Customer Provisions": By law or regulation, the government requires banks and/or other covered entities to adopt and implement Know-Your-Customer/Customer Due Diligence (KYC/CDD) programs for their customers or clientele.
- "Report Suspicious Transactions": By law or regulation, banks and/or other covered entities are required to report suspicious or unusual transactions (STRs) to designated authorities.
- "Maintain Records over Time": By law or regulation, banks and other covered entities are required to keep records, especially of large or unusual transactions, for a specified period of time, e.g., five years.
- "Cross-Border Transportation of Currency": By law or regulation, the jurisdiction has established a declaration or disclosure system for persons transiting the jurisdiction's borders, either inbound or outbound, and carrying currency or monetary instruments above a specified threshold.
- "Financial Intelligence Unit is a Member of the Egmont Group of FIUs": The jurisdiction has established an operative central, national agency responsible for receiving (and, as permitted, requesting), analyzing, and disseminating to competent authorities disclosures of financial information in order to counter drug money laundering, and the FIU has become a member of the Egmont Group of FIUs.
- "International Law Enforcement Cooperation": No known legal impediments to international cooperation exist in current law. Jurisdiction cooperates with authorized investigations involving or initiated by third party jurisdictions, including sharing of records or other financial data, upon request.
- "System for Identifying and Forfeiting Assets": The jurisdiction has established a legally authorized system for the tracing, freezing, seizure, and forfeiture of assets identified as relating to or generated by drug money laundering activities.
- "Arrangements for Asset Sharing": By law, regulation, or bilateral agreement, the jurisdiction permits sharing of seized assets with foreign jurisdictions that assisted in the conduct of the underlying investigation. No known legal impediments to sharing assets with other jurisdictions exist in current law.

- “Information Exchange Agreements with Non-U.S. Governments”: The country/jurisdiction is a member of the Egmont Group of FIUs or has in place treaties, MOUs, or other agreements with other governments to share information related to drug-related money laundering.
- “States Party to 1988 UN Drug Convention”: States party to the 1988 United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, or a territorial entity to which the application of the Convention has been extended by a party to the Convention.
- “States Party to the UN Convention against Transnational Organized Crime”: States party to the United Nations Convention against Transnational Organized Crime (UNTOC), or a territorial entity to which the application of the Convention has been extended by a party to the Convention.
- “States Party to the UN Convention against Corruption”: States party to the United Nations Convention against Corruption (UNCAC), or a territorial entity to which the application of the Convention has been extended by a party to the Convention.
- “Financial Institutions Transact in Proceeds from International Drug Trafficking That Significantly Affects the U.S.”: The jurisdiction’s financial institutions engage in currency transactions involving international narcotics trafficking proceeds that include significant amounts of U.S. currency; currency derived from illegal drug sales in the United States; or illegal drug sales that otherwise significantly affect the United States.

## Comparative Table

“Y” is meant to indicate that legislation has been enacted to address the captioned items. It does not imply full compliance with international standards. Please see the individual country reports for information on any deficiencies in the adopted laws/regulations.

Actions by Governments	Criminalized Drug Money Laundering	Know-Your-Customer Provisions	Report Suspicious Transactions (Y/N)	Maintain Records Over Time	Cross-Border Transportation of Currency	Financial Intelligence Unit is a Member of the Egmont Group of FIUs	Intl Law Enforcement Cooperation	System for Identifying/Forfeiting Assets	Arrangements for Asset Sharing	Information exchange agreements with non-U.S. govts	States Party to 1988 UN Drug Convention	States Party to UNTOC	States Party to UNCAC	Financial Institutions transact in proceeds from international drug trafficking that significantly affects the U.S.
<b>Govt/Jurisdiction</b>														
<b>Afghanistan</b>	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y
<b>Albania</b>	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	N
<b>Algeria</b>	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N
<b>Antigua and Barbuda</b>	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N
<b>Argentina</b>	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
<b>Armenia</b>	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N
<b>Aruba<sup>2</sup></b>	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N
<b>Bahamas</b>	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N
<b>Barbados</b>	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y
<b>Belgium</b>	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N
<b>Belize</b>	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N
<b>Benin</b>	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	N

<sup>2</sup> The Netherlands extended its application of the 1988 UN Drug Convention to Aruba, Curacao, and Sint Maarten and the UN Convention against Transnational Organized Crime to Aruba.

<b>Actions by Governments</b>	<b>Criminalized Drug Money Laundering</b>	<b>Know-Your-Customer Provisions</b>	<b>Report Suspicious Transactions (YPN)</b>	<b>Maintain Records Over Time</b>	<b>Cross-Border Transportation of Currency</b>	<b>Financial Intelligence Unit is a Member of the Egmont Group of FIUs</b>	<b>Intl Law Enforcement Cooperation</b>	<b>System for Identifying/Forfeiting Assets</b>	<b>Arrangements for Asset Sharing</b>	<b>Information exchange agreements with non-U.S. govts</b>	<b>States Party to 1988 UN Drug Convention</b>	<b>States Party to UNTOC</b>	<b>States Party to UNCAC</b>	<b>Financial Institutions transact in proceeds from international drug trafficking that significantly affects the U.S.</b>
<b>Govt/Jurisdiction</b>														
<b>Bolivia</b>	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N
<b>Brazil</b>	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N
<b>British Virgin Islands<sup>3</sup></b>	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N
<b>Burma</b>	Y	Y	Y	Y	Y	N	Y	Y	N	Y	Y	Y	Y	N
<b>Cabo Verde</b>	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	N
<b>Canada</b>	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N
<b>Cayman Islands<sup>3</sup></b>	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N
<b>China</b>	Y	Y	Y	Y	Y	N	N	Y	N	Y	Y	Y	Y	N
<b>Colombia</b>	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
<b>Costa Rica</b>	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y
<b>Cuba</b>	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	N
<b>Curacao<sup>2</sup></b>	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N
<b>Cyprus<sup>4</sup></b>	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N
<b>Dominica</b>	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N
<b>Dominican Republic</b>	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y

<sup>3</sup> The UK extended its application of the 1988 UN Drug Convention to British Virgin Islands and Cayman Islands. The UNCAC has been extended to British Virgin Islands and Cayman Islands. The UNTOC has been extended to British Virgin Islands and Cayman Islands.

<sup>4</sup>

<b>Area administered by Turkish Cypriots</b>	Y	Y	Y	Y	Y	N	N	Y	N	N/A	N/A	N/A	N/A	N
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<b>Actions by Governments</b>	<b>Criminalized Drug Money Laundering</b>	<b>Know-Your-Customer Provisions</b>	<b>Report Suspicious Transactions (YPN)</b>	<b>Maintain Records Over Time</b>	<b>Cross-Border Transportation of Currency</b>	<b>Financial Intelligence Unit is a Member of the Egmont Group of FIUs</b>	<b>Intl Law Enforcement Cooperation</b>	<b>System for Identifying/Forfeiting Assets</b>	<b>Arrangements for Asset Sharing</b>	<b>Information exchange agreements with non-U.S. courts</b>	<b>States Party to 1988 UN Drug Convention</b>	<b>States Party to UNTOC</b>	<b>States Party to UNCAC</b>	<b>Financial Institutions transact in proceeds from international drug trafficking that significantly affects the U.S.</b>
<b>Govt/Jurisdiction</b>														
<b>Ecuador</b>	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
<b>El Salvador</b>	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
<b>Georgia</b>	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N
<b>Ghana</b>	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N
<b>Guatemala</b>	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y
<b>Guyana</b>	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y
<b>Haiti</b>	Y	Y	Y	Y	N	N	Y	Y	Y	Y	Y	Y	Y	N
<b>Honduras</b>	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
<b>Hong Kong<sup>5</sup></b>	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N
<b>India</b>	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	N
<b>Indonesia</b>	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	N
<b>Iran</b>	Y	Y	Y	Y	Y	N	N	Y	N	Y	Y	N	Y	N/A
<b>Italy</b>	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N
<b>Jamaica</b>	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N
<b>Kazakhstan</b>	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N
<b>Kenya</b>	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y
<b>Kyrgyz Republic</b>	Y	Y	Y	Y	Y	Y	Y	N	N	Y	Y	Y	Y	N

<sup>5</sup> The People's Republic of China extended the 1988 UN Drug Convention, the UNTOC, and the UNCAC to the special administrative region of Hong Kong.

<b>Actions by Governments</b>	<b>Criminalized Drug Money Laundering</b>	<b>Know-Your-Customer Provisions</b>	<b>Report Suspicious Transactions (YPN)</b>	<b>Maintain Records Over Time</b>	<b>Cross-Border Transportation of Currency</b>	<b>Financial Intelligence Unit is a Member of the Egmont Group of FIUs</b>	<b>Intl Law Enforcement Cooperation</b>	<b>System for Identifying/Forfeiting Assets</b>	<b>Arrangements for Asset Sharing</b>	<b>Information exchange agreements with non-U.S.</b>	<b>States Party to 1988 UN Drug Convention</b>	<b>States Party to UNTOC</b>	<b>States Party to UNCAC</b>	<b>Financial Institutions transact in proceeds from international drug trafficking that significantly affects the U.S.</b>
<b>Govt/Jurisdiction</b>														
<b>Laos</b>	Y	Y	Y	Y	Y	N	Y	N	N	Y	Y	Y	Y	N
<b>Liberia</b>	Y	Y	Y	Y	Y	N	Y	Y	N	Y	Y	Y	Y	N
<b>Macau<sup>5</sup></b>	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N
<b>Malaysia</b>	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N
<b>Mexico</b>	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
<b>Morocco</b>	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N
<b>Mozambique</b>	Y	Y	Y	Y	Y	N	Y	Y	N	Y	Y	Y	Y	N
<b>Netherlands</b>	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N
<b>Nicaragua</b>	Y	Y	Y	Y	Y	N	Y	Y	N	Y	Y	Y	Y	N
<b>Nigeria</b>	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y
<b>Pakistan</b>	Y	Y	Y	Y	Y	N	Y	N	N	Y	Y	Y	Y	Y
<b>Panama</b>	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
<b>Paraguay</b>	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
<b>Peru</b>	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
<b>Philippines</b>	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y
<b>Russia</b>	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
<b>St. Kitts and Nevis</b>	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N
<b>St. Lucia</b>	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N
<b>St. Vincent and the Grenadines</b>	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N

<b>Actions by Governments</b>	<b>Criminalized Drug Money Laundering</b>	<b>Know-Your-Customer Provisions</b>	<b>Report Suspicious Transactions (YPN)</b>	<b>Maintain Records Over Time</b>	<b>Cross-Border Transportation of Currency</b>	<b>Financial Intelligence Unit is a Member of the Egmont Group of FIUs</b>	<b>Intl Law Enforcement Cooperation</b>	<b>System for Identifying/Forfeiting Assets</b>	<b>Arrangements for Asset Sharing</b>	<b>Information exchange agreements with non-U.S.</b>	<b>States Party to 1988 UN Drug Convention</b>	<b>States Party to UNTOC</b>	<b>States Party to UNCAC</b>	<b>Financial Institutions transact in proceeds from international drug trafficking that significantly affects the U.S.</b>
<b>Govt/Jurisdiction</b>														
<b>Senegal</b>	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N
<b>Sint Maarten<sup>2</sup></b>	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N
<b>Spain</b>	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
<b>Suriname</b>	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	N	N
<b>Tajikistan</b>	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	N
<b>Tanzania</b>	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	N
<b>Thailand</b>	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N
<b>Trinidad and Tobago</b>	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N
<b>Turkey</b>	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	N
<b>Turkmenistan</b>	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	N
<b>Ukraine</b>	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N
<b>United Arab Emirates</b>	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	N
<b>United Kingdom</b>	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N
<b>Uzbekistan</b>	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	N
<b>Venezuela</b>	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
<b>Vietnam</b>	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	N

# Afghanistan

## OVERVIEW

Terrorist and insurgent financing, money laundering, bulk cash smuggling, an inability to fully collect customs revenue, fraud, and abuse of hawalas continue to threaten Afghanistan's security and development. Afghanistan remains the world's largest opium producer, and corruption continues to be a significant obstacle to the nation's progress. Despite laws and regulations to combat administrative and financial crimes, Afghanistan still struggles to transparently implement and enforce an effective AML/CFT regime.

## VULNERABILITIES AND MONEY LAUNDERING METHODOLOGIES

The illicit narcotics trade, corruption, illegal mineral extraction, smuggling, and TBML are major sources of illicit revenue. Afghanistan's borders with Pakistan and Iran are porous, facilitating smuggling. Fewer than 15 percent of Afghans have accounts with financial institutions. Hawala networks provide financial and non-financial business services in local, regional, and international markets and are often used to circumvent government oversight. Afghanistan's central bank, Da Afghanistan Bank (DAB), is advocating to require hawalas to change their legal structures from sole proprietorships to corporations with governance boards, compliance policies and procedures, and customer screening. Hawala union leaders have previously held strikes and lobbied political forces to stop what they perceive as over-regulation.

## KEY AML LAWS AND REGULATIONS

Afghanistan has a comprehensive AML law that includes KYC and STR provisions. A cross-border currency reporting requirement is also in place. In May 2020, Afghanistan issued its first regulations implementing asset confiscation, although only for corruption cases.

Although Afghanistan's domestic law allows for extradition based upon multilateral arrangements, its constitution prohibits extradition of Afghan citizens without a reciprocal agreement between Afghanistan and the requesting country. The United States does not have an extradition treaty with Afghanistan. There is no bilateral Mutual Legal Assistance Treaty (MLAT) between the United States and Afghanistan, but both countries are parties to multilateral conventions that provide a legal basis for assistance.

Afghanistan is a member of the APG, a FATF-style regional body. Its most recent MER is available at: <http://www.fatf-gafi.org/countries/a-c/afghanistan/documents/mutualevaluationofafghanistan.html>.

## AML LEGAL, POLICY, AND REGULATORY DEFICIENCIES

The poor security environment, endemic corruption, and a lack of investigative capacity all impact the supervision and regulation of financial institutions, MSBs, and money exchangers. Recent staff turnover at the DAB and the Financial Transactions and Reports Analysis Center of

Afghanistan (FinTRACA), Afghanistan's FIU, have eroded institutional knowledge and diminished confidence of international partners.

Many hawalas use the formal banking sector for day-to-day operations and to settle balances with other hawalas, both domestically and abroad. However, because hawaladars have a history of and preference for opacity, a lack of technical capacity, and an unwillingness to implement CDD requirements (which they view as overly burdensome), they generally fail to file STRs. FinTRACA is working to expand supervision and implementation of the MSB/hawala licensing program.

The new asset recovery regulations cover only corruption cases. The Afghan government should expand the regulations to include other crimes, such as money laundering and narcotics trafficking.

Lack of supervision and regulation of precious metals and stones dealers, lawyers, accountants, and real estate agents remains a significant challenge.

### **ENFORCEMENT/IMPLEMENTATION ISSUES AND COMMENTS**

Regulators and enforcement officers need adequate security and resources, political support, and continued training.

Afghanistan's Attorney General's Office (AGO) and law enforcement authorities are hampered by limited resources, lack of technical expertise, poor coordination with counterpart agencies, lack of full independence, and poor infrastructure. Attorneys, judges, and law enforcement authorities frequently lack the capacity to pursue and prosecute sophisticated or complex cases. Law enforcement officers, prosecutors, and judges continue to need training on effective, lawful asset seizure. Afghanistan should continue to improve seizure and confiscation procedures.

Cooperation between FinTRACA and the AGO is often limited by capacity hurdles and corruption issues. Weak prosecutorial capacity to pursue money laundering cases and asset seizures is problematic. No entity has responsibility for post-conviction asset recovery or for the use or equitable sharing of forfeited assets for crimes, other than assets forfeited in corruption cases.

Insurance companies and securities dealers are required to file STRs, but the government does not fully enforce this requirement.

FinTRACA should establish a publicly available list of licensed hawalas and promote their use by the public. The DAB should continue to enhance its AML/CFT supervision and enforcement capabilities. Afghanistan should fully enforce market manipulation and counterfeiting as predicates for money laundering and strengthen AML supervision of DNFBPs.

In April 2020, DAB issued a report detailing the results of its onsite AML/CFT examinations of 57 MSBs and foreign-exchange dealers (FXD). The report identifies a multitude of significant deficiencies and concludes that, overall, MSB and FXD compliance with applicable laws and

regulations is weak. The report recommends industry-wide training, KYC documents maintenance, and improving the quality and frequency of mandated reports.

In mid-2020, the former director of FinTRACA was removed from that position over allegations of bribery in his former role as director of banking supervision at DAB. As of year-end 2020, both the FinTRACA director and its director for non-banking supervision, the division that supervises hawalas, serve in acting capacities.

Kabul's international airport continues to demonstrate ineffective currency controls, although efforts to reform Afghanistan's customs service and its operations have shown promise in reducing currency smuggling by air passengers and cargo. In October 2020, officials announced they prevented the illegal transfer of \$1.6 million over the preceding four months. Afghanistan should strengthen inspection controls and enforcement of the currency declaration regime at airports and borders.

## **Albania**

### **OVERVIEW**

The Government of Albania made no significant progress toward thwarting money laundering and financial crimes in 2020. Albania remains vulnerable to money laundering due to corruption, organized crime networks, and weak legal and government institutions. The country has a large cash economy and informal sector, with significant money inflows from abroad in the form of remittances and diverse investments. Major proceeds-generating crimes in Albania include drug trafficking, tax evasion, and smuggling. Albanian criminal organizations have links to networks operating in Europe and South America. Albania registered some progress with the use of its anti-Mafia confiscation law, including the forfeiture of 40 percent of assets belonging to notorious drug kingpin Klement Balili, dubbed the "Escobar of the Balkans."

Ongoing judicial reforms, including the vetting of judges and prosecutors to eradicate corruption from the justice sector and the creation of multiple specialized police units targeting financial and economic crimes, have improved Albania's prospects for addressing money laundering. These efforts, however, are still hampered by capacity challenges in recently established justice institutions and pervasive corruption that undermines the rule of law.

### **VULNERABILITIES AND MONEY LAUNDERING METHODOLOGIES**

Narcotics trafficking and other organized crime activity are the major sources of money laundering. Albania's proximity to Western Europe and the presence of Albanian organized crime in Western Europe and South America increase vulnerabilities. Real estate investments and business development projects are among the most prevalent methods of laundering illicit proceeds. Legal loopholes in 2019 AML legislation still allow casinos at five-star resorts and tourist locations.

## **KEY LAWS AND REGULATIONS**

Albania has comprehensive CDD and STR requirements in place.

In January 2020, parliament approved anti-illicit enrichment legislation that gives the Specialized Anticorruption Body (SPAK) and the Albanian State Police (ASP) the ability to target illicit assets through seizure and confiscation and limits the economic activity and free movement of criminals. While effective in initial asset seizure, meeting evidentiary requirements for final asset seizure remains challenging.

Recent legal and policy changes have improved Albania's ability to combat money laundering and financial crimes, though implementation has been inconsistent. The *Anti-Mafia Law* was amended in 2020 to improve management of confiscated assets.

Albanian law requires annual asset disclosure by public officials, including a requirement that officials declare preferential treatment and beneficial ownership of assets. Provisions also prohibit officials from keeping substantial cash outside of the banking system.

Albania and the United States do not have a bilateral MLAT, but cooperation is possible through multilateral conventions.

Albania is a member of MONEYVAL, a FATF-style regional body. Its most recent evaluation is available at: <https://www.coe.int/en/web/moneyval/jurisdictions/albania>.

## **AML LEGAL, POLICY, AND REGULATORY DEFICIENCIES**

The Albanian FIU is undergoing leadership changes and is seeking international technical assistance to contribute to a stronger AML regime.

Constitutional and legal reforms in recent years include reforms of the justice system and vetting of judges and prosecutors for unexplained wealth. Forty-six percent of judges and prosecutors vetted to date have failed as a result of unexplained wealth or having personal ties with questionable entities, and a further 17 percent have resigned to avoid scrutiny.

Albania has a substantial black market for smuggled goods that weak border controls and customs enforcement facilitate. Courts often refuse to convict for money laundering absent a conviction for a predicate offense.

## **ENFORCEMENT/IMPLEMENTATION ISSUES AND COMMENTS**

Albania must implement existing laws effectively and continue to develop the capacity of its police and prosecutors to focus on corruption, money laundering, and economic crimes. Staffing of the National Bureau of Investigation, which is the investigative arm of SPAK, has suffered delays but is ongoing. Substantial criminal code reforms in 2016 and 2017 were meant to build a more effective system, but implementation of these reforms is still a challenge. Despite a sizeable number of money laundering investigations in recent years, the number of related

prosecutions remains low. In 2020, 131 new money laundering investigations were opened by the Prosecutor General's Office; 23 defendants were tried in court, of whom three were convicted. Additionally, the ASP investigated 375 money laundering crimes and 2,891 financial crimes cases in 2020, leading to over \$15 million in sequestered cash and property.

The SPAK, which became operational in December 2019, has registered successes in combating trafficking and organized crime and seizing laundered assets. The ASP has a dedicated economic crime unit tasked with AML efforts.

Albania had success against organized crime figures in 2020. Prosecutors confiscated 40 percent of the assets of drug kingpin Klement Balili and seized Ylli Ndroqi's numerous businesses, including Ora News Media. Ndroqi, who has strong political ties in Albania, is suspected of organizing narcotics trafficking in Turkey and Italy.

ASP logged 676 allegations of corruption in the first 10 months of 2020, a figure comparable to last year's statistics.

## Algeria

### **OVERVIEW**

The extent of money laundering through Algeria's formal financial system is understood to be minimal due to stringent regulations and a banking sector dominated by state-owned banks. Algerian authorities monitor the banking system closely. The Algerian financial system is highly bureaucratic and provides for numerous checks on all money transfers. The continued prevalence of archaic, paper-based systems and banking officials not trained to function in the modern international financial system further deters money launderers, who are more likely to use sophisticated transactions. However, a large informal, cash-based economy, estimated at 40 percent of GDP, is vulnerable to abuse by criminals. The real estate market is particularly vulnerable to money laundering.

The country is generally making progress in its efforts to combat money laundering and financial crimes. Over the past several years, the government has updated its criminal laws on terrorist financing and issued new guidelines for the Bank of Algeria and the Ministry of Finance's Financial Intelligence Processing Unit (CTRF), Algeria's FIU.

### **VULNERABILITIES AND MONEY LAUNDERING METHODOLOGIES**

Notable criminal activity includes trafficking, particularly of bulk cash, drugs, cigarettes, arms, and stolen vehicles; theft; extortion; and embezzlement. Public corruption and terrorism remain serious concerns. Porous borders allow smuggling to flourish.

The restricted convertibility of the Algerian dinar enables the Bank of Algeria, the central bank, to monitor Algerian banks' international financial operations. Money laundering in Algeria occurs primarily outside the formal financial system, through tax evasion, abuse of real estate



transactions, and commercial invoice fraud. Cases of customs fraud, the use of offshore tax havens, and incidences of TBML increasingly concern Algerian authorities. Algeria's extensive informal economy and nearly exclusive use of cash heighten the risk of financial crimes.

Al-Qaida in the Islamic Maghreb, which operates in parts of Algeria, raises money through drug trafficking and trading, extortion, fees imposed on smugglers, and hostage taking. Instability in neighboring Libya and Mali threatens the security of Algeria's borders and provides openings for extremist organizations and transnational criminal networks to gain strength.

### **KEY AML LAWS AND REGULATIONS**

There were no legislative changes noted in 2020. The following laws are applicable to money laundering in Algeria: Executive Decree no. 06-05, addressing STR requirements; Executive Decree no. 13-157, on the creation, organization, and functioning of the CTRF; Executive Decree no. 15-153, fixing the thresholds for payments that must be made through the banking and financial systems; and Law no. 16-02, establishing rules for the application of the penal code to AML/CFT. AML provisions in Algeria impose data collection and due diligence requirements on financial institutions processing wire transfers, with stricter requirements for cooperation with law enforcement authorities, upon request, for transfers exceeding \$1,000. In addition, Algerians must use the formal banking system to complete all payments for certain purchases in excess of the following amounts: approximately \$44,200 for real estate and approximately \$8,800 for goods and services. Noncompliance with these provisions could result in sanctions against the individual and/or financial institution.

Algeria has an MLAT with the United States but not a bilateral extradition treaty. Algeria is a party to several multilateral law enforcement conventions that also permit mutual legal assistance with the United States. Provisions in the MLAT provide for asset sharing.

Algeria is a member of the MENAFATF, a FATF-style regional body. Its most recent MER is available at: <http://menafatf.org/information-center/menafatf-publications/mutual-evaluation-report-peoples-democratic-republic>.

### **AML LEGAL, POLICY, AND REGULATORY DEFICIENCIES**

Challenges remain in implementation of Algeria's AML regime. Following the ouster of the long-serving president in 2019, an anticorruption campaign was announced, and in 2020 Algeria created a specialized financial crimes unit within the court of Sidi M'Hamed, Algiers, to improve capacity to investigate and prosecute financial crimes.

A self-analysis by the CTRF continues to identify a need to increase the quality of banks' reporting, although CTRF has noted recent improvements. While the CTRF has provided some information on the number of cases it is processing, additional information is needed to evaluate implementation of applicable requirements. The CTRF is engaged in an internal review to identify additional weaknesses.

Only foreign PEPs are covered under EDD requirements.

**ENFORCEMENT/IMPLEMENTATION ISSUES AND COMMENTS**

The CTRF actively analyzes STRs, compiles and disseminates money laundering trends and typologies to banks, and engages in quantitative and qualitative self-analysis. The CTRF reported a similar volume of STRs in the first half of 2020 as in 2019.

The CTRF reported a total of 59 money laundering investigations and 39 terrorist financing investigations completed in 2019, leading to 105 convictions, and expects to report a significant increase in successful prosecutions once it finalizes 2020 data.

**Antigua and Barbuda****OVERVIEW**

Antigua and Barbuda continues to improve its AML regime. The National Anti-Money Laundering Oversight Committee (NAMLOC) intends to review the country's legal and supervisory framework for combating drug-related money laundering, including preventative measures, prosecutions, and confiscation. As of December 2020, the financial sector includes six commercial banks, six international (offshore) banks, six credit unions, 18 insurance companies, five offshore money remitters, six payday money lenders, three internet gaming entities, four casinos, and 37 citizenship-by-investment program agents. As of December 2016, the offshore sector hosted 5,102 IBCs, of which 3,635 were active.

**VULNERABILITIES AND MONEY LAUNDERING METHODOLOGIES**

Corruption, drug trafficking, and fraud are the major sources of illicit funds. The majority of corruption cases addressed by law enforcement are in response to letters of request received from foreign jurisdictions. Front operations, wire transfers, and structuring deposits are the main means of money laundering.

Antigua and Barbuda has one small FTZ that is not believed to be involved in money laundering activity. AML experts identify international banks, MSBs, and the insurance sector as the most vulnerable sectors. The country reports that international banks contribute less than 0.5 percent of GDP.

Three narcotics investigations in 2020 revealed the use of MSBs to send funds to North America for suspected drug purchases. In addition, the cases revealed the involvement of third parties who controlled the funds and who utilized cash-based businesses to obfuscate the illicit origin of funds.

The Citizenship by Investment Program grants citizenship to people who make an economic contribution following background checks to ensure they have no criminal record or pending charges and are not, or have not been, suspected of or associated with any terrorist activity. There are four investment options: a contribution to the National Development Fund, a contribution to the University of the West Indies Fund, an investment into an approved real

estate project, or an investment directly into an eligible business. Nationals of Iran, Iraq, North Korea, Yemen, Somalia, and Sudan are disqualified from applying. However, individuals born in these restricted countries who migrated before the age of majority and/or have maintained permanent residence in any country other than those on the restricted list for a period of not less than 10 years can apply, provided they do not maintain economic ties to any restricted country. Authorities are implementing changes to the program after international experts rated the money laundering/terrorist financing risk to the program as medium-high due to a lack of compliance supervision, lack of formal requirements to conduct money laundering/terrorist financing risk assessments, limited audit functions, and a lack of documented policy.

### **KEY AML LAWS AND REGULATIONS**

The *Money Laundering Protection Act*, the *Money Laundering (Prevention) Regulations 2017*, and the *Money Laundering and Financing of Terrorism Guidelines* form the legal AML framework of the country. This framework imposes obligations on financial institutions and DNFBPs to create AML policies and internal controls; to implement KYC, record keeping, and STR reporting procedures; and to develop staff vetting and training programs. The statutes also create the framework for law enforcement measures, including investigations, seizures, forfeitures, and confiscations. The country has EDD for PEPs.

The *Office of National Drug and Money Laundering Control Policy (ONDCP) Act 2020* adds provisions to enhance and clarify the ONDCP's ability to obtain and share information relating to money laundering offenses.

The *Electronic Crimes Act 2020* introduces the requirement for law enforcement agencies such as the police, customs, and the ONDCP to obtain warrants to search the contents of electronic devices.

The *Prevention of Terrorism Act 2020* enhances the powers of the Attorney General when implementing financial sanctions on listed terrorists. It also provides for receipt of freezing requests from other countries that are not based on UN sanctions lists.

The *Mutual Assistance in Criminal Matters Act 2020* contains provisions to improve the effectiveness with which MLAT requests are executed.

Antigua and Barbuda has a bilateral MLAT and a tax information exchange agreement with the United States.

Antigua and Barbuda is a member of the CFATF, a FATF-style regional body. Its most recent MER is available at: <https://www.fatf-gafi.org/countries/a-c/antiguaandbarbuda/documents/mutualevaluationofantiguaandbarbuda.html>.

### **AML LEGAL, POLICY, AND REGULATORY DEFICIENCIES**

AML legislation covers legal persons, but the penalties for noncompliance have not been strong deterrents. Antigua and Barbuda should take steps to strengthen the sanctions for noncompliance

to make them dissuasive.

International experts have identified AML deficiencies, including the lack of identification and supervision of vulnerable NPOs and registration of all unregulated DNFBPs. The supervision of DNFBPs is inconsistent and not risk-based. Except for procedures during the initial licensing of DNFBPs, there are no formal practices to prevent convicted criminals from holding a management function in certain DNFBPs.

### **ENFORCEMENT/IMPLEMENTATION ISSUES AND COMMENTS**

The government continues to implement an action plan to address the issues noted in the NRA. Officials report the NAMLOC and other relevant agencies continue to amend their policies and procedures accordingly.

There are specialized units to investigate money laundering, financial crimes, and specific predicate offenses for money laundering. Due to the prevailing COVID-19 situation, all onsite examinations and face-to-face training with financial institutions were revised for virtual platforms. In addition, 2020 AML supervision was adjusted to a virtual/offsite modality.

Antigua and Barbuda implemented a mandatory risk-based approach to AML for financial institutions. However, many DNFBPs continue to be subject to rules-based supervision.

## **Argentina**

### **OVERVIEW**

Argentina faces significant AML/CFT challenges, including those stemming from the tide of illicit proceeds from narcotics trafficking and public corruption. The Tri-Border Area (TBA), shared with Brazil and Paraguay, is one of the principal routes into Argentina for multi-billion dollar TBML, counterfeiting, drug trafficking, and other smuggling offenses. In addition, some money laundering organizations in the TBA have suspected links to the terrorist organization Hizballah. Although moving in the right direction, Argentina is still deficient compared to leading governments in the hemisphere in implementing mechanisms to prevent, detect, investigate, and prosecute money laundering and related crimes.

Since 2016, Argentina has taken significant steps to strengthen its AML/CFT regime, principally by adopting a risk-based approach to AML/CFT compliance supervision and establishing the National Committee for Combating Money Laundering and Terrorist Financing to coordinate the money laundering/terrorist financing NRAs, develop and evaluate the implementation of the national strategy to combat those crimes, and coordinate the development of policies to promote an effective AML/CFT regime. However, Argentina still has not conducted a money laundering NRA or developed AML/CFT national strategies, and the committee has yet to propose policies to strengthen the AML/CFT regime. Limited regulatory and criminal enforcement capabilities continue to raise concerns about the government's ability to reduce significantly the flow of illicit proceeds.

## **VULNERABILITIES AND MONEY LAUNDERING METHODOLOGIES**

Contraband smuggling, narcotics trafficking, and public corruption are significant sources of illicit proceeds. Drug-related crimes have increased in Argentina in the last decade, and Argentina is no longer only a transit country but also a consumer and exporter of narcotics and precursors. Tax evasion and the sale of counterfeit goods also generate significant revenue. Various sectors of the economy are vulnerable to exploitation due, in part, to the lack of effective regulatory oversight. Financial institutions, MVTs businesses, exchange houses, real estate, and gaming are particularly susceptible.

Despite improvements in recent years, Argentina lacks adequate controls at points of entry to prevent cross-border transport of contraband and bulk cash, particularly with respect to outbound enforcement. Its cash-intensive economy and a large informal sector create additional opportunities for criminals to launder illicit proceeds, and authorities have detected numerous TBML schemes. Since September 2019, the government has imposed capital controls to restrict the purchase of foreign currency, driving activity into the informal exchange market and increasing use of cash payments. Narcotraffickers and money launderers use this illegal market to launder illicit money. In October 2020, security forces arrested a Peruvian narcotrafficker resident in Argentina suspected of laundering more than \$35 million through this market over the past year.

## **KEY AML LAWS AND REGULATIONS**

Argentina has comprehensive CDD and STR regulations, and both foreign and domestic PEPs are subject to EDD. In December 2019, the FIU issued a resolution stating all foreign PEPs are considered high risk and subject to EDD. In 2020, the National Revenue Administration implemented a new regulation requiring legal entities to provide information on beneficial ownership to deter use of these entities for illicit financing activities.

Argentina and the United States have an MLAT and participate in the Argentina-U.S. Dialogue on Illicit Finance, a bilateral initiative to identify and address shared money laundering and terror financing threats and vulnerabilities. Argentina Customs maintains an active TTU to combat TBML through shared analysis of trade data with the United States.

The FIU is the primary AML/CFT regulator for all reporting entities, including financial institutions, DNFBPs, and other sectors that deal in high-value activities. The FIU is solely responsible for the application of sanctions for non-compliance with AML/CFT requirements.

Argentina is a member of the FATF and of the GAFILAT, a FATF-style regional body. Its most recent MER can be found at: <http://www.fatf-gafi.org/countries/a-c/argentina/documents/mutualevaluationofargentina.html>.

**AML LEGAL, POLICY, AND REGULATORY DEFICIENCIES**

Despite recent reforms, effective implementation of the AML regime continues to be a challenge. Argentina has not initiated a money laundering NRA but has completed (but not yet published) its terrorist financing/proliferation financing NRA.

Many DNFBPs have no sectoral regulator, and the FIU does not have the resources to adequately supervise them for AML/CFT compliance.

**ENFORCEMENT/IMPLEMENTATION ISSUES AND COMMENTS**

Argentina needs to continue to strengthen and professionalize its FIU to make effective its AML/CFT strategy. The FIU has an outsized role in the AML regime based on a lack of interagency coordination, its role as the DNFBP supervisor, and its unique authority to serve as a party to criminal prosecutions on AML/CFT cases.

Argentina has implemented reforms to allow enhanced use of informants, undercover officers, and cooperating witnesses in criminal investigations, though these measures are not yet in widespread use. Argentina's money laundering enforcement regime effectiveness, as measured by convictions, asset forfeiture, and regulatory enforcement, is limited. Systemic deficiencies in Argentina's justice system persist, including lengthy delays, a lack of judicial and prosecutorial independence, and inexperience among judges and prosecutors in investigating financial crimes.

## **Armenia**

**OVERVIEW**

Armenia is gradually strengthening its AML legislation and has sharply increased its money laundering investigations and convictions since the 2018 "Velvet Revolution." Armenia is aggressively pursuing criminal cases against high-level officials from prior governments and oligarchs connected to them, and thanks to new legislation, can now pursue assets connected to illegal activity in civil court following the establishment of a non-conviction-based asset forfeiture regime.

Armenia's parliament passed amendments to strict bank secrecy laws that hinder the ability of Armenian investigators to gain access to banking records. Although the Constitutional Court struck down the amendments, the government is currently working on new draft legislation to address the Constitutional Court's concerns. The non-conviction-based asset forfeiture regime and these prospective changes to the bank secrecy laws should provide the Armenian criminal justice system with the authorities and tools to strengthen money laundering investigations and ramp up convictions even further in 2021 and beyond.

## **VULNERABILITIES AND EXPECTED TYPOLOGIES**

Armenia is located on a trade route between narcotics source countries and European and Russian markets. Armenia maintains control over law enforcement, prosecution, and judiciary functions. However, Russian border guards are present at Armenia's borders with Turkey and Iran, where smuggling is known to occur, and Russia provides border control staff at the international airport in Yerevan.

Although the current government is implementing an ambitious anti-corruption program, narcotics smuggling, the shadow economy, significant inflows of remittances from abroad, the hiding of assets within the real estate sector, and the use of cash remain widespread and constitute vulnerabilities.

Armenia has five casinos, regulated by the Ministry of Finance, in addition to various online and virtual gambling establishments.

## **KEY AML LAWS AND REGULATIONS**

The Central Bank of Armenia regulates the financial sector, including the banks that account for about 90 percent of all financial system assets. The financial sector is required to implement KYC provisions and report suspicious transactions to the Financial Monitoring Center (FMC), Armenia's FIU.

Requirements concerning KYC, STRs, and EDD for PEPs are stipulated in the AML/CFT Law and the *Regulation on Minimum Requirements to Reporting Entities*.

The *Law of the Republic of Armenia "On Civil Forfeiture of Illegal Assets"* took effect on May 23, 2020. The law addresses proceedings on forfeiture of illegal assets, grounds for initiating actions, bodies which are authorized to initiate and examine forfeiture proceedings, and rules for international cooperation in forfeiture matters. The Prosecutor General's Office may file motions with the courts to impose preliminary injunctions against such assets. Notably, the obligation to deposit security to mitigate any risks of potential damages is waived. Forfeiture claims can be filed mainly with regard to the proceeds of crimes against property, including economic crimes such as theft, fraud, or bribery. In forfeiture proceedings assets are presumed to be of illegal origin unless the owner proves the legitimate origin of the assets. There are no barriers to establishing an asset sharing arrangement with a third country to return assets that an Armenian court decides should be forfeited.

The United States and Armenia signed a Foreign Account Tax Compliance Act intergovernmental agreement in February 2018 that entered into force in July 2019. There is no MLAT with the United States. Armenian investigators and prosecutors have received initial training in the writing of mutual legal assistance requests for submission to the U.S. Department of Justice.

Armenia is a member of MONEYVAL, a FATF-style regional body. Its most recent MER is available at: [http://www.fatf-gafi.org/media/fatf/documents/reports/mer-fsrb/MONEYVAL\(2015\)34\\_5thR\\_MER\\_Armenia.pdf](http://www.fatf-gafi.org/media/fatf/documents/reports/mer-fsrb/MONEYVAL(2015)34_5thR_MER_Armenia.pdf).

### **AML LEGAL, POLICY, AND REGULATORY DEFICIENCIES**

Armenia has achieved some progress in its requirements for PEPs, regulation and supervision of DNFBPs, and powers of law enforcement and investigative authorities; however, moderate shortcomings remain. Legal persons are not subject to criminal penalties for money laundering.

Bank secrecy laws, as currently designed, require investigators to indict a suspect before obtaining banking records, hindering some money laundering investigations. In January 2020, the parliament adopted amendments to the secrecy law to expand access for investigators, allowing them, with court permission, access to banking information for individuals linked to criminal suspects. The Constitutional Court struck down the amendments, citing due process issues.

### **ENFORCEMENT/IMPLEMENTATION ISSUES AND COMMENTS**

Armenia began a new national risk assessment in early 2020 to address issues raised by international experts. It expects to complete the assessment in the first quarter of 2021.

Armenian law enforcement has been increasingly active in trying to build money laundering cases since the 2018 revolution. Between mid-2018 and November 2019, the FIU received inquiries on a total of 200 criminal cases involving elements of money laundering. That number increased to approximately 700 such investigations from January to October 2020. These cases were mostly initiated with charges for predicate offenses such as high-profile corruption, embezzlement, tax evasion, theft, and fraud. A significant number of these investigations target representatives of Armenia's former regimes and associated oligarchs.

Armenian courts achieved eight convictions on cases with elements of money laundering, including four convictions for stand-alone money laundering offenses, from mid-2018 through the end of 2019. Although official statistics for 2020 are not yet available, FIU officials expect a higher number of convictions than in the previous year.

Armenia should provide criminal penalties for legal persons involved in money laundering or terrorist financing, ensure all reporting sectors provide mandated financial intelligence reports, criminalize misrepresentation, and create vetting mechanisms to prevent corrupt criminal actors from serving as, owning, or managing DNFBPs.



## Aruba

### **OVERVIEW**

Aruba is not considered a regional financial center. Because of its location, Aruba is a transshipment point for drugs and gold from South America bound for the United States and Europe, and for currency flowing in both directions. Aruba is a semi-autonomous country within the Kingdom of the Netherlands (Kingdom). The Kingdom retains responsibility for foreign policy and defense, including signing international conventions with the approval of the local parliament. The law enforcement MOU between the four Kingdom countries and the United States for joint training activities and sharing of information includes Aruba.

### **VULNERABILITIES AND MONEY LAUNDERING METHODOLOGIES**

Bulk cash and gold smuggling represent a risk due to the location of Aruba between North and South America. Money laundering is primarily related to proceeds from illegal narcotics and gold trafficked by criminal organizations and occurs through gold transfers, real estate purchases, and international tax shelters. Real estate firms and tax trust companies are subject to KYC provisions and FIU reporting obligations. There is no significant black market for smuggled goods.

Sanctions against Aruba's traditional trading partner, Venezuela, and a closed border with Venezuela are negatively affecting Aruba's economy. Some Venezuelans who are investing in real estate in Aruba are suspected of using black money. Aruban law enforcement agencies are continuing to investigate illegal underground banking, money laundering, and cash transfers by Chinese business owners.

The Free Zone Aruba NV has an integrity system in place to deter illegal activities, including smuggling and money laundering, and reviews and controls all companies with free zone status in the FTZs. Financial services, banks, and insurance companies are not permitted to operate in the free zones. There are 10 casinos, and online gaming is allowed, subject to KYC provisions and FIU reporting requirements.

### **KEY AML LAWS AND REGULATIONS**

Fraud is a crime and counterfeiting and piracy of products are predicate offenses to money laundering. Licensing is required for a variety of businesses. KYC laws cover banks, life insurance companies and insurance brokers, money transfer companies, investment companies and brokers, factoring and leasing companies, trust and company service providers, car dealers, casinos, lawyers, civil notaries, accountants, tax advisors, realtors, and dealers in precious metals, stones, and other high-value objects. In 2020, Aruba temporarily banned gold trading/imports from Venezuela pending legislative approval of a permanent law to regulate the gold trade.

The Kingdom may extend international conventions to the semi-autonomous countries within the Kingdom, though the respective parliaments must approve the conventions for them to become

law. The Kingdom extended to Aruba the application of the 1988 UN Drug Convention in 1999 and the UNTOC in 2007. The Kingdom has also extended to Aruba the application of the *Agreement Regarding Mutual Cooperation in the Tracing, Freezing, Seizure, and Forfeiture of the Proceeds and Instrumentalities of Crime and the Sharing of Forfeited Assets*, which was signed by the United States and the Kingdom in 1992. With the Kingdom's agreement, each entity can be assigned a status of its own within international or regional organizations, subject to the organization's agreement. The individual entities may conclude MOUs in areas in which they have autonomy if these MOUs do not infringe on the foreign policy of the Kingdom. Aruba is a member of the Global Forum on Transparency and Exchange of Information for Tax Purposes.

Aruba is a member of the CFATF, a FATF-style regional body. Its most recent MER is available at: <https://www.cfatf-gafic.org/index.php/documents/cfatf-mutual-evaluation-reports/aruba-2>.

### **AML LEGAL, POLICY, AND REGULATORY DEFICIENCIES**

The Kingdom has not yet extended the application of the UNCAC to Aruba.

Reporting entities are not required to give complete identification data for a legal person in an unusual transaction report (UTR) unless the FIU requests additional information.

### **ENFORCEMENT/IMPLEMENTATION ISSUES AND COMMENTS**

Aruba does not have an STR system but rather a broader UTR system. Service providers are required to report large cash transactions of \$14,000 or more, wire transactions of \$278,000 or more, other unusual transactions, and transactions suspected to be related to money laundering or terrorist financing.

The *State Ordinance for the Prevention of and Combating Money Laundering and Terrorist Financing* (AML/CFT State Ordinance) includes CDD rules and provisions for the reporting of unusual transactions. Non-regulated financial service providers (including investment brokers and factoring and leasing companies) and DNFBPs must also comply with the requirements of the AML/CFT state ordinance and must register with the Central Bank of Aruba.

The 2004 U.S.-Netherlands Mutual Legal Assistance Agreement, incorporating specific U.S.-EU provisions, was not extended to Aruba. The 1981 MLAT between the Kingdom and the United States applies to Aruba and is regularly used by U.S. and Dutch law enforcement agencies for international drug trafficking and money laundering investigations.

The Aruba College of Financial Supervision continued to supervise public finances and financial issues, including money laundering. Aruba attempted to annul the agreement due to concerns over negative economic impacts, but the governor did not approve the annulment. In 2020, as one of the Netherlands' conditions for COVID-19 economic relief, Aruba agreed to a Kingdom consensus law giving the Kingdom more authority to supervise financial issues in the future.

## Bahamas

### OVERVIEW

Due to its proximity to Florida, The Bahamas is a transit point for trafficking in illegal drugs, firearms, and persons to and from the United States. As an international financial center, the country is vulnerable to money laundering in various sectors, such as financial services, real estate, and casino online gaming. In 2020, The Bahamas took significant steps toward strengthening its AML regime, including enhanced cooperation agreements among law enforcement and regulatory entities. The Bahamas has also engaged international donors for technical assistance on implementation of an AML/CFT framework in line with international standards.

### VULNERABILITIES AND MONEY LAUNDERING METHODOLOGIES

The Bahamas traditionally earns approximately 20 percent of GDP through financial services. The international bank and trust sector, the largest segment of the industry, has over \$400 billion in assets under administration. International and domestic banks and trust companies face exposure to money laundering risks as they conduct a high volume of transactions, handle significant wealth, utilize wire transfers, and provide banking services through channels that vary in anonymity and complexity. Money transmission businesses are also vulnerable due to the substantial number of small transactions, high numbers of one-off and non-resident customers, and usage by undocumented migrants. As of November 2020, approximately 60 licensed fund administrators, 733 licensed funds, 351 licensed financial corporate service providers, and 27,072 IBCs were present in The Bahamas.

Emergency powers orders implemented by the government in March 2020 in response to the COVID-19 pandemic effectively shut down casinos, which are restricted to international visitors. However, The Bahamas faces money laundering challenges related to the online gaming sector, including “web shops” (hybrid online gaming houses), which are restricted to citizens and residents of The Bahamas. As reported by the central bank, The Bahamas generated \$299 million in casino gross revenues (January – March 2020) and \$2.3 billion in online gaming sales (January – October 2020), in a country with an overall population of less than 400,000, and in which pandemic-induced unemployment increased from an estimated 10 percent to 40 percent.

On October 23, 2020, The Bahamas launched the world’s first central bank-backed digital currency, the sand dollar. The sand dollar is stored in a non-interest-bearing digital wallet accessible through mobile devices. International transactions utilizing the Sand Dollar are not currently possible. The sand dollar is subject to KYC requirements that vary based on “tiers” of use, with the lowest category (maximum \$500 in digital wallet/\$1500 in monthly transactions) requiring little documentation. Higher tiers are subject to stricter KYC procedures.

The country’s only FTZ is the city of Freeport, Grand Bahama, administered and managed by a private entity, the Grand Bahama Port Authority. The FTZ serves primarily as a manufacturing and transshipment hub. The government is currently addressing U.S. government concerns regarding container screening measures.

## **KEY AML LAWS AND REGULATIONS**

While no additional AML laws were passed in 2020, The Bahamas enhanced implementation of the 2019 amended *Register of Beneficial Ownership Act* (RBOA). In 2020, the Attorney General's Office and the FIU implemented a secure search system for accessing online information on beneficial ownership of legal entities registered in The Bahamas.

The 2019 *Securities Industry (Anti-Money Laundering and Countering of Terrorism) Rules*, and the 2019 *Financial Corporate Services Providers (Anti-Money Laundering and Countering of Terrorism) Rules* incorporate new and enhanced AML/CFT provisions for licensees and registrants supervised by the Securities Commission of The Bahamas. In addition, the 2019 *Non-Profit Organizations (NPO) Act* amendment provides for regulation and supervision of NPOs in line with international standards. Finally, the 2019 *Investment Funds Management Act* expands the scope of powers of the Securities Commission and provides measures to protect investors.

The Bahamas exchanges records in connection with narcotics investigations or proceedings pursuant to a bilateral MLAT with the United States. The Bahamas is a member of the OECD's Global Forum and has implemented the Common Reporting Standard.

The Bahamas is a member of the CFATF, a FATF-style regional body. Its most recent MER is available at: <http://www.fatf-gafi.org/media/fatf/documents/reports/mer4/cfatf-4meval-bahamas.pdf>.

## **AML LEGAL, POLICY, AND REGULATORY DEFICIENCIES**

International experts have stated The Bahamas should continue to work on demonstrating that authorities are investigating and prosecuting all types of money laundering, including cases involving virtual currencies, stand-alone money laundering, and proceeds of foreign offenses such as tax crimes. Despite significant legal and regulatory progress to date, in 2020, the number of money laundering prosecutions and convictions dropped by 12 percent, on top of a 67 percent drop in 2019, which may indicate a lack of commitment to prosecutions.

## **ENFORCEMENT/IMPLEMENTATION ISSUES AND COMMENTS**

There is strong political will to pass legislation related to strengthening the AML/CFT regime, and The Bahamas has implemented a strategic action plan to correct noted deficiencies. However, effective implementation of enhanced regulations and cooperation continues to pose challenges. The number of filed STRs continues to be low when compared to the size and scope of the financial sector. As of October 30, 2020, the FIU received 461 STRs for sectors encompassing \$400 billion in assets, up slightly from 454 in 2019. In addition, the volume of sales generated in the domestic gaming sector in relation to GDP per capita remains an area of concern.

The Identified Risk Framework Steering Committee met weekly in 2020, while the Group of Financial Services Regulators met quarterly.

## Barbados

### OVERVIEW

Barbados made some progress on its AML system in recent years. Barbados completed an initial risk assessment identifying drug trafficking as the main source of money laundering in the country and is still completing a more comprehensive NRA amid concerns the previous NRA may not have been sufficient to identify significant national money laundering risks and vulnerabilities. Barbados has an active international financial services sector. It does not have FTZs or an economic citizenship program.

### VULNERABILITIES AND MONEY LAUNDERING METHODOLOGIES

Barbados reports the major source of illicit funds is drug trafficking. National measures taken to address this risk include targeted controls at the points of entry, increased maritime patrols around Barbados, and the better use of available intelligence by competent authorities. The extensive use of cash in routine business transactions and the commingling of illicit and legitimate funds in the financial system pose additional money laundering challenges.

The Barbados FIU website hosts a page on trends and typologies that includes the misuse of MVTS such as Western Union or MoneyGram. In some cases that appear to involve funnel accounts, multiple individuals overseas are sending money to one person in Barbados or one person in Barbados is sending money to multiple persons overseas.

The Central Bank of Barbados licenses commercial banks and holding companies, trusts, and merchant banks. As of October 2019, there are 23 international banks and 10 trust, finance, and merchant banks. As of December 31, 2015, (the most recent available data), total assets reported by international banks were approximately \$41 billion (82 billion Barbadian dollars). There are no reliable statistics available on the IBC sector.

In addition, the FIU has identified structuring or smurfing, the use of pawnbrokers to sell stolen items, the solicitation of persons to wire funds, and the use of fraudulent documents to obtain loans and other services from financial institutions unlawfully as methods of laundering funds.

There are no casinos in Barbados; however, there are other gaming institutions that are not regulated or supervised for AML/CFT compliance.

### KEY AML LAWS AND REGULATIONS

In August 2019, Barbados enacted the *Proceeds and Instrumentalities of Crime Act, 2019-17*, which authorizes civil prosecution of money laundering offenders as well as additional investigative tools such as orders for unexplained wealth and customer information disclosure.

In May 2019, Barbados updated the primary legislation, published as the *Money Laundering and Financing of Terrorism (Prevention and Control) (Amendment) Act, 2019-22 (MLFTA)*. It

includes KYC and STR regulations and covers the international financial services sector.

Barbados and the United States have a bilateral MLAT. Barbados also has a double taxation treaty and a tax information exchange agreement with the United States.

Barbados is a member of the CFATF, a FATF-style regional body. Its most recent MER is available at: <https://www.cfatf-gafic.org/index.php/cfatf-documents/mutual-evaluation-reports/barbados-1/9145-barbados-4th-round-mer/file>.

### **AML LEGAL, POLICY, AND REGULATORY DEFICIENCIES**

A new NRA, which could identify additional national money laundering/terrorist financing threats and vulnerabilities, is still being drafted. To meet international standards, the NRA must address an adequate analysis of terrorist financing risk, transparency of legal persons and arrangements, and the risks associated with trust and corporate service providers and cross-border cash movements.

### **ENFORCEMENT/ IMPLEMENTATION ISSUES AND COMMENTS**

There are several areas Barbados should address in order to align with international best practices, including completing a new NRA, improving the monitoring process of PEPs, correcting technical deficiencies in the enforcement of sanctions, and fostering national cooperation, confiscation and asset forfeiture, transparency, and international cooperation.

The Barbados Royal Police Force (RBPf) Financial Crimes Investigations Unit notes that, for 2020, it continues to conduct joint investigations with the drug squad and other units as necessary. The RBPf issues cash detention orders where relevant as part of drug-related or other criminal cases and utilizes disclosure and restraint order applications with the High Court as a means of furthering AML investigations.

The Financial Services Commission (FSC) is responsible for the licensing, regulation, and supervision of credit unions and non-bank financial institutions. The Anti-Money Laundering Authority (AMLA) is in charge of the supervision of certain DNFBPs listed in the MLFTA. The AMLA and the Financial Services Unit of the Ministry of International Business and Industry (IBFSU) are not able to independently supervise the sectors for which they have supervisory responsibility due to resource and capacity limitations. Through MOUs, the IBFSU and the AMLA have delegated their supervisory functions to the FSC, which could compromise the FSC's ability to carry out its own supervisory responsibilities.

Barbados should become a party to the UNCAC.

## Belgium

### OVERVIEW

Belgium's location and considerable port facilities drive the Belgian economy and have fostered the development of an internationally integrated banking industry. Belgium's Port of Antwerp is the second busiest port in Europe, and with this large volume of legitimate trade inevitably comes the trade in illicit goods. Antwerp is the primary entry point of cocaine into Europe from South American ports. In 2019, almost 62 tons of cocaine were seized at the Port of Antwerp and 41 tons were seized as of mid-year 2020.

According to Belgium's FIU, the Financial Information Processing Unit (CTIF), 11 percent of its referrals to judicial authorities were drug-related in 2019, and five percent were related to terrorism and terrorist financing. CTIF estimates the total amount of illicit funds currently in circulation is more than \$3.5 billion.

Given that money laundering techniques have become increasingly sophisticated and criminals have adapted their methods, CTIF introduced new analytical mechanisms in 2018 to improve the flow of information, foster cooperation with the federal prosecutors, and enhance partnerships and analysis of STRs. In 2019, the number of disclosures of suspicious transactions decreased 22.2 percent in comparison to 2018. CTIF attributes the drop to improved reporting methods that exclude those STRs that were ultimately deemed to be benign.

### VULNERABILITIES AND MONEY LAUNDERING METHODOLOGIES

Belgium is emerging as a primary European repository for bulk cash from drug proceeds. Multiple crime groups collect bulk cash in Belgium and move it to South American and Asian markets through various means. The opaque, closed nature of the Antwerp diamond industry inhibits money laundering investigations and provides a cover to launder illicit funds through pre-existing, pseudo-legitimate networks.

Criminal networks increasingly use virtual currencies such as bitcoin to facilitate illegal activity in Belgium. Fueled primarily by the sale of synthetic drugs via the dark web, virtual currency has become the subject of a growing number of investigations by Belgian police. Platforms for exchanging virtual currencies and custodian wallet providers are not currently regulated in Belgium because of the lack of a legal depository. Therefore, virtual currency transactions are not subject to STR requirements.

Gaming is legal in Belgium and is highly regulated, with the total number of licensed casinos limited to nine. Steady growth in internet gaming continues, but the extent of the activity is currently unknown. According to CTIF, online gaming is legal, but only if the business operates in a physical establishment in addition to its online presence. In 2018, CTIF reported the number of "operators of games of chance" at 1,103.

## **KEY AML LAWS AND REGULATIONS**

The Fifth European Anti-Money Laundering (AML) Directive entered into force in July 2019, and member states had until January 10, 2020, to implement the directive into national law. The directive finally was transposed into Belgian law on July 20, 2020.

Belgium has comprehensive KYC rules and STR requirements. On September 18, 2017, Belgium published implementing legislation for the EU Fourth AML directive, which addresses EDD for domestic PEPs.

Belgium is a member of the FATF. Its most recent MER is available at: <http://www.fatf-gafi.org/countries/a-c/belgium/>.

## **AML LEGAL, POLICY, AND REGULATORY DEFICIENCIES**

There are very few reported instances of bulk cash leaving the Port of Antwerp via cargo container. However, the port's large size and difficulty effectively analyzing the contents of 11.87 million container-equivalent units (a 6.9 percent increase from 2018) that move through the port each year may help facilitate the movement of illicit goods and funds.

## **ENFORCEMENT/IMPLEMENTATION ISSUES AND COMMENTS**

After the 2015-2016 terrorist attacks in Paris and Brussels, CTIF reported an increase in terrorist financing cases and increased its staff accordingly. However, additional resources, both human and IT, would enable the CTIF to take a more proactive approach.

The number of STRs from diamond dealers remains low: in 2019, CTIF received only 15 STRs (down from 18 in 2018, but up from 11 in 2017). Considering its size and vulnerability to money laundering activity, increased supervision of the diamond industry, including efforts to promote STR filings by diamond dealers, is encouraged.

The CTIF is working with regional and international partners to address the need for surveillance and control with respect to new financial technologies and virtual currencies.

# **Belize**

## **OVERVIEW**

Belize's AML/CFT laws are in line with international standards, and the government is working to implement its AML/CFT regime across all sectors and institutions. Substantial money laundering vulnerabilities exist, but Belize shows strong political commitment to address vulnerabilities and fully meet its AML/CFT obligations. Efforts to identify and address cross-border movement of currency, particularly in FTZs; to strengthen investigative and prosecutorial capacity; and to increase corporate engagement with stakeholders continue.



Administration of the Companies and Corporate Affairs Registry (CCAR) transferred to the Ministry of Finance to enhance its operations, to improve the availability of company information; and to facilitate consolidation of the domestic and international company acts by December 2021.

### **VULNERABILITIES AND MONEY LAUNDERING METHODOLOGIES**

Drug and contraband trafficking, tax evasion, fraud, bribery, and corruption all contribute to money laundering activity. Part of the tax evasion issue reflects inconsistencies and lack of clear direction regarding general sales tax arrangements. Belize remains a cash economy. The two FTZs are managed entirely by the private sector and deal in cash. The FIU and the central bank launched a project to review cross-border currency movements in the FTZs.

The FIU currently supervises 1,143 DNFBPs operating in 10 business sectors, with FTZ businesses, NPOs, real estate agents, and vehicle dealers holding the most individual registrations. FIU-led examinations identified AML/CFT operational weaknesses and deficiencies in most of these entities. Constrained by a small compliance staff, the FIU expanded its support/engagement with all DNFBPs; this program is now conducted virtually due to COVID-19.

As of December 2019, the IBC registry has 35,730 registered, active IBCs; 1,967 trusts are registered at the International Trust Registry; and 111 foundations are active. The four international banks operating in Belize are regulated by the Central Bank of Belize. The International Financial Services Commission (IFSC) supervises offshore entities. IFSC lists all offshore entities on its website. The IFSC faces challenges in supervising the large number of entities. Collaboration is underway with other supervisory authorities to address this concern. Legislative reforms brought IBCs within the domestic tax jurisdiction.

Six casinos operate in Belize, with annual revenues estimated at \$30 million. Additionally, there are 32 other gaming establishments and one online gaming license. While the Gaming Control Board (GCB) regulates the gaming entities for prudential purposes, the FIU supervises the gaming sector for AML compliance. The GCB does not have a public list of gaming companies, but the Ministry of Investment, which houses it, keeps a list of licensed entities.

### **KEY AML LAWS AND REGULATIONS**

Belize has a comprehensive AML legal, policy, and regulatory framework and CDD and STR requirements. The AML/CFT Code of Practice covers legal persons and provides for EDD for PEPs.

In January 2020, the Government of Belize enacted the *International Financial Services Commission (Licensing) (Amendment) Regulations* and the *International Financial Services Commission (Capital Requirement) Regulations*. The regulations set minimum capital reserve requirements for entities. In June 2020, Belize enacted the *International Financial Services Commission (Managing Agents) Regulations*, establishing a legal framework for IBCs and

regulated entities to outsource management services to agents licensed and supervised by the IFSC.

Belize enacted the *Mutual Administrative Assistance in Tax Matters (Amendment) Act* and the *Mutual Administrative Assistance in Tax Matters (Automatic Exchange of Country-By-Country Reports) Regulations* in January and April 2020, respectively, establishing tax transparency obligations and requiring sharing of country reports within the OECD framework. In addition, the 2019 Economic Substance Act mandates that certain financial entities and businesses have “substantial economic presence in Belize” and conduct their “core income generating activities” in Belize.

Belize is a member of the CFATF, a FATF-style regional body. Its most recent MER is available at: <https://www.cfatf-gafic.org/documents/cfatf-mutual-evaluation-reports/belize-2>.

### **AML LEGAL, POLICY AND REGULATORY DEFICIENCIES**

The lack of national capacity and resources for financial crime investigations, including asset forfeiture, remains a major deficiency in the government’s AML program. Belize does not have a non-conviction-based forfeiture regime for forms of property other than cash. The Financial Crimes Working Group (FCWG), a sub-committee of the National Anti-Money Laundering Committee (NAMLC), facilitates a multi-agency approach to financial crimes investigations. It currently manages 12 cases, with five before the courts. In October 2020, the NAMLC approved the establishment of an Asset Recovery Forum within the FCWG to pursue criminals and their assets through the collective efforts of the cooperating agencies.

The domestic CCAR and several relevant laws were amended to transfer the administration of the registry to the Ministry of Finance. Efforts to digitize companies’ registry records and facilitate an e-registry began. Plans to merge the *Companies Act* with the *International Business Companies Act* to create one consolidated act and registry are underway.

### **ENFORCEMENT/IMPLEMENTATION ISSUES AND COMMENTS**

The political and administrative will to combat money laundering remains strong as evidenced by continued resource flows despite cutbacks due to COVID-19. The FIU continues to foster relationships with foreign counterparts. The FIU now receives STRs electronically because of COVID-19 restrictions and is evaluating new case management software.

Current investigations include 23 cases brought forward from 2019 and seven new cases opened in 2020, with one before the court. Two applications for cash detention orders are also before the court. In January 2020, there was one arrest for “suppression of documents, concealment of documents, failure to disclose, failure to assist, obstruction, and giving false information.” In February 2020, charges were levied on a previously-charged person for “obtaining money transfers by deception.”

## Benin

### **OVERVIEW**

Benin's main east-west road forms part of the high-volume Abidjan-Lagos transportation corridor and the Port of Cotonou is a shipping hub for the sub-region, serving Nigeria and land-locked countries in the Sahel. Criminal networks exploit the volume of goods and people moving through Benin. Nigeria's unilateral closure of its borders in August 2019 significantly disrupted formal trade, though many goods, including gasoline and food products, continue to be smuggled across the border.

Benin is a transit point for a significant volume of drugs and precursors moving from South America, Pakistan, and Nigeria into Europe, Southeast Asia, and South Africa. It is difficult to estimate the extent of drug-related money laundering in Benin, believed to be done through the purchase or construction of real estate for rent or re-sale, casinos, bulk cash smuggling, and payments to officials.

Benin has taken measures to uncover and enforce financial aspects of criminal cases in recent years, including creating a specialized court for financial crimes in 2018 and lifting the statute of limitations for financial crimes in 2020.

### **VULNERABILITIES AND MONEY LAUNDERING METHODOLOGIES**

Open borders, the prevalence of cash transactions, and the informal economy facilitate money laundering in Benin.

Benin is vulnerable to drug-related money laundering. Cases linked to Benin include the proceeds of narcotics trafficking comingled with revenue from the sale of imported used cars for customers in neighboring countries. In the past, Benin was implicated in large international schemes in which Lebanese financial institutions were used to launder and move criminal proceeds through West Africa and back into Lebanon. Hizballah, which the U.S. Department of State has designated as a Foreign Terrorist Organization, reportedly received financial support from this network.

Open sources indicate there are seven casinos in Benin.

### **KEY AML LAWS AND REGULATIONS**

The National Assembly passed Act 2018-17, drafted by the West African Economic and Monetary Union (UEMOA) to standardize AML/CFT legislation among member countries and facilitate information sharing. The June 2018 law replaces 1997 and 2016 laws criminalizing money laundering and the 2012 financing of terrorism law by combining their provisions into a single, uniform law. The law also addresses deficiencies in earlier legislation by introducing new investigative authorities; requiring attorneys, notaries, banks, and certain non-governmental and religious organizations to report large cash transactions; and codifying additional money laundering predicate offenses.

Benin recently amended its criminal procedure code to lift the statute of limitations on financial crimes and incorporate legal cooperation provisions into its domestic law.

The National Assembly passed Act 2018-13 on May 18, 2018, creating the Court for the Repression of Economic Crimes and Terrorism. A February 20, 2020 modification to the law enumerates individual crimes under the court's jurisdiction, including money laundering and illicit enrichment.

The President of Benin and the Ministers of Finance, Interior, and Justice signed ministerial decree number 46 in January 2019 specifying the powers, organization, and function of the Advisory Committee on the Freezing of Assets.

Benin is a member of the GIABA, a FATF-style regional body. Its most recent MER is available at: <https://www.giaba.org/reports/mutual-evaluation/Benin.html>.

### **AML LEGAL, POLICY, AND REGULATORY DEFICIENCIES**

Benin's measures to identify legal owners do not comply with international standards for the identification of beneficial ownership and accurate and up-to-date recordkeeping.

There are no bilateral mutual legal assistance or extradition treaties between Benin and the United States. Benin is a party to multilateral conventions that support international cooperation on money laundering cases.

### **ENFORCEMENT/ IMPLEMENTATION ISSUES AND COMMENTS**

Beninese officials have limited capacity to effectively track financial flows, inhibiting their ability to investigate and prosecute individuals or groups under the country's legal regime.

The West African Central Bank (BCEAO), which regulates the common West African CFA franc currency, sets a requirement for declaration of bulk cash crossing the border to Nigeria (a non-UEMOA member country) at approximately \$8,950 (CFA franc 5,000,000) or more. Benin customs authorities lack training to evaluate cross-border currency declarations for money laundering purposes.

The National Financial Intelligence Processing Unit (CENTIF), Benin's FIU, is under-resourced, and agents within this office and other law enforcement offices are often reassigned to new jurisdictions and new disciplines after training investments by donors. Insufficient funding for day-to-day operations hinders travel to conduct investigations. CENTIF has requested support from donors to implement recommendations by international AML experts. CENTIF has limited funds for international travel to Egmont meetings.

On the judicial side, investigating judges lack specialized training in complex financial schemes and cases sit unattended. Out of 570 statements of suspicion recorded between January and October 2020, 59 were presented to the court, 15 were dismissed, and 44 are still pending.

## Bolivia

### OVERVIEW

Bolivia is not a regional financial center but remains vulnerable to money laundering. Criminal proceeds laundered in Bolivia are derived primarily from smuggling contraband and the drug trade. In recent years, Bolivia has enacted several laws and regulations that, taken together, should help the country more actively fight money laundering. Bolivia should continue its implementation of its laws and regulations with the goal of identifying criminal activity that results in investigations, criminal prosecutions, and convictions.

### VULNERABILITIES AND MONEY LAUNDERING METHODOLOGIES

Major sources of illicit funds in Bolivia include cocaine trafficking, smuggled goods, corruption, illegal gold mining, and informal currency exchanges. Chile and Peru are the primary entry points for illicit products, which are then sold domestically or informally exported.

The latest White House Office of National Drug Control Policy report found Bolivia had the potential to produce 301 metric tons of cocaine in 2019, a significant source of illicit profits. Informal gold mining also has grown in recent years. Although informal currency exchange businesses and non-registered currency exchanges are illegal, many still operate. Corruption is common in informal commercial markets and money laundering activity is likely.

Bolivia has 13 FTZs for commercial and industrial use in El Alto, Cochabamba, Santa Cruz, Oruro, Puerto Aguirre, Desaguadero, and Cobija. Lack of regulatory oversight of these FTZs increases money laundering vulnerabilities.

A few legal casinos pay a hefty percentage to the government in order to run card games, roulette, slots, and bingo. Many illegal casinos operate in the informal market.

### KEY AML LAWS AND REGULATIONS

Bolivia passed several laws to control the entry and exit of foreign exchange and criminalize illicit gains. The National Council to Combat Illicit Laundering of Profits issues guidelines and policies to combat money laundering. Regulatory procedures allow for freezing and confiscation of funds and other assets related to money laundering.

All financial institutions in Bolivia are required by the Financial Investigative Unit (UIF), Bolivia's FIU, and banking regulations to report all transactions above \$3,000 (\$10,000 for banks).

Bolivia has KYC regulations. All transactions conducted through the financial system require valid photo identification in addition to other required information. Financial intermediaries must enter this information into their systems, regardless of the transaction amount or whether the transaction is a deposit or a withdrawal. Private banks follow KYC international standards.

Bolivia does not have a MLAT with the United States; however, various multilateral conventions

to which both countries are signatories are used for requesting mutual legal assistance. U.S. CBP, U.S. Immigration and Customs Enforcement (ICE), and Bolivian National Customs signed a Customs Mutual Assistance Agreement in 2017 that expands cooperation and information sharing, including in the area of money laundering, and provides for the sharing of forfeited assets. Under that agreement, in November 2020, Bolivia signed an MOU with ICE's TTU to exchange trade data for the purpose of better identifying TBML.

Bolivia is a member of the GAFILAT, a FATF-style regional body. Its most recent MER is available in Spanish only at: <https://www.gafilat.org/index.php/es/biblioteca-virtual/miembros/bolivia/evaluaciones-mutuas-1>.

### **AML LEGAL, POLICY, AND REGULATORY DEFICIENCIES**

Lack of personnel in the UIF, combined with inadequate resources and weaknesses in Bolivia's legal and regulatory framework, limit the UIF's reach and effectiveness. Compliance with UIF's reporting requirements is extremely low. Information exchange between the UIF and police investigative entities has improved in the last few years, and the UIF maintains a database of suspect persons that financial entities must check before conducting business with clients.

Bolivia is in the process of including notaries under the supervision of UIF and is working to address other noted deficiencies, including vehicle dealers, real estate businesses, and jewelry stores, as well as virtual currency, mobile device payments, and financial outflows.

In 2017, the Central Bank of Bolivia prohibited the use of bitcoin and 11 other virtual currencies. The regulation bans the use of any digital currency not regulated by a country or economic zone.

### **ENFORCEMENT/IMPLEMENTATION ISSUES AND COMMENTS**

The Bolivian justice system is hindered by corruption, political interference, and a lack of interagency cooperation, which impede the fight against narcotics-related money laundering. The lack of well-trained prosecutors and police officers has also been a problem, leading to ineffective criminal investigations. In 2017, the attorney general created a special unit dedicated to investigating and prosecuting money laundering.

The Bolivian criminal courts have jurisdiction over crimes related to narcotics, terrorism, and money laundering. With a legal order, courts can request information from banks for investigative purposes.

Bolivia has an extradition treaty with the United States. In some instances, the Bolivian government has been cooperative with U.S. law enforcement. Overall, there has been little law enforcement cooperation between Bolivia and the United States in recent years.

According to the most recent data available, there were approximately 51 money laundering-related prosecutions in 2018. No data has been published for 2019. Conviction data is not available.

Banks are actively enforcing all regulations to control money laundering or any other suspicious transaction.

## Brazil

### OVERVIEW

Brazil's economy remains the second largest in the Western Hemisphere in 2020. Brazil is a major drug transit country and one of the world's largest drug consumers. Transnational criminal organizations operate throughout Brazil and launder proceeds from trafficking operations and contraband smuggling. A multi-billion dollar contraband trade occurs in the Tri-Border Area (TBA) where Brazil shares borders with Paraguay and Argentina. Illicit networks in the TBA provide financial support to Hizballah, a U.S. Department of State-designated Foreign Terrorist Organization and a U.S. Department of the Treasury Specially Designated Global Terrorist. Organized crime (including public corruption) is law enforcement's primary money laundering priority, followed by weapons and narcotics trafficking.

In February 2019, Brazil's congress passed legislation to remedy CFT deficiencies. In December 2019, Brazil's congress confirmed the president's executive order that moved Brazil's FIU, the Council for Financial Activities Control (COAF), from the Ministry of Economy to the central bank.

### VULNERABILITIES AND MONEY LAUNDERING METHODOLOGIES

Public corruption, human smuggling, and trafficking of drugs, weapons, and counterfeit goods are the primary sources of illicit funds. Money laundering methods include the use of banks, real estate, and financial asset markets; remittance networks; shell companies; phantom accounts; illegal gaming; informal financial networks; and the sale of cars, cattle, racehorses, artwork, and other luxury goods. Criminals also use foreign tax havens to launder illicit gains. Drug trafficking organizations are linked to black market money exchange operators. In large urban centers, laundering techniques often involve foreign bank accounts, shell companies, TBML, and financial assets; while in rural areas, promissory notes and factoring operations are more common.

Some high-priced goods in the TBA are paid for in U.S. dollars, and cross-border bulk cash smuggling is a concern. Large sums of U.S. dollars generated from licit and suspected illicit commercial activity are transported physically from Paraguay into Brazil. From there, the money may make its way to banking centers in the United States.

Brazilian law enforcement information and other reporting suggest the nation's largest criminal organization, *Primeiro Comando da Capital* (PCC), a sophisticated transnational criminal organization with ties to several countries in the Western Hemisphere and Europe, is moving into money laundering and other less visible criminal enterprises. According to a recent InSight Crime Institute study, there are concerns the PCC is actively seeking illicit support at the municipal level.

Since 2014, “Operation Carwash” has uncovered a complex web of corruption, bribery, money laundering, illegal campaign contributions, and tax evasion spanning the Americas, leading to arrests and convictions of the former president, former ministers, members of congress, political party operatives, employees at parastatals, and executives at major private construction firms throughout the region. According to the Ministry of Justice and Public Security, close to \$400 million (2.1 billion reais) of illicit funds have been blocked overseas; Brazil has recovered over \$20 million thus far.

Brazil’s Manaus FTZ is composed of five free trade areas. Brazil also has several export processing zones.

### **KEY AML LAWS AND REGULATIONS**

Brazil’s money laundering legal framework was last updated in 2019, when its congress passed the CFT law. The framework facilitates the discovery, freezing, and forfeiture of illicit assets, and the CFT law addresses implementation of targeted sanctions for designated terrorist financiers. Brazil has comprehensive KYC and STR regulations. Brazil maintains some control of capital flows and requires disclosure of corporate ownership.

Brazil and the United States have a customs mutual assistant agreement and an MLAT. Brazil regularly exchanges trade and financial records with the United States and other jurisdictions.

Brazil is a member of the FATF and the GAFILAT, a FATF-style regional body. Its most recent MER is available at: <http://www.fatf-gafi.org/countries/a-c/brazil/documents/mutualevaluationreportofbrazil.html>.

### **AML LEGAL, POLICY, AND REGULATORY DEFICIENCIES**

Legal entities cannot be criminally charged under Brazil’s money laundering statute. Legal entities in violation of the reporting requirements can face fines and suspension of operation, and managers can face criminal sanctions.

### **ENFORCEMENT/IMPLEMENTATION ISSUES AND COMMENTS**

Brazil is currently drafting its NRA.

Comprehensive data on criminal investigations and convictions in 2020 are not yet available.

Brazilian law enforcement has successfully seized millions in multiple currencies in highway seizures, especially on the border with Paraguay. The lack of a central de-confliction database, coupled with the stove-piping of intelligence by multiple Brazilian law enforcement agencies, makes it difficult to fully identify the means through which criminal groups launder money. Coordination among civilian security agencies, law enforcement agencies, and the Brazilian military is hindered by inter-service rivalries. However, Brazil made significant strides in strengthening its legal framework, building capacity to investigate and prosecute financial crimes



through specialized police units and courts, and fostering interagency cooperation and civil society input on prospective reforms. Nonetheless, challenges remain. Judicial delays often lead to cases expiring before judgment due to strict statutes of limitations. Brazil will benefit from expanded use of the task-force model and cooperative agreements that facilitated recent major anticorruption breakthroughs, an increased information exchange on best practices, government contract oversight, and collaboration and leniency agreements. In November 2019, Brazil launched the Integrated Border Operation Center in Foz do Iguaçu in the TBA, which was based in part on U.S. fusion center models.

## British Virgin Islands

### **OVERVIEW**

The British Virgin Islands (BVI) is a UK overseas territory with an economy dependent on tourism and financial services. The BVI is a sophisticated financial center offering accounting, banking, and legal services, captive insurance, company incorporations, mutual funds administration, trust formation, and shipping registration. As of June 2020, the commercial banking sector had assets valued at approximately \$2.28 billion. BVI has committed to complying with OECD and EU rules on financial transparency and regulation. It has adopted global standards for automatic exchange between jurisdictions of taxpayer financial account information. Potential misuse of BVI corporate vehicles remains a concern, but the government has put in place frameworks to guard against such abuse. Criminal proceeds laundered in the BVI derive primarily from domestic criminal activity and narcotics trafficking.

### **VULNERABILITIES AND MONEY LAUNDERING METHODOLOGIES**

The BVI has a favorable corporate tax and no wealth, capital gains, or estate tax. Significant money laundering risks include exploitation of financial services and a share structure that does not require a statement of authorized capital. The BVI is a favored destination for incorporating new companies, which can be established for little money in a short amount of time. Multiple reports indicate a substantial percentage of BVI's offshore business comes from Asia.

Financial services account for over half of government revenues. The Financial Services Commission's (FSC) June 2020 statistical bulletin notes there are 375,832 companies. Of these, 1,120 are private trust companies. There are six commercially licensed banks, 1431 registered mutual funds, and 48 registered closed-ended funds referred to as "private investment funds."

The BVI's proximity to the U.S. Virgin Islands and use of the U.S. dollar as its currency pose additional risk factors for money laundering. The BVI, like other jurisdictions in the Eastern Caribbean, is a major target for drug traffickers, who use the area as a gateway to the United States. BVI authorities work with regional and U.S. law enforcement agencies to mitigate these threats.

## **KEY AML LAWS AND REGULATIONS**

Money laundering is criminalized, as are all money laundering predicate offenses, in line with international standards. Maximum criminal penalties for money laundering and related offenses are \$500,000 and 14 years in prison. Administrative penalties are a maximum of \$100,000. The maximum penalty under the *Anti-Money Laundering Regulations* is \$150,000.

The FSC is the sole supervisory authority responsible for the licensing and supervision of financial institutions. The Financial Investigation Agency (FIA) is the supervisory authority responsible for ensuring compliance of DNFBPs with AML/CFT legislation. KYC and STR requirements cover banks, money service and financing businesses, insurance companies, investment businesses, insolvency practitioners, trust and company service providers, attorneys, notaries public, accountants, auditors, yacht and auto dealers, real estate agents, dealers in precious stones and metals, dealers in other high-value goods, and NPOs.

The BVI applies EDD procedures to PEPs. Part III of the *Anti-Money Laundering and Terrorist Financing Code of Practice 2008* outlines the KYC procedures that licensees should follow to ensure proper verification of clients.

In 2020, the government agreed to amend the FIA Act to include authority for the FIA to enforce AML regulations on non-compliant DNFBPs.

The BVI is a member of the CFATF, a FATF-style regional body. Its most recent MER is available at: <https://www.cfatf-gafic.org/index.php/documents/mutual-evaluation-reports/virgin-islands-1>.

## **AML LEGAL, POLICY, AND REGULATORY DEFICIENCIES**

International experts have criticized the BVI's AML supervision, particularly of the company formation sector, and its sanctions regime, though there have been recent improvements. In 2019, the BVI Financial Services Commission Enforcement Committee reviewed 75 enforcement cases of suspected breaches of financial services legislation and issued a total of 16 penalties, including monetary administrative penalties, five directives, and seven warning letters.

## **ENFORCEMENT/IMPLEMENTATION ISSUES AND COMMENTS**

The UK is responsible for the BVI's international affairs, save those matters that may be delegated under the *Virgin Islands Constitution Order 2007*. The UK arranged for the extension to the BVI of the 1988 UN Drug Convention in 1995, the UNCAC in 2006, and the UNTOC in 2012.

The BVI established a register that provides authorized BVI authorities direct and immediate beneficial ownership information; this registry is not publicly available. Beneficial ownership information must be shared with UK law enforcement and other agencies within 24 hours of a request (or one hour in urgent cases). The BVI has committed to introducing a publicly accessible register of the beneficial ownership of companies registered in its jurisdiction.

In 2019, 10 money laundering-related prosecutions were filed. Information for 2020 is not available.

Updates to the territory's *Anti-Money Laundering Regulations* and *Anti-Money Laundering and Terrorist Financing Code of Practice* will continue to be made in the coming year to further complete reforms necessary to ensure compliance with international AML/CFT standards.

## Burma

### OVERVIEW

Burma remains vulnerable to money laundering due to its sizable illicit economy and weak banking sector. In 2020, the government continued to make progress on improving its AML regulatory framework and enforcement. Burma issued new AML guidelines and worked to implement 2019 AML regulations on CDD and supervision of remittance service providers.

Burma is designated as a jurisdiction of “primary money laundering concern” under Section 311 of the USA PATRIOT Act, but the Department of the Treasury began waiving the legal ramifications in 2012 and issued an administrative exception in 2016, allowing U.S. financial institutions to provide correspondent services to Burmese banks.

### VULNERABILITIES AND MONEY LAUNDERING METHODOLOGIES

Burma is still largely a cash-based economy. Burma continues to struggle with a significant illicit economy that includes products such as gemstones, timber, and narcotics and likely generates billions of dollars per year, much of which fuels internal conflicts. The banking system suffered from an absence of effective prudential regulation by the Central Bank of Myanmar (CBM) during the former military regime, which is slowly being improved. The government's inability to exercise sovereign control in its border regions due to continuing civil conflict presents money laundering vulnerabilities due to the proliferation of casinos, remittance networks, and drug trafficking in those border areas.

Casinos target foreigners in border towns, especially near China and Thailand. Little information is available about the scale of these enterprises. The Burmese government enacted a gaming law in 2019, requiring domestic casinos to register as companies. Illegal and informal gaming occurs through lotteries and card games.

### KEY AML LAWS AND REGULATIONS

The Government of Burma did not enact any new AML legislation in 2020. The country's *Anti-Money Laundering Act*, passed in 2014, is the foundational legislation. In 2019, the government issued two AML regulations - on CDD and remittance agents – to complement the 2014 law.

In early 2020, the Government of Burma issued a *Risk-based Supervision Guide* to steer the CBM's supervision activities, and the CBM also updated the *Onsite Anti-Money*

*Laundering/Counter-Terrorist Financing Supervision Handbook*, based on the 2019 CDD regulations. Additionally, the Burmese government began revising its AML law to increase conformity with international standards.

Also in 2020, the Ministry of Home Affairs – which houses the Myanmar Financial Intelligence Unit (MFIU) – drafted guidelines specifically to cover coordination among the Myanmar Bureau of Special Investigations, the MFIU, and the Union Attorney General's Office. This set of rules, called *Cooperation and Coordination Guidelines on Investigations and Prosecutions of Money Laundering Cases*, is expected to be issued in early 2021.

Burma does not have a bilateral MLAT with the United States.

Burma is a member of the APG, a FATF-style regional body. Its most recent MER is available at: <http://www.fatf-gafi.org/countries/j-m/myanmar/documents/mer-myanmar-2018.html>.

### **AML LEGAL, POLICY, AND REGULATORY DEFICIENCIES**

Shortfalls in Burma's AML regime include limited understanding of obligations among financial institutions and DNFBPs, including casinos; poor reporting in STRs; and weak central bank oversight of DNFBPs. Additional deficiencies are noted in the lack of clear obligations and countermeasures toward designated higher-risk countries, transparency in beneficial ownership requirements and information, and CBM supervision and enforcement of hundi services' compliance with AML regulations.

The MFIU is not a member of the Egmont Group.

### **ENFORCEMENT/IMPLEMENTATION ISSUES AND COMMENTS**

In line with the 2019 KYC regulations, the CBM performed examinations on 18 private banks between December 2019 and August 2020. In March 2020, the CBM revoked a bank license because the source of funds for share trading and capital came from illegal sources. The CBM also trained over 50 compliance officers for remittance/money transfer companies. In line with the 2019 regulations on remittance service providers or hundi services, CBM will issue licenses to nine remittance businesses in late 2020, thereby bringing them under regulatory supervision.

Burma's technical capacity to effectively implement and enforce AML regulations and practices continues to remain limited. Specifically, significant gaps in Burma's ability to oversee informal money transfer entities and to prosecute any such entities engaged in illegal activity persist, and there remains a lack of clear authorities and obligations with certain parts of beneficial ownership requirements. Additionally, Burma largely lacks international-standard training on data collection and analysis as well as investigations and prosecutions.

## Cabo Verde

### **OVERVIEW**

Cabo Verde's 10 dispersed islands in the mid-Atlantic and minimal capacity to patrol its territorial waters make it vulnerable to narcotics trafficking from the Americas to Europe and West Africa, and to other illicit maritime activity. Its financial system is primarily composed of the banking sector.

Although Cabo Verde's AML regime has flaws, the government has revised its laws, policies, and regulations to create the tools to curb illicit financial activities. Cabo Verde receives international support to fight drug trafficking, money laundering, and other crimes.

### **VULNERABILITIES AND MONEY LAUNDERING METHODOLOGIES**

Cabo Verde's informal sector, which made up approximately 30 percent of the country's economy before the COVID-19 pandemic, contributes to financial vulnerabilities. Although the formal financial sector enjoys a strong reputation, it may still offer niches to criminals.

The biggest money laundering risk is likely related to narcotics trafficking, largely due to Cabo Verde's location and its limited capacity to patrol its large maritime territory. Narcotics transit Cabo Verde by commercial aircraft and maritime vessels, including private yachts. Although data is limited, domestic drug use appears to be increasing. The ongoing development of a casino by a major third-country entity also increases Cabo Verde's potential exposure to money laundering.

Prosecutors seldom pursue criminal charges against accused counterfeiters and intellectual property thieves. The high profits, low risk, and inadequate penalties for trademark counterfeiting and copyright piracy likely have made those activities increasingly attractive to organized criminal groups as imports have shrunk and supply chains have slowed due to the pandemic.

Public corruption is limited in Cabo Verde and is unlikely to facilitate money laundering.

### **KEY AML LAWS AND REGULATIONS**

Cabo Verde's AML/CFT framework has been in place since 2009. The government has continued to make progress in operationalizing it and improving national cooperation and coordination. In a typical case, the FIU identifies suspicious transactions and provides the relevant information to the Prosecutor General's office (PGR). If the PGR determines further investigation is warranted, the Judicial Police engages via an interagency task force on money laundering and asset recovery.

The central bank (BCV) regulates and supervises the financial sector, and commercial banks generally comply with its rules. Financial institutions reportedly exercise due diligence beyond the requirements of the law for both domestic and foreign PEPs.

Cabo Verde has taken steps to implement a cross-border currency declaration regime. The General Inspectorate of Economic Affairs serves as the supervisory body for dealers in luxury items; the Inspector General for Gaming, which currently sits in the Ministry of Tourism, supervises Cabo Verde's gaming.

The United States and Cabo Verde do not have a bilateral MLAT or an extradition treaty. Cabo Verde is party to relevant multilateral conventions that allow for international law enforcement cooperation, including extradition.

Cabo Verde is a member of the GIABA, a FATF-style regional body. Its most recent MER is available at: <http://www.giaba.org/reports/mutual-evaluation/Cabo%20Verde.html>.

### **AML LEGAL, POLICY, AND REGULATORY DEFICIENCIES**

Limited information is available about the degree to which the BCV conducts AML compliance examinations of financial institutions under its jurisdiction or has applied administrative sanctions for noncompliance. Cabo Verde needs to further strengthen its AML supervision mechanisms for financial institutions, capital markets, and DNFBPs, including the gaming sector.

Limited staffing at the FIU limits the agency's ability to track and report suspicious transactions. The FIU is working to improve its efficiency and effectiveness, including through donor assistance. It led the effort to create uniform DNFPB governance standards consistent with international best practices. A pilot group formed in 2019 has concentrated its efforts on four areas: assessing the legal framework, training, resource allocation, and standardized documentation. The group's stakeholders include the FIU and agencies overseeing the real estate, accountant, notary, and NGO sectors.

### **ENFORCEMENT/IMPLEMENTATION ISSUES AND COMMENTS**

Despite its achievements, Cabo Verde still needs to close important gaps. Among those are the development of a fully and broadly functioning cross-border currency declaration system and a record of tangible outcomes. There remains a general lack of understanding across agencies and civil society about the intersection of money laundering and transnational organized crime elements active in Cabo Verde, including in the gaming sector.

At the policy level, the ministers of justice and finance established an inter-ministerial commission to replace the Financial Crimes Working Group to leverage existing legal structures. The commission coordinates Cabo Verde's AML policy to bring it into line with international frameworks and standards.

In recent years, Cabo Verde has recruited additional public prosecutors, and the BCV has recruited more agents for its supervision department.

## Canada

### **OVERVIEW**

Money laundering in Canada involves the proceeds of illegal drug trafficking, fraud, corruption, counterfeiting and piracy, and tobacco smuggling and trafficking, among others. Foreign-generated proceeds of crime are laundered in Canada, and professional, third-party money laundering is a key concern. Transnational organized crime groups and professional money launderers are key threat actors.

The Canadian government is funding a forensic accountant team to aid investigations and prosecutions and has established two mechanisms to coordinate across agencies and better address TBML. Canada's privacy laws have deterred financial institutions' willingness to share information with government entities, but the FIU is using public-private partnerships (PPPs) with large financial institutions to address this deficiency.

### **VULNERABILITIES AND MONEY LAUNDERING METHODOLOGIES**

Criminals launder money via several mediums, including bulk cash smuggling, MSBs/currency exchanges, casinos, real estate, luxury vehicles, wire transfers, offshore corporations, credit cards, foreign accounts, funnel accounts, hawala networks, and virtual currencies.

Illicit drugs represent the largest criminal market in Canada. Transnational organized crime groups (OCG) are the most threatening and sophisticated actors, given their access to international money laundering networks and facilitators and diverse money laundering methods. Law enforcement efforts to target a particular money laundering practice, such as TBML, generally result in a shift in OCG methodology, rather than an interruption in the illicit activity.

The provinces operate online casinos and table games. According to a 2017 study, the industry produced approximately \$13.3 billion (17.1 billion Canadian dollars) in gaming revenue.

### **KEY AML LAWS AND REGULATIONS**

Canada's two main laws addressing money laundering and terrorist financing are the criminal code and the *Proceeds of Crime (Money Laundering) and Terrorist Financing Act* (PCMLTFA). Canada's department of finance published multiple amendments to the PCMLTFA in July 2019. Regulatory amendments that took effect June 1, 2020, now require MSBs dealing in virtual currencies to comply with AML requirements and register with the Financial Transactions and Reports Analysis Centre (FINTRAC), Canada's FIU. Foreign MSBs also must fulfill new AML compliance measures, including reporting transactions, CDD, record keeping, and registering with FINTRAC. The amendments include beneficial ownership identification requirements for widely held or publicly traded trusts.

KYC and CDD are core regulatory requirements. Reporting entities must take steps to confirm the accuracy of new beneficial ownership information as it is updated over time. The PCMLTFA requires banks and credit unions; life insurance companies, brokers, and agents;

securities dealers; casinos; real estate brokers and agents; agents of the Crown (certain government agencies); MSBs; accountants and accountancy firms; precious metals and stones dealers; and British Columbia notaries to file STRs.

The PCMLTFA requires reporting entities to determine whether a client is a foreign PEP, a domestic PEP, a head of an international organization, or an associate or family member of any such person. The PCMLTFA requires parliamentary committee review of the administration and implementation of the law every five years, with the last parliamentary review in 2018. The government last published a national money laundering/terrorist financing risk assessment in July 2015 and expects to publish its next assessment in 2021.

Canada actively participates in AML cooperation with the United States and other governments through mechanisms such as the North American Drug Dialogue.

Canada is a member of the FATF and the APG, a FATF-style regional body. Its most recent MER is available at: <http://www.fatf-gafi.org/media/fatf/documents/reports/mer4/MER-Canada-2016.pdf>.

### **AML LEGAL, POLICY, AND REGULATORY DEFICIENCIES**

The *2020 National Criminal Intelligence Estimate* on money laundering and fraud notes law enforcement would benefit from additional training and resources to develop AML capacity. It also estimates that hundreds of millions of dollars flow through Canada via TBML, identifying unrelated, third-party trade payments from countries with a high prevalence of money laundering as significant risks for TBML by Canadian professional money launderers.

Information sharing constraints constitute an AML deficiency for Canada. The *Personal Information Protection and Electronic Documents Act* (PIPEDA) hinders information sharing among financial institutions, law enforcement, and FINTRAC, as banks and other reporting entities can be subject to large monetary fines for unauthorized data sharing resulting from AML cooperation. FINTRAC is establishing PPPs with large financial institutions to address this deficiency and credits the PPP model with significantly increasing STR submissions.

AML regulation of attorneys was overturned by the Canadian supreme court in 2015 as an unconstitutional breach of attorney-client privilege.

### **ENFORCEMENT/IMPLEMENTATION ISSUES AND COMMENTS**

The Canadian government has taken steps to improve its AML prosecutorial capacity and information sharing among law enforcement agencies. Canada allocated \$12 million, spread over five years starting in 2020, to establish a forensic accountant team to support federal, provincial, and municipal law enforcement money laundering and terrorist financing investigations. The government also created the Financial Crimes Coordination Centre to coordinate intelligence and law enforcement agencies' efforts to address money laundering and financial crime threats, and the Trade Fraud and Trade-Based Money Laundering Centre of Expertise to foster capacity related to TBML at the Canada Border Services Agency and FINTRAC. The additional funding and increase in dedicated personnel and resources at the



federal, provincial, and municipal levels should prove beneficial to Canada's AML efforts, but may require an adjustment period to maximize the reach and effectiveness of Canada's AML initiatives.

## Cayman Islands

### **OVERVIEW**

The Cayman Islands, a UK overseas territory, is a major international financial center. It is the seventh largest foreign holder of U.S. Treasury securities, the 14th largest holder of international assets, and 13<sup>th</sup> largest holder of liabilities. As of September 2020, the Cayman Islands had 123 banks; 147 trust company licenses; 145 licenses for company management and corporate service providers; 775 insurance-related licenses; and five MSBs. There are 109,986 companies incorporated or registered in the Cayman Islands. There are 10,709 licensed/registered mutual funds and 12,331 registered private funds in the Cayman Islands.

The Cayman Islands has an established AML/CFT/counter-proliferation financing regime. The government is committed to strengthening its AML/CFT framework.

### **VULNERABILITIES AND MONEY LAUNDERING METHODOLOGIES**

The Cayman Islands has an indirect tax regime. According to a 2015 NRA of the jurisdiction, the main threats related to money laundering are fraud, tax evasion, and drug trafficking. The Cayman Islands' network of tax information exchange mechanisms extends to over 120 treaty partners. The Cayman Islands has over 100 potential exchange partners for common reporting standard information.

Gaming is illegal. The government does not permit registration of offshore gaming entities. Procedures exist to guard against cross-border bulk cash smuggling.

Cayman Enterprise City, a special economic zone, was established in 2011 for knowledge-based industries. Of 53 businesses in the commodities & derivatives park as of September 2019, 16 were registered with the Cayman Islands Monetary Authority (CIMA) under the *Securities and Investment Law*.

### **KEY AML LAWS AND REGULATIONS**

Shell banks, anonymous accounts, and the use of bearer shares are prohibited. Tax evasion is codified as a predicate offense in the penal code and the *Terrorism (Amendment) Law* defines terrorist financing as a predicate offense for money laundering.

In June 2019, the *Proceeds of Crime (Amendment) Law* brought virtual service providers and single-family offices under AML/CFT regulations. The *Virtual Asset (Service Providers) Law*, appointing the CIMA as AML/CFT supervisor of virtual asset service providers, took effect on October 31, 2020.

The *Securities Investment Business Law* was amended in June 2019 and took effect in January 2020. The amendment replaced the category of “excluded persons” with “registered persons,” with such persons now subject to AML/CFT oversight by CIMA.

CDD and STR requirements cover banks, trust companies, investment funds, fund administrators, securities and investment businesses, insurance companies and managers, MSBs, lawyers, accountants, corporate and trust or company service providers (TCSPs), money transmitters, dealers of precious metals and stones, the real estate industry, virtual asset service providers, and single-family offices. The *Proceeds of Crime Law (2020 Revision)* adds building societies, cooperatives, and mutual funds and their administrators as covered entities subject to CDD and STR requirements.

In October 2019, the names of company directors became publicly available. Since October 2020, the names of subscribers, registered office, year-end share capital, and nature of business of companies are publicly available. A new administrative fines regime has been created for companies and TCSPs that fail to comply with monthly requirements to file beneficial ownership information with the Registrar of Companies.

The United States and the United Kingdom have an MLAT concerning the Cayman Islands.

The Cayman Islands is a member of the CFATF, a FATF-style regional body. Its most recent MER is available at: <http://www.fatf-gafi.org/media/fatf/documents/reports/mer-fsrb/CFATF-Cayman-Islands-Mutual-Evaluation.pdf>.

### **AML LEGAL, POLICY, AND REGULATORY DEFICIENCIES**

Areas noted for improvement in the Cayman Islands include strengthening AML/CFT effectiveness by improving the availability and accuracy of information, interagency coordination and cooperation, international cooperation, and monitoring and enforcement.

A ministerial sub-committee of cabinet, chaired by the premier, oversees steps to address AML deficiencies. The Financial Crime Focus Group, headed by the director of public prosecutions (DPP), will enhance the use of financial intelligence in the investigation and prosecution of financial crimes. A supervisors’ forum and a proliferation financing interagency group have also been established.

The Cayman Islands strengthened international cooperation by increasing training and resources at the DPP, the Bureau of Financial Investigations (CIBFI), and the Financial Reporting Authority.

### **ENFORCEMENT/IMPLEMENTATION ISSUES AND COMMENTS**

The UK is constitutionally responsible for the Cayman Islands’ international relations. The UK arranged for the 1988 UN Drug Convention and the UNTOC to be extended to the Cayman Islands in 1995 and 2012, respectively. The UNCAC was extended to the Cayman Islands by the UK on December 14, 2020.

Supervisors have increased the number of onsite inspections, in line with the sectoral risk AML/CFT assessments. Administrative fines for noncompliance with the AML/CFT regulations have been imposed.

As of October 2020, CIBFI and its predecessor, an interim task force, had commenced 50 money laundering investigations, in line with the risk profile of the jurisdiction.

The AML regulations require trust and company service providers to collect and maintain beneficial ownership information. The Registrar of Companies stores this information in a centralized platform, which facilitates instantaneous access for law enforcement and competent authorities. The government, in line with the EU 5th Anti-Money Laundering Directive and the UK's introduction of a public beneficial ownership register, committed to the introduction of a publicly accessible register of company beneficial ownership.

## **China, People's Republic of**

### **OVERVIEW**

The People's Republic of China (PRC) is a global hub for money laundering. Enforcement capabilities have not kept pace with the sophistication and reach of criminal networks. PRC authorities continue to identify new money laundering methods, including use of virtual currency. However, PRC authorities rarely share this type of information nor take sufficient action to interdict or counter these methods.

In 2020, the PRC increased regulatory scrutiny of the financial sector and made improvements to its AML framework. Yet serious shortcomings persist in effective implementation and ensuring transparency, particularly in the context of international cooperation. The PRC should broaden its investigation and prosecution of money launderers and cooperate with international law enforcement investigations regarding domestic Chinese underground financial systems, virtual currencies, shell companies, and TBML. The PRC is currently piloting a central bank-backed digital currency known as the eCNY or eCNY Digital Currency Electronic Payment.

### **VULNERABILITIES AND MONEY LAUNDERING METHODOLOGIES**

Corruption is a major factor in money laundering. Corruption, illegal drug production and trafficking, human trafficking, smuggling, intellectual property theft, crimes against property, tax evasion, and illicit financial activity linked to North Korea are the primary sources of laundered funds. Criminal proceeds are generally laundered via bulk cash smuggling, TBML, shell companies, high-value asset purchases, investments, gaming, and by exploiting formal, informal, and third-party payment systems.

China has special economic zones (SEZs), 14 coastal "open cities" with characteristics of SEZs, and other national, provincial, and locally designated development zones. Additionally, China has 21 FTZs, including three opened in 2020. China's greater economy is linked closely to Hong

Kong, a global financial center vulnerable as a transit point for foreign illicit proceeds, particularly from mainland China.

### **KEY AML LAWS AND REGULATIONS**

China has KYC and STR requirements and EDD procedures for foreign, but not domestic, PEPs.

People's Bank of China's (PBOC) proceeds from money laundering fines and penalties in the first six months of 2020 exceed the total proceeds for 2019. The increase in proceeds from fines is the result of a revision in penalty application from one inclusive fine, regardless of how many laws a financial institution broke, to multiple penalties for multiple violations.

In January 2020, the China Banking and Insurance Regulatory Commission (CBIRC), issued procedures to incorporate AML/CFT into the scope of the CBIRC's daily supervision and onsite inspections of banks and insurers. Covered entities are directed to increase AML/CFT resources, strengthen employee training, and increase reporting capabilities. In October 2020, the PBOC Operations Office (Beijing) released draft measures for comment that would set more detailed and stricter requirements concerning KYC, record keeping, CTRs, and STRs for real estate developers and intermediaries in Beijing. In November 2020, PBOC and CBIRC jointly issued a for-comment draft with the same requirements for microcredit companies that operate online microlending businesses.

The United States and China are parties to the Agreement on Mutual Legal Assistance in Criminal Matters. U.S. law enforcement agencies note China has not cooperated sufficiently on financial investigations and does not provide adequate responses to requests for financial investigation information. Furthermore, China's inability to enforce U.S. court orders or judgments obtained as a result of non-conviction-based forfeiture actions against China-based assets remains a significant barrier to enhanced U.S.-China cooperation on these cases.

China is a member of the FATF and two FATF-style regional bodies, the APG and the EAG. Its most recent MER is available at: <http://www.fatf-gafi.org/media/fatf/documents/reports/mer4/MER-China-2019.pdf>.

### **AML LEGAL, POLICY, AND REGULATORY DEFICIENCIES**

The absence of coverage of domestic PEPs is particularly important as corruption is a major source of laundered funds and state-owned enterprises play a dominant role in the economy.

DNFBPs are not supervised. China does not have detailed CDD requirements specific to DNFBPs, and STR reporting is virtually non-existent. The PBOC's lack of understanding and scrutiny of DNFBP-related risk is particularly concerning given the rapid growth in China's real estate and precious metals sectors.

The government should address the rights of bona fide third parties and the availability of substitute assets in seizure/confiscation actions.

China's FIU is not a member of the Egmont Group and often lacks capacity or political will to effectively share financial intelligence.

### **ENFORCEMENT/IMPLEMENTATION ISSUES AND COMMENTS**

Money laundering investigations are not a priority and often do not supplement investigations of predicate offenses. The PRC largely ignores money launderers if they did not actively participate in predicate criminal behavior. As a result, each year the PRC convicts only a few dozen individuals of money laundering. China should broaden its focus to go beyond active participants in the predicate crime.

The PBOC, the Ministry of Public Security, and provincial law enforcement share responsibility for countering and investigating money laundering. The PRC should continue efforts to better understand the transparent use of AML tools to support a wide range of investigations and prosecutions. China should seek to enhance coordination among its financial regulators and law enforcement bodies and with international partners.

The PRC should address legislative and structural shortcomings relating to the coverage of domestic PEPs, DNFBPs, and STR criteria.

## **Colombia**

### **OVERVIEW**

Colombia has one of Latin America's more comprehensive money laundering detection programs, yet laundering of illicit proceeds from drug trafficking, illegal gold trading, extortion, and public corruption is prevalent throughout its economy.

Administrative monitoring and sanctions have had some success against money laundering, but Colombia can improve results in judicial processes by developing both broader awareness and areas of specialization in AML among monitoring, law enforcement, and criminal justice actors. The overburdened court system and public corruption create additional obstacles to an effective AML regime. Colombia should more aggressively target TBML, a significant source of financing for drug trafficking and criminal organizations.

### **VULNERABILITIES AND MONEY LAUNDERING METHODOLOGIES**

The Colombian government reports that illicit proceeds are most commonly laundered through bulk cash smuggling and TBML. TBML criminal activities include invoice-related fraud used to transfer value, and counterfeit and contraband goods that enter through shipping ports or are smuggled across land borders. According to Colombian officials, corrupt customs authorities facilitate evasion of the customs process.

Criminal organizations use formal and informal financial schemes to launder their ill-gotten gains, including money brokers, real estate investments, wire transfers, and remittances. Illegal gold mining and trading is another money laundering scheme that generates high profits. The

lack of state presence and government oversight in rural mining areas is an additional obstacle to gold traceability. Colombia reports that virtual assets play a minor role in money laundering.

The more than 100 FTZs in Colombia are generally well-regulated for AML purposes.

### **KEY AML LAWS AND REGULATIONS**

Colombia has CDD and STR regulations; however, it has not been successful in passing legislation on virtual assets. Colombia's central bank leads a permanent virtual asset working group tasked with creating the regulatory measures and technical support for virtual asset oversight for all affected industry sectors.

In 2020, the Superintendent of Finance (the Colombian financial sector oversight agency) updated the National Anti-Money Laundering Counter Terrorist Financing Risk Management System (known as *Sarlaft* 4.0) that other Colombian regulators use as a guide to AML compliance monitoring.

According to the Colombian legal framework, the Financial Intelligence and Analysis Unit (UIAF), Colombia's FIU, is the national AML/CFT coordinator. To comply with international standards, in 2020, the UIAF published the NRA completed in 2019.

Colombia is part of 16 multilateral treaties and 10 bilateral treaties on international judicial cooperation, including information exchange matters. In addition, Act 526/1999 allows the UIAF to participate in necessary international AML/CFT/proliferation information exchange instruments outside of the Egmont Group process.

Colombia is a member of the GAFILAT, a FATF-style regional body. Its most recent MER is available at: <http://www.fatf-gafi.org/countries/a-c/colombia/documents/mutualevaluationofcolombia.html>

### **AML LEGAL, POLICY, AND REGULATORY DEFICIENCIES**

Colombia has a comprehensive AML/CFT regulatory framework but needs to improve regulations on proliferation. Colombia's financial sector regulation is robust, but its oversight of other sectors and implementation of its laws and regulations is inconsistent, and there is limited information sharing among key AML institutions.

DNFBPs generally have a lower level of awareness than the financial sector regarding AML/CFT regulations. Regulators of DNFBPs are relatively under-resourced compared to the financial sector, posing a challenge to effectively monitor AML/CTF compliance.

EDD for foreign PEPs is only partially addressed, with some covered entities only required to apply EDD for domestic PEPs. There are also significant deficiencies in the CDD framework and its implementation.

**ENFORCEMENT/IMPLEMENTATION ISSUES AND COMMENTS**

Colombian and U.S. authorities cooperate closely on money laundering and non-conviction-based asset forfeiture investigations. Cooperation within and between Colombian AML agencies continues to be insufficient. Law enforcement agencies and prosecutors need more resources and specialized training to effectively investigate and prosecute complex financial crimes.

Most goods brought into Colombia via TBML are sold in black-market venues, most frequently San Andresitos, popular informal shopping areas and thus resistant to effective supervision and enforcement. Criminal organizations use adaptive financial networks, relying on corruption, bribery, and professional money launderers, to circumvent Colombia's AML supervision and enforcement nets.

The Colombian Special Assets Entity, responsible for managing and disposing of forfeited assets, has struggled to manage its large inventory. Colombia has only 12 asset forfeiture judges and one asset forfeiture appellate court, so some asset forfeiture cases take up to 30 years to be resolved.

President Duque's administration has committed to improving and strengthening the country's AML, CFT, and counter-proliferation structures through capacity-building initiatives and legislative proposals.

## **Costa Rica**

**OVERVIEW**

Organized crime and narcotics trafficking generate the majority of the financial crimes in Costa Rica and present significant challenges for authorities. The country continues to show improvement in its AML supervision framework. The country's new state party status in the OECD presents opportunities for progress.

**VULNERABILITIES AND MONEY LAUNDERING METHODOLOGIES**

Narcotics trafficking continues to grow as a principal source of laundered assets in Costa Rica, with cocaine seizures through October 2020 exceeding 40 metric tons--a new record. While the construction, real estate, and hotel sectors are areas of concern, campaign financing is also a money laundering vulnerability. Environmental crimes including illegal mining, wildlife trafficking, and illegal logging also occur. Authorities have identified sophisticated financing and laundering schemes associated with these crimes and note that illicit revenue from environmental crimes exceeds that of drug trafficking.

Costa Rica is not a regional financial hub; however, significant tourist and migrant flows contribute to the vulnerability of Costa Rica's airports and border crossings as sites for bulk cash smuggling and related typologies. Online gaming and sportsbook enterprises, legal in Costa Rica, continue to be areas of concern. While financial institutions remain vulnerable to money

laundering, their exposure has lessened with the gradual implementation of monitoring requirements.

### **KEY AML LAWS AND REGULATIONS**

Executive and legislative branch officials have demonstrated commitment and political will to align Costa Rica's legal framework with international standards. Costa Rica is party to several inter-American agreements on criminal matters and UN conventions. Costa Rica has CDD and STR requirements, and a fiscal fraud law (Law 9416) that provides for disclosure of beneficial owners. In June 2019, Costa Rica's legislature approved a corporate criminal liability law (Law 9699) for offenses related to bribery and corruption, thus remedying a longstanding deficiency in Costa Rica's AML framework. Additionally, Costa Rica's reporting and supervision requirements cover traditional financial institutions as well as DNFBPs.

Costa Rica is a member of the GAFILAT, a FATF-style regional body. Its most recent MER is available here: <http://www.fatf-gafi.org/countries/#Costa%20Rica>.

### **AML LEGAL, POLICY, AND REGULATORY DEFICIENCIES**

Costa Rica does not have stand-alone asset forfeiture legislation and continues to use organized crime and anti-narcotics laws to seize illicit assets. Since September 2019, Costa Rica has used its existing legislation to obtain 19 judgments, thereby forfeiting \$867,067. Furthermore, Costa Rica does not have an adequate legal framework for non-conviction-based asset forfeiture nor provisions for asset sharing.

Costa Rica does not regulate virtual currencies, and increased popularity of cryptocurrencies presents an additional enforcement challenge for local authorities.

### **ENFORCEMENT/IMPLEMENTATION ISSUES AND COMMENTS**

Fiscal austerity measures continue to present risks. A Special Jurisdiction for Organized Crime, intended to function by October 2020, was postponed because of budget restrictions.

As a state party to the OECD, Costa Rica committed itself to new regimens of AML protocols. International experts recommended Costa Rica update its assessment of its exposure to corruption-related money laundering and take appropriate measures to address those risks. They also recommend providing further guidance to reporting entities on identifying suspicious transactions indicative of money laundering predicated on foreign bribery, including typologies that specifically address foreign bribery.

Professional staffing levels at Costa Rica's Special Prosecutor's Office for Money Laundering have increased in the past year, and there are currently 130 active cases. There have been four convictions from September 2019 to date.



In the first six months of 2020, 230 STRs were filed in Costa Rica, resulting in 79 requests for cooperation with national and/or international authorities. The supervision platform for DNFBPs has reached 260,150 registered entities, up from approximately 3,500 in late 2019.

Costa Rica's desire to comply with OECD accession requirements and international AML standards has generated a conducive environment for substantive changes to the AML framework. Costa Rica's OECD membership will undoubtedly continue to accelerate these advances.

## **Cuba**

### **OVERVIEW**

Cuba is not a regional financial center. Cuban financial practices and U.S. sanctions continue to prevent Cuba's banking system from fully integrating into the international financial system. The government-controlled banking sector renders Cuba an unattractive location for large-scale, third-party money laundering through financial institutions. The centrally-planned economy allows for little, and extremely regulated, private activity. However, a significant black market operates parallel to the heavily subsidized and rationed formal market dominated by the state and which state authorities actively participate in and benefit from. The Cuban government does not identify money laundering as a major problem.

The Cuban government and state-controlled businesses actively engage in international money laundering in order to evade U.S. sanctions. Cuba should strengthen the transparency of its financial sector by engaging regional and international AML/CFT communities and increase criminal investigations and prosecutions.

### **VULNERABILITIES AND MONEY LAUNDERING METHODOLOGIES**

Although it is largely disconnected from the international financial system, there are some factors and conditions in Cuba that are conducive to money laundering and make Cuba a potential destination for illicit funds. These include a poorly regulated and opaque banking sector, Cuba's cash-based economy, the Cuban government's desperation for hard currency, ubiquitous government corruption and overall lack of transparency, and connections to high profile current and former government leaders of countries in the region accused of corruption.

Cuba's geographic location places it between drug-supplying and drug-consuming countries. Cuba has little foreign investment compared to similar nations in the Caribbean, a small international business presence, and no known offshore casinos or internet gaming sites. There are no known issues with or abuse of NPOs, ARS, offshore sectors, FTZs, bearer shares, or other specific sectors or situations.

Cuba's first special economic development zone at the port of Mariel in northwestern Cuba was established in November 2013 and is still under development. It is potentially located on expropriated property, built by the government in partnership with Brazilian engineering firm Odebrecht, subject of numerous corruption investigations throughout Latin America.

## **KEY AML LAWS AND REGULATIONS**

Cuba claims to take into account international AML/CFT standards. Legislation released in 2013 outlines regulations regarding enhanced CDD for foreign PEPs, although it continues to exempt domestic PEPs from the reach of the legislation.

The FIU shares financial intelligence with the Revolutionary National Police, the Attorney General's Office, and General Comptroller of the Republic. In addition to its core FIU functions, the FIU can suspend transactions and freeze funds, both domestically and upon request from a foreign counterpart.

The United States and Cuba have very limited engagement in law enforcement matters. Cuba has bilateral agreements with a number of countries related to combating drug trafficking.

Cuba is a member of the GAFILAT, a FATF-style regional body. Its most recent MER is available at: <http://www.fatf-gafi.org/countries/a-c/cuba/documents/mer-cuba-2015.html>.

## **AML LEGAL, POLICY, AND REGULATORY DEFICIENCIES**

Cuba has a number of strategic deficiencies in its AML regime. These include a lack of SAR reporting to its FIU by financial institutions and DNFBPs, and weak supervision and enforcement within its DNFBP and NPO sectors. These deficiencies stem from Cuba's opaque national banking system, which hampers efforts to monitor the effectiveness and progress of Cuba's AML efforts.

The U.S. government issued the Cuban Assets Control Regulations in 1963, under the Trading with the Enemy Act. The embargo remains in place and restricts travel and most investment and prohibits the import of most products of Cuban origin. With some notable exceptions, including agricultural products, medicines and medical devices, telecommunications equipment, and consumer communications devices, most exports from the United States to Cuba require a license.

Additionally, a number of U.S.-based assets of the Cuban government or Cuban nationals are frozen.

## **ENFORCEMENT/IMPLEMENTATION ISSUES AND COMMENTS**

In April 2019, the Cuban government convicted Cuban-American Orelvis Olivera in absentia and sentenced him to 10 years in prison for money laundering, tax evasion, forgery of public documents, and illicit enrichment, among other crimes. The conviction was based on his convictions in the United States and his investments in Cuba, which the Cuban government proceeded to confiscate.

Major international banks have participated in transferring funds involving Cuba in apparent violation of U.S. sanctions. In April 2019, British bank Standard Chartered agreed to pay \$1.1 billion to settle allegations by the authorities in the United States and Britain that it violated

money laundering laws and economic sanctions, including those involving Cuba. This follows a \$1.34 billion settlement French bank Société Générale agreed to in November 2018 that also implicated U.S. sanctions on Cuba.

Cuba should increase the transparency of its financial sector and increase its engagement with the regional and international AML communities. Cuba should ensure its CDD measures and SAR requirements include domestic PEPs, all DNFBPs, and the NPO sector, and create appropriate laws and procedures to enhance international cooperation and mutual legal assistance. Cuba should increase the transparency of criminal investigations and prosecutions.

## **Curacao**

### **OVERVIEW**

Curaçao's prominent position as a regional financial center is declining, but it is still considered a transshipment point for drugs and gold from South America. Money laundering occurs through the use of straw/money mules, private foundations, cash intensive businesses as front companies, purchase of luxury goods, real estate, unlicensed money lenders and remitters (underground banking), wire transfers, and TBML. Transfers of gold from South America remain problematic.

Curaçao is a semi-autonomous country within the Kingdom of the Netherlands (Kingdom). The Kingdom retains responsibility for foreign policy and defense, including signing international conventions, with the approval of the local parliament. The law enforcement MOU between the four Kingdom countries and the United States includes Curaçao.

### **VULNERABILITIES AND MONEY LAUNDERING METHODOLOGIES**

Criminal organizations may try to take advantage of the availability of U.S. dollars, offshore banking and incorporation systems, two FTZs, a large shipping container terminal, Curaçao-based online gaming sites, and resorts/casinos to place, layer, and integrate illegal proceeds. Money laundering occurs through real estate purchases, international tax shelters, gold transactions, and through wire transfers and cash transport within the Kingdom. Given its proximity and economic ties to Venezuela, the risk of Curaçao being used to launder the proceeds of crimes emanating from Venezuela is substantial.

Curaçao's offshore tax regime ended in 2019. Since 2002, no new offshore companies can incorporate and obtain an offshore tax status. Existing offshore companies had until 2019 to operate under the existing offshore regime. After this, the companies will in theory be subject to Curaçao's onshore effective tax rate of 22 percent, but alternate tax regimes remain, depending on company activities.

Curaçao's FTZ is supervised by Curaçao's state-owned (85 percent) Curinde N.V. Corporation and overseen by the Minister of Economic Development. There are 35 banks currently operating in Curaçao, down from 52 in 2019.

Curaçao is perceived to be one of the largest jurisdictions licensing online gaming. In 2019, supervision of this sector was transferred to a gaming control board. The Curaçao Gaming Control Board is the AML/CFT supervisor for the entire gaming industry.

### **KEY AML LAWS AND REGULATIONS**

The Kingdom may extend the applicability of international conventions to the semi-autonomous entities in the Kingdom. The Kingdom extended to Curaçao the 1988 UN Drug Convention and the UNTOC (as a successor to the Netherland Antilles). With the Kingdom's agreement, each semi-autonomous entity can be assigned a status of its own within international or regional organizations, subject to the organization's agreement. The individual countries may conclude MOUs in areas in which they have autonomy if they do not infringe on the foreign policy of the Kingdom.

The financial sector is supervised by the Central Bank of Curaçao and consists of credit institutions, money transfer companies, insurance companies, insurance intermediaries, trust and company service providers, administrators of investment institutions and self-administered investment institutions, securities intermediaries, asset management companies, securities exchange, and pension funds. Service providers that are subject to the AML regime (*National Ordinance on Reporting of Unusual Transactions* (NORUT)) are required to comply with KYC requirements and file unusual transaction reports (UTRs) with the FIU. Curaçao is a member of the OECD Global Forum on Transparency and Exchange of Information for Tax Purposes.

Curaçao banned the trade in Venezuelan gold in 2019 via national decree.

The 1981 MLAT between the Kingdom and the United States applies to Curaçao and is regularly used by U.S. and Curaçao law enforcement agencies for international drug trafficking and money laundering investigations. The 2004 United States-Netherlands Mutual Legal Assistance Agreement, incorporating specific U.S.-EU provisions, was not extended to Curaçao. Additionally, Curaçao has a tax information exchange agreement with the United States.

The Kingdom also extended to Curaçao the *Agreement Regarding Mutual Cooperation in the Tracing, Freezing, Seizure, and Forfeiture of the Proceeds and Instrumentalities of Crime and the Sharing of Forfeited Assets*, which was signed by the United States and the Kingdom in 1992.

Curaçao is a member of the CFATF, a FATF-style regional body. Its most recent MER is available at: <https://www.cfatf-gafic.org/index.php/documents/mutual-evaluation-reports/curazao/640-curaçao-mer-final?highlight=WyJjdXJhXHUwMGU3YW8iXQ>.

### **AML LEGAL, POLICY, AND REGULATORY DEFICIENCIES**

Curaçao has yet to complete a national money laundering risk assessment. The results are expected in 2021.

The Kingdom has not extended the UNCAC to Curaçao.

**ENFORCEMENT/IMPLEMENTATION ISSUES AND COMMENTS**

Curaçao utilizes UTRs, a broader reporting mechanism than an STR scheme. Pursuant to the local NORUT, the reporting entities file UTRs with the FIU. The FIU analyzes the UTRs and determines whether they should be classified as suspicious and disclosed to the law enforcement and prosecutors. Annually, the FIU receives approximately 50,000 UTRs and disseminates roughly 900 to 5,000 to the authorities. Because of the perceived growth in UTRs and in view of limited resources, the FIU will launch a new reporting portal in January 2021 to automate processes even more, as well as a new analysis system.

Curaçao recently conducted several high-profile money laundering investigations, and numerous former officials were investigated, charged, or convicted. There are two multi-year money laundering prosecutions ongoing in Curaçao.

## **Cyprus**

**OVERVIEW**

The Republic of Cyprus (ROC) is the only internationally recognized government on the island, but, since 1974, the northern part of Cyprus has been administered by Turkish Cypriots. The north proclaimed itself the “Turkish Republic of Northern Cyprus” (“TRNC”) in 1983, but the United States does not recognize the “TRNC,” nor does any country other than Turkey. A buffer zone patrolled by the UN peacekeeping force in Cyprus separates the two sides. The ROC and the area administered by Turkish Cypriots are discussed separately below.

**THE REPUBLIC OF CYPRUS**

The ROC continues to upgrade its established AML legal framework. As a regional financial and corporate services center, Cyprus has a significant number of nonresident businesses. Although increased enforcement of registration rules caused the total number of companies to decline from 272,157 in 2013 to 216,239 at the end of 2018, it rose to 223,282 at the end of 2019. The long-term downward trend indicates an overall shrinkage of the international business sector. By law, all companies registered in the ROC must disclose their ultimate beneficial owners to authorities.

**VULNERABILITIES AND MONEY LAUNDERING METHODOLOGIES**

The ROC financial system is vulnerable to money laundering by domestic and foreign criminals; proceeds generated by illicit activity abroad pose a greater threat. The primary sources of illicit proceeds are investment fraud, corruption, advance fee fraud, tax evasion, illegal drugs, and tobacco smuggling. Additionally, cybercrime, especially phishing, e-mail hacking, and ransomware use, continues to increase. Criminals have reportedly used ROC banks to launder proceeds, particularly from Russian and Ukrainian illicit activity.

In 2017, the government awarded a multi-year, exclusive casino license to Hong Kong-based Melco International. Melco is building an integrated casino resort expected to open in 2022. Until then, Melco is authorized to operate a temporary casino in Limassol and up to four “satellite” casinos throughout the country. ROC authorities are developing their capacity to supervise land-based casino activity (online casino gaming remains unlawful). There is minimal expertise in gaming supervision, leaving the gaming sector vulnerable to abuse. The Cyprus Gaming and Casino Supervision Commission is working with international gaming consultants to conduct due diligence on license applicants, train staff, and establish mechanisms to identify and report illicit activity. Sports betting (offline and online) is supervised by the National Betting Authority.

Another emerging concern is the rise of virtual banking and use of virtual currency. The ROC is currently conducting a national AML/CFT risk assessment on virtual assets, with the assistance of international consultants, with a view to mitigating relevant risks.

The ROC’s now defunct citizenship by investment (CBI) program allowed foreign investors to apply for ROC (and thus EU) citizenship after investing in ROC business, infrastructure, development, or a personal residence, subject to several conditions. This program generated an estimated \$8 billion in investment from 2013 to 2020. Program eligibility requirements were not particularly stringent prior to 2018, and enforcement after 2018 was lax, raising serious concerns about the extent to which the program was used to evade law enforcement authorities or facilitate illicit financial flows. Following an extensive and damning media expose on CBI program corruption, the ROC abolished it, effective November 1, 2020. As of November 2020, there were 691 pending primary applications, with 722 eligible family members. Authorities refuse to release the names of CBI beneficiaries or applicants, citing privacy concerns, but the government has launched inquiries into whether any prior beneficiaries should have their citizenships revoked. On October 7, 2020, the ROC government announced the council of ministers decided to initiate revocation of ROC citizenship for seven individuals and their 12 dependents naturalized through the CBI program. Skeptics doubt the likely efficacy of the inquiries, citing the lack of transparency and prior corruption in the program. Moreover, legal authorities for revocation are not clear. On October 20, 2020, the EC announced it is launching infringement proceedings against Cyprus regarding its CBI scheme, warning such schemes violate EU law, in part because they do not require a sufficiently meaningful attachment to the country granting citizenship. These proceedings continue even though the CBI program was terminated.

### **KEY AML LAWS AND REGULATIONS**

The AML/CFT law contains provisions allowing the registration and enforcement of foreign court orders, including foreign non-conviction-based confiscation orders. ROC authorities maintain close cooperation with foreign authorities, including U.S. agencies. ROC legislation covers both foreign and domestic PEPs.

There is a bilateral MLAT between the United States and Cyprus.

The ROC is a member of MONEYVAL, a FATF-style regional body. Its most recent MER is available at: <https://www.coe.int/en/web/moneyval/jurisdictions/cyprus>.

## **AML LEGAL, POLICY, AND REGULATORY DEFICIENCIES**

The ROC continues to upgrade its AML/CFT legal framework. The 2018 NRA characterizes the Cypriot banking sector as high risk, and trust and company service providers, lawyers, and accounting firms as medium/high risk. It identifies numerous areas for improvement, including more effective implementation of AML laws and regulations, enhanced awareness and capacity building in all sectors, and specialized training for prosecutors, investigators, and the judiciary. The ROC endorsed a national AML strategy and a detailed action plan to address issues identified in the NRA.

On October 30, 2020, the EC sent the ROC a “reasoned opinion” over its failure to transpose the 5<sup>th</sup> Anti-Money Laundering Directive into domestic law. The ministry of finance is working with the legislature to try to pass appropriate legislation in 2021.

## **ENFORCEMENT/IMPLEMENTATION ISSUES AND COMMENTS**

The Unit for Combating Money Laundering is the ROC’s FIU. The ROC has several supervisory authorities for AML compliance, all of which can issue directives to their respective supervised entities and have developed onsite and offsite tools for risk-based supervision.

Supervision of the banking sector, including fit and proper checks, still needs to be strengthened. The legally binding February 2019 Central Bank of Cyprus (CBC) *Directive to Credit Institutions* built on previous circulars to further tighten requirements to establish or maintain business relationships with shell companies.

The government aims to have a national registry listing all beneficial owners of legal entities in the ROC operational in mid-2021.

To “name and shame” offenders, and following specific legal provisions, both the CBC and the Cyprus Securities and Exchange Commission post information on their websites on the imposition of fines.

In 2018, the most recent data available, Cypriot authorities convicted 26 persons for money laundering offenses.

## **AREA ADMINISTERED BY TURKISH CYPRIOTS**

### **OVERVIEW**

The area administered by Turkish Cypriots lacks the necessary AML/CFT legal and institutional framework. Turkish Cypriot authorities have taken steps to address some major deficiencies, although “laws” are not sufficiently enforced to effectively prevent money laundering. The casino and offshore banking sectors are of significant concern. Because the “TRNC” is not recognized by any country other than Turkey, the banking sector is largely isolated from international financial institutions. Turkish Cypriot banks operating in the area do not have access to the global interbank messaging system and have almost no correspondent banking

relationships outside of Turkey. Almost no international central bank will conduct business with the “TRNC central bank.” This isolation somewhat mitigates the money laundering risk, as moving illicit funds out of the “TRNC” is difficult unless one works through a local branch of a Turkish bank.

### **VULNERABILITIES AND MONEY LAUNDERING METHODOLOGIES**

As of November 2020, there are 33 casinos in the Turkish Cypriot-administered area. The ongoing shortage of law enforcement resources and expertise leaves the casino and gaming/entertainment sector poorly regulated and vulnerable to money laundering. Unregulated moneylenders and currency exchange houses are also of concern.

Additionally, the offshore banking sector poses a money laundering risk. As of October 2020, it consists of six offshore banks regulated by the “central bank.” Turkish Cypriots only permit banks licensed by OECD-member countries to operate an offshore branch locally.

In the area administered by Turkish Cypriots, there is one free port and zone in Famagusta, regulated by the “*Free-Ports and Free Zones Law*.” Permitted operations and activities include industry, manufacturing, and production; storage and export of goods; assembly and repair of goods; building, repair, and assembly of ships; and banking and insurance services.

There have been reports of smuggling of people, illegal drugs, tobacco, alcohol, and foodstuffs across the UN buffer zone and with Turkish smugglers in the waters off Famagusta. Additionally, intellectual property rights violations are common; a legislative framework is lacking, and pirated materials, such as sunglasses, clothing, shoes, and DVDs/CDs, are freely available for sale.

### **KEY AML LAWS AND REGULATIONS**

Turkish Cypriot authorities passed AML “legislation” in 2008. Draft AML “legislation” incorporating elements of international standards has been pending in “parliament” since 2014.

Financial institutions and DNFBPs are required to submit STRs to the “FIU.” Following receipt, the “FIU” forwards STRs to the “Anti-Money Laundering Committee,” which decides whether to refer suspicious cases to the “Attorney General’s Office,” and then, if necessary, to the “police” for further investigation.

The area administered by Turkish Cypriots does not have a records-exchange mechanism with the United States. It is not a member of any FATF-style regional body and is not subject to AML peer evaluation.

### **AML LEGAL, POLICY, AND REGULATORY DEFICIENCIES**

The area administered by Turkish Cypriots lacks an adequate AML/CFT legal and institutional framework. Inadequate legislation and a lack of expertise among members of the enforcement, regulatory, and financial communities restrict regulatory capabilities.



The area does have in place “regulations” requiring EDD for both foreign and domestic PEPs, but compliance is lacking.

According to local experts, the “criminal code” needs to be updated to aid money laundering-related prosecutions.

The “FIU” of the area administered by Turkish Cypriots is not a member of the Egmont Group.

### **ENFORCEMENT/IMPLEMENTATION ISSUES AND COMMENTS**

While progress has been made in recent years with the passage of “laws” better regulating the onshore and offshore banking sectors and casinos, these “statutes” are not sufficiently enforced.

The “central bank” oversees and regulates all banks. In addition to the “central bank” and the “development bank,” there are 21 banks in the area administered by Turkish Cypriots, of which 16 are Turkish Cypriot-owned banks, and five are branches of Turkish banks. Two of the five members of the “central bank’s” “board of directors” are from Turkey, as is the “central bank governor.” Turkish Cypriot banks rely on their correspondent banking relationships for foreign currency transactions.

Between January and October 2020, the “FIU” reported receiving 1,020 STRs, compared to 941 for the same period in 2019, and participated in 28 money laundering-related criminal investigations.

The EU provides technical assistance to the Turkish Cypriots to combat money laundering because of the area’s money laundering and terrorist financing risks.

## **Dominica**

### **OVERVIEW**

Despite its challenging geography and resource constraints, the Commonwealth of Dominica made progress with its AML regime in 2020. The island’s rugged bays and inlets and close proximity to the French territories of Martinique and Guadeloupe result in drugs, cash, and smuggled goods illegally entering the country by sea.

### **VULNERABILITIES AND MONEY LAUNDERING METHODOLOGIES**

The government indicates that narcotics and cybercrime are the major sources of illicit funds. The country’s geographic location and porous borders raise risks for narcotics trafficking. Additionally, foreign nationals from Europe, South America, and Asia have used automated teller machines in Dominica to skim money from European bank accounts by exploiting security deficiencies.

The preliminary vulnerabilities identified by the NRA are inadequate AML training for the

judiciary and prosecutorial authorities, lack of awareness of new AML/CFT procedures by key law enforcement agencies, and ineffective supervision of DNFBPs.

Dominica reports the offshore financial services sector is composed of 13 offshore banks, which are regulated and supervised by the Financial Service Unit (FSU). There are seven MSBs, 10 credit unions, one development bank, one internet gaming company, and 16 insurance companies that provide general and long-term insurance in Dominica. The FSU also regulates these entities. There are an unknown number of trusts and IBCs. (As of 2015, the number of IBCs was close to 19,000.) Bearer shares are permitted, but beneficiaries of the bearer shares must be disclosed to financial institutions as part of their KYC programs. The Eastern Caribbean Central Bank supervises the four commercial banks in Dominica.

Under Dominica's citizenship by investment (CBI) program, individuals can obtain citizenship through payment to the government's Economic Diversification Fund of \$100,000 for an individual or \$200,000 for a family of four, or through an investment in real estate valued at a minimum of \$200,000. The real estate option incurs fees ranging from \$25,000 to \$70,000 depending on family size. Authorized agents, based both domestically and abroad, market the CBI program and are typically the first point of contact for applicants. Dominica markets its program as "one of the fastest and most affordable" in the Caribbean. An application for economic citizenship must be made through a government-approved local agent and requires a fee for due diligence or background check purposes. There is no mandatory interview process; however, the government may require interviews in particular cases. Applicants must make a source of funds declaration with supporting evidence. The government's Citizenship by Investment Unit (CBIU) manages the screening and application process.

Applicants from Iran, North Korea, and Sudan are eligible to apply if they have not lived in those countries for at least 10 years, have no substantial assets there, and do not engage in business in or with those countries. Applicants from Iran, North Korea, Sudan, and Syria are required to undergo EDD checks with associated higher fees. Dominica accepts a large number of applicants and sometimes issues passports despite adverse information uncovered during the vetting process.

### **KEY AML LAWS AND REGULATIONS**

There have not been any major changes in Dominica's extensive AML laws and regulations. Relevant AML laws and regulations include the 2016 *Money Laundering Prevention (Amendment) Act* (MPLA), the 2013 *Financial Services Unit (Amendment) Act*, and the 2016 *Proceeds of Crime (Amendment) Act*. A 2018 *Magistrate's Code of Procedure Act* update specifies the forms and procedures used in the application for detention, forfeiture, and release of cash.

Dominica has an MLAT and an extradition treaty with the United States. Agencies in Dominica share information with counterpart agencies through various means, including exchanges between FIUs, customs services, police agencies, and through the Asset Recovery Inter-Agency Network for the Caribbean. The *Code of Practice* provides for the exchange of information by competent authorities.

Dominica is a member of the CFATF, a FATF style regional body. Dominica's last MER is available at: <https://www.cfatf-gafic.org/documents/cfatf-mutual-evaluation-reports/dominica-1>.

### **AML LEGAL, POLICY, AND REGULATORY DEFICIENCIES**

Dominica has no major deficiencies in legislation. Because Dominica has numerous pieces of amended legislation, a legislative review to identify any conflicts and determine which pieces of legislation could be consolidated into one MLPA would be beneficial.

### **ENFORCEMENT/ IMPLEMENTATION ISSUES AND COMMENTS**

A comprehensive legislative framework addresses international standards. Dominica is in the process of implementing its money laundering/terrorist financing NRA with donor assistance and has identified several preliminary vulnerabilities within its AML/CFT regime, which are being addressed in the implementation action plan.

There has been effective collaboration among law enforcement agencies in intercepting criminal proceeds through coordinating and conducting joint operations. In 2020, authorities seized \$885,917 (\$2,394,135 Eastern Caribbean dollars (XCD)).

There were two charges for money laundering in 2020. These cases have a monetary value of \$244,249 (\$661,314 XCD). These matters are pending at the magistrates court.

## **Dominican Republic**

### **OVERVIEW**

The Dominican Republic (DR) is a major transshipment point for illicit narcotics destined for the United States and Europe. The eight international airports, 16 seaports, and a large porous frontier with Haiti present Dominican authorities with serious challenges. The DR is not a major regional financial center, despite having one of the largest economies in the Caribbean.

Corruption within the government and the private sector, the presence of international illicit trafficking cartels, a large informal economy, and weak financial controls make the DR vulnerable to money laundering threats. Financial institutions in the DR engage in currency transactions involving international narcotics trafficking proceeds that include significant amounts of U.S. currency or currency derived from illegal drug sales in the United States.

President Abinader assumed the presidency in August 2020 and has stated his commitment to strengthen AML actions, especially in narcotics trafficking and corruption cases. Key law enforcement officials have publicly committed to this increased focus. The government will need to address noted deficiencies to move the country closer to compliance with international standards.

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**VULNERABILITIES AND MONEY LAUNDERING METHODOLOGIES**

The major sources of laundered proceeds stem from illicit trafficking activities, tax evasion, public corruption, and fraudulent financial activities, particularly transactions with forged credit cards. U.S. law enforcement has identified networks smuggling weapons into the DR from the United States, and DR criminal organizations play a significant role in illicit drug distribution throughout the northeastern United States. Bulk cash smuggling by couriers and the use of wire transfer remittances are the primary methods for moving illicit funds from the United States into the DR. Once in the DR, currency exchange houses, money remittance companies, real estate and construction companies, and casinos facilitate the laundering of these illicit funds. Car dealerships, the precious metals sector, and tourism agencies also contribute to money laundering activities in the DR.

As of the end of 2019, 695 companies, primarily engaged in manufacturing, were located in the DR's 75 FTZs. These companies are exempt from most national and municipal taxes, as long as the products they produce are exported to foreign markets. The National Council of Export Free Trade Zones regulates compliance with Law 8-90, on FTZs, and is composed of representatives from the public and private sectors. There are no known instances of money laundering activity in the FTZs.

**KEY AML LAWS AND REGULATIONS**

The *Law against Asset Laundering and the Financing of Terrorism*, Law 155-17, enacted in 2017, extends the functions of the FIU to act as the Technical Secretariat of the National Committee against Money Laundering and Terrorist Financing. Law 155-17 also strengthens penalties and broadens the scope of crimes covered under the legislation, among other changes. The DR has comprehensive KYC and STR regulations.

The United States and the DR do not have a bilateral MLAT but do use a similar process via multilateral law enforcement conventions to exchange data for judicial proceedings on a case-by-case basis.

The DR's weak asset forfeiture regime is improving but does not cover confiscation of instrumentalities intended for use in the commission of money laundering offenses; property of corresponding value; and income, profits, or other benefits from the proceeds of crime. The Congress of the Dominican Republic has been reviewing legislation pending since 2014. The proposed legislation would institute non-conviction-based asset forfeiture and align the asset forfeiture regime with international standards.

The DR is a member of the GAFILAT, a FATF-style regional body. The DR's most recent MER is available at: <http://www.fatf-gafi.org/countries/#Dominican%20Republic>.

**AML LEGAL, POLICY, AND REGULATORY DEFICIENCIES**

The DR has a mechanism (Law 155-17) for sharing and requesting information related to money laundering; this mechanism is now in force after the DR's July 2019 readmission to the Egmont Group.

The DR has weaknesses regarding PEPs, has no legislation providing safe harbor protection for STR filers, and does not criminalize tipping off. The government also needs to strengthen regulation of casinos and non-bank actors and is exploring methodologies to do so.

**ENFORCEMENT/IMPLEMENTATION ISSUES AND COMMENTS**

The DR continues to work on areas where it is non-compliant with international AML standards, and the national money laundering working group has publicly reaffirmed the government's commitment to reaching compliance.

The Attorney General's Office reported no convictions for money laundering in 2020, but 20 new cases entered the courts in 2020, adding to the 50 cases currently underway.

The government should take steps to rectify continuing weaknesses regarding PEPs, pass an effective non-conviction-based asset forfeiture law as well as legislation to provide safe harbor protection for STR filers and criminalize tipping off. The government should better regulate casinos, non-bank businesses, professions, real estate companies, and betting and lottery parlors, and strengthen regulations for financial cooperatives and insurance companies.

## **Ecuador**

**OVERVIEW**

Located between two major drug-producing countries, Ecuador is a major drug transit country. A dollarized, cash-based economy and the lack of financial inclusion in key sectors contribute to Ecuador's money laundering vulnerabilities. Public corruption scandals with domestic and international linkages have involved money laundering. Money laundering occurs primarily through trade, commercial activity, and cash couriers. Bulk cash smuggling and structuring are also common.

Pursuing public corruption is a top priority for President Lenin Moreno's government. Authorities have investigated and successfully prosecuted high-level government officials, including former president Rafael Correa. While Ecuador has strengthened its AML/CFT regime, the government needs to implement additional reforms. Bureaucratic stove-piping; corruption; lack of specialized AML expertise in the judiciary, law enforcement, and banking regulatory agencies; and limited prosecutorial capacity hinder the government's efforts to improve AML/CFT enforcement and prosecutions.

Ecuadorian cooperation with U.S. law enforcement agencies improved due to increased technical assistance for the Financial and Economic Analysis Unit (UAFE), Ecuador's FIU, and the formation of a vetted multi-agency AML unit.

### **VULNERABILITIES AND MONEY LAUNDERING METHODOLOGIES**

Narcotrafficking is a significant source of illicit proceeds, and criminals continue to use commercial and trade mechanisms to launder funds. Recently discovered, significant gold deposits incentivize illegal miners to operate outside the country's nascent commercial mining industry. Other illicit activities include the trafficking of drugs, arms, and people. TBML, particularly cross-border activity, remains a threat.

A dollarized, cash-based economy with a significant informal sector also contributes to money laundering vulnerabilities. According to the Central Bank of Ecuador (CBE), 61 percent of Ecuadorians have access to the financial system through accounts in banks and cooperatives. Six percent of the 60,883 registered microenterprises have bank accounts.

### **KEY AML LAWS AND REGULATIONS**

Ecuador has STR requirements and EDD for PEPs. Ecuador has a free, online registry of beneficial ownership. The law requires registration of any entity holding a single share of any company or partnership.

President Moreno vetoed asset forfeiture reforms in 2019, saying they would violate an individual's constitutional rights. The National Assembly subsequently added embezzlement, extortion, bribery, influence peddling, trafficking in persons, and illicit association to the range of crimes subject to equivalent confiscation.

Ecuador and the United States cooperate under relevant multilateral conventions to ensure the sharing of records in connection with drug investigations and proceedings.

Ecuador is a member of the GAFILAT, a FATF-style regional body. Ecuador's most recent MER is available in Spanish only at: <http://www.gafilat.info/index.php/es/biblioteca-virtual/miembros/ecuador/evaluaciones-mutuas-7/131-ecuador-3era-ronda-2011>.

### **AML LEGAL, POLICY, AND REGULATORY DEFICIENCIES**

Despite its progress, Ecuador needs to implement additional AML/CFT reforms. Corruption, inadequate training for law enforcement and the judiciary, and frequent misinterpretation of the law are primary AML deficiencies. Judges are often susceptible to bribery and frequently hinder narcotics-related money laundering investigations. The prosecutorial office handling money laundering cases only has five AML-dedicated prosecutors nationwide, suffers from reputational deficiencies, and has been subject to political pressures to shelve cases. A lack of coordination and trust among law enforcement, the Attorney General's Office (AGO), and financial regulators hinders AML efforts.

Regulatory authorities are still in the initial stages of implementing a risk-based AML/CFT supervisory approach. The effectiveness of AML/CFT compliance examinations and the enforcement framework still need strengthening. UAFE can administratively sanction reporting entities only for missing monthly reporting deadlines. Although stipulated by law, sanctions do not increase for recidivism. UAFE has no administrative sanctioning authority for failure to report or otherwise act on a suspicious transaction but must rely on the AGO to investigate. State prosecutors are required to inform a suspect s/he is under investigation for money laundering, which may provide opportunities for persons to obscure or destroy key evidence.

Bulk cash smuggling investigations must be completed within 30 days, hampering convictions. The law only stipulates administrative fines for failure to declare cash/currency at a port of entry but not other financial instruments. Only international air travelers bringing in over \$10,000 in cash or other “taxable assets” are required to submit a customs declaration form.

Legislation to implement a non-conviction-based asset forfeiture framework still languishes in the National Assembly. In addition, Ecuador must strengthen its mechanisms for seizing, managing, and disposing of illicit assets, which suffer from archaic bureaucratic policies and procedures.

The constitution permits trials in absentia and voids the statute of limitations for government officials on trial for specified crimes, but not for money laundering. As a result, officials under investigation for money laundering flee Ecuador until the statute of limitations expires, hindering prosecutions.

### **ENFORCEMENT/IMPLEMENTATION ISSUES AND COMMENTS**

UAFE referred 10 possible money laundering cases to the AGO between January and October 2020. The government does not publish statistics on money laundering-related prosecutions and convictions.

Pursuing public corruption is a top priority for President Moreno’s government. In 2020, the AGO formed a multidisciplinary task force to investigate corruption cases related to public procurement during the COVID-19 health emergency, including the Pedernales Hospital case in which National Assembly members and public procurement officials are implicated. The AGO secured eight judgments derived from bribery investigations in 2020. Authorities continue to investigate and prosecute high-level government officials for bribery, embezzlement, illicit enrichment, money laundering, and organized crime. The AGO also continues to investigate allegations against PetroEcuador and the Brazilian construction company Odebrecht and to seek the recovery of \$14 million in this case.

The National Court of Justice convicted in absentia former president Rafael Correa on corruption charges.

## El Salvador

### **OVERVIEW**

El Salvador continued to make significant progress in combating money laundering during 2020, primarily due to efforts of the Attorney General's (AG) office. Poor regulatory AML/CFT oversight and enforcement, particularly with respect to DNFBPs, continue to make El Salvador more vulnerable to money laundering.

### **VULNERABILITIES AND MONEY LAUNDERING METHODOLOGIES**

El Salvador is geographically vulnerable to the transit of South American cocaine to the United States. El Salvador's dollarized economy makes it attractive for money launderers, and money laundering risks include organized crime, human trafficking, extortion, tax evasion, and corruption. A regional agreement among El Salvador, Guatemala, Honduras, and Nicaragua allows for the free movement of their citizens.

El Salvador is a cash-based economy in which only 25 percent of the population uses bank accounts. The government has identified several trade-based schemes stemming from lax border and customs controls. In addition, lax regulatory AML oversight and enforcement, particularly with respect to DNFBPs, make El Salvador more vulnerable to money laundering.

Organized crime groups launder money through various means, including front companies, travel agencies, remittances, import and export goods, and cargo transportation. Illicit activity includes the use of smurfing operations.

As of December 2019, there were 17 FTZs operating in El Salvador. The FTZs are comprised of more than 200 companies operating in areas such as textiles, clothing, distribution centers, call centers, business process outsourcing, agribusiness, agriculture, electronics, and metallurgy.

### **KEY AML LAWS AND REGULATIONS**

Legislation to address regulatory and supervisory issues related to coordination and authorities and provide comprehensive AML/CFT reforms is pending within the legislative assembly.

El Salvador is a member of the CFATF, a FATF-style regional body. Its most recent MER is available at: <https://www.cfatf-gafic.org/index.php/documents/cfatf-mutual-evaluation-reports/el-salvador-1>.

### **AML LEGAL, POLICY, AND REGULATORY DEFICIENCIES**

The lack of strong regulatory bodies to properly supervise and enforce the law in all sectors remains a significant problem. El Salvador's regulatory institutions are either nonexistent or weak and are not authorized to fine or punish noncompliance. Affected sectors include some financial services in the traditional banking sector, such as savings and loans cooperatives, and other DNFBPs, to include casinos, real estate agents, dealers in precious metals/stones, and



professional services (notaries, accountants, and lawyers). Poor coordination and information-sharing between El Salvador's FIU and other regulatory bodies is also problematic.

### **ENFORCEMENT/IMPLEMENTATION ISSUES AND COMMENTS**

El Salvador's FIU is understaffed with only 19 permanent staff members, including three attorneys and seven analysts. Criminal investigations and prosecutions are primarily handled by the AG's specialized Group Against Impunity (GCI), made up of approximately 20 prosecutors and 14 analysts, and a separate AML unit currently made up of 14 prosecutors and five financial analysts.

Because there is little regulatory enforcement with respect to international transfers, regulatory authorities in El Salvador do not have the capacity to tell whether money laundering methods are being used to launder criminal proceeds or fund terrorist activities.

In fiscal year 2020, the GCI reported filing criminal charges in several high-profile cases, including against the former president of the legislative assembly Sigfredo Reyes and the former president of the state audit institution Hernán Contreras Rodríguez. The Money Laundering Unit also reported a number of significant ongoing cases, which are still in judicial proceedings, involving drug-trafficking organizations, one of which involves \$5.5 million in laundered proceeds and the other \$17.8 million. The unit also reported progress on two corruption cases involving former president Carlos Mauricio Funes.

In addition, Salvadoran prosecutors won an appeal in the first money laundering case against leaders and collaborators of the MS-13 gang, in what is widely known as Caso Jaque. In July 2020, the appellate court reversed acquittals from a 2018 trial against several MS-13 members and associates on money laundering charges. The Court of Appeals found ample evidence to support money laundering convictions against the charged defendants and that the trial court had erred by not giving sufficient weight to circumstantial evidence presented at trial. The Court of Appeals ordered a re-trial on the money laundering charges included in the case.

## **Georgia**

### **OVERVIEW**

As with narcotics, Georgia is part of an international system of money laundering. Georgia's ease of doing business attracts investments, but also eases entry of ill-gotten funds into the financial system. In June 2020, the Financial Monitoring Service (FMS), Georgia's FIU, adopted new regulations to further define Georgia's AML/CFT regulatory framework, and law enforcement utilized monitoring mechanisms created in previous years to identify links between drugs, organized crime, and money laundering. Much of the illegal income in Georgia derives from banking fraud and cybercrime. Cryptocurrency is unregulated in Georgia and is an area that Georgia should address, along with its gaming industry.

## **VULNERABILITIES AND MONEY LAUNDERING METHODOLOGIES**

Considerable illegal income in Georgia derives from banking fraud and cybercrime. Social engineering schemes are also used to commit mass marketing fraud. Banking systems and money transfer services are the primary means to move funds, and Georgia is often just one link in an international criminal chain. The general economic situation in Georgia, which is far from being a developed economy, forms fruitful ground for money launderers to find front men. Ease of doing business, which enhances Georgia's attractiveness for clean investments, is a vehicle for ill-gotten funds to enter the financial system. Cryptocurrency is unregulated in Georgia, increasing vulnerability to money laundering.

Based on the monitoring mechanism created in previous years, prosecutors established links between drugs, organized crime, and money laundering.

The unchecked growth of the gaming industry, including internet gaming, is concerning. According to the FMS January 2019 annual report, there are 449 lotteries and gaming institutions registered in Georgia and 34 casinos. The Ministry of Finance supervises lottery organizations, gaming institutions, and casinos for AML compliance. The AML obligations of gaming establishments are identical or substantively similar to the requirements placed on other covered entities.

## **KEY AML LAWS AND REGULATIONS**

Georgia has an adequate legal and institutional framework for investigating and prosecuting money laundering offenses.

As required by its *Law on Facilitating the Prevention of Money Laundering and Terrorism Financing*, Georgia further refined its AML/CFT regulatory framework by realigning key guidelines, including rules on record-keeping, storage requirements, and reporting of information to the FMS, and creating new customer identification and verification procedures. The new rules introduce reporting timeframes, take a risk-based approach, and promote increased efficiency. The law applies EDD to both domestic and foreign PEPs.

Georgia's civil procedure code permits civil forfeiture of any undocumented property in the possession of persons convicted for money laundering or other designated offenses.

Georgia is a member of MONEYVAL, a FATF-style regional body. Its most recent MER is available at: <https://www.coe.int/en/web/moneyval/jurisdictions/georgia>.

## **AML LEGAL, POLICY, AND REGULATORY DEFICIENCIES**

Bitcoin and other virtual currencies are extremely popular in Georgia. Georgia continues to be a popular virtual currency mining location. Georgia lacks experienced cybercrime labs and only has a handful of qualified digital forensic analysts. Training and capacity-building efforts need to be directed toward these areas and toward improving legislation on collecting and analyzing digital evidence. The Prosecution Service of Georgia (PSG) recently created a new cybercrime

department and is in the process of developing cryptocurrency seizure guidelines to be used in the law enforcement community.

Over the last two years, the number of STRs submitted by gaming businesses has increased from 1 in 2018 to 10 in 2020. This change is attributed to government efforts to establish monitoring departments within the gaming entities, develop guidelines on the reporting requirements for gaming businesses, and implement awareness-raising programs. However, the overall number of reports is still suspiciously low and may indicate the gaming industry may not be fully complying with existing regulations.

### **ENFORCEMENT/IMPLEMENTATION ISSUES AND COMMENTS**

Georgia's 2019 money laundering/terrorism financing NRA weights money laundering risks as medium and terrorism financing risks as low.

Georgian prosecutors and law enforcement authorities should continue to put emphasis on pursuing links between organized crime and money laundering. The PSG utilized newly secured software to help uncover connections and data patterns and assist in identifying and disrupting money laundering threats. Georgia has policy-level interagency cooperation but lacks a task-force approach at the operational level. A task-force approach would facilitate greater exchange of information and cooperation, pulling together intelligence and resources to attack financial crimes. Georgia also should take steps to supervise and improve regulation of its gaming industry.

The PSG uses a multi-agency platform with law enforcement and the FMS to analyze cases, generalize practices, and identify current trends in profit-motivated crimes. Investigations into narcotics, extortion, weapons of mass destruction, human trafficking, prostitution, and smuggling rarely disclose financial components. Narcotics trafficking is rarely established as a predicate offense for money laundering. In 2020, several successful money laundering cases were linked to drug trafficking and other organized crime involving large sums of money; however, the overall number of money laundering cases is low compared to the number of predicate offenses. In fiscal year (FY) 2020, 36 money laundering prosecutions were initiated, compared to 25 in FY2019. In FY2020, two people were convicted of money laundering; the PSG attributes the low conviction rate to delayed court proceedings due to COVID-19 restrictions. STRs still remain the main source of money laundering investigations. Georgia should increase the efficiency of parallel investigations, and more effectively utilize forfeiture laws.

## **Ghana**

### **OVERVIEW**

Ghana's AML laws continue to be in line with international standards, and the country is working to implement its AML regime across all sectors and institutions. Ghana is continuing to consolidate its banking and financial sectors, with new capital requirements and corporate governance standards reducing the number of banks and non-bank financial institutions

operating in the country. This, along with a positive trajectory of improved banking supervision, could simplify oversight but should not adversely affect the filing of STRs and CTRs.

In September 2019, Ghana developed a national AML/CFT policy and action plan to address the strategic deficiencies identified in the 2016 NRA. An action plan created in 2018 addresses strategic deficiencies noted by international experts. Ghana should continue to work on ensuring the timely access to accurate and current beneficial ownership information; ensuring the Ghana Financial Intelligence Center (FIC), the FIU, is focusing its activities on risks identified in the NRA; and applying a risk-based approach for monitoring NPOs.

In terms of both the legal framework and risk, NPOs and DNFBPs continue to represent the largest gaps in Ghana's AML regime. To address these and other money laundering issues, the government of Ghana should continue to allocate adequate funding to fight money laundering, effectively implement relevant asset forfeiture laws and regulations, and sanction institutions that do not file required STRs and CTRs.

The FIC continues to work with international partners to conduct trainings for law enforcement agencies, though that effort has stalled due to COVID-19. Ghana continues to work on a nationwide capacity building workshop on AML/CFT and the proliferation of weapons of mass destruction for law enforcement agencies in several regions of the country.

### **VULNERABILITIES AND MONEY LAUNDERING METHODOLOGIES**

Fraud, especially romance scams, theft, tax evasion, corruption, and drug trafficking continue to be the most prevalent crimes for money laundering in Ghana. Advanced fee fraud is the most commonly committed offense. Other predicate offenses that pose medium money laundering threats include human trafficking, migrant smuggling, organized crime, arms trafficking, counterfeiting of currency, counterfeiting and piracy of products, environmental crime, and forgery.

DNFBPs are vulnerable to money laundering. Major vulnerabilities are the lack of enforcement and ineffective adherence to CDD requirements by most DNFBPs. Ghana continues to work toward sector-specific AML guidelines but lacks a robust risk assessment methodology for the DNFBP sector. The FIC conducted a nationwide AML/CFT training session for targeted DNFBPs in 2019. It also conducted risk assessments of legal persons and arrangements and of NGOs. Follow-up in 2020 was delayed due to COVID-19.

Ghana is a cash-dominant economy, and bulk cash smuggling is the preferred money laundering scheme. Ghana has designated four FTZ areas, but only one is active. Ghana also licenses factories outside the FTZ areas as free zone companies; most produce garments and processed foods.

## **KEY AML LAWS AND REGULATIONS**

Ghana's principal AML legislation is the *Anti-Money Laundering Act, 2008*, as amended by the *Anti-Money Laundering Amendment, 2014*. AML guidelines were most recently revised in January 2018.

Ghana has comprehensive KYC and STR regulations and legal persons are covered. In 2019, President Akufo-Addo signed a new companies act to include provisions to establish a beneficial ownership register managed by the Registrar General, although implementing regulations are still required to ensure compliance.

Ghana and the United States do not have a bilateral MLAT. The foundation for extradition between Ghana and the U.S. is derived from the 1935 U.S.-U.K. treaty that was inherited by Ghana after independence in 1957. United States-Ghana legal assistance cooperation is underpinned by various UN conventions to which both the U.S. and Ghana are parties.

Ghana is a member of the GIABA, a FATF-style regional body. Ghana's most recent MER is available at: <http://www.giaba.org/reports/mutual-evaluation/Ghana.html>.

## **AML LEGAL, POLICY, AND REGULATORY DEFICIENCIES**

Banks and insurance companies are required to identify high-risk clients such as PEPs, but there is a lack of effective identification and monitoring of PEPs and their associates.

There is no organized national response in the NPO sector to combat possible money laundering or terrorist financing abuse, and submission of NPO annual financial statements and records of operation remains a challenge. Ghana conducted a nationwide rollout of AML/CFT sensitization programs for NPOs in 2019.

## **ENFORCEMENT/IMPLEMENTATION ISSUES AND COMMENTS**

Ghana's implementation of a single national identity card is ongoing, with repeated delays. Identification of customers for purposes of KYC remains challenging, as many of the publicly owned identity verification databases are still not fully available.

Financial crimes are prosecuted by the Attorney General's Office and by non-attorney police prosecutors. Relatively few investigators and prosecutors have received specialized AML training. Ghana has no certified financial crime investigators trained in asset forfeiture.

Ghana's FIC and international partners train public and private sector entities on current money laundering and terrorist financing trends to raise awareness and reporting to the FIC.

Ghana continues to work toward compliance with international AML standards. Several agencies maintain combined statistics on convictions; separate data on money laundering convictions is not readily available, though international partners are working with Ghana to mitigate that issue. In partnership with Ghana, an international donor funded the development of

an information-sharing database that connects various sectors over which the FIC has jurisdiction. The database came online in late 2019/early 2020.

## Guatemala

### **OVERVIEW**

Guatemala remains a key transit route for narcotics to the United States and cash returning to South America. The government faces significant challenges combating corruption, money laundering, and financial crimes related to narcotics trafficking. The Public Ministry (MP), Guatemala's justice department, has improved coordination between prosecutors and law enforcement agencies so as to conduct financial investigations and consider money laundering charges when investigating extortion, corruption, and trafficking investigations. However, more progress is needed, especially in light of the influence of drug traffickers over some elected officials within Guatemalan institutions.

### **VULNERABILITIES AND MONEY LAUNDERING METHODOLOGIES**

Guatemala's geographical equidistance between South American coca sources and U.S. drug markets, coupled with public corruption, make Guatemala a strategically important country for drug transit and money laundering. Guatemala's fight against corruption has exposed criminal organizations dedicated to the planning, brokerage, execution, and concealment of illicit profits. These structures exploit Guatemala's public corruption, laws, and institutions and ultimately contribute to the Guatemalan government's opaque contract implementation.

In the private sector, money laundering commonly occurs through real estate, construction, and ranching transactions. Guatemala's laws also provide money laundering opportunities through various categories of DNFBPs.

The Central America Four Border Control Agreement among El Salvador, Guatemala, Honduras, and Nicaragua permits the free movement of citizens across shared borders without cash declaration requirements.

Casinos and games of chance operate both on and offshore and are currently unregulated.

Guatemala has 12 active FTZs, mainly used to import duty-free materials and goods used in the manufacture of products and/or provision of services for exportation. There are no known allegations that FTZs are hubs of money laundering or drug trafficking activity.

### **KEY AML LAWS AND REGULATIONS**

The Guatemalan *Law against Money Laundering or Other Assets* (LAML) regulates all aspects of money laundering prevention and enforcement. Pursuant to the LAML, entities and professions identified in the law must report all suspicious and unusual financial activities of

their clients. However, the LAML does not apply to numerous entities in the financial, commercial, and service sectors that are vulnerable to money laundering activity.

Guatemala and the United States do not have an MLAT. However, the use of multilateral treaties to exchange financial crime information has led to prosecutions of significant money laundering offenses in the United States and Guatemala. The Prosecution Office of International Affairs in the MP works closely with the U.S. Department of Justice to coordinate timely responses to financial information requests.

Guatemala is a member of the GAFILAT, a FATF-style regional body. Its most recent MER is available at: <https://www.fatf-gafi.org/countries/#Guatemala>.

### **AML LEGAL, POLICY, AND REGULATORY DEFICIENCIES**

Guatemala does not prohibit deposit structuring to avoid reporting requirements.

International experts noted deficiencies in Guatemala's AML laws with respect to DNFBPs, noting that numerous professions and activities at high risk for use by money launderers were not covered by the law, including attorneys, notaries, cryptocurrency traders, micro-lenders, and casinos. In July 2020, the Special Verification Supervisor in the Bank Superintendent's office proposed new AML and terrorism financing legislation to address these deficiencies by expanding the professions and activities required to comply with reporting requirements and enforcing risk mitigation policies to combat money laundering and terrorism financing activities. While the proposed legislation is being considered by the Guatemalan congress, few believe it will pass as proposed.

The lack of an MLAT with the United States creates hurdles to the repatriation of assets linked to criminal activities and to collaboration to enforce asset forfeiture orders. In addition to legal deficiencies, the lack of coordination among domestic agencies and institutions and limited human resources have led to mixed results applying those laws, including enforcement of the AML and SAR regulations, and application of the KYC procedures. This is problematic, as most money laundering cases prosecuted by the MP originate from bank SARs.

### **ENFORCEMENT/IMPLEMENTATION ISSUES AND COMMENTS**

Guatemala struggled to enforce its AML and asset forfeiture laws in 2020, largely due to the COVID-19 pandemic closing courtrooms but also due to staffing shortages, insufficient collaboration among relevant agencies, technological shortcomings, and procedural inefficiencies. In 2019, the MP filed indictments on 53 percent of the money laundering complaints it received, while in 2020 this percentage was 29 percent. In 2019, the MP obtained judgements on 32 percent of the asset forfeiture cases it prosecuted, however in 2020 this fell to 17 percent.

Although the pandemic has created complications for the MP, Guatemala had some important successes in 2020. The MP uncovered more than \$15 million in cash hidden in the residence of a former minister wanted for money laundering. Another former minister of economy was

charged in the United States for alleged money laundering. The storage of cash by corrupt actors may indicate they are deterred from using financial institutions to launder money due to the inherent risks created by existing AML regulations and procedures.

## Guyana

### **OVERVIEW**

Unregulated currency exchange houses and dealers in precious metals and stones pose risks to Guyana's AML/CFT system. Other sectoral vulnerabilities include the banking industry and unregulated attorneys, accountants, real estate agents, used car dealers, and charities. Guyana has made significant progress on the AML/CFT front, but more investigations and successful prosecutions are necessary.

### **VULNERABILITIES AND MONEY LAUNDERING METHODOLOGIES**

Guyana's 2017 NRA determined it has a medium-to-high money laundering risk and a medium terrorist financing threat. Historically, the primary sources of laundered funds are narcotics trafficking and real estate fraud. However, other illicit activities, such as human trafficking, gold smuggling, contraband, and tax evasion are also sources. Guyana's weak licensing policies and procedures followed by Guyana's banking and financial institutions increase the risk of drug money laundering.

Guyana does not have FTZs, offshore financial centers, virtual currency platforms, or economic citizenship programs. Guyana does permit gaming, and the Gaming Authority of the Republic of Guyana (GARG) regulates and supervises all gaming activities. Its website lists one licensed casino, one state lottery, and eight betting shops.

Common money laundering typologies include large cash deposits using forged agreements of sale for non-existent precious minerals, cross-border transport of concealed precious metals to avoid payment of the relevant taxes and duties, and wire transfer fraud using compromised email accounts. More recently, suspected illegal funds are transferred via international financial institutions under the guise of making purchases for COVID-19 medical supplies.

### **KEY AML LAWS AND REGULATIONS**

Guyana has strong legislation relating to money laundering and terrorist financing. Guyana's *Anti-Money Laundering and Countering the Financing of Terrorism Act 2009*, *Interception of Communications Act 2008*, and *Criminal Law Procedure Act* serve as its primary AML legislative regime. The *State Assets Recovery Act of 2017*, *Protected Disclosures Act of 2018*, and the *National Payments Systems Act of 2018* bolster Guyana's AML legislative response.

Guyana has comprehensive KYC and STR regulations. There is also a records exchange mechanism in place with the United States and other governments.



In January 2020, the government started its second NRA. The government estimates it will be concluded early in 2021. International donors trained government financial sector personnel and legal officers on the use of the NRA tool and on AML best practices in the oil and gas sector and illegal wildlife trade. The Bank of Guyana, Guyana Securities Council, GARG, and Guyana Revenue Authority conducted several onsite inspections of financial entities to identify areas for improvement.

Guyana is a member of the CFATF, a FATF-style regional body. Its most recent MER is available at: <https://www.cfatf-gafic.org/member-countries/guyana>.

### **AML LEGAL, POLICY, AND REGULATORY DEFICIENCIES**

Guyana's AML legislation covers legal persons and provides EDD for PEPs. However, the government identified remaining deficiencies within its AML legislative framework it intends to correct, including information-sharing restrictions on the FIU and the exclusion of international organizations from the definition of PEPs.

Guyana lacks standardized provisions for secure electronic communications and transactions. The government has a risk-based assessment plan from its 2017 NRA but lacks a national strategic plan for combatting money laundering and terrorist financing. The *Electronic Communications and Transaction Bill* and an AML/CFT national strategic plan remain in draft form, and the government did not report when these would be finalized.

The FIU applied for Egmont Group membership in 2011 but its application is still pending. Guyana has satisfied some of the Egmont Group's criteria, however, has yet to comply fully with the Egmont Group's recommended changes to its AML/CFT Act. The Egmont Group recommends the Act define the "relevant authority" to receive and investigate FIU reports and include provisions to give the FIU the power to exchange financial information and to independently enter into agreements with foreign FIUs.

### **ENFORCEMENT/IMPLEMENTATION ISSUES AND COMMENTS**

The major agencies involved in anti-drug and AML efforts are the Guyana Police Force, Guyana Revenue Authority (GRA), Customs Anti-Narcotics Unit, Special Organized Crimes Unit (SOCU), Bank of Guyana, and the FIU within the Ministry of Finance. The government disbanded the State Asset Recovery Agency and National Anti-Narcotic Agency in October 2020.

The FIU initiates investigations by referring cases to SOCU. The FIU submitted eight STRs in 2020. SOCU launched investigations into these and other reports of suspicious transactions, and in September 2020 made a successful application for forfeiture of \$28,000 believed to be the proceeds of narcotics trafficking and money laundering. The government reports statutory time limits to prosecute money laundering cases and non-cooperation by stakeholders with SOCU hinder successful prosecutions.

The government has shown strong political will to combat money laundering and has made progress on the AML/CFT front. Guyana still needs to increase its training for the judiciary on matters pertaining to the investigation and prosecution of financial crimes. A national strategic plan for combatting money laundering should be developed and implemented, and legislation passed for the facilitation and regulation of secure electronic communications and transactions. Reporting and investigating entities should also improve their interagency coordination, and the GRA should report suspicious transactions to SOCU.

## Haiti

### **OVERVIEW**

Haitian gangs are engaged in international drug trafficking and other criminal and fraudulent activity. While Haiti itself is not a major financial center, regional narcotics and money laundering enterprises utilize Haitian couriers, primarily via maritime routes. Much of the drug trafficking in Haiti, and related money laundering, is connected to the United States. Important legislation was adopted over the past several years, in particular anticorruption and AML laws, but the weakness of the Haitian judicial system, impunity, and a lack of political will leave the country vulnerable to corruption and money laundering.

### **VULNERABILITIES AND MONEY LAUNDERING METHODOLOGIES**

Most of the identified money laundering schemes involve significant amounts of U.S. currency held in financial institutions outside of Haiti or non-financial entities in Haiti, such as restaurants and other small businesses. A majority of property confiscations to date have involved significant drug traffickers convicted in the United States. Illicit proceeds are also generated from corruption, embezzlement of government funds, smuggling, counterfeiting, kidnappings for ransom, illegal emigration and associated activities, and tax fraud. Foreign currencies represent approximately 63 percent of Haiti's bank deposits.

Haiti has nine operational FTZs. FTZs are licensed and regulated by the Free Zones National Council, a public-private enterprise. AML laws and regulations apply to companies operating in FTZs.

Haiti has 157 licensed casinos and many unlicensed casinos. Gaming entities are subject to AML requirements. Haiti also has established the Haitian State Lottery under the auspices of the Ministry of Economy and Finance. Online gaming is illegal.

### **KEY AML LAWS AND REGULATIONS**

Amendments in 2016 further strengthen Haiti's 2013 AML legislation by adding missing elements to the AML/CFT law to bring it up to international standards. A long-delayed anticorruption bill took effect in 2014.

The 2020 adoption of a new criminal code and a new criminal procedural code will provide the government with updated tools to prosecute corruption and money laundering cases. They are expected to be implemented over a two-year transition period. The adoption of the new codes will not itself address the historic unwillingness of judges and courts to address cases referred for prosecution because of corruption and other reasons.

Haiti is a member of the CFATF, a FATF-style regional body. Its most recent MER can be found at: <http://www.fatf-gafi.org/media/fatf/documents/reports/mer-fsr/CFATF-Mutual-Evaluation-Republic-of-Haiti-2019%20.pdf>.

### **AML DEFICIENCIES**

The weaknesses of the Haitian judicial system and prosecutorial mechanisms continue to leave the country vulnerable to corruption and money laundering.

The amended AML/CFT law, despite strengthening the AML regulatory framework, undermines the independence and effectiveness of Haiti's FIU. The Central Financial Intelligence unit (UCREF), Haiti's FIU, is not a member of the Egmont Group, but is currently working with sponsors and applying for membership.

Haiti should take steps to establish a program to identify and report the cross-border movement of currency and financial instruments. Casinos and other forms of gaming should be better regulated and monitored.

### **ENFORCEMENT/IMPLEMENTATION ISSUES AND COMMENTS**

The Haitian government's efforts to implement a better AML regime have stalled, in part due to the COVID-19 pandemic and the absence of a constitutional government. The 2020 adoption of a new criminal code is expected to facilitate bringing Haiti into compliance with international standards.

Haiti's 2014 anticorruption law is not being effectively implemented, as evidenced by frequent changes in leadership, fear of reprisal at the working level, rumored intervention from the country's executive leadership, and the failure of judges to follow through by investigating, scheduling, and referring cases to prosecutors.

The UCREF is an ineffective, passive institution with little law enforcement impact. The UCREF does not follow-up with the prosecutor's office regarding its referrals. The May 2017 UCREF law reduced the UCREF's independence. The UCREF forwarded six cases to the judiciary in 2018, three cases in 2019, and only two in 2020.

The Haitian National Police financial crimes unit (BAFE) is understaffed and under resourced. It has limited interaction with the UCREF. Like the UCREF, the BAFE does not systematically follow-up with the prosecutor's office regarding cases. Haiti's prosecutors and judges have limited experience with financial crimes cases. There were no convictions or prosecutions for money laundering in 2020.

The government should continue to devote resources to building an effective AML regime, to include continued support to units charged with investigating financial crimes and the development of an information technology system. The Government of Haiti should take steps to combat pervasive corruption at all levels of government.

## Honduras

### **OVERVIEW**

Money laundering in Honduras stems primarily from narcotics trafficking by organized criminal groups and the illicit proceeds of public corruption. Honduras is not a regional or offshore financial center.

In the last quarter of 2019, Honduras, under the leadership of the Honduran National Banking and Insurance Commission (CNBS) and with donor support, established a national strategy on AML/CFT and combating weapons of mass destruction to implement laws and regulations related to DNFBPs. This comprehensive implementation effort involves multiple Honduran government agencies, including justice sector institutions.

However, because the DNFPB law and regulations have not been fully implemented, supervision and oversight to prevent money laundering is limited. The lack of capacity to investigate complex financial transactions also contributes to a favorable money laundering climate.

### **VULNERABILITIES AND MONEY LAUNDERING METHODOLOGIES**

Money laundering in Honduras derives from domestic and foreign criminal activity. Local drug trafficking organizations and organized crime syndicates control most illicit proceeds, which pass through the formal banking system and the underground economy. Trade-based businesses commonly used to launder funds include those operating in the automobile and real estate sectors, remittance companies, currency exchange houses, credit unions, the construction sector, and cattle ranching.

Moreover, corruption and links to organized crime in the private and public sectors continue to be widespread, with the illicit proceeds of public corruption being subject to money laundering.

A regional treaty between El Salvador, Guatemala, Honduras, and Nicaragua allows free movement of citizens between these countries, leaving each country vulnerable to the cross-border movement of contraband and cash.

### **KEY AML LAWS AND REGULATIONS**

Honduras established a comprehensive national AML/CFT strategy in 2019. Honduras has KYC and STR regulations, but additional procedures are necessary for full implementation of the 2015 AML law.

Currently, there is no bilateral treaty between Honduras and the United States that allows for exchange of records. However, Honduran authorities have allowed records and information exchange under the terms of relevant UN conventions that establish the process of mutual legal assistance between states parties. Records and other documents are provided through U.S. law enforcement agencies in Honduras that can testify as to their genuineness and validity when not requested through an official mutual legal assistance request.

Honduras is a member of the GAFILAT, a FATF-style regional body. Its most recent MER is available at: <http://www.fatf-gafi.org/media/fatf/documents/reports/mer-fsrb/GAFILAT-MER-Honduras-2016-English.pdf>.

### **AML LEGAL, POLICY, AND REGULATORY DEFICIENCIES**

The definition of money laundering contained in the new penal code, which took effect in June 2020, presents some setbacks when compared with the previous 2015 AML law. For example, the underlying offense for the new crime has been changed from “illicit activity” to “serious crime,” increasing the legal threshold and thus making it harder to prove. According to the Honduran congress’ interpretation of the AML law, regulated entities must retain records of transactions for five years and the record-keeping applies to each transaction, not for the client’s entire file. As a consequence, financial information related to possible money laundering cases could be incomplete or unavailable. Bearer shares are legal and there is no system for beneficial ownership registration to identify and verify beneficiaries in complex financial transactions.

The Honduran financial system suspends individuals under investigation for money laundering and limits their access to the banking system. While the AML law allows the Public Ministry (PM) to request financial information directly from the FIU, some PM units channel their requests through senior PM authorities leading to delays. The poor information flow between the PM and the FIU has left cleared individuals on the financial risk list unnecessarily. Regulated entities are not always notified when investigations are closed administratively.

The Superintendence of Commercial Companies, created by the Honduran constitution to supervise and regulate businesses to prevent financial related crimes, remains inactive. There are specialized entities, such as the CNBS and the National Supervisory Council of Cooperatives (CONSUCOOP), that combat and prevent money laundering in the private sector, though CONSUCOOP lacks sufficient resources to do so effectively.

### **ENFORCEMENT/IMPLEMENTATION ISSUES AND COMMENTS**

FIU staff and PM financial analysts require training on financial institution products, international standards, financial analysis, report writing, relevant Honduran laws, and STR and CTR analysis.

The Public Records Office has made efforts to begin file digitalization at a national level, although most public property records remain in hard copy and poorly organized, impeding effective investigation. The Property Institute, through its Intelligence Registry Office, keeps

track of real estate and vehicle operations susceptible to money laundering. Announced in 2016, this initiative is becoming operational with the support of CNBS and once fully implemented will help prevent corruption and collect information for money laundering investigations.

With donor support over several years, Honduras officially established the Financial Investigation Police Office (OPIF) as a unit within the Honduran National Police. Previously an ad hoc investigation unit, it is now recognized under Honduran law, conducting financial investigations related to money laundering and asset forfeiture.

## Hong Kong

### **OVERVIEW**

Hong Kong, a Special Administrative Region (SAR) of the People's Republic of China, is an international financial and trading hub. The world's sixth-largest banking center in terms of external transactions and the fourth-largest foreign exchange trading center, Hong Kong does not differentiate between offshore and onshore entities for licensing and supervisory purposes and has its own U.S. dollar interbank clearing system for settling transactions.

### **VULNERABILITIES AND MONEY LAUNDERING METHODOLOGIES**

Hong Kong's low tax rates and simplified tax regime, coupled with its sophisticated banking system, shell company formation agents, free port status, and the absence of currency and exchange controls present vulnerabilities for money laundering, including TBML and underground finance. Hong Kong shell companies can be exploited to launder money, facilitate illicit trade, and gain access to the international financial system.

Hong Kong officials indicate the primary sources of laundered funds are from local and overseas criminal activity, fraud and financial crimes, illegal gaming, loan sharking, smuggling, and vice. Groups involved in money laundering range from local street organizations to sophisticated international syndicates involved in assorted criminal activities, including drug trafficking.

Horse races, a local lottery, and soccer betting are the only legal gaming activities, all under the direction of the Hong Kong Jockey Club, a non-profit entity that collaborates with law enforcement to disrupt illegal gaming outlets.

### **KEY AML LAWS AND REGULATIONS**

Hong Kong has AML legislation allowing the tracing and confiscation of proceeds derived from drug-trafficking and organized crime. Hong Kong's *Anti-Money Laundering and Counter-Terrorist Financing (Financial Institutions) Ordinance* (AMLO) details covered institutions' compliance obligations regarding legal and supervisory requirements.

Under the AMLO, covered institutions must carry out CDD procedures. STRs must be filed in a timely manner with Hong Kong's Joint Financial Intelligence Unit (JFIU), which is jointly run

by the Hong Kong Police Force and the Hong Kong Customs & Excise Department (CED). The AMLO requires DNFBPs to abide by the same set of CDD and record-keeping requirements as covered financial institutions. Hong Kong's *Companies Ordinance* (CO) further requires trust and company service providers to pass a fit and proper test and obtain a license from the companies registry. The CO also requires companies incorporated in Hong Kong to maintain beneficial ownership information.

Hong Kong has a declaration and disclosure system to detect the movement of physical currency and bearer negotiable instruments (CBNIs) into and out of the city. An advance declaration must be made to the CED for cargo consignments importing or exporting large quantities of CBNIs.

In June 2020, the Hong Kong Monetary Authority (HKMA) issued a circular applicable to remote customer account-opening facilities. Banks and fintech firms should conduct an adequate initial AML/CFT risk assessment, adopt a risk-based approach, maintain both continuous management and monitoring of adopted technology, and continuously monitor account vulnerabilities.

In September 2020, the HKMA updated its guidance, requiring both local and international banks in Hong Kong to treat suspected breaches of the newly implemented national security law the same as AML/CFT violations and report them to the JFIU as STRs.

In September 2020, the Securities and Futures Commission (SFC) launched a public consultation with the goal of proposing several amendments to its AML/CFT guidelines for SFC-licensed firms. Among the amendments, the SFC proposes enhanced CDD measures under a risk-based approach. The SFC also suggests banning international relationships that involve shell companies and extending the cross-border correspondent relationship provisions in the AMLO to cover securities, leveraged foreign exchange, and futures contract transactions. The deadline for responses to the consultation paper is December 18, 2020.

Hong Kong is a member of the FATF and the APG, a FATF-style regional body. Its most recent MER is available at: <http://www.fatf-gafi.org/publications/mutualevaluations/documents/mer-hong-kong-2019.html>.

### **AML LEGAL, POLICY, AND REGULATORY DEFICIENCIES**

In view of significant cross-border flows of trade, finance, and banking activities, Hong Kong regulatory authorities should ensure strong cooperation with other jurisdictions in cases involving foreign predicate offenses, such as tax evasion or corruption.

Some supervisors and self-regulatory bodies, particularly those overseeing DNFBPs, need to strengthen their understanding of AML risk, develop a risk-based approach, and enhance their supervisory and enforcement actions. Overall, limited sanctions have been applied against some sectors, including moneylenders. Dealers in precious metals and stones and financial leasing companies are not regulated for AML/CFT purposes.

## **ENFORCEMENT/IMPLEMENTATION ISSUES AND COMMENTS**

Hong Kong has a low number of prosecutions and convictions compared to the number of cases investigated.

Under the *Executive Order on Hong Kong Normalization*, which directs the suspension or elimination of special and preferential treatment for Hong Kong, the United States notified the Hong Kong authorities in August 2020 of its suspension of three bilateral agreements. In response, the Hong Kong government suspended the *Agreement Between the Government of the United States of America and the Government of Hong Kong on Mutual Legal Assistance in Criminal Affairs*, which entered into force in 2000.

The 1988 UN Drug Convention was extended to Hong Kong in 1997, and UNCAC and the UNTOC were extended to Hong Kong in 2006.

In 2019, the JFIU received a total of 51,588 STRs and there were 103 money laundering convictions.

## **India**

### **OVERVIEW**

Indian Prime Minister Narendra Modi has prioritized curtailing illicit financial activity as part of his administration's efforts to formalize and digitize India's financial system to reduce corruption and increase the tax base. Nonetheless, India faces various money laundering vulnerabilities such as informal financing networks that largely serve illiterate, rural citizens; complex onshore and offshore corporate structures; and enforcement capacity constraints.

### **VULNERABILITIES AND MONEY LAUNDERING METHODOLOGIES**

The most common money laundering methods include intermingling criminal proceeds with licit assets, purchasing bank checks with cash, routing funds through employees' accounts, and using complex legal structures. Transnational criminal organizations use offshore corporations and TBML to disguise the criminal origin of funds, and companies use TBML to evade capital controls. Illicit funds continue to be laundered through gold purchases, charities, election campaigns, and educational programs. Laundered funds are derived from tax avoidance and economic crimes, corruption, narcotics trafficking, trafficking in persons, and illegal trade.

As of October 2020, India had approved 426 Special Economic Zones (SEZs), of which 262 are operational. India has licensed nine offshore banking units (OBUs) to operate in the SEZs. HSBC was given approval to operate as an OBU in July 2020. Customs officers control access to the SEZs. OBUs have defined physical boundaries and functional limits, are prohibited from engaging in cash transactions, can only lend to the SEZ wholesale commercial sector, and are subject to the same AML regulations as the domestic sector.



## **KEY AML LAWS AND REGULATIONS**

The *Prevention of Money Laundering Act* (PMLA) of 2002 and the rules by regulators Reserve Bank of India (RBI) and the Securities and Exchange Board of India (SEBI) establish the broad framework for prosecution of money laundering in India. Since 2018, the *Real Estate Regulatory Authority Act* (RERAA) and the amended *Benami Transactions (Prohibition) Act* ensure a transparent environment for efficient and time-bound execution of projects in the real estate sector.

India has comprehensive KYC and STR requirements. In April 2020, the RBI added a section to its KYC guidance mandating banks and non-banking financial companies (NBFC) carry out money laundering/terrorist financing risk assessment exercises periodically to identify, assess, and take effective measures to mitigate money laundering and terrorist financing risks for clients, countries or geographic areas, products, services, and transactions or delivery channels. The RBI asked banks and NBFCs to conduct the first such internal risk assessment by June 30, 2020, and to review the assessment periodically thereafter. The regulation of housing finance companies (HFCs) was transferred to the RBI from the National Housing Bank in August 2019. In May 2020, the RBI required all HFCs to comply with KYC norms.

Legal persons in India are covered by criminal and civil laws against money laundering. India uses EDD for PEPs.

To facilitate digital onboarding of customers, the RBI, in January 2020, amended the *Prevention of Money-laundering (Maintenance of Records) Rules of 2005* to include the Video-based Customer Identification Process as a consent-based alternate method of establishing customers' identity.

India is a member of the FATF and two FATF-style regional bodies, the APG and the EAG. India's most recent MER is available at: <http://www.fatf-gafi.org/countries/d-i/india/>.

## **AML LEGAL, POLICY, AND REGULATORY DEFICIENCIES**

India's current safe harbor provision protects principal officers and compliance officers of institutions that file STRs in good faith but does not protect all employees. The Government of India prioritizes crimes of tax evasion and counterfeit currency, while money laundering and terrorist financing are lower priorities.

## **ENFORCEMENT/IMPLEMENTATION ISSUES AND COMMENTS**

India has taken steps to implement an effective AML regime. For example, in February 2020, SEBI clarified that foreign investors from countries designated as high-risk for money laundering will continue to be eligible for registration in India but will face tougher KYC procedures, as well as heightened compliance and regulatory scrutiny. In January 2020, the RBI imposed a monetary penalty for non-compliance with KYC and AML requirements on payment system operators and banks under the *Payment and Settlement Systems Act of 2007*.

In March 2020, the Indian Supreme Court allowed dealings in cryptocurrency, removing an earlier RBI ban on trading in virtual currencies, including bitcoin.

Despite the government's efforts, deficiencies remain. Observers and law enforcement professionals express concern about effective implementation and enforcement of the current laws, especially with regard to criminal prosecutions. Authorities believe India has insufficient investigators to analyze the enormous amount of potential money laundering data obtained during demonetization.

U.S. investigators have had limited success in coordinating the seizure of illicit proceeds with Indian counterparts. While intelligence and investigative information supplied by U.S. law enforcement authorities have led to numerous money seizures, a lack of follow-through on investigative leads has prevented a more comprehensive offensive against violators and related groups. India is demonstrating an increasing ability to act on mutual legal assistance requests but continues to struggle with institutional challenges that limit its ability to provide assistance. India has addressed shortcomings in the criminalization of money laundering, as well as its domestic framework for confiscation and provisional measures. The government should ensure all relevant DNFBPs comply with AML regulations. India should extend its safe harbor provision to cover all employees. The government should use data and analytics to systematically detect trade anomalies that could indicate customs fraud, TBML, and counter-valuation in informal financial networks.

## Indonesia

### OVERVIEW

Indonesia remains vulnerable to money laundering due to gaps in financial system legislation and regulation, a cash-based economy, weak rule of law, and partially ineffective law enforcement institutions that lack coordination. Risks also stem from corruption and tax avoidance, followed by drug trafficking, and to a lesser extent illegal logging, wildlife trafficking, theft, bank fraud, embezzlement, credit card fraud, and the sale of counterfeit goods. Proceeds from these predicate crimes are laundered through the banking, capital markets, real estate, and motor vehicle sectors. Proceeds are also laundered offshore and then repatriated to Indonesia as needed.

Indonesia is making progress to counter vulnerabilities. Authorities continue to release regulations geared toward a risk-based approach, and there is, generally, a high level of technical compliance with AML standards. As to coordination between the government and financial sector, only moderate improvements are needed. Areas for improvement remain analytical training for law enforcement, raising judicial authorities' awareness of relevant offenses, increasing technical capacity to conduct financial investigations as a routine component of criminal cases, and more education for financial services sector personnel. In addition, to conduct meaningful asset tracing investigators and prosecutors need better access to complete banking records, a process hindered by the bank secrecy laws.

## **VULNERABILITIES AND MONEY LAUNDERING METHODOLOGIES**

Indonesia is vulnerable to the smuggling of illicit goods, controlled commodities, and bulk cash, made easier by poorly controlled coastlines, lax law enforcement, and poor customs infrastructure. Proceeds from illicit activities are easily moved offshore and repatriated for commercial and personal use. Endemic corruption remains a concern. FTZs are not a major concern. However, information sharing between Malaysia and Indonesia concerning illicit cargo transiting the FTZs within the Strait of Malacca should be improved.

Indonesia has bolstered cooperation regionally to disrupt terrorist networks, and related financial flows are shifting toward greater use of informal channels. The trend is financing smaller terrorism attacks through use of domestic contributions requested and made through social media and nonprofit organizations. These networks are also increasingly using sophisticated efforts to avoid monitoring and detection of communications.

## **KEY AML LAWS AND REGULATIONS**

KYC requirements have been part of Indonesia's AML regime since 2001. PEPs are subject to EDD. In 2018, the president issued *Presidential Regulation 13*, and in 2019, the Ministry of Law and Human Rights issued implementing regulations 15 and 21 calling for the disclosure of beneficial owners.

In May 2017, Indonesia issued an executive order giving Indonesian tax authorities better access to financial accountholder data and providing legal cover to exchange accountholder data under the OECD's Global Forum Automatic Exchange of Information.

Indonesia is a member of the APG, a FATF-style regional body. Its most recent MER is available at: <http://www.apgml.org/documents/search-results.aspx?keywords=Indonesia>.

## **AML LEGAL, POLICY, AND REGULATORY DEFICIENCIES**

The primary factors hindering the fight against narcotics-related money laundering are investigators' insufficient access to complete banking information due to the bank secrecy law, the lack of analytical training for law enforcement personnel, and insufficient training on money laundering detection and reporting for lower-level workers in the financial services sector.

Since most money laundering in Indonesia is related to corruption, the legal revisions to the *Corruption Eradication Commission Law* in September 2019, which have undermined the commission's independence and led to a decrease in the number and quality of corruption cases, will likely lead to more money laundering risks and less enforcement. According to commission statistics, the commission prosecuted 25 new cases in the first half of 2020, compared with 127 new cases for the full year in 2019.

While Indonesia has made progress in addressing major technical deficiencies related to UNSCR financial sanctions, issues remain, such as Indonesian's failure to implement UN listings without delay and the lack of a clear prohibition on providing funds or financial services to designated

persons. More effective information sharing with international law enforcement is also needed to make Indonesia a more meaningful partner in international AML/CFT efforts.

### **ENFORCEMENT/IMPLEMENTATION ISSUES AND COMMENTS**

In 2017, Indonesia conducted a national money laundering/terrorist financing risk assessment and is taking steps to implement applicable agreements and conventions. Combating narcotics abuse is a priority for the current administration, and Indonesia recognizes the need for international cooperation.

The Indonesian Financial Transaction Reports and Analysis Center (PPATK), Indonesia's FIU, invites the public to report any suspicious transactions. PPATK publishes a monthly report summarizing reporting activity. In addition to CTR and STR data, PPATK and the Ministry of Finance's Directorate General of Customs and Excise jointly publish a cash carry report to track physical cross-border transfers of cash. For the period January-June 2020, PPATK referred 240 results of Analysis STRs, reports that follow-up on the initial notifications provided by financial institutions, to investigators – a 3.2 percent reduction year over year. Most were alleged corruption cases. For the period January-June 2020, PPATK produced 12 examination reports, the same number as the prior year.

There were eight money laundering convictions between January-June 2020.

## **Iran**

### **OVERVIEW**

Iran has a large underground economy, spurred in part by uneven taxation, widespread Islamic Revolutionary Guard Corps (IRGC) corruption and smuggling, sanctions evasion, currency exchange controls, and a large Iranian expatriate community. Pervasive corruption continues within Iran's ruling and religious elite, the IRGC, government ministries, and government-controlled business enterprises. Iran remains a major transit route for opiates smuggled from Afghanistan.

In 2011, the United States identified Iran as a state of primary money laundering concern pursuant to Section 311 of the USA PATRIOT Act. On October 25, 2019, FinCEN issued a final rule under this authority prohibiting the opening or maintaining of a correspondent account in the United States for or on behalf of an Iranian financial institution. The rule also prohibits foreign financial institutions' correspondent accounts at covered U.S. financial institutions from processing transactions involving Iranian financial institutions. Additionally, the FATF has repeatedly warned of the risk of terrorist financing posed by Iran and the threat this presents to the international financial system. From 2016 until February 2020, the FATF suspended its call for countermeasures against Iran in response to a high-level political commitment from Iran's government to implement certain reforms, outlined in a 10-step action plan. In February 2020, due to Iran's failure to complete its action plan the FATF lifted its suspension of countermeasures, calling on all jurisdictions to impose effective countermeasures on Iran.

**VULNERABILITIES AND MONEY LAUNDERING METHODOLOGIES**

Iran's merchant community makes active use of MVTS, including hawaladars and moneylenders. Leveraging the worldwide hawala network, Iranians make money transfers globally. Counter-valuation in hawala transactions is often accomplished via trade; TBML is a prevalent form of money laundering.

In 1984, the Department of State designated Iran as a State Sponsor of Terrorism. Iran continues to provide material support, including resources and guidance, to multiple terrorist organizations and other groups that undermine the stability of the Middle East and Central Asia. In April 2019, the United States designated Iran's IRGC as a foreign terrorist organization.

**KEY AML LAWS AND REGULATIONS**

Iran has criminalized money laundering and has KYC and STR requirements. Iran has a declaration system for the cross-border transportation of currency. The declaration system is applicable at 14 points of entry, applies to amounts over approximately \$11,500 (€10,000), and requires Iranian Bank Melli, which is designated by the U.S. Treasury Department for its link to the IRGC-Qods Force (IRGC-QF), to take temporary custody of the currency until it is cleared for passage in or out of Iran.

Iran is not a member of a FATF-style regional body but is an observer to the EAG. Its FIU is not a member of the Egmont Group.

**AML LEGAL, POLICY, AND REGULATORY DEFICIENCIES**

In October 2007, the FATF issued its first public statement expressing concern over Iran's lack of a comprehensive AML/CFT framework. Beginning in 2009, the FATF urged all jurisdictions to apply effective countermeasures to protect their financial sectors from the money laundering/terrorist financing risks emanating from Iran. The Iranian regime subsequently pledged to complete a FATF-generated action plan but failed to complete the items in the action plan before the plan expired in January 2018. Most critically, Iran failed to ratify the UNTOC and Terrorist Financing Convention. Supreme Leader Khamenei questioned Iran's joining the international conventions on terrorist financing and money laundering, which many hardliners argued might limit Iran's ability to finance Hamas and Hizballah. Subsequently, in February 2020, the FATF lifted its suspension of countermeasures, calling on all jurisdictions to impose effective countermeasures on Iran, such as requiring financial institutions to review, amend, or if necessary, terminate correspondent relationships with Iranian banks or limiting business relationships or financial transactions with Iran.

**ENFORCEMENT/IMPLEMENTATION ISSUES AND COMMENTS**

For more than two decades, the United States has undertaken targeted financial actions, including through statutes and more than a dozen EOs, against key Iranian financial institutions, other entities, and individuals.

Iran has an asset forfeiture system, but it is not fully compliant with international standards. Although there is no information sharing agreement with the United States, Iran cooperates with other jurisdictions on money laundering matters.

On November 5, 2018, the United States re-imposed all U.S. nuclear-related sanctions against Iran. The sanctions target critical sectors of Iran's economy and certain transactions involving insurance providers, the Central Bank of Iran (CBI), and other designated Iranian financial institutions. These include sanctions authorities with respect to certain transactions between foreign financial institutions and the CBI or designated Iranian financial institutions and on the provision of specialized financial messaging services to the CBI and specified Iranian financial institutions. On November 5, 2018, OFAC placed more than 700 individuals, entities, aircraft, and vessels on the list of Specially Designated Nationals and Blocked Persons.

Since 2018, the Departments of State and the Treasury have used the full range of sanctions authorities to target hundreds of Iranian persons involved in activities in support of Iranian-sponsored terrorism, proliferation, and oil-related schemes, among others, including the September 2019 designation under EO 13224 of the CBI, which provided billions of dollars to the IRGC-QF and to Hizballah.

## Italy

### **OVERVIEW**

According to the IMF, in 2020 Italy's economy was ranked eighth largest in the world and the third largest in the Eurozone. Italy has a sophisticated AML regime and legal framework. However, increasingly agile and complex organized criminal enterprises and a flourishing black-market economy pose significant risks to the financial system. According to the Italian National Statistics Institute, the black market accounts for 12.1 percent of GDP, or approximately \$235 billion. Tax crimes also represent a significant risk and have been identified as accounting for 75 percent of all proceeds-generating crime in Italy.

While on the rise, CDD and suspicious transaction reporting remain weak among non-financial sectors, and regulations and enforcement are inconsistent. Italy adopted laws implementing the Fifth EU AML Directive with decree no. 125/2019. New CDD provisions went into effect in January 2020 that require firms to focus on non-face-to-face operations and impose additional procedures to confirm the identification of clients.

### **VULNERABILITIES AND MONEY LAUNDERING METHODOLOGIES**

The COVID-19 health emergency exposed the financial system to threats related to the procurement of medical equipment and supplies and the repackaging of unpaid medical invoices into specialized debt products to facilitate money laundering. Front companies for organized crime working in the Italian healthcare sector managed to offload invoices owed to them by regional health authorities to unwitting intermediaries, who then sold them on again to legitimate financial companies. The economic weakening of families and small-and-medium enterprises has also increased the risks of predatory lending and the infiltration of firms by criminal organizations. Large flows of public aid could also be subject to misuse or misappropriation by regional and local government officials.

Drug trafficking continues to be a primary source of income for Italy's organized crime groups, which exploit Italy's strategic location and maritime trade linkages to do business with criminal

organizations around the globe. Other major sources of laundered money are proceeds from tax evasion and value-added tax (VAT) fraud, smuggling and sale of counterfeit goods, marketing internet protocol television, extortion, and waste trafficking.

Law enforcement investigations have identified an increasing use of TBML schemes and virtual currencies to launder and disguise illicit proceeds and payments through legitimate trade transactions.

### **KEY AML LAWS AND REGULATIONS**

The Ministry of Economy and Finance is host to the Financial Security Committee, which establishes policy regarding financial transactions and AML efforts. The committee updated Italy's NRA in 2019. The Bank of Italy (BOI) continues to issue guidance on CDD measures to support banks and financial intermediaries with the development of their CDD policies. In response to the continuing challenges of money laundering, the Italian government enacted decree law no. 125/2019, which clarifies virtual currency treatment under AML statutes, further empowers law enforcement authorities investigating money laundering, and imposes additional CDD obligations on financial intermediaries. Also, financial penalties assessed by Italian financial sector supervisors against legal and natural persons for AML breaches have been increased to be more dissuasive.

Italy has a bilateral MLAT with the United States.

Italy is a member of the FATF. Its most recent MER can be found at: <http://www.fatf-gafi.org/media/fatf/documents/reports/mer4/MER-Italy-2016.pdf>.

### **AML LEGAL, POLICY, AND REGULATORY DEFICIENCIES**

Italy's legislative framework is in line with the EU's Fifth AML directive. Italy's centralized national bank account database now links to a new registry of owners (and beneficiaries) of firms, trusts, and legal contracts, as per the new AML directive.

DNFBPs are not required to apply enhanced CDD when dealing with domestic PEPs. DNFBPs also are not legally required to file a STR when the beneficial owner is not identified in a business transaction. Authorities plan to continue to implement measures to significantly increase the number of STRs filed by DNFBPs.

### **ENFORCEMENT/IMPLEMENTATION ISSUES AND COMMENTS**

The criminalization of self-money laundering increases the severity of convictions for this crime and acts as a deterrent. The provision, in force since 2016, is now extensively used both by investigative authorities and prosecutors and has proved effective in tax evasion cases.

The Financial Intelligence Unit (UIF) is the government's main body for collecting and analyzing STRs, which are circulated to specialized law enforcement agencies (Guardia di Finanza, Defense Intelligence Agency; and the Anti-Mafia Investigative Directorate). In 2019,

the UIF expanded the use of its information-sharing database, which allows more fluid and automated information exchanges with judicial authorities and rapid access to underlying transaction data. The UIF (in collaboration with the BOI) developed artificial intelligence detection of suspicious transactions. In 2019, the UIF received 105,789 STRs; 7,759 more than the previous year.

Italian authorities have strong policy cooperation and coordination, and Italy continues to develop national AML policies informed by the NRA. Law enforcement agencies have been successful in undertaking complex financial investigations and prosecutions and have confiscated large amounts of criminal proceeds. Confiscation of assets and proceeds is a fully integrated policy objective as a strategic action to counter money laundering offenses.

## **Jamaica**

### **OVERVIEW**

Money laundering in Jamaica is largely perpetrated by organized criminal groups, including some with links to powerful Jamaicans. The country recorded a large number of financial crimes related to advance fee fraud (lottery scams), corruption, counterfeit goods, small arms trafficking, and cybercrime.

On September 1, 2020, the Jamaican Financial Investigations Division (FID), which includes the FIU, went live with its electronic portal, which allows businesses that fall under Jamaica's *Terrorism Protection Act* (TPA) to report transactions over \$10,000 online and provides the FID with a reporting and intelligence tool.

The Government of Jamaica continues to enforce the asset forfeiture provisions of the *Proceeds of Crime Act* (POCA) with moderate success, but the law still is not being implemented to its fullest potential due to difficulties prosecuting and achieving convictions in financial crime cases. Law enforcement, prosecutors, and the judiciary lack sufficient resources and training to investigate and prosecute financial crimes efficiently and effectively.

### **VULNERABILITIES AND MONEY LAUNDERING METHODOLOGIES**

Political and public corruption generate and facilitate illicit funds and activity. Money laundering in Jamaica is primarily related to proceeds from illegal narcotics, weapons trafficking, financial fraud schemes, corruption, and extortion. The activities are largely perpetrated by violent, organized criminal groups, some associated with powerful and influential Jamaicans. Many of the financial crimes related to cybercrime and financial fraud schemes target U.S. citizens. There is also significant illicit trade of small arms and narcotics to and from Jamaica, the United States, and Haiti, which generate large amounts of illicit wealth in Jamaica.



## **KEY AML LAWS AND REGULATIONS**

In October 2019, the government tabled in parliament the *Proceeds of Crime (Amendment) Act 2019*, the *Terrorism Prevention (Amendment) and United Nations Security Resolution Implementation (Amendment) Acts 2019*. This was followed by the tabling of regulations to implement POCA in November 2019. The amendments were largely a response to international experts' recommendations.

The POCA permits post-conviction forfeiture, cash seizures, and the civil forfeiture of assets related to criminal activity. The FID continues to work with partners in the Jamaica Constabulary Force (JCF) and others to pursue cases that could result in seizure of assets.

The *Banking Services Act* allows for stronger enforcement powers and greater information sharing among the Bank of Jamaica, the Financial Services Commission, and foreign counterparts. Several DNFBPs, such as real estate dealers, accountants, gaming establishments, and casinos, are subject to AML preventative measures.

Jamaica is a member of the CFAFT, a FATF-style regional body. Its most recent MER is available at: <https://www.cfatf-gafic.org/index.php/documents/cfatf-mutual-evaluation-reports/jamaica-1>.

## **AML LEGAL, POLICY, AND REGULATORY DEFICIENCIES**

The FID is a statutory body within the Ministry of Finance. The Minister of Finance must provide approval for the FIU to make arrangements or engage with foreign entities on exchange of information. This is a limitation to the operational independence of the FIU.

Lengthy delays in investigating and prosecuting cases hinder the effectiveness of the Jamaican judicial system. As a result, money laundering cases are hampered by the general backlog of criminal cases in the courts. The Jamaican courts and prosecutors have been unable to keep pace with an increase in crime.

Law enforcement and prosecutors tend to pursue predicate offenses to money laundering, rather than pursuing money laundering as a stand-alone offense, due to the necessity of proving the unlawful conduct from which the laundering activity derives. In cases where money laundering offenses are investigated and charged in conjunction with a predicate offense, prosecutors sometimes dismiss the money laundering charges to secure a guilty plea from the defendant.

To date, the regulatory agencies have not used their enforcement authority to sanction reporting entities for identified violations of AML/CFT regulations.

## **ENFORCEMENT/IMPLEMENTATION ISSUES AND COMMENTS**

Jamaica is currently pursuing several legislative reforms to address noted deficiencies. Financial institutions (including money remitters and exchanges) are subject to a range of preventative

measures. These entities file an inordinately high volume of STRs annually, the vast majority of which are likely defensive filings. The FID continues its POCA public awareness programs.

In 2019, 20 individuals were charged with money laundering predicated on either fraud, corruption, or narcotics trafficking. In 2019, five persons were convicted for money laundering and money laundering predicated on fraud (lottery scamming). Jamaican authorities also obtained penalty orders against drug traffickers and dealers of approximately \$245,900; against a corrupt public official for approximately \$134,000, and against a trader in counterfeit goods for approximately \$142,900. Overall, \$998,000 was seized and \$180,000 was forfeited in 2019.

On August 7, 2020, the FID forfeited \$3,612 from Abdullah El-Faisal under POCA after the United States asked to extradite him because of his alleged involvement in terrorist activities.

Relevant authorities collaborate on investigations and prosecutions in major cases. Authorities also regularly collaborate with foreign law enforcement on cases of mutual interest, and there are a number of joint initiatives to deal with such cases. In 2019, FID conducted a variety of training and outreach programs to 1,069 individuals in various financial institutions and law enforcement entities.

Jamaica's parliament passed legislation in 2019 to remove the Major Organized Crime and Anti-Corruption Agency from under the auspices of the JCF and make it an independent agency. The implementing regulations are being drafted.

## **Kazakhstan**

### **OVERVIEW**

Corruption, TBML, and drug trafficking remain the major sources of illicit proceeds and laundered funds.

In 2020, Kazakhstan adopted terrorist financing-related amendments to its AML/CFT law to bring it into better compliance with international standards and reassessed vulnerabilities identified in its 2018 NRA.

Through public pronouncements and amendments to the law, Kazakhstan is taking steps to comply technically with international AML norms, but there were no convictions for money laundering in 2020.

### **VULNERABILITIES AND MONEY LAUNDERING METHODOLOGIES**

The major sources of laundered proceeds are graft by public officials, tax evasion, and fraudulent financial activity, particularly transactions using foreign shell companies to launder domestic funds returned to Kazakhstan in the form of foreign investments. In addition, smuggling of contraband and fraudulent invoicing of imports and exports remain common practices.

Governmental corruption, organized crime, and a large shadow economy make the country vulnerable to money laundering and terrorist financing. A significant part of Kazakhstan's mineral wealth is in offshore accounts with little public scrutiny or accounting oversight.

Kazakhstan is a transit country for Afghan heroin and opiates to Europe and Russia and thus is vulnerable to drug-related money laundering, although the flow of drugs through the country, as measured by seizures, appears to be declining. Tracking narcotics revenue remains difficult, as payments make use of informal remittance systems, such as hawala, or through the QIWI Wallet electronic payment system.

Kazakhstan's Astana International Financial Centre (AIFC), launched in 2018, is designed to be a regional financial hub and offshore zone that offers financial services. As of July 2020, it contains 500 firms from over 42 countries. Banking sector assets in the AIFC were \$680 million and equity capital raised encompassed \$291 million. The Astana Financial Services Authority supervises the AIFC, and a common law AIFC court system, outside of the Government of Kazakhstan's jurisdiction, handles matters for which AIFC has issued regulations. The AIFC court system uses Kazakhstani enforcement systems to back up its rulings. While the AIFC court considered five cases in 2019, it only brought one (a small claims matter) to conclusion. This AIFC enforcement mechanism appears to have worked as intended, but it remains untested in high-value, complex, or vigorously contested cases. Kazakhstan has 12 special economic zones, none of which have been linked to money laundering.

Casinos and slot machine parlors are located only in selected territories. The Ministry of Culture and Sport is responsible for the licensing and regulation of the gaming sector.

### **KEY AML LAWS AND REGULATIONS**

In addition to its analytical role, amendments to the AML/CFT law give the Committee for Financial Monitoring of the Ministry of Finance, Kazakhstan's FIU, supervisory responsibilities for reporting entities such as independent legal consultants, accountants, and realtors that were not previously regulated. Other changes include establishing the asset forfeiture fund, strengthening preventive CFT measures, monitoring NGOs, and strengthening regulations implementing UNSCRs on weapons of mass destruction.

In 2020 Kazakhstan started exchanging tax information with other countries under the OECD's Common Reporting Standard on Automatic Exchange of Financial Account Information. To counter corruption, Kazakhstan will ban civil servants and immediate family members from holding international bank accounts.

Kazakhstan and the United States have a bilateral MLAT.

Kazakhstan is a member of the EAG, a FATF-styled regional body. Its most recent MER is available at: <https://www.fatf-gafi.org/countries/#Kazakhstan>.

**AML LEGAL, POLICY, AND REGULATORY DEFICIENCIES**

The AML/CFT law does not cover financial management firms, travel agencies, or dealers of art, antiques, and other high-value consumer goods. These entities are not required to maintain customer information or report suspicious activity.

All reporting entities subject to the AML/CFT law are inspected by their respective regulatory agencies. Most regulatory agencies, however, lack the resources and expertise to conduct inspections for compliance. Largely because of cost, reporting entities (excepting banks) do not implement a risk-based approach to identifying suspicious transactions as part of their AML efforts.

There are no criminal or administrative liabilities for money laundering offenses for legal persons. EDD is required only for foreign PEPs, whereas domestic PEPs are not subject to EDD requirements. There is no registry of the beneficial owners of legal entities.

**ENFORCEMENT/IMPLEMENTATION ISSUES AND COMMENTS**

During the first nine months of 2020, financial institutions in Kazakhstan submitted 523,224 STRs and 737,751 CTRs. Twenty cases were prosecuted but there were no convictions. The low number of money laundering investigations and convictions indicates more attention and resources should be devoted to financial investigations and training of investigators and prosecutors.

Kazakhstan is working jointly with the Stolen Assets Recovery initiative to recover proceeds of money laundering that are frozen overseas.

There is a two-tier AML/CFT certification program for private sector representatives that include both national and international components. Most Kazakhstani banks have at least one certified compliance specialist. Kazakhstan's National Bank, the Association of Financiers of Kazakhstan, and the FIU, jointly with international partners, conduct AML/CFT conferences for private sector representatives on a regular basis.

## **Kenya**

**OVERVIEW**

Kenya remains vulnerable to money laundering, financial fraud, and terrorism financing. It is the financial hub of East Africa and pioneered mobile banking in the region. Money laundering occurs in the formal and informal sectors, deriving from domestic and foreign criminal operations. Criminal activities include transnational organized crime, cybercrime, corruption, smuggling, trade invoice manipulation, trade in illegal timber and charcoal, wildlife trafficking, and illicit trade in drugs and counterfeit goods, including sugar and other agricultural products.

## **VULNERABILITIES AND MONEY LAUNDERING METHODOLOGIES**

Financial institutions engage in currency transactions connected to international narcotics trafficking, involving significant amounts of U.S. currency derived from illegal sales in the United States and Kenya.

Unregulated networks of hawaladars and other unlicensed remittance systems facilitate cash-based, unreported transfers. Foreign nationals, including refugees and ethnic Somali residents, primarily use the hawala system to transmit remittances internationally. Diaspora remittances to Kenya totaled \$1.78 billion between January and August 2020. DNFBPs are a likely vehicle for money laundering that is beyond the current capacity of the host government to address.

Banking systems, wire services, and mobile money platforms are widely available and frequently used in Kenya. Kenya's digital financial services and platforms are vulnerable to money laundering. Mobile moneylenders are not regulated despite widespread use of mobile lending applications. Most of Kenya's mobile money agents use Safaricom's M-Pesa system. M-Shwari, a mobile lender, has over 12 million registered subscribers, with 8 million active users.

Kenya is a transit point for the region and international traffickers of narcotics, persons, wildlife, timber, charcoal, and minerals. TBML continues to be a problem. Its proximity to Somalia makes it attractive for laundering of piracy-related proceeds, as well as other funds from unregulated Somali sectors, including the khat and charcoal trades. Goods reported as transiting Kenya are not subject to customs duties, but authorities acknowledge many such goods are actually sold in Kenya. Trade is often used to offset transactions in regional hawala networks.

## **KEY AML LAWS AND REGULATIONS**

The *Proceeds of Crime and Anti-Money Laundering Act* (POCAMLA), as amended, provides a comprehensive AML framework. Covered entities reporting to the Financial Reporting Center (FRC), Kenya's FIU, are subject to KYC and STR rules and have EDD procedures in place for PEPs.

The Central Bank of Kenya (CBK) has adopted a risk-based AML/CFT regulatory framework. Commercial banks are expected to record and report all transactions above approximately \$10,000; CBK has imposed fines on violators.

The United States and Kenya do not have a bilateral MLAT; however, relevant multilateral law enforcement conventions with mutual legal assistance provisions and domestic laws allow the United States and Kenya to make and receive requests for assistance.

Kenya is a member of ESAAMLG, a FATF-style regional body. Its most recent MER is available at: <http://www.fatf-gafi.org/countries/jm/kenya/documents/mutualevaluationofkenya.html>.

## **AML LEGAL, POLICY, AND REGULATORY DEFICIENCIES**

An automated system would improve the FRC's efficiency and ability to analyze STRs. Although the FRC receives STRs from some MVTs providers, this sector presents an AML compliance challenge. More broadly, the host government is not well equipped or trained to combat increasingly complex cyber tools for money laundering, including virtual currency.

Kenya does not recognize virtual currency as legal tender, so AML requirements have not addressed digital asset risks. CBK and the Capital Markets Authority issued circulars warning banks and the public not to engage in digital asset trades, but a gap remains in formulating a framework to address digital asset threats. Tracking and investigating suspicious transactions within the mobile money sector remain difficult. Lack of oversight and enforcement in this sector, coupled with inadequate reporting, increases the risk of abuse.

Kenya's National Assembly has thus far failed to pass amendments to the POCAMLA to extend reporting requirements to lawyers, notaries, and other independent legal professionals.

To demand bank records or seize an account, police must obtain a court order by presenting evidence linking the deposits to a criminal violation. Confidentiality of this process is not well maintained, allowing account holders to be tipped off and providing an opportunity to move assets.

Despite progress, Kenya needs to strengthen implementation of good governance and anticorruption measures and improve its AML/CFT regime. Bureaucratic, logistical, and capacity impediments may hinder the investigation and prosecution of financial crimes.

Kenya's FIU is not a member of the Egmont Group.

## **ENFORCEMENT/IMPLEMENTATION ISSUES AND COMMENTS**

Kenya's constitution requires public officials to seek approval from the Ethics and Anti-Corruption Commission (EACC) before the officials can open a foreign bank account. EACC has had some success in recent years with corruption investigations leading to successful prosecutions and asset seizures, but the agency requires technological support and training to grapple with more complicated money laundering operations. The government should allocate increased resources to building institutional capacity and investigative capacity within FRC, EACC, and other enforcement agencies.

# **Kyrgyz Republic**

## **OVERVIEW**

The Kyrgyz Republic is not a regional financial center, but a large shadow economy, corruption, organized crime, and narcotics trafficking make the country vulnerable to financial crimes. Over the past five years, remittance transfers from migrant workers have compromised around 30

percent of GDP. A significant portion of remittances enter the Kyrgyz Republic through informal channels or are hand-carried from abroad. The Kyrgyz Republic is recognized as a reliable partner for foreign banks and other financial institutions, although no U.S. commercial banks operate in the Kyrgyz Republic or conduct correspondent banking with local banks. Over the last two years, the government passed new AML and criminal legislation to match international standards. The Kyrgyz Republic has shown little progress in some areas, but challenges in implementation suggests they are neither backsliding nor making progress in the fight against money laundering.

### **VULNERABILITIES AND MONEY LAUNDERING METHODOLOGIES**

Absent exact figures, it appears narcotics trafficking is the main income source for organized crime. The country sits along the northern transit route from Afghanistan to Russia and beyond, particularly to Europe. Since the Kyrgyz Republic is a member of the Eurasian Economic Union, smuggled narcotics can travel from the Kyrgyz Republic to the Polish border without undergoing a customs check. The smuggling of consumer goods, tax and tariff evasion, and official corruption continue to serve as major sources of criminal proceeds. Money laundering also occurs through trade-based fraud, bulk-cash couriers, and informal and unregulated value transfer systems. Weak political will, resource constraints, inefficient financial systems, competition for resources among state agencies tackling money laundering, and corruption serve to stifle efforts to effectively combat money laundering.

### **KEY AML LAWS AND REGULATIONS**

The Kyrgyz Republic has a 2018 AML law with comprehensive KYC, CDD, and STR requirements covering financial and non-financial entities. The AML law also requires due diligence for PEPs, including foreign citizens, Kyrgyz citizens, and members of international organizations. Kyrgyz legislation includes criminal corporate liability and criminal liability for illicit enrichment, as well as the institution of plea bargaining, but Kyrgyz authorities require additional time and increased capacity to properly implement these provisions.

While the Kyrgyz Republic conducted a money laundering NRA, there remains a limited understanding of money laundering risks.

In 2020, due to the pandemic the State Financial Intelligence Service (SFIS), the Kyrgyz FIU, did not sign any international cooperation agreements. The Kyrgyz Republic and the United States do not have a records exchange mechanism in place currently, but both parties are parties to multilateral legal instruments that can be used to facilitate cooperation.

The Kyrgyz Republic is a member of the EAG, a FATF-style regional body. Its most recent MER is available at: <http://www.fatf-gafi.org/countries/j-m/kyrgyzstan/documents/mer-kyrgyzstan-2018.html>.

### **AML LEGAL, POLICY, AND REGULATORY DEFICIENCIES**

The Kyrgyz Republic continues to bring its legislation into compliance with international

standards. The Kyrgyz Republic passed an anticorruption strategy for 2021-2024, which includes plans to better repatriate stolen assets. The Kyrgyz Republic substantially addressed its established action plan by adequately criminalizing money laundering and terrorism financing; strengthening CDD requirements; establishing an adequate legal framework for identifying, tracing, and freezing terrorist assets; and instituting adequate measures for the confiscation of funds related to money laundering. While the asset confiscation framework is expansive in addressing the shortcomings identified by international experts, the Kyrgyz Republic has until 2024 to implement any changes. The efficacy of these changes remains to be seen.

Despite the legislative changes, significant gaps still exist in enforcement and implementation. The SFIS is the main state agency responsible for AML/CFT enforcement. SFIS is not an investigative agency and therefore lacks cooperation and information sharing with other law enforcement agencies. Both government and private institutions lack personnel, training, and capacity to enforce the law.

### **ENFORCEMENT/IMPLEMENTATION ISSUES AND COMMENTS**

The Kyrgyz Republic has AML and criminal legislation in accordance with international standards. The Kyrgyz Republic continues legislative implementation.

In 2020, the SFIS sent 81 financial investigative requests (66 on money laundering and 15 on terrorism and extremism financing) to the relevant law enforcement bodies. Per the SFIS' report, around \$2 million was seized and returned to the state budget and around \$1.8 million was frozen, pending further investigation. There is no other available data on prosecutions and convictions.

Although the Kyrgyz Republic makes efforts to strengthen AML/CFT legislation, law enforcement capacity remains weak. Additionally, interagency cooperation is poor and law enforcement agencies struggle to communicate effectively.

## **Laos**

### **OVERVIEW**

Laos, a cash-based economy with limited capacity in the legal, regulatory, and law enforcement sectors, remains vulnerable to criminal networks. With support from a small number of donors and technical assistance providers, Laos has sought to address gaps in its AML/CFT regime. The Lao government needs to make significant progress in the area of operational effectiveness.

### **VULNERABILITIES AND MONEY LAUNDERING METHODOLOGIES**

Laos shares over 3,100 miles of border with five other countries. The borders of Laos are notoriously porous, and the country is a key trafficking route for transnational criminal organizations involved in gaming and drug, human, and wildlife trafficking. Corruption also presents significant vulnerabilities for Laos's AML regime; high-value purchases, including



land, real estate, and luxury vehicles, are routinely made with cash. Laos completed an NRA in 2018, which identified seven areas vulnerable to money laundering, but corruption was not among them.

Although gaming is illegal for Lao nationals, casinos operating in special economic zones serve foreign, mainly Chinese, tourists visiting Laos. According to the Anti-Money Laundering Intelligence Office (AMLIO), the Lao FIU, Laos is currently drafting a Decree on Casino and Gaming Operations to provide for supervision of casinos and gaming. Until this decree is passed and implemented, however, casinos pose a significant risk because government supervision appears to be minimal, including a lack of licensing requirements and no obvious enforcement mechanisms. Online gaming exists but is not licensed or supervised and there are no real enforcement mechanisms.

### **KEY AML LAWS AND REGULATIONS**

Laos issued a new AML/CFT law in 2015 and revised its penal code in 2017 to include a new money laundering offense. Since then, the government has established the National Coordinating Committee on AML/CFT (NCC) to oversee AML/CFT implementation. With support from donors, the NCC has issued more than 21 regulations designed to support implementation of the AML/CFT law, including regulations concerning wire transfers, onsite supervisory examinations, and STR requirements.

Laos does not have an extradition or mutual legal assistance treaty with the United States, though Laos is a party to several multilateral conventions that permit international cooperation. AMLIO has MOUs with 14 overseas jurisdictions and regularly exchanges information related to individual and corporate accounts under investigation. AMLIO hopes to become a member of the Egmont Group, but has not yet met the standards for membership. This is one area in which AMLIO is receiving technical assistance.

Laos is a member of the APG, a FATF-style regional body. Its most recent MER is available at: <http://www.apgml.org/members-and-observers/members/member-documents.aspx?m=a6c4a803-0e15-4a43-b03a-700b2a211d2e>.

### **AML LEGAL, POLICY, AND REGULATORY DEFICIENCIES**

Despite considerable progress, gaps remain in Laos's AML/CFT regime. Known deficiencies include a lack of international cooperation, such as an aversion to passing mutual legal assistance laws and a reluctance to utilize informal platforms for information exchange. Additional challenges include the lack of an anti-proliferation financing law. Supervisory agencies have not issued a CDD regulation or guideline addressing the responsibilities of DNFBPs, such as casinos. The Treasury-designated Kings Romans Casino in the Golden Triangle Special Economic Zone is especially concerning due to links to transnational organized crime.

Awareness and capacity among the state-owned commercial banks also remain weak. Most of the STRs submitted to the FIU originate from overseas financial institutions operating in Laos, and according to AMLIO, submissions typically only report administrative violations.

Deficiencies include a lack of oversight for MVTs providers and a lack of protection against liability for individuals reporting suspicious activity, although safe harbor regulations have been discussed. The government amended and issued the *Instruction on MVTs report, No. 22/FISD*, effective September 26, 2018, directing the Bank of the Lao People's Democratic Republic and relevant authorities to raise awareness of the risks of AML/CFT and take steps to report suspicious activity within the MVTs sector. However, it is unclear whether the deficiencies have been cured by the amendments.

Laos has limited asset forfeiture options. There are several legal provisions – such as those included in customs regulations, anticorruption laws, and drug laws – which allow for asset seizure; however, they are primarily focused on the direct benefit or asset from the offense charged and convicted. For example, if a drug trafficker is caught in a vehicle, authorities could seize the vehicle as part of the enforcement action but would not go beyond that action.

### **ENFORCEMENT/IMPLEMENTATION ISSUES AND COMMENTS**

Although there appears to be broad support among Lao ministries for the AML/CFT regime, interagency cooperation needs to be improved.

Financial investigations are not conducted routinely in parallel with the investigation of predicate crimes. Although five money laundering cases were successfully prosecuted in 2020 – an increase from previous years – a shallow record of AML prosecutions does not demonstrate Laos has made significant progress in effectively and efficiently implementing its laws and regulations.

## **Liberia**

### **OVERVIEW**

The Government of Liberia has made efforts to strengthen its AML regime, but significant challenges remain. The Central Bank of Liberia (CBL) does not robustly enforce AML requirements, largely due to funding constraints. Interagency coordination has improved, but key stakeholders have not produced actionable financial intelligence, conducted systematic financial investigations, or secured financial crimes convictions. Financial institutions have limited capacity to detect money laundering, and their financial controls remain weak. Liberia's FIU is under-funded and has experienced recurring budget cuts. The FIU also lacks the institutional and technical capacity and equipment to adequately collect, analyze, and disseminate financial intelligence. Liberia remains a cash-based economy with weak border controls and endemic corruption, leaving the country vulnerable to illicit activities.

The government should enhance CBL oversight authority and consistently provide adequate resources to the FIU. Liberia should continue to work with international partners to ensure its AML laws, regulations, and policies meet international standards and are enforced.

## **VULNERABILITIES AND MONEY LAUNDERING METHODOLOGIES**

Smuggled goods enter Liberia through numerous crossing points. The 2020 COVID-19 outbreak resulted in closures of land border crossings, which limited but did not stop smuggling. Illicit transactions are facilitated by Liberia's cash-based economy, in which both Liberian and U.S. dollars are recognized as legal tender.

Money exchange operations are poorly controlled, and there are numerous unlicensed foreign exchange enterprises and unregulated entities with opaque activities. Several money exchange entities facilitate what appear to be unregulated or unlicensed money transfers and serve as alternative remittance channels. Artisanal diamond and gold mines are largely unregulated and difficult to monitor, providing opportunities for illicit financial transactions.

The Liberia National Police, Liberia Drug Enforcement Agency, and National Security Agency can investigate financial crimes but are not effective in pursuing investigations and prosecutions. Liberia does not have functional FTZs. While the National Lottery Authority exercises limited oversight of the country's two registered casinos, as well as lotteries, it has not proven capable of regulating the gaming industry.

## **KEY AML LAWS AND REGULATIONS**

Liberian laws against money laundering and economic sabotage include the *Anti-Money Laundering and Terrorist Financing Act of 2012*, the *New Penal Law*, Title 26 of the *Liberian Code of Law Revised*, the *Liberia Anti-Terrorism Act of 2017*, the *Targeted Sanctions Against Terrorists Act of 2017*, and the *Special Criminal Procedures for Offenses Involving Terrorists Act of 2017*. Following a revision of the *FIU Act of 2012*, which establishes and governs the FIU, the entity has submitted a draft Financial Intelligence Agency bill to President Weah for his review. If passed into law by the legislature, that bill would create a Financial Intelligence Agency to replace the existing FIU.

In September 2020, the FIU held a stakeholders' validation workshop to validate the final phase of the money laundering/terrorist financing NRA. The NRA is meant to identify, assess, and understand money laundering/terrorist financing risks and apply risk-based approaches toward preventing or mitigating these activities in Liberia.

Liberia has a bilateral extradition treaty with the United States. Liberia and the United States do not have an MLAT; however, Liberia is a party to several multilateral conventions that permit international law enforcement cooperation.

Liberia is a member of the GIABA, a FATF-style regional body. Liberia's most recent MER is available at: <https://www.giaba.org/reports/mutual-evaluation/Liberia.html>.

## **AML LEGAL, POLICY, AND REGULATORY DEFICIENCIES**

Key challenges to developing a robust AML regime include limited capacity to enforce regulations, investigate financial crimes and illicit money flows, and conduct successful

prosecutions and asset recovery. Before October 2020, the FIU received 38 STRs, disseminated three to law enforcement officials and the judiciary, and placed seven on full monitoring. There were no prosecutions or convictions for money laundering in the last year.

International donors supported the Liberian government to build capacity and improve the operational effectiveness of the FIU to identify, analyze, and disseminate financial intelligence data. International partners also assisted the CBL to expand onsite examination of domestic banks and non-bank financial institutions and mentored enforcement authorities to develop financial crime cases. However, Liberia's lack of prioritization of the FIU is evidenced by three years of low budget allocations and consistent challenges accessing the funds allocated to the FIU.

The Liberian FIU has applied for Egmont Group membership and is awaiting feedback.

### **ENFORCEMENT/IMPLEMENTATION ISSUES AND COMMENTS**

The CBL conducts AML/CFT inspections of commercial banks, as well as offsite surveillance and supervision of commercial banks' implementation of KYC and CDD guidelines. However, it has limited technical capacity to systematically monitor and enforce compliance. During 2020, the CBL adopted more robust monitoring and surveillance procedures to ensure that financial institutions adhere to the laws, regulations, and guidelines to counter money laundering and terrorist financing.

The FIU shares its regulations and guidance on STRs and CTRs, as well as information on cross-border transfers of cash, with other agencies, such as the Liberia Revenue Authority, the Liberia National Police, and the Liberia Immigration Services. The FIU is nearing completion of an electronic reporting platform to allow commercial banks to upload STRs and CTRs.

Money laundering investigations are hampered by limited capacity, political interference, corruption, lack of financial transparency, inadequate record-keeping, and weak judicial institutions.

## **Macau**

### **OVERVIEW**

Macau, a Special Administrative Region (SAR) of the People's Republic of China, is not a significant regional financial center. Its financial system, which mostly services a local population, includes offshore financial businesses such as credit institutions, insurers, underwriters, and trust management companies. The offshore sector is subject to supervisory requirements similar to those of domestic institutions and to oversight by the Monetary Authority of Macau. Law No. 15/2018, which entered into force in December 2018, stipulates that from January 2021 the offshore regime will be permanently terminated.

## **VULNERABILITIES AND MONEY LAUNDERING METHODOLOGIES**

With gaming revenues of \$33.6 billion for 2019 (an 11 percent drop from 2018), Macau is still the world's largest gaming market by revenue. The gaming sector caters to three main customer types – premium players, junket players, and mass gaming players – and relies heavily on junket operators, i.e., middlemen who extend credit to gamblers and are responsible for collecting debts and for the supply of wealthy gamblers, who are mostly from mainland China. In addition to attracting those seeking anonymity or alternatives to China's currency movement restrictions, junket operators are also popular among casinos unable to collect gaming debts in mainland China, where gaming is illegal. Asian organized crime groups also are active in the gaming services and involved in illegal activities such as drug trafficking. This mingling of licit and illicit activities, together with the anonymity gained through using a junket operator in the transfer and commingling of funds, and the absence of currency and exchange controls present vulnerabilities for money laundering.

In July, the Financial Intelligence Office (GIF), Macau's FIU, released its latest STR report for the first half of 2020. Out of 947 STRs received by GIF, 35.1 percent were from the financial sector and 49 percent were from the gaming sector. This supports government officials' stance that the primary sources of laundered funds, derived from local and overseas criminal activity, are gaming-related crimes, property offenses, and fraud. Macau is likely a transit point and an end destination for such funds.

## **KEY AML LAWS AND REGULATIONS**

Macau authorities continue their efforts to develop an AML framework that meets international standards. Macau has an interagency AML/CFT working group, which coordinates responses to identified risks. Macau's primary AML/CFT legislation dates to 2006. The laws impose AML/CFT requirements on all financial institutions, including currency exchangers, money transmitters, casinos, pawnshops, and property agents. The laws postulate STR requirements for solicitors, accountants, and dealers in precious metals, gems, luxury vehicles, and other high value goods. Later amendments widen the scope of identifiable criminal offenses to include smuggling and drug trafficking and strengthen CDD measures to identify and verify the identity of beneficial owners.

Macau's casino regulator, the Gaming Inspection and Coordination Bureau (DICJ), requires gaming and junket operators to carry out CDD and, when relevant, EDD, and to keep records of large and/or suspicious transactions. Gaming supervisors have a good understanding of the risks posed by junket operators and have taken a more stringent approach toward licensing and the supervision of junket promoters, which are subject to enforceable AML requirements. The number of licensed junket promoters continues to decrease, from 235 in 2013 to 95 in 2020.

Travelers entering or leaving Macau with cash or other negotiable monetary instruments valued at approximately \$15,000 or more are required by law to sign and submit a declaration form to the Macau Customs Service.

Macau is a member of the APG, a FATF-style regional body. Its most recent MER is available

at: <http://www.apgml.org/members-and-observers/members/member-documents.aspx?m=fded343f-c299-4409-9cfc-0a97d89b6485>.

### **AML LEGAL, POLICY, AND REGULATORY DEFICIENCIES**

Gaming entities are subject to threshold reporting for transactions over approximately \$62,700 (500,000 pataca) under the supplementary guidelines of the DICJ. Macau should lower the large transaction report threshold for casinos to \$3,000 to bring it in line with international standards.

### **ENFORCEMENT/IMPLEMENTATION ISSUES AND COMMENTS**

The government should continue to strengthen interagency coordination to prevent money laundering in the gaming industry, especially by continuing to encourage junket operators to strengthen their AML controls and develop their compliance programs. Macau should strengthen its ability to support international AML investigations and recovery of assets by conducting stricter CDD compliance, including background checks on junket operators, and assessing the effectiveness of internal AML controls implemented by junket operators. Issues to consider include whether junket operators have an established code of conduct, a stated ethical standard, and a procedure in place to protect whistleblowers. There are signs that the Macau government is starting to take AML cases more seriously. In 2019, Macau prosecuted over 20 percent of filed AML cases (10 out of 48), a significant improvement from its historical prosecutorial rate of one to five percent.

In 2019, STRs received from the gaming sector accounted for 65 percent of the 2,941 reports filed. A total of 48 reports involving possible money laundering offenses were sent to the Public Prosecutions Office, and charges were put forward in 10 cases.

The 1988 UN Drug Convention was extended to Macau in 1999, the UNCAC in 2003, and UNTOC in 2006.

## **Malaysia**

### **OVERVIEW**

Malaysia is a highly open, upper middle-income economy with exposure to a range of money laundering threats. The country's porous land and sea borders, visa-free entry policy for nationals from over 160 countries, strategic geographic position, and well-developed financial system increase its vulnerability to domestic and transnational criminal activity, including fraud, corruption, drug trafficking, wildlife trafficking, smuggling, tax crimes, and terrorism finance.

Malaysia has largely up-to-date AML laws and policies and effective monitoring and enforcement capabilities. The country continues to demonstrate progress toward improving AML enforcement by investigating and prosecuting money laundering cases, including a \$3.9 billion settlement in July related to the 1Malaysia Development Berhad (1MDB) scandal. A key area for development is the prosecution of foreign-sourced crimes.

## **VULNERABILITIES AND MONEY LAUNDERING METHODOLOGIES**

Malaysia has a highly open economy and is used as a transit country to move drugs globally. Drug trafficking by Chinese, Iranian, and Nigerian organizations is a significant source of illegal proceeds. Malaysia is also a source, destination, and transit country for wildlife trafficking, serving as a nexus for illegal wildlife products destined for China, Vietnam, and other countries, with some contraband (e.g., ivory) used as currency by trafficking networks.

Money laundering methods used for terrorist financing include cash couriers, funds skimmed from charities, gold and gem smuggling, and front companies and businesses. Illicit proceeds are also generated by fraud, criminal breach of trust, illegal gaming, credit card fraud, counterfeiting, robbery, forgery, human trafficking, smuggling, and extortion.

Malaysia has an offshore financial sector on the island of Labuan, which is subject to the same AML laws as the onshore financial sector. The Labuan International Business and Financial Center (IBFC) has existed for 30 years and is home to over 6,000 companies operating in insurance, banking, fintech, trade, and related sectors. The financial institutions operating in Labuan include both domestic and foreign banks and insurers. As of 2018 there were 55 operating banks holding \$55 billion in assets. The Labuan Financial Services Authority, established in 1996 under the *Labuan Financial Services Authority Act*, administers the Labuan IBFC. Offshore companies must be established through a trust company.

Malaysia maintains 21 free commercial zones and 17 free industrial zones and launched a digital FTZ with China in 2017.

The cash and informal economies and unauthorized MSBs continue to pose significant vulnerabilities. Bank Negara Malaysia (BNM), Malaysia's central bank and competent authority, continues to take enforcement actions against unauthorized MSBs.

The ministry of finance licenses and regulates the activity of casinos. BNM periodically assesses Malaysia's sole licensed casino for AML compliance.

Malaysia's NRA includes the Islamic financial sector, which is prominent in Malaysia and subject to the same AML legal and regulatory regime as the conventional financial sector.

## **KEY AML LAWS AND REGULATIONS**

Malaysia passed the *Anti-Money Laundering, Anti-Terrorism Financing and Proceeds of Unlawful Activities Act* (AMLA) in 2001 and has comprehensive CDD and STR regulations.

BNM issued its *Policy Document on Anti-Money Laundering, Countering Financing of Terrorism and Targeted Financial Sanctions for Financial Institutions, Designated Non-Financial Businesses and Professions and Non-Bank Financial Institutions* in December 2019, which took effect on January 1, 2020. The policy document supersedes previous guidance last issued in 2013. In September 2020, BNM published further guidelines on the *Verification of Customer Identity for CDD and Beneficial Ownership* as a supplement to the policy document.

Malaysia is a member of the FATF and the APG, a FATF-style regional body. Its most recent MER is available at: <https://www.fatf-gafi.org/media/fatf/documents/reports/mer4/Mutual-Evaluation-Report-Malaysia-2015.pdf>.

### **AML LEGAL, POLICY, AND REGULATORY DEFICIENCIES**

Malaysia has a high degree of technical compliance with international AML standards, but deficiencies remain. Malaysia should continue its efforts to target effectively high-risk offenses and foreign-sourced crimes. Malaysia has a national action plan focusing on these areas.

Malaysia has traditionally pursued other measures, especially forfeiture, in place of money laundering prosecutions. The handling and effective disposal of seized assets remains a challenge for authorities. The establishment of the National Anti-Financial Crime Centre in 2019 should help address this issue.

### **ENFORCEMENT/IMPLEMENTATION ISSUES AND COMMENTS**

The government, with foreign assistance, has taken action to prosecute several former government officials involved in misappropriations from the state-owned development fund 1MDB. In July 2020, Malaysia's former prime minister was found guilty on three counts of money laundering in connection to the 1MDB scandal and sentenced to 12 years in jail. In 2019, Malaysia prosecuted 70 cases under AMLA. This includes drug-related cases as well as fraud, corruption, and other crimes.

## **Mexico**

### **OVERVIEW**

Illicit actors launder billions of dollars of drug trafficking proceeds through the Mexican financial system annually. Corruption, bulk cash smuggling, extortion, fuel theft, fraud, human smuggling, and trafficking in persons and firearms serve as sources of additional funds laundered through Mexico. Mexican authorities have had some success investigating and blocking accounts of suspected money launderers but have shown limited progress in successfully prosecuting money laundering and other financial crimes. Two supreme court rulings in 2017 continue to complicate Mexico's ability to counter illicit financial activities.

Money laundering offenses continue as the government struggles to prosecute financial crimes and seize and forfeit assets. To increase the number of financial crime convictions, the government needs to combat corruption and improve investigative and prosecutorial capacity. New legislation passed in 2019 expands predicate offenses and makes asset forfeiture proceedings independent from any related criminal proceeding, but legal challenges to the law have hindered the Federal Prosecutor General's (FGR) office's ability to obtain a conviction under the legislation.



## **VULNERABILITIES AND MONEY LAUNDERING METHODOLOGIES**

Illicit drug proceeds leaving the United States are the principal sources of funds laundered through the Mexican financial system. Mexican transnational criminal organizations launder funds using a variety of methods. TBML involves the use of dollar-denominated illicit proceeds to purchase retail items or services for export to and re-sale in Mexico or the United States. In some cases, the TBML activity includes falsifying invoices and misrepresenting the value of goods or services. President Lopez Obrador issued an executive order in 2019 strengthening penalties for issuing these types of fraudulent tax invoices, often associated with TBML.

Illicit actors in Mexico invest in traditional financial assets as well as real assets, such as property and businesses. Money laundering through the luxury real estate sector remains a concern, especially as a vehicle for laundering the proceeds of public corruption. Two popular laundering methods include structuring cash deposits and using funnel accounts. Chinese money laundering organizations continue to conduct “mirror transactions” more efficiently and at a lower cost than traditional Mexican launderers, creating a great reliance on these entities over the Mexican launderers. Narcotics proceeds are also laundered through unlicensed exchange houses. Mexico’s main banking regulator, the National Banking and Securities Commission (CNBV), has a special unit to investigate unlicensed exchange houses.

Mexican authorities have increasingly been monitoring the potential for criminal exploitation of financial technology, including virtual currencies.

## **KEY AML LAWS AND REGULATIONS**

Mexican AML law criminalizes money laundering at the state and federal level. In addition, CDD rules cover most financial sector entities, including financial technology institutions (FTIs). The CNBV regulates FTIs involved in electronic payments, exchanges of virtual assets, and cryptocurrencies. Critics argue the FTI law’s secondary regulations allow for additional money laundering vulnerabilities because they go too far in liberalizing financial markets for FTIs.

Mexico is a member of both the FATF and the GAFILAT, a FATF-style regional body. Mexico’s most recent MER is available at: [www.fatf-gafi.org/media/fatf/documents/reports/mer4/MER-Mexico-2018.pdf](http://www.fatf-gafi.org/media/fatf/documents/reports/mer4/MER-Mexico-2018.pdf).

## **AML LEGAL, POLICY, AND REGULATORY DEFICIENCIES**

In 2017, the supreme court ruled the Financial Intelligence Unit’s (UIF) freezing of accounts violates constitutional protections and due process rights. UIF can still freeze accounts when presented with an international request for legal assistance. Another 2017 decision curbed FGR’s ability to present financial records during court proceedings, allowing as admissible only records obtained by court order. In response to the rulings, several individuals and entities filed court cases to have their accounts unfrozen and cases dismissed. Prosecutors and law enforcement authorities have struggled to investigate and prosecute financial crimes, and these rulings may result in additional case dismissals. The Mexican congress is currently debating a

legislative proposal to allow the UIF to add individuals to the blocked persons' list and block their assets if it deems there are sufficient indicators of money laundering.

### **ENFORCEMENT/IMPLEMENTATION ISSUES AND COMMENTS**

Although authorities recognize the abuse of certain sectors by money launderers, law enforcement responses are limited by corruption and lack of capacity. The government has not yet provided the number of convictions for 2019. The money laundering unit of the organized crime division of FGR informally reported it obtained 10 money laundering convictions in 2019, compared to 6 convictions in 2018, according to open reporting. The file tracking system of Mexico's Federal Judiciary recorded six cases that resulted in guilty pleas and five that went to trial in 2019. The data does not indicate whether the trials resulted in convictions. The relative lack of convictions in money laundering cases is representative of Mexico's limited capacity to prosecute crimes generally.

In August 2019, the president signed into law non-conviction-based asset forfeiture legislation to enable prosecutors and law enforcement agencies to more aggressively seize illicit assets, including instrumentalities of crimes. The new law also adds corruption and money laundering as predicate offenses. Subsequently, FGR created a new specialized asset forfeiture unit to pursue all federal forfeiture actions. In August 2020, the FGR filed its first three federal asset forfeiture complaints. The complaints were filed before Mexico's lone federal asset forfeiture judge (there are pending plans to add more forfeiture judges) and have yet to be scheduled for an initial hearing. There are additional asset forfeiture judges at the state level who are considering cases throughout the country, but no forfeiture matter has yet been resolved under the new law.

## **Morocco**

### **OVERVIEW**

Morocco is making progress in strengthening its AML regime through coordination and capacity building. Vulnerabilities stem from the prevalence of cash-based transactions, geographic location, established trafficking networks, a high volume of remittances, and public corruption. Morocco serves as an integration point into the legitimate economy for illicit drug money, with an estimated hundreds of millions of dollars laundered through Morocco annually.

### **VULNERABILITIES AND MONEY LAUNDERING METHODOLOGIES**

Morocco's informal, cash-based economy is estimated to equal 20-30 percent of GDP. Only 61 percent of Moroccans have a bank account, according to the Moroccan central bank (BAM), and even among holders of bank accounts, cash is often preferred. A mobile banking initiative was launched in 2018 to facilitate access to banking services and to encourage electronic (and more easily traceable) payments, but adoption has been slow, with fewer than 900,000 "m-wallets" opened through 2019. Improvements to interoperability were made in 2020 to increase adoption by merchants.

Morocco's geographic location as a gateway between Europe and Africa makes it a conduit for smuggling, drug trafficking, human trafficking, and clandestine migration. A law to combat trafficking in persons deters human trafficking and money laundering by broadly defining trafficking to include anyone who gives or receives payments or benefits related to trafficking and imposing heavy sentences on offenders.

The export of Moroccan-grown cannabis (especially hashish) and, increasingly, the trafficking of cocaine from Latin America to Europe via Morocco, generate significant illicit profits. Real estate, jewelry, and vehicle purchases are used to launder drug proceeds.

Money transfer services present a vulnerability due to their volume. Annual remittance transfers rose to \$6.7 billion in 2019, accounting for 5.6 percent of GDP. The majority of transfers originate in Europe. The Financial Intelligence Processing Unit (UTRF), the Moroccan FIU, requires transfer operators to collect identification information on both senders and recipients. Unregulated hawalas and bulk cash smugglers are also used to move illicit funds internationally.

Morocco's seven FTZs are regulated by an interagency commission. The FTZs allow customs exemptions for goods manufactured in the zones for export abroad. Six offshore banks operate in the Tangier FTZ, and all are affiliates of local banks and operate with consolidated controls. UTRF has reported suspicions of money laundering activity through the Tangier FTZ.

International casinos with in-house accounts are a vehicle through which money may enter and exit Morocco without currency control restrictions. There are several multinational casinos in Morocco, and the extent to which this transfer method is used to launder illicit proceeds is unknown. Casinos are supervised by UTRF, but generally file no STRs.

### **KEY AML LAWS AND REGULATIONS**

Morocco has key AML laws and regulations in place, including CDD programs and STR procedures, and in 2019 brought its PEP requirements in line with international standards. High-risk customers/transactions are scrutinized under Morocco's AML law and *Central Bank Circular No. 2/G/2012*.

In 2019, Morocco adopted a national risk assessment and institutionalized a national committee to coordinate the country's AML strategy.

Morocco has an MLAT with the United States but does not have a bilateral extradition treaty with the United States. Morocco is a party to several multilateral law enforcement conventions that also permit mutual legal assistance with the United States.

Morocco is a member of the MENAFATF, a FATF-style regional body. Its most recent MER is available at: <http://www.menafatf.org/information-center/menafatf-publications/anti-money-laundering-and-counter-terrorist-financing>.

## **AML LEGAL, POLICY, AND REGULATORY DEFICIENCIES**

International experts have noted a number of areas for improvement in Morocco's AML/CFT regime, including the need for greater national coordination; the lack of a declaration system for cross-border currency transportation reporting; and legal, regulatory, and policy issues impeding the effective implementation of supervisory and criminal enforcement actions. Morocco has been seeking to address these concerns through a variety of reforms. Related legislation remains stalled in Parliament.

Money laundering is classified as a misdemeanor in Morocco.

## **ENFORCEMENT/IMPLEMENTATION ISSUES AND COMMENTS**

Morocco continues to work closely with international partners. The government has implemented applicable multilateral agreements and voluntarily initiated exchanges with private sector partners to address key vulnerabilities.

Morocco has increased the number of law enforcement assets dedicated to money laundering investigations, resulting in an increase in criminal cases involving money laundering from 30 in 2019 to 193 in 2020. There were only eight convictions for money laundering in the 10 years leading up to 2018, while 62 convictions have been achieved in 2019 and 2020, combined. These cases involve relatively simple money laundering, integrating drug proceeds into buildings and businesses, and do not include more complex cases involving professional money launderers or organized crime; officials claim complex money laundering and organized crime do not exist in Morocco.

# **Mozambique**

## **OVERVIEW**

Money laundering in Mozambique is driven by misappropriation of state funds, kidnappings, human trafficking, narcotics trafficking, wildlife trafficking, and terrorism. With a long, largely unpatrolled coastline, porous land borders, and limited rural law enforcement presence, Mozambique is a major corridor for illicit goods including hardwoods, gemstones, wildlife products, and narcotics. Narcotics are typically trafficked through Mozambique to other African nations and then on to further destinations, such as Europe and the United States.

In 2020, the Government of Mozambique took steps to address money laundering through the adoption of a new asset recovery bill as well as a unique account number for an individual to use in banks nationwide. However, public prosecutors, judges, and police lack the technical capacity and resources to successfully combat money laundering. Mozambique would also benefit from better collaboration among AML/CFT enforcement institutions.

From 2013-2014, a group of senior Mozambican officials, including the former finance minister, secretly negotiated over \$2 billion in loans, much of which went to illegal bribes and other illicit

payments to the government officials, bankers, and businesspeople involved in the scheme. While 19 individuals face charges in Mozambique, including the son of a former president and the former director of Mozambique's intelligence service, for their alleged roles in the hidden debt scandal, neither the Attorney General (PGR) nor Administrative Court have proceeded with trials.

### **VULNERABILITIES AND MONEY LAUNDERING METHODOLOGIES**

South Asian, East Asian, and Latin American criminal syndicates play a prominent role in illicit activities such as poaching, illegal logging, and trafficking narcotics, gemstones, and animal products. Authorities believe proceeds from these activities may be financing violent extremists in northern Mozambique. Law enforcement sources estimate at least 80 percent of all heroin entering Europe or the United States via Africa passes through Mozambique.

Money laundering is conducted primarily through foreign currency exchange houses, cash smugglers, and hawala brokers. The real estate sector, because of the lack of a regulatory body, is also susceptible to money laundering. Black markets for smuggled goods and informal financial services are widespread, dwarfing the formal sector in most parts of the country. Given the lax control over mobile and electronic payments, mobile systems are increasingly used to facilitate illicit networks, including terrorists operating in northern Mozambique.

There are three FTZs in Mozambique, but there is no evidence they are tied to money laundering.

### **KEY AML LAWS AND REGULATIONS**

Law 14/2013 and decree regulation 66/2014 provide tools to combat money laundering and terrorism financing in Mozambique. The law allows the government to freeze terrorist assets and enter into MLATs for terrorism finance cases. The law also criminalizes terrorist financing, specifies evidence collection procedures, and allows for the seizure of documents. Mozambique has KYC provisions, and STRs are analyzed and flagged by the financial intelligence unit (GIFIM—Portuguese acronym) and distributed to relevant investigative bodies. Regulations also require EDD for PEPs. The Bank of Mozambique places AML obligations on local banks.

In November 2020, the government adopted a new asset recovery law that will improve coordination among government agencies and enhance the country's ability to prosecute corruption and recover stolen assets. In December 2020, the PGR created a new asset recovery office in line with the new legislation.

In September 2020, the Bank of Mozambique announced plans for a unique bank identification number (UBIN) to combat money laundering and terrorist financing by making it easier for the government to track accounts across multiple financial institutions. Technical discussions between the Bank of Mozambique and commercial banks on implementation are now underway and the government expects the UBIN system to be operational by early 2021.

Mozambique is a member of the ESAAMLG, a FATF-style regional body. Its most recent MER is available at: [https://www.esaamlg.org/index.php/Countries/readmore\\_members/Mozambique](https://www.esaamlg.org/index.php/Countries/readmore_members/Mozambique).

**AML LEGAL, POLICY, AND REGULATORY DEFICIENCIES**

Mozambique has made steady progress establishing a legal framework that supports money laundering investigations, but implementing agencies need more robust human, financial, and technical resources to effectively investigate and prosecute money laundering and financial crimes.

The GIFIM has expressed interest in joining the Egmont Group and is awaiting Council of Ministers' approval to apply for membership.

**ENFORCEMENT/IMPLEMENTATION ISSUES AND COMMENTS**

Mozambique has made progress in enforcing AML laws and implementing regulations. According to the most recent available data, in 2019, the PGR received 48 reports of suspicious transactions which led to 32 criminal cases. The PGR has noted the need for better technology and specialized human resources to analyze data and accounting information, which often requires collaboration among multiple agencies and international jurisdictions.

The United States and Mozambique are establishing records-exchange procedures. The U.S. DEA opened an office in Mozambique in 2017 and continues to deepen information sharing on money laundering and narcotics cases with Mozambican law enforcement partners.

Mozambique is a member of the Asset Recovery Inter-Agency Network for Southern Africa, which supports information sharing to identify, track, and seize criminal assets.

## **Netherlands**

**OVERVIEW**

The Netherlands is a major trade and financial center and, consequently, an attractive venue for money laundering. The Netherlands is generally making progress addressing money laundering vulnerabilities.

Six islands in the Caribbean fall under the jurisdiction of the Kingdom of the Netherlands: Bonaire, St. Eustatius, and Saba are special municipalities of the Netherlands; and Aruba, Curacao, and St. Maarten are semi-autonomous countries within the kingdom. The Netherlands collaborates to ensure the independence of the courts and to combat cross-border crime and drug trafficking within the kingdom. The law enforcement MOU between the four Kingdom countries and the United States for joint training activities and sharing of information remains active.

**VULNERABILITIES AND MONEY LAUNDERING METHODOLOGIES**

Financial fraud, especially tax evasion and drug trafficking, are believed to generate a considerable portion of domestic money laundering activity. There are indications of syndicate-

type structures involved in organized crime and money laundering. Law enforcement regularly launches money laundering investigations. Few border controls exist within the Schengen Area of the EU, although Dutch authorities run special operations in border areas with Germany and Belgium and in the Port of Rotterdam to minimize smuggling. Informal underground remittance systems operate in the Netherlands. Criminal networks increasingly operate online and use virtual currencies to facilitate illegal activity.

### **KEY AML LAWS AND REGULATIONS**

The Dutch Financial Intelligence Unit (FIU-NL) is an independent, autonomous entity under the Netherlands Police. The Anti-Money Laundering Center facilitates knowledge-sharing and coordination among government agencies and the private sector. Seizing and confiscating criminal proceeds is a high priority for Dutch law enforcement.

On June 30, 2019, the government presented a national action plan against money laundering. The *Implementation Act for the Fourth AML Directive* took effect on May 21, 2020, extending the directive's requirements to crypto-service providers. In September 2020, two additional AML/CFT laws came into force. The first, the *Bank Data Retrieval Portal Act*, allows for direct digital access to certain bank data by investigation services. The second law requires all corporate and other legal entities to list their ultimate beneficial owners in a transparent register, operated by the Chamber of Commerce.

In July 2020, in the wake of several investigations by Dutch authorities, ABN Amro, ING, Rabobank, Triodos, and Volksbank set up the Transaction Monitoring Netherlands (TMNL) initiative to analyze anonymous datasets from the banks to improve their reporting to the FIU-NL on possible money laundering activity. In recent years, banks have been assessed multi-million dollar fines and, in 2018, a U.S. subsidiary of Rabobank entered into a settlement agreement with the U.S. DOJ under which it pled guilty to *Bank Secrecy Act* and money laundering violations. In August 2020, press reports indicate the Public Prosecutor investigation into ABN Amro, the third largest bank in the Netherlands (partially owned by the Dutch government) was ongoing. Press reports also advise German authorities are investigating ABN Amro involvement in tax evasion in Germany.

The government allocated an additional approximately \$177.7 million (150 million euros) a year starting in 2022 to fighting organized subversive crime. In April 2020, the Netherlands launched the Multidisciplinary Intervention Team (MIT), consisting of the police, Public Prosecution Service, Fiscal Information and Investigation Service (FIOD), customs, tax authorities, military police, and defense. MIT will be a data-driven team of 400 intelligence and digital specialists focused on international and financial supervision working to disrupt criminal networks and their business processes.

Dutch law has comprehensive KYC and STR regulations, which apply to many actors in the financial sector. Every three years, the government commissions an external assessment of its AML policy.

Law enforcement cooperation between the Netherlands and the United States is good; the

existing MLAT allows for the exchange of records in connection with narcotics investigations. However, legal procedures for release of evidence to the United States are cumbersome, and resulting delays pose a threat to the success of U.S. investigations.

The Netherlands is a member of the FATF and is preparing for its next review in 2022. Its most recent MER is available at: <http://www.fatf-gafi.org/countries/n-r/netherlandskingdomof/documents/mutualevaluationreportofthenetherlands.html>.

### **AML LEGAL, POLICY, AND REGULATORY DEFICIENCIES**

The Netherlands continues to make progress in addressing identified deficiencies. No significant technical deficiencies in the regulatory regime have been identified. The magnitude of money laundering, however, remains a concern.

### **ENFORCEMENT/IMPLEMENTATION ISSUES AND COMMENTS**

The Netherlands utilizes an “unusual transaction” reporting system. Designated entities are required to file unusual transaction reports (UTRs) on transactions that could relate to money laundering. The FIU-NL analyzes UTRs to determine whether they are “suspicious” and forwards them to law enforcement for criminal investigation, at which point they become classified as STRs. In 2018, the financial institutions submitted around 60,000 UTRs to the FIU, and the FIU declared around 15,000 as suspicious. Shifting priorities for law enforcement have hindered a sustained effort to improve financial investigations. Different CTR reporting thresholds apply to various specific transactions, products, and sectors.

Finance Minister Wopke Hoekstra told Parliament on September 22, 2020, that the Netherlands has an enormous problem regarding money laundering, following the report that Russian billionaire Roman Abramovich made around \$1.3 billion in questionable payments via Netherlands-based ING Bank and a Polish ING subsidiary.

## **Nicaragua**

### **OVERVIEW**

Nicaragua is not a regional financial center but remains vulnerable to money laundering due to corruption, lack of transparency, drug trafficking, and a large informal sector. The ongoing socio-political crisis has diverted security forces’ attention from effectively combating illicit activities toward repressive actions against opposition groups, undermining law enforcement performance on AML/CFT. Regulatory bodies also use their official powers to monitor activities of pro-democracy opposition groups and to conceal illicit government transfers.

The politicization of AML/CFT institutions is a significant concern. In May 2020, OFAC designated Ivan Acosta, Minister of Finance and Public Credit, for supporting the regime’s human rights violations and corruption. Acosta is the head of the National Committee on AML/CFT, and his designation is indicative of the AML/CFT committee’s ineffectiveness



investigating public officials with ties to organized crime. Also in 2020, OFAC designated Caja Rural National Savings and Credit Cooperative—which reportedly controls an estimated \$2.5 billion on behalf of another sanctioned entity—and key government officials for sanctions pursuant to E.O. 13851. The OFAC designations follow sanctions against companies controlled by President Ortega’s family. These actions present increased risk of illicit funds leaking into the financial system as the first family seeks to move their wealth into assets that can transit borders.

On October 4, 2018, FinCEN issued an advisory warning U.S. financial institutions of the increasing risk that proceeds of Nicaraguan political corruption may enter or pass through the U.S. financial system.

Concerns persist about the use of AML/CFT laws by the Sandinista National Liberation Front, the government’s ruling political party, primarily as harassment tools against domestic political opposition groups.

### **VULNERABILITIES AND MONEY LAUNDERING METHODOLOGIES**

Despite a slowdown in economic activities due to COVID-19, Nicaragua remains a transit country for narcotics and vulnerable to money laundering. TBML in thriving industries, such as gold and beef, constitutes a vulnerability, especially for small-scale operations that rely heavily on cash transactions.

Public corruption persists as a common money laundering typology in sectors such as construction and the procurement of goods and services.

In 2020, there were 188 companies operating under FTZ status in Nicaragua. There does not appear to be a meaningful nexus between Nicaraguan FTZ companies and AML/CFT issues. The Central America Four Agreement among El Salvador, Guatemala, Honduras, and Nicaragua allows for visa-free movement of citizens of these countries across their respective borders.

### **KEY AML LAWS AND REGULATIONS**

AML/CFT laws mandate disclosure of beneficial owners. Financial institutions and DNFBPs follow CDD and SAR requirements. EDD for PEPs and transactions conducted with high-risk countries are included in the law.

The Ministry of Foreign Affairs (MINREX) reported the Financial Analysis Unit (UAF), Nicaragua’s FIU, is developing an NRA on money laundering, terrorist financing, and proliferation financing. The NRA is intended to update the national AML/CFT/counter-proliferation financing (CPF) strategy and action plan. In January 2020, the UAF issued guidelines to help reporting subjects comply with SAR requirements.

The regime-controlled national assembly amended the *Public Registries Law* to include the disclosure of beneficial ownership of legal persons and fees related to noncompliance.

The Supreme Court of Justice issued a guideline for lawyers and public notaries on AML/CFT/CPF. Regulators of banks, accountants, and NPOs issued similar regulations.

Nicaragua is a member of the GAFILAT, a FATF-style regional body. Its most recent MER is available at: <http://www.fatf-gafi.org/media/fatf/content/images/GAFILAT-MER-Nicaragua-2017.pdf>.

### **AML LEGAL, POLICY, AND REGULATORY DEFICIENCIES**

Although money seizures continue to grow, the government's unit that manages seized funds is controlled by Ortega loyalists. The lack of transparency raises concerns about the final destination of seized funds, which can be directed to support repressive activities against political opposition, with facilitation by the Ortega government. According to MINREX the government seized \$16 million in currency through October 13, 2020, the highest amount in eight years.

Many in the legal profession rejected the incorporation of lawyers and public notaries as reporting subjects under Law 976 as amended in 2019 and say the requirement breaches client-lawyer confidentiality. Limited buy-in from stakeholders hinders the effectiveness of AML/CFT laws.

The lack of governmental impartiality to AML/CFT and regulations is a persistent weakness. In June 2020, an NGO working on COVID-19 prevention was stripped of legal status and accused of terrorist financing. Meanwhile, there have been no investigations of individuals and enterprises sanctioned by OFAC for corruption and money laundering.

Nicaragua's 2014 application for Egmont Group membership remains pending.

### **ENFORCEMENT/IMPLEMENTATION ISSUES AND COMMENTS**

Financial sector authorities noted filing a SAR on an OFAC-designated person or other government-aligned individual for potential affiliations with organized crime often generates swift government reactions against the reporting institution, including threats of fines and administrative penalties. SARs related to enterprises with ties to the Sandinista party are consistently ignored by the regime-controlled UAF.

MINREX reported authorities conducted 39 investigations and 20 prosecutions of money laundering-related cases that implicated 27 persons, obtained 10 convictions, and seized \$16 million through October 13, 2020.

The greatest impediment to the implementation and enforcement of Nicaragua's AML/CFT measures is the politicization of its public institutions. The government consistently fails to enforce laws against corrupt public officials while its representatives invest considerable time and resources to monitor and fabricate evidence against pro-democracy opposition groups. This approach takes a toll on AML/CFT efforts, placing Nicaragua at greater risk of organized crime activities.

## Nigeria

### **OVERVIEW**

Nigeria is a major drug trans-shipment point and a significant center for financial crime and cyber-crimes. The Nigeria Financial Intelligence Unit (NFIU) is the national AML/CFT coordinator. The NFIU's mandate is to establish the legal, regulatory, and institutional frameworks to proactively and reactively mitigate inherent and imminent risks of money laundering, terrorist financing, and other related financial crimes in the financial and non-financial sectors. Nigeria, despite having dedicated agencies to fight corruption and belonging to numerous regional and international bodies, continues to record daily money laundering occurrences. Notwithstanding Nigerian efforts, there are minimal increases in arrests and prosecutions.

### **VULNERABILITIES AND MONEY LAUNDERING METHODOLOGIES**

Criminal proceeds laundered in Nigeria derive from corruption, foreign drug trafficking, various types of fraud, and other illegal activities. In Nigeria, money laundering occurs through the misuse of legal persons and companies, real estate investment, wire transfers to offshore entities, deposits into foreign banks, round tripping (reciprocal sales of identical assets), jewelry, bulk cash smuggling, and reselling imported goods, such as luxury or used cars, textiles, and consumer electronics purchased with illicit funds.

Nigeria's informal economy is responsible for a significant portion of the country's economic transactions and is largely cash-based. There are multiple channels to move illicit funds, which include proceeds from the corruption of PEPs, law enforcement officers, and public servants. Public servants are vulnerable to corruption because of poor social welfare programs and low wages.

Weak oversight and sanctioning protocols embolden cartels to move large amounts of cash within the country and through Nigerian airports. The Central Bank of Nigeria (CBN) issued directives to mitigate cash movements; however, money laundering operators are able to evade law enforcement agencies due to corruption and other systemic weaknesses.

With the introduction and widespread adoption of virtual currency, Nigeria will need to adopt strict rules to ensure this form of currency does not become popular with money laundering organizations inside of Nigeria. The Securities and Exchange Commission, Nigeria has issued a statement indicating cryptocurrencies will be treated as securities, unless the issuer or sponsor of the assets proves otherwise.

### **KEY AML LAWS AND REGULATIONS**

Nigeria has a plethora of laws and regulations for AML, including the *Nigeria Data Protection Regulation 2019*, which addresses data security and privacy, and the *Companies and Allied Matters Act 2020*, which is now the primary legislation governing the formation and

management of companies in Nigeria. Nigerian law mandates KYC and STR procedures and EDD for both foreign and domestic PEPs. Legal persons are covered criminally and civilly.

Extradition between Nigeria and the United States is governed by the 1931 U.S.-U.K. Extradition Treaty. There is also a bilateral mutual legal assistance treaty in force between Nigeria and the United States.

Nigeria is a member of the GIABA, a FATF-style regional body. Its most recent MER is available at: <https://www.giaba.org/reports/mutual-evaluation/Nigeria.html>.

### **AML LEGAL, POLICY, AND REGULATORY DEFICIENCIES**

Certain AML laws have deficiencies, which can be used as a shield to protect certain categories of people from prosecution. Legal practitioners are excluded from the definition of DNFBP. Legal practitioners have sought and been granted court injunctions restraining the CBN from implementing its circular regarding lawyers. Lawyers file injunctions restraining federal government agencies such as the Special Control Unit against Money Laundering (SCUML), the NFIU, and the Economic and Financial Crimes Commission (EFCC) from seeking to enforce the provisions of Section 5 of the Money Laundering Act in relation to legal practitioners.

The NFIU issued an advisory to stop withdrawal of cash from local government accounts, which was expected to promote accountability and transparency. However, this advisory was considered an intrusion by the governors of the states who have direct access to these funds. Due to lack of implementation and enforcement of laws, determining the channels used to move large sums of cash in Nigeria remains difficult.

Despite the laws in place, investigations are still impeded. Investigative agencies concentrate efforts on cases involving large amounts of money and high-profile cases, which are delayed due to slow judiciary processes. After the NFIU provides reports to investigative agencies, these agencies are responsible for the pursuit of these cases in a timely manner.

Further deficiencies within government agencies include inadequate human technical capacity and financial resources to monitor and supervise large numbers of DNFBPs. Compliance officers are exposed to bribes and threats of job loss because there is no protection for individuals who report money laundering/terrorist financing activities of a superior.

### **ENFORCEMENT/IMPLEMENTATION ISSUES AND COMMENTS**

Despite the NIFU's noteworthy efforts to fight corruption, it does not have an enforcement branch to prosecute said cases. In addition to poor coordination and inadequate funding, Nigerian agencies that enforce AML/CFT measures lack power to administer sanctions. The SCUML is currently domiciled in the EFCC.

## Pakistan

### OVERVIEW

Pakistan's geographic location and porous borders with Afghanistan, Iran, and China make it vulnerable to narcotics and contraband smuggling. Pakistan's 2019 NRA identifies the largest risks associated with illicit finance as corruption and bribery, smuggling, tax fraud, illegal financial transfers, bulk cash smuggling, organized crime, kidnapping for ransom, extortion schemes, and trafficking narcotics, humans, and arms. Several DNFBP sectors are involved in money laundering using the formal financial system. The NRA also found many of the illicit proceeds are transferred overseas. Pakistan's black market economy, the informal financial system, and a permissive security environment generate substantial demand for money laundering and illicit financial services in Pakistan.

Pakistan continues to work on its 2018 action plan to address AML/CFT deficiencies identified by international experts. Over the last year, Pakistan passed 15 new laws to address terrorist financing gaps in its AML/CFT regime.

### VULNERABILITIES AND MONEY LAUNDERING METHODOLOGIES

Money laundering occurs in both the formal and informal financial systems.

In fiscal year 2020 (July 2019-June 2020), the diaspora remitted over \$23 billion to Pakistan via official channels, up 6.4 percent from the previous year. The State Bank of Pakistan (SBP), the central bank, attributes some of the increase to a SBP initiative to facilitate formal channel transfers. COVID-19-related travel restrictions also likely stimulated the use of formal banking channels.

Other common methods for laundering funds include TBML, MSBs, and bulk cash smuggling. Legitimate traders often use fraudulent invoicing for tax avoidance reasons, but criminals also use cross-border trade as a vehicle for money laundering.

Operation of an unlicensed MSB is illegal but, despite government efforts to curtail their activity, the public's use of these entities remains prevalent due to poor governmental oversight and limited penalties. Many MSB transactions are for legitimate purposes due to a lack of access to the formal banking sector (more than 85 percent of Pakistanis do not hold bank accounts). Significant informal financial activity occurs along the largely unregulated Pakistan-Afghanistan border, and to a lesser extent, Pakistan's borders with China and Iran. Border areas see illicit financial activity by terrorist and insurgent groups.

### KEY AML LAWS AND REGULATIONS

Key AML legislation includes the *Anti-Money Laundering Act of 2010* (AMLA), which among other things, establishes Pakistan's FIU, and the *Control of Narcotic Substances Act of 1997*. Pakistan has comprehensive CDD and STR regulations. Policy reforms have shown an initial uptick in STR volume and improvements in report processing. The disclosure of beneficial

owners and EDD for PEPs are required.

Pakistan undertook a major push to enact and amend legislation to address deficiencies in its AML/CFT regime. Among the 13 relevant new laws adopted in 2020 are: the *Foreign Exchange Regulation (Amendment)*; the *Anti-Money Laundering Act (1<sup>st</sup> and 2<sup>nd</sup> Amendments)*; the *National Counterterrorism Authority/NACTA (Amendment)*; the *Anti-Terrorism (1<sup>st</sup> and 2<sup>nd</sup> Amendments)*; the *UN Security Council (Amendment)*; *Mutual Legal Assistance (Criminal Matters)*; *Companies Amendment Bill*; *Limited Liability Partnership Amendment Bill*; and the *Modaraba Companies (Floatation and Control) (Amendment) Bill*.

The United States and Pakistan do not have an MLAT; however, both countries are parties to multilateral conventions that include mutual legal assistance provisions. Extradition between the United States and Pakistan is governed by the 1931 U.S.-UK Extradition Treaty. Pakistan does not have a formal mechanism to exchange records on narcotics investigations or court cases and there are no legal mechanisms to allow the United States or other governments to access those records. Pakistan adopted an amendment to its *Mutual Legal Assistance (Criminal Matters) Law* in 2020 to establish a central authority within the Ministry of Interior to handle requests for mutual legal assistance.

Pakistan is a member of the APG, a FATF-style regional body. Its most recent MER is available at: [file:///C:/Users/user/Downloads/Pakistan%20MER%202019%20-%20published%20version%20\(2\).pdf](file:///C:/Users/user/Downloads/Pakistan%20MER%202019%20-%20published%20version%20(2).pdf).

### **AML LEGAL, POLICY, AND REGULATORY DEFICIENCIES**

Certain categories of DNFBPs, whose transactions are largely cash-based and poorly documented, tend to be involved in money laundering using the formal financial system. These include lawyers, notaries, accountants, real estate brokers, and jewelry/precious metal traders. Pakistan's Securities and Exchange Commission, Federal Board of Revenue, and Ministry of Finance have limited regulatory authority over at-risk sectors such as the Pakistan Post, Central Directorate of National Savings, and the accounting profession. The real estate profession and the precious stones/metals and jewelry sectors remain unregulated. The ability of the government and Pakistani Bar Association to police lawyers, legal advisors, and law firms is also limited. Pakistan has recently clarified and strengthened its regulatory authorities for supervision of these sectors, but it is too soon to evaluate the effectiveness of these new laws and procedures.

The government's writ in border areas is limited due to remoteness, lack of infrastructure, low population densities, and the fact many in poorer regions depend on the informal sector for their livelihoods, fostering an environment with little rule of law.

The Financial Monitoring Unit, Pakistan's FIU, is not a member of the Egmont Group.

### **ENFORCEMENT/IMPLEMENTATION ISSUES AND COMMENTS**

In 2020, the government significantly increased monetary penalties and prison sentences for violating the AMLA.

Approximately 51 cases involving the misuse of non-profit organizations, 15 cash smuggling cases, eight cases of extortion, 11 cases of illegally operating an MSB, 10 smuggling cases, 11 narcotics trafficking cases, and one case of kidnapping for ransom were opened in 2020. The Pakistani government reports 101 convictions in 2020 for terrorism finance violations, which include money laundering offenses reported in 2020.

## Panama

### OVERVIEW

Panama's strategic location, dollarized economy, status as a regional financial, trade, and logistics hub, and favorable tax laws render it attractive for exploitation by money launderers. High-profile money laundering investigations, including the Waked Money Laundering Organization, the "Panama Papers" scandal, former President Ricardo Martinelli's arrest, extradition, and subsequent acquittal, and scandals involving Brazilian construction giant Odebrecht (that resulted in a U.S. indictment against Martinelli's two sons) have intensified scrutiny of Panama's AML vulnerabilities.

The Government of Panama has made some moves to address its agreed-upon action plan. In March 2019, the government passed the *Ultimate Beneficial Ownership Law* (UBOL) to create a registry of actual beneficiaries of legal entities. However, in late 2020, the platform is still in the development phase and has been delayed because of COVID-19. In January 2020, Panama converted its Intendency of Non-Financial Sectors (SSNF) to a higher-level superintendency. In August 2020, the government moved responsibility for compliance with international AML standards from the Ministry of the Presidency to the Ministry of Economics and Finance and appointed a new lead administrator.

### VULNERABILITIES AND MONEY LAUNDERING METHODOLOGIES

Money laundered in Panama primarily comes from illegal activities committed abroad, including drug trafficking, tax crimes, and smuggling of people and goods. Panama is a drug transshipment country due to its location along major trafficking routes. Numerous factors hinder Panama's fight against money laundering, including lack of capacity to identify bulk cash shipments, inexperience with money laundering investigations and prosecutions, inconsistent enforcement of laws and regulations, corruption, and an under-resourced judicial system whose budget will actually shrink in 2021.

Criminals launder money via bulk cash smuggling and trade at airports and seaports, through shell companies, casinos, cryptocurrencies, and the 12 active FTZs. This creates the risk that legal entities, such as corporations, private foundations, and trusts, created and registered in Panama can be misused to launder funds, especially from foreign predicate crimes. Implementation of the UBOL would help mitigate this risk. Law firms and registered agents are key gatekeepers and will be subject to the new requirements; however, the use of nominee shareholders and directors is still prevalent.

## **KEY AML LAWS AND REGULATIONS**

Panama has improved its compliance with international standards for AML prevention, enforcement, and cooperation. Panama has comprehensive CDD and STR requirements. *Law 23* criminalizes money laundering and sets AML compliance requirements for entities in 31 sectors. A proposed amendment would establish more proportional and dissuasive sanctions on financial institutions. The SSNF oversees the AML compliance of over 12,000 DNFBPs across 11 sectors, including the Colon Free Zone (CFZ), the second largest FTZ in the world.

The United States and Panama have a bilateral MLAT.

Panama is a member of the GAFILAT, a FATF-style regional body. Its most recent MER can be found at: <https://www.fatf-gafi.org/media/fatf/documents/reports/mer-fsrb/MER-GAFILAT-Panama-Jan-2018.pdf>.

## **AML LEGAL, POLICY, AND REGULATORY DEFICIENCIES**

Tax evasion is a criminal and predicate money laundering offense as described in article 254-A of the penal code. However, Panama continues to lack sufficient resources, including trained staff, to effectively monitor whether entities, particularly DNFBPs, comply with reporting requirements. The government needs to enhance training, disseminate guidelines, and organize feedback sessions with reporting entities to improve the quality of STR/CTR reporting, particularly among high-risk sectors.

The FIU needs to demonstrate STRs/CTRs are used to identify leads for illicit finance investigations and its reports are shared more frequently with law enforcement authorities, who in turn need to show the reports are used to investigate and prosecute money laundering crimes. Panama's FIU reports to the presidency, leaving it vulnerable to political influence and dependent on the presidency for support; elevating the FIU to independent agency status would further insulate it from outside influence.

The CFZ remains vulnerable to illicit financial and trade activities, due to weak customs enforcement and limited oversight of transactions.

## **ENFORCEMENT/IMPLEMENTATION ISSUES AND COMMENTS**

Panama adopted a U.S.-style accusatory penal system in 2016. Law enforcement and judicial entities are underfunded and still lack experience and effectiveness under the new system, and a lack of coordination between these entities has resulted in few successful investigations, prosecutions, and convictions. Panama needs to provide more robust financial investigative training to law enforcement, prosecutors, and judges and prioritize financial investigations beyond cases related to drug trafficking. Panama does not yet accurately track criminal prosecutions and convictions related to money laundering. Law enforcement needs more tools and protection to conduct long-term, complex investigations, including undercover operations. The criminal justice system remains at risk of corruption. The United States and Panama signed a MOU to create the joint Anti-Money Laundering and Anti-Corruption Task Force on July 31,



2020. The taskforce will focus on non-narcotics-related money laundering investigations that identify corruption and other crimes stemming from money laundering, such as tax evasion.

## Paraguay

### **OVERVIEW**

Paraguay's economy shows signs of recovery after the COVID-19 pandemic negatively impacted the manufacturing and service sectors and closed Paraguay's borders to international visitors for seven months, resulting in significant negative growth from March to May 2020. The tri-border area, comprised of the shared border areas of Paraguay, Argentina, and Brazil, is home to a multi-billion-dollar illicit goods trade, including marijuana cultivation and the trafficking of Andean cocaine and arms, which facilitates significant money laundering in Paraguay. The government has worked to reduce the criminal use of Paraguay's financial system to launder illicit proceeds by taking steps to address corruption, eliminate bureaucratic inefficiencies, and enhance interagency coordination. President Mario Abdo Benitez's administration continues to focus on these efforts, showing results in terms of arrests and modest progress toward implementation of new legislation; however, convictions remain rare.

### **VULNERABILITIES AND MONEY LAUNDERING METHODOLOGIES**

Money laundering occurs in both financial institutions and the non-financial sectors. Vulnerabilities include a large number of unregistered exchange houses; the frequent use of cash; the use of false information to register businesses; lax regulation of import-export businesses, casinos, and MSBs; weak border controls; corrupt government agents; and insufficient oversight of a high volume of money transfers to Lebanon and China.

Transnational and local criminal organizations continue to take advantage of largely informal economies and lax border controls in Ciudad del Este and other border towns to engage in TBML, narcotics and arms trafficking, goods smuggling and counterfeiting, and document forgery. Criminal organizations disguise the laundering of proceeds from these activities in the high flow of both counterfeit and legitimate goods sold into Brazil from Paraguay, often with the assistance of co-opted government officials.

Paraguay operates two FTZs in Ciudad del Este but does not have an offshore sector. Paraguay's port authority manages free trade ports and warehouses in Argentina, Brazil, Chile, and Uruguay.

### **KEY AML LAWS AND REGULATIONS**

Paraguay has KYC and STR regulations applicable to a wide range of entities, and EDD is required for PEPs.

Paraguay passed two significant AML-related laws in 2020. Both laws improved the National Secretariat for Asset Forfeiture's (SENABICO) ability to manage and earn profit from seized criminal assets. Asset sharing legislation has been in place for some time; Paraguay's

framework includes laws approving the UNTOC and UNCAC and SENABICO Law 5876 (2017), which speaks to international cooperation for the administration of assets and the application of international conventions. Paraguay made progress in implementing some of the ten significant AML-related laws passed in 2019. Specifically, the Supreme Court formalized procedures outlining the scope and functions of newly-created criminal and appeals courts specialized in money laundering.

There is no bilateral MLAT between Paraguay and the United States. Both are party to multilateral conventions providing for cooperation in criminal matters.

Paraguay is a member of the GAFILAT, a FATF-style regional body. Its most recent MER is available in Spanish only at: <https://www.fatf-gafi.org/countries/n-r/paraguay/documents/mutualevaluationofparaguay.html>.

### **AML LEGAL, POLICY, AND REGULATORY DEFICIENCIES**

Paraguay struggles to investigate and prosecute complex money laundering cases within the statute of limitations, in part because of a disjointed AML regime, officials' lack of experience, judicial delays, and lack of interagency cooperation. Though the Central Bank of Paraguay (BCP) has authority to review banks for money laundering compliance independent of Paraguay's FIU, the Anti-Money Laundering Secretariat (SEPRELAD), the sanctioning regime is not effective, as SEPRELAD and the BCP have different guidelines regarding when an entity should submit a STR.

### **ENFORCEMENT/IMPLEMENTATION ISSUES AND COMMENTS**

Paraguay continues to take steps to implement international AML standards. During 2020, Paraguay initiated several more high-profile money laundering cases against multiple offenders than it did in 2019. Authorities have conducted search warrants, and in some cases filed preliminary charges and formal indictments. As with past cases, the challenge will be seeing these cases through to completion and conviction. The \$1 billion Megalavado case, opened in 2014, remains under investigation but without indictments or convictions.

SEPRELAD is working with the BCP to improve coordination and the quality of STRs, which are primarily submitted by banks. Despite significant outreach to the banks, only approximately one percent of the STRs received by SEPRELAD meets the threshold to open a criminal investigation. During the first six months of 2020, SEPRELAD received 5,811 STRs, a 43 percent decrease over the same period in 2019. This decline is likely due to decreased economic activity after the government introduced strict COVID-19 mitigation measures in March 2020 that required many businesses to cease activities for three to seven months. As of October 2020, SEPRELAD's Directorate of Financial and Strategic Analysis forwarded 66 financial intelligence reports to various Paraguayan authorities.

In 2020, SENABICO increased its staff to 27, but the government cut its budget by over 15 percent from \$648,000 to \$510,000. Regardless, the amount of assets seized by SENABICO continues to grow, and presently totals over \$165 million. SENABICO has struggled to fulfill its

mission due to non-cooperation from other government entities, such as the Solicitor General and judges who are unfamiliar with SENABICO's mandate and unwilling to relinquish authority to SENABICO.

The Paraguayan government made modest progress toward implementing new laws passed in 2019, but continues to struggle to obtain money laundering convictions.

Paraguayan Customs continues to operate a TTU to combat TBML and other customs crime through the sharing and analysis of international trade data.

## Peru

### **OVERVIEW**

Peru had three presidents in 2020. Peru struggles to effectively enforce and implement its strong AML legal regime. Poor interagency coordination, limited information sharing, and corruption within the justice sector impede enforcement efforts. Weak regulatory enforcement and oversight of the small-scale mining and timber sectors are concerns.

The Peruvian government identified \$1 billion in potentially illicit funds flowing through Peru from January to September 2020 – a 43 percent decrease from the same period in 2019. This occurred in a period when Peru enforced one of the strictest COVID-19 lockdowns and experienced one of the sharpest economic contractions in Latin America, severely restricting efforts to combat money laundering. Illegal gold mining made up the vast majority of identified funds at \$927 million, while drug trafficking comprised \$8.2 million. Illegal mining constitutes 48 percent of all money laundered in Peru in the past nine years, by far the largest sector. Drug traffickers launder profits through illegal mining activities and gold transactions.

The government implemented steps to strengthen its AML regime in 2020, including establishing a special prosecutor's office for asset forfeiture and gaining authorization from the OECD to exchange international financial and tax information. Peru also continued implementing its *2018-2021 National Plan to Combat Money Laundering* and showing successful results in its asset forfeiture system.

### **VULNERABILITIES AND MONEY LAUNDERING METHODOLOGIES**

Illegal gold mining and logging, drug trafficking, and public corruption continue as the primary sources of illicit funds in Peru. State presence is limited outside of coastal areas and large population centers. Peru's challenging geography allows for the transit of large quantities of illegal goods, contraband, and cash across its borders and internally. Weak regulatory enforcement allows illegal gold to be mixed with licit gold in the supply chain, as well as illegal timber with licit timber.

Individuals and organizations typically funnel illicit funds through front companies. Illicit funds also move through real estate, currency exchanges, credit cooperatives, auto sales, virtual

currency, and notaries. Use of financial technology and virtual currencies is growing in Peru, with more than 34 new financial technology companies founded since 2016 and \$355 billion in transactions from 2016-2018. A virtual currency investment group stated Peru has the third highest transaction volume for virtual currencies in Latin America. In August 2020, the FIU started supervising virtual currency exchanges. In October 2020, the FIU began a risk analysis of virtual currency and bitcoins, which will inform the drafting of a specific regulation.

Peru's gaming industry reported \$780 million in earnings in 2018 from 314 registered companies with 723 locations. Peru lacks adequate controls on the gaming sector, given the risks for money laundering. Of 15,736 STRs filed in 2018, 33 originated from the gaming industry. Peru conducted a risk analysis of the gaming industry in 2019; the final report is forthcoming.

### **KEY AML LAWS AND REGULATIONS**

Peru has a robust AML regulatory framework, and legislation establishes money laundering as an autonomous crime and includes KYC and STR requirements. Regulations define and require EDD for PEPs. In October 2020, the OECD Global Forum authorized Peru to exchange international tax and financial information on business and residents of Peru after evaluating its data confidentiality and protection.

The U.S. DEA participates in Peru's Money Laundering Task Force, which includes the Peruvian National Police (PNP), public prosecutors, and the FIU. The DEA and PNP develop and share criminal intelligence on major international drug trafficking and money laundering organizations, while prosecutors collect and exchange information on criminal investigations through mutual legal assistance requests.

Peru is a member of the GAFILAT, a FATF-style regional body. Its most recent MER is available at: <http://www.fatf-gafi.org/publications/mutualevaluations/documents/mer-peru-2019.html>.

### **AML LEGAL, POLICY, AND REGULATORY DEFICIENCIES**

Peru should improve its interagency coordination, such as by amending the FIU's authorities outlined in Law 27693. This law permits the FIU to share its reports only with public prosecutors. The government is receptive to recommendations from donors and experts regarding potential improvements.

### **ENFORCEMENT/IMPLEMENTATION ISSUES AND COMMENTS**

Pervasive corruption hampers prosecutions of narcotics-related money laundering crimes. Political figures, judges, and legislators have been implicated in money laundering, creating an impediment to progress on reform. The Peruvian government estimates corruption generated \$7.8 million in illicit proceeds from January to September 2020. From January to June 2019, Peru convicted seven individuals for money laundering and financial crimes. At the same time, Peru's new asset forfeiture system issued a record 43 orders against assets worth over \$24 million from January through September 2020 and had 501 cases in process in October 2020.

High turnover of specialized prosecutors, lack of awareness of international conventions, and corruption in the justice sector hinder enforcement efforts. The Attorney General's office improved its capacity to investigate money laundering by establishing a special prosecutor's office on asset forfeiture and hiring 80 accountants for its forensic unit.

Peru continues to lack effective regulatory enforcement and oversight in the small-scale mining sector. In February 2020, authorities seized alleged illegal gold worth \$10 million from a criminal organization accused of exporting to Switzerland, the Netherlands, Germany, Dubai, India, and China, and earning an estimated \$11.5 million per month.

## Philippines

### OVERVIEW

The COVID-19 pandemic is disrupting global economic activities, prompting new threats and vulnerabilities for the Philippines. Amidst these new challenges, existing criminal networks continue to engage in criminal activity to generate illicit funds, including environmental crimes and trafficking in people, narcotics, and arms.

To mitigate the effects of criminal activities, the Philippine government has continued its effort to build the capacity of its Anti-Money Laundering Council (AMLC) to counter money laundering and terrorism financing. In 2019, international experts noted very serious risks of financial crime, including money laundering and terrorist financing, and low levels of government effectiveness in combating those threats. Despite new momentum to strengthen the overall AML regime, the Philippines falls short in its effectiveness against money laundering, according to the Philippine government's own assessment.

### VULNERABILITIES AND MONEY LAUNDERING METHODOLOGIES

Drug trafficking remains a pervasive challenge to the Philippine government, with increased drug activity observed at seaports and across its porous maritime borders. Fifty-four percent of cases filed by the AMLC from January 1 to September 25, 2020 were predicated on violations of the *Comprehensive Dangerous Drug Act*. Schemes included the delivery of illegal goods through private couriers pretending to carry medical or food items during periods of strict quarantine.

The banking sector, MSBs, and pawnshops remain primary channels for laundering funds. The COVID-19 quarantine period also saw more than 13,000 transactions through suspected pass through or money mule accounts. Reports of bulk cash entering through the airports increased; however, this is legal, if declared. Lockdowns led to an increase in online shopping, which led to more cases of fraud. Fake charity scams on social media also surged as did various "sextortion" and blackmail attacks.

The Philippines Bureau of Internal Revenue reported multiple cases of tax avoidance by online gaming firms catering to offshore bettors, known locally as "Philippine offshore gaming

operators” (POGOs). According to Philippine authorities, a number of POGOs were operating without requisite licenses. The Philippine congress and local media have raised concerns about money laundering and financial crimes facilitated through POGOs, which cater primarily to Chinese citizens gambling illegally. However, no money laundering cases involving POGOs have yet surfaced. There are indications this industry has declined due to new tax initiatives and COVID-19-related quarantine restrictions.

The Philippine Economic Zone Authority (PEZA) oversees 379 economic zones, which are generally adequately regulated. There are also several other special economic zones and free ports that are held privately and do not fall under PEZA oversight. Due to the separate authorities of the security and customs officials monitoring these zones, law enforcement officials face difficulty targeting illicit activity or organizations operating within them.

### **KEY AML LAWS AND REGULATIONS**

The AMLC now requires the prompt filing of STRs on attempted transactions. The AMLC also expanded its information-sharing guidelines, allowing the sharing of information on PEPs outside election periods. CDD requirements include EDD for PEPs, their families, and associates assessed as high-risk for money laundering.

The government also promulgated the *Enforcement Action Guidelines*, which provide procedures for the early resolution of administrative cases at the level of the Compliance and Supervision Group. This approach will allow the AMLC to conserve resources and enables timely action to correct violations or deficiencies prior to the filing of a formal charge.

The AMLC and the Philippine Strategic Trade Management Office recently drafted counter-proliferation finance legislation in consultation with international legal experts.

The Philippines and the United States have a bilateral MLAT; however, its effectiveness is limited because the AMLC must obtain an order from the court of appeals to obtain bank records. This process can take more than one year.

The Philippines is a member of the APG, a FATF-style regional body. Its most recent MER is available at: <http://www.apgml.org/documents/search-results.aspx?keywords=philippines>.

### **AML LEGAL, POLICY, AND REGULATORY DEFICIENCIES**

In the wake of a recent controversy regarding a German company, which lost \$2.21 billion in a scam involving fake documents from Philippine banks, the AMLC reiterated the need to amend the *Bank Secrecy Act* to close certain loopholes that make money laundering difficult to investigate. The act treats all bank deposits as absolutely confidential, with limited exceptions. The AMLC has very limited authority and relies on other agencies to investigate predicate crimes. However, those agencies do not have authority to obtain bank records.

The AMLC proposed several legislative amendments to treat tax crimes as money laundering predicate crimes, include real estate developers and brokers as covered persons, and expand the investigative powers of the AMLC by providing subpoena and contempt authority.

### **ENFORCEMENT/IMPLEMENTATION ISSUES AND COMMENTS**

From January to December 2020, AMLC filed 79 cases in civil and criminal courts, including three petitions for asset forfeiture. The recent passage of the *Anti-Terrorism Act of 2020* may facilitate the adjudication of money laundering cases. The AMLC used this law in December 2020 to execute a freeze order on suspected terrorist accounts.

Challenges for the AMLC include lack of asset forfeiture training, insufficient law enforcement resources, and lack of a holistic approach in investigating financial crimes.

The AMLC is working to strengthen international and interagency cooperation through information sharing and capacity building to facilitate the efficient investigation and prosecution of money laundering, terrorist financing, smuggling, and graft and corruption.

## **Russian Federation**

### **OVERVIEW**

Russia has developed a robust AML/CFT legal framework with the Russian Financial Monitoring Service (FMS), the FIU, at its center. Corruption, misappropriation and embezzlement of public funds, tax evasion, fraud, and drug trafficking generate significant proceeds. There is a large shadow economy approaching 13 percent of the Russian GDP, according to the latest estimates by the Federal Statistics Service. Although cash in circulation as a percentage of total money supply has declined from a historical peak of 43 percent on November 1, 1998, to 21.6 percent on September 1, 2020, there was a 23.7 percent surge in the value of cash in circulation in January-September, largely related to COVID-19 restrictions. Financial flows from illicit activity linked to Russia have threatened weak financial institutions in neighboring countries; however, they also make their way to global financial centers, often through opaque shell companies.

The total amount of funds moved offshore through Russian commercial banks via suspicious transactions declined 72.2 percent year-on-year in the first half of the year to approximately \$259.5 million, down from approximately \$474.4 million in the same period in 2019, according to the Central Bank of Russia (CBR). Although Russia has made some progress on AML, various investigations have alleged the existence of schemes designed to launder billions of dollars out of Russia.

### **VULNERABILITIES AND MONEY LAUNDERING METHODOLOGIES**

Official corruption at all levels of government constitutes one of the largest sources of laundered funds. Russia is also a transit and destination country for international narcotics traffickers,

particularly from Afghanistan. Cybercrime remains a significant problem, and Russian hackers and organized crime structures continue to work together. Criminals launder funds through banks, hawala networks, real estate, industrial entities, and luxury goods.

Although Russia has encouraged domestic development of blockchain-based technologies, the Russian government does not have a consistent position on the regulation of virtual currency.

There is a large migrant worker population in Russia. Many remittances are sent through an informal value transfer system that may pose vulnerabilities for money laundering. Gaming is only allowed in specified regions. The FIU monitors casinos for AML/CFT compliance, while other agencies supervise other parts of the gaming sector. Online gaming is prohibited.

### **KEY AML LAWS AND REGULATIONS**

Russia's AML laws and regulations include the *Federal Law on Combating Money Laundering and Terrorist Financing* and numerous accompanying regulatory acts. Money laundering is criminalized in the *Criminal Code of the Russian Federation*. The criminal procedural code provides a comprehensive set of rules, including those permitting international cooperation on money laundering investigations; and the *Code on Administrative Offenses* contains civil penalties for violations of AML requirements. Russia has KYC and STR requirements in place. Russia conducted its first comprehensive money laundering NRA in 2018 and adopted an AML action plan.

The United States and Russia are parties to a bilateral MLAT.

Russia is a member of the FATF and two FATF-style regional bodies, MONEYVAL and the EAG. Its most recent MER is available at: <http://www.fatf-gafi.org/countries/n-r/russianfederation/documents/mer-russian-federation-2019.html>.

### **AML LEGAL, POLICY, AND REGULATORY DEFICIENCIES**

The Finance Ministry unveiled the Comprehensive Russian Anti-Sanctions Plan in 2018 to mitigate the impact of Western sanctions through various measures, including suspension of disclosure requirements.

There is no corporate criminal liability in Russia. A bill providing for such liability has been stalled in the Duma since 2015. Currently, any breach of AML requirements is an administrative offense subject to a fine imposed on executives and companies in question or to a suspension of corporate activities for up to 90 days. At the end of 2018, the FMS drafted two amendments to the Russian *Code of Administrative Offenses* to significantly increase administrative fines levied on corporations for violation of Russia's AML/CFT legislation. The amendments have not yet been submitted to the State Duma.

Financial institutions are required to conduct EDD on their relationships with some PEPs, but the national list is appointment-based, not based on key functions, and close associates of PEPs are



not covered. Trusts cannot be created under Russian law, but Russians can be trustees and beneficiaries of trusts with little oversight.

Russia's cash declaration system is only applicable at the external borders of the Eurasian Economic Union (EAEU), meaning currency can move undeclared across Russia's borders within EAEU borders.

### **ENFORCEMENT/IMPLEMENTATION ISSUES AND COMMENTS**

In addition to the FMS, the enforcement aspect of financial investigations in Russia is conducted by the Financial Investigations Divisions of the Federal Security Service and the Ministry of Internal Affairs. Normally, these entities work closely with the FMS to develop actionable intelligence pertaining to drug trafficking and criminal and terrorist organizations utilizing Russian financial networks in order to facilitate their criminal enterprises.

In 2019, the FMS prevented the laundering of approximately \$3.1 billion through the Russian banking sector and recovered approximately \$463 million in corruption proceeds. The CBR revoked 31 credit institution licenses in 2019 and 15 bank licenses as of September 1, 2020.

## **St. Kitts and Nevis**

### **OVERVIEW**

St. Kitts and Nevis is a federation composed of two islands in the Eastern Caribbean. Its economy is reliant on tourism, its economic citizenship program, and the offshore sector. St. Kitts and Nevis is making progress in its AML regime.

The Financial Services Regulatory Commission (FSRC) (St. Kitts Branch) is responsible for the licensing, regulation, and supervision of the non-bank financial sector in St. Kitts. As of September 2019, the regulated entities supervised by the St. Kitts Branch are two insurance managers, 48 trust and service providers, 16 domestic insurance companies, 11 MSBs, four credit unions, and one development bank. There is no recent information on the number of IBCs, limited liability companies, or trusts in Saint Kitts.

The FSRC (Nevis Branch) licenses, regulates, and supervises covered persons and entities in Nevis that conduct fiduciary and international financial services businesses. As of September 2019, the Nevis Branch supervised 16 insurance managers, two international banks, 53 registered agents/service providers, three international insurance brokers, five MSBs, and 234 international insurance companies. FSRC Nevis statistical bulletins reflect the establishment of 765 IBCs, 464 LLCs, 88 trusts, and 11 foundations from January through November 2020.

### **VULNERABILITIES AND MONEY LAUNDERING METHODOLOGIES**

Drug trafficking and fraud are identified as the primary sources of illicit funds. According to a Joint Intelligence Office and Caribbean Customs Law Enforcement Council (CCLEC) activity

report, the money laundering risk in the country is high and the movement of cash in the region is high. Current trends indicate illegal cash moves across the region predominantly by air travel. Bearer shares are authorized and must be held by approved custodians. Specific identifying information must be maintained on bearer certificates.

Individuals are eligible for citizenship by investment (CBI) with a minimum real estate investment of \$200,000-\$400,000 for each main applicant, or through a \$150,000 contribution to the Sustainable Growth Fund. Applicants must make a source of funds declaration with supporting evidence. International contractors conduct due diligence on applicants. To strengthen this process, regulations were approved to collect biometric data on all CBI applicants. An applicant who has provided false information, has a criminal record, is the subject of a criminal investigation, and/or is involved in nefarious activity, shall not be approved for citizenship. Applicants from North Korea, Iran, and Afghanistan are prohibited. With some exceptions, an expedited 60-day accelerated application process is available. Applicants can obtain citizenship for themselves, a spouse, dependent children up to 30 years old, and dependent parents aged 55 or older. Canada requires visas for St. Kitts and Nevis passport holders due to security concerns with some CBI passport holders.

There are approximately 14 entities licensed under the *St. Christopher and Nevis Betting and Gaming (Control) Act*. While the gaming board is responsible for the general oversight of gaming in St. Kitts and Nevis, the FSRC has limited responsibilities for AML/CFT supervision of casinos.

### **KEY AML LAWS AND REGULATIONS**

AML legislation is at the federation level and covers both St. Kitts and Nevis, giving each island the authority to organize its own financial structure and procedures. St. Kitts and Nevis has KYC and STR regulations and EDD for PEPs.

The *Customs Act No. 19 of 2014* was amended to include bearer negotiable instruments in the definition of goods.

St. Kitts and Nevis has an MLAT with the United States. The Royal St. Kitts and Nevis Police (RSCNPF) has provided police to police assistance to U.S. law enforcement agencies and other Caribbean jurisdictions.

St. Kitts and Nevis is a member of the CFATF, a FATF-style regional body. Its most recent MER is available at: <https://www.cfatf-gafic.org/documents/cfatf-mutual-evaluation-reports/saint-kitts-and-nevis-1>.

### **AML LEGAL, POLICY, AND REGULATORY DEFICIENCIES**

International experts have recommended improvement in the following areas: ensuring information is available in a timely fashion on all owners, partners, and beneficial owners of a partnership or company; and ensuring the availability of accounting information for such entities.

Nevis can form an IBC or LLC in less than 24 hours, and bearer shares are allowed, though discouraged. Strict secrecy and confidentiality laws cover IBCs and trusts.

### **ENFORCEMENT/IMPLEMENTATION ISSUES AND COMMENTS**

The St. Kitts and Nevis National AML/CFT Committee is charged with issuing operational guidelines to agencies, engaging public/private stakeholders, and developing policies and guidelines to maintain the AML/CFT regime.

There were no money laundering convictions in 2020; however, seven people were arrested and charged with money laundering offenses. These cases are pending.

In 2020, the RSCNPF continued to increase staff and pursue relevant training.

The St. Kitts and Nevis Customs and Excise Department (CED) continues to work closely with other border agencies and on regional levels to identify and detect illegal transfers of cash into/out of the country. A risk-based approach is applied to courier shipments. From mid-November 2019 to October 2020, the CED investigated 14 major cases, most of which involved the illegal importation of hashish and cannabis. Five cases are pending trial and two cases resulted in convictions. The illicit drugs seized in these cases had a street value of \$273,234 (\$738,415 Eastern Caribbean dollars). Most of the seized drugs were imported via air through courier services from the United States. The CED also took part in two joint operations with the RSCNPF and the immigration department involving the smuggling of illegal immigrants into the country. The CED is a member of the CCLEC.

## **St. Lucia**

### **OVERVIEW**

St. Lucia's main source of revenue is tourism. St. Lucia made some progress on its AML regime.

### **VULNERABILITIES AND MONEY LAUNDERING METHODOLOGIES**

St. Lucia reports the narcotics trade is the primary source of illicit funds. St. Lucia's geographic location and porous borders increase its risk of drug money laundering. Money laundering most commonly occurs through structured deposits and currency exchanges or cash real estate transactions. St. Lucia identifies jewelry dealers, legal services, and NPOs as additional sectors vulnerable to money laundering activity.

St. Lucia's Financial Services Regulatory Authority (FSRA) listed the following regulated entities on its website: 25 insurance companies, 16 credit unions, 12 international banks, 33 international insurance companies, and 13 MSBs. The FSRA's 2018 Annual Report indicates there were 3,812 IBCs incorporated on St. Lucia and 40 international trusts as of yearend 2017.

IBCs can be incorporated in one day and nominee directors are allowed. Amendments to the *International Business Company Act* and regulations in 2018 and 2019 provide that any IBC

incorporated as of January 1, 2019, or later will be considered a “resident” company, able to do business with residents, no longer exempt from taxes, and required to file an annual tax return based on unaudited financial statements. Additionally, IBCs must maintain registers of beneficial owners, notification must be provided of any changes in beneficial ownership within a “reasonable” time period, and the register should be available to competent authorities. IBCs incorporated before December 31, 2018, will continue to be treated under the old law until June 20, 2021.

St. Lucia also amended its *International Trusts Act* (ITA) on December 12, 2018, to add a similar beneficial ownership register requirement and to allow competent authorities access to the register and other trust documents. On December 31, 2018, the government passed the *International Trust (Repeal) Act*, which will repeal the ITA as of June 30, 2021.

There is one FTZ operating in Vieux Fort.

St. Lucia’s citizenship by investment program, launched in 2015, is the region’s newest program. An individual can apply for St. Lucian citizenship through a minimum donation to the National Economic Fund of \$100,000 per applicant, \$165,000 for an applicant and spouse, or \$190,000 for a family of up to four people. Other options include a \$300,000 minimum purchase in real estate; a \$3.5 million investment for an individual, or \$6 million for more than one applicant, in an approved enterprise project; or a government bond minimum purchase of \$500,000 for an individual, \$535,000 for an applicant and spouse, or \$550,000 for a family of up to four people. Applicants must apply through a government-approved local agent. An in-person interview is not required. Applicants must make a source of funds declaration and provide evidence supporting the declaration. International firms perform due diligence checks on applicants. The government established a Citizenship by Investment Unit to manage the screening and application process. Applicants can obtain citizenship for dependent children up to 25 years old, disabled children of any age, and dependent parents.

## **KEY AML LAWS AND REGULATIONS**

The key AML laws in St. Lucia are the *Money Laundering (Prevention) Act of St. Lucia* (MLPA), the *Money Laundering (Prevention) Regulation of St. Lucia*, and the *Proceeds of Crimes Act of St. Lucia* (POCA). The MLPA creates money laundering offenses and provides for the forfeiture of property connected to the money laundering.

The MLPA and its regulations mandate reporting entities undertake the appropriate KYC, record keeping, and CDD measures. Reporting entities are also mandated to conduct EDD for high-risk customer categories, including PEPs. *MLPA Regulation 170* stipulates covered institutions are required to maintain all relevant records on the identity and transactions of their customers, both locally and internationally, for seven years, or longer if required by the FSRA.

The MLPA makes it an offense to make a false source of funds declaration of approximately \$9,250 and above. A violation carries a penalty of approximately \$18,500 or five years’ imprisonment. There is a draft amendment to the MLPA to effectively remove the monetary threshold.

St. Lucia has KYC and STR regulations and EDD for PEPs. The Eastern Caribbean Central Bank regulates onshore commercial banks in St. Lucia.

There is an MLAT between the governments of St. Lucia and the United States. For drug investigations, illicit proceeds records may be shared informally through FIU and law enforcement channels. However, for judicial proceedings, the provisions stipulated in the MLAT are used.

St. Lucia is a member of the CFATF, a FATF-style regional body. Its most recent MER is available at: <http://www.fatf-gafi.org/countries/s-t/saintlucia/documents/mutualevaluationofsaintlucia.html>.

### **AML LEGAL, POLICY, AND REGULATORY DEFICIENCIES**

St. Lucia is generally in technical compliance with international standards.

### **ENFORCEMENT/IMPLEMENTATION ISSUES AND COMMENTS**

One money laundering charge was brought in 2020 in the amount of approximately \$144,750. In 2020, St. Lucia had three cash seizures with a total value of approximately \$65,450 and one forfeiture with a value of approximately \$70,650. Cash seizures and forfeiture were done pursuant to the POCA and the proceedings are civil in nature.

## **St. Vincent and the Grenadines**

### **OVERVIEW**

Saint Vincent and the Grenadines continues to make progress with its AML regime. The FIU has a good reputation in the Eastern Caribbean and cooperates with the United States regularly. Saint Vincent and the Grenadines addresses money laundering challenges through annual FIU training of financial institution compliance officers. The core training objectives are to identify the common trends and typologies relating to money laundering vulnerabilities.

St. Vincent and the Grenadines' economy is dependent on tourism and its offshore financial services sector. There are no FTZs or economic citizenship programs. Gaming is legal, but there are no casinos in operation. As of year-end 2019, the FIU reports there are three international banks, five international insurance companies, 24 domestic insurance companies, 16 insurance agents, six credit unions, 15 registered agents, 53 mutual funds, two MSBs, 4,284 IBCs, 70 international trusts, 153 limited liability companies, and 27 pension plans. IBCs can be incorporated in less than 24 hours from receipt of application.

### **VULNERABILITIES AND MONEY LAUNDERING METHODOLOGIES**

Physical presence is not required for offshore sector entities and businesses, with the exception of offshore banks. Resident nominee directors are not mandatory except when an IBC is formed to carry on banking business. Bearer shares are permitted for IBCs, but not for IBCs conducting banking functions. The government requires registration and custody of bearer share certificates by a registered agent who must also keep a record of each bearer certificate issued or deposited in its custody.

Saint Vincent and the Grenadines reports that drug trafficking, in particular marijuana, is the main source of illicit funds. The country is the Eastern Caribbean's leading producer of marijuana, and narcotics are transferred to speedboats at beaches on the leeward side or on uninhabited Grenadine islands. Couriers carry money through the airport, ports, or other points of entry. Sometimes money remitters are used.

The country has made efforts against drug trafficking by imposing strict penalties. It is also engaged with the regional security system to coordinate border control issues and is developing its Coast Guard to patrol the coastline. In December 2018, parliament passed legislation legalizing cultivation and use of marijuana for medicinal purposes.

### **KEY AML LAWS AND REGULATIONS**

Saint Vincent and the Grenadines has comprehensive AML legislation and regulations, including the 2017 *Proceeds of Crime (Amendment) Act* (POCAA) and the 2017 *Anti-Money Laundering Terrorist Financing Code*.

Saint Vincent and the Grenadines initiated the following legislative improvements in 2020.

The *Consumer Protection Act No. 12 of 2020* protects consumer interests and establishes a department responsible for consumer affairs. It also prohibits Ponzi schemes and gives the consumer affairs department the authority to cooperate and share information on Ponzi schemes with the police and the FIU. Promoting, operating, or participating in pyramid schemes is punishable by a fine of up to \$3,700 and up to two years' imprisonment.

In 2020, the supervisory department of the FIU started risk-based assessments of non-regulated financial service providers (NRSPs) and DNFBPs. The FIU published updated guidance and offered follow-on training.

In 2020, the FIU signed MOUs with the Commerce and Intellectual Property Office, the Ministry of Trade, and the Inland Revenue Department. The MOUs' objectives are to ensure the sharing of information to facilitate registration and proper supervision of the NRSPs.

The government uses its *Mutual Assistance in Criminal Matters Act* to share information with the United States.

Saint Vincent and the Grenadines is a member of the CFATF, a FATF-style regional body. Its most recent MER is available at: <https://www.cfatf-gafic.org/documents/cfatf-mutual-evaluation-reports/saint-vincent-and-the-grenadines-1>.

**AML LEGAL, POLICY, AND REGULATORY DEFICIENCIES**

There is no legislation governing the registration of the NRSP sector. In light of this deficiency, Saint Vincent and the Grenadines drafted AML/CFT regulations for NRSPs. The FIU will commence regulatory oversight upon passage of the updated legislation.

Virtual assets are not addressed under the current AML legal and regulatory framework. The government plans to amend the definition of cash in the POCAA to include virtual assets as well as the virtual asset service providers under the regulations. St. Vincent and the Grenadines should become a party to the UNCAC.

**ENFORCEMENT/IMPLEMENTATION ISSUES AND COMMENTS**

The St. Vincent and the Grenadines Financial Services Authority is the mandated regulatory body for the offshore financial sector, and the FIU is the supervisory authority for DNFBPs.

Saint Vincent and the Grenadines increased interagency cooperation among the FIU, the Office of the Director of Public Prosecutions, the Director of Public Prosecution, the Royal Saint Vincent and the Grenadines Police Force, the Coast Guard, Immigration, and Customs and Excise Department to strengthen relationships among AML stakeholders.

In May 2020, Saint Vincent and the Grenadines launched AMLive, a web-based e-reporting tool and case management solution now utilized by a wide variety of institutions as a digital component of their internal reporting procedures. This is expected to enhance reporting and enable law enforcement to access an improved data set of SARs.

For 2020, Saint Vincent and the Grenadines reported four persons were charged with money laundering. One person was convicted; the other cases remain pending in court.

## **Senegal**

**OVERVIEW**

Senegal's strategic coastal location makes it a regional business center for Francophone West Africa. Illicit proceeds are derived from both domestic and foreign crimes.

Senegal is exposed to risks from organized crime, drug trafficking, internet and other fraud, and a large informal, cash-based sector. Major sources of illicit proceeds include narcotics, human trafficking, illegal trade in wildlife and timber, counterfeiting, and public corruption.

Senegal has strengthened its legal and institutional framework in recent years by adopting legislative and regulatory texts relating to the fight against money laundering, terrorist financing and related offenses, partially addressing identified gaps. However, the provisions of the laws have yet to be fully implemented. The government should do so without delay.

Analysis shows weaknesses in the following areas: lack of specialization among law enforcement officials, prosecutors, and judges in handling complex financial crime investigations; lack of accurate data on AML/CFT efforts and related risks; the absence of a non-conviction-based forfeiture law; weak awareness-raising programs for stakeholders; efficient implementation of a sanctions regime; and the need for improved legislation on the management and disposal of seized property and asset recovery.

### **VULNERABILITIES AND MONEY LAUNDERING METHODOLOGIES**

Senegal's strategic location supports the development of trade routes for illicit goods and funds. Corruption and drug trafficking are the most likely sources of laundered proceeds. Other predicate offenses include illicit trade in artisanal mining, car theft, smuggling, and counterfeiting, including counterfeit pharmaceuticals. According to law enforcement reports, the banking, real estate, and DNFBP sectors along with cross-border movement of funds seem to be the laundering channels most frequently used by financial criminals.

Widespread use of cash, hawaladars, and new payment methods present money laundering vulnerabilities. Mobile payment systems are gaining prominence. However, resource constraints prevent effective AML/CFT supervision of these entities.

Touba is an autonomous municipality under the jurisdiction of the Mouride religious brotherhood. As the center of a worldwide network of Mouride communities, Touba is the destination for a significant portion of remittances. A mobile payment system recorded remittances of \$2 million per day shortly after opening a new service for Touba. These facts, combined with the national government's limited authority in the city, make Touba vulnerable to money laundering.

### **KEY AML LAWS AND REGULATIONS**

With the adoption of Decree No. 201-1499, Senegal has strengthened its domestic AML/CFT policy by expanding the Coordinating Committee to include other stakeholders. The Committee, in its new composition, has developed and validated a work plan for 2020 and a five-year national strategy paper (2019-2024). However, implementation of the 2020 work plan was constrained by the onset of the COVID-19 pandemic.

Senegal has developed a manual for the effective implementation of AML/CFT supervisory obligations in the microfinance sector. This AML inspection manual aims to provide a suitable tool for risk-based supervision to better monitor and control the operations of the microfinance sector. A draft decree to extend new supervision standards to NGOs is also currently under consideration.

The United States and Senegal do not have a bilateral MLAT or an extradition treaty. Mutual legal assistance can and does occur through multilateral law enforcement conventions with applicable provisions or based on domestic law.



Senegal is a member of the GIABA, a FATF-style regional body. Its most recent MER is available at: <http://www.giaba.org/reports/mutual-evaluation/Senegal.html>.

### **AML LEGAL, POLICY, AND REGULATORY DEFICIENCIES**

Remaining AML/CFT shortcomings include deficiencies in the full criminalization of terrorist financing, weaknesses in the forfeiture regime, an inadequate criminal code, and the lack of a dedicated asset recovery agency.

Other outstanding deficiencies focus principally on people and entities providing money or value transfer services, including insurance companies, NGOs, and traditional financial networks.

These people/services are not required to be licensed or registered with any competent authority, are not subject to dissuasive sanctions for operating without a license or registration; and may rely on agents who are not involved in AML/CFT programs or monitored for compliance.

### **ENFORCEMENT/IMPLEMENTATION ISSUES AND COMMENTS**

Senegal's legal framework is largely in place albeit with some weaknesses. Opacity and the inability to trace certain transactions adversely impact the implementation of AML/CFT measures. Furthermore, the country suffers from a lack of data on money laundering, terrorist financing, and related risks. Although a mechanism has been put in place to give effect to measures permitting assets to be frozen, enforcement is still lacking.

Guidance on money laundering/terrorist financing risks provided by supervisory institutions to reporting entities remains insufficient. Improving banking and non-banking supervision is therefore an obvious and much needed way to strengthen AML/CFT systems in Senegal. Corrective measures and proportionate sanctions that help to change behaviors and deter noncompliance should be consistently applied.

## **Sint Maarten**

### **OVERVIEW**

Sint Maarten is a semi-autonomous country within the Kingdom of the Netherlands (Kingdom). The Kingdom retains responsibility for foreign policy and defense, including entering into international conventions, with approval of the local parliament. Sint Maarten has been recognized by the OECD as a jurisdiction that has implemented international tax standards. The law enforcement MOU between the four Kingdom countries and the United States includes Sint Maarten.

On November 27, 2019, the CFATF issued a public statement asking its members to consider the risks arising from the deficiencies in Sint Maarten's AML/CFT regime. On July 28, 2020, the CFATF recognized Sint Maarten's considerable efforts in addressing these risks and withdrew its call to members.

## **VULNERABILITIES AND MONEY LAUNDERING METHODOLOGIES**

Sint Maarten has 13 officially licensed casinos serving a population of approximately 40,000 persons, up to 30,000 temporary residents, and the nearly two million tourists who visited annually before the COVID-19 pandemic. Some gaming houses have reputations as money laundering centers, albeit not so much for the criminal money of customers, but more for the owners and their contacts. Online gaming is legal.

Sint Maarten has offshore banks and companies. Traditionally, money laundering occurs through business investments and international tax shelters. Sint Maarten's favorable investment climate and rapid economic growth over the last few decades drew wealthy investors to the island to invest in large-scale real estate developments, including hotels and casinos. Hurricane Irma in 2017 destroyed many of those real estate developments. The government of Sint Maarten continues to rebuild key infrastructure with relief money from the Netherlands administered by the World Bank.

## **KEY AML LAWS AND REGULATIONS**

The reporting institutions obligated to report unusual transactions are investment administrators, credit institutions, investment funds, providers of management services, credit card companies and credit institutions, insurers and insurance brokers, money remitting companies, and the Central Bank of Curaçao and Sint Maarten. The DNFBPs obligated to report are car dealers, jewelers, real estate agencies, lawyers, notaries, tax consultants, accountants, administration offices, and the gaming industry. The gaming industry includes games of hazard, casinos, lotteries, and offshore (internet) gaming entities. The transaction reporting threshold of \$14,000 covers cash, precious metals, jewelry, and rare objects of high value.

The Kingdom may extend international conventions to the semi-autonomous countries. The Kingdom extended to Sint Maarten the application of the 1988 UN Drug Convention in 1999 and the UNTOC in 2010. With the Kingdom's agreement, each semi-autonomous entity can be assigned a status of its own within international or regional organizations subject to the organization's agreement. The individual countries may conclude MOUs in areas in which they have autonomy, if these MOUs do not infringe on the foreign policy of the Kingdom. Sint Maarten is a member of the OECD Global Forum on Transparency and Exchange of Information for Tax Purposes.

Sint Maarten is a member of the CFATF, a FATF-style regional body. Its most recent MER is available at: <https://www.cfatf-gafic.org/index.php/documents/cfatf-mutual-evaluation-reports/sint-maarten-1>.

## **AML LEGAL, POLICY, AND REGULATORY DEFICIENCIES**

Sint Maarten has yet to pass and implement legislation to regulate and supervise its casino, lottery, and online gaming sectors in compliance with international standards. In addition, the threshold for conducting CDD in the casino sector does not comply with international standards.

The UNCAC has not yet been extended to Sint Maarten. International regulations on combatting money laundering and the financing of terrorism activities have met resistance from politicians.

### **ENFORCEMENT/IMPLEMENTATION ISSUES AND COMMENTS**

The *National Ordinance Reporting Unusual Transactions* has an “unusual transaction” reporting system. Covered entities are required to file unusual transaction reports (UTRs) with the FIU on any transaction that appears unusual or when there is reason to believe a transaction relates to money laundering. If, after analysis of a UTR, a strong suspicion of money laundering arises, those suspicious transactions are reported to the public prosecutor’s office.

The 1981 MLAT between the Kingdom of the Netherlands and the United States applies to Sint Maarten and is regularly used by U.S. and Sint Maarten law enforcement agencies for international drug trafficking and money laundering investigations. The 2004 U.S.-Netherlands Mutual Legal Assistance Agreement, incorporating specific U.S.-EU provisions, was not extended to Sint Maarten.

The harbor of Sint Maarten is well known for its cruise terminal, one of the largest in the Caribbean islands. The seaport and airport are still recovering from the aftermath of Hurricane Irma. Larger container ships dock their containers at the container facility, where they are picked up by regional feeders to supply the smaller, surrounding islands. Customs and law enforcement authorities are alert for regional smuggling, TBML, and value transfer schemes.

In November 2020, the public prosecutor settled with three money laundering suspects for \$200,000.

## **Spain**

### **OVERVIEW**

Spain proactively identifies, assesses, and understands its money laundering vulnerabilities and works to mitigate risks. The country remains a logistical hotspot for organized crime groups based in Africa, Latin America, and the former Soviet Union and is a transshipment point for illicit drugs entering Europe from North Africa and South America. Spain largely complies with international AML standards and, in general, has updated AML regulations and competent authorities.

The government continues to build on its already strong measures to combat money laundering. In November 2019, Spain joined five other EU member states to call for the establishment of a new supervisory authority to lead the bloc’s AML efforts as well as updated AML regulations. In May 2020, this effort culminated in the EC’s adoption of an action plan for a comprehensive EU policy on preventing money laundering and terrorism financing to be implemented by early 2021.

## **VULNERABILITIES AND MONEY LAUNDERING METHODOLOGIES**

Spain is a transshipment point for the cross-border illicit flow of drugs. Moroccan hashish and Latin American cocaine enter the country and are distributed and sold throughout Europe, with the resulting proceeds often returned to Spain. Passengers traveling between Spain and Latin America reportedly smuggle sizeable sums of bulk cash in both directions. Informal money transfer services also facilitate cash transfers between Spain and Latin America, particularly Colombia. Law enforcement authorities have identified a trend of drugs and drug proceeds entering Spain from newer EU member states with weaker law enforcement capabilities. The major sources of criminal proceeds are drug trafficking, political influence and foreign corruption, organized crime, customs fraud, human trafficking, and counterfeit goods. The most common means of laundering money are through real estate purchases and sales, the use of complex networks of companies and contracts, the exploitation of MVTs, and the use of cash couriers. Illicit proceeds are primarily invested in real estate in the coastal areas in the south and east of Spain, but criminal groups also place money in other sectors, including services, communications, automobiles, artwork, and the financial sector.

## **KEY AML LAWS AND REGULATIONS**

Spain is largely compliant with international AML/CFT standards. Spain's current AML/CFT law entered into force in 2010. All associated implementing regulations entered into force in 2014. The country has comprehensive KYC and STR regulations, and PEPs are subject to EDD.

Spain is a member of the FATF. Its most recent MER is available at: <http://www.fatf-gafi.org/publications/mutualevaluations/documents/fuar-spain-2019.html>.

## **AML LEGAL, POLICY, AND REGULATORY DEFICIENCIES**

Regulations issued by Spain in 2017 add to the information included by, and available to, financial institutions when processing wire transfers. However, Spain can do more to encourage NGOs to use regulated financial channels. Additionally, despite improvements in oversight in recent years, full enforcement of AML obligations for legal professionals remains a challenge for Spanish authorities.

Information about AML fines in Spain are not made available to the public.

## **ENFORCEMENT/IMPLEMENTATION ISSUES AND COMMENTS**

Spain actively investigates money laundering. In May 2020, the Spanish National Police (SNP) arrested 11 cybercriminals and was investigating five others for charges of money laundering, fraud, and belonging to a criminal organization. After dismantling this organization, the SNP detected 150 bank accounts that had been used to defraud businesses across the United States, Italy, the Czech Republic, the Netherlands, Lebanon, and China. The organization used a complex network of intermediaries and carveouts to hide the origin of money obtained by criminal means (primarily phishing and social engineering) and to obscure the final recipients of the funds.

Spain actively prosecutes money laundering cases, including those involving third-party money laundering, self-laundering, and laundering the proceeds of both domestic and foreign predicate offenses. Spain has had success disabling criminal enterprises and organized criminal groups by identifying and shutting down their complex money laundering networks of national and international companies. However, the relatively low level of sanctions (terms of imprisonment and periods of disbarment) imposed for money laundering offenses is a weakness, as is the judicial system's limited capacity to handle complex money laundering cases in a timely fashion.

## Suriname

### **OVERVIEW**

Money laundering in Suriname is linked to criminal activity related to the transshipment of cocaine, primarily to Europe. Casinos, real estate, foreign exchange companies, car dealerships, and the construction sector remain vulnerable to money laundering due to lax enforcement, though Suriname's FIU has increased its engagement with DNFBPs. Public corruption also contributes to money laundering. Profits from small-scale gold mining fuel a thriving informal sector. Much of this money does not pass through the formal banking system. In Suriname's interior regions, bartering with gold is common.

### **VULNERABILITIES AND MONEY LAUNDERING METHODOLOGIES**

Money laundering may occur in the formal financial sector, though there is no evidence the sector facilitates the movement of currency from illegal drug sales in the United States. An approximately \$23 million cash shipment by the Central Bank of Suriname was confiscated by Dutch authorities in 2018. In December 2019, a Dutch court ruled that the Central Bank of Suriname enjoyed state immunity, and the money shipment was unlawfully confiscated. Dutch prosecutors appealed the decision on the suspicion that the cash shipments – which belonged to three Surinamese banks – were connected to money laundering. The three banks have filed a grievance.

Local banks have instituted rules on identifying the source of large cash deposits and limiting deposits of high-denomination currency. Exchange houses have begun enforcing proof of identity. Banks are promoting wire transactions and have introduced mobile services. Suriname's current domestic financial crisis may contribute to money laundering, as local banks cannot meet the U.S. dollar needs of their customers, and cash withdrawals are limited. As a consequence, many Surinamers do not deposit their U.S. dollars in banks. While Suriname depreciated its currency in September 2020, there is still a gap between the official exchange rate and the unofficial parallel rate. This places unknown sums of cash outside of formal financial institutions.

Suriname has online gaming.

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## **KEY AML LAWS AND REGULATIONS**

Suriname has an adequate legal framework for AML enforcement, but amendments need to be made to comply with international standards. Suriname did not pass or amend AML legislation in 2020. KYC and STR requirements cover banks and credit unions; asset managers; securities brokers and dealers; insurance agents and companies; currency brokers, remitters, and exchanges; auditors, accountants, and notaries; lawyers; real estate agents; dealers in gold or other precious metals and stones; gaming entities and lotteries; and motor vehicle dealers.

Suriname is a member of the CFATF, a FATF-style regional body. Its most recent MER is available at: <https://www.cfatf-gafic.org/index.php/member-countries/suriname>.

## **AML LEGAL, POLICY, AND REGULATORY DEFICIENCIES**

Suriname has yet to complete an NRA, although one is underway.

Suriname has requirements for enhanced due diligence procedures for foreign, but not domestic, PEPs.

Supervision of DNFBPs remains limited. The FIU has continued outreach activities to, registration, and inspections of DNFBPs. The FIU is developing further technical skills with donor assistance. Suriname is not a member of the Egmont group.

The government staffed the gaming board, but there is still little effective supervision of the large casino sector.

The Government of Suriname is not party to the UNCAC.

## **ENFORCEMENT/IMPLEMENTATION ISSUES AND COMMENTS**

In January 2020, then-central bank governor Robert van Trikt stepped down amid allegations of wrongdoing. On February 6, 2020, he was arrested for violations of the *Money Laundering Act*. On April 23, 2020, the attorney general submitted a request to the national assembly to start the process of charging then-finance minister Gillmore Hoefdraad for activities related to the Van Trikt case. By Surinamese law, the national assembly must vote to allow an investigation of a current or former officeholder. The national assembly voted against the attorney general's request. On July 20, 2020, following national elections, the attorney general submitted a new request, which the new national assembly approved. As of November 2020, Hoefdraad's whereabouts were unclear. On August 11, 2020, Hoefdraad's lawyers filed an injunction against the State of Suriname, the national assembly, and the Attorney General's Office. There are four other people in custody related to the Van Trikt case and Interpol arrest warrants out on three individuals - including the former minister of finance.

## Tajikistan

### **OVERVIEW**

Money laundering in Tajikistan is associated with criminal activities, such as corruption, bribery, embezzlement, and drug trafficking. Tajikistan is a transit country for Afghan opiates smuggled to Russia, Belarus, and some European countries via the so-called “northern route.”

Tajikistan has made significant efforts to improve its AML/CFT regime to reduce the risk for money laundering and terrorist financing.

### **VULNERABILITIES AND MONEY LAUNDERING METHODOLOGIES**

Tajikistan shares an 835-mile border with Afghanistan, one of the world’s leading illicit opium producers. Most drug seizures along the Northern Route in Central Asia occur in Tajikistan. It is widely assumed drug trafficking is a major source of funds to be laundered.

Tajikistan’s location also makes it susceptible to terrorism and terrorist financing. According to the National Bank of Tajikistan (NBT), in the first nine months of 2020, there were four criminal cases related to terrorist financing in Tajikistan and one related to money laundering. Corruption and bribery may also be major sources of criminal funds. Remittances and trade with countries vulnerable to terrorist financing increase the risk and likelihood of money laundering in Tajikistan.

Criminal groups most likely launder illicit proceeds through Tajikistan’s banking sector. Real estate transactions and company equity shares also may serve as mechanisms for laundering money.

There are four established free economic zones in Tajikistan: Sughd, Panj, Dangara, and Ishkashim. These free economic zones focus on manufacturing, and it is unclear what, if any, role the zones play in national or international money laundering.

### **KEY AML LAWS AND REGULATIONS**

Tajikistan has in place an AML/CFT legal framework. In 2018, a presidential decree approved the National AML/CFT/proliferation financing (AML/CFT/PF) Concept 2018-2025. The Tajik government has amended laws related to AML/CFT to comply with international standards and implemented recommendations made by international experts. The Tajik government’s AML/CFT legal framework and concept paper mandate reforms by key agencies to prevent money laundering, but implementation is mixed. The leading agency for combating money laundering is the Anti-Corruption Agency. The Drug Control Agency under the President of the Republic of Tajikistan is responsible for combating drug-related money laundering.

Tajikistan is a member of the EAG, a FATF-style regional body. Its most recent MER is available at: <https://www.fatf-gafi.org/media/fatf/documents/reports/mer-fsrb/Mutual-Evaluation-Report-Republic-Tajikistan-2018.pdf>.

## **AML LEGAL, POLICY, AND REGULATORY DEFICIENCIES**

Oversight measures introduced to comply with legal requirements for AML/CFT exposed some technical shortcomings. The existing process for STRs still needs enhancements. For example, most credit institutions have automated the process for detecting suspicious transactions, but the overwhelming number of the questioned transactions were deemed remittance transfers or trade operations with countries rated as high-risk for terrorist financing. Tajik financial institutions require additional training and technological resources to identify suspicious transactions. Furthermore, the Tajik government could improve AML/CFT oversight of banking NPOs to prevent money laundering.

## **ENFORCEMENT/IMPLEMENTATION ISSUES AND COMMENTS**

All Tajik law enforcement agencies (the Ministry of Internal Affairs, the Anti-Corruption Agency, the Drug Control Agency, the State Committee for National Security, and the Prosecutor General's Office) are involved in detecting and investigating money laundering. The level and quality of cooperation and coordination among these agencies could be improved through training, information sharing, and the establishment of multi-agency task forces.

Money laundering crimes are usually prosecuted as an additional element of a criminal case. It is difficult to assess the effectiveness of money laundering investigations. Pervasive corruption, which serves as both a source of illicit funds and a mechanism to prevent investigations, poses a challenge for AML efforts. While training and other resources are needed to combat money laundering, Tajikistan also requires a comprehensive strategy to reduce corruption in the country.

# **Tanzania**

## **OVERVIEW**

Tanzania has introduced several laws to address money laundering and terrorism financing. Zanzibar now recognizes the FIU as the national center for the receipt, analysis, and dissemination to law enforcement agencies of STRs.

Tanzania is vulnerable to money laundering and financial crimes due to its underdeveloped financial sector and limited capacity to address such criminal activity. Criminal activities with nexuses to money laundering include transnational organized crime, tax evasion, corruption, smuggling, trade invoice manipulation, illicit trade in drugs and counterfeit goods, wildlife trafficking, and terrorism. There continue to be high-profile arrests for money laundering; however, few cases result in convictions. During the last 18 months, the Government of Tanzania has leveraged money laundering laws to jail journalists, activists, and others without bail. The use of these laws for political purposes dilutes their efficacy in combating real crime. On September 22, 2019, President Magufuli called for “amnesty” for those accused of money laundering and other economic crimes, in exchange for a guilty plea and fines. Tanzania should commit to enforce money laundering laws in an even and transparent manner, and build



capacities among key stakeholders in the financial, law enforcement, customs, tax collection, and judicial sectors.

## **VULNERABILITIES AND MONEY LAUNDERING METHODOLOGIES**

Tanzania's large, porous borders and geographic position present challenges in combating financial crimes. The vast majority of Tanzanians work in the informal sector, and thus use cash-based, informal, and nontraditional financial systems. Over the past three years, the Tanzania Revenue Authority (TRA) dramatically increased efforts to collect taxes, often using aggressive tactics and levying arbitrary fines. This has motivated businesses and individuals, especially international traders, to transfer more money outside the formal financial system to avoid taxation. Criminals employ these same methods to move money.

Cross-border trade in used-cars, auto parts, clothing, cosmetics, and smuggled cigarettes and foodstuffs are of particular concern, along with illegal trade in precious minerals and stones. Furthermore, front companies, hawaladars, and currency exchanges are used to launder funds, particularly in Zanzibar. Tanzania's two international seaports and other smaller ports create opportunities for TBML.

Foreign investment in the tourism sector in Zanzibar and real estate in both mainland Tanzania and Zanzibar are also used for money laundering. In April 2019, Tanzania published its NRA (dated December 2016) on money laundering and terrorist financing covering the period of 2010-2015; the report identifies these same sectors as high-risk.

## **KEY AML LAWS AND REGULATIONS**

The government issued new regulations pertaining to money laundering and financial crime in 2019. The *Anti-Money Laundering (Amendment) Regulations of 2019* introduce stricter STR requirements, KYC identity document requirements, requirements to carry out money laundering and terrorist financing risk assessments, comprehensive CDD, and increased fines for noncompliance. Zanzibar has its own *Anti-Money Laundering and Proceeds of Crime Act* and regulations. Both the mainland and Zanzibar have KYC and STR regulations, which also carry strict noncompliance penalties.

The June 2019 *Foreign Exchange Regulations* tighten supervision of foreign exchange bureaus and make it more difficult to obtain a license. The *Miscellaneous Amendments Bill No. 7*, passed in November 2019, includes an amendment to the *Prevention of Terrorism Act* that enables authorities to make regulations on the prohibition of terrorism financing.

Other relevant legislation and regulations include the *Criminal Procedure Act*; *Economic and Organized Crime Control Act*; *Mutual Legal Assistance in Criminal Matters Act*; and *Proceeds of Crime Act*. The law allows mutual legal assistance requests and enforcement of foreign forfeiture orders but not asset sharing.

Tanzania does not have a formal records-exchange mechanism in place with the United States. However, ongoing cooperation takes place through the Egmont Group.

Tanzania is a member of the ESAAMLG, a FATF-style regional body. Its most recent MER is available at: [https://www.esaamlg.org/index.php/Countries/readmore\\_members/Tanzania](https://www.esaamlg.org/index.php/Countries/readmore_members/Tanzania).

### **AML LEGAL, POLICY, AND REGULATORY DEFICIENCIES**

Tanzania has strengthened its AML regulations, yet deficiencies remain. Policy coordination within the government and consultation with the private sector and stakeholders is weak. Additionally, authorities still have failed to address problems related to non-conviction-based forfeiture. Regulations provide for a risk-based approach to KYC and CDD requirements; however, this approach has not yet been adopted and implemented. Improvements to legal frameworks addressing financing terrorism and weapons of mass destruction, TBML, mobile money, and cryptocurrencies are necessary.

Tanzania's track record of responding to requests for mutual legal assistance is poor. Requests from the United States have been pending for over two years; other older cases have been closed following no response from the Tanzanian government.

### **ENFORCEMENT/IMPLEMENTATION ISSUES AND COMMENTS**

Tanzania has limited capacity to implement money laundering laws and to supervise the banking sector. Tanzania should increase awareness of money laundering issues within the financial, law enforcement, and judicial sectors and allocate the necessary human, technical, and financial resources to update and implement a national AML strategy. Tanzanian authorities must ensure existing AML laws and regulations are enforced and applied in the spirit in which they are intended, not as a political tool, but with a focus on convicting criminals engaged in money laundering and financial crimes.

## **Thailand**

### **OVERVIEW**

Thailand is emerging as a logistics and financial hub within Southeast Asia. The country's porous borders and uneven law enforcement make it vulnerable to money laundering, drug trafficking, and other categories of transnational crime. Thailand is a source, transit, and destination country for illicit smuggling and trafficking in persons, a production and distribution center for counterfeit consumer goods, and a center for the production and sale of fraudulent travel documents. The proceeds of illegal gaming, official corruption, underground lotteries, and prostitution are laundered through the country's informal financial channels.

### **VULNERABILITIES AND MONEY LAUNDERING METHODOLOGIES**

Funds from various illegal industries are transported across Thailand's four land borders and through airports and seaports. Money launderers and traffickers use banks, non-bank financial institutions, and businesses to move the proceeds of criminal enterprises. Unlicensed and

unregulated hawala brokers serve Middle Eastern travelers by transferring money through their own honor-based channels rather than formal financial instruments. Unregulated Thai and Chinese remittance systems are also prevalent.

### **KEY AML LAWS AND REGULATIONS**

Thailand's *Anti-Money Laundering Act* (AMLA) has been amended several times since its initial passage in 1999, broadening the overall scope of criminal liability and increasing powers to conduct investigations and make seizures. Tax offenses, terrorism, and proliferation are money laundering predicate offenses.

AMLA Section 22 includes KYC and STR requirements. The Anti-Money Laundering Office (AMLO) acts as the country's FIU. It is responsible for supervision of all reporting entities and is the key AML/CFT enforcement agency. Financial institutions are required to keep customer identification and financial transaction data for five years from termination of relationship. They must also keep due diligence records for ten years. Penalties for violating reporting requirements can include potential asset seizure.

On August 12, 2020, AMLO issued updated CDD regulations CDD that refine definitions and clarify CDD processes to simplify compliance with international AML standards. On June 15, 2020, the government held public hearings on proposed amendments to the AMLA and the CFT act to cover financial technology service providers and simplify appeals of designations.

Thailand has varying reporting requirements for the import and export of currency. At airports, foreign or Thai Baht currency or other negotiable monetary instruments with aggregate values exceeding approximately \$15,000 must be declared to customs. Approval from the Bank of Thailand is required to take Thai currency (cash) in amounts exceeding approximately \$1,700 out of the country. The threshold is higher, at approximately \$61,500, for Thai currency destined for Cambodia, Laos, Burma, Vietnam, Malaysia, and China's Yunnan province. For fund transfers to commercial banks, foreign (non-Thai) currency can be transferred into Thailand without limit. However, the deposit must be transferred into an authorized bank and either be exchanged into Thai baht or held in a foreign currency account. Any person purchasing, selling, depositing, or withdrawing foreign currencies from an authorized bank in the amount of \$50,000 or above is required to report the transaction.

In March 2018, Thailand issued the Digital Asset Business Decree to regulate the offering of digital assets and bring the operations of crypto and other digital exchanges and intermediaries under the supervision of the Thai Securities and Exchange Commission (SEC). The royal decree covers cryptocurrencies, digital tokens, and any other electronic data unit, as specified by the SEC. Exchanges, brokers, and dealers are required to apply for licenses from the Finance Ministry, and the SEC must approve initial coin offering portals.

The United States and Thailand have a bilateral MLAT in place. Thailand actively shares information with international partners, including the United States, through the Egmont Group process.

Thailand is a member of the APG, a FATF-style regional body. Its most recent MER is available at: <http://www.apgml.org/documents/search-results.aspx?keywords=thailand>.

### **AML LEGAL, POLICY, AND REGULATORY DEFICIENCIES**

Thailand has numerous unlicensed, unregulated informal remittance systems. The AMLA's compliance regime should be applied more strictly to these MSBs to deter their use as money laundering vehicles.

### **ENFORCEMENT/IMPLEMENTATION ISSUES AND COMMENTS**

Operationally, Thai government authorities continue to utilize the AML regime to focus on nonconviction-based asset seizure and forfeiture, as well as criminal enforcement. The AMLO is effective in fighting money laundering and can operate in conjunction with, or independently from, other law enforcement bodies. The AMLO has exercised its authority to seize assets in a number of suspected human trafficking cases. From January to October 2020, there were 90 prosecutions and 124 convictions. In 2019, there were 208 prosecution and 245 convictions.

Thailand has some difficulty sharing information with jurisdictions that require separate MOUs outside of the Egmont Group.

## **Trinidad and Tobago**

### **OVERVIEW**

Trinidad and Tobago's geographic location in the southern Caribbean, developed financial systems, and use by criminal organizations as a transshipment point for narcotics and other illicit goods make it vulnerable to money laundering.

In 2020, Trinidad and Tobago made progress toward strengthening its AML regime, including strengthening its legislative framework and investigating and prosecuting suspected cases of money laundering. While continuing to improve, Trinidad and Tobago still has deficiencies in its AML regime that need to be addressed.

Despite some progress on judicial reform, existing vulnerabilities related to the country's slow judicial system, prevalence of drug trafficking, corruption, and illegal gaming are reasons for concern. Sustained political will, continued legislative and institutional reforms, including full implementation of laws and regulations, and adequate resources to detect, investigate, and prosecute money laundering-related offenses are needed to ensure the proper enforcement of Trinidad and Tobago's AML regime.

### **VULNERABILITIES AND MONEY LAUNDERING METHODOLOGIES**

Due to the country's proximity to Venezuela and its position as a regional hub for commercial air and shipping, criminal organizations use Trinidad and Tobago for the transshipment of narcotics

and other illicit goods, creating significant monetary flows through the country. The country's relative wealth and well-developed financial sector increase the risk of money laundering. Along with proceeds from illicit trafficking, fraud, tax evasion, corruption, and illegal gaming are among the most common sources of laundered funds. There are indications that persons commingle funds between personal and business accounts or use remittance services, gaming institutions, and commercial and retail businesses to launder funds.

In August 2020, authorities warned of the growing prevalence of pyramid schemes in the country and urged citizens to exercise caution. Authorities note that such schemes are potential avenues for money laundering activity. Public casinos and online gaming are illegal but there are numerous illegal gambling enterprises operating in the country. Illegal lotteries are also widespread and by some measures have a larger market share than the state lottery.

Trinidad and Tobago does not have an offshore banking sector nor an economic citizenship program. Trinidad has FTZs but the companies operating within FTZs account for a modest portion of total exports.

### **KEY AML LAWS AND REGULATIONS**

Trinidad and Tobago has comprehensive CDD and STR regulations and requires enhanced due diligence for PEPs.

In 2019, Trinidad and Tobago passed legislation to allow for non-conviction-based asset recovery and "unexplained wealth" orders. The law is currently subject to an appellate court review, but the government can enforce the provisions of the law pending the review process. In August, the attorney general announced the Trinidad and Tobago police are investigating several matters pursuant to the new civil asset forfeiture law.

Trinidad and Tobago is party to an MLAT with the United States. In 2019, the government issued a regulation to prioritize all requests for mutual legal assistance.

Trinidad and Tobago is a member of the CFATF, a FATF-style regional body. Its most recent MER is available at: <https://www.cfatf-gafic.org/member-countries/trinidad-and-tobago>.

### **AML LEGAL, POLICY, AND REGULATORY DEFICIENCIES**

Criminal prosecutions take years, sometimes over a decade, to be resolved, and successful prosecutions of money laundering cases, while increasing, are still rare. The lack of timely prosecutions has a corrosive impact on AML efforts and encourages others to engage in financial crimes.

The government is undertaking reforms aimed at speeding up the lengthy judicial process, which in the long term may lead to increased prosecutions of serious crimes, including money laundering. In recent years, the government has passed several laws, including the introduction in 2019 of plea bargaining and judge-only trials, created new courts, and increased usage of technology in the court system. While the government has been slow to utilize the plea

bargaining provisions, technological improvements, including the installation of donor-funded case management software, has increased efficiency in the judicial system.

The Trinidad and Tobago government may reintroduce legislation to regulate the gaming industry during the current legislative year. A previous bill to regulate the gaming industry was introduced in 2016 but failed to gain support in parliament.

### **ENFORCEMENT/IMPLEMENTATION ISSUES AND COMMENTS**

In 2017, Trinidad and Tobago made a high-level political commitment to strengthen the effectiveness of its AML regime and adopted an action plan to address identified deficiencies. In 2020, Trinidad and Tobago continued to make progress on its action plan, subject to the sustained implementation of reforms. In 2020, the government's Financial Investigations Branch opened three investigations resulting in 66 total charges related to money laundering. Nonetheless, Trinidad and Tobago still has deficiencies in its AML regime and proper implementation of reforms to counter money laundering will take time, sustained political will, and resources.

## **Turkey**

### **OVERVIEW**

Turkey's strategic location between Europe and Asia, its significant trade with both continents and with the United States, and its commercial relationships and geographical proximity to politically turbulent and undemocratic countries complicate Turkey's efforts to combat illicit finance. Recent conflicts on Turkey's southern border have aggravated those threats. Turkey is a hub for licensed and unlicensed money remitters, many of which serve the approximately 4 million refugees in Turkey. Turkey's AML/CFT legislation is in line with international standards; however, Turkey continues to have few effective money laundering prosecutions and forfeiture actions. Most forfeiture actions are focused on suspected followers of U.S. resident Fethullah Gulen, a group the Government of Turkey has designated a terrorist organization.

### **VULNERABILITIES AND MONEY LAUNDERING METHODOLOGIES**

Turkey is part of the Balkan route used to smuggle illegal opiates from Afghanistan into Europe and a corridor for smuggling and trafficking migrants out of Syria and Iran. The NRA identifies drug trafficking, migrant smuggling, human trafficking, and fuel smuggling as the crimes that pose the highest money laundering risk. Turkey is a destination for illicit proceeds from cyber fraud perpetrated in the United States. In 2019, Halkbank, a majority state-owned bank, was indicted in the United States on charges of fraud, money laundering, and participation in a multibillion-dollar scheme to evade U.S. sanctions on Iran.

Front companies and shell companies are misused to disguise illicit proceeds as legitimate income. Unlicensed money remitters move bulk cash and use their bank accounts to move illicit proceeds through the financial system. Additionally, virtual currency remains insufficiently

regulated and supervised. As of January 1, 2020, the Central Bank of the Republic of Turkey (CBRT) licenses and supervises payment service providers and electronic money institutions.

Turkey is a hub for the proliferation and trafficking of sensitive technologies and weapons due to its proximity to countries attempting to circumvent international laws. Many traffickers of such items can establish financial institution accounts because of inadequate CDD procedures.

Turkey lacks the legislation or methodologies to effectively combat money laundering through casinos linked to northern Cyprus. U.S. law enforcement has tracked increasing amounts of illicit proceeds flowing from Istanbul to the “Turkish Republic of Northern Cyprus,” a state only Turkey recognizes, and back into financial institutions in Turkey. Turkish law enforcement acknowledges the legislative gap and its inability to combat illicit money movement through casinos.

### **KEY AML LAWS AND REGULATIONS**

Turkey’s criminalization of money laundering and legal authority for asset forfeiture are mostly in line with international standards. Turkish legislation mandates CDD and STR reporting.

The Financial Crimes Investigation Board (MASAK), the Turkish FIU, is the AML regulatory and supervisory authority. MASAK mainly relies on the prudential regulatory and supervisory authorities for onsite examinations.

Turkey is a member of the FATF. Its most recent MER is available at: <http://www.fatf-gafi.org/media/fatf/documents/reports/mer4/Mutual-Evaluation-Report-Turkey-2019.pdf>.

### **AML LEGAL, POLICY, AND REGULATORY DEFICIENCIES**

Turkey needs to address the lack of policy and program coordination. There is no centralized government AML policy to be implemented across all stakeholders using a risk-based approach. Instead, the government embeds its AML approach in interagency national strategy policy papers and action plans on selected topics.

Turkey’s 2018 money laundering NRA is not publicly available. Its conclusions have been shared with financial institutions and DNFBPs through workshops, and the government uses it to develop and refine AML strategies and policies.

Many financial institutions apply KYC procedures insufficiently. Although there is no explicit obligation for EDD when doing business with foreign or domestic PEPs, financial institutions are required to implement EDD for high-risk groups, and MASAK reports most financial institutions regard PEPs as high-risk. Trusts do not exist in Turkey. There is no CDD guidance for financial institutions dealing with professional trustees providing services to foreign trusts and arrangements.

Turkey’s 120,000 NPOs are not regularly audited for money laundering activity and do not receive adequate AML guidance. The government determined the 747 riskiest NPOs and has

subjected them to increased auditing. Foreign NPOs are now subject to yearly audits. In 2020, the government increased AML outreach and training for auditors and NPOs.

Turkey does not have asset sharing provisions as part of its forfeiture laws.

### **ENFORCEMENT/IMPLEMENTATION ISSUES AND COMMENTS**

Turkey lacks the capacity to effectively identify, investigate, and successfully prosecute money laundering. Since 2013, the number of money laundering prosecutions and convictions has been disproportionate to the volumes of filed STRs and predicate crime investigations. Through 2019, roughly 365,000 STRs resulted in 11 money laundering convictions, and almost 290,000 criminal investigations of predicate crimes resulted in less than 50 money laundering convictions. MASAK reports there were 203,786 STRs in 2019. In 2019, there were a total of 220 prosecutions.

The U.S. DEA, in 2020, provided information to Turkish law enforcement to enable them to pursue potential drug trafficking or money laundering investigations in Turkey on their own or jointly with DEA. Turkish law enforcement authorities were not receptive to U.S. government efforts to work with Turkey to open investigations.

Turkey and the United States have a Customs Mutual Assistance Agreement. U.S. Homeland Security Investigations (HSI) established partnerships with both the Turkish National Police and the Ministry of Trade's Customs Enforcement, enabling the interdiction of narcotics originating from Central and South America. Turkish law enforcement is cooperative with HSI, engages in coordinated investigations, and proactively seeks assistance from the United States in these matters.

## **Turkmenistan**

### **OVERVIEW**

Turkmenistan is not a regional financial center and is relatively isolated from the global financial system. Apart from the Central Bank of Turkmenistan, there are eight domestic banking institutions. Among the largest domestic banks are Dayhanbank, which services the agriculture sector; Halk Bank, which manages private savings; Turkmenbashy Bank, which finances industrial infrastructure; and the State Bank for Foreign Economic Relations, which services major state- and privately-owned enterprises, including from the oil and gas sector. Three foreign commercial banks have operations in Turkmenistan: Turkmen-Turkish Joint Stock Commercial Bank, National Bank of Pakistan, and Saderat Bank of Iran. Deutsche Bank and Commerzbank also have representative offices in Turkmenistan and provide bank guarantees to companies; they do not offer retail banking services.

The country's significant mineral and hydrocarbon exports are paid for through offshore accounts with little public scrutiny or accounting. Since the Government of Turkmenistan



introduced numerous limitations on foreign currency exchange in 2016, converting local currency (manat) into foreign currency has become very difficult.

### **VULNERABILITIES AND MONEY LAUNDERING METHODOLOGIES**

Given Turkmenistan's shared borders with Afghanistan and Iran, money laundering in the country could involve proceeds from the trafficking and trade of illicit narcotics, as well as those derived from domestic criminal activities, including corruption. Although there is no available information on cash smuggling, gasoline, tobacco products, and other commodities are routinely smuggled across the borders.

Much of Turkmen wealth is kept offshore. The government reportedly is working to address this issue. In 2007, Turkmenistan created the Awaza Tourist Zone (ATZ) to promote development of its Caspian Sea coast. Amendments to the tax code exempt construction and installation of tourist facilities in the ATZ from value added tax (VAT). Various services offered at tourist facilities, including catering and accommodations, are also VAT-exempt.

### **KEY AML LAWS AND REGULATIONS**

Over the last few years, the government has taken positive steps to combat money laundering and corruption. On June 2, 2017, the president created the State Service for Combating Economic Crimes (SSCEC) to analyze corruption and investigate and prevent crimes involving financial damage to the state, although its level of effectiveness remains in question. On January 25, 2019, in order to better combat economic crimes and strengthen law enforcement agencies, President Berdymukhamedov signed a decree on the merger of the SSCEC with the Ministry of Internal Affairs. This organization is joined by the Financial Monitoring Service (FMS) within the Ministry of Finance and Economy. Formed in October 2018, the FMS is the FIU and the competent authority for the prevention of money laundering and terrorism financing. The government also continues to pursue international cooperation to curb offshore tax evasion.

On August 18, 2015, the Turkmen Parliament adopted an AML/CFT law that came into effect on January 1, 2016. The law addresses international cooperation and deficiencies regarding due diligence procedures for DNFBPs and PEPs, among other items. Turkmenistan has KYC and STR regulations.

The United States does not have an MLAT with Turkmenistan.

Turkmenistan is a member of the EAG, a FATF-style regional body. Turkmenistan's most recent MER is available at: <https://eurasiangroup.org/en/mutual-evaluation-reports>.

### **AML LEGAL, POLICY, AND REGULATORY DEFICIENCIES**

Lack of transparency, storage of wealth offshore, corruption, and a lack of investigative capacity all impact the supervision and regulation of financial institutions and the implementation of AML laws and regulations in Turkmenistan. Serious enforcement efforts are necessary to

combat money laundering, and the government should accelerate reforms that will make Turkmenistan's AML regime compliant with international standards.

### **ENFORCEMENT/IMPLEMENTATION ISSUES AND COMMENTS**

Turkmenistan's Inter-Agency Coordination Working Committee for Combating Money Laundering and Terrorism Financing operates under the Ministry of Finance. The lack of government transparency makes it extremely difficult to get information on money laundering, and there were no reports of prosecutions or convictions for money laundering in 2019.

Turkmenistan's legal system provides protection and exemption from liability for financial institutions filing STRs with the Financial Monitoring Service of Turkmenistan, the FIU, and sets limitations on the disclosure of information financial institutions obtain in performing their AML obligations.

In 2020, donors conducted seminars in Ashgabat for law enforcement agencies, supervisory bodies, and other relevant government and non-government agencies. The seminars focused on mutual evaluations and compliance with international standards, countering terrorism finance, thwarting money laundering schemes, and suspicious transaction analysis and financial investigation. There is a continued need for capacity building for law enforcement, customs, and border authorities to enable them to better recognize and combat money laundering.

## **Ukraine**

### **OVERVIEW**

Money laundering remains a significant problem in Ukraine. The 2020 enactment of a new AML law provides some hope for improvement by enhancing the ability of regulators to detect and prevent financial crimes.

Public corruption is the primary source of laundered funds. Ineffective state institutions allow criminal proceeds to go undetected. Launderers register as ultimate beneficial owners (UBOs) under aliases to avoid detection and integrate laundered money into legal businesses. Authorities still rarely target large-scale corruption-related money laundering operations.

The National Anti-Corruption Bureau of Ukraine (NABU) and the Specialized Anti-Corruption Prosecutor's Office (SAPO) prosecute money laundering offenses as a mechanism for pursuing corruption. However, legal maneuvers supported by entrenched interests jeopardize the independence and functionality of Ukraine's anticorruption infrastructure and affect its AML/CFT efforts. In August 2020, the Constitutional Court of Ukraine (CCU) determined provisions of the law establishing the NABU to be unconstitutional. In October 2020, the CCU blocked prosecutions for illicit enrichment and halted the processing of public officials' asset declarations.

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**VULNERABILITIES AND MONEY LAUNDERING METHODOLOGIES**

Ukraine remains a transit country for drugs and other contraband trafficked to western and central Europe. Transnational organized crime syndicates launder illicit profits in Ukraine. Ukraine's large shadow economy and heavy reliance on cash represent significant vulnerabilities. Corruption enables and exacerbates money laundering.

Sources of illicit proceeds include tax evasion; fraud; trafficking in drugs, arms, and persons; prostitution; and cybercrime. Illicit proceeds are laundered through real estate, insurance, financial and non-financial institutions, fictitious enterprises, gaming establishments, and bulk cash smuggling.

The State Financial Monitoring Service (SFMS), Ukraine's FIU, submitted referrals to law enforcement related to the use of non-resident companies, inflated asset purchase prices, embezzlement at state-owned enterprises, tax evasion, and terrorism/separatism financing.

**KEY AML LAWS AND REGULATIONS**

Ukraine has a sufficient legal framework for prosecution of money laundering and cooperation with international partners. The SFMS monitors AML/CFT efforts and is capable of generating high-quality financial intelligence.

On April 28, 2020, a new AML law came into force, bringing Ukraine's AML/CFT framework in line with EU legislation. It mandates a risk-based approach, strengthens CDD, sets the CTR reporting threshold at approximately \$14,100, improves disclosure of beneficial owners, adds new rules for PEPs, and significantly increases fines for failure to identify financial operations subject to financial monitoring.

On July 14, 2020, parliament passed the *Law on Gambling*, legalizing gaming in Ukraine after an 11-year ban.

The National Bank of Ukraine (NBU) performs AML/CFT compliance monitoring and surveillance of Ukraine's banking system. Inspections follow a risk-based approach. The Asset Recovery Management Agency (ARMA) finds, traces, and manages assets derived from corruption and other crimes.

Ukrainian authorities exchange information on investigations of financial crimes with international partners through the SFMS. Ukraine and the United States also have a bilateral MLAT. The United States and Ukraine do not have a bilateral extradition treaty.

Ukraine is a member of MONEYVAL, a FATF-style regional body. Its most recent MER is available at: <http://www.fatf-gafi.org/publications/mutualevaluations/documents/mer-ukraine-2017.html>.

**AML LEGAL, POLICY, AND REGULATORY DEFICIENCIES**

Ukraine improved its criminal provisions regarding terrorism financing and sanctions for noncompliance with AML/CFT legislation. International experts noted Ukraine needs to improve its financial sanctions related to terrorism and proliferation, regulation and supervision of DNFBPs, and maintenance of AML/CFT statistics. The SFMS recommended to the Cabinet of Ministers of Ukraine improvements in the regulation of virtual asset transactions, real estate brokerages, and foreign trusts; registries of banking accounts and safe deposit boxes; and in the inspection of UBOs.

ARMA continues to experience serious challenges, especially in managing complex assets. A comprehensive asset tracking system should be an urgent priority.

Supervisory authorities, other than banking and securities regulators, often appear unable or unwilling to verify whether covered entities are beneficially owned or controlled by criminal elements or their associates. Significant improvements are required on the part of non-bank supervisory authorities, including the Stock Exchange Commission and Ministries of Justice, Finance, and Digitalization. Improved AML regulation is also necessary for non-bank institutions.

**ENFORCEMENT/IMPLEMENTATION ISSUES AND COMMENTS**

Ukraine has made significant progress in addressing regulatory gaps involving financial institutions but limited progress in addressing other identified technical compliance deficiencies.

Ukraine should address fictitious entrepreneurship, the shadow economy, and the relatively high reliance on cash, all of which are considered significant money laundering risks. The government also needs to address cross-border risks and risks posed by NPOs and legal persons.

The SFMS published Ukraine's second money laundering/terrorist financing NRA in December 2019, as well as new guidelines for reporting entities. Ukraine is working to implement an action plan to improve the effectiveness of the national financial monitoring system.

While the NABU and SAPO are taking actions against current senior PEPs for corruption, more successful prosecutions in cases involving high-level corruption and theft of state assets are needed. External pressures, such as the recent CCU decisions, pose a more fundamental threat to Ukraine's anticorruption institutional architecture.

According to the office of the General Prosecutor, in the first nine months of 2020, 268 allegations of money laundering were reported. The state judicial administration reported 134 registered cases and 16 convictions for money laundering crimes in 2019. In 2020, NABU reported 17 investigations for money laundering. In addition, six criminal cases were sent to the High Anti-Corruption Court (HACC). The HACC has not considered any money laundering cases since it began operation in September 2019.

## United Arab Emirates

### OVERVIEW

The United Arab Emirates (UAE) is a regional hub for trade and financial activity that has aggressively expanded its financial services business. Illicit actors may take advantage of the open business environment and global transportation links. Additionally, the overlapping yet distinct jurisdictional regimes for supervision and enforcement across the seven emirates and disparate commercial and financial free zones create exposure to regulatory arbitrage.

In recent years, the government has taken steps to enhance its AML/CFT program. Relevant authorities need to streamline internal mechanisms to improve the interagency decision-making process, enhance efforts to investigate money laundering and terrorist financing, and proactively implement and enforce related laws.

### VULNERABILITIES AND MONEY LAUNDERING METHODOLOGIES

The UAE is a transshipment point for illegal narcotics and a pass-through for drug proceeds. Funds are laundered primarily through banks, MVTS, dealers in precious metals and stones, and real estate. The numerous exchange houses, hawaladars, and general trading companies increase potential for bulk cash smuggling, TBML, abuse of corporate structures, and the laundering of proceeds of foreign predicates.

Domestic public corruption contributes little, if anything, to money laundering.

The UAE has an extensive offshore sector, including two financial free zones (FFZs) and more than 37 FTZs. The FTZs host over 5,000 multinational companies and thousands more individual trading companies. FTZ companies are considered offshore for legal purposes. Though UAE law prohibits shell companies and trusts, FTZs present a significant gap in regulatory oversight. FTZs benefit from special tax, customs, and import regimes and are governed by their own regulatory framework. FTZs are often a permissive environment for unidentified or under-supervised entities, such as general trading companies, to operate. Because the FFZs and FTZs are independently regulated, the UAE's federal authorities exercise limited oversight over these jurisdictions.

### KEY AML LAWS, REGULATIONS

In April 2020, the chairmanship of the National Committee for Combating Money Laundering and the Financing of Terrorism and Illegal Organizations (NAMLCFTC) was taken over by the new governor of the Central Bank of the UAE (CBUAE). AML/CFT efforts are further guided and coordinated by the higher committee overseeing the National Strategy for AML/CFT.

In 2020, UAE authorities issued several new AML/CFT regulations. The UAE Securities and Commodities Authority issued *Circular 1 (2020)* to financial service companies and commodities exchanges covering procedures for freezing and unfreezing assets and requirements relative to UNSCRs and locally-designated individuals. The UAE Insurance Authority issued

*Resolution 19 (2020)* to provide guidance to insurance companies and related professions on the proper submission of required information and reports. The resolution also requires companies to establish AML/CFT compliance officers and policies and to submit periodic self-evaluation reports. The UAE Council of Ministers issued *Resolution 58 (2020)* requiring declaration of beneficial ownership, shareholder disclosure, and timely updating of ownership information. The resolution applies to all legal persons, including those within the FTZs, that meet stated control thresholds but does not cover companies incorporated in FFZs or companies owned by the local or federal government or their subsidiaries.

The UAE does not have a bilateral MLAT or extradition treaty with the United States. However, the UAE is a party to several multilateral law enforcement conventions with mutual legal assistance provisions.

The UAE is a member of the MENAFATF, a FATF-style regional body. Its most recent MER is available at: <http://www.fatf-gafi.org/countries/u-z/unitedarabemirates/documents/mer-uae-2020.html>.

### **AML LEGAL, POLICY, AND REGULATORY DEFICIENCIES**

The UAE's role as an international financial center and commercial hub and its fragmented and uneven federal regulatory and enforcement regime present systemic vulnerabilities. These vulnerabilities are most apparent throughout the vast exchange house sector, hawala networks, and unlicensed money transmitters, often operating under the guise of general trading companies. These areas should be more tightly regulated under a centralized framework.

The UAE could strengthen oversight by publicly releasing metrics on money laundering and terrorist financing prosecutions and convictions. International experts have criticized the UAE's implementation of AML/CFT safeguards, particularly with respect to international cooperation, legal persons and arrangements, money laundering prosecution and conviction, and proliferation-related targeted financial sanctions.

The UAE's FIU lacks specialized expertise and sufficient staff, undermining its mission to monitor STRs.

### **ENFORCEMENT/IMPLEMENTATION ISSUES AND COMMENTS**

In 2020, the CBUAE mandated hawaladars and informal money transfer service providers formally register with CBUAE in accordance with AML/CFT regulations. CBUAE indicated legal action will be taken, including financial penalties and imprisonment, against hawala providers who fail to register their applications within 90 days.

UAE authorities arrested individuals involved in cyber fraud valued at \$435.6 million; sentenced an accountant to prison and fined him \$81,700 for abetting in money laundering; temporarily suspended 200 law firms and issued fines for failure to appoint AML/CFT compliance officers and complete AML/CFT questionnaires; and imposed financial penalties on two exchange houses for weak compliance with AML/CFT regulations.

In September 2020, the NAMLCFTC, in collaboration with the Federal Authority for Nuclear Regulation, launched case-management software intended to integrate and aggregate information regarding the financing and proliferation of weapons of mass destruction across federal and local authorities, facilitating timely communication and action. The platform should improve monitoring and investigative capacity.

Resources for the FIU should be increased. Law enforcement at the emirate level and the federal security services should enhance their enforcement efforts. Proactively developing money laundering cases and establishing appropriate asset forfeiture procedures would strengthen the local enforcement regime. Additionally, officials should conduct more inquiries into large, cross-border cash flows.

## United Kingdom

### **OVERVIEW**

The UK is a global leader in combating illicit finance. Money laundering presents a risk to the UK because of the size, sophistication, and reputation of its financial system. UK law enforcement combats cash-based money laundering, the drug trade, and high-end money laundering through the financial sector and professional services. The country continues to deliver its economic crime plan, including public and private sector reform. The UK should strengthen the capabilities of the FIU, reduce inconsistencies in the supervisory regime, and increase its international reach to tackle money laundering.

### **VULNERABILITIES AND MONEY LAUNDERING METHODOLOGIES**

Cash-based and high-end money laundering remain the greatest areas of risk to the UK. The main methods of laundering are cash collection networks, international controllers, and money services businesses. Criminals often use professional services to disguise the origins of funds, using legal, accountancy, and company service providers to set up corporate structures for laundering purposes.

Intelligence gaps persist, particularly regarding high-end money laundering, where proceeds are held in complex trading arrangements, real estate, or other non-cash investments. Such methods are often used to launder the proceeds of major fraud and foreign corruption. UK law enforcement agencies have taken steps to fill these gaps and better understand the risk.

### **KEY AML LAWS AND REGULATIONS**

The UK updated its money laundering/terrorist financing NRA in 2020.

Money laundering is criminalized and can be considered a component or predicate offense of more serious crime. New tools, such as unexplained wealth orders (UWOs), help identify and recover assets linked to corruption and other serious offenses. The UK has a comprehensive AML regime and participates in multilateral efforts to counter transnational financial crimes.

The UK updated its AML regulations in January 2020 to implement the EU's Fifth Money Laundering Directive. This brought virtual assets, art market participants, and leasing agents under regulation. The *Sanctions and Anti-Money Laundering Act 2018* provides the legislative basis for the UK's sanctions regime once it breaks final ties with the EU at the end of 2020.

The UK has led the push for beneficial ownership transparency and established registers containing information about persons who ultimately own or control UK assets, including companies, properties, land, and trusts. The company register is public and has served as a model, but verification of the information remains a challenge. The UK's Crown Dependencies and permanently inhabited Overseas Territories have committed to adopting publicly accessible company beneficial ownership registers by 2023. The UK exchanges information about potential shell companies suspected of being misused for money laundering purposes with foreign law enforcement and other authorities.

The UK is a member of the FATF. Its most recent MER is available at: <http://www.fatf-gafi.org/media/fatf/documents/reports/mer4/MER-United-Kingdom-2018.pdf>.

### **AML LEGAL, POLICY, AND REGULATORY DEFICIENCIES**

The UK's AML legal framework is strong. International experts have identified areas for improvement, including the FIU's insufficient resources and limited role, weaknesses in suspicious transaction reporting, and correspondent banking measures. Improvements in risk-based supervision and implementation of AML measures within the private sector are needed. The UK's economic crime plan seeks to address these deficiencies.

### **ENFORCEMENT/IMPLEMENTATION ISSUES AND COMMENTS**

There are 25 AML supervisors of financial institutions and DNFBPs in the UK, ranging from public-sector statutory organizations to professional bodies. The UK has a mandatory reporting process for supervisors. The government maintains the Office for Professional Body AML Supervision to share best practices and ensure effective supervision.

In 2019, there were 1,342 prosecutions and 1,044 convictions for money laundering as the primary offense in England and Wales. Statistics for Scotland and Northern Ireland are not available. UK legislation provides for conviction- and non-conviction-based confiscation. The UK maintains a publicly accessible register of company beneficial ownership information. Companies that do not provide information are subject to penalties.

The UK is increasingly employing UWOs to require persons suspected of having links to serious crime and non-European Economic Area PEPs suspected of corruption to explain how they lawfully acquired their assets. Since 2018, UWOs have been obtained in four cases – three cases remain active with an estimated total value of approximately \$193.5 million (£143.2 million) as of March 31, 2020. Notably, in December 2020, the UK supreme court upheld the first UWO issued under the legislation: one to Zamira Hajiyeveva, the wife of a convicted chairman of the Bank of Azerbaijan, who reportedly spent more than \$1 million per year at Harrods over more than a decade.



The National Economic Crime Centre, hosted within the National Crime Agency, was established in 2018 and coordinates the UK's response to economic crime at home and abroad. The multi-agency initiative comprises representatives from a variety of law enforcement and government departments.

The UK has been a leader in multilateral discussions and implementation of international asset recovery efforts involving proceeds of high-level corruption. In July 2019, the United States and UK established the Strategic Dialogue on Illicit Finance to facilitate strategic and operationally focused discussions between the United States and UK on an interagency basis in order to combat money laundering cooperatively.

## **Uzbekistan**

### **OVERVIEW**

Uzbekistan's efforts to implement international AML/CFT standards are hampered by corruption, a lack of interagency cooperation, frequent turnover of personnel, vulnerability to political influence, and insufficient technical expertise. The government's reluctance to share data on prosecutions makes it challenging to evaluate Uzbekistan's AML/CFT progress. Despite improvements in legislation, the general trend is one of stasis.

Recommendations include improving transparency and availability of AML/CFT data, improving technical expertise, using modern software for investigations, improving interagency collaboration, and strengthening working-level cooperation with other countries.

### **VULNERABILITIES AND MONEY LAUNDERING METHODOLOGIES**

Illicit funds in Uzbekistan derive from endemic corruption, smuggling, and drug trafficking. Uzbekistan borders all the Central Asian countries, as well as Afghanistan, and is situated on key trade routes, making the country vulnerable to extremist groups in neighboring countries and the illicit cross-border movement of drugs, goods, and cash.

Government oversight is avoided by hawala-type money transfers, electronic money, and large cash operations. Bulk cash smuggling in foreign currencies occurs mainly on the borders with Kazakhstan and Kyrgyzstan. The government believes large proceeds from tax and customs evasion are laundered through economic activities. The registration of legal entities abroad is used for tax evasion and to conceal the identities of beneficial owners. Illicit proceeds are often transferred to banks in offshore territories, mainly in Latvia and the British Virgin Islands, and then brought back to Uzbekistan under the guise of foreign investment. By law, foreign exchange transactions with 69 offshore territories are monitored, including the British Virgin Islands but not Latvia.

Uzbekistan's cash economy, high import tariffs, excessive bureaucracy, and remittances from migrants abroad pose additional challenges. The securities, banking, and insurance industries

suffer from extensive government regulation and lack advanced technical capacity to combat money laundering.

### **KEY AML LAWS AND REGULATIONS**

Uzbekistan's KYC and STR regulations are reflected in the *Law on Combating Legalization of Proceeds Obtained through Crime and Financing of Terrorism*. In October, the government initiated a new requirement for local banks to report on transfers abroad of more than \$10,000 per month by residents. Tax authorities introduced a more comprehensive monitoring mechanism to facilitate requests for information from taxpayers when suspicious or illegal foreign exchange transactions are detected. The government also passed a new law requiring payment processing services, electronic money platforms, and individuals trading cryptocurrencies to conduct CDD, risk management for money laundering, and the detection of suspicious transactions.

A new anticorruption agency was established in 2020 and is developing anticorruption regulations for public agencies and a system of income and asset declaration for all public servants. In October, the Prosecutor General's Office proposed to amend the criminal code to permit the confiscation of illicit proceeds, money intended to finance extremism/terrorism, and the means used to commit crimes. The State Customs Committee has proposed a draft law granting it authority to access bank information, currently protected by secrecy laws.

The Interdepartmental Commission on Countering the Legalization of Proceeds from Crimes and Terrorism Financing coordinates NRAs, analyzes national policies and practices, and develops recommendations for the further development and strengthening of the national AML system. The commission's activities are aimed at creating an effective mechanism for interaction among government bodies, self-regulatory organizations, and the private sector in countering the legalization of proceeds from crime, terrorist financing, and proliferation financing. The Department for Combating Economic Crimes under the General Prosecutor's Office is a working body of the commission.

Uzbekistan is a member of the EAG, a FATF-style regional body. Its most recent MER is available at:

[https://eurasiangroup.org/files/uploads/files/other\\_docs/ME/01.%20Mutual%20Evaluation%20Report%20on%20AMLCFT%20-%202010.pdf](https://eurasiangroup.org/files/uploads/files/other_docs/ME/01.%20Mutual%20Evaluation%20Report%20on%20AMLCFT%20-%202010.pdf).

### **AML LEGAL, POLICY, AND REGULATORY DEFICIENCIES**

Uzbekistan's KYC and STR laws are not comprehensive and the country lacks regulations on asset recovery and confiscation, anticorruption safeguards for public procurement and the facilitation of payments, conflict of interest avoidance, liability of legal persons, and whistleblower protections. There are requirements for EDD for PEPs based on a 2018 decree, though the requirements are vague and high-level officials often avoid punishment for exceeding their authority or other violations. The investigation of serious cases of public corruption, abuse of power, and money laundering remains rare.

The United States does not have a bilateral MLAT with Uzbekistan, although the latter has expressed an interest in such an agreement. Uzbekistan's MOUs with individual U.S. law enforcement bodies are mostly dormant as are its MOUs on cooperation in countering money laundering with 21 countries.

### **ENFORCEMENT/IMPLEMENTATION ISSUES AND COMMENTS**

The frequent turnover of staff, poor communication among agencies as well as with the financial sector, and the inability or reluctance of law enforcement to conduct investigations hinder the effective implementation of AML/CFT policies. The government's reluctance to share information related to investigations and prosecutions of AML/CFT crimes limits meaningful cooperation with other countries, though the government remains interested in receiving technical training from international donors.

## **Venezuela**

### **OVERVIEW**

Venezuela is characterized by rampant illicit financial activity and endemic public corruption, which continued to worsen throughout 2020. Illegitimate president Nicolás Maduro and his regime rely on illicit activities – money laundering, drug trafficking, illegal mining, fraud, sanctions evasion, and public corruption – to help fund their illegitimate rule.

Venezuela's proximity to drug-producing countries and its status as a significant drug transit country, combined with nonexistent AML supervision, enforcement, and international cooperation, make for a jurisdiction riddled with pervasive money laundering and financial crimes. The economy remains deeply unstable and suffers from periods of severe hyperinflation. The effective dollarization, in practice, of large swaths of the economy raises concerns about the source of those dollars and who has access to them. Liberalizing the use of U.S. dollars in the Venezuelan economy, something which for years had been prohibited, is seen, for now, as the most expedient means of combating currency depreciation.

Ongoing U.S. federal criminal court cases point to billions of dollars laundered and embezzled by regime officials, with several cases advancing in 2020. On March 26, 2020, U.S. federal indictments were unsealed against Maduro and 15 other regime officials for narco-terrorism and corruption. Among these officials, regime supreme court president Maikel Moreno was charged with millions of dollars in money laundering. In a separate indictment unsealed that same day, regime economic vice president Tareck El Aissami and superintendent of cryptocurrency Joselit Ramirez were charged with evasion of sanctions and money laundering. The Department of State Rewards for Justice program issued awards for information pertaining to Maduro (\$15 million), El Aissami (\$10 million), Moreno (\$5 million), and Ramirez (\$5 million), and several other key regime officials. El Aissami was designated pursuant to the Foreign Narcotics Kingpin Designation Act in 2017.

There have been no improvements since FinCEN's 2019 *Updated Advisory on Widespread Public Corruption in Venezuela*, which states the illegitimate Maduro regime engaged in massive corruption through state-owned enterprises and offshore third parties, contributing to the dire humanitarian situation in Venezuela. FinCEN continues to assess that all Venezuelan regime-controlled agencies and bodies appear vulnerable to public corruption, money laundering, and other financial crimes, and the illegitimate Maduro regime uses its control of the economy to generate significant wealth for senior political figures and associates. U.S. Presidential EO 13884, "Blocking Property of the Government of Venezuela," addresses the continued usurpation of power by Maduro and persons affiliated with him as well as human rights abuses and the undermining of the interim government and the legitimately elected Venezuelan national assembly.

### **VULNERABILITIES AND MONEY LAUNDERING METHODOLOGIES**

Money laundering is widespread in Venezuela, including through government currency exchanges, the petroleum industry, illegal mining, government contracts, and to a lesser extent, through commercial banks, gaming, real estate, agriculture, livestock, and securities. TBML remains common and profitable. Press reporting indicates hundreds of millions of dollars of gold and other metals were stolen from Venezuelan reserves and shipped to third countries in an attempt to skirt U.S. financial sanctions. A robust black market continues to function in the porous border regions with Colombia, and to some extent Brazil, via the smuggling of commodities, including food staples and gas.

### **KEY AML LAWS AND REGULATIONS**

The 2012 *Organic Law Against Organized Crime and Financing of Terrorism*, as revised in 2014, lacks important mechanisms to combat domestic criminal organizations, as it excludes the state and its companies from the scope of investigations. The Maduro regime used AML and anticorruption laws as tools to suppress and intimidate political opposition, the private sector, and NGOs – including those that provide humanitarian assistance. Venezuela is a member of the CFATF, a FATF-style regional body. Its most recent MER is available at: <https://www.cfatf-gafic.org/index.php/member-countries/venezuela>.

### **AML LEGAL, POLICY, AND REGULATORY DEFICIENCIES**

Maduro regime entities responsible for combating money laundering and corruption are ineffective and lack political will. Their technical capacity and willingness to address financial crimes remain deeply inadequate. Further, regime authorities are complicit in financial crime. A politicized judicial system further compromises the legal system's effectiveness and impartiality.

Venezuela's FIU, the National Financial Intelligence Unit (UNIF), is supervised by the Superintendent of Banking Sector Institutions, which prevents UNIF from operating independently. FinCEN suspended information sharing with the UNIF in 2006 due to an unauthorized disclosure of shared information. The suspension remains in effect until FinCEN has assurances its information will be protected. The UNIF should operate autonomously, independent of undue influence.

**ENFORCEMENT/IMPLEMENTATION ISSUES AND COMMENTS**

Venezuela's foreign exchange system that allocates foreign exchange to the private sector remains an opaque system subject to manipulation by connected insiders. The illegitimate Maduro regime maintains many off-budget accounts in foreign currencies that lack transparency and oversight, making them vulnerable to corruption. For example, virtually all U.S. dollars laundered through Venezuela's formal financial system pass through the government's currency commission, the central bank, or another government agency.

**Vietnam****OVERVIEW**

Vietnam made minimal progress in reducing the risks of money laundering during 2020. Systemic vulnerabilities, including extensive use of cash, minimal bank scrutiny on suspicious transactions, corruption, long and porous borders, and inadequate customs enforcement, combine with regulatory deficiencies and poor interagency coordination to hinder an effective AML regime.

Vietnam has made some improvements, including the issuance of several decrees and circulars that clarify how ministries should implement preexisting AML legislation. The State Bank of Vietnam (SBV) provided some training to relevant ministries on these new regulations. Nevertheless, more needs to be done. The Vietnamese government should prioritize the development of overall AML capabilities; improve coordination among SBV, the Ministry of Public Security, and the Ministry of Finance; and enhance communication between the government and banks.

**VULNERABILITIES AND MONEY LAUNDERING METHODOLOGIES**

Vulnerabilities include purchases of Vietnamese assets by foreign entities seeking to avoid tax obligations in their countries of origin, corruption, fraud, illegal gaming, prostitution, counterfeiting of goods, and trafficking in persons, drugs, and wildlife. Remittances from Vietnamese organized crime groups abroad also represent vulnerabilities.

Vietnam remains a predominantly cash-based economy. Consumers routinely purchase high-value items with cash, including real estate, investment stakes, and luxury items. Foreign entities can easily transfer significant amounts of money into Vietnamese financial institutions and do not typically have to answer questions on the money's provenance. While Vietnam continues to have issues regarding the provenance of cash inflows, there is no indication financial institutions in Vietnam engage in currency transactions involving international narcotics trafficking proceeds that include significant amounts of U.S. currency or currency derived from illegal drug sales in the United States.

The banking system remains vulnerable to money laundering through falsified declarations and customs fraud. Over- and under-invoicing of imports and exports are not uncommon, and also represent a vulnerability to TBML.

In 2018, Vietnam granted its first pilot licenses to local casinos. Currently, Vietnam has eight licensed casinos; all but one only serve foreign visitors. In January 2019, the government initiated a three-year pilot program allowing Vietnamese nationals to gamble at one casino in Phu Quoc and will assess the outcome to determine whether additional casinos will be open to Vietnamese nationals in the future. Authorities must ensure these establishments effectively implement and enforce AML standards. Online gaming is illegal.

### **KEY AML LAWS AND REGULATIONS**

In November 2019, the prime minister issued *Decree 87*, requiring any entity providing payment services to implement the same AML measures required of banks. SBV's *Circular 20*, issued concurrently with *Decree 87*, states any person entering or departing Vietnam with foreign or domestic currency, gems, or precious metals must have documentation proving lawful origins; the decree does not indicate a threshold for when documentation is required. In July 2020, SBV hosted an online course to train other agencies on how to implement these directives.

Vietnam does not have an extradition treaty or MLAT with the United States, though Vietnam is a signatory to several multilateral conventions that permit international cooperation. The U.S.-Vietnam Customs Mutual Assistance Agreement (CMAA), a legally binding information-sharing mechanism to facilitate the prevention, detection, and investigation of customs offenses, entered into force on May 20, 2020. While the CMAA does not directly address money laundering, it enhances Vietnam's ability to prevent illegal transshipment of goods and other contraband that could be used to launder money and facilitates the exchange of investigative information with appropriate U.S. authorities.

Vietnam is a member of the APG, a FATF-style regional body. Vietnam's most recent MER is available at: <http://www.apgml.org/includes/handlers/get-document.ashx?d=68a28c62-1ebe-41f7-8af6-e52ead79150c>.

### **AML LEGAL, POLICY, AND REGULATORY DEFICIENCIES**

While Vietnam's laws comply with some international best practices on AML, the government needs to improve overall operational effectiveness by increasing coordination among ministries and communication with banks. Regulations that require information from customers whose transactions originate abroad or may be suspicious are weakly enforced, and sometimes the government does not communicate changes in relevant legislation to banks operating in Vietnam. Banks need to fully implement CDD and KYC guidelines.

Although Vietnam requires in- and outbound travelers to declare cash and other valuables, inconsistent enforcement, a lack of specificity in the law, and a lack of a universal declaration form facilitate the flow of illicit moneys into and out of Vietnam. Vietnam also needs to

improve its detection, interdiction, and prosecution of offenses related to bulk cash smuggling and trafficking of illegal narcotics, persons, and wildlife.

SBV's FIU is not a member of the Egmont Group.

### **ENFORCEMENT/IMPLEMENTATION ISSUES AND COMMENTS**

For Vietnam to make significant progress on AML, the country will need improved interagency communication and better international coordination. Cumbersome bureaucratic procedures, including the fact that interagency coordination requires signed MOUs, impedes whole-of-government efforts. A lack of resources hinders parallel money laundering investigations during predicate crime investigations. Agencies are slow to change operating practices, and law enforcement entities often lack the capability to perform financial investigations.

Vietnam has a National AML/CFT Coordinating Committee and a national AML/CFT action plan for 2015-2020, but the government has not drafted a plan for the years beyond 2020. During 2020, Vietnam investigated 28 people, all connected to one overall racketeering case, for money laundering offenses, but has not yet made a determination on prosecution.







United States Department of State  
*Bureau of International Narcotics  
and Law Enforcement Affairs*

# **International Narcotics Control Strategy Report**

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**Volume I**

**Drug and Chemical  
Control**

**March 2021**



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# **International Narcotics Control Strategy Report**

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# Table of Contents

Common Abbreviations .....	iii
International Agreements .....	v
Parties to UN Conventions .....	vi
(with dates ratified/acceded) .....	vi
<b>Introduction.....</b>	<b>1</b>
Overview .....	2
Legislative Basis for the INCSR.....	6
Demand Reduction .....	9
Major Illicit Drug Producing, Drug-Transit, Significant Source, Precursor Chemical, and Money Laundering Countries .....	12
Presidential Determination .....	14
Methodology for U.S. Government Estimates of Illegal Drug Production.....	20
<b>U.S. Government Assistance .....</b>	<b>26</b>
U.S. Department of State FY 2020-2021 Budget .....	27
International Training.....	28
Drug Enforcement Administration (DEA).....	30
United States Coast Guard (USCG).....	33
U.S. Customs and Border Protection (CBP) .....	35
<b>Chemical Controls .....</b>	<b>39</b>
<b>Synthetic Drugs .....</b>	<b>77</b>
<b>Country Reports .....</b>	<b>85</b>
Afghanistan .....	86
Albania .....	89
Armenia.....	90
The Bahamas .....	91
Belgium.....	94
Belize.....	95
Bolivia.....	98
Brazil .....	102
Burma.....	103
Cabo Verde.....	107
Canada.....	108
China .....	110
Colombia.....	113
Costa Rica .....	117
Cuba .....	120
Dominican Republic.....	121
Dutch Caribbean.....	124
Eastern Caribbean .....	127
Ecuador .....	130
El Salvador .....	134
Georgia.....	137
Ghana .....	138
Guatemala .....	141
Guyana .....	144
Haiti.....	147
Honduras .....	150
India.....	153

---

Indonesia .....	156
Iran .....	159
Jamaica .....	160
Kazakhstan .....	163
Kenya .....	166
Kyrgyz Republic .....	169
Laos .....	172
Liberia .....	175
Malaysia .....	178
Mali .....	179
Mexico.....	180
Morocco .....	184
Mozambique.....	185
The Netherlands .....	186
Nicaragua .....	187
Niger.....	190
Nigeria.....	191
Pakistan .....	194
Panama .....	197
Peru .....	201
Philippines.....	205
Russia .....	208
Senegal .....	209
Spain.....	210
Suriname .....	211
Tajikistan.....	214
Tanzania .....	217
Thailand.....	218
Trinidad and Tobago .....	219
Turkey .....	222
Turkmenistan.....	223
Ukraine.....	226
United Kingdom.....	227
Uzbekistan.....	228
Venezuela.....	231
Vietnam .....	235

## Common Abbreviations

APEC	Asia-Pacific Economic Cooperation
AFRICOM	U.S. Military Command for Africa
ASEAN	Association of Southeast Asian Nations
ATS	Amphetamine-Type Stimulants
CARICC	Central Asia Regional Information Coordination Center
CARSI	Central America Regional Security Initiative
CBP	U.S. Customs and Border Protection
CBSI	Caribbean Basin Security Initiative
DARE	Drug Abuse Resistance Education
DEA	U.S. Drug Enforcement Administration
DHS	U.S. Department of Homeland Security
DOJ	U.S. Department of Justice
DTO	Drug Trafficking Organization
ECOWAS	Economic Community of West African States
EU	European Union
FBI	Federal Bureau of Investigation
FIU	Financial Intelligence Unit
ICE	U.S. Immigration and Customs Enforcement
ILEA	International Law Enforcement Academy
INCB	International Narcotics Control Board
INCSR	International Narcotics Control Strategy Report
INL	U.S. Department of State's Bureau of International Narcotics and Law Enforcement Affairs
JIATF-S	Joint Interagency Task Force South
JIATF-W	Joint Interagency Task Force West
MAOC-N	Maritime Analysis and Operations Centre-Narcotics
MLAT	Mutual Legal Assistance Treaty
MOU	Memorandum of Understanding
NIDA	National Institute of Drug Abuse
OAS	Organization of American States
OAS/CICAD	Inter-American Drug Abuse Control Commission
ONDCP	Office of National Drug Control Policy
NPS	New Psychoactive Substances
SELEC	Southeast European Law Enforcement Center
SIU	Special Investigative Unit
SOUTHCOM	U.S. Military Command for the Caribbean, Central and South America
TOC	Transnational Organized Crime
UNODC	United Nations Office on Drugs and Crime
UNCAC	United Nations Convention against Corruption
UNTOC	United Nations Convention against Transnational Organized Crime
USAID	U.S. Agency for International Development

USCG	U.S. Coast Guard
UTC	Universal Treatment Curriculum for Substance Use Disorders
WACSI	West Africa Cooperative Security Initiative
Ha	Hectare
HCL	Hydrochloride (cocaine)
Kg	Kilogram
MT	Metric Ton

## International Agreements

1988 UN Drug Convention – United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances (1988)

UN Single Drug Convention – United Nations Single Convention on Narcotic Drugs (1961 as amended by the 1972 Protocol)

UN Psychotropic Substances Convention – United Nations Convention on Psychotropic Substances (1971)

UNCAC – UN Convention against Corruption (2003)

UNTOC – UN Convention against Transnational Organized Crime (2000) and its supplementing protocols:

Trafficking in Persons Protocol – Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime

Migrant Smuggling Protocol – Protocol against the Smuggling of Migrants by Land, Air and Sea, supplementing the United Nations Convention against Transnational Organized Crime

Firearms Protocol – Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime

## Parties to UN Conventions

(with dates ratified/acceded)

As of 4 November, 2020

<i>Country</i>	<i>Convention Against Transnational Organized Crime</i>	<i>1988 UN Drug Convention</i>	<i>Convention Against Corruption</i>
1. Afghanistan	24 September 2003	14 February 1992	25 August 2008
2. Albania	21 August 2002	27 June 2001	25 May 2006
3. Algeria	7 October 2002	9 May 1995	25 August 2004
4. Andorra	22 September 2011	23 July 1999	
5. Angola	1 April 2013	26 October 2005	29 August 2006
6. Antigua and Barbuda	24 July 2002	5 April 1993	21 June 2006
7. Argentina	19 November 2002	28 June 1993	28 August 2006
8. Armenia	1 July 2003	13 September 1993	8 March 2007
9. Australia	27 May 2004	16 November 1992	7 December 2005
10. Austria	23 September 2004	11 July 1997	11 January 2006
11. Azerbaijan	30 October 2003	22 September 1993	1 November 2005
12. Bahamas	26 September 2008	30 January 1989	10 January 2008
13. Bahrain	7 June 2004	7 February 1990	5 October 2010
14. Bangladesh	13 July 2011	11 October 1990	27 February 2007
15. Barbados	11 November 2014	15 October 1992	
16. Belarus	25 June 2003	15 October 1990	17 February 2005
17. Belgium	11 August 2004	25 October 1995	25 September 2008
18. Belize	26 September 2003	24 July 1996	12 December 2016
19. Benin	30 August 2004	23 May 1997	14 October 2004
20. Bhutan		27 August 1990	21 September 2016
21. Bolivia	10 October 2005	20 August 1990	5 December 2005
22. Bosnia and Herzegovina	24 April 2002	1 September 1993	26 October 2006
23. Botswana	29 August 2002	13 August 1996	27 June 2011
24. Brazil	29 January 2004	17 July 1991	15 June 2005
25. Brunei Darussalam	25 March 2008	12 November 1993	2 December 2008
26. Bulgaria	5 December 2001	24 September 1992	20 September 2006
27. Burkina Faso	15 May 2002	2 June 1992	10 October 2006
28. Burundi	24 May 2012	18 February 1993	10 March 2006



29. Cambodia	12 December 2005	7 July 2005	5 September 2007
30. Cameroon	6 February 2006	28 October 1991	6 February 2006
31. Canada	13 May 2002	05 July 1990	2 October 2007
32. Cape Verde	15 July 2004	8 May 1995	23 April 2008
33. Central African Republic	14 September 2004	15 October 2001	6 October 2006
34. Chad	18 August 2009	9 June 1995	26 June 2018
35. Chile	29 November 2004	13 March 1990	13 September 2006
36. China	23 September 2003	25 October 1989	13 January 2006
37. Colombia	4 August 2004	10 June 1994	27 October 2006
38. Comoros	25 September 2003	1 March 2000	11 October 2012
39. Congo		3 March 2004	13 July 2006
40. Cook Islands	4 March 2004	22 February 2005	17 October 2011
41. Costa Rica	24 July 2003	8 February 1991	21 March 2007
42. Cote d'Ivoire	25 October 2012	25 November 1991	25 October 2012
43. Croatia	24 January 2003	26 July 1993	24 April 2005
44. Cuba	9 February 2007	12 June 1996	9 February 2007
45. Cyprus	22 April 2003	25 May 1990	23 February 2009
46. Czech Republic	24 September 2013	30 December 1993	29 November 2013
47. Democratic People's Republic of Korea	17 June 2016	19 March 2007	
48. Democratic Republic of the Congo	28 October 2005	28 October 2005	23 September 2010
49. Denmark	30 September 2003	19 December 1991	26 December 2006
50. Djibouti	20 April 2005	22 February 2001	20 April 2005
51. Dominica	17 May 2013	30 June 1993	28 May 2010
52. Dominican Republic	26 October 2006	21 September 1993	26 October 2006
53. Ecuador	17 September 2002	23 March 1990	15 September 2005
54. Egypt	5 March 2004	15 March 1991	25 February 2005
55. El Salvador	18 March 2004	21 May 1993	1 July 2004
56. Equatorial Guinea	7 February 2003		30 May 2018
57. Eritrea	25 September 2014	30 January 2002	
58. Eswatini	24 September 2012	3 October 1995	24 September 2012
59. Estonia	10 February 2003	12 July 2000	12 April 2010
60. Ethiopia	23 July 2007	11 October 1994	26 November 2007
61. European Union	21 May 2004	31 December 1990	12 November 2008
62. Fiji	19 September 2017	25 March 1993	14 May 2008
63. Finland	10 February 2004	15 February 1994	20 June 2006

64. France	29 October 2002	31 December 1990	11 July 2005
65. Gabon	15 December 2004	10 July 2006	1 October 2007
66. Gambia	5 May 2003	23 April 1996	8 July 2015
67. Georgia	5 September 2006	8 January 1998	4 November 2008
68. Germany	14 June 2006	30 November 1993	12 November 2014
69. Ghana	21 August 2012	10 April 1990	27 June 2007
70. Greece	11 January 2011	28 January 1992	17 September 2008
71. Grenada	21 May 2004	10 December 1990	1 April 2015
72. Guatemala	25 September 2003	28 February 1991	3 November 2006
73. Guinea	9 November 2004	27 December 1990	29 May 2013
74. Guinea-Bissau	10 September 2007	27 October 1995	10 September 2007
75. Guyana	14 September 2004	19 March 1993	16 April 2008
76. Haiti	19 April 2011	18 September 1995	14 September 2009
77. Holy See	25 January 2012	25 January 2012	19 September 2016
78. Honduras	2 December 2003	11 December 1991	23 May 2005
79. Hungary	22 December 2006	15 November 1996	19 April 2005
80. Iceland	13 May 2010	2 September 1997	1 March 2011
81. India	5 May 2011	27 March 1990	9 May 2011
82. Indonesia	20 April 2009	23 February 1999	19 September 2006
83. Iran		7 December 1992	20 April 2009
84. Iraq	17 March 2008	22 July 1998	17 March 2008
85. Ireland	17 June 2010	3 September 1996	9 November 2011
86. Israel	27 December 2006	20 May 2002	4 February 2009
87. Italy	2 August 2006	31 December 1990	5 October 2009
88. Jamaica	29 September 2003	29 December 1995	5 March 2008
89. Japan	11 July 2017	12 June 1992	11 July 2017
90. Jordan	22 May 2009	16 April 1990	24 February 2005
91. Kazakhstan	31 July 2008	29 April 1997	18 June 2008
92. Kenya	16 June 2004	19 October 1992	9 December 2003
93. Korea, Republic of	5 November 2015	28 December 1998	27 March 2008
94. Kiribati	15 September 2005		27 September 2013
95. Kuwait	12 May 2006	3 November 2000	16 February 2007
96. Kyrgyz Republic	2 October 2003	7 October 1994	16 September 2005
97. Lao Peoples Democratic Republic	26 September 2003	1 October 2004	25 September 2009
98. Latvia	7 December 2001	24 February 1994	4 January 2006
99. Lebanon	5 October 2005	11 March 1996	22 April 2009

100. Lesotho	24 September 2003	28 March 1995	16 September 2005
101. Liberia	22 September 2004	16 September 2005	16 September 2005
102. Libya	18 June 2004	22 July 1996	7 June 2005
103. Liechtenstein	20 February 2008	9 March 2007	8 July 2010
104. Lithuania	9 May 2002	8 June 1998	21 December 2006
105. Luxembourg	12 May 2008	29 April 1992	6 November 2007
106. Macedonia, Former Yugoslav Rep.	12 January 2005	13 October 1993	13 April 2007
107. Madagascar	15 September 2005	12 March 1991	22 September 2004
108. Malawi	17 March 2005	12 October 1995	4 December 2007
109. Malaysia	24 September 2004	11 May 1993	24 September 2008
110. Maldives	4 February 2013	7 September 2000	22 March 2007
111. Mali	12 April 2002	31 October 1995	18 April 2008
112. Malta	24 September 2003	28 February 1996	11 April 2008
113. Marshall Islands	15 June 2011	5 November 2010	17 November 2011
114. Mauritania	22 July 2005	1 July 1993	25 October 2006
115. Mauritius	21 April 2003	6 March 2001	15 December 2004
116. Mexico	4 March 2003	11 April 1990	20 July 2004
117. Micronesia, Federal States of	24 May 2004	6 July 2004	21 March 2012
118. Moldova	16 September 2005	15 February 1995	1 October 2007
119. Monaco	5 June 2001	23 April 1991	
120. Mongolia	27 June 2008	25 June 2003	11 January 2006
121. Montenegro	23 October 2006	23 October 2006	23 October 2006
122. Morocco	19 September 2002	28 October 1992	9 May 2007
123. Mozambique	20 September 2006	8 June 1998	9 April 2008
124. Myanmar (Burma)	30 March 2004	11 June 1991	20 December 2012
125. Namibia	16 August 2002	6 March 2009	3 August 2004
126. Nauru	12 July 2012	12 July 2012	12 July 2012
127. Nepal	23 December 2011	24 July 1991	31 March 2011
128. Netherlands	26 May 2004	8 September 1993	31 October 2006
129. New Zealand	19 July 2002	16 December 1998	1 December 2015
130. Nicaragua	9 September 2002	4 May 1990	15 February 2006
131. Niger	30 September 2004	10 November 1992	11 August 2008
132. Nigeria	28 June 2001	1 November 1989	14 December 2004
133. Niue	16 July 2012	16 July 2012	3 October 2017
134. Norway	23 September 2003	14 November 1994	29 June 2006

135. Oman	13 May 2005	15 March 1991	9 January 2014
136. Pakistan	13 January 2010	25 October 1991	31 August 2007
137. Palau	13 May 2019	14 August 2019	24 March 2009
138. Panama	18 August 2004	13 January 1994	23 September 2005
139. Papua New Guinea			16 July 2007
140. Paraguay	22 September 2004	23 August 1990	1 June 2005
141. Peru	23 January 2002	16 January 1992	16 November 2004
142. Philippines	28 May 2002	7 June 1996	8 November 2006
143. Poland	12 November 2001	26 May 1994	15 September 2006
144. Portugal	10 May 2004	3 December 1991	28 September 2007
145. Qatar	10 March 2008	4 May 1990	30 January 2007
146. Romania	4 December 2002	21 January 1993	2 November 2004
147. Russia	26 May 2004	17 December 1990	9 May 2006
148. Rwanda	26 September 2003	13 May 2002	4 October 2006
149. St. Kitts and Nevis	21 May 2004	19 April 1995	
150. St. Lucia	16 July 2013	21 August 1995	25 November 2011
151. St. Vincent and the Grenadines	29 October 2010	17 May 1994	
152. Samoa	17 December 2014	19 August 2005	18 April 2018
153. San Marino	20 July 2010	10 October 2000	
154. Sao Tome and Principe	12 April 2006	20 June 1996	12 April 2006
155. Saudi Arabia	18 January 2005	9 January 1992	29 April 2013
156. Senegal	27 September 2003	27 November 1989	16 November 2005
157. Serbia	6 September 2001	12 March 2001	20 December 2005
158. Seychelles	22 April 2003	27 February 1992	16 March 2006
159. Sierra Leone	12 August 2014	6 June 1994	30 September 2004
160. Singapore	28 August 2007	23 October 1997	6 November 2009
161. Slovakia	3 December 2003	28 May 1993	1 June 2006
162. Slovenia	21 May 2004	6 July 1992	1 April 2008
163. Solomon Islands			6 January 2012
164. South Africa	20 February 2004	14 December 1998	22 November 2004
165. South Sudan			23 January 2015
166. Spain	1 March 2002	13 August 1990	19 June 2006
167. Sri Lanka	22 September 2006	6 June 1991	31 March 2004
168. Sudan	10 December 2004	19 November 1993	5 September 2014
169. Suriname	25 May 2007	28 October 1992	
170. Sweden	30 April 2004	22 July 1991	25 September 2007

171. Switzerland	27 October 2006	14 September 2005	24 September 2009
172. Syria	8 April 2009	3 September 1991	
173. Tajikistan	8 July 2002	6 May 1996	25 September 2006
174. Thailand	17 October 2013	3 May 2002	1 March 2011
175. Tanzania	24 May 2006	17 April 1996	25 May 2005
176. Timor-Leste	9 November 2009	3 June 2014	27 March 2009
177. Togo	2 July 2004	1 August 1990	6 July 2005
178. Tonga	3 October 2014	29 April 1996	6 February 2020
179. Trinidad and Tobago	6 November 2007	17 February 1995	31 May 2006
180. Tunisia	19 July 2003	20 September 1990	23 September 2008
181. Turkey	25 March 2003	2 April 1996	9 November 2006
182. Turkmenistan	28 March 2005	21 February 1996	28 March 2005
183. Tuvalu			4 September 2015
184. UAE	7 May 2007	12 April 1990	22 February 2006
185. Uganda	9 March 2005	20 August 1990	9 September 2004
186. Ukraine	21 May 2004	28 August 1991	2 December 2009
187. United Kingdom	9 February 2006	28 June 1991	9 February 2006
188. United States	3 November 2005	20 February 1990	30 October 2006
189. Uruguay	4 March 2005	10 March 1995	10 January 2007
190. Uzbekistan	9 December 2003	24 August 1995	29 July 2008
191. Vanuatu	4 January 2006	26 January 2006	12 July 2011
192. Venezuela	13 May 2002	16 July 1991	2 February 2009
193. Vietnam	8 June 2012	4 November 1997	19 August 2009
194. Yemen	8 February 2010	25 March 1996	7 November 2005
195. Zambia	24 April 2005	28 May 1993	7 December 2007
196. Zimbabwe	12 December 2007	30 July 1993	8 March 2007

\*Not included on this list is the “State of Palestine,” which, according to the United Nations, has purportedly acceded to the UN Convention against Corruption (2014), to the UN Convention against Transnational Organized Crime (2015), and to the 1988 UN Drug Convention (December 29, 2017). The Government of the United States of America notified the United Nations, in its capacity as depositary for these Conventions, that it does not believe the “State of Palestine” qualifies as a sovereign state and does not recognize it as such. Therefore, the Government of the United States of America believes that the “State of Palestine” is not qualified to accede to the Conventions and does not believe that it is in a treaty relationship with the “State of Palestine” under the Conventions.

## **INTRODUCTION**

## Overview

In 2020, America's ongoing illicit drug crisis was compounded by the worst public health crisis in 100 years – the COVID-19 pandemic. After a slight decline in 2018, drug overdose deaths in the United States increased to over 72,000 in 2019, according to preliminary data from the U.S. Centers for Disease Control and Prevention (CDC). In the 12 months ending in May 2020, the CDC recorded over 81,000 drug overdose deaths, the highest number ever in a 12-month period, with the largest increases occurring at the same time that U.S. cases of COVID-19 exploded in March, April, and May of 2020.

The pandemic not only magnified the lethal effects of drug use, but also hampered counter drug efforts as governments diverted resources to other public health needs. Among the highest numbers of lives lost to the virus were those of law enforcement first responders. Social distancing, economic hardship, quarantine efforts, and delayed medical care due to overloaded health systems reduced access to treatment for drug users.

The pandemic also initially hindered criminal activity. Border closures and travel restrictions disrupted trafficking routes and precursor chemical supply chains. However, traffickers quickly adopted alternative routes and methods, and drug availability in many regions reached new historic highs by year's end. In Europe, demand for cocaine from South America increased, as seizures and demand for treatment remained at record levels. Methamphetamine production, trafficking, and use set new record levels in many regions, especially in Southeast Asia and parts of Africa and North America. New psychoactive substances (NPS) expanded to new markets, the most lethal forms of which were synthetic opioids that enabled criminals to avoid international controls.

The United States contributed approximately \$95 million in 2020 to alleviate pandemic-related threats to law enforcement. This included provision of personal protective equipment in over 35 countries and support for infrastructure improvements to enable social distancing and improve safety – for example, by reducing prison overcrowding.

The enormous challenges in 2020 led to mixed results in the fight against illicit drugs. For example, the Andean region has long been, and remains, a key area of concern among drug source and transit countries. Colombia and Peru are committed U.S. partners, yet coca cultivation and cocaine production in those countries are at all-time high levels. Despite demonstrable political will, the ability of both countries to fight the drug trade is shackled by a lack of economic development and weak government presence in the remote, rural areas where coca is cultivated and cocaine processed. The COVID-19 pandemic intensified these challenges, with Peru among the hardest hit nations in the world. However, there were also bright spots in the region. Colombia has become a regional leader in counternarcotics efforts. In 2020, Colombian forces trained other law enforcement personnel in the region, made a record number of seizures, and achieved the highest levels of total coca eradication since 2012 and the most manual eradication since 2008. In addition, following a six-month pause triggered by the pandemic, Peru undertook modest eradication while ensuring the health and safety of eradicators in the field. Both countries, however, need to do more to address eradication. While the

Government of Colombia has committed to re-starting its aerial coca eradication program, which would be a most welcome development, this program has yet to begin.

The United States determined other countries in the Andean region, specifically Bolivia and Venezuela, once again failed demonstrably to uphold their obligations under international drug control agreements. In Bolivia, this was largely due to inadequate controls over its legal coca market, although the government did take steps on coca eradication and drug seizures. With a new government elected in late 2020, the United States looks forward to opportunities for engagement and the potential for more progress. In contrast, the illegitimate regime of Nicolas Maduro in Venezuela failed to take any meaningful action to combat illegal drug-related activity. The United States granted national interest waivers in both countries that allow certain foreign assistance, including democracy assistance, to continue.

Reducing cocaine production in the Andean region would help alleviate the negative impacts on neighboring transit countries. The cocaine trade fuels corruption and trafficking in Central America, especially Guatemala, Honduras, and El Salvador. Nevertheless, the Governments of Panama and Costa Rica, reflecting impressive increased capacity and political will in 2020, prevented over 100 metric tons of cocaine from reaching markets primarily in the United States. These enforcement efforts need room to grow and a fair chance at making further reductions in drug supplies. To foster this positive trend, Andean countries must achieve greater progress in reducing coca and cocaine supplies, while all countries must make further inroads in reducing demand.

Mexico, another country of major concern, remains the primary source of heroin and methamphetamine bound for the United States; is a main transit country for cocaine from South America; and is both a source and transit route for deadly synthetic opioids like fentanyl. While the United States and Mexico collaborate on counternarcotics efforts, and there has been progress in some areas, drug-fueled crime in Mexico and the volume of drugs bound for the United States continue to pose a serious threat. Mexico must do more to strengthen efforts to investigate and prosecute drug-related crimes and curb the production and trafficking of heroin, cocaine, and especially synthetic drugs.

Beyond the Western Hemisphere, Burma is a main source of methamphetamine and opiates, bolstered by the heavy flow of illicit drug precursor chemicals from China. For its part, China took significant steps in 2019 to reduce the production of illicit fentanyl by enacting controls over all forms of fentanyl as a class and undertaking greater enforcement efforts against producers. Despite this progress, precursor chemicals used by criminals to produce fentanyl, methamphetamine, and other synthetic drugs are diverted on an alarming scale from supply chains sourced to China and other countries. India's large pharmaceutical and chemical industries are also vulnerable to criminal networks and the country is a growing source of diverted precursor chemicals. The establishment in 2020 of a U.S. – India Counternarcotics Working Group could potentially strengthen India's counterdrug leadership role in the region and help it combat illegal drug production and chemical diversion.

The United States will continue to lead, and provide funding support for, international efforts to confront the complex challenge of synthetic drugs and NPS. In 2020, the UN Office on Drugs



and Crime (UNODC) continued development of the UN Toolkit on Synthetic Drugs, which included new modules on COVID-19, access and diversion prevention, and early warning systems. In September 2020, UNODC also launched a dedicated website with several enhancements, and expanded training and technical assistance to identify and counter the use of cyber assets to facilitate the online trafficking of synthetic drugs and their precursors. The International Narcotics Control Board (INCB) expanded its activities to identify and disrupt illicit synthetic drug trafficking networks by training law enforcement and regulatory officials on INCB tools and data sharing platforms, increasing private sector coordination, and recruiting liaison officers that will work in five regions to increase global participation in INCB's data sharing platforms and multilateral operations.

Illicit drug production and trafficking is increasingly exploiting licit business, which is why the private sector – particularly the world's information technology, shipping, chemical, and pharmaceutical industries – remains a critical element in combating the world drug problem. As a result, strengthening public-private partnerships is essential. In 2020, the UN Commission on Narcotic Drugs (CND) adopted a resolution emphasizing the importance of private sector coordination in drug supply reduction efforts, the first of its kind. The United States has followed up on this resolution by supporting INCB efforts to build operational partnerships with industry and initiate new programs with UNODC that build member state capacities to partner with industry in their respective countries to disrupt illicit drug trafficking. The United States also funded a UNODC program to create a compendium of public-private partnerships' best practices for engaging with private sector actors in the drug supply and demand fields. The United States organized a week-long series of interactive webinars in which U.S. government agencies, private sector actors, and international partners explored the role of public-private sector collaboration in addressing drug challenges. Each day of the series showcased aspects of the drug crisis, and the fact- and outcome-driven discussions explored creative and practical measures to strengthen a collective response.

The United States will continue to expand its global network of mentors to provide training on cyber-enabled drug trafficking and other crimes and promote expanded cooperation against illicit online marketplaces. In efforts to foster greater collaboration, the United States will strengthen engagement with the private sector networks through communication and information-sharing, including via the dissemination of a quarterly synthetic opioids public-private partnership newsletter. To help alleviate COVID-related denial of access to drug treatment, the United States will continue to work with partners to expand access to virtual treatment. In 2020, U.S.-supported partners conducted over 300 online training sessions, reaching 15,000 medical and treatment experts, and U.S.-supported mentors provided technical assistance reaching 12,000 patients.

As always, the challenges are formidable, yet there is reason for optimism. First, the political will of the majority of countries to combat illicit drugs and treat substance use disorders is increasing, and there is little disagreement in the international community that it must remain a high priority. Additionally, the devastating pandemic that has intensified the drug threat from both a health and law enforcement perspective is likely to be better controlled in 2021, and allow for a reallocation of law enforcement and public health resources to confront the drug threat. However, countries must do much more on all fronts to reduce the demand for illicit drugs and

combat their production and trafficking. This will require both concerted national action and a robust commitment to international and regional efforts.

## Legislative Basis for the INCSR

The Department of State's 2021 International Narcotics Control Strategy Report (INCSR) is one of several annual reports on foreign policy and foreign assistance that the United States Congress has mandated. Published in March 2021, the report covers the period January 1 to December 31, 2020 and includes two volumes: Volume I, Drug and Chemical Control, and Volume II, Money Laundering.

A number of legislative acts set forth reporting requirements for the INCSR. The broad reporting requirements are set forth in section 489 of the Foreign Assistance Act of 1961, as amended ("FAA," 22 U.S.C. § 2291) which requires, among other things, reporting on countries designated by the President as major illicit drug producing or drug transit countries and on countries that have received foreign assistance under Sec. 489. Sections 481(d)(2) and 484(c) of the FAA and section 804 of the Trade Act of 1974, as amended, set forth additional, more specific, matters to be addressed in the report on a wide range of narcotics control actions.

**The Majors List:** The INCSR serves as one of the factual bases for the designations in the President's annual report to Congress of the major drug transit or major illicit drug-producing countries. This requirement of a "majors list" was initially included in section 591 of the Kenneth M. Ludden Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2002 (P.L. 107-115) (the "FOAA"). It was made permanent by section 706 of the Foreign Relations Authorization Act, Fiscal Year 2003 (P.L. 107-228) (the "FRAA"). That section requires that the President submit an annual report no later than September 15 of each year that identifies each country determined by the President to be a major drug transit country or major illicit drug-producing country. The report must also identify any country on the majors list that has "failed demonstrably . . . to make substantial efforts" during the previous 12 months to adhere to international counternarcotics agreements and to take certain counternarcotics measures set forth in U.S. law. U.S. assistance under the current foreign operations appropriations act may not be provided to any country designated as having "failed demonstrably" unless the President determines that the provision of such assistance is vital to U.S. national interests or that the country, at any time after the President's initial report to Congress, has made "substantial efforts" to comply with the counternarcotics conditions in the legislation. This prohibition does not affect humanitarian, counternarcotics, and certain other types of assistance that are authorized to be provided notwithstanding any other provision of law.

**Precursor Chemicals:** The INCSR was expanded in 2007 to include reporting on the five countries that export the largest amounts of methamphetamine precursor chemicals and the five countries importing the largest amounts of these chemicals. This requirement was set forth in the Combat Methamphetamine Enforcement Act (CMEA) (the USA Patriot Improvement and Reauthorization Act 2005, Title VII, P.L. 109-177), amending sections 489 and 490 of the Foreign Assistance Act (22 USC 2291h and 2291), section 722. This reporting includes efforts to control methamphetamine precursor chemicals and estimates of legitimate demand for them, prepared by most parties to the 1988 UN Drug Convention and submitted to the International Narcotics Control Board. The CMEA requires a Presidential determination by March 1 of each year on whether the five countries that legally exported and the five countries that legally imported the largest amount of precursor chemicals (under FAA section 490) have cooperated

with the United States to prevent these substances from being used to produce methamphetamine or have taken adequate steps on their own to achieve full compliance with the 1988 UN Drug Control Convention. This determination may be exercised by the Secretary of State pursuant to Executive Order 12163 and by the Deputy Secretary of State pursuant to State Department Delegation of Authority 245-2.

**FAA and UN Drug Convention:** The FAA requires a report on the extent to which each country or entity that received assistance under chapter 8 of Part I of the Foreign Assistance Act in the past two fiscal years has "met the goals and objectives of the United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances ('Drug Convention')." Although the Drug Convention does not list specific goals and objectives, it does set forth a number of obligations that the parties agree to undertake. Generally speaking, it requires the parties to take legal measures to outlaw and punish all forms of illicit drug production, trafficking, and drug money laundering; to control chemicals that can be used to process illicit drugs; and to cooperate in international efforts to these ends. The relevant statute (FAA sec. 489) specifies actions by foreign countries on the following issues as relevant to evaluating performance under the 1988 UN Drug Convention: illicit cultivation, production, distribution, sale, transport and financing, and money laundering, asset seizure, extradition, mutual legal assistance, law enforcement and transit cooperation, precursor chemical control, and demand reduction.

In attempting to evaluate whether countries and certain entities are meeting the goals and objectives of the Drug Convention, the Department has used the best information it has available. The 2021 INCSR covers countries that range from major drug producing and drug-transit countries, where drug control is a critical element of national policy, to small countries or entities where drug-related issues or the capacity to deal with them are minimal. The reports vary in the extent of their coverage. Comprehensive reports are provided for significant drug-control countries for which considerable information is available. Where only limited information is available for smaller countries or entities, reports include whatever data the responsible U.S. embassy or mission could provide.

The country chapters report on actions taken – including plans, programs, and, where applicable, timetables – toward fulfillment of Drug Convention obligations. Reports will often include discussion of foreign legal and regulatory structures. However, while the Department strives to provide accurate information, this report should not be used as the basis for determining legal rights or obligations under U.S. or foreign law.

Some countries and other entities are not yet parties to the Drug Convention; some do not have status in the United Nations and cannot become parties. We have nonetheless considered actions taken by these countries or entities in areas covered by the Convention as well as plans (if any) for becoming parties and for aligning their legislation with the Convention's requirements. Other countries have taken reservations, declarations, or understandings to the Convention or other relevant treaties; these are generally not detailed in this report. For some of the smallest countries or entities that have not been designated by the President as major illicit drug producing or major drug-transit countries, the Department has insufficient information to make a judgment as to whether the goals and objectives of the Convention are being met.

Unless otherwise noted in the relevant country chapters, the Department's Bureau of International Narcotics and Law Enforcement Affairs (INL) considers all countries and other entities with which the United States has bilateral narcotics agreements to be meeting the goals and objectives of those agreements.

Information concerning counternarcotics assistance is provided, pursuant to section 489(b) of the FAA, in the section entitled "U.S. Government Assistance."

## Demand Reduction

Drug demand reduction, which focuses on treatment for and prevention of illicit drug use, is a key foreign policy tool for addressing the interconnected threats of drugs, crime, and violence. Effective demand reduction efforts promote a comprehensive, balanced approach to substance use disorders that targets prevention, treatment, recovery, research, and international cooperation.

Recognizing that substance use disorder is a major public health threat (which in 2020 was intensified by the COVID-19 pandemic), that drug use is a preventable and treatable disease, and that the drug trade threatens country stability, many countries are requesting U.S.-supported technical assistance to improve and develop effective policies aimed at reducing drug use. The Department of State's Bureau of International Narcotics and Law Enforcement (INL) works closely with international partners to develop and execute capacity building and training activities for service providers in drug prevention, treatment, and recovery. Additionally, INL promotes the sharing of critical information and evidence-based studies.

The INL drug demand reduction program has three strategic components: (1) promote the adoption of recovery-oriented and evidence-based drug policies and internationally recognized standards, (2) support drug data collection and conduct analysis to assure the quality of drug treatment services, (3) implement programs that effectively prevent and reduce drug use disorders. To achieve these objectives, INL supports the following:

- Developing professional networks of drug prevention, treatment, and recovery educators and practitioners by providing training, mentoring, and credentialing based on evidence-based practices;
- Development of drug-free community coalitions internationally, involving law enforcement and public/private social institutions, aimed at preventing drug use and its consequences;
- Research, development, and outcome-based evaluation efforts to determine the effectiveness of drug prevention and treatment programs.

Significant completed and ongoing INL-funded demand reduction projects for 2020 include:

**Universal Curriculum Training and Credentialing:** Through international organizations – the Colombo Plan (Asia-Pacific region), the United Nations Office on Drugs and Crime (UNODC), and the Organization of American States (OAS), INL supports efforts to strengthen the ability of the drug demand reduction (DDR) workforce to provide drug prevention, treatment, and recovery services through intensive trainings and credentialing examinations at the national level. These trainings help prevent the initiation of drug use, improve treatment outcomes, and

lower relapse rates, thus generating greater confidence in drug demand reduction and treatment systems. Through 2020, the Universal Curriculum has been trained and used in 84 countries.<sup>1</sup>

**Universal Treatment Curriculum (UTC):** INL's treatment curriculum consists of eight basic and 14 advanced courses that provides knowledge and skills development for treatment professionals. These courses are based on the International Standards for the Treatment of Drug Use Disorders developed by UNODC and the World Health Organization. In 2020, many of INL's UTC courses were virtual trainings due to COVID-19 lockdowns. In order to institutionalize the online training approach, INL advanced the development of an online training platform using the UTC. The first online course is planned for December 2020. Once completed, the online UTC will vastly increase the knowledge and use of best practices for treating those with substance use disorders. As a result of the UTC trainings and credentialing program, there are now 1872 credentialed professionals worldwide, 157 tested in 2020.

**Universal Prevention Curriculum (UPC):** INL's UPC consists of two series, one for supervisors/managers of prevention programs and one for practitioners. These training programs are based on the UNODC Standards for Drug Use Prevention, offering innovative evidence-based approaches to drug prevention in a variety of settings such as family, school, workplace, media, and the community. An evaluation of the impact of school-based prevention programs, undertaken with INL's support in collaboration with the Cayetano Heredia University in Lima, Peru, is nearly completed and the preliminary results validate the efficacy of these approaches. INL is supporting the development of an International Certified Prevention Specialist examination that would certify prevention professionals upon completion of UPC training. This exam will be pilot tested in 2021 pending the lifting of COVID-19 restrictions.

**Alternatives to Incarceration:** The United Nations Special Session on Drugs Outcome Document and the U.S.-sponsored resolution in the UN Commission on Narcotic Drugs in 2016 called on countries to support alternatives to incarceration and proportionate sentencing, especially for drug dependent, nonviolent offenders. Alternatives to incarceration – including an emphasis on gaining access to drug treatment and care – can occur before an arrest, at an initial court hearing, within the jail, at re-entry, and through community corrections such as probation. In 2018, INL supported the development of training for policymakers and agency heads from both the public health sector and criminal justice sector to discuss critical areas of need related to alternatives to incarceration. The course was pilot tested in Jamaica in 2018 and in Guyana in 2019, and INL will train global trainers from November 2020 until April 2021 virtually. In 2020, through the OAS Inter-American Drug Abuse Control Commission (Spanish acronym CICAD), INL piloted a new Case Care Management course in Trinidad and Tobago in March

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<sup>1</sup> Afghanistan, Albania, Antigua and Barbuda, Argentina, Bahamas, Bangladesh, Barbados, Belize, Benin, Bhutan, Botswana, Brazil, Brunei, Burkina Faso, Burma, Cambodia, Cameroon, Colombia, Costa Rica, Cote d'Ivoire, Chile, Dominica, Ecuador, Egypt, Estonia, Eswatini, Ethiopia, Fiji, Gambia, Georgia, Ghana, Grenada, Guatemala, Guyana, India, Indonesia, Iraq, Jamaica, Japan, Kazakhstan, Kenya, Kosovo, Kyrgyzstan, Laos, Liberia, Malaysia, Maldives, Mali, Mexico, Mongolia, Mozambique, Namibia, Nepal, Nigeria, Niger, Panamá, Pakistan, Paraguay, Peru, Philippines, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Seychelles, Serbia, South Africa, South Korea, Sri Lanka, Suriname, Tajikistan, Tanzania, Thailand, Timor Leste, Togo, Tunisia, Trinidad and Tobago, Turkmenistan, Uganda, United Arab Emirates, Uruguay, Ukraine, Uzbekistan and Vietnam.

2020 and virtually for Jamaica in the summer of 2020 to assist countries in establishing systems of collaboration between the public health and criminal justice systems. Trinidad and Tobago plans to pilot a case management system by November 2020.

**The International Consortium of Universities for Drug Demand Reduction (ICUDDR):** In July 2020, ICUDDR hosted its first virtual online conference with the participation of 273 individuals from 46 countries. The ICUDDR is a network of universities working together to promote academic programs in addiction studies (drug prevention and treatment), to further the dissemination of evidence-based practices, and to develop the drug demand reduction workforce. ICUDDR membership grew to 252 universities in 69 countries. With INL support, in 2020 ICUDDR has joined with the Colombo Plan to create centers of excellence – International Technology Transfer Centers (ITTCs) – to strengthen support for improving drug demand reduction institutions worldwide.

**Drug-Free Communities:** INL assists civil society and grassroots organizations to form and sustain effective local-level anti-drug coalitions aimed at preventing substance use disorders in their communities. INL support has resulted in the establishment of over 300 active coalitions consisting of over 11,000 volunteers in 27 countries around the world.<sup>2</sup>

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<sup>2</sup> Albania, Argentina, Bolivia, Brazil, Cape Verde, Costa Rica, Dominican Republic, Ecuador, Ghana, Guatemala, Haiti, Honduras, Indonesia, Kazakhstan, Kenya, Kyrgyz Republic, Mauritius, Mexico, Paraguay, Peru, Philippines, Senegal, South Africa, Tajikistan, Togo, Uganda, and Uruguay.



## Major Illicit Drug Producing, Drug-Transit, Significant Source, Precursor Chemical, and Money Laundering Countries

Section 489(a)(3) of the FAA requires the INCSR to identify:

- (A) major illicit drug producing and major drug-transit countries;
- (B) major sources of precursor chemicals used in the production of illicit narcotics; or
- (C) major money laundering countries.

Major illicit drug producing and major drug-transit countries, and major sources of precursor chemicals used in the production of illicit narcotics, are identified below. Major money laundering countries are identified in Volume II of the INCSR.

### Major Illicit Drug Producing and Major Drug-Transit Countries

A major illicit drug producing country is one in which:

- (A) 1,000 hectares or more of illicit opium poppy is cultivated or harvested during a year;
- (B) 1,000 hectares or more of illicit coca is cultivated or harvested during a year; or
- (C) 5,000 hectares or more of illicit cannabis is cultivated or harvested during a year, unless the President determines that such illicit cannabis production does not significantly affect the United States. [FAA § 481(e)(2)]

A major drug-transit country is one:

- (A) that is a significant direct source of illicit narcotic or psychotropic drugs or other controlled substances significantly affecting the United States; or
- (B) through which are transported such drugs or substances. [FAA § 481(e)(5)]

The following major illicit drug producing and/or drug-transit countries were identified and notified to Congress by the President on September 16, 2020, consistent with section 706(1) of the Foreign Relations Authorization Act, Fiscal Year 2003 (Public Law 107-228):

**Afghanistan, The Bahamas, Belize, Bolivia, Burma, Colombia, Costa Rica, Dominican Republic, Ecuador, El Salvador, Guatemala, Haiti, Honduras, India, Jamaica, Laos, Mexico, Nicaragua, Pakistan, Panama, Peru, and Venezuela.**

Of these 22 countries, **Bolivia and Venezuela** were designated by the President as having “failed demonstrably” during the previous 12 months to adhere to their obligations under international counternarcotics agreements and take the measures set forth in section 489(a)(1) of the FAA. The President determined, however, in accordance with provisions of Section 706(3)(A) of the FRAA, that continued support for bilateral programs in both countries, including for democracy assistance, is vital to the national interests of the United States.

**Major Precursor Chemical Source Countries**

The following countries and jurisdictions have been identified to be major sources of precursor or essential chemicals used in the production of illicit narcotics:

**Afghanistan, Argentina, Bangladesh, Belgium, Belize, Bolivia, Brazil, Burma, Canada, China, Colombia, Costa Rica, Dominican Republic, Ecuador, Egypt, El Salvador, Germany, Guatemala, Honduras, Hong Kong, India, Indonesia, Japan, Republic of Korea, Mexico, the Netherlands, Nigeria, Pakistan, Peru, Poland, Russia, Singapore, South Africa, Switzerland, Taiwan, Thailand, the United Arab Emirates, and the United Kingdom.**

Information is provided pursuant to section 489 of the FAA in the section entitled "Chemical Controls."

## Presidential Determination

THE WHITE HOUSE

WASHINGTON

September 16, 2020

**Presidential Determination No. 2020-11**

MEMORANDUM FOR THE SECRETARY OF STATE

SUBJECT: Presidential Determination on Major Drug Transit or Major Illicit Drug Producing Countries for Fiscal Year 2021

By the authority vested to me as President by the Constitution and the laws of the United States, including Section 706(1) of the Foreign Relations Authorization Act, Fiscal Year 2003 (Public Law 107-228) (FRAA), I hereby identify the following countries as major drug transit or major illicit drug producing countries: Afghanistan, The Bahamas, Belize, Bolivia, Burma, Colombia, Costa Rica, Dominican Republic, Ecuador, El Salvador, Guatemala, Haiti, Honduras, India, Jamaica, Laos, Mexico, Nicaragua, Pakistan, Panama, Peru, and Venezuela.

A country's presence on the foregoing list is not necessarily a reflection of its government's counternarcotics efforts or level of cooperation with the United States. Consistent with the statutory definition of a major drug transit or major illicit drug producing country set forth in sections 481(e) (2) and (5) of the Foreign Assistance Act of 1961, as amended (Public Law 87-195) (FAA), the reason countries are placed on the list is the combination of geographic, commercial, and economic factors that allow drugs to transit or be produced, even if a government has engaged in robust and diligent narcotics control measures.

Illicit drugs inflict enormous harm on the health and safety of the American people and threaten the national security of the United States. While my Administration has achieved steady progress in stemming the tide of our country's drug epidemic, transnational criminal organizations continually challenge our success by violating our borders and flooding our homeland with these deadly substances.

The United States is taking the fight to these criminal organizations and their enablers on an unprecedented scale. This April, I initiated the most significant counternarcotic operations in decades targeting the illicit drug trade in the Caribbean and Eastern Pacific by deploying U.S. military assets to U.S. Southern Command in cooperation with 22 international allies. These operations led to the seizure of more than 80 metric tons of cocaine and other dangerous drugs, depriving transnational criminal organizations of over \$1.8 billion in profits and putting drug kingpins on notice that they are squarely in the crosshairs of the United States.

The most complicit kingpin in this hemisphere is the Venezuelan dictator, Nicolas Maduro. This March, a U.S. court indicted Maduro for narcoterrorism and conspiracy to smuggle cocaine into the United States. In response, the U.S. Department of State announced a \$15 million reward for

information leading to his arrest or conviction. He joined a multitude of other regime cronies who are either under U.S. indictment or were sanctioned for drug crimes by the Department of the Treasury. The United States will continue to support the Venezuelan people, interim President Juan Guaido, and the democratically elected National Assembly, and will work together with the legitimate Interim Government of Venezuela to stop drug trafficking and root out the criminal elements that have exploited that country. Maduro's illegitimate narco-regime should face justice for its crimes.

While bringing criminals like Maduro to justice remains an urgent priority, the United States also needs other governments in the Western Hemisphere to assume greater responsibility for reducing illegal drug supplies.

In Colombia, President Ivan Duque and his government remain strong partners of the United States, and Colombian police and military forces have shown great bravery and commitment by targeting high-level drug traffickers, interdicting drug shipments, and manually eradicating coca. Nevertheless, coca cultivation and cocaine production remain at unacceptably high levels. To reach our shared five-year goal to reduce coca cultivation and cocaine production by half by the end of 2023, Colombia must move forward with resuming aerial eradication, which remains an irreplaceable tool in the government's arsenal alongside manual eradication and alternative economic development.

It is also of great concern that coca cultivation and cocaine production remain near historical highs in Peru, another longstanding U.S. ally. Peru is a valued law enforcement partner of the United States and has demonstrated continuing commitment to fighting all aspects of the drug trade. I call on the Peruvian government to resume eradication operations in the country's high yield coca producing regions, including the Valley of the Apurimac, Ene, and Montaro Rivers.

Since the resignation of former President Evo Morales in November 2019, U.S.-Bolivian cooperation against drug trafficking networks has increased under Bolivia's transitional government. The transitional government made important strides in drug interdiction and resumed processing extradition requests of drug traffickers by the United States. Nevertheless, coca cultivation continues to exceed legal limits under Bolivia's own domestic laws for medicinal and traditional use, and the Bolivian state has taken insufficient measures to safeguard the country's licit coca markets from criminal exploitation. If the Bolivian government, including its Legislative Assembly, takes sufficient steps in the year ahead to remedy these shortcomings and continues the progress made over the past 10 months under the transitional government, I will consider removing Bolivia from next year's list of countries that have failed demonstrably to uphold their drug control responsibilities.

Last year, I warned that I would consider determining Mexico had failed demonstrably to uphold its international drug control commitments if it did not intensify its efforts to increase poppy eradication, interdict illicit drugs before they cross the border into the United States, increase its prosecutions of drug traffickers and seize their assets, and develop a comprehensive drug control strategy. This year, Mexico successfully passed asset forfeiture reforms, increased extraditions of dangerous drug traffickers to the United States, made substantial progress in completing its

first poppy yield study in 17 years, and produced a counterdrug strategy. While these are signs of progress, more must be done.

Mexico remains the source of nearly all heroin and methamphetamine seized in the United States, and is a transit route for most of the cocaine available in our country. Moreover, Mexican cartels take advantage of uneven precursor chemical controls in Mexico to manufacture deadly drugs, such as fentanyl, inside Mexico and smuggle them into the United States. Mexican drug interdictions remain far too low in the face of these critical drug threats. These cartels present a clear threat to Mexico and the Mexican government's ability to exert effective control over parts of its country.

Mexico must clearly demonstrate its commitment to dismantling the cartels and their criminal enterprises and do more to protect the lives of Mexican and American citizens threatened by these groups. Mexico needs to continue to extradite key criminal actors, step up comprehensive investigations and drug and asset seizures, and implement a robust data-based poppy eradication program tied to sustainable alternative development. The Mexican government should acknowledge the alarming trend of fentanyl production inside its territory. It must prioritize law enforcement action targeting cartel production and trafficking of fentanyl – the leading substance involved in drug overdose deaths in the United States – and strengthen efforts targeting fentanyl precursor chemicals overwhelmingly trafficked from China, as well as fentanyl smuggling and production. More must also be done to target the cartels' increasing production of methamphetamine.

The United States remains ready to deepen its partnership with Mexico to address these shared challenges and welcomes the opportunity to develop joint drug control goals with Mexico and bilateral investigations built on transparent and open sharing of investigative information and evidence leading to successful prosecutions.

Many Mexican military and law enforcement professionals, in cooperation with their U.S. counterparts, are bravely confronting the transnational criminal organizations that threaten both of our countries. Unless the Mexican government demonstrates substantial progress in the coming year backed by verifiable data, Mexico will be at serious risk of being found to have failed demonstrably to uphold its international drug control commitments.

Pursuant to section 706(2) (A) of the FRAA, I hereby designate Bolivia and the illegitimate regime of Nicolas Maduro in Venezuela as having failed demonstrably during the previous 12 months to adhere to their obligations under international counternarcotics agreements and to take the measures required by section 489(a) (1) of the FAA. Included with this determination are justifications for the designations of Bolivia and the Maduro regime, as required by section 706(2) (B) of the FRAA.

I have also determined, in accordance with provisions of section 706(3) (A) of the FRAA, that United States programs that support the legitimate interim government in Venezuela and the Bolivian government are vital to the national interests of the United States.

You are authorized and directed to submit this designation, with its Bolivia and Venezuela memoranda of justification, under section 706 of the FRAA, to the Congress, and publish it in the *Federal Register*.

/S/

*Donald J. Trump*

## **Memorandum Of Justification For Major Illicit Drug Transit Or Illicit Drug Producing Countries For Fiscal Year 2021**

### **Bolivia**

On November 12, 2019, a transitional government assumed power in Bolivia following the resignation and flight from the country of former President Evo Morales. The transitional government made important strides in drug interdiction and resumed processing extradition requests of drug traffickers to the United States. The transitional government also allowed Bolivian law enforcement officials to receive U.S.-provided training and took some initial steps to resume broader law enforcement cooperation with the United States and other governments.

These positive steps, however, did not fully overcome the legacy left by Bolivia's previous government. According to the most recent available data covering 2018, Bolivia remains the world's third largest source of coca and cocaine. In March 2017, President Evo Morales signed into law a bill increasing the licit area of coca production from 12,000 hectares (ha) to 22,000 ha. The U.S. government estimated 2018 coca cultivation totaled 32,900 hectares (ha), and the UN Office on Drugs and Crime (UNODC) estimated cultivation totaled 23,100 ha. Both exceed the limits established by the Bolivian government for traditional and medicinal purposes. European Union studies estimate that domestic demand for the traditional and medicinal use of coca is less than 14,705 ha.

The Bolivian government continues to have inadequate controls over coca cultivation. The UNODC calculated an estimated 27 to 42 percent of the coca cultivated in 2018 did not go to the two authorized coca markets for sale. The United States government estimated potential pure cocaine production to be 254 metric tons in 2018. The Inter-American Drug Abuse Control Commission continues to recommend that Bolivia implement a system to monitor narcotics and psychotropic drugs used in healthcare to ensure medicines are not diverted for illegitimate uses.

Following upcoming elections the next Bolivian government should build on the transitional government's endeavors to strengthen efforts to stem the diversion of coca to cocaine processing by tightening controls over the coca leaf trade, achieving net reductions in coca cultivation, and improving law enforcement and judicial efforts to investigate and prosecute drug-related criminal activity. The government also needs to close illegal coca black markets that violate Bolivian law.

In accordance with U.S. legislation, the determination that Bolivia has failed demonstrably to make substantial efforts to adhere to its obligations under international counternarcotics agreements and to take counternarcotic measures set forth in the FRAA results in the withholding of certain types of U.S. assistance, though humanitarian and counternarcotics assistance is allowed to continue. Due to the promising steps taken by the transitional government over the previous ten months and to enable U.S. assistance to continue in order to promote further cooperation, I determine and report that provision of such assistance to Bolivia in Fiscal Year 2021 is vital to the national interest of the United States. If the Bolivian government withdraws from the positive pattern of drug control cooperation initiated by the transitional government, this determination of vital national interest could be reconsidered.

## **Memorandum Of Justification For Major Drug Transit Or Illicit Drug Producing Countries For Fiscal Year 2021**

### **Venezuela**

Under the illegitimate regime of Nicolás Maduro, Venezuela continues to be a major drug-transit country and is one of the preferred trafficking routes in the Western Hemisphere for illegal drugs, predominately cocaine. Venezuela's legitimately elected interim government under President Juan Guaidó has condemned the regime's complicity with illegally armed narco-trafficking groups, including the National Liberation Army (ELN) and dissident members of the Revolutionary Armed Forces of Colombia (FARC). The regime's practically nonexistent international drug control cooperation, usurpation of the judicial system and military and security services for its own illicit ends, public corruption, and cooperation with criminal elements have provided ideal conditions for drug trafficking operations and associated violence.

On March 26, 2020, Maduro and several senior members of his regime were indicted by the U.S. Department of Justice on charges of engaging in narcoterrorism and conspiracy to smuggle multi-ton shipments of cocaine into the United States, as well as drug-related money laundering charges. Concurrent with this indictment, the U.S. Department of State announced a \$15 million reward offer for information leading to Maduro's arrest or conviction, as well as additional multimillion-dollar reward offers for other senior regime officials who also led this longstanding criminal activity. The Maduro regime took no action over the previous 12 months against officials, individuals, and companies designated as specially designated narcotics traffickers by the U.S. Department of the Treasury for playing a significant role in international drug trafficking.

In accordance with U.S. legislation, the determination that the illegitimate regime of Nicolas Maduro in Venezuela has failed demonstrably to make substantial efforts to adhere to its obligations under international counternarcotics agreements and to take counternarcotic measures set forth in the FRAA results in the withholding of certain types of U.S. assistance, though humanitarian and counternarcotics assistance is allowed to continue. Pursuant to section 706 of the Foreign Relations Authorization Act of Fiscal Year 2003, however, I determine and report that provision of such assistance to Venezuela in Fiscal Year 2021 is vital to the national interest of the United States in order to support the legitimate interim government in Venezuela.



# Methodology for U.S. Government Estimates of Illegal Drug Production

## Introduction

Illicit drug crops are grown, refined into illegal drugs, trafficked, and sold on the street by criminal enterprises that attempt to conceal every step of the process. Accurate estimates of such criminal activity are difficult to produce. The estimates of illicit drug production presented in the INCSR represent the United States government's best effort to assess the current dimensions of the international drug problem. They are based on agricultural surveys conducted with satellite imagery and scientific studies of crop yields and the likely efficiency of typical illicit refining labs. As we do every year, we publish these estimates with an important caveat: they are *estimates*. While we must express our estimates as numbers, these numbers should not be seen as precise figures. Rather, they represent the midpoint of a band of statistical probability that gets wider as additional variables are introduced and as we move from cultivation to harvest to final refined drug.

As needed, the United States government revises its estimate process and occasionally the estimates themselves, in light of field research and technological advancements. The clandestine, violent nature of the illegal drug trade makes field research difficult. Geography is also an impediment, as the harsh terrain on which many drugs are cultivated is not always easily accessible. This is particularly relevant given the tremendous geographic areas that must be covered and the difficulty of collecting reliable information over diverse and treacherous terrain. Weather can affect our ability to gather data, particularly in the Andes, where cloud cover can be a major problem.

Improved technologies and analytical techniques may also lead us to produce revisions to United States government estimates of potential drug production. This is typical of annualized figures for most other areas of statistical tracking that must be revised year to year. When possible, we apply these new techniques to previous years' data and adjust appropriately, but often, especially in the case of new technologies, we can only apply them prospectively. These illicit drug statistics represent the current state of the art. As new information and technology becomes applicable, the accuracy of the estimates will improve.

## Cultivation Estimates

The United States government conserves limited personnel and technical resources by employing sample survey methodologies to estimate illicit crop cultivation and concentrating survey efforts on areas with strategic amounts of illegal cultivation or areas most *likely* to have illicit crop cultivation. Each year, analysts review a variety of datasets – including eradication data, seizure data, law enforcement investigations information, previous field locations, and other information – to determine areas likely to have illegal cultivation, and revise and update the search area, if necessary. They then survey and estimate cultivation in new areas using proven statistical techniques.

The resulting estimates meet the U.S. government's need for an annual estimate of illicit crop cultivation for each country. They also help with eradication, interdiction, and other law enforcement operations. As part of the effort to provide accurate and comprehensive assessments, the areas surveyed are often expanded and modified, so direct comparison with previous year estimates is sometimes not possible.

### **Production Estimates**

Illicit crop productivity depends on a number of factors. Changes in weather, farming techniques, soil fertility, and disease prevalence can produce widely varying yields from year to year and place to place. Some illicit drug crop areas are not easily accessible to the U.S. government, which can make scientific information difficult to obtain. However, we continually strive to improve our drug production estimates. The relative productivity of poppy crops in some cases can be estimated using imagery, and our confidence in coca leaf yield continues to improve as a result of field studies conducted in Latin America. Coca fields which are less than 18 months of age ("new fields") produce much less leaf than mature fields. In Colombia, for example, fields on average get their first small harvest at six months of age; in Bolivia and Peru, fields are usually first harvested at 12 months of age. The U.S. government estimates include the proportion of new fields detected each year and adjust leaf production accordingly.

### **Processing Estimates**

The wide variation in processing efficiency achieved by narcotics producers complicates the task of accurately assessing the quantity of cocaine or heroin that could be refined from a crop. Differences in the origin and quality of the raw material and chemicals used, the technical processing method employed, the size and sophistication of laboratories, the skill and experience of local workers and chemists, and decisions made in response to enforcement pressures all affect production.

The U.S. government estimates for coca leaf, cocaine, marijuana, opium, and heroin production are *potential* estimates; that is, it is assumed that all of the coca, cannabis, and poppy grown is harvested and processed into illicit drugs. This is a reasonable assumption for coca leaf in Colombia. In Bolivia and Peru, however, the U.S. government potential cocaine production estimates do not remove for coca leaf locally chewed and used in products such as coca tea. In Southwest and Southeast Asia and Latin America, it is not unrealistic to assume that virtually all poppy is harvested for opium gum, but substantial amounts of Asian opium are consumed or stored rather than being processed into heroin; the proportion of this opium ultimately processed into heroin is unknown.

### **Other International Estimates**

The United States helps fund estimates done by the United Nations in some countries. These estimates use different methodologies from the U.S. government assessments and utilize a mix of imagery and ground-based observations. The UN estimates are often used to help determine the response of the international donor community to specific countries or regions.

There have been some efforts for the U.S. government and the UN to understand each other's methodologies with the goal of improving both sets of estimates. These efforts are ongoing.

This report also includes data on drug production, trafficking, seizures, and consumption that come from host governments or non-governmental organizations. Such data is attributed to the source organization, especially when we cannot independently verify it.

## Worldwide Potential Illicit Drug Production 2011-2019

(All figures in metric tons)

	2011	2012	2013	2014	2015	2016	2017	2018	2019
<b>Opium*</b>									
Afghanistan	4,400	4,300	5,500	6,300	4,100	5,800	9,140	5,330	6,700
Burma	450		795	900		834			In process
Colombia				20	24			14	
Guatemala		4	6	14	6	7	5	4	In process
Laos	57					91			
Mexico	250	220	225	360	600	685	944	903	661
Pakistan		28	220	105	29	52			
<b>Potential Pure Heroin</b>									
Afghanistan	510	510	650	740	480	680	1,070	628	788
Burma	43		76	85		79			In process
Colombia				3	3			2	
Guatemala		.5	1	2	1	1	1	1	In process
Laos	6					9			
Mexico	30	26	26	42	70	81	111	106	78
Pakistan		3	26	12	3	6			
<b>Total Potential L. America Heroin Production</b>	<b>30</b>	<b>27</b>	<b>27</b>	<b>47</b>	<b>74</b>	<b>82</b>	<b>112</b>	<b>109</b>	In process
<b>Total Potential Worldwide Heroin Production</b>	<b>590</b>	<b>540</b>	<b>780</b>	<b>880</b>	<b>560</b>	<b>856</b>	<b>1,187</b>	<b>737</b>	In process
<b>Potential Pure Cocaine</b>									
Bolivia	213	174	188	236	268	284	246	251	301
Colombia	273	263	279	353	564	775	906	877	936
Peru	385	388	460	409	445	462	481	527	649
<b>Total Potential Pure Cocaine</b>	<b>871</b>	<b>826</b>	<b>927</b>	<b>998</b>	<b>1,277</b>	<b>1,521</b>	<b>1,633</b>	<b>1,655</b>	<b>1,886</b>
<b>Potential Export-Quality Cocaine</b>									
Bolivia	243	203	240	316	321	333	285	276	328
Colombia	364	339	366	460	748	993	1,068	1,020	1,124
Peru	461	500	555	506	552	532	533	568	706
<b>Total Potential Export-Quality Cocaine</b>	<b>1,068</b>	<b>1,042</b>	<b>1,160</b>	<b>1,282</b>	<b>1,621</b>	<b>1,859</b>	<b>1,886</b>	<b>1,864</b>	<b>2,157</b>

Notes:

Cocaine production figures are continually revised based on new field data.

Estimates may not add to totals due to rounding.

Opium production is reported at zero percent moisture.

Some Asian opium is consumed and not processed into heroin.

Opium production for 2018 was recalculated to use province-level yield data where available. The same method was used for opium production in 2019. The previously reported estimate for opium production in 2018 was 5,330 metric tons.

## Worldwide Illicit Drug Crop Cultivation 2011-2019

(All figures in hectares)

	2011	2012	2013	2014	2015	2016	2017	2018	2019
<b>Poppy</b>									
Afghanistan	115,000	180,000	198,000	211,000	201,000	207,000	329,000	221,000	160,000
Burma	36,500		51,000	52,000		44,800			
Colombia				800	1,100			663	In process
Guatemala		220	310	640	260	310	232	187	In process
Laos	4,400					4,200			
Mexico	12,000	10,500	11,000	17,000	28,000	32,000	44,100	41,800	30,400
Pakistan		755	4,300	2,800	930	1,400			
<b>Coca</b>									
Bolivia	25,500	25,000	27,000	35,000	36,500	37,500	31,000	32,900	42,200
Colombia	83,000	78,000	80,500	112,000	159,000	188,000	209,000	208,000	212,000
Peru	49,500	50,500	59,500	46,500	53,000	44,000	49,800	52,100	72,000
<b>Total Coca</b>	<b>158,000</b>	<b>153,500</b>	<b>167,000</b>	<b>193,500</b>	<b>248,500</b>	<b>269,500</b>	<b>289,800</b>	<b>293,000</b>	326,200
<b>Cannabis</b>									
Mexico	12,000	11,500	13,000	11,000		11,500			

Notes:

Estimates may not add to totals due to rounding. Some estimates for 2019 were not available at the time of this report.

Guatemala poppy cultivation: 2012 survey limited to fall season in San Marcos and Huehuetenango only.

Laos poppy cultivation: Estimates for 2016 are for Phongsali only. Survey area for 2011 was expanded.

Pakistan poppy cultivation:

- 2012 estimates are for Bara River Valley in Khyber Agency only.
- 2013, 2015, and 2016 estimates include the Bara River Valley, Mohmand and Bajaur Agencies, and selected areas in Balochistan.
- 2014 estimate includes the Bara River Valley and areas in Balochistan.

## **U.S. GOVERNMENT ASSISTANCE**

## U.S. Department of State FY 2020-2021 Budget

### Counternarcotics Program Area

\$ in thousands for all items	FY 2020 653(a)	FY 2021 Request
<b>TOTAL</b>	\$ 432,536.00	\$ 441,358.00
<b>Africa</b>	\$ 2,300.00	\$ 1,000.00
Liberia	\$ 1,300.00	\$
State Africa Regional	\$ 1,000.00	\$ 1,000.00
<b>East Asia and Pacific</b>	\$ 3,110.00	\$ 2,000.00
Burma	\$ 1,300.00	\$ 500.00
Indonesia	\$ 950.00	\$ 400.00
Laos	\$ 500.00	\$ 500.00
Philippines	\$ 360.00	\$ 600.00
<b>South and Central Asia</b>	\$ 44,297.00	\$ 28,000.00
Afghanistan	\$ 35,000.00	\$ 23,000.00
Kazakhstan	\$ 367.00	\$
Pakistan	\$ 5,000.00	\$ 3,000.00
Tajikistan	\$ 1,000.00	\$
Uzbekistan	\$ 500.00	\$
Central Asia Regional	\$ 2,430.00	\$ 2,000.00
<b>Western Hemisphere</b>	\$ 263,229.00	\$ 277,811.00
Colombia	\$ 135,000.00	\$ 199,500.00
Mexico	\$ 52,000.00	\$ 20,000.00
Peru	\$ 37,900.00	\$ 37,900.00
State Western Hemisphere Regional (WHA)	\$ 38,329.00	\$ 20,411.00
<i>of which, CARSI</i>	\$ 27,354.00	\$ 18,850.00
<i>of which, CBSI</i>	\$ 10,975.00	\$ 1,561.00
<b>INL - International Narcotics and Law Enforcement Affairs</b>	\$ 119,600.00	\$ 132,547.00
INL - CFSP, Critical Flight Safety Program	\$ 18,000.00	\$
INL - Demand Reduction	\$ 15,000.00	\$ 8,000.00
INL – Drug Supply Reduction	\$ 17,000.00	\$ 12,500.00
INL – Global Crime and Drugs Policy	\$ 4,600.00	\$ 1,950.00
INL - Inter-regional Aviation Support	\$ 42,000.00	\$ 28,600.00
INL - Program Development and Support	\$ 18,000.00	\$ 81,497.00
To Be Programmed	\$ 5,000.00	\$



## International Training

International counternarcotics training is managed and funded by the U.S. Department of State's Bureau of International Narcotics and Law Enforcement Affairs (INL), and implemented by various U.S. law enforcement organizations including the Drug Enforcement Administration (DEA), the Federal Bureau of Investigation (FBI), Immigration and Customs Enforcement (ICE), U.S. Customs and Border Patrol (CBP), and U.S. Coast Guard. The major objectives of these trainings are to strengthen the rule of law infrastructure in countries that cooperate with the United States and are significant to U.S. narcotics control efforts; improve the skills of law enforcement personnel who work on counter drug matters in these countries; and increase cooperation between U.S. and foreign law enforcement officials.

The overarching goal of U.S. counternarcotics training is to support the development of effective host country enforcement institutions that are self-sufficient and capable of removing drugs from circulation before they can reach the United States. U.S. training can take one of two forms: as part of a bilateral assistance program in partner countries, or as regional training with international participants from multiple countries.

International Law Enforcement Academies (ILEAs) funded by the United States provide regional training. The ILEAs are international academies in which U.S. law enforcement experts train law enforcement officials from participating countries in both general law enforcement training and specialized training for mid-level managers, including in counternarcotics, counterterrorism, and border control matters.

U.S. bilateral training assistance programs work closely with international organizations such as the UN Office on Drugs and Crime (UNODC) and the Organization of American States. The United States coordinates planning for such assistance with other donors through mechanisms such as the Dublin Group (an informal body of countries and organizations that provide law enforcement training), and the Paris Pact (an informal network of states dedicated to stopping the spread of Afghan opiates). The United States continuously works to promote burden-sharing with our allies in the provision of training, as well to ensure that our respective efforts are complementary and directed towards common goals.

### International Law Enforcement Academies (ILEAs)

The core objectives of the ILEAs are to foster partnerships with other countries in important regions of the world and build the capacity of foreign criminal justice partners of the United States to stop crime before it impacts the United States. These academies are an important part of the interagency U.S. effort to combat transnational criminal organizations. The Department of State coordinates with law enforcement components from the U.S. Departments of Justice, Homeland Security, Interior, Energy, Commerce, and Treasury, as well as with foreign government counterparts to implement the ILEA program.

Celebrating its 25<sup>th</sup> anniversary in 2020, the ILEA program has grown to six facilities worldwide, and has provided training to more than 70,000 students from countries in Africa, Europe, Asia, and Latin America. The ILEA program hosts approximately 160 courses per year

and delivers a combination of in-person and now virtual trainings, in light of the COVID-19 pandemic. Training at the five overseas academies includes leadership and specialized skill development and tactics in law enforcement areas to combat transnational organized crime (TOC), such as counternarcotics, investigating money laundering and financial crimes, and border control. The ILEA in Roswell, New Mexico, also provides courses for senior officers and administrators on principles of leadership, effective management, and policy development.

The ILEA trainings have resulted in an extensive network of alumni who exchange information with their regional and U.S. counterparts while combating TOC. Many ILEA graduates have become leaders and decision-makers in their respective law enforcement organizations. Due to the COVID-19 pandemic, the ILEA program pivoted to virtual training and engagements in 2020 and, through a combination of virtual and in-person trainings, trained over 2,100 students.

**Africa.** ILEA Gaborone (Botswana) opened in 2001 and the Regional Training Center (RTC) in Accra (Ghana) opened in 2012. ILEA Gaborone and RTC Accra deliver specialized courses for police and other criminal justice officials in Africa to boost their capacity to work with U.S. and regional counterparts. These courses concentrate on methods and techniques in a variety of subjects, such as anticorruption, financial crimes, border security, crime scene investigations, counternarcotics, explosives, trafficking in weapons and wildlife, gender-based violence, and community policing.

**Asia.** ILEA Bangkok (Thailand), which opened in 1999, focuses on enhancing regional cooperation against transnational crime threats in Southeast Asia with member states of the Association of Southeast Asian Nations (ASEAN). ILEA Bangkok's specialized courses focus on counternarcotics, anticorruption, financial crimes, environmental crimes, and trafficking in persons, weapons, and wildlife.

**Europe.** ILEA Budapest (Hungary) was the first ILEA, established in 1995. It offers courses on regional threats including anticorruption, organized crime, cybercrime, financial crimes, women in law enforcement, domestic and gender-based violence, and specialized training for judges and prosecutors.

**Global.** ILEA Roswell (New Mexico) opened in September 2001. It hosts senior officials and policy makers including top prosecutors, judges, police commanders and lawmakers to discuss ways to achieve effective criminal justice systems. These delegates are at the senior levels of leadership and decision making in their countries and are positioned to implement substantive changes to the criminal justice systems upon their return. ILEA Roswell draws senior officials from all participating ILEA countries.

**Latin America and the Caribbean.** ILEA San Salvador (El Salvador) opened in 2005. It offers courses on anti-gang efforts, human rights, counternarcotics, border security, and financial crimes.

## Drug Enforcement Administration (DEA)

The mission of the DEA is to enforce the controlled substances laws and regulations of the United States. As part of this mission, DEA seeks to bring to justice the criminal organizations and principal members of drug trafficking organizations (DTOs) based in the United States or foreign nations involved in the cultivation, manufacture, or distribution of controlled substances, as well as the money laundering of illicit finances derived from drug trafficking.

To achieve this mission, DEA has nearly 10 percent of its Special Agent and Intelligence Analyst work force permanently assigned overseas at 89 DEA foreign offices located in 67 countries. DEA's foreign offices act as conduits of actionable and strategic information, intelligence, and evidence to law enforcement and prosecutorial components in the United States and vice versa. In this manner, DEA is able to identify, target, and dismantle the entire global spectrum of the DTOs. DEA foreign offices are tasked with four principal missions:

- Conduct bilateral and multilateral investigations with host country law enforcement partners;
- Coordinate counternarcotic intelligence gathering with host governments;
- Implement training programs for host country police and prosecutor agencies;
- Support the advancement and development of host country drug law enforcement institutions.

The emphasis placed on each objective is determined by the host nation's unique circumstances as they relate to their drug trafficking threat, infrastructure, and law enforcement capabilities. DEA has very successful Non-Sensitive Investigative Unit (Non-SIU) and Sensitive Investigative Unit (SIU) Programs, which other agencies consider model programs. These programs receive funding from the Department of State's Bureau of International Narcotics and Law Enforcement (INL). DEA works side by side with host nation counterparts to develop relevant training, promote intelligence sharing, conduct bilateral investigations, and support joint counter-drug operations. The vast majority of DEA foreign efforts and resources are dedicated to conducting international drug and drug money laundering investigations. In Fiscal Year (FY) 2020, there were 17 active Interagency Agreements (IAAs) under which INL provided funding support to capacity building and training of DEA's host nation counterparts. One of these programs includes DEA's partnership with the Department of Justice International Criminal Investigative Training Assistance Program (ICITAP) Program for critical support to Senegal.

**International Training:** DEA's International Training Office (TRI) has provided training, mentoring, and capacity building for our international partners for over 25 years. TRI is comprised of four dedicated Mobile Training Teams, which provide training on an annual basis. All DEA international training programs have as a major objective the building of regional working relationships between countries. In FY20, travel restrictions due to COVID-19 resulted in classes being postponed during the period March to October. However, TRI successfully conducted 87 courses overseas, training over 2,500 foreign law enforcement counterparts from 88 different countries. Courses were conducted at the Department of State's International Law Enforcement Academies (ILEAs) in Europe, Africa, Asia, and Central America, and other host nation training facilities around the world.

**International Drug Enforcement Conference (IDEC) - Strengthening International**

**Relations:** IDEC was established in 1983 to institutionalize regional cooperation of drug law enforcement officials from countries in the Western Hemisphere. Over the years IDEC has evolved into an important global forum where the highest-ranking agency leaders and prosecutors from approximately 125 countries gather to develop a cooperative vision and establish strategies for combating DTOs. Participants build, balance, and integrate the tools of law enforcement to combat these criminal networks and develop a framework for international cooperation to protect all our citizens from the violence, harm, and exploitation resulting from drug trafficking and commensurate threats to national security. IDEC initiatives have demonstrated that a multilateral enforcement approach has a cumulative effect, as member nations increasingly coordinate their law enforcement efforts to investigate and prosecute major DTOs and their leaders and to seize and block their assets. Due to COVID-19 restrictions, the 37<sup>th</sup> annual IDEC, which had been tentatively scheduled for August 2020 in Washington, DC, was canceled.

**The Special Testing and Research Laboratory's Programs:** The Heroin and Cocaine Signature Programs (HSP/CSP) at the DEA Special Testing and Research Laboratory (STRL) determines the geographic origins of heroin and cocaine seizure samples. In addition, the laboratory maintains a Methamphetamine Profiling Program (MPP) that determines the synthetic routes and precursor chemicals employed in producing methamphetamine. The classification schemes for these programs were developed using authentic samples collected from drug source countries worldwide, as well as drug processing laboratories in those countries. By collaborating with partner nations, numerous such "authentic" samples are submitted annually to the laboratory from the DEA foreign offices. Currently, the laboratory classifies several thousand drug exhibits seized within the United States and abroad annually.

The Signature and Profiling Programs provide the counterdrug intelligence community with science-based heroin and cocaine source data and intelligence information regarding methamphetamine synthesis. The HSP, CSP, and the MPP are crucial tools to investigate and support strategic intelligence regarding illicit production, trafficking, and availability of these three high profile drugs within the United States and foreign countries. Over the past several years, the laboratory has established a robust Emerging Trends Program to analyze new psychoactive substances for enforcement and intelligence purposes. This group has identified over 400 synthetic cannabinoids, substituted cathinones, opioids, and powerful hallucinogenic compounds that have come into the drug market.

To assist with addressing the opioid crisis in the United States, STRL developed and implemented a new Fentanyl Signature Profiling Program (FSPP). Through an in-depth analysis including quantitation, impurity profiling, isotopic characterization, and occluded solvents analysis, the FSPP provides unique science-based forensic investigative leads on seizures where linkages were unknown or only suspected; real-time data to investigators; answers to key questions from the counterdrug intelligence/enforcement community and U.S. policymakers; and direct support to the National Drug Control Strategy. Since its inception, this program has established 110 linkages involving 432 exhibits from DEA seizures of 1,232 kilograms of fentanyl.

**DEA Operations Division/Office of Financial Investigations:** The mission of the Financial Investigations Section (ODF) is to augment all DEA domestic and foreign money laundering/threat finance investigations. ODF provides assistance, expertise, and support to identify, document, and prosecute, drug-money laundering organizations operating globally. It builds capacity among federal, state, local, and international law enforcement counterparts and interacts with the financial services industry in money laundering/threat finance investigations. Through DEA's foreign offices, ODF facilitates cooperation between countries, resulting in the identification and prosecution of money laundering organizations operating as part of or on behalf of transnational criminal organizations and the seizure of assets and denial of revenue globally.

ODF regularly briefs United States government officials, foreign government officials, and military, intelligence and law enforcement counterparts regarding the latest trends in money laundering, narcoterrorism financing, international banking, offshore corporations, international wire transfer of funds, and financial investigative tools. ODF conducts training for domestic DEA field offices, and in coordination with DEA's foreign offices, for host country counterparts in order to share strategic ideas and promote effective techniques in financial investigations. During 2020, due to COVID-19 restrictions ODF participated and led virtual strategy sessions focused on investigative case coordination.

DEA has prioritized having a financial component to its investigations by making it a key component of Priority Target Operations, the Domestic Cartel Initiative, and Organized Crime Drug Enforcement Task Force investigations. DEA has approximately 20 dedicated financial investigative teams across DEA's domestic offices, as well as approximately three foreign-based DEA teams in Mexico, Peru, and Colombia.

## United States Coast Guard (USCG)

The USCG plays a crucial role within the Department of Homeland Security (DHS) to support multiple lines of efforts of the National Drug Control Strategy to reduce the availability of illicit drugs in the United States. The USCG is the lead U.S. federal agency for drug interdiction on the high seas. It exercises tactical control of USCG cutters, along with the U.S. Navy and allied assets with embarked USCG Law Enforcement Detachments, for the interdiction of suspected drug smuggling vessels.

The USCG uses cutters, boats, and aircraft in a layered approach to combat drug cartels as they transport illicit drugs from the source zone, through the Western Hemisphere Transit Zone (WHTZ), and into the United States. This approach confronts the threat beyond U.S. land borders on the high seas where traffickers are most exposed and illicit drug shipments are most vulnerable to interdiction by law enforcement.

In the WHTZ, the USCG is the major maritime interdiction entity for U.S. Southern Command through the Joint Interagency Task Force – South (JIATF-South), which executes the Department of Defense (DoD) statutory responsibility for the detection and monitoring of illicit drugs bound for the United States by air or sea. The USCG, Customs and Border Protection, Department of Defense, and U.S. allies provide fixed-wing maritime patrol aircraft which, coupled with intelligence capabilities provided through JIATF-South and other agencies, facilitate U.S. and partner nation interdiction efforts. The USCG's most capable interdiction platforms include flight deck-equipped cutters that deploy armed helicopters and pursuit boats, and USCG Law Enforcement Detachments embarked on U.S. Navy and allied ships.

**Counternarcotics Operations:** Detection of suspect vessels occurs principally through the collection, analysis, and dissemination of tactical information and intelligence combined with effective sensors operating from land, air, and surface assets. The gathering and analysis of intelligence, together with persistent surveillance via maritime patrol aircraft, are essential to maximize interdiction efforts. Working in conjunction with the Department of State and Department of Justice, the USCG has negotiated, concluded, and maintained over 40 counterdrug bilateral agreements and operational procedures with partner nations throughout the world, the majority of which are in the Western Hemisphere. These agreements enable the USCG to board suspect vessels, facilitate interdictions in under-patrolled territorial waters of partner nations, deter illicit activity in the littoral regions, and coordinate interdiction and apprehension operations in the WHTZ.

**International Cooperative Efforts:** In 2020, USCG personnel were permanently assigned overseas as USCG Liaison Officers, USCG Section Chief (Mexico), Defense Attachés, Maritime Advisors, and Support to Interdiction and Prosecution team members to facilitate maritime counterdrug activities, including security assistance, intelligence collection and dissemination, prosecutorial support, and to liaise with the U.S. interagency and international community.

The USCG, with support from the U.S. Department of State, hosts two multilateral summits annually: the Multilateral Maritime Interdiction and Prosecution Summit in the Caribbean and the Multilateral Maritime Counter Drug Summit in Central and South America. These summits

bring together professionals from operational and legal communities to enhance regional awareness of illicit trafficking threats, advance multinational cooperation, and discuss the judicial/prosecutorial challenges, information sharing, training, and logistics that are necessary to improve outcomes in the interdiction to prosecution continuum. To counter trans-Atlantic drug flows and other illicit maritime activity, including piracy, weapons trafficking and illegal fishing, the USCG works with U.S. Africa Command to expand maritime training and operations for West African countries through the African Maritime Law Enforcement Partnership.

**International Training and Technical Assistance:** The USCG's Security Assistance Program offers resident training programs, mobile training teams (MTTs), and technical assistance to partner nation maritime services around the world to enhance their interdiction capacities. In Fiscal Year 2020, the USCG deployed 25 MTTs to 17 countries, and approximately 151 international students from 52 countries graduated from 24 different resident courses at USCG training installations.

The Technical Assistance Field Team, a joint initiative between the USCG and the U.S. Southern Command, is a team of nine Coast Guard engineers and logisticians whose purpose is to professionalize and improve the operational readiness of 13 Caribbean maritime forces through technical assistance visits.

The USCG Support to Interdiction and Prosecution Team (CG-SIP) program, established in collaboration with the U.S. State Department's Bureau of International Narcotics and Law Enforcement Affairs, consists of two USCG Investigative Service (CGIS) Special Agents. This team provides maritime counterdrug and prosecutorial support and coordinates between Coast Guard strategic, operational, and tactical units, the U.S. Embassy Country Team in the Dominican Republic, Combatant Commanders, and JIATF-South. This program looks to expand and provide similar support to other countries receiving assistance under the Caribbean Basin Security Initiative.

### **Operational Highlights:**

In June 2020, the Coast Guard Cutter VIGILANT and Colombian Navy conducted a multi-day boarding of the motor vessel Cap White in the Western Caribbean. Extensive efforts by multiple U.S. and Colombian agencies during the at-sea and dockside boarding led to the seizure of over 16,700 pounds (7.5 metric tons) of cocaine mixed with a soft white clay concealed in 50-pound bags. This marked the largest USCG cocaine interdiction in the Caribbean region in 12 years. This case highlights the robust interagency and international relationships with our foreign partners. The ability to effectively conduct partner nation-led dockside boardings alleviates some of the challenges USCG law enforcement teams face with fully searching a vessel at sea, as concealment methods aboard drug smuggling vessels become more advanced.

## U.S. Customs and Border Protection (CBP)

U.S. Customs and Border Protection (CBP), a component of the Department of Homeland Security, processes all goods, vehicles, and people entering and exiting the United States. CBP is also charged with passport control and agriculture inspections in order to provide comprehensive, seamless border control services. CBP is the nation's first line of defense against the introduction of dangerous drugs from foreign sources.

CBP officers, Border Patrol agents, and Air & Marine interdiction agents are charged with identification and prevention of terrorist travel to the United States and interception of illicit drugs and other contraband, improperly classified merchandise, unlicensed technology and material, weapons, ammunition, fugitives, undocumented immigrants, and unreported currency at America's 328 international ports of entry (POEs), 135 US Border Patrol Stations and 5 Substations, and 74 Air and Marine Operations Branches and Units.

**Office of Field Operations (OFO)** is the component in CBP that carries out CBP's complex and demanding border security mission at all POEs. It secures and expedites international trade and travel, and stops illicit travel, trade, and smuggling attempts through the POEs via a layered enforcement strategy of advanced data analysis, partnerships with trade stakeholders to secure the supply chain, non-intrusive inspection equipment, canine teams, and trained CBP officers. Continued growth in international trade and travel, expanding mission requirements, and facility demands continue to challenge CBP efforts to secure the country.

**United States Border Patrol (USBP)** agents are responsible for securing the border between the POEs along more than 8,000 miles of land and coastal border. Threats include drug smugglers and other criminals, potential terrorists, and persons seeking to avoid inspection at the POEs. CBP operates 35 permanent and 140 tactical immigration checkpoints nationwide. While their primary purpose is to inspect vehicular traffic for persons seeking to enter the United States illegally, agents also often encounter violators of other federal laws, and USBP uses experienced agents, canine teams, technology, and shipper-CBP partnerships to detect threats and apprehend criminals. Agents also patrol border areas that are frequent entry points for the smuggling of drugs and people into the United States.

**Air and Marine Operations (AMO)** anticipates and confronts security threats through aviation and maritime law enforcement expertise. It has over 70 locations, with assets including over 240 aircraft and a maritime force of over 300 maritime vessels covering from Maine to Florida, Washington to California, Northern and Southern borders, and an approximately 42-million-square-mile area which includes more than 40 nations and the Pacific Ocean, Gulf of Mexico, Caribbean Sea, and seaboard approaches to the United States.

**AMO Foreign Operations:** AMO is increasing the effectiveness of its partnerships by increased collaboration with CBP International Affairs, CBP Attaches, and other international partners to strengthen its ability to counter transnational crime. It conducts operations, training, program assessments, and capacity building in collaboration with U.S. partners throughout the world. In the source and transit zones, AMO has collaborated with the Department of State and



Department of Defense to develop initiatives to build aviation and maritime capacity of partner nations in Central America, Mexico, and the Caribbean.

**AMO National Airspace Security Operations (NASO):** NASO regularly schedules airborne operations using surveillance aircraft in the 42 million square miles of Caribbean and Eastern Pacific Ocean known as the source and transit zone. It coordinates with the Information Analysis Center, Air and Marine Operations Center, Joint Interagency Task Force (JIATF) South, and international partners who cooperate in combating transnational organized crime.

**Office of International Affairs:** CBP's Office of International Affairs (INA) works with other U.S. government agencies and foreign government partners to share information and intelligence and promote CBP international programs. Its programs and initiatives promote anti-terrorism, global border security, nonproliferation, export controls, and building partner capacity. INA strengthens bilateral and multilateral relationships via informal and formal agreements and joint efforts that facilitate and secure legitimate trade and travel. INA supports CBP's operational offices by leveraging its expertise to increase foreign partners' border security capacities, and by implementation and expansion of programs to identify high-risk travelers and cargo, special interest aliens, and joint programs.

**Port of Entry Interdiction Training:** The approach to border interdiction varies with border environments, i.e., land, seaport, rail, and airport. In addition to training at POEs, CBP also provides training in techniques used by smugglers who attempt to smuggle contraband across lightly patrolled border areas rather than at official POEs.

**International Bulk Currency Smuggling Training:** Bulk currency smuggling training assists foreign government enforcement personnel in identifying techniques used by bulk currency smugglers. It also helps international partners develop programs to counter this crime, resulting in seizures of millions of dollars from the proceeds of crime.

**Overseas Enforcement Training:** The curriculum for Overseas Enforcement Training includes Border Enforcement Training; Supply Chain Security; Detection, Interdiction and Investigation; Concealment Methods; Bulk Currency Smuggling; False and Fraudulent Documents; Train-the-Trainer; Anti-Corruption; Targeting and Risk Management; Hazardous Materials; and X-ray Systems. These courses include both basic training and refresher training/mentoring abroad for graduates of training at U.S. port facilities.

**CBP Attachés, Representatives and Advisors and Special Customs' Programs:** CBP Attachés and Advisors report to INA and serve as the Commissioner's in-house specialists to help bring countries into alignment with U.S. priorities. Attachés are posted in U.S. Embassies and Consulates where they inform and advise mission leadership on CBP programs and capabilities. In 2020, CBP had 25 Attachés and 16 partner-funded Advisors in 32 countries. The Attachés exchange information with foreign counterparts to improve the effectiveness of law enforcement activity; negotiate international agreements (e.g., Customs Mutual Assistance Agreements); promote initiatives to deter and dismantle transnational criminal organizations; advocate the benefits of integrated border management and develop relationships with stakeholders to facilitate legitimate international trade and travel; and educate stakeholders about

CBP's many international programs such as the Container Security Initiative (CSI), Immigration Advisory Programs (IAP), Customs Trade Partnership Against Terrorism (CTPAT), and various trade and capacity building programs.

**CBP USBP Foreign Operations Division:** This division deploys personnel to expand its global footprint and improve relationships and partnerships with foreign counterparts.

**Customs Mutual Assistance Agreements:** In consultation with Immigration and Customs Enforcement (ICE), CBP leads negotiations of Customs Mutual Assistance Agreements (CMAAs) with foreign governments. CMAAs provide for mutual assistance in the enforcement of customs-related laws. Under these agreements, CBP provides assistance to its foreign counterparts and receives reciprocal assistance from them primarily in the exchange of information that facilitates the enforcement of each country's laws. As of Fiscal Year 2019, the United States had signed 81 CMAAs. CMAAs also provide a basis for the development of subsequent cooperation arrangements with foreign partners.

**Office of Field Operations, National Canine Enforcement Program:** The National Canine Enforcement Program (NCEP) provides technical expertise on using dogs in customs environments to detect fentanyl, dangerous narcotics, currency, concealed humans, and firearms. It assesses canine programs and works with the World Customs Organization and the U.S. Department of State to identify global partners that would benefit from canine fentanyl detection capability. In response to the COVID-19 pandemic, the NCEP shared canine health information with the World Customs Organization and other global partners.

**CBP Preclearance Field Offices:** Preclearance operations enhance aviation security by stationing CBP law enforcement personnel overseas to inspect travelers departing from foreign airports prior to boarding U.S.-bound flights. These officers conduct the same immigration, customs, and agriculture inspections of international air travelers typically performed upon arrival in the United States. CBP has more than 600 law enforcement officers and agriculture specialists stationed at 15 air preclearance locations in six countries. This added security layer provides an additional opportunity to detect and stop threats early in the process and has potential to increase capacity and growth opportunities for airports and air carriers while improving the passenger experience.

**National Targeting Center:** The National Targeting Center (NTC) collaborates with international partners to identify, disrupt, and manage cargo and passenger risks through information sharing and joint targeting operations in accordance with memoranda of understanding and CMAAs. The Center hosts and works with representatives from participating foreign agencies and with other U.S. government agencies to detect and disrupt terrorism, threats to national security and public safety, and transnational criminal activity including drug smuggling and trafficking. The NTC also provides training and technical assistance in risk assessment to foreign Customs, Immigration and other border enforcement agencies.

**Department of Defense Preclearance:** The Customs Border Clearance Agent (CBCA) program is designed to permit cargo consigned to the care of Department of Defense (DOD), as well as returning military personnel, to be pre-cleared for import/entry into the United States. DOD personnel that have been trained by CBP officers accomplish these pre-clearance

inspections. CBCA personnel conduct Customs and Agricultural inspections and certify personnel and cargo have met all CBP and USDA entry requirements, as well as Defense Travel Regulations, prior to departing to the United States. Inspections are conducted at 28 locations in seven foreign countries throughout the Middle East. CBP officers also provide technical assistance and annual site inspections/certifications at these DOD preclearance facilities.

**Immigration Advisory Program:** The Immigration Advisory Program (IAP) works in 20 sites around the globe with air carriers and authorities at foreign airports to prevent terrorists and other high-risk passengers from boarding U.S.-bound flights. CBP's Joint Security Program (JSP), a component of the IAP, identifies high-risk air travelers and contraband arriving and departing the host country. In 2014, IAP and JSP expanded to include the deployment of Police Liaison Officers to foreign partner law enforcement agencies to enhance information exchange related to terrorist and criminal travel threats.

**U.S. Border Patrol Special Operations Headquarters Central America Advisory Support and Training:** Special Operations Headquarters (SOH) coordinates with USBP Foreign Operations Division and CBP/International Affairs in developing strategy and policy regarding overseas operations. It supports USBP vetted interdiction units in Central American countries to dismantle criminal networks involved in smuggling drugs and other contraband. In coordination with interagency partners, SOH provides advisors to Central American governments in developing border security strategy. SOH foreign advisors also support CBP efforts to expand information sharing efforts in the air passenger environment, including through the collection and analysis of biometric data.

**U.S. Border Patrol Support to the Biometric Identification Transnational Migration Alert Program (BITMAP):** BITMAP is a host country led initiative in which DHS/Homeland Security Investigations and USBP trains and equips foreign counterparts to collect biometric and biographic data on special interest aliens, gang members, and other persons of interest identified by the host country. Foreign partners share this data with ICE and CBP to enhance U.S. efforts to target criminal networks. This information is used to identify and map illicit pathways and emerging trends among criminal organizations; associate derogatory information with individuals; and identify known or suspected terrorists, criminals, and other persons of interest.

**Office of Field Operations (OFO) Special Response Team (SRT):** The Department of Homeland Security (DHS) and CBP use the SRT to support CBP international initiatives, including: International Affairs International Training and Assistance Division (ITAD); CBP Advisors and Special Customs' Programs; CBP Pre-Clearance; Immigration Advisory Program/ Joint Security Program (IAP/JSP); and various other special mission requests. SRT supports capacity building in host nation institutions by providing advanced tactical enforcement training; threat assessments and site surveys prior to CBP deployment; and liaison guidance. SRT also provides training to CBP employees prior to deployment to foreign assignments.

## **CHEMICAL CONTROLS**

## Introduction

A critical component in the effort to combat illicit drugs is preventing criminals from gaining access to the chemicals needed to produce them. The challenge has taken on more urgency due to the explosion of synthetic opioids and unscheduled synthetic drug analogues known as new psychoactive substances (NPS).

Chemicals are both essential ingredients for the production of synthetic drugs like methamphetamine and fentanyl, and refining agents for processing coca and opium poppy into cocaine and heroin. Preventing diversion of these chemicals is one of the most difficult challenges to reducing illicit drug supplies, and comprehensive efforts to do so require strong national efforts to control the production, transport, sale, storage, and disposal of these substances, as well as international coordination between governments and with private industry.

The use of chemicals to isolate and refine traditional plant-based drugs, such as cocaine and morphine (the latter of which is used to produce heroin) has not changed to a significant extent over the years. In contrast, the chemicals used as key ingredients of synthetic opioids and NPS are constantly evolving as criminals shift production methods and chemical sources to evade drug controls and tailor products to meet consumer demand. The United Nations Office on Drugs and Crime (UNODC) has identified over 1,000 different NPS and estimates the number of potential fentanyl analogues alone to number in the thousands.

While it is important to prevent criminal access both to the “traditional” chemicals used to produce plant-based drugs and those used in the production of synthetic opioids and NPS, it is the latter that are by far the greater challenge. Given that synthetic drugs can be manufactured virtually anywhere, in facilities ranging from sophisticated laboratories to basements, the chemical supply chains that feed production of these drugs are extremely diverse and difficult to monitor. Sustained cooperation and expanded information sharing both within and between national governments are critical to keep pace with rapidly emerging trends in this field. In light of these challenges, and given the enormous increase in production of synthetic opioids and NPS, this report includes a separate section on synthetic drugs, while this chapter on Chemical Control reports more broadly on countries/governments with important chemical industries or that are key destination or transit countries for precursor chemicals.

## The International Framework

The 1988 United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances (UN Drug Convention) is the legal framework for international cooperation to prevent precursor chemical diversion. Specifically, Article 12 requires the 191 UN member states that are party to the convention to monitor their international trade in the chemicals listed in Tables I and II of the Convention. These chemicals have legitimate industrial uses and the tables are updated regularly to account for changes in the manufacture of illicit drugs. Under the treaty, the International Narcotics Control Board (INCB) has a special responsibility to monitor governments' control over precursors used in the illicit manufacture of drugs, and to assist them in preventing the illicit diversion of those chemicals. State parties are required to share information with one another and with the INCB on their international transactions involving

these chemicals to identify and prevent diversion for illicit purposes. Article 12, Sections 8 and 9 of the Convention require licensing or similar control of all persons and enterprises involved in the manufacture and distribution of listed chemicals.

The United Nations Commission on Narcotic Drugs (CND) is the treaty-based body within the UN system with prime responsibility for international drug control policy. Resolutions passed by the CND have provided additional guidance to state parties on best practices to implement their obligations.

In 2017, the CND took the significant step of requiring all state parties to the 1988 UN Drug Convention to control two of the key precursor chemicals used to produce fentanyl: 4-anilino-N-phenethylpiperidine (ANPP) and N-phenethyl-4-piperidone (NPP). This scheduling decision has reduced the ability of illicit drug manufacturers to obtain these chemicals, which in turn has led some criminals to adjust production methods, including the use of alternative chemicals more widely available for commercial purposes and not controlled under the UN system. There is evidence that illicit drug manufacturers have also turned increasingly to the use of so-called “pre-precursors” and “designer” precursors (chemicals intentionally produced to use in manufacturing scheduled precursors), using more advanced processing techniques. These trends have been identified by the INCB as a major concern, and are addressed more fully under this report’s section on synthetic drugs.

The INCB plays a critical role in preventing the illicit diversion of precursor chemicals. The INCB is an independent, treaty-based body responsible for assisting states in their efforts to achieve the aims of the three UN drug control treaties. Under the 1988 United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, the INCB is specifically responsible for assessing precursors, substances used in the illicit manufacture of narcotic drugs or psychotropic substances, and to make recommendations on monitoring measures to the Commission on Narcotic Drugs. The Board’s assessment as to scientific matters is determinative, but the Commission also considers other relevant factors in deciding appropriate measures to adopt. Decisions of the Commission are binding on parties to the 1988 Convention, which, with 191 parties, is nearly universal in its application. The United States provides funding to the INCB to monitor the measures called for in the UN conventions, and to improve detection and tracking of chemicals subject to diversion. Most recently, the US has provided funding to support Project GRIDS (Global Rapid Response to Dangerous Substances), which uses real-time platforms to exchange operational information as well as providing practical tools to enhance international cooperation.

The INCB has implemented a number of instruments to address the challenges of precursor chemicals:

- The Pre-Export Notification Online system (PEN Online) is an online database system that enables the exchange of information between member states on the import and export of chemicals required for the manufacture of illicit drugs. It is the only global system for monitoring international legitimate trade in precursor chemicals controlled under the 1988 UN Convention, and provides importing state authorities with an early alert system to verify the legitimacy of pre-export chemical shipments. Using data conveyed by PEN Online,

authorities may stop suspect shipments, or, in some cases, arrange controlled deliveries. Since the PEN Online system was first launched in March 2006, 164 governments have registered to use it. More than 35,000 pre-export notifications were submitted using the PEN Online system in 2019.

- The Precursors Incident Communication System (PICS) is another INCB tool that facilitates real-time communication exchange among law enforcement officials worldwide. The secure online system supports intelligence sharing on seizure incidents involving precursor chemicals (including clandestine laboratories), and facilitates direct coordination and collaboration among national authorities to advance investigations on chemical trafficking. PICS also helps to provide authorities with information on newly emerging precursors. Preliminary data indicates that in 2020, there were more than 123 incidents communicated through PICS, up from 117 the previous year. As of December 2020, there were more than 3,100 incidents communicated through PICS, an increase of more than 360 from the previous year. Those incidents involved more than 50 different countries and territories. The system has more than 560 registered users from 123 countries and territories, representing more than 290 agencies.
- The International Special Surveillance List (ISSL) is an INCB mechanism that tracks chemicals not regulated by the 1988 Convention but for which substantial evidence exists of their use in illicit drug manufacture. The CND has urged governments to make wider use of ISSL and take voluntary measures to apply greater oversight of the supply chain of chemicals listed by it.

In addition to PEN Online, PICS, and ISSL, the INCB coordinates multinational law enforcement task forces to monitor and intercept diverted chemicals used to illicitly manufacture drugs, specifically synthetic drugs (Project Prism), heroin and cocaine (Project Cohesion), and NPS (Project Ion). These ongoing mechanisms facilitate coordination between international law enforcement authorities for coordinating targeted, time-bound intelligence-gathering operations.

**Regional Bodies.** The regulatory framework codified by the United Nations does not exist in isolation. Regional bodies, such as the European Union and the Organization of American States (OAS) actively work in partnership with the United States on multilateral chemical control initiatives, including the implementation of CND resolutions. The OAS Inter-American Drug Abuse Control Commission (CICAD) and its Group of Experts on Chemical Substances and Pharmaceutical Products works to advance voluntary cooperation to prevent the diversion and criminal misuse of non-controlled chemicals, and in 2019 published model guidelines to serve as a regional roadmap for addressing this challenge.

### U.S. Assistance

The United States will continue to work with willing international partners to help countries enforce strong regulatory and enforcement regimes that safeguard the integrity of chemical supply chains and prevent illicit diversion of precursor chemicals. For example, the United States is funding a UNODC project in Southeast Asia to reduce the risk of illegitimate

production, diversion and trafficking of precursor chemicals and emerging substances. This program focuses on fentanyl and its analogues, methamphetamine, and related precursor chemicals. Through this project, UNODC is seeking to strengthen regional and inter-regional cooperation between national authorities and enhance coordination between relevant public and private sector actors in the region. The United States is also supporting Burmese law enforcement by providing training, detection and analysis equipment, and technical assistance to investigate and interdict diverted precursor chemicals.

In the Western Hemisphere, the United States helps the Government of Mexico improve its capacity to monitor the import of precursor chemicals and prevent illicit diversion, including through more effective border and port controls. In Guatemala, the United States is assisting the Government of Guatemala to safely dispose of stockpiles of diverted chemicals that have been seized in transit through the country. In Peru, the United States supports the Peruvian National Police Precursor Chemical Unit, Peruvian Customs, and the Precursor Chemical Task Force with training, mentoring, and operational assistance. The United States also supports the Colombian National Police Counternarcotics Directorate by providing detection equipment, technical assistance, and training to interdict diverted precursor chemicals.

In addition to the treaty-related efforts described above, international organizations also have important roles to play in programmatic efforts to help counter the transnational threat of illicit narcotics manufacture and distribution. The United States is funding UNODC to support regional efforts in Colombia, Ecuador, and Peru to strengthen legal frameworks, protocols, and technical capacity for the safe handling and disposal of drugs and precursor chemicals. The United States has also provided funding to the OAS/CICAD Expert Group on Chemical Substances and Pharmaceutical Products, which finalized model regulations in 2019 to help member states strengthen domestic legislation to prevent precursor chemical diversion. OAS/CICAD will continue working throughout the hemisphere to enhance the forensic capacity of its member states to identify and detect synthetic drugs and their precursor chemicals, including through trainings to law enforcement agencies and forensic laboratories.

In Afghanistan, the United States will continue to provide training and equipment to the Precursor Control Unit of the Counter Narcotics Police of Afghanistan. An agreement to support the Container Control Program was signed at the end of 2020. Working in tandem, these units conducted approximately 100 seizures in 2020, including over 10 metric tons (MT) of precursor chemicals.

The private sector also has a critical role to play in targeting precursor chemicals. An important component of these efforts is cooperation with the pharmaceutical industry; chemical, e-commerce, and shipping companies; and other public-private partnerships. The United States will continue to work with like-minded countries and to exert influence in international forums to highlight the importance of coordinating with industry to strengthen chemical supply chains, share information on emerging trends, and prevent diversion of legitimate chemical supplies. To this end, the INCB's Voluntary Code of Practice for the Chemical Industry offers a practical and flexible set of options for governments to draw from. The United States will also continue to work with other countries to encourage the application of domestic control measures similar to those applied to international trade in these chemicals.



## Major Chemical Source Countries and Territories

This section focuses on countries with large chemical manufacturing industries that have significant trade with drug-producing regions and those with significant chemical commerce susceptible to diversion domestically for smuggling into drug-producing countries. Designation as a major chemical source country does not indicate a lack of adequate chemical control legislation or the ability to enforce it. Rather, it recognizes that the volume of chemical trade with drug-producing regions, or proximity to them, makes these countries the sources of the greatest quantities of chemicals liable to diversion. The United States, with its large chemical industry and extensive trade with drug-producing regions, is included on the list.

### Afghanistan

Afghanistan's opium poppy harvest produces more than 80 percent of illicit heroin globally, but the country lacks the capacity to produce the chemicals required to provide those quantities of the illicit drug. The availability of acetic anhydride (AA), which has legal applications as well as being used in the production of heroin, comes from sources in neighboring countries disguised as legal cargo. Although the majority of demand is for AA, other chemicals used for the production of methamphetamine and methylenedioxymethamphetamine also enter through the borders of the southern and western regions and through established border crossing areas such as Torkham Gate in Nangahar province, Islam Qala in Herat province, and Zaranj in Nimroz province. DEA-mentored specialized units seized 30,849 kilograms of dry and 3,238 liters of liquid precursor chemicals in FY20 intended to produce these illicit drugs. Along with the DEA seizures, the CNPA independently reported the arrest of 44 suspects involved in the illegal transport or possession of precursor chemicals. Afghan law enforcement officials are combating the entry of illegal chemicals by increasing detection and interdiction capacities at land and air borders, along with investigations focused on the organized production of illicit drugs. Despite these efforts, the supply of precursor chemicals remains problematic.

### Argentina

Argentina is a large producer of chemical precursors and is in relatively close proximity to major cocaine-producing nations, raising a risk of diversion of chemicals for illicit uses. Argentina has enacted legislative measures to curb the illicit use of chemical substances, but the consumption of synthetic drugs, especially ecstasy, increased in the country by 200 percent between 2010 and 2017, according to a study conducted by the Presidency's Secretariat for Integrative Drug Policies. Argentina maintains a focus on chemical precursors used in the production of cocaine but has been shifting its attention toward those used in the production of methamphetamines.

During an unprecedented operation in February 2020, the Chemical Precursor Division of the Buenos Aires City Police's Narcocrime Department arrested a drug trafficker who had been running his own homemade laboratory to produce opioid-based pills using two powerful synthetic opioids (methadone and oxycodone). The laboratory was capable of producing over 4,000 pills per hour. Also in February, security forces stopped a truck heading from Uruguay to

Buenos Aires, Argentina and seized over 13,000 liters of chemical precursors (methyl ethyl ketone) used to produce cocaine and heroin.

In March 2020, the Ministry of Security received new spectrometer equipment ordered by the prior administration capable of analyzing over 15,000 different chemical substances in less than 30 seconds. This equipment can also analyze chemical compositions and complex formulas normally used to sidestep the list of controlled substances, which the Ministry of Security updated in 2019 to include 134 new substances. In September 2020, the Ministry of Security and Argentina's national postal service signed a Memorandum of Understanding to strengthen their coordinated efforts to prevent and detect the illicit shipment of chemicals by mail.

## **Bangladesh**

The Narcotics Control Act 2018 (NCA 2018) came into effect on December 27, 2018 replacing the NCA of 1990. All of the 26 precursor chemicals listed in the 1988 UN Convention at the time were included in the NCA 2018 schedule of "A Category Narcotics." Among the 26 precursor chemicals, the ones most used in Bangladesh are: acetone, diethyl ether, methyl ethyl ketone, potassium permanganate, sulphuric acid, hydrochloric acid, and toluene. Bangladesh's Department of Narcotics Control (DNC) is drafting guidelines for further detailing and clarifying narcotics control regulation in line with the NCA 2018.

According to DNC officials, Bangladesh does not manufacture precursor chemicals with the exception of sulphuric acid, hydrochloric acid, and toluene. All importers need licenses from DNC under any one of the three categories of import licenses: (1) importer and retailer, (2) importer and producer, or (3) importer and user. The DNC establishes upper limits for importers seeking to import precursor chemicals, which may vary depending on the importer's storage capacity and previous track record. This limit may be modified upon review of the importer's application subject to satisfactory inspection and justification, however, the DNC does not yet have enough resources to widely complete this process.

Major changes to precursor chemical controls in 2020 include: provisions for punishment of violations of the conditions of import licenses include an increased maximum fine of \$1,176, and the DNC is issuing new licenses only for chemicals stored in warehouses outside the Dhaka metropolitan area. The DNC took this step in response to a fire at a chemical warehouse in Dhaka that killed at least 80 in February 2019.

The counterdrug unit of the Dhaka Metro Police continues to successfully assist DEA in conducting investigations targeting Dhaka-based traffickers of pseudoephedrine chemical preparations. District Drug Control Committees (DDCC) monitor and coordinate the activities among the agencies responsible for drug and precursor chemical enforcement. The Bangladesh Police, Customs, Rapid Action Battalion, Border Guard, and Coast Guard are also authorized to detect and intercept illegal precursor chemical and drug operations.

**Belgium**

Belgian laws regulate the production and use of many chemicals required for illegal drug production, greatly reducing the production by Belgium's robust chemical industry of chemical precursors to synthetic drugs. Belgium controls all substances listed in the 1988 UN Convention Against the Illicit Traffic in Narcotic Drugs and has further adopted controls of additional substances listed in European Union regulations. Belgium requires and enforces strong reporting requirements for the import and export of precursor chemicals (for example, bulk pseudoephedrine/ephedrine, safrole oil, acetic anhydride, and benzyl methyl ketone). The Belgian Federal Police and Belgian Customs & Excise have the lead roles in enforcing these controls; however, shipments of pharmaceutical preparations (medication in tablet form) are only controlled on a regulatory level by the Belgian Ministry of Safety and Public Health.

Belgium has traditionally served as a transit point for precursor chemicals sourced out of China and India and destined for clandestine synthetic drug laboratories in the Netherlands and elsewhere. Belgium's high point for precursor chemical seizures was in 2018, when approximately 15 metric tons were seized. The figures for 2020 seizures are not available, but during the first ten months of 2019, Belgium seized approximately 5.7 metric tons of precursor chemicals, either at the Port of Antwerp or at international air cargo facilities. The most prevalent precursor chemical seized in 2019 was acetic anhydride, compared to piperonyl methyl ketone (PMK or MDP2P) in 2018. Belgian authorities readily admit that, due to the huge influx of cocaine through the Port of Antwerp, the targeting and interdiction of transiting chemicals has not been a priority in recent years.

**Belize**

In 2020 there was a notable increase in precursor chemical seizures submitted to the National Forensics Lab in Belize. The United States assisted Belize in passing vital legislation to supplement its Misuse of Drugs Act. The reactivated Belize Pharmaceutical Task Force supported by the United States made this legislative change a priority. The new legislation, the Chemical Precursor Control Act, addresses gaps and emerging trends in the trafficking of controlled substances (such as fentanyl precursors) that present threats to Belize's citizen security and that may find their way to U.S. markets. The updated and amended Misuse of Drugs Act successfully passed on September 29, 2020 and is now the prevailing national drug control law of Belize.

**Bolivia**

Bolivia's government passed a Controlled Substances Law in March 2017 that regulates precursor chemicals in coordination with the International Narcotics Control Board. Precursor chemicals continue to be diverted through black market channels into Bolivia for processing cocaine. According to the Chemical Substances Investigations Group (GISUQ) of the Bolivian counterdrug police (FELCN), the majority of these chemicals come from Brazil, Argentina, and Chile.

The most common chemicals seized as contraband match those commonly found in drug factories (where base paste is prepared) and cocaine labs (where base paste is transformed into cocaine HCl). In addition to serving as a transit country for illicit drug shipments, Bolivia is also a source country for coca and cocaine processing. The number of labs within Bolivia that process Peruvian base paste and Bolivian base paste into cocaine has significantly increased over the last eight years. The most common chemicals found in cocaine factories and labs are sulfuric acid; hydrochloric acid; sodium carbonate; caustic soda; phenacetin; sodium metabisulfite; activated carbon; ethyl acetate; and levamisole. The last five products were added to the list as controlled substances under Bolivian law in 2019, and GISUQ believes they are alternative chemicals that drug producers use to avoid law enforcement controls. During 2020, no new products were added to the controlled substances list. Traffickers use activated carbon to deodorize and discolor water and other liquids, and phenacetin, a highly toxic analgesic, is used to increase the volume of cocaine.

The GISUQ is charged with locating and interdicting chemicals used in the traditional cocaine process, such as sulfuric acid, hydrochloric acid, and gasoline. The GISUQ coordinates activities with the General Directorate for Controlled Substances, a civilian entity under the Government of Bolivia, and administers and licenses the commercialization and transport of controlled substances listed under Bolivian domestic law. The 2017 Controlled Substances Law indicates that violation of controlled substances could result in penal action against all participants and provides the legal framework for GISUQ, in coordination with other agencies, to add or eliminate chemical substances controlled under Bolivian law.

In late December 2019, the United Nations Office on Drugs and Crime (UNODC), thanks to a donation from Global Affairs Canada, delivered two “TRUNARC” drug analyzers to forensic laboratories of the FELCN: Center for Scientific Technical Research in Toxicology and Controlled Substances and GISUQ. These portable devices detect hundreds of narcotics, controlled substances, and chemicals in one or two minutes.

The Bolivian government does not have control regimes for ephedrine and pseudoephedrine. The GISUQ, however, coordinates with the Ministry of Health to supervise and interdict illegal commercialization of methamphetamine. In September 2016, the Ministry of Health created the State Agency of Medicines and Health Technologies to regulate the use and commercialization of synthetic drugs.

In 2020 (as of October 9), the GISUQ seized 180.2 metric tons of solid substances and 493,856 liters of liquid precursor chemicals.

## **Brazil**

Brazil is one of the world’s top ten chemical producing countries. Brazil licenses, controls, and inspects precursor chemicals, including potassium permanganate and acetic anhydride, in conformity with its obligations under the 1988 UN Drug Control Convention. Controls on both potassium permanganate and acetic anhydride allow for products to be commercialized without restriction for quantities of up to one kilogram for potassium permanganate and one liter of acetic anhydride.

The Brazilian Federal Police (PF) Chemical Division controls and monitors 146 chemical products in conjunction with 27 DPF regional divisions and 97 resident offices. The Chemical Division is composed of two units: the Chemical Control Division, subordinate to the DPF Executive Directorate, and the Criminal Diversion Investigations unit under the Organized Crime Division. Both divisions routinely coordinate and share information when conducting administrative inspections and criminal investigations.

The Brazilian National Health Surveillance Agency (ANVISA) oversees precursor chemicals used in the pharmaceutical industry, including 4-anilino-N-phenethylpiperidine (ANPP) and N-Phenethyl-4-piperidinone (NPP), which are in the list of controlled chemical substances, but are not banned.

Regulatory guidelines require chemical handlers to be registered and licensed to conduct activities such as manufacturing, importing, exporting, storing, transporting, commercializing and distributing chemicals. The DPF uses a National Computerized System of Chemical Control to monitor all chemical movements in the country, which requires all companies to register all precursor chemical activity, including monthly reports for all chemical related movements and existing chemical inventories.

Brazil reports to the INCB its annual estimates of legitimate requirements for ephedrine and pseudoephedrine for quantities above 10 grams, and P-2-P in any amount using the INCB's Pre-Export Notification Online system. The PF routinely uses PEN Online in cases of international trade and in coordination with UN member states to alert importing countries with details of an export transaction.

## **Burma**

While Burma's porous borders make it difficult to accurately quantify relevant figures, there was some evidence Burma's illicit production and export of synthetic drugs continued to increase in 2020. Burma does not have a major chemical industry and does not manufacture the ephedrine, pseudoephedrine, acetic anhydride, or other substances used in synthetic drug manufacturing. Senior public officials acknowledge the increasing inflows of illegally diverted and trafficked precursor chemicals from China.

The Supervision Committee for the Control of Precursor Chemicals, which functions under the Central Committee for Drug Abuse Control (CCDAC), monitors the possession, use, sale, production, and transportation of chemical precursors. Burma is a party to the 1988 UN Drug Convention, but has not instituted laws to comply with all UN chemical control provisions. After a February 2020 update added 10 additional precursors, Burma now officially monitors the sale or import of 38 identified precursor chemicals. Importers of licit chemicals must use a pre-import notification system managed by CCDAC. Retailers must apply to CCDAC for approval to transport chemicals across and within Burma. Authorities face challenges in controlling illicit import and diversion of precursor chemicals, including sophisticated trafficking networks, porous borders, corruption, and areas with limited or no government control.

Burma has deployed interdiction equipment to several major checkpoints and plans to deploy similar equipment throughout the country. Official precursor seizure statistics from January to August 2020 included 71,780 kilograms (kg) of sodium cyanide, 58,195 kg of ammonium nitrate, 53,827 liters (L) of hydrochloric acid, 47,598 L of acetone, 18,080 L of toluene, 10,740 kg of acetic anhydride, 9,272 L of benzyl cyanide, 9,000 kg of caffeine powder, 5,780 L of ethyl ether, and 1.5 million pseudoephedrine tablets, among others.

The United States funds programs of the United Nations Office on Drugs and Crime (UNODC) to build Burma's capacity to investigate precursor chemical diversion and trafficking. The United States also supports efforts to establish a coordinated, regional response to precursor chemical diversion and trafficking that include Burma.

## Canada

Canada has a large chemical industry and strong legislation and regulatory controls over the industry. Nevertheless, diversion of chemicals by organized criminal groups for the purpose of illicit drug production remains a problem. The Royal Mountain Canadian Police set up a National Chemical Precursor Diversion Program to address the issue. In addition, Canada's Controlled Drugs and Substances Act (CDSA), Narcotics Control Regulations (NCR), Benzodiazepines and Other Targeted Substances Regulations (BTSR), Precursor Control Regulations (PCR), and other guidelines provide a legislative framework for the control of substances and chemical precursors. While the CDSA prohibits certain activities with precursors, the PCR authorize legitimate manufacture, distribution, import and export of these chemicals. Health Canada submits an annual report to the INCB with respect to its obligations under the UN Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988 (1988 Convention).

Scheduling of precursors under the CDSA and its regulations provides law enforcement agencies the authority to act against illicit activities. The PCR authorize Health Canada to communicate information collected to law enforcement agencies, border control officers, foreign competent authorities, and the INCB. As a State Party to the 1988 UN Drug Convention, Canada is obligated to impose controls on substances in response to decisions of the UN Commission on Narcotic Drugs (CND). Regulatory amendments made in May 2019 gave the government greater control over precursor chemicals, derivatives, analogues, and salts of derivatives and analogues, to help combat the illegal production and distribution of fentanyl and amphetamines, such as methamphetamine and MDMA.

Some of Canada's measures have potential to impact the growing threat of synthetic drugs. In 2017, Canada's Parliament updated the CDSA. The law provides the government with "temporary accelerated scheduling" powers for substances for a period of up to two years, pending a comprehensive review and decision on permanent scheduling. The CDSA criminalizes the illicit manufacture or distribution of controlled substance analogues. The Canadian government has taken measures to counter manufacturing of, or trafficking in, illicit synthetic opioids; the CDSA requires registration to import designated devices that could be used to manufacture controlled substances, such as tableting and encapsulating machines. Scheduling

of precursors under the CDSA and its regulations provides law enforcement agencies the authority to act against illicit activities.

## China

The People's Republic of China (PRC) has implemented a licensing regime for the production, sale, and transport of drug precursor chemicals. However, without properly staffed and adequately equipped oversight over the PRC's massive chemical industry, which includes approximately 160,000 chemical companies, illicit drug manufacturers are able to directly source or divert chemicals that facilitate drug hubs in Mexico and Burma. The National Narcotics Control Commission (NNCC) is the agency with primary responsibility for drug precursor chemical control. The PRC maintains a list of controlled precursor chemicals called the "Catalogue of Precursor Chemicals," which currently includes 32 drug precursor chemicals. This catalogue includes potassium permanganate (a precursor for cocaine), acetic anhydride (heroin), and ephedrine and pseudoephedrine (methamphetamine). In February 2018, the PRC added key fentanyl precursors 4-anilino-N-phenethylpiperidine (4-ANPP) and N-Phenethyl-4-piperidinone (NPP) to the catalogue. The PRC regularly provides precursor shipment data to the International Narcotic Control Board's Pre-Export Notification system.

U.S. law enforcement recognizes the diversion of drug precursors to illicit manufacture as a significant problem in China. In its 2019 Annual Drug Report, the NNCC reported a successful crackdown campaign on precursor chemical manufacturing had caused the production of precursor chemicals to become more fragmented. According to the NNCC, the crackdown campaign seized 2313.6 metric tons of precursor chemicals, a year-on-year decrease of 78.3 percent. U.S. law enforcement reports that the most common diversion tactic used by traffickers is the intentional mislabeling of shipments containing precursors. U.S. law enforcement notes the prevalence of mislabeling and identified the creation of multiple "fly-by-night" chemical retail companies used for shipping chemicals from a legitimate producer to illicit buyers as a prominent diversion tactic. Perpetrators caught mislabeling precursor shipments often face only civil penalties and small fines rather than criminal charges. The challenge of preventing precursor diversion is further exacerbated by the PRC's inability to effectively screen the high volume of goods being exported via land, air, and sea. Traffickers also skirt chemical control laws by selling and distributing chemicals that are not yet regulated by the PRC but are chemical avenues to the production of fentanyl and methamphetamine. According to U.S. seizure data, after fentanyl "direct" precursors NPP and 4-ANPP were controlled in China, China-based traffickers shifted to sending not yet controlled chemicals to Mexico (such as 4-AP) that are one step earlier in the chemical process for making fentanyl, so-called "indirect precursors" or "pre-precursors."

The PRC in 2018 controlled 32 new substances, and in 2019 controlled fentanyl as a substance as a class but has not controlled any other synthetic opioid substances in 2020. In 2020 the PRC was encouraged by the United States to ensure parity in controlled chemical regulations, specifically by scheduling 4-AP, an often-used precursor chemical for the manufacture of fentanyl. Individuals are not often prosecuted in the PRC for the manufacturing of controlled substances, since once a substance is controlled the market quickly moves to manufacture and sell non-controlled substances that are also used to make synthetic opioids, in order to avoid

harsh sentences that include capital punishment. The PRC has not taken effective measures to combat mislabeling used to traffic synthetic opioid precursors, or to regulate pill presses in China that continue to fuel the opioid crisis.

## Colombia

Diversion of precursor chemicals is a serious problem in Colombia that the government is working to address. The Colombian government has tightened controls on coca processing chemicals, though traffickers are able to import them illicitly into Colombia and have built illicit labs to produce some precursors. Due to pandemic-related limitations, seizures decreased during the first nine months of 2020, when the police and military forces seized 16,065 metric tons (MT) of solid precursors and 3,458,207 gallons of liquid precursors. This represents an 18 percent decrease in solid precursors and 14 percent decrease for liquid precursors as compared to the same time period in 2019.

The Colombian government controls the import and distribution of chemicals needed for processing coca leaves into cocaine, such as sulfuric acid (39,343 gallons seized during the first nine months of 2020), hydrochloric acid (19,807 gallons seized during the same period), potassium permanganate (270 MT seized during the same period), and cement (15,464 MT seized during the same period). The government limits production, distribution, and storage of precursors nationwide and prohibits gasoline and other chemicals in certain zones. Additionally, Colombian companies are not authorized to export ephedrine or pseudoephedrine in bulk form. Colombian law bans all pharmaceutical products containing ephedrine or pseudoephedrine from domestic distribution.

Since 2015, the government has regulated precursor chemicals used for drug production and expanded its enforcement efforts related to these chemicals. In 2015, the government began implementing the Information System for the Control of Substances and Chemical Products (SICOQ), a real time tracking tool that the police and the Ministry of Justice developed to strengthen the control of chemicals and has trained companies in chemicals' correct use to avoid diversion. As of September 2020, more than 6,807 companies were registered in the SICOQ platform, and 4,782 of those registered companies had valid government-issued authorizations for the legal use of controlled substances and chemical products.

While the Colombian government has strengthened chemical control legislation, traffickers are able to import precursors clandestinely into Colombia. Although chemical companies require government permission to import or export specific chemicals and controlled substances, the police must prove seized chemicals were intended for illicit drug production. Further, to bring U.S. charges against an illicit chemical trafficker, the police must prove that the trafficker had knowledge that the chemicals seized were going to produce drugs that would end up in the United States. Additionally, traffickers and clandestine laboratories recycle controlled chemicals and replace controlled chemicals with non-controlled chemicals.

The police created a special unit tasked with the interdiction of precursor chemicals. The Colombian Marines increased efforts against precursor chemicals transported via rivers, particularly in Nariño, the department that produces the second most coca and cocaine in Colombia, by better covering riverine chokepoints, areas through which traffickers must cross to



move controlled chemicals. The United States supports a dedicated enforcement group and a special investigations unit with the police anti-narcotics division focused on targeting the criminal organizations involved in supplying chemicals to cocaine labs. Special agents, intelligence analysts, and their Colombian counterparts work in concert with colleagues in Ecuador to interdict these chemicals in transit, thereby denying trafficking organizations, heavily armed criminal groups, and terrorist organizations the financial resources needed to expand, purchase illegal weapons, and commit attacks against the Colombian government and civilians.

### **Costa Rica**

Costa Rica has a stringent licensing process for the importation and distribution of precursor chemicals. In 2010 it adopted recommendations from the International Narcotics Control Board (INCB). Costa Rica has controls for Table I and Table II precursor and essential chemicals as defined by the 1988 UN Drug Convention.

The administration's National Plan on Drugs for 2018-2025 noted the international problem of production and trafficking of chemical precursors. Costa Rica has yet to seize large amounts of these substances compared to elsewhere in the region and has a low volume of imports. However, Costa Rica has a robust registration process and is responsive to requests regarding suspicious shipments of precursors. By law, importers and businesses that handle chemical precursors or certain types of prescription drugs are required to submit monthly reports. Between January and October 2020, there were 2,059 authorized import transactions, licensed to 230 registered importers of chemical precursors. The system tracks the movement of chemical precursors and solvents and also generates alerts. Costa Rica received one alert during January-October 2020 and it is currently investigating for possible irregular activity.

### **Dominican Republic**

The Dominican Republic is party to the 1988 UN Drug Convention and, in accordance with Article 12, has implemented a chemical control regime. Dominican laws regulate the production and use of the 29 chemicals listed in the Convention and the Dominican Republic annually submits information required by the Convention. The Dominican Republic has also ratified the Convention on Psychotropic Substances of 1971. The National Directorate for Drug Control (DNCD) is responsible for enforcing chemical control laws.

The Dominican Republic does not have a large petrochemical industry engaged in the manufacturing, importation, and exportation of chemical products. Chemicals for industrial production are imported from the United States. The two largest chemical imports are sodium carbonate and toluene, the latter of which is used in the Dominican Republic as an additive for gasoline and a solvent for paint. Production of methamphetamines is not significant in the Dominican Republic.

The DNCD regulates and enforces the importation and use of precursor chemicals. It receives pre-notifications for precursor imports and issues certificates of importation. The DNCD also controls and regulates prescription drugs and issues annual permits to medical doctors, clinics, and hospitals, maintaining a register of the type of drug and amount each doctor prescribes each

year, especially for drugs containing opiates. Clinics and hospitals are mandated to report prescriptions for certain drugs before dispensing them and the DNCD verifies that the prescription number and the doctor are valid before authorizing the sale. The DNCD is taking steps to automate its paper-based chemical control registration.

## **Ecuador**

Ecuadorian law designates potassium permanganate and acetic anhydride as controlled chemicals. Buying, selling, or importing such chemicals requires the permission of the Ministry of Government, the primary agency responsible for precursor chemical control in Ecuador. Article 219 of the Penal Code prohibits the use of precursor chemicals to produce, manufacture, or prepare illicit materials, such as cocaine or heroin, punishable by three to five years in prison.

The police's National Chemical Unit controls the use of chemicals by carrying out investigations and intelligence operations. Although the National Chemical Unit is a highly competent entity, its small size and outdated technology hinder operations.

Ecuador has been importing large quantities of potassium permanganate for at least the past decade. According to the Ministry of Government, during the first 10 months of 2020 Ecuador imported 20.4 metric tons (MT) of potassium permanganate, compared to 62.4 MT in all of 2019. Potassium permanganate is a controlled chemical and requires an import license to be imported into the country. Most 2020 imports of potassium permanganate originated from China. Similar to potassium permanganate, acetic anhydride is also a controlled chemical requiring an import license. During the first ten months of 2020, Ecuador imported 65.5 MT of acetic anhydride, compared to 49.1 MT imported in 2019. Most 2020 imports of acetic anhydride originated from Mexico. Traffickers also continue to smuggle liquid chemicals, including ether, from Ecuador to Colombia and Peru for cocaine processing.

## **Egypt**

The Egyptian government oversees the importation and exportation of all internationally-recognized chemicals through a committee comprised of representatives from the Ministry of Interior, the Anti-Narcotics General Administration (ANGA), the Ministry of Justice, and the Ministry of Health. This committee approves or denies all requests to import or export chemicals. Over the past few years, there has been a spike in the importation of ephedrine. While Egypt has not reported any large-scale diversion of ephedrine or observed an increase in the use of methamphetamine, the large amounts of imported ephedrine relative to the population of Egypt suggest that the ephedrine may not be used entirely for legitimate medicinal production.

During calendar year 2020, the ANGA reported a decrease in the seizure of tramadol. This is likely attributed to newly enacted laws in China and India governing the exportation of tramadol. In addition, new smuggling routes outside Egypt are likely contributing to the decrease. For example, Nigeria has recently reported more seizures of tramadol shipments, likely intended for smuggling via land routes across the African continent. There has been a marked increase in the trafficking of synthetic cannabinoids and methamphetamine. ANGA reports that production of crystal methamphetamine and captagon rose slightly during the same period, as suggested by the

increased disruption and dismantlement of laboratories utilized for the production of both captagon and methamphetamine.

U.S. authorities regularly share information with ANGA on container shipments suspected of containing potentially illicit materials to include chemicals such as acetic acid, utilized in heroin production, and ephedrine, utilized in the production of methamphetamine and Tramadol.

### **El Salvador**

In 1998 El Salvador regulated psychotropic drugs and other precursor chemicals. The Government of El Salvador established regulations for all controlled substances entering El Salvador. In 2003, to enhance the previous laws, additional regulations for psychotropic drugs and precursor chemicals were issued. The additions included a description of all illegal drugs and all institutions involved in preventing the use, distribution and prosecution of drug related crimes. The laws indicated that within the first two months of every year, the National Medicine Directorate would publish a list of medications and controlled substances in El Salvador. The list published in February of 2020 includes 139 narcotics, 156 psychotropic drugs, 83 substances related to fentanyl with no legitimate use, and 71 precursor chemicals.

Pseudoephedrine has been prohibited in El Salvador since 2009. It cannot be imported or exported without prior approval and authorization from the National Medication Directorate. A detailed request must be submitted to receive such authorization. Pharmacies that want to import or export precursor chemicals or other controlled substances also need authorization from the National Medication Directorate. Each business is required to submit an estimate of what they will import throughout a year and keep records of the controlled substances they have on hand. All controlled substances must be prescribed by authorized medical professionals.

The United States is working with Salvadoran authorities to train them on precursor chemical identification, regulation, destruction, diversion, and safety. This includes an emphasis on monitoring importation through active ports in El Salvador.

### **Germany**

Germany is a leading manufacturer of legal pharmaceuticals and chemicals. According to the most recent available data from 2019, Germany remains one of the largest global exporters of ephedrine (45 metric tons) and pseudoephedrine (277.9 metric tons). Germany has a strict regulatory framework in place to prevent diversion of these chemicals for illicit use.

Most of the 29 scheduled substances under international control as listed in Tables I and II of the 1988 UN Convention, and other chemicals which can be used for the illicit production of narcotic drugs, are manufactured and/or sold by the German chemical and pharmaceutical industries. Germany has taken significant steps to implement the UN's 2017 decision to control the two primary chemicals used to produce illicit fentanyl and fentanyl analogues – 4-anilino-N-phenethylpiperidine (ANPP) and N-Phenethyl-4-piperidinone (NPP). Germany has also taken strong measures to control the export of the chemicals potassium permanganate (57.2 metric tons) and acetic anhydride (1204.4 metric tons).

Germany's National Precursor Monitoring Act complies with European Union (EU) regulations. Germany's highly developed chemical sector is tightly regulated by a combination of national and EU regulations, law enforcement action, and voluntary industry compliance. Cooperation among chemical and pharmaceutical producers, vendors, and German authorities is a key element in Germany's chemical control strategy. Germany works closely with the United Nations Office on Drugs and Crime (UNODC), and is an active participant in chemical control initiatives led by the International Narcotics Control Board (INCB), including Project Prism and Project Cohesion. The United States works closely with Germany's chemical regulatory agency, the Federal Institute for Drugs and Medical Devices, on chemical control issues and exchanges bilateral information to promote transnational chemical control initiatives. The Federal Institute for Drugs and Medical Devices is the primary authority for ensuring the safety of medicinal products, inspecting and evaluating the risks of medical devices, and licensing and monitoring the legal traffic of narcotic drugs and precursors. German agencies cooperate closely with their U.S. counterparts to identify and stop chemical precursor diversion.

### **Guatemala**

As a party to the 1988 UN Drug Convention treaty, Guatemala has instituted regulations and administrative, investigative, and prosecutorial bodies to control the manufacture and transport of precursor chemicals. Guatemala's 1992 narcotics law codifies the country's precursor control framework. The country has banned the commercialization and use of ephedrine, limiting its sale and use in the country for professional and hospital use. The United States provides funding for Guatemalan authorities to receive training from the United Nations Office on Drugs and Crime on the use of the International Narcotic Control Board's pre-export notification system to verify international shipments of controlled chemicals.

Guatemala's Ministry of Public Health oversees the office for precursor chemical controls. However, insufficient staffing and resources hinders the country's ability to license chemical sector actors, compile monthly reports of quota usage and pre-import, import, and export permits, and conduct inspections. The office for precursor chemical controls has only six staff members responsible for overseeing compliance on over 750 registered entities that handle precursors. Many files are manually managed due to a lack of equipment, and coordination with other institutions is limited. As a result, the country lacks the ability to manage the legitimate import and sale of precursor chemicals leaving them vulnerable for illicit use.

In 2020, the National Police seized approximately 78 kilograms of ephedrine and trace amounts (200 grams) of methamphetamines. According to official records from the Ministry of Public Health, 357 grams of fentanyl were legally imported into the country in 2020, as well as 10.8 metric tons of potassium permanganate and 12 liters of acetic anhydride. The government reported no imports of the fentanyl precursor chemicals ANPP (4-anilino-N-phenethylpiperidine) and NPP (N-Phenethyl-4-piperidinone).

The United States is working with Guatemalan authorities to increase their capabilities on precursor chemical identification, regulation, and diversion. This includes an emphasis on monitoring importation through the two major seaports in Guatemala. The Guatemalan government incinerated 223 metric tons (MT) of precursor chemicals in the first 11 months of

2020, a substantial increase from last year, but still short of the Guatemalan goal of 500 MT a year.

### **Honduras**

Precursor chemical diversion continues to be a problem in Honduras. The country has an active commercial sector involved in the manufacture and sale of common precursor chemicals. The Government of Honduras works closely with U.S. authorities to disrupt the importation and diversion of precursor chemicals through Honduras. The United States provides training and other assistance to strengthen Honduran institutions responsible for controlling precursor chemicals. Between January and August, authorities in Puerto Cortes seized 642,680 kilograms (kg) of calcium oxide and 20,716 kg of potassium carbonate alleged to be diverted for illicit production. In 2019 there were no chemical seizures recorded at this port.

Honduran authorities have limited capacity to detect and identify precursor chemicals, and information sharing between government institutions regarding synthetic drug and precursor chemical trafficking is challenging. The responsibility for the control of precursor chemicals is spread over a variety of agencies, including the Directorate of Investigation and Intelligence (DNII); the Directorate for the Fight against Drug Trafficking (DLCN); the Public Ministry; the HNP; the Health Ministry; the Agency of Sanitary regulation (ARSA), the National Inter-institutional Security Force (FUSINA), and the Customs Authority (DARA). The Interagency Technical Board on Chemical Precursors Supply Reduction is the permanent inter-agency technical working group on drug supply reduction that coordinates the work of these agencies to combat the diversion of precursor chemicals. A lack of proper testing equipment, especially in the largest container port of Puerto Cortes, results in delays that can prevent detainment of a container or other cargo per Honduran Customs Law.

The 1989 Law on the Misuse and Illicit Traffic of Drugs and Psychotropic Substances is the current legislation governing the illicit movement of precursor chemicals. The Precursor Chemical and Synthetic Drug Board is working with health, justice, and law enforcement officials to draft a more comprehensive law to address chemical precursor diversion.

### **Hong Kong**

Hong Kong, a Special Administrative Region of the People's Republic of China, is neither a drug manufacturing nor chemical producing economy. With well-developed logistics connectivity to mainland China, one of the world's largest precursor chemical exporters, Hong Kong's chemical trade is mostly in the form of imports for consolidation and subsequent re-export or transshipments, or for local consumption for medical and industrial uses.

In 2019, the most recent year for which data is available, controlled chemical imports totaled approximately 9,779,607 kilograms (kg), with approximately 687,177 kg re-exported. Hong Kong supports international efforts to prevent precursor chemical diversion through a combination of effective legislation, strong law enforcement, and close collaboration with the INCB, other foreign counterparts, and the business community.

The Control of Chemicals (COC) Ordinance, in effect since 1996, is Hong Kong's basic legislation for regulating possession, manufacture, transport, and distribution of designated controlled chemicals. In July 2020, the COC Ordinance (Amendment of Schedule 2) Order 2020 and the Hong Kong Dangerous Drugs Ordinance (DDO) (Amendment of First Schedule) Order 2020 came into effect. The COC Order added a total of 32 chemicals, including APAA, PMK glycidate and PMK glycidic acid, and all chemicals in the 1988 UN Drug Convention, to Schedule 2 of the COC.

In July 2020, the DDO Order added additional synthetic drugs to the First Schedule of the DDO, including methoxyacetylfentanyl, FUB-AMB, ADB-FUBINACA, CUMYL-4CN-BINACA and ADB-CHMINACA. The COC, which establishes a licensing regime over importers, exporters, dealers, traders, manufacturers, and handlers of the designated chemicals, applies equally to imports, exports, and transshipments. Permits for every shipment are mandatory. Government approval for all premises and containers used to store such chemicals is also mandatory. The maximum penalty for illicit chemical trafficking is imprisonment for 15 years and a fine of \$130,000. The Controlled Chemicals Group (CCG) of the Hong Kong Customs and Excise Department's Drug Investigations Bureau administers and enforces the Ordinance. Permit applications to handle controlled chemicals, including those for the partial removal of chemicals while in transit, must be received by the CCG at least 10 days before the proposed date of activity. The CCG uses this interim period to establish the bona fides of a proposed shipment, including through coordination with foreign counterparts via the Pre-Export Notification System. Export permits are only issued upon receipt of "No Objection" letters from competent authorities in importing jurisdictions. While Hong Kong does not control sales of over-the-counter medicines containing ephedrine and pseudoephedrine, the CCG does investigate reports of possible diversion or parallel trading involving those substances.

## India

India's pharmaceutical and chemical industries are among the world's largest and are responsible for extensive pharmaceutical exports, particularly generic drugs. However, legislation, regulation, and enforcement have not kept pace with the growth of the industry, and India is experiencing some diversion from both licit chemical and pharmaceutical manufacturers and production from clandestine laboratories.

India's Narcotic Drugs and Psychotropic Substances Act (NDPS) provides the legislative framework to implement precursor chemical control obligations required by the 1988 UN Drug Convention and under Article 47 of India's Constitution. The Act requires control measures governing finished pharmaceutical products as well as chemicals used to manufacture those products. India regulates 19 of the 29 precursor substances scheduled in Tables I and II of the 1988 UN Convention. Of the 19 substances, India's NDPS Act designates five as "Schedule A" (subject to the most stringent controls): acetic anhydride, ephedrine, pseudoephedrine, n-acetylanthranilic acid, and anthranilic acid. Schedule B covers controlled substances subject to export restrictions and Schedule C governs controlled substances subject to import restrictions.

In 2018 India added anilino-N-phenethylpiperidine (ANPP) and N-Phenethyl-4-piperidinone (NPP), as controlled substances under the NDPS Act. Potassium permanganate can be exported

and imported with a ‘No Objection Certificate’ issued by the Narcotics Commissioner of India, under the Directorate General of Foreign Trade (DGFT). India continues to participate in international precursor control initiatives such as the INCB-led Project Cohesion and Project Prism. However, diversion of precursor chemicals from licit producers to illicit brokers remains a challenge. India-based precursor trafficking organizations are involved in the illicit export and domestic sale of precursor chemicals such as ephedrine and pseudoephedrine, used in the manufacture of methamphetamine.

To avoid Chinese controls on the export of precursors, some entrepreneurs and dealers have shifted to India as a new source for precursor chemicals. Multi-ton shipments of precursor materials from India have been shipped to Africa and Mexico. This trend is expected to continue.

The NDPS allows India to implement emergency scheduling and prosecute individuals for illicit manufacture or distribution of controlled substances. It includes provisions for the control of chemicals used in the manufacturing of controlled substances, but there are no controls in place for related equipment. While India has the ability to do emergency scheduling there are no examples of this. Most recently, tramadol was added to the schedules through the regular process which requires approvals from multiple ministries and Parliament. Controlled substance analogues are not defined in the NDPS Act or the related orders and rules. All manufacturing equipment is required to comply with regulations in Schedule M, “Good Manufacturing Practices And Requirements Of Premises, Plant, And Equipment For Pharmaceutical Products” of the Drugs and Cosmetics Rules 1945. There is no registration requirement for manufacturing equipment, including tableting and encapsulating machines.

## **Indonesia**

Indonesia’s 2009 National Narcotics Law gave the National Narcotics Board (BNN) the authority to monitor narcotics and precursor production at pharmaceutical plants and to conduct investigations and arrests in response to precursor and narcotics violations. The bulk of precursors come in via ocean routes from China, Taiwan, and India; however, Indonesia is not a prime destination for precursors as the vast majority of illegal drugs are not manufactured in the country. Law enforcement officials have said that sassafras, a main ingredient of ecstasy, is the only known precursor exported from Indonesia, with Australia as the destination. There are several laws and regulations regarding the import and export of precursor chemicals. BNN reported that it regularly conducts unannounced inspections of companies that are listed as importers of precursor chemicals. In February 2020, law enforcement officers raided a house in Pasuruan, East Jakarta in which methamphetamine was being produced. Police arrested seven people and found enough material to produce between 100 and 200 grams of methamphetamine. Every year the Indonesia Ministry of Health reports estimates of its legal domestic narcotics precursors to the International Narcotics Control Board.

## **Japan**

A large number of commercial industries in Japan engage in the manufacture, import, and export of chemical products. By volume, Japan is one of the world’s largest chemical exporters of the

chemical norephedrine, a substance that can be used in the illicit manufacture of methamphetamine. However, the Japanese government maintains strict regulations on the Japanese chemical industry and complies with its international obligations to report through the International Narcotic Control Board's online reporting system, PEN Online. The regulatory entity for chemical controls is the Narcotics Control Department (NCD) of the Japanese Ministry of Health, Labor, and Welfare.

NCD has regulatory and criminal investigative authority pertaining to controlled substances. This includes enforcement of Japanese law and regulations relating to the manufacture, sale, export, and import of controlled substances and chemicals. NCD maintains a database to assist in tracking production and trade. NCD coordinates controlled chemical export-related inquiries with the U.S. government. U.S.-Japan government cooperation also includes tracking shipments and imports of controlled chemicals to the United States from Japan. The United States works in partnership with NCD to ensure that planned shipments of chemicals from Japan to the United States are fully vetted prior to importation.

Government regulation in Japan remains effective in preventing the diversion of common precursor chemicals. In recent years, Japan has seen a small increase in the domestic use of common chemicals for extraction of methamphetamine from liquid form to crystal form. These chemicals are commercially available. The local purchase is legal, but the chemicals are sometimes used for illicit purposes. The chemicals in question, mostly an array of solvents and other non-controlled chemicals necessary to transform methamphetamine to crystal form, are seized by Japanese law enforcement in a volume that is small relative to other user markets in the world. Since 2017, Japan has emerged as a potential new target of acetic anhydride traffickers. There were no known documented seizures of chemicals in Japan in 2020. This is likely due to stringent oversight and regulation coupled with a small domestic user population in Japan.

## **Republic of Korea**

The Republic of Korea's industrial capabilities and position as a global logistics hub make it attractive to criminals seeking to obtain and ship precursor chemicals. Precursor chemicals used for the manufacture of illicit drugs, such as acetic anhydride, pseudoephedrine, and ephedrine, are likely imported from the United States, Japan, India, and China and then either resold within South Korea or smuggled into other countries. In 2019, South Korea imported approximately 26.95 metric tons (MT) of ephedrine and 43.40 MT of pseudoephedrine. While acetic anhydride remains the chemical of greatest concern, there are increasing concerns about the use of legal and less monitored chemicals, such as sodium cyanide, to evade authorities and produce illicit drugs such as methamphetamine. South Korea imports acetic anhydride for legitimate use, such as film production, cigarette filters, and other industrial and medical applications. South Korea placed 4-anilino-N-phenethylpiperidine (ANPP) and N-Phenethyl-4-piperidinone (NPP) under regulatory control after the UN's 2017 decision to control these precursors.

South Korea's efforts to control diversion of regulated chemical precursors are largely effective. Both the Korea Customs Service and Ministry of Food and Drug Safety (MFDS) cooperate with the United States and other international bodies to monitor imports of potassium permanganate and chemicals used to produce amphetamine-type stimulants, and South Korean authorities



participate in International Narcotics Control Board-coordinated monitoring and regulating taskforces, including projects Cohesion and Prism. South Korean law enforcement authorities also cooperate with Southeast Asian nations to verify documents and confirm the identities of importing businesses, including by on-site inspection.

The MFDS is responsible for enforcing a 2011 law requiring manufacturers, importers, and exporters of precursor chemicals to register with the government and renew registration every two years. It also provides training and updates to South Korean businesses to keep them from unknowingly exporting precursor chemicals to fraudulent importers. Smugglers exploit South Korean customs and chemical regulations to hide precursor chemical shipments in containerized cargo shipments. Current regulations, which have different reporting thresholds for different chemicals, could allow smugglers to purchase multiple small quantities from different retail outlets to avoid detection, then combine them for shipment. South Korean authorities work closely with U.S. counterparts to track suspect shipments.

## **Mexico**

Mexican laws regulate the production and use of many chemicals required for illicit drug production. The Mexican Federal Commission for the Protection Against Sanitary Risk (COFEPRIS) is the regulatory agency responsible for regulating chemical control laws. It works with the National Guard and Prosecutor General's office to enforce the law. Mexico controls all chemicals listed in the 1988 UN Drug Convention. Mexican government agencies, including Customs, continue to authorize permits and monitor the importation of controlled precursor chemicals, but this has not significantly deterred local production of synthetic drugs.

The Mexican government controls two fentanyl precursor chemicals, NPP (N-phenethyl-4-piperidone) and ANPP (4-anilino-N-phenethylpiperidine). These controls provide Mexican regulatory and law enforcement agencies a legal basis to seize these substances and file criminal or civil charges against those illegally importing them. Despite controls, the small quantities of precursors needed for fentanyl production present a challenge to law enforcement in detecting the chemicals as they enter Mexico. Further, TCOs attempt to stay ahead of scheduling laws by identifying new pre-precursors and using easily available, off-the-shelf products to synthesize precursors and avoid existing regulations.

The Mexican government does not currently control chemicals like 4-Piperidone Monohydrate Hydrochloride (NPP pre-cursor) and variants of 4-Anilinopiperidine (4-AP) like Carboxylate Tert-butyl-4-Anilinopiperidine, though it is in the final phase of the regulatory process for these and additional fentanyl precursors.

Recent Mexican law enforcement encounters of 4-AP at air and maritime ports of entry in Mexico indicate a change in illicit fentanyl manufacturing methods in efforts to evade international controls on NPP and ANPP. Importers also mislabel shipments, which poses a challenge for law enforcement in detecting the importation of chemicals from source countries such as India and China.

Although Mexico-based TCOs are major producers of methamphetamine, imports of methamphetamine precursors pseudoephedrine and ephedrine are outlawed, and they are not produced legally within the country. Mexico regulates the importation of precursor chemicals, including phenylacetic acid, methylamine, hydriodic acid, and red phosphorous. Mexican authorities continue to monitor the importation of formaldehyde and ammonium chloride due to their potential diversion.

Mexico participates in international efforts to control precursors and has a strong bilateral working relationship with the United States. The U.S. government continues to provide training and equipment to law enforcement agencies to address existing and emerging synthetic drug threats in the region.

The United States cooperates closely with Mexico on detection and seizure of synthetic drugs to reduce the supply of illicit drugs, especially opioids, in the United States. The U.S. government supports training and equipping of Mexico's counter narcotics canines and handlers on fentanyl detection; provides non-intrusive inspection equipment to interdict illicit drug shipments; and provides gas chromatography systems to test unknown drug samples and precursor chemicals. The United States also supports forensics chemistry labs to improve investigations of crimes involving synthetic opioids and assists COFEPRIS in providing permits and tracking the international import and export of precursor chemicals through the National Drug System.

Mexico requires documentation on the importation of tableting and encapsulating machines, but no further documentation is required regarding distribution once imported. The United States sponsors training and conferences to promote awareness of synthetic drugs and seizure trends, and to encourage investigations and prosecutions of criminals involved in the production and trafficking of synthetic drugs and precursors.

In 2020, the Government of Mexico conducted enforcement operations against suspected fentanyl labs and facilities producing fentanyl-laced counterfeit pills (known as "pill mills"). Authorities seized 1,636 pharmaceutical grade fentanyl ampules bearing the brand Operativan. In addition, they reported 9 4-AP seizures totaling 418 kilograms that were destined for Mexico via mislabeled air shipments. The United States is working with Mexico's Prosecutor General's Office and other agencies, including military units who perform counter narcotics work, to create judicial records of seizures and establish protocols for reporting to a central database.

### **The Netherlands**

The Netherlands has a large chemical industry with major European chemical storage facilities. Rotterdam serves as a major chemical shipping port. The Netherlands has strong legislation and regulatory controls over the industry through the Law for Prevention of Misuse of Chemicals (WVMC). Law enforcement authorities track domestic shipments and work closely with international partners. The chemical industry is legally obligated to report suspicious transactions. The Financial Investigation Service oversees implementation of the WVMC and has responsibility for law enforcement efforts targeting precursors. Customs officials monitor the trade and production of chemicals.

Production of synthetic drugs is significant in the Netherlands. According to the National Police, the number of seized synthetic drug labs increased from 59 in 2015 to 82 in 2018, and 90 in 2019.

Recent trends show an increase in the production of new types of precursors that, by their unique chemical nature, circumvent national and international narcotics legislation. The Netherlands has a growing number of chemical experts who develop synthetic drug products that remain outside the scope of prosecution. Lawmakers introduced in March 2020 a measure in Parliament to address this loophole. If passed, the legislation would not go into effect until 2022. The legislation is expected to substantially limit the number of synthetic drugs sent from the Netherlands to the United States and further prohibit the online trade of such items in the Netherlands. The legislation would also help stop the flow of precursor chemicals and New Psychoactive Substances from China, a significant source country of these materials.

The Netherlands is an active participant in, and an initiator of, the Project Prism task force led by the International Narcotics Control Board (INCB). The government also continues to work closely with the United States on precursor chemical controls and investigations. The Netherlands has had a memorandum of understanding with China since 2004 concerning chemical precursor investigations.

## **Nigeria**

Since 2011, at least 18 clandestine methamphetamine laboratories have been discovered in Nigeria. Ephedrine, a precursor chemical in the manufacturing of methamphetamine, is imported predominantly from India and China. In 2015, the United Nations Office on Drugs and Crime (UNODC) reported that Nigeria imported 8.3 metric tons of ephedrine from India. However, because of COVID-19 restrictions throughout the world, it is likely the supply of ephedrine to Nigeria has been affected. In 2020, reportedly only one clandestine lab that was used to produce hashish was discovered and dismantled. During the raid, approximately 25 kilograms of cannabis were confiscated. According to the UNODC, evidence suggests that the COVID-19 pandemic and its restrictions are affecting the production and trafficking of drugs.

## **Pakistan**

Pakistan is a destination and transshipment point for diverted shipments of acetic anhydride (AA) and other precursor chemicals used in the production of heroin and amphetamine-type stimulants. Pakistan does not domestically produce industrial-scale quantities of AA or ephedrine, though it has limited chemical and pharmaceutical industries with legitimate, albeit modest, production and demand for these substances.

Pakistan enforces a basic precursor control regime as part of its obligations under the UN drug control conventions, covering the import of seven multi-use chemicals: AA; pseudoephedrine; anthranilic acid; acetone; potassium permanganate; methyl-ethyl ketone; and toluene. The Antinarcotics Force (ANF) manages precursor control largely by conducting ground checks on importing businesses, licensing those businesses, and reviewing pre-export notifications (PEN) requesting the sale of these substances within Pakistan. Besides ANF, 23 federal and provincial

agencies share responsibility for chemical control throughout the country. In accordance with UN Commission on Narcotic Drugs Resolution 49/3, ANF established two review committees to manage the precursor control mechanism: the Committee for Granting No Objection Certificates to Companies and Firms for Use of Precursor Chemicals and the Committee for Quota Allocation to Pharmaceutical Companies.

Between January and September of 2020, ANF received 70 PENs, approving 62. Significant imports of precursor chemicals likely circumvent the PENs system through mislabeled shipping containers and maritime smuggling along Pakistan's coastline. During the first nine months of 2020, ANF reported no seizures of potassium permanganate or ephedrine; but did seize 1,175 liters of sulphuric acid, 437 liters of hydrochloric acid, and 11,978 liters of acetic anhydride.

In 2020, ANF continues to submit information via the International Narcotics Control Board Precursor Incident Communication System, which distributes real-time information on precursor seizures to law enforcement agencies worldwide.

## Peru

Peru is a producer and major importer of chemicals essential to cocaine production. Chemicals are principally imported into Peru licitly by wholesalers through the Port of Callao and are later diverted for illicit purposes by smaller actors for cocaine production. Peru requires all chemical sector entities to obtain a license. Peru's authority to regulate the precursor chemicals used in illicit drug production is based on Legislative Decree 1126 and the regulation set forth in Supreme Decree 010-2015EF, which establish protocols for sanctions and fines related to the chemical industry. However, Supreme Decree 010-2015EF is not effectively enforced.

The National Superintendence of Tax Administration (SUNAT) is the regulatory agency handling all issues related to the chemical industry, but SUNAT does not have law enforcement powers and is limited to investigative activities. SUNAT coordinates with the Peruvian National Police (PNP) to combat diversion of precursor chemicals. Due to pandemic-related limitations, the PNP's Precursor Chemical Unit, DEPCIQ, reported a decrease in seizures of precursor chemicals over the first nine months of 2020 in comparison to the same period in 2019. Peru seized 946 metric tons (MT) of precursor chemicals in 2020 in comparison to 2,900 MT in 2019. Peru continued to implement the 2015 Precursor Chemicals Initiative to cover approximately 70 percent of roads in the Valley of the Rivers Apurímac, Ene and Mantaro (VRAEM), the Peru-Bolivia border, and the Junín, Ayacucho, and Lima regions. Seizures of substitute precursors are rising throughout the VRAEM, such as salt, cement, and sulfamic acid. The Ministry of Health manages estimates of Peru's International Narcotics Control Board (INCB) licit demand for ephedrine, pseudoephedrine, and P-2-P. The Ministry does not have a regulatory or enforcement arm to prevent the diversion of chemicals.

According to International Narcotics Control Board (INCB) reports, Peru does not have strict controls to prevent the diversion of ephedrine, pseudoephedrine, and P-2-P. Indications suggest that ephedrine and pseudoephedrine are entering the country in larger quantities than required by INCB assessments of legitimate commercial requirements.

Peru participates in the INCB's pre-export notification system, though not always comprehensively. In 2020, Peruvian authorities seized small amounts of potassium permanganate. There were no recorded acetic anhydride seizures during the year. In 2019, the last year in which comprehensive statistics are available, Peru seized 207 MT of potassium permanganate and 43 MT of acetic anhydride.

## **Poland**

The European Monitoring Centre for Drugs and Drug Addiction identifies Poland as a drug trafficking transit country and producer of synthetic drugs for Western European markets, especially amphetamine and methamphetamine. Organized crime syndicates control drug manufacturing and distribution, using clandestine laboratories to keep ahead of legal changes.

The 2005 Act on Counteracting Drug Addiction prohibits production, import, and marketing of precursor chemicals in Poland; the State Sanitary Inspector heads enforcement. A Memorandum of Understanding between the Chief Sanitary Inspector, National Police Commander, Customs Service Chief, and Chief Pharmaceutical Inspector divides responsibility for chemical control. Poland's laws on precursor chemical controls also implement United Nations and European Union mandates, including the Act of July 20, 2018 (amending the 2005 Act on Counteracting Drug Addiction and the Act on the State Sanitary Inspection) and the Health Minister's August 21, 2019, amended regulation on the list of psychotropic substances, intoxicants, and new psychoactive substances.

The State Sanitary Inspector and State Pharmaceutical Inspector lead in implementing drug and chemical controls. The Sanitary Inspector controls Category 2 and 3 drug precursors (such as potassium permanganate and acetic anhydride) and supervises manufacturing, importation, and commercial entities that handle them. The State Pharmaceutical Inspector has the same responsibilities for Category 1 drug precursors (such as ephedrine and pseudoephedrine). In suspected cases of illegal precursor handling, Chief Inspectors notify the Central Bureau of Investigation Police (CBSP). In 2015, the 2001 Pharmaceutical Law was amended to restrict sale of over the counter pharmaceuticals containing psychoactive substances (including pseudoephedrine). The law requires any manufacturer, importer, or distributor of pharmaceutical substances to be licensed by the State Pharmaceutical Inspector in line with EU Directive 2011/62/EU. Poland enters information into the International Narcotics Control Board (INCB) Pre-Export Notification (PEN) system for all exports and imports of drug precursors.

Polish law enforcement, led by the CBSP and State Sanitary Service, focuses on illegal production of precursors and pre-precursors. In February 2020, CBSP seized approximately four tons of acetic anhydride (AA) from a warehouse in Lodz. According to the 2019 International Narcotics Control Board Annual Precursors Report, Poland investigated an authorized Polish precursor operator and found it had supplied 70 metric tons of AA to unauthorized companies across the EU between 2017 and 2018.

## **Russia**

Russia is a major producer of precursor chemicals and a destination and transit country for them. A Russian government decree (No. 681) from 1998 either bans or regulates an extensive

list of narcotics and precursor chemicals. The decree limits access to and places special control measures on most major precursor chemicals, including 4-anilino-N-phenethylpiperidine (ANPP), N-Phenethyl-4-piperidinone (NPP), acetic anhydride, ephedrine, and pseudoephedrine. The decree also limits access to potassium permanganate but provides some limited access exceptions for this substance. Russian government decree No. 334, from 2018, prescribed tighter controls over the movement of narcotic drugs, psychotropic substances, and their precursors, including 1-phenyl-2-nitropropene, an amphetamine precursor.

The Ministry of Internal Affairs' (MVD) independent General Directorate for Drug Control is tasked with enforcing precursor chemical regulations inside Russia, developing and implementing policies, and issuing licenses. The Ministry of Industry and Trade and the Federal Customs Service control the import, export, and general movement of precursor chemicals. The Ministry of Foreign Affairs' New Threats and Challenges Department represents the Russian government's position on precursor chemicals in international forums.

According to the most recent available MVD statistics, as of October 7, 2020, law enforcement dismantled 139 clandestine laboratories in 2020. Most of these laboratories, found throughout the country, processed synthetic drugs. The MVD also reported noticeable declines in the presence of amphetamine on the synthetic drug market since the 2018 decree tightening control over its precursor chemicals entered into force.

Russia is a party to the 1988 UN Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances. Russia regularly provides precursor shipment data to the INCB's Pre-Export Notification (PEN) system.

## **Singapore**

Singapore's geographic advantage and robust port infrastructure contribute to its rank as one of the world's top trade hubs, including for the trade of precursor chemicals. The Government of Singapore continues to be a partner with the United States and other concerned countries in international chemical control initiatives to prevent the diversion of synthetic drug precursor chemicals. Singapore remains one of the largest distributors of acetic anhydride in Asia. Used in film processing and the manufacture of plastics, pharmaceuticals, and industrial chemicals, acetic anhydride is also the primary acetylating agent for heroin.

Singapore does not produce ephedrine or pseudoephedrine; however, significant volumes of those substances come through its ports. In 2019, Singapore exported approximately 20.8 metric tons (MT) of pseudoephedrine (down from 22.7 MT in 2018) and 4.9 MT of ephedrine (down from 8.1 MT in 2018). Singapore imported 18 MT of pseudoephedrine (down from 25.9 in 2018) and 8.2 MT of ephedrine in 2018 (up from 6.3 MT in 2018). Most of the ephedrine imported to Singapore originated from India and Taiwan, the bulk of which was then re-exported to Indonesian pharmaceutical companies. The imported pseudoephedrine originates mostly from India, China, Germany, and Taiwan, and was also often re-exported to pharmaceutical companies in Indonesia. Singapore also exports both chemicals to Vietnam, Cambodia, Malaysia, and Nepal for pharmaceutical purposes. Ephedrine and pseudoephedrine that are not re-exported and remain in Singapore are used primarily by the domestic pharmaceutical industry.

In 2019, Singapore imported approximately 7.7 million liters and exported approximately 11.7 million liters of acetic anhydride. Singapore imported 40.5 MT and exported 40 MT of potassium permanganate. Singapore uses potassium permanganate in the treatment of reclaimed water, rainwater, and seawater, which it relies on for more than 70 percent of its water supply. Singapore did not import or export any phenyl-2-propanone, 4-anilino-N-phenethylpiperidine (ANPP) and N-Phenethyl-4-piperidinone (NPP), chemicals used to produce illicit fentanyl and fentanyl analogues.

Since 2012, the Singapore Central Narcotics Bureau (CNB) has had no diversion-related seizures of ephedrine and pseudoephedrine. The CNB is the Competent Authority in Singapore for the 1988 UN Convention Against Illicit Traffic in Narcotics Drugs and Psychotropic Substances and is tasked with undertaking measures to prevent precursor chemical diversion. All imports, exports, and transshipments of these controlled substances require a permit from the CNB, and supporting documentation must be kept by the companies for a minimum of two years and made available for inspection by the CNB. Supporting documents may include invoices, sale contracts, and documentary proof from the competent authority of the exporting countries. The movement of these controlled substances is also tracked and monitored by CNB. If the permit application is approved, CNB will provide Pre-Export Notification or PEN-Online to the central authority of the importing country for any exportation of substances.

Information on all goods imported and exported through Singapore's borders must be provided manually in advance to enable Singapore Customs, the Immigration and Checkpoints Authority or other controlling agencies to facilitate legitimate and secured trade through measures such as timely pre-clearance risk assessment. Singapore does not currently require electronic advance cargo manifest information nor screen transshipments unless they involve conveyances from select countries of international concern, a Singapore consignee, or contain strategic or controlled items, including certain chemicals. However, Singapore is conducting a three year trial of the World Customs Organization's Cargo Targeting System which uses select carriers' electronic cargo manifest data including transshipments to identify high-risk shipments across a variety of threats. Singapore solicited carriers to provide data on a voluntary basis; as of October 2020, 17 shipping lines were transmitting manifest data electronically and Singapore continues to engage more shipping lines to participate.

In instances where precursor diversion for illicit drug manufacturing purposes was suspected, Singapore authorities have assisted foreign law enforcement agencies. The Government of Singapore conducts site visits on companies dealing with controlled chemicals to ensure awareness of the requirements and overall compliance.

The Port of Singapore is the world's second-busiest port in terms of shipping tonnage and is the world's busiest transshipment port. Singapore authorities have never reported a diversion of precursor chemicals used in the manufacturing of methamphetamine from Singapore's pharmaceutical, biotechnology, and fine chemical industries, nor have they reported the seizure of any domestic clandestine methamphetamine laboratories.

**South Africa**

South Africa is a leading regional importer of chemicals used in the production of illicit drugs, particularly synthetic drugs. The South African Police Service (SAPS) has a trained, dedicated clandestine laboratory team, which operates under the South Africa Narcotics Enforcement Bureau (SANEB). During the period April 2019 – March 2020, SANEB conducted operations to dismantle 24 clandestine drug laboratories, compared with 58 laboratories that were dismantled during a similar period in the previous year. Notable seizures in 2020 include 10 metric tons of anthranilic acid taken from a home in Durban on September 15. Anthranilic acid is a key precursor in the production of methaqualone, also known as Mandrax.

Ephedrine and pseudoephedrine used in South Africa to synthesize methamphetamine largely originate in Nigeria and India. South African authorities periodically report newly identified precursor substances used in illicit drug production to the International Narcotics Control Board (INCB). South Africa also submits information on seized precursor shipments to the INCB's Precursors Incident Communication System. Controlling and analyzing the trade of precursors is mandated by the South Africa National Drug Policy, which mandates the establishment of computerized inventory control systems for scheduled chemicals and regulating and monitoring the purchase of medicines containing precursors via a registry system. Such inventory and regulatory measures have not been fully implemented, however.

U.S. law enforcement collaboration with South Africa on investigations is productive but sporadic, and U.S. authorities regularly share information on container shipments suspected of containing possible illicit materials with South African counterparts.

**Switzerland**

The Government of Switzerland is a strong partner with the United States and other countries in international chemical control initiatives to prevent the diversion of synthetic drug precursor chemicals, including ephedrine and pseudoephedrine, and other primarily essential chemicals, including potassium permanganate and acetic anhydride. Switzerland is a significant importer and exporter of ephedrine and pseudoephedrine.

In 2019, according to the most recent available data, Switzerland imported approximately 65.66 metric tons (MT) of pseudoephedrine and 0.69 MT of ephedrine. Switzerland exported approximately 46.58 MT of pseudoephedrine and 0.1 MT of ephedrine during the same period. Data from Swiss Customs shows negligible differences in the amounts listed above.

Swiss control measures concerning precursor chemicals such as ephedrine and pseudoephedrine are governed by the Federal Narcotics Control Ordinance and the Federal Department of Home Affairs' Ordinance on the Register of Narcotics, Psychotropic Substances, Precursor Substances, and Auxiliary Chemicals. The Ordinances require importers and exporters of ephedrine and pseudoephedrine to obtain a license from Swissmedic, Switzerland's relevant regulatory authority, and require chemical manufacturers to provide "end user" certificates. To more effectively deter illegal dissemination of these precursor chemicals, regulations were enacted in



October 2017 requiring a license and “end user” certificates for import or export of preparations containing these precursor chemicals.

The Ordinance on the Register of Narcotics, Psychotropic Substances, Precursor Substances, and Auxiliary Chemicals also lists as controlled substances two primary chemicals used to produce illicit fentanyl and fentanyl analogues – 4-anilino-N-phenethylpiperidine (ANPP) and N-Phenethyl-4-piperidinone (NPP), as well as potassium permanganate and acetic anhydride, two widely sought-after precursor chemicals used for cocaine and heroin production. However, potassium permanganate is controlled only for volumes greater than five kg, and acetic anhydride for volumes greater than 100 kg.

In 2019 and through October 2020, there were no significant changes reported to Swiss legislation regarding import and export of these substances.

Switzerland participates in multilateral chemical control initiatives led by the International Narcotics Control Board (INCB), including Project Prism and Project Cohesion. Switzerland also participates in the International Import and Export Authorization System (I2ES), which facilitates effective implementation of import and export authorization systems for legal international trade in narcotic drugs and psychotropic substances.

Swiss law enforcement agencies have established close cooperation with the Swiss chemical manufacturing and trading industries and counterparts in major chemical manufacturing and trading countries. This cooperation includes information exchanges in support of chemical control programs and in the investigation of diversion attempts.

The Swiss remain proactive in targeting international drug trafficking and money laundering. Cooperation between U.S. and Swiss law enforcement agencies, particularly with the Swiss Federal Criminal Police, on chemical control related issues is excellent.

## **Taiwan**

During the first 11 months of 2020 Taiwan exports of pseudoephedrine and its salts totaled 2.47 metric tons (MT), less than the 4.73 MT exported in the same period in 2019. Taiwan exports of ephedrine and its salts during the first 11 months of 2020 totaled 325 kilograms.

The Taiwan Ministry of Economic Affairs Industrial Development Bureau imposes strict reporting requirements in tracking the production, distribution, sale, storage, and export/import of 25 precursor chemicals including acetic anhydride and potassium permanganate. As amphetamine-type stimulants and ketamine are more prevalent among illicit drug users in Taiwan, there are few cases involving the use of precursor chemicals such as acetic anhydride and potassium permanganate for cocaine and heroin production. At the end of the third quarter of 2020, approximately 933 companies had reported Category A chemicals-related activities through a web-based reporting system. Taiwan Customs data showed that as of November 2020, 156 Taiwan companies reported trading activities of Category B chemicals.

Taiwan announced the amended Narcotics Hazard Prevention Act, which added ANPP and NPP, in January 2020. The amendments took effect in July 2020.

Taiwan's Food and Drug Administration (TFDA) through the Controlled Drugs Act supervises the trade and use of finished products containing ephedrine, pseudoephedrine, and other chemicals, including by end-users such as hospitals. In 2019 (latest data available), TFDA inspected 17,678 facilities that were involved in the production, sale, and use of drugs subject to the Controlled Drugs Act and found 621 violations, primarily for administrative errors or failure to keep timely reporting of uses and inventories of medicines containing those chemicals. The violation ratio went up to 3.51 percent from 2.74 percent in 2018.

### **Thailand**

Thailand's domestic drug production is relatively limited, and it is not a major source country for drug precursor chemicals, nor are precursor chemicals widely imported into Thailand. According to Thai authorities, most chemicals and precursors are imported for legitimate medical and industrial purposes. For exports, Thai chemical companies sometimes do not adequately identify their potential customers and may not be fully aware of the chemical's intended use.

The legal and regulatory framework for preventing the diversion of precursors is extensive and long-standing, beginning with the Commodity Control Act of 1952. In 2016, Thailand introduced new regulations (Order of the Head of the National Council for Peace and Order 32/2599, 2016) to monitor the import, export, production, trafficking, and possession of precursors and chemicals. Pre-export notification is conducted to mitigate diversion. The Precursor Chemical Control Committee, which has been in place since 1993, formulates national strategy on precursor control. Thailand has scheduled all chemicals listed in the 1988 UN Drug Convention, in addition to eight other precursors not included under the Convention.

During the first nine months of 2020, there were no chemical precursor seizures in Thailand.

### **United Arab Emirates**

The proximity of the United Arab Emirates (UAE) to major drug source and transit countries in Southwest Asia and its role as a sea and air transportation hub leave it vulnerable as a transshipment point for illicit drugs and precursor chemicals.

The UAE Export Control Executive Office (ECEO) is the coordinating authority responsible for implementing import, export and transshipment policies and issuing licenses for controlled goods and substances. ECEO operates under authorities granted by Federal Law No. 13 of 2007 as amended by Federal Law No. 2 of 2008, and implements control lists established by international bodies. On July 14, 2020, the cabinet issued resolution No. 50 of 2020, which included updating the controlled chemicals list to the latest Chemicals List of the Organization for the Prohibition of Chemical Weapons (OPCW). The UAE hosts and funds a UN Office on Drug and Crime (UNODC) semi-regional office.

The UAE's precursor chemical control regime implements the country's obligations under the 1988 UN Drug Convention and is generally effective. Fentanyl and fentanyl analogues, potassium permanganate, and acetic anhydride are controlled in the UAE by the Ministry of Interior and require licensing through ECEO for import, export, and transshipment. Ephedrine and pseudoephedrine are controlled by Ministry of Health. Transshipment of these chemicals requires UAE licensing when cargo is transferred from one container to another, or to a different ship at port. However, cargo transiting UAE ports in the same container and on the same ship does not require UAE licensing.

UAE authorities continue to stop drug smuggling attempts, due in part to cooperation between the Department of Anti-Narcotics at the Dubai Police Department, the General Department of Anti-Narcotics of the UAE Ministry of Interior, the Abu Dhabi Police Department, and international law enforcement agencies.

For the first time since joining the OPCW in December 2000, the UAE became a member of the OPCW Executive Council on May 12, 2020, representing Asian member states for a two year term.

### **United Kingdom**

United Kingdom (UK) authorities conducted approximately 28 seizures of imported amphetamine precursors and precursor chemicals between January 2018 and January 2020, totaling around 1.8 metric tons. The UK has been a leading producer of precursor chemicals, but applies a strict regulatory regime to their production and trade, including mandatory licensing and reporting obligations. Though drug precursors have legitimate commercial uses, the UK Home Office controls them because they can be used in illicit drug production.

The UK left the European Union in January 2020, and effective January 1, 2021, UK companies will need to apply for import and/or export licenses when trading certain categories of drug precursor chemicals with EU countries. Current rules for trading these chemicals with countries outside the EU will now apply to EU countries. There will be no change to existing licensing and registration requirements for handling drug precursor chemicals solely within the UK or trading with non-EU countries. UK companies may also need to apply for a domestic license or registration, as they will not be able to apply for import or export licenses without a domestic license in place. License and registration fees will be imposed on UK companies that had not previously been responsible for the added cost, which could potentially lead to the diversion of precursor chemicals. The United States and the UK will continue to closely cooperate with international bodies to promote global awareness and regulation of precursor chemicals.

### **The United States**

The United States manufactures and/or trades in almost all 29 chemicals listed in Tables I and II of the 1988 UN Drug Convention to which it is a party; and it has laws and regulations implementing chemical control provisions. The foundation of U.S. chemical control is the Chemical Diversion and Trafficking Act of 1988. This law and subsequent chemical control provisions of the U.S. drug law are interwoven into the Controlled Substances Act of 1970,

rather than individual stand-alone legislation. The DEA is responsible for administering and enforcing these laws.

The Department of Justice, primarily through its U.S. Attorneys, handles criminal and civil prosecutions at the federal level. In addition to registration and recordkeeping requirements, the legislation requires importers and exporters to file import or export notifications at least 15 days before the transaction is to take place. The 15-day advanced notification permits DEA to evaluate the transaction. However, the legislation and regulations allow for a waiver of the 15-day advance notification if a company has an established business relationship for a specified listed chemical or chemicals with its foreign customer that has been reported to DEA, subject to the criteria in the Code of Federal Regulations. In these cases, same-day notification is permitted for future shipments. Diversion investigators and special agents communicate with exporting and importing government officials in this process. The legislation also gives the DEA the authority to suspend shipments.

U.S. legislation requires chemical handlers to report to DEA suspicious transactions such as those involving extraordinary quantities or unusual methods of payment. Criminal penalties for chemical diversion are strict; the penalties for some chemical trafficking offenses involving methamphetamine are tied to the quantities of drugs that could have been produced with the diverted chemicals. If the diversion of listed chemicals is detected, persons or companies may be prosecuted or the DEA registration may be revoked.

The Combat Methamphetamine Epidemic Act of 2005 (CMEA) mandated DEA to establish total annual requirements, import quotas, individual manufacturing quotas, and procurement quotas for three List 1 chemicals: pseudoephedrine, ephedrine, and phenylpropanolamine. This affected those DEA-registered importers and manufacturers that wish to import or conduct manufacturing activities with these chemicals. The CMEA also restricted retail level transactions of nonprescription drug products that contain ephedrine, pseudoephedrine, or phenylpropanolamine, now known as “scheduled listed chemical products.” The CMEA and other chemical control legislation are aimed at preventing the illicit manufacture of illegal drugs domestically and internationally.

The United States has played a leading role in the design, promotion, and implementation of cooperative multilateral chemical control initiatives. The United States also actively works with other concerned nations, and with the UNODC and the INCB to develop information sharing procedures to better control precursor chemicals and non-controlled substances used in the illicit production of drugs. U.S. officials are members of a combined task force for both Project Cohesion and Project Prism. The United States has established close operational cooperation with counterparts in major chemical manufacturing and trading countries. This cooperation includes information sharing in support of chemical control programs and to prevent chemical diversion.

## **Venezuela**

Due to the illegitimate Maduro regime’s almost complete lack of willingness to share information on drug control issues, the United States has no information to evaluate precursor

chemical diversion through the country, or any diversion control efforts under the regime. Some precursor chemicals used to produce cocaine are believed to be trafficked through Venezuela, but the quantity is unknown. In a December, 2020 Joint Communiqué on counternarcotics and anti-crime, the interim government led by Juan Guaidó expressed its commitment to abiding by the legal framework for international cooperation to prevent precursor chemical diversion through Venezuela's commitment to the UN drug conventions.

### **Major Exporters and Importers of Pseudoephedrine and Ephedrine (Section 722, Combat Methamphetamine Epidemic Act (CMEA))**

This section of the INCSR responds to the CMEA's Section 722 requirement to report on the five major importing and exporting countries of the identified methamphetamine precursor chemicals. In meeting these requirements, the Department of State and DEA considered the chemicals involved and the available data on their export, import, worldwide production, and the known legitimate demand. The available data does not address illicit trafficking and production.

Ephedrine and pseudoephedrine are no longer preferred chemicals for methamphetamine production shipped to the United States, since traffickers are increasingly using substitutes or pre-precursors. The phenomenon of substitute chemicals used in methamphetamine production is particularly observed in Mexico, where the nitrostyrene method is used to produce P-2-P, which starts from benzaldehyde and nitroethane, or from the intermediary product 1-phenyl-2-nitropropene, and in Europe, where the method using APAAN, are largely used.

Phenylpropanolamine, a third chemical listed in the CMEA, is not a methamphetamine precursor, although it can be used as an amphetamine precursor.

In 2000, the FDA issued warnings concerning significant health risks associated with phenylpropanolamine. As a result, phenylpropanolamine is no longer approved for human consumption. Phenylpropanolamine is still imported for veterinary medicines, and for the conversion to amphetamine for the legitimate manufacture of pharmaceutical products. Phenylpropanolamine is not a methamphetamine precursor chemical, and trade and production data are not available on phenylpropanolamine. Therefore, this section provides information only on ephedrine and pseudoephedrine.

The Global Trade Atlas (GTA), compiled by Global Trade Information Services, Inc., provides export and import data for ephedrine and pseudoephedrine collected from major trading countries. However, given the reporting cycles by participating countries, data often lags behind one year. The most recent year for which full-year data is available is 2019. The data, including from the previous year, is continually revised as countries review and revise it. GTA data analysis and a chart identifying the sources of the data are in the tables at the end of this section.

Data on exports and imports of pharmaceutical preparations containing pseudoephedrine and ephedrine are commercial and proprietary and are not available. Data on legitimate demand for these substances, whether in bulk or processed pharmaceutical form, is similarly not available. Therefore, this listing of the top five importers does not necessarily demonstrate that these countries have the highest levels of diversion. Instead, it demonstrates the rank position of each

country compared to the overall exporters and importers of ephedrine and pseudoephedrine worldwide, as reported by the GTA.

For purposes of this determination, the United States has been excluded from these lists. However, enclosed is additional information on U.S. exports and imports of ephedrine and pseudoephedrine. During the preparation of the 2021 CMEA report as well as determination and certification, GTA data for U.S. exports and imports for both ephedrine and pseudoephedrine for calendar years 2017-2019 were updated in light of revised estimates provided by the U.S. Drug Enforcement Administration (DEA).

Overall, the accuracy of this trade data should be viewed with caution, as some countries have less sophisticated infrastructures and methodologies at their disposal than others for measuring the volume, overall trends, and commodities involved in legitimate trade. Furthermore, this data cannot accurately identify the specific trends of smuggling or diversion involving subterfuge.

The trade data source employed in this determination and certification does not reflect illicit smuggling or production around the globe that has been detected by law enforcement and other reporting. Nor does it reflect an accurate disparity between requirements and imports. Available trade data from GTA is also silent on legitimate commercial sales of alternative precursor chemicals used in methamphetamine production, which comprise a growing proportion of chemicals used in the manufacture of methamphetamine, particularly for the U.S. market.

Thus far, the economic and compliance analyses required by the CMEA remain challenging because of insufficient, unreliable, and changing data. Often the collection and reporting of such data requires a regulatory infrastructure that is beyond the means of some governments. Further, not all countries are familiar with the methodology and data sources used by the GTA to report the final numbers, and some countries dispute the accuracy of the data. This increases the difficulty of comparing import or export totals across years. Therefore, it remains difficult to determine with precision the top five countries exporting and importing the largest amount of pseudoephedrine and ephedrine.

Nevertheless, the United States will continue to urge countries in bilateral and multilateral diplomatic and technical forums to report on their licit domestic requirements for methamphetamine precursor chemicals to the International Narcotics Control Board (INCB). The United States will also continue to work with the INCB and with authorities in the reporting countries to secure explanations for anomalies between reported imports and reported licit domestic requirements, and to follow the development of other chemicals used in the production of methamphetamine.

The newest method to produce methamphetamine is the nitrostyrene method, which starts from benzaldehyde and nitroethane, to produce phenyl-2-propanone (P-2-P) or from the intermediary product 1-phenyl-2-nitropropene. This method has been the preferred alternative used by Mexican drug trafficking organizations in recent years to manufacture the precursor chemicals required to produce methamphetamine. According to the forensic profiling program of DEA's Special Testing and Research Laboratory, the proportion of synthetic methamphetamine manufactured using the phenylacetic acid-based method continues to be a significant means of

production, with 200 samples analyzed (39 percent) that were directly linked to this method. In contrast, there continues to be no trace of ephedrine or pseudoephedrine detected in the vast majority of methamphetamine seized in the United States.

### CMEA Trade Data

<b>Top Five Exporting Countries, Economies, and the United States Ephedrine 2017-2019 (GTA Annual Series Ending Dec 2019)</b>				
<b>Reporting Country</b>	<b>Unit</b>	<b>Quantities</b>		
		<b>2017</b>	<b>2018</b>	<b>2019</b>
<b>India</b>	<b>KG</b>	<b>72,829</b>	<b>59,810</b>	<b>57,940</b>
<b>Germany</b>	<b>KG</b>	<b>20,575</b>	<b>32,910</b>	<b>6,897</b>
<b>PRC</b>	<b>KG</b>	<b>1,553</b>	<b>1,891</b>	<b>2,801</b>
<b>Singapore</b>	<b>KG</b>	<b>6,551</b>	<b>6,691</b>	<b>1,900</b>
<b>Denmark</b>	<b>KG</b>	<b>4,327</b>	<b>1,400</b>	<b>550</b>
<b>Top Five Total</b>		<b>101,755</b>	<b>108,593</b>	<b>70,088</b>
<b>United States (GTA)</b>	<b>KG</b>	<b>66</b>	<b>8</b>	<b>272</b>
<b>United States (DEA)</b>	<b>KG</b>	<b>1.8</b>	<b>2.3</b>	<b>1.8</b>

**Analysis of Export Data:** The top five exporters of ephedrine in 2019 were India, Germany, the People's Republic of China (PRC), Singapore, and Denmark. According to the Global Trade Atlas (GTA) database, ephedrine exports decreased 35.45 percent in 2019 compared to 2018, due to a decrease in exports from Germany. In 2019, India's exports decreased by 3.22 percent from 59,810 kg in 2018 to 57,940 kg in 2019. India continues to rank as the top global exporter of ephedrine for this year's report. On the other hand, Germany's exports decreased from 32,910 kg in 2018 to 6,897 kg in 2019, a 79.042 percent decrease. In both cases, the reason for such decreases is unknown. The PRC increased its exports by 48.12 percent from 1,891 kg in 2018 to 2,801 kg in 2019. The reason for such an increase is unknown. Singapore appears as the fourth top exporter of ephedrine and has dropped significantly in terms of the level of exports as compared with last year – 6,691 kg in 2018 and 1,900 kg in 2019, representing a 71.60 percent decrease. Denmark's exports decreased by 60.71 last year from 1,400 kg in 2018 to 550 kg in 2019. In the case of Singapore and Denmark, the reason for such decreases is unknown.

According to the most current information provided by the Drug Enforcement Administration (DEA), U.S. exports were 1.8 kg in 2017, 2.3 kg in 2018, and 1.8 kg in 2019. For the purposes of this report, we have relied on the data provided by DEA.

<b>Top Five Exporting Countries, Economies, and the United States Pseudoephedrine 2017-2019 (GTA Annual Series Ending Dec 2019)</b>				
<b>Reporting Country</b>	<b>Unit</b>	<b>Quantities</b>		
		<b>2017</b>	<b>2018</b>	<b>2019</b>
<b>India</b>	<b>KG</b>	<b>432,167</b>	<b>413,355</b>	<b>453,258</b>
<b>Germany</b>	<b>KG</b>	<b>259,078</b>	<b>299,676</b>	<b>277,859</b>
<b>United Kingdom</b>	<b>KG</b>	<b>185,142</b>	<b>184,227</b>	<b>147,616</b>
<b>Switzerland</b>	<b>KG</b>	<b>47,298</b>	<b>38,495</b>	<b>48,292</b>
<b>PRC</b>	<b>KG</b>	<b>42,539</b>	<b>52,217</b>	<b>34,078</b>
<b>Top Five Total</b>		<b>966,224</b>	<b>987,970</b>	<b>961,103</b>
<b>United States (GTA)</b>	<b>KG</b>	<b>1,424</b>	<b>1,385</b>	<b>1,437</b>
<b>United States (DEA)</b>	<b>KG</b>	<b>22,638</b>	<b>29,165</b>	<b>15,135</b>

**Analysis of Export Data:** According to the GTA database, the aggregated volume of worldwide exports of pseudoephedrine from the 2019 top five exporters slightly decreased from 987,970 kg in 2018 to 961,103 kg in 2019, representing a 2.79 percent decrease. The top five exporters of pseudoephedrine in 2019 were India, Germany, the United Kingdom, Switzerland, and the PRC. India and Switzerland increased their pseudoephedrine exports in 2019 from 413,355 kg to 453,258 kg, and 38,495 kg to 48,292 kg, a 9.65 percent and 25.45 percent increase, respectively. The reason for such an increase is unknown. Germany's exports decreased from 299,676 kg in 2018 to 277,859 kg in 2019, a 7.70 percent decrease. The United Kingdom and the PRC's exports also decreased between 2018 and 2019 from 184,227 kg to 147,616 kg, and 52,217 kg to 34,078 kg, a 19.87 percent and 34.73 percent decrease respectively. The reason for such a decrease in each country is unknown.

According to the most current information provided by the DEA, the United States increased its pseudoephedrine exports from 22,638 kg in 2017 to 29,165 in 2018, a 28.83 percent increase. In 2019, the United States decreased its pseudoephedrine exports to 15,135 kg, a 48.11 percent decrease from 2018.

<b>Top Five Importing Countries, Economies, and the United States Ephedrine 2017-2019 (GTA Annual Series Ending Dec 2019)</b>				
<b>Reporting Country</b>	<b>Unit</b>	<b>Quantities</b>		
		<b>2017</b>	<b>2018</b>	<b>2019</b>
<b>Republic of Korea</b>	<b>KG</b>	<b>38,252</b>	<b>37,034</b>	<b>26,952</b>
<b>Singapore</b>	<b>KG</b>	<b>6,376</b>	<b>6,104</b>	<b>9,611</b>
<b>Denmark</b>	<b>KG</b>	<b>4,027</b>	<b>4,002</b>	<b>9,500</b>
<b>Indonesia</b>	<b>KG</b>	<b>6,809</b>	<b>6,372</b>	<b>7,068</b>
<b>Germany</b>	<b>KG</b>	<b>2,534</b>	<b>2,906</b>	<b>5,882</b>
<b>Top Five Total</b>		<b>57,998</b>	<b>56,418</b>	<b>59,013</b>
<b>United States (GTA)</b>	<b>KG</b>	<b>23,500</b>	<b>21,111</b>	<b>13,501</b>
<b>United States (DEA)</b>	<b>KG</b>	<b>2,789</b>	<b>2,450</b>	<b>2,679</b>



**Analysis of Import Data:** According to the GTA database, the aggregated amount of ephedrine imported by the top five countries and economies in 2019 was 59,013 kg, a 4.6 percent increase compared to 2018. The top five ephedrine importers in 2019 were Republic of Korea, Singapore, Denmark, Indonesia, and Germany. The Republic of Korea, the top ephedrine importer in 2019, had a 27.22 percent decrease in ephedrine importation from 37,034 kg in 2018 to 26,952 kg. The reason for such decrease is unknown. Singapore, Denmark, Indonesia, and Germany experienced increases in their ephedrine importation with a 57.45 percent, a 237.39 percent, a 10.92 percent, and a 202.40 percent increase respectively. The reason for such an increase for each country is unknown.

According to the most current information provided by DEA, U.S. ephedrine imports increased from 2,450 kg in 2018 to 2,679 kg in 2019, a 9.35 percent increase.

<b>Top Five Importing Countries, Economies, and the United States Pseudoephedrine 2017-2019 (GTA Annual Series Ending Dec 2019)</b>				
<b>Reporting Country</b>	<b>Unit</b>	<b>Quantities</b>		
		<b>2017</b>	<b>2018</b>	<b>2019</b>
<b>Switzerland</b>	<b>KG</b>	<b>70,938</b>	<b>68,141</b>	<b>65,656</b>
<b>Turkey</b>	<b>KG</b>	<b>45,848</b>	<b>36,721</b>	<b>51,472</b>
<b>Republic of Korea</b>	<b>KG</b>	<b>37,753</b>	<b>45,477</b>	<b>43,400</b>
<b>France</b>	<b>KG</b>	<b>43,336</b>	<b>27,014</b>	<b>38,047</b>
<b>Indonesia</b>	<b>KG</b>	<b>24,136</b>	<b>24,347</b>	<b>30,456</b>
<b>Top Five Total</b>		<b>222,011</b>	<b>201,700</b>	<b>229,031</b>
<b>United States (GTA)</b>	<b>KG</b>	<b>123,512</b>	<b>150,102</b>	<b>144,378</b>
<b>United States (DEA)</b>	<b>KG</b>	<b>126,683</b>	<b>139,788</b>	<b>145,116</b>

**Analysis of Import Data:** According to the GTA database, the quantity of pseudoephedrine imported by the top five importers increased in 2019. The aggregated amount of pseudoephedrine imported by the top five economies in 2019 was 229,031 kg, a 13.55 percent increase compared to 2018. Switzerland's imports dropped from 68,141 kg in 2018 to 65,656 kg in 2019, a 3.78 percent decrease. The reason for such decrease is unknown. On the other hand, Turkey's imports increased from 36,721 kg in 2018 to 51,472 kg in 2019, a 40.17 percent increase. The reason for such an increase is unknown. France and Indonesia's imports also increased from 27,014 kg to 38,047 kg, and 24,347 kg to 30,456 kg, a 40.84 percent and 25.09 percent increase, respectively. The reason for such an increase is unknown. Switzerland and Republic of Korea were the only top five importing economies to decrease their pseudoephedrine imports in 2019. Pseudoephedrine imports in the case of South Korea decreased from 45,477 kg in 2018 to 43,400 kg in 2019, a 4.56 percent decrease. The reason for such decreases are unknown.

According to the most current information provided by DEA, U.S. imports increased from 139,788 kg in 2018 to 145,116 kg in 2019 to, a 3.81 percent increase. It should be noted that the United States no longer manufactures pseudoephedrine in bulk.

## **SYNTHETIC DRUGS**

## Introduction

The most dangerous trend in the global illicit drug trade is the growing prevalence of deadly synthetic drugs, and particularly synthetic opioids. According to preliminary data reported to the U.S. Centers for Disease Control and Prevention, over 81,000 drug overdose deaths were recorded in the United States in the 12 months ending in May 2020, with more than half attributed to non-prescription synthetic opioids. This includes deaths from growing use of cocaine and methamphetamine adulterated (“cut”) with synthetic opioids like fentanyl or other synthetic opioids, which is often cut into other drugs or pressed into counterfeit pharmaceutical tablets without the knowledge of users.

While these trends are most pronounced in North America, synthetic opioids and other categories of synthetic drugs are increasingly prevalent globally. They can be manufactured virtually anywhere, and offer distinct advantages over traditional plant-based drugs to criminals. Unlike drugs derived from crops, synthetic drugs are not dependent on climate and do not require large tracts of land outside the reach of state authorities. Production costs are low, and criminals can tailor the effects of new psychoactive substances (NPS) to meet evolving consumer demand. The extreme potency of synthetic opioids, such as fentanyl and its analogues, allow criminals to reap enormous profits while trafficking in small volumes that are difficult for authorities to detect. A mere kilogram of fentanyl purchased online from black market vendors can be pressed into one million counterfeit pills and sold illegally for millions of dollars in the United States.

Criminals also exploit the tools of modern global commerce to expand new and evolving methods for trafficking drugs and chemicals, including the use of internet-based marketing and sales, social media platforms, virtual currencies, and international postal and express consignment services. The perceived anonymity and convenience of the internet, including the use of non-indexed web sites and encrypted peer-to-peer messaging, allow criminals to complete illicit transactions easily, often using loosely regulated virtual currencies, while broadening their market base. These modern tools afford traffickers greater physical security, lower operational costs, and reduced risk of arrest. In many cases, these modalities also enable traffickers to operate independently from large criminal organizations and exploit licit supply chains.

The following section summarizes global highlights involving synthetic drugs in 2020.

## Synthetic Opioids

Fentanyl and its analogues are powerful synthetic opioids that have played a leading role in fueling the North American opioid epidemic over the past decade. According to U.S. law enforcement reporting, fentanyl represented the clear majority of illicit synthetic opioids available in the United States in 2020, although alternative synthetic opioids became increasingly available and represent a significant emerging threat.

Fentanyl production and trafficking routes to the United States appeared to diversify in 2020. Previous to 2019, U.S. law enforcement authorities identified China as the most prevalent source of direct shipments of fentanyl and fentanyl analogues reaching the United States, primarily through international postal services and direct consignment shipping. On May 1,

2019, the People's Republic of China enacted a class-based approach to control fentanyl-related substances and initiated new enforcement measures targeting illicit fentanyl labs. Evidence suggests that this may have led to pronounced shifts in fentanyl and fentanyl analogue flows to the United States. According to U.S. Customs and Border Protection (CBP), seizures of fentanyl directly shipped from China to the United States shrunk dramatically from over 128 kilograms seized in 2017 to less than half a kilogram in 2020. This does not necessarily reflect reduced availability of fentanyl within the United States, but it does indicate that fentanyl trafficking into the United States appears to be trending away from direct mail and consignment shipping to overland traffic across U.S. southern and (to a lesser extent) northern borders.

Most fentanyl available in the United States appears to be trafficked from Mexico across the U.S. Southwest border. According to CBP, Southwest border seizures increased from approximately 1,187 kilograms in 2019 to approximately 2,939 kilograms in 2020. Seizures of fentanyl trafficked from Mexico via aerial conveyance also increased from 49kg in 2019 to 71kg in 2020. There is some law enforcement evidence that Mexican drug cartels are consolidating their involvement in fentanyl production and trafficking, using alternative production methods involving “pre-precursor” chemicals (chemicals that are used one step earlier in fentanyl processing than direct precursors and that usually are not yet controlled). To a much lesser extent, fentanyl production in and trafficking from Canada may also be increasing; CBP seizures of fentanyl trafficked by air and land across the U.S. northern border increased to over 26 kilograms in 2020, up from slightly over three kilograms in 2019.

Prior to 2017, the majority of illicitly manufactured fentanyl was suspected to be typically synthesized from 4-anilino-*N*-phenethylpiperidine (ANPP) and *N*-phenethyl-4-piperidone (NPP), using the so-called “Siegfried” method. In 2017, at the urging of the United States and likeminded governments, the United Nations Commission on Narcotic Drugs (CND) voted to control these two chemicals under the 1988 UN Convention. These controls became fully effective in October 2017 and may have reduced the ability of criminals to access these chemicals illicitly. U.S. Drug Enforcement Administration forensic profiling of fentanyl seized in the United States since 2018 indicates that the majority of samples involved an alternative synthesis process (the “Janssen” method) not dependent upon NPP or ANPP.

The International Narcotics Control Board (INCB) has also tracked the evolution in illicit fentanyl production involving alternative synthesis methods. In its 2020 Annual Report on Precursors, the INCB took note of growing evidence from international law enforcement sources that illicit fentanyl production increasingly involved pre-precursor (or “designer precursor”) chemicals not subject to international controls. Some of these pre-precursors have been seized from illicit fentanyl and clandestine labs by law enforcement authorities. Most are unscheduled under the 1988 Convention.<sup>1</sup> The INCB has identified some of these chemicals – such as benzylfentanyl and norfentanyl – as having no legitimate commercial use. The United States has joined the INCB and other international partners in urging governments to implement domestic

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<sup>1</sup> Chemicals seized have included *N*-phenylpiperidin-4-amine (also known as 4-anilinopiperidine and 4-AP) and 4-piperidone – both unscheduled under the 1988 Convention. Other unscheduled pre-precursors that can be used as starting points for synthesizing fentanyl include *N*-benzyl-4-piperidone, benzylfentanyl, and norfentanyl.

controls over these substances to prevent their diversion to illicit use – as the United States did in 2020 by scheduling norfentanyl, 4-AP, and benzylfentanyl under domestic legislation.

International and domestic scheduling measures may be having some impact in motivating traffickers to experiment with producing and trafficking alternative synthetic opioids, outside the range of fentanyl-class drugs. The UN Office on Drugs and Crime (UNODC) highlighted the shift in the synthetic opioid market towards newer and more varied chemical classes and the INCB issued global alerts warning of the increasing prevalence of several non-fentanyl categories of synthetic opioids in 2020, including: isotonitazene; metonitazene; metodesnitazene; buporphine; tapentadol; and etonitazene. None of these synthetic opioids were controlled under the UN conventions at the close of 2020, though the 64<sup>th</sup> Session of the CND is scheduled to review isotonitazene in April 2020 for possible scheduling.

### **New Psychoactive Substances**

NPS are substances of abuse not controlled by the 1961 Convention or the 1971 Convention, but which have the ability to induce psychoactive effects on users mimicking controlled drugs. Producers modify and experiment with new substances in search of new NPS that can avoid detection by authorities and skirt the international control regime.

The rapid proliferation of NPS is creating a critical challenge for law enforcement officials worldwide because of how rapidly new substances can be introduced and remarketed to avoid international control. Over 1,000 different NPS were reported to the United Nations through 2020 – averaging over 80 new substances per year since 2010 – exceeding the capacity of law enforcement to curb this problem. The percentage of NPS with opioid effects has increased notably over the past decade. According to the UNODC, between 2015 and 2019, the number of synthetic opioids as a proportion of all NPS increased from 2 percent in 2015 to 9 percent in 2020.

This volume continues to challenge the ability to control NPS at the international level. The United States has supported efforts to enhance the capacity of the UN drug scheduling framework to increase the number of treaty-mandated drug scheduling reviews by the Expert Committee on Drug Dependence (ECDD) of the World Health Organization. In October 2020, following a scientific review process, the World Health Organization recommended that eight NPS (including a synthetic opioid) be scheduled for control under the UN conventions, with three additional substances placed under surveillance. The CND will consider these recommendations in April 2021.

While international scheduling under the UN conventions is the most thorough and effective means to reduce the availability of NPS, it remains insufficient given the scale of the problem. Scheduling under the conventions can require a lengthy process of gathering evidence and a scientific review of harms. Many countries – including the United States – have enacted domestic legislative reforms consistent with international law to review and control NPS based on their psychoactive effects or broader category of classification (class-based scheduling), rather than specific chemical structure. Some countries that have adopted a broader generic approach to controlling all analogues of fentanyl include Canada, China, the United Kingdom,

and Italy. The United States endorses these innovative national approaches and encourages governments to consider adopting similar measures to complement the international scheduling regime.

To counter the proliferation of NPS, national authorities must be able to quickly share information on new emerging substances and trafficking trends. The United States works with international partners to expand data collection and information sharing platforms to identify and provide early warnings of NPS to better mobilize public health and enforcement responses. One important tool is the UNODC's Global Synthetics, Monitoring Analyses, Reporting and Trends program (Global SMART), which operates the UNODC Early Warning Advisory on NPS, an online data collection platform that monitors, analyzes, and shares information on emerging synthetic drug threats and NPS, including forensic profiles. Data collected and analyzed by the Early Warning Advisory on NPS informs CND scheduling decisions that affect international control of NPS under the UN drug conventions. As of 2020, 282 forensic laboratories in 90 countries collaborated with the Early Warning Advisory network. Global SMART also provides training to international law enforcement authorities and helps governments implement scheduling decisions.

Another key partner in this field is the INCB, which maintains a task force (Project Ion) that collects and communicates strategic and operational information related to NPS with little or no known medical, scientific, or industrial uses. This information is shared through a secure online platform (IONICS), and during 2020, information related to nearly 5570 trafficking events involving 222 new psychoactive substances and dangerous non-medical synthetic opioids were communicated to law and regulatory enforcement focal points representing 146 governments and 10 international and regional partner organizations. Additionally, the INCB implements a special project (Opioids Project) focused on the illicit distribution and sales of synthetic opioids, and promotes partnerships and practical actions between governments and with relevant industries. The INCB's OPIOIDS Project circulated an updated list of 144 fentanyl-related substances with no legitimate uses in September 2020, including 122 substances not under international control and 43 possible fentanyl precursors. The INCB requested all relevant government authorities, and through them, industry partners, to refrain on a voluntary basis from any manufacture, import, export, or distribution of the substances on the list, beyond limited research and analytical purposes.

In 2020, the INCB launched the Global Rapid Interdiction of Dangerous Substances (GRIDS) Program, with support from the United States. This program has expanded INCB activities to share intelligence and increase training related to the identification and seizure of synthetic drugs. GRIDS also serves as a platform for the INCB to coordinate global special operations by national authorities, and provides secure communication channels to support investigations in addition to other practical tools to law enforcement authorities. In January 2020, GRIDS concluded a special intelligence gathering operation (TRANCE) involving 74 governments and several international organizations to identify trafficking origins and distribution points for non-medical ketamine and tramadol exploiting international mail and express courier services. Governments exchanged information and intelligence involving seizures of ketamine and tramadol totaling nearly 480 kilograms trafficked via 35 countries, and ultimately lead to the dismantling of organized crime groups operating in India and Singapore.

## **Methamphetamine**

Methamphetamine is produced using a variety of methods, but most require the following precursor chemicals: pseudoephedrine; ephedrine; pharmaceutical products containing these chemicals; phenyl-2-propanone (P-2-P); or phenylacetic acid. Use of ephedrine and pseudoephedrine in the illicit manufacture of methamphetamine is predominant in Asia, Oceania, Africa, and in some regions in Europe. In the Western Hemisphere, the bulk of illicitly manufactured methamphetamine is made using P-2-P-based methods.

Methamphetamine production takes place domestically within the United States and worldwide. With respect to domestic production, small production capacity laboratories (SPCLs) are the most frequently encountered type of clandestine laboratory. These tend to be low production operations (grams) and make up only a small percentage of methamphetamine that is consumed in the United States. “One-pot labs” (“shake-n-bake” labs) constitute the majority of SPCLs found domestically. These rudimentary laboratories typically use two-liter plastic soda bottles, containers, and other such receptacles.

Pseudoephedrine and ephedrine are the principal precursor chemicals used in domestic SPCLs and are purchased over the counter from retail pharmacies and convenience stores. Most of the methamphetamine available in the United States, however, is produced in Mexico, and trafficking across the U.S. southern border has increased dramatically in recent years. The vast majority (over 90 percent) of large-scale methamphetamine manufacturers in Mexico are believed to use the P-2-P method, according to the U.S. Drug Enforcement Administration. CBP seizures of methamphetamine over the Southwest border in 2020 totaled approximately 78.3 metric tons, up from approximately 66.1 metric tons in 2019 and 29.3 tons in 2017.

Outside of North America, production techniques vary, but many producers still rely upon ephedrine and pseudoephedrine, while others have shifted to alternative chemicals such as APAA (alpha-phenylacetoacetamide), a pre-precursor that was added to the list of controlled chemicals under the 1988 UN Convention by a March 2019 decision of the CND. In March 2020, the CND approved a decision to schedule another methamphetamine pre-precursor, methyl alpha-phenylacetoacetate (MAPA), for control under the 1988 Convention. There are no legitimate uses of MAPA according to the INCB, and there has been an increase in seizures of the substance in association with clandestine drug labs since 2018.

## **The Road Ahead**

As the global synthetic drug threat continues to evolve and expand, the United States will seek to expand its partnerships with both traditional and emerging stakeholders to confront and contain it. Governments will continue to have the most significant role in reducing the threat, but the private sector, international organizations, and civil society also play important roles.

Preventive efforts to stop illicit synthetic drug production and trafficking requires expanded cooperation with private industry. The majority of the world’s chemical and pharmaceutical industries are privately owned, as are the information communication platforms, online-marketing and sales platforms, online-payment providers, and express consignment operators

that are all increasingly exploited by synthetic drug traffickers. The private sector can play a crucial role in disrupting the synthetic drug business model by strengthening supply chains and preventing diversion of legitimate commodities and misuse of new technologies for criminal ends. The private sector also has access to data that could contribute to law enforcement investigations and help identify emerging threats because they operate trade platforms that may be exploited by criminal organizations. Working with like-minded partners, the United States will seek to expand outreach to the private sector to share information on emerging drug threats, reduce vulnerabilities, and deny access to criminal actors.

The 63<sup>rd</sup> CND in 2020 unanimously adopted a U.S.-sponsored resolution to promote partnerships with private sector entities to counter the world drug problem. To help implement the resolution, the United States provided funding to the UNODC to develop an online platform to share information on innovative and effective best practices in the field of public-private partnerships.

Given the global scale of the synthetic drug threat, international organizations provide an essential framework to share information and coordinate responses. The United States will continue to actively leverage multilateral frameworks such as the UNODC and the INCB to expand global platforms to detect emerging patterns on synthetic drug threats and reduce information-sharing bottlenecks. With support from the United States and other donors, the UNODC is leading an integrated global response, the UNODC Opioid Strategy, to confront the global synthetic opioid crisis. A main product of the Strategy is the UN Toolkit on Synthetic Drugs, a one-stop online website offering cross-cutting resources and practical tools from across the UN system to help governments strengthen their efforts, including examples of model legislation. Under the framework of the UNODC Opioid Strategy, the United States is supporting capacity building efforts to enhance national and international counternarcotic capacity across Latin America and the Caribbean and South Asia and South East Asia regions to identify, safely handle, interdict, and dispose of synthetic drugs, synthetic opioids, and precursor chemicals used in their production.

The launch of the INCB's GRIDS program in 2020 has expanded cooperation between governments and industry. Since the launch of GRIDS, the INCB has hosted expert group meetings with several industry sectors, including postal and express consignment shippers, freight forwarders, social media companies, and internet registrars. In November 2019, the INCB approved voluntary guidelines for governments to use in preventing and investigating the diversion of equipment such as tableting and encapsulating machines used to produce illicit drugs. These guidelines were presented to UN member states at the March 2020 session of the CND. At the time of this report, the United States was one of only a handful of governments (including Canada, Australia, and Mexico) with specific legislative requirements to monitor the importation, sale, and possession of tableting equipment. Many other governments have prohibitions on the unlicensed production of controlled substances that can be applied to drug-making equipment, and the United States urges governments to pursue additional cooperation in this area, drawing as necessary from the INCB guidelines.

The INCB also maintains several tools that can aid government efforts to address the challenges posed by non-scheduled substances. For example, the IONICS information sharing platform facilitates the real-time exchange of intelligence on emerging NPS and synthetic opioids and is a



key analytical tool for investigators and regulators worldwide. The INCB's list of fentanyl-related substances with no known medical or industrial uses is another practical resource to inform governments and industry partners and to facilitate actions to counter their misuse.

In 2020, the INCB deployed the first of what will be a network of five regional advisors around the world focused on expanding global participation in INCB programs. The advisors will focus on fostering international information sharing on synthetic drugs and precursors through the INCB's IONICS, PICS, and PEN online platforms. They will also promote global participation in INCB-facilitated multilateral case investigations and operations, and seek to strengthen voluntary cooperation between private industry and government authorities.

The United States will continue to work with the Universal Postal Union (UPU) and the INCB to better prevent the exploitation of international mail and express consignment services. The UPU is a specialized UN agency that develops technical standards for international postal authorities, facilitates cooperation among national postal authorities, and provides technical assistance on issues related to international mail. The United States supports the UPU in training international postal and customs officials to detect and interdict synthetic drugs at international mail facilities and expand national capacities to provide advanced electronic data on packages. In tandem with these efforts, the United States will continue to support the work of the INCB to convene expert working groups with governments and their industry partners so they can expand their work to address the movement of dangerous substances through postal and express courier services.

Because many law enforcement partners lack sufficient expertise to effectively investigate and dismantle online drug sales, the United States is expanding its mentoring and training efforts to build capacity and cross-border cooperation in this field. In 2021, the United States will continue to support a network of U.S. prosecutors and investigators deployed at various U.S. embassies to mentor cybercrime investigative units in partner governments. This network provides training on dark web investigations and criminal misuse of cryptocurrencies, both global weak spots that need to be addressed more effectively. Law enforcement cooperation on cyber-enabled crime requires cross border evidence sharing and assistance. It is crucial in this regard that more countries – particularly developing countries increasingly vulnerable to online trafficking – become parties to the Council of Europe Convention on Cybercrime (the Budapest Convention), the only international, legally binding instrument dealing with computer-based crime. In line with these efforts, the United States will also continue to support the UNODC in enhancing capacity in South East Asia, South Asia, and Latin America and the Caribbean to disrupt online trafficking and the use of cryptocurrencies in trafficking of synthetic drugs and their precursors.

The international community has taken some positive steps to mitigate the threats of synthetic opioids and other dangerous synthetic drugs, but efforts are at an early and not yet adequate stage compared to longstanding efforts targeting traditional plant-based drugs. Coordinated international action from governments, private sector entities, and international organizations can slow the proliferation of illicit synthetic drug production and trafficking, and increase the risk to traffickers of detection. This will require a long-term, incremental process of coordinated action. The United States is committed to leading international efforts toward these goals.

## **COUNTRY REPORTS**

# Afghanistan

## A. Introduction

Afghanistan is the world's largest producer of illicit opiates. According to U.S. estimates, 160,000 hectares (ha) of opium poppy were cultivated in Afghanistan in 2019, the most recent year for which data is available. While cultivation declined 28 percent from 2018, potential opium production increased by 21 percent in 2019 because of increased opium yields, with 6,700 metric tons (MT) produced. Afghanistan also produces methamphetamine and cannabis products, though the United States lacks detailed information about the extent of production of these drugs in the country.

Most cultivation and production of poppy in Afghanistan occurred in areas under Taliban influence or control. The Taliban derive considerable revenue from poppy cultivation and the Afghan drug trade, which not only drives conflict but undermines the rule of law, fuels corruption, and contributes to high rates of drug use among Afghans.

Afghan opium is typically refined into heroin or morphine in Afghanistan or neighboring countries. According to U.S. sampling data, Afghanistan is not a major supplier of opiates to the United States. Data from the U.S. Drug Enforcement Administration (DEA) 2018 Heroin Signature Program indicated that heroin from Southwest Asia represented less than one percent of tested heroin samples seized in the United States.

## B. Drug Control Accomplishments, Policies and Trends

### 1. Institutional Development

The Afghan government is publicly committed to confronting the drug problem in Afghanistan but has been slow to implement its national drug control strategy, which previously was overseen by the Ministry of Counter Narcotics (MCN). President Ashraf Ghani abolished the MCN in 2019 and distributed its functions to other ministries and government offices. The United States had supported the MCN with capacity building assistance for several years but has since shifted its support to other Afghan ministries that counter the illicit narcotics trade, principally the Ministry of Interior.

With U.S. assistance, the Afghan government operates the Criminal Justice Task Force, a judicial unit based at the Counter Narcotics Justice Center (CNJC). CNJC also serves as the central facility for the investigation, prosecution, and trial of major drug and drug-related corruption cases. During 2020, the CNJC processed 523 cases involving 698 suspects. The United States and Afghanistan have neither a bilateral extradition treaty nor a mutual legal assistance treaty. However, Afghanistan is a party to several multilateral law enforcement conventions that permit some international cooperation with the United States.

## **2. Supply Reduction**

The Sensitive Investigative Unit (SIU) and the National Interdiction Unit (NIU) are Afghanistan's two primary and most effective units involved in counter-drug enforcement efforts. U.S. mentoring and training of these units has led to significant seizures of drugs and precursor chemicals. In 2020, the NIU and SIU conducted 175 operations and seized 491 kilograms (kg) of opium, 711 kg of heroin, 658 kg of methamphetamine, and 80.2 MT of hashish, according to figures provided by the Afghan specialized units. They also arrested 249 individuals. Seizure results were down in key categories including heroin, morphine, and opium, due in part to reduced mobility resulting from the COVID-19 pandemic.

No verified poppy eradication occurred in Afghanistan in 2020, although the Counter Narcotics Police of Afghanistan (CNPA) claims to have eradicated 974 ha. In 2019, when the now-defunct MCN managed eradication programs, the Afghan government had 21 ha of verified eradication. As in previous years, a lack of political will and central government focus as well as continued Taliban control over many of the rural areas where poppy is cultivated contributed to limited eradication results.

Primary trafficking routes into and out of Afghanistan include the Balkan route (Iran to Turkey to Eastern and Western Europe); the southern route (Pakistan and Iran to Africa, Europe, Asia, the Middle East, and Canada); and the northern route (Central Asia to the Russian Federation).

Drug traffickers provide weapons, funding, and other support to the insurgency in exchange for protection. Some insurgents are directly involved in drug trafficking, or "tax" drug production and trafficking, to finance their operations. Trafficking is not limited to insurgent-controlled areas. The drug trade also fosters corruption, which undermines governance and rule of law throughout Afghanistan.

## **3. Public Information, Prevention, and Treatment**

The Afghan government has acknowledged Afghanistan has one of the highest substance abuse rates in the world. To stem the effects of this public health crisis, the United States funds a pilot project to expand treatment for drug abuse in rural areas and supports treatment centers in conjunction with the Ministry of Public Health. The United States also supports the UN Office on Drugs and Crime global children's addiction program to develop protocols for treating children, training treatment staff, and delivering services through non-governmental organizations.

Agriculture is a main driver of Afghanistan's economy and employs approximately 62 percent of its work force. A key challenge to reducing drug production is developing economically viable alternatives to poppy cultivation. The United States, in coordination with Afghan and international partners, promotes licit crop production and funds pilot projects designed to create sustainable alternative opportunities, including for rural women. Through the Voice of America and Radio Free Europe/Radio Liberty, the United States supports a robust public information campaign highlighting the impact of the Afghan drug trade.

#### **4. Corruption**

As a matter of policy, the Afghan government does not encourage or facilitate illicit drug production or distribution, nor is it involved in laundering illicit proceeds. Widespread and longstanding credible allegations and media reporting suggest, however, that many individual government officials directly engage in, and benefit from, the drug trade. Corrupt practices range from facilitating drug activities, to benefiting from drug trade revenue streams, to thwarting arrests and prosecutions.

In a June 2020 report, the United Nations Assistance Mission in Afghanistan (UNAMA) cited a slowed pace of anticorruption reforms in 2019 and 2020, due in part to the protracted presidential elections and the emergence of the COVID-19 pandemic.

#### **C. National Goals, Bilateral Cooperation, and U.S. Policy Initiatives**

Afghanistan's national drug control strategy has three interrelated goals: 1) decrease the cultivation of opium poppy; 2) decrease the production and trafficking of opiates; and 3) reduce the demand for illicit drugs while increasing the provision of treatment for users. Afghanistan has struggled to make significant progress in these areas. The U.S. government's drug control priorities for Afghanistan include disrupting the drug trade and targeting drug revenues that finance the insurgency; developing legal alternative livelihoods; strengthening law enforcement efforts; reducing the demand for drugs; and building the Afghan government's drug-control capacity. Despite the development of capable partner institutions, overall progress in meeting these long-term objectives remains slow, inconsistent, and insufficient.

#### **D. Conclusion**

The Afghan drug trade poses a major challenge to legitimate Afghan institutions and governance. Revenue from the narcotics trade financially sustains areas of the country, particularly in areas where the Afghan government lacks control. Revenue from drug trafficking also allows certain jurisdictions to evade central government oversight, while fueling corruption throughout the government and hindering development of a legitimate economy. The Afghan government must demonstrate greater political will to eliminate the narcotics trade. It must also support and protect from retribution those who enforce the nation's laws, while advancing complementary efforts in the areas of alternative development, demand reduction, anticorruption, and public information.

## Albania

Albania is a source country of cannabis and a home base for organized crime groups moving narcotics from source countries into European markets. Albanian nationals are heavily involved in trafficking illicit narcotics throughout Europe. Albanian cannabis is sent to Turkey and exchanged for heroin and cocaine, which are smuggled across Europe by Albanian national traffickers. With the exception of cannabis products, Albania is not a significant producer of illicit drugs. However, drug trafficking organizations led by or principally consisting of Albanian nationals are active internationally, and their illicit profits are laundered in Albania.

Albanian authorities have increased cannabis eradication efforts, forcing traffickers to reestablish their illicit operations in neighboring countries, primarily Greece and North Macedonia. These trafficking organizations are also enlarging their footprint globally. There has been an increase in cocaine seizures in Western Europe linked to Albanian nationals who traffic cocaine and heroin to European markets directly from Turkey and countries in South America and Asia. U.S. investigations have led to the dismantling of drug trafficking organizations consisting of Albanian nationals throughout the Balkans, Western Europe, the United States, and Central and South America. Greek authorities continue to arrest many Albanian nationals engaged in the cannabis cultivation and distribution of marijuana in Greece.

In 2020, Albania established a new Specialized Anticorruption Body (SPAK) comprising prosecutors, investigators, and a specialized court. SPAK netted some immediate successes, including convicting Arber Cekaj for trafficking 613 kilos of cocaine from South America to Europe and seizing assets worth approximately 2 million Euros (\$2.4 million) from Klement Balili, dubbed “the Escobar of the Balkans.” Balili was incarcerated in Albania for international drug trafficking following his 2019 conviction.

Weak rule of law, corruption, and a high rate of unemployment are the primary drivers behind Albania’s drug control problem. Albanian organized crime groups continue to launder proceeds in Albania and contribute to corruption in the country. Albania’s criminal justice reforms aim to prosecute and convict criminals of trafficking drugs by leveraging organized crime affiliation. Prosecutors now combine drug-related charges with organized crime charges.

U.S. assistance supports Albania’s involvement in international investigations and law enforcement actions; participation in regional anti-narcotics training on investigative techniques; judicial sector reforms to tighten penalties for drug trafficking; and corrections reforms to curtail the operations of transnational organized crime behind bars, as well as the provision of equipment to enhance search capabilities. Albania must continue justice reform efforts and work to erode the influence of organized crime.

## Armenia

Armenia is primarily a transit country for illicit drugs, located between the source countries of Afghanistan and Iran and the markets of Europe and Russia. Armenian authorities assert that opium, methamphetamine, and heroin are illegally imported mainly from Iran. The Armenian Government maintains direct control over law enforcement, border enforcement, prosecutorial, and judicial functions. Russian border guards are present at Armenia's borders with Turkey and Iran and compose part of the immigration staff at the Yerevan and Gyumri international airports.

A popular revolution in April-May 2018 brought to power a democratic government that has launched new anti-corruption institutions but has said relatively little about narcotics trafficking. There have been no arrests of high-level criminal figures related to narcotics and interceptions of large shipments remain rare. Because of the long-running Nagorno-Karabakh conflict between Armenia and Azerbaijan, for most of 2020 neither Armenian nor Azerbaijani customs services operated along the Aras river separating Iran from the Armenian-controlled territories of Fizuli, Jabrayil, and Zangilan, reportedly allowing for an unpoliced route for narcotics to flow into these territories. Following several weeks of intense combat beginning on September 27, Azerbaijan regained control of these territories as part of a Russian-brokered ceasefire arrangement on November 10.

Between January and June 2020, Armenian law enforcement investigated 552 criminal cases related to drugs, psychotropic substances, and their precursors, an increase of 19 percent over the same period in 2019. Prosecutions for these cases, mostly of Iranians, increased slightly. Authorities seized 28.2 kilograms (kg) of drugs, 6.9 kg of psychotropic substances, and 782 grams of precursor chemicals, all increases from the same period in 2019.

Notable seizures in 2020 included the confiscation of opium hidden in baby mattresses by an Iranian citizen, five kg of concealed methamphetamine destined for Japan, three kg of opium hidden in candy wrappers, and 4.5 kg of heroin seized from an Iranian citizen who crossed illegally into Syunik province. The United States is also working with the Armenian National Security Service on multiple investigations targeting large-scale heroin traffickers, one of which resulted in the arrest of several Bulgarian nationals and the seizure of 112 kg of heroin (in Georgia and Bulgaria), which transited through Armenia prior to being seized.

The United States provided training to Armenian drug investigators in November 2019, and is procuring improved drug detection equipment. In January 2020, Armenia became the 40th member of the Council of Europe's Pompidou Group for Cooperation in Combating Drug Abuse and Illicit Trafficking.

# The Bahamas

## A. Introduction

The Bahamas is a transit point for illegal drugs bound for the United States. Its location, less than 50 miles off the coast of Florida at its closest point, makes it a natural conduit for drug trafficking. The Bahamian archipelago stretches over a nautical area the size of California with over 2,700 islands and cays, the vast majority of which are uninhabited. Traffickers blend in among numerous pleasure craft moving between Florida and The Bahamas. Trafficking also occurs through commercial freighters, commercial and private planes, and vessels. Trafficking enables and strengthens transnational criminal organizations and gang activity. In 2020, illicit production of marijuana continued, and Bahamian authorities eradicated over 1,000 cannabis plants.

The United States and The Bahamas enjoy a long-standing history of law enforcement cooperation. There is strong political will within the Bahamian government to tackle drug trafficking and organized crime. Operation Bahamas, Turks and Caicos (OPBAT), a tripartite agreement dating back to the 1980s, spells out the obligations of The Bahamas, Turks and Caicos Islands, and the United States to improve their effectiveness in the fight against illicit drug trafficking. Buttressed by this agreement, Bahamian and U.S. law enforcement have partnered in several major law enforcement operations targeting trafficking organizations.

In early 2020, the onset of COVID-19 in The Bahamas led to a temporary drop in overall criminal activity. However, transnational criminal organizations adapted and resumed illicit smuggling activities by the fourth quarter, with U.S. and Bahamian authorities once again regularly interdicting shipments of marijuana and cocaine destined for south Florida.

## B. Drug Control Accomplishments, Policies, and Trends

### 1. Institutional Development

In 2020, individuals charged with drug trafficking offenses continued to evade justice in an opaque and under-resourced legal system. Excessive adjournments and procedural errors prolonged a number of cases, adding to an already extensive court backlog. However, building on plans announced in 2019, the judiciary made progress in 2020 towards introducing a digital case filing system and digitizing all existing court documents. The United States provided additional support to expand the Judiciary's digital court recording system and purchase updated equipment for the court reporting unit.

The Bahamas signed a Comprehensive Maritime Agreement with the United States in 2004, which enables cooperation in counterdrug interdiction operations in and around Bahamian territorial waters. The Bahamas has an extradition and mutual legal assistance treaty in place with the United States.



## **2. Supply Reduction**

U.S. law enforcement agencies work closely with the Royal Bahamas Police Force (RPBF) and Royal Bahamas Defense Force (RBDF) to gather law enforcement intelligence, conduct investigations, and execute interdictions. U.S. assistance programs support these operations with maritime, technical, and training resources. With a small population (353,000 according to the 2010 census) and significant territory to cover, pooling U.S. and local resources and knowledge is essential to efficient deterrence and interdiction.

U.S. and Bahamian law enforcement investigations indicate that illicit trafficking through The Bahamas remains high. Authorities interdicted 6.49 metric tons (MT) of marijuana during the first 10 months of 2020. Trends indicate traffickers are taking steps to move marijuana production closer to the United States. Despite having no formal eradication program, the Bahamian Drug Enforcement Unit (DEU) located and eradicated over 1,000 cannabis plants in 2020. While this represents a significant drop from 2019's historic eradication of 217,031 cannabis plants, the cultivation sites discovered in 2020 were concentrated on Andros Island, benefitting from acres of remote, sparsely populated land some 120 nautical miles off the coast of South Florida. Joint OPBAT operations helped track over 1,000 kilograms of cocaine that transited through The Bahamas before being seized in the United States.

Cross border criminal activity declined in April and May 2020 after The Bahamas closed its international border and instituted a nationwide lockdown due to COVID-19. By mid-year, however, traffickers resumed smuggling loads of illicit narcotics through The Bahamas and into the United States. Traffickers prefer to smuggle cocaine primarily from Hispaniola through The Bahamas and into the United States using pleasure craft, including sport fishing and sailing vessels, by blending in with legitimate traffic that transits these areas. Larger "go-fast" and sport fishing vessels transport marijuana from Jamaica to and through The Bahamas into Florida.

On the recommendation of the Bahamas National Commission on Marijuana, Prime Minister (PM) Hubert Minnis announced plans on October 21, 2020, to legalize the production, sale and possession of cannabis low in THC. Additionally, PM Minnis expressed support for legislation that would expunge the records of persons convicted of possessing small amounts of marijuana. Minnis further pledged that the government will announce plans to formally introduce legislation following a period of public consultation.

## **3. Public Information, Prevention, and Treatment**

The Bahamas continues to document the increasing use of controlled substances by the public, chief among them marijuana. The most recent data available, based on a survey in 2018, suggests that 20 percent of male respondents admitted to smoking marijuana, and of those 40 percent admitted to smoking on a daily basis. Only one percent of respondents admitted to cocaine usage.

The Public Hospitals Authority offers residential substance abuse treatment programs, drop-in treatment programs, substance abuse prevention programs, and relapse prevention programs.

The United States continued to partner with the Public Hospitals Authority in 2020 to increase the number of internationally certified substance abuse counselors in The Bahamas.

#### **4. Corruption**

The Bahamian government does not, as a matter of government policy, encourage or facilitate illicit drug production or distribution, nor is it involved in laundering the proceeds of the sale of illicit drugs. At this time, there is no evidence that senior government officials are involved in such activity. The government continues to make fighting corruption a major focus.

However, several high-profile corruption cases failed to make meaningful progress through the courts in 2020. Delays related to the global COVID-19 pandemic are understandable, but the lack of progress is nevertheless concerning. To date, there have been very few convictions for public corruption despite 80 percent of Bahamians saying they felt corruption in government was a major problem, according to a 2019 survey by a non-governmental organization.

#### **C. National Goals, Bilateral Cooperation, and U.S. Policy Initiatives**

The United States supports a wide range of efforts designed to address crime and violence affecting Bahamian citizens, primarily through the Caribbean Basin Security Initiative (CBSI). CBSI is a security partnership between the United States and nations of the Caribbean that seeks to reduce illicit trafficking, increase public safety and security, and prevent youth crime and violence.

In 2018, a CBSI-funded maritime surveillance system radar was installed in the southern-most island of Great Inagua to provide greater visibility of maritime traffic through the windward pass. Additional CBSI funding will support the installation of radars on Exuma and the Ragged Islands. The United States is funding the installation of a radar on New Providence. The United States continues to administer security cooperation activities with both the RBPF and RBDF to enhance capabilities in maritime law enforcement, intelligence, small boat operations, port security, engineering, disaster relief, and maintenance.

#### **D. Conclusion**

The United States and The Bahamas enjoy a long-standing cooperative relationship against drug trafficking and transnational organized crime. Drug trafficking and related smuggling will remain a primary concern for the United States in The Bahamas. The United States will continue to assist Bahamian efforts to counter these networks and increase efficiencies in the administration of justice through a range of assistance, and the CBSI framework will continue to bolster Bahamian drug-control institutions and enhance U.S. and Bahamian law enforcement relationships. Looking to the future, The Bahamas will be well served to focus on strengthening its institutional capacity to combat complex financial crimes and public corruption.

## Belgium

Belgium is a primary entry point for cocaine smuggled into Europe. Many of the same South American drug trafficking organizations that transport cocaine to the United States use the Port of Antwerp to reach lucrative drug markets in Europe and beyond. Cocaine sales in Europe strengthen these transnational criminal organizations and increase their reach.

The Port of Antwerp continues to experience record cocaine seizures within containerized cargo. This is due to several factors: record cocaine production in South America; the port's layout that makes it difficult to police fully; and relatively lenient judicial sanctions for persons caught trafficking drugs. Belgian authorities seized approximately 55.5 metric tons (MT) of cocaine during the first 10 months of 2020, a rate on pace to surpass the 62 MT seized during 2019. The seized cocaine would have generated approximately \$1 billion in street-level drug proceeds. In addition, authorities in South America seized more than 45 MT of cocaine destined for Antwerp during that period, up from approximately 40 metric tons seized each year in 2017 and 2018.

Belgium is an important transit country for MDMA (ecstasy) produced in the Netherlands. Authorities also observe methamphetamine imports via commercial air from Mexico. Belgium is also a transit point for precursor chemicals from China principally bound for production labs located in the Netherlands, but authorities are identifying an increasing number of amphetamine and MDMA production labs in Belgium as well. Belgium is a transit country for the distribution of new psychoactive substances (NPS). During the first 10 months of 2020, law enforcement officials seized 372 packages of synthetic narcotics bound for the United States. Belgium does not have a system in place to monitor or disrupt non-indexed websites ("dark web") that facilitate drug trafficking.

Heroin also transits Belgium at rates stable for the past few years. Figures for 2020 were not available, but approximately seven MT of heroin originating in Afghanistan and traveling via Iran were seized at the Port of Antwerp during the first 10 months of 2019.

Belgium is not experiencing a significant problem with the trafficking or use of synthetic opioids, though authorities attributed a handful of deaths in 2020 to synthetic opioid overdoses.

Belgian and U.S. law enforcement agencies maintain close operational cooperation, primarily focusing on cocaine trafficking and drug money laundering. The two countries have fully operational extradition and mutual legal assistance agreements.

## **Belize**

### **A. Introduction**

Belize is a transit country for illegal drugs that originate from countries in South America, primarily cocaine. Belize is vulnerable to exploitation by transnational criminal organizations (TCOs) due to its central location, porous borders, sparsely populated landscape, and accessible coastline dotted with hundreds of small islands and atolls. Traffickers offload drugs at illicit airstrips or along the coast using “go-fast” boats for further transshipment by land through Mexico or Guatemala to the United States. Though Belize is a transit country for drugs, there is no notable domestic drug consumption problem outside of recreational cannabis use.

The Belize police, military, and coast guard share responsibility for drug interception. However, all face serious resource constraints. Belize has no air defense systems, primary radar capable of monitoring illicit air traffic, or maritime radar. Significant equipment gaps, limited law enforcement response capability, and systemic investigative and prosecutorial limitations inhibit Belize’s ability to interdict shipments and prosecute traffickers. Despite these challenges, Belize’s drug seizure rate increased significantly in 2020.

### **B. Drug Control Accomplishment, Policies, and Trends**

#### **1. Institutional Development**

The Government of Belize acknowledges the major threat to domestic stability and the rule of law posed by illicit drug trafficking. In September 2020, Belize passed the Chemical Precursor Control Act, which addresses gaps in previous legislation and emerging trends in the trafficking of controlled substances (such as fentanyl precursors). Significant law enforcement resources are directed at addressing the violence resulting from competition between domestic gangs for territory, particularly in - but not limited to - Belize City. Indicators suggest that TCOs, including MS-13 and Mexican drug cartels, are expanding their networks in Belize, but do not yet exercise control over domestic gangs. U.S.-funded programs focus on improving police professionalism, criminal justice procedures, border security, statistical analysis, information sharing (internally and regionally), and forensic investigations.

Belize assists in the capture and repatriation of U.S. citizen fugitives through provisions of the Belize Immigration Act. The United States and Belize have a bilateral extradition treaty (2001) and a bilateral mutual legal assistance treaty (2003). Agreements with the United States on drug control include a Treaty on Mutual Legal Assistance in Criminal Matters (2003) and a ship rider agreement (1992, amended in 2000). Belize’s other ship rider agreements are the Agreement Concerning Co-operation in Suppressing Illicit Maritime and Air Trafficking in Narcotic Drugs and Psychotropic Substances in the Caribbean Area and the Proliferation Security Initiative Agreement. Belize participates in the Inter American Convention on Mutual Legal Assistance and the Caribbean Community (CARICOM) Mutual Legal Assistance Treaty. Belize has a Mutual Legal Assistance Act, which provides legal assistance to countries without legal assistance treaties.

## **2. Supply Reduction**

Belize has a multi-agency approach to drug interdiction. The Joint Intelligence Operations Center (JIOC) – which serves as Belize’s operational command hub – collects, collates, and disseminates intelligence on transnational crime to local law enforcement and regional partners, and coordinates joint enforcement teams to conduct intelligence led operations. Belize’s primary threat is illicit aircraft. Obtaining accurate data relative to the total number of illicit aircraft successfully landed on remote airstrips in Belize continues to be a challenge. During the period January - October 2020, Belize documented 12 illicit aircraft with cargos ranging from 450 to 2,500 kilograms (kg) of cocaine. In February 2020, Belize documented its largest drug seizure of 2,310 kilograms of cocaine from South America. Belize has seen an increase in Belizean nationals involved in the logistics of landing drug-laden aircraft and assisting in the transshipment of the cocaine to Belizean borders with further shipment into Mexico and/or Guatemala. However, Belize has yet to successfully prosecute many suspects. During the first 10 months of 2020, authorities in Belize seized 302 kg of marijuana, 2337 kg of cocaine, and 3.5 kg of heroin (a first for Belize).

## **3. Public Information, Prevention, and Treatment**

The government of Belize does not collect data on domestic drug consumption. Marijuana is the primary illicit drug used in the country. Possession and personal use of up to 10 grams of marijuana is decriminalized. Belize’s National Drug Abuse Control Council (under the Ministry of Health) is the lead agency in the prevention and control of drug abuse. The council provides drug education prevention programs to schools and communities. Belize’s central prison operates the Ashcroft Rehabilitation Center, which uses a participative, group-based approach to address personality disorders, substance abuse, and habitual addiction. No statistics on results are available.

## **4. Corruption**

The Government of Belize does not, as a matter of government policy, encourage or facilitate illicit drug production or distribution, nor is it involved in laundering the proceeds of the sale of illicit drugs. However, insufficient resources, weak law enforcement institutions, an ineffective judicial system, and inadequate salaries for government employees facilitate corruption. Additionally, the country’s small size and small government mean that personal connections can influence official decisions. Belize lacks laws specifically addressing drug-related corruption. Belize signed and ratified the United Nations Convention against Corruption (UNCAC) in 2016. The Prevention of Corruption Act (2000) includes measures to combat corruption related to illicit monetary gains and the misuse of public funds while holding public office.

## **C. National Goals, Bilateral Cooperation, and U.S. Policy Initiatives**

The United States provides assistance to Belize through the Central America Regional Security Initiative. U.S. assistance to Belize seeks to build a culture of transparency and accountability leading to reforms in the justice sector and institutional improvements in citizen and border security. The United States and Belize signed letters of agreement in 2010 to improve

counternarcotic and maritime operations by establishing a vetted police unit, reforming the security sector, reducing demand for drugs, and enhancing community policing. Belize is working with U.S. advisors and international partners to improve information and data sharing through the JIOC. The United States supports two specialized police units: a 15-member formally vetted Anti-Narcotics Unit, and a 42-member Mobile Interdiction Team (MIT). MIT had no significant apprehensions of narcotics and intercepted approximately 45 kg of cannabis. The United States is supporting efforts to create a new border unit, the Border Interdiction Team-Enforcement, to counter illicit activity along the border, including counternarcotics operations. In December 2019, Belize became a participating member of the Joint Border Intelligence Group, a multinational intelligence sharing center, resulting in more than 900 requests for information on persons with transnational criminal ties, including narcotrafficking.

Belize is a member of the Caribbean Community (CARICOM) Implementation Agency for Crime and Security, which assisted Belize in implementing the advance passenger information system, a commonly used data interchange system that allows air and sea carriers to streamline and transmit traveler data. The Belize Border Security Working Group drafted a strategic border security framework. With U.S. guidance, the group continues to work toward completing a border security strategy.

The United States maintains a bilateral agreement to suppress illicit trafficking by sea with Belize, which includes provisions for pursuit and boarding, shipriders (law enforcement officials of one party authorized to embark on a law enforcement vessel or aircraft of another party), entry to investigate, over-flight, order to land, and the use of third-party platforms. Belize is a regular participant in the annual Multilateral Maritime Counter Drug Summit. Since fiscal year 2009, the United States has provided 101 resident courses and 13 mobile training teams in the areas of officer development, maritime law enforcement, engineering, maritime crisis management, port security, and search and rescue.

#### **D. Conclusion**

The United States and Belize work together to combat TCOs that exploit Belize's permissive environment, porous borders, and convenient location between producers and consumers. The United States recommends Belize approve and implement its draft border security strategy to make law enforcement efforts more effective and efficient. In addition, the United States recommends more effective anticorruption enforcement, greater collaboration and transparency among government agencies, more coordinated regional investigations, and enhanced training.

# Bolivia

## A. Introduction

Bolivia is the third largest source country of cocaine and a major transit zone for Peruvian cocaine. In 2019, the United States estimated that coca cultivation totaled 42,180 hectares (ha) and the United Nations Office on Drugs and Crime (UNODC) estimated cultivation totaled 25,500 ha, both in excess of the legal limits for traditional and medicinal use established by the Bolivian government (22,000 ha). The U.S. government estimate is larger because it encompasses a larger surface area and is based on different methodology than that of the UNODC. European Union (EU) studies estimate that the domestic demand for the traditional and medicinal use of coca is less than 14,705 ha. U.N. data shows illicit drug consumption is low in Bolivia.

The Bolivian government has inadequate controls over coca cultivation. UNODC estimated that 35-48 percent of the coca cultivated in 2019 did not go to the two authorized coca markets for sale. The U.S. government estimated potential pure cocaine production to be 301 metric tons (MT) in 2019. Most Bolivian cocaine is exported to other Latin American countries, especially Brazil, Paraguay, and Argentina, for domestic consumption, or for onward transit to West Africa and Europe, rather than to the United States.

In September 2020, the United States determined that Bolivia failed demonstrably to adhere to its obligations under international drug control agreements and the U.S. Foreign Assistance Act of 1961, as amended. This determination was based, in part, on the Bolivian government not taking sufficient measures to safeguard the country's licit coca market from criminal exploitation. Bolivia was, however, granted a National Interest Waiver that allowed certain foreign assistance to continue.

The transitional government assumed power on November 12, 2019, following the resignation and flight from the country of former President Evo Morales. New elections were held on October 18, 2020. President Luis Arce took office on November 8.

## B. Drug Control Accomplishments, Policies and Trends

### 1. Institutional Development

In addition to increasing the licit area of coca production from 12,000 ha to 22,000 ha, the 2017 General Law on Coca (Law 906) provides a framework for the regulation of the production, circulation, transportation, marketing, consumption, research, industrialization, and promotion of coca. The 2017 Controlled Substances Law (Law 913) includes four enhancements: procedures for the payment of informants; plea-bargaining in drug-related cases; procedures for asset forfeiture; and a framework for wiretapping in drug-related investigations. It also provides a legal basis for studies on coca yield per hectare and on determining coca leaf-to-cocaine yield. Both studies are underway by UNODC with EU funding, and results are expected in early 2021. The National Drug Control Council is the central drug control policy-making body in Bolivia. The Vice Ministry for Social Defense and Controlled Substances (VMSD) is mandated to

combat drug trafficking, regulate coca production, advance coca eradication and drug prevention, and execute rehabilitation programs.

The Special Counter-Narcotics Police Force (FELCN) reports to the VMSSD and comprises approximately 1,550 personnel. It is the agency primarily focused on interdiction and drug-related money laundering cases. The Joint Eradication Task Force (FTE) conducts manual coca eradication with approximately 2,300 personnel. The Unit of the Execution of the Fight against Narcotics (UELICN) plans and funds drug enforcement operations. The Regional Center for Counternarcotics Intelligence, a regional fusion center for intelligence analysis and sharing that began in 2018, includes participation from Argentina, Brazil, and Paraguay. Other countries may join once the multilateral legal framework is finalized.

The transitional government announced Bolivia's 2021-2025 Strategy to Combat Drug Trafficking and Reduction of Excess Cultivation of Coca Leaf in February. It is composed of six themes: public health, socioeconomic inclusion, sustainable development, proportional justice, inspection and control of the drug economy, and impact on the economic cultures of drug trafficking. However, the strategy has not been published and does not have a set date for publication. Current Bolivian coca cultivation far exceeds the country's demand for coca for traditional use. The Inter-American Drug Abuse Control Commission continues to recommend that Bolivia implement a system to monitor narcotics and psychotropic drugs used in healthcare to ensure medicines are not diverted for illegitimate uses.

Bolivia receives most of its foreign counternarcotics financial support from the EU. The EU is currently elaborating provisions for a budget support program (\$35 million) regarding the fight against drug trafficking and its related crimes, and a budget support program (\$24 million) promoting alternative development to coca for the period 2021-2024.

The United States and Bolivia are parties to a 1995 extradition treaty that permits the extradition of nationals for the most serious offenses, including drug trafficking. Bolivia and the United States do not have a bilateral mutual legal assistance treaty, but both countries can request assistance through various multilateral conventions to which both are signatories.

## **2. Supply Reduction**

In the first 10 months of 2020 (through October 9), FELCN destroyed 54 cocaine hydrochloride-processing labs and 806 rustic cocaine labs, a 44 percent decrease and 4 percent decrease, respectively, from 2019. FELCN reportedly seized 7.45 MT of cocaine base and 5.2 MT of cocaine hydrochloride in the first 10 months of 2020, a 29.4 percent decrease and 18.8 percent decrease respectively from 2019. FELCN arrested 1,936 individuals on drug-related offenses in 2020. In authorized areas, Bolivia maintains a "social control" policy to curb illicit coca production. Under this approach, the government negotiates with coca growers to obtain their consent for eradication. In unauthorized areas, including national parks, eradication is mandatory.

The U.S. government estimated that coca cultivation totaled 42,180 ha in 2019, a 28 percent increase from 2018, and that potential pure cocaine production increased 20 percent from 251



MT in 2018 to 301 MT in 2019. UNODC estimated 25,500 ha of coca were cultivated in 2019, a 10 percent increase from 2018. UNODC officials noted that 90 percent of the Chapare region's coca cultivation is destined for cocaine production and not traditional consumption. UNODC believes the coca leaf production factor is outdated, with the yield being higher than currently estimated. UNODC is conducting a new yield study that will be presented by early 2021. Bolivian government authorities reported eradicating 2,500 ha of coca as of October 2020, compared to 9,205 ha in 2019. The Bolivian government estimates it needs to eradicate 11,000 ha of coca yearly to see a net reduction in coca cultivation. In the first 10 months of 2020, the FELCN reportedly confiscated 23 aircraft involved in drug trafficking, up from nine seized during the same period in 2019.

### **3. Public Information, Prevention, and Treatment**

Illicit drug consumption remains low in Bolivia, according to the UNODC 2019 World Drug Report. Bolivia has approximately 80 drug treatment and rehabilitation centers. According to the Bolivian government's 2016-2020 Strategy to Combat Drug Trafficking and Reduction of Excess Cultivation of Coca Leaf, 78 percent of those centers are run by non-government organizations. There are only two public treatment centers, one in Tarija and one in Santa Cruz.

### **4. Corruption**

The Government of Bolivia does not, as a matter of government policy, encourage or facilitate illicit drug production or distribution, nor is it involved in laundering the proceeds of the sale of illicit drugs. Senior government officials acknowledge serious corruption problems in the judiciary and police.

In early 2020, there were allegations of government corruption for the food contracts supporting camps dedicated to eradication, but no further reports on the investigations were subsequently announced.

### **C. National Goals, Bilateral Cooperation, and U.S. Policy Initiatives**

The U.S. Embassy meets periodically with Bolivian government officials to discuss drug control efforts. In 2020, Bolivia self-funded participation in one course at the U.S.-supported International Law Enforcement Academy before the COVID-19 pandemic and later participated in two more virtual courses. The United States does not currently have a counterdrug presence in Bolivia. With the EU, the United States is funding a UNODC coca eradication monitoring project.

### **D. Conclusion**

Bolivia has not adequately controlled coca cultivation or the resultant cocaine production, as reflected by the fact that it remains the third largest source of coca and cocaine in the world and a major transit country for Peruvian cocaine. Both UNODC and U.S. 2019 estimates are well above the government-sanctioned limit of 22,000 ha. Potential pure cocaine production in Bolivia remains historically high. There is no available data to support statements made under

the Morales government that traditional and medicinal coca consumption have increased, which it made to justify the increase in the legal limit on coca cultivation.

Bolivia's inadequate controls over its legal coca markets are concerning, as is its status as a transit country for cocaine trafficking. In 2013, Bolivia re-acceded to the 1961 UN Single Convention on Narcotic Drugs with a reservation permitting coca to be used only within Bolivia for traditional and medicinal purposes.

The nationwide lockdown due to the COVID-19 pandemic limited Bolivia's transitional government's interdiction efforts. During the first quarter of 2020, several pending extraditions of drug traffickers were completed to regional treaty partners, but no new extraditions occurred after March. The new government should build on the transitional government's endeavors to stem the diversion of coca to cocaine processing by tightening controls over the coca leaf trade, achieving net reductions in coca cultivation, and improving law enforcement and judicial efforts to investigate and prosecute drug-related criminal activity. The government also needs to close parallel and illegal coca markets that violate the 2017 General Law on Coca.

## Brazil

Brazil is a significant transit and destination country for cocaine. The country's porous borders with the cocaine source countries of Colombia, Peru, and Bolivia are three times the length of the U.S. border with Mexico. Most of the cocaine that enters Brazil is either destined for its domestic market or transits to Europe via West Africa. The government views the large, violent, and well-organized drug trafficking organizations operating throughout the country, such as the Primeiro Comando da Capital (PCC), as its primary national security threat. Brazil suffers from a substantial and growing domestic drug consumption problem. Brazil is the world's second-largest consumer of cocaine hydrochloride and likely the largest consumer of cocaine-derivative products. The Brazilian government prioritizes border security and pursues a whole-of-government approach to counter drug trafficking and other crime, most notably from transnational criminal groups, but lacks the capacity to fully stem the flow of illicit drugs across its borders.

The first nine months of 2020 saw an increase in counternarcotics operations and seizures of cocaine and other illicit drugs. Through September, the Brazilian Federal Police (PF) seized 62 metric tons (MT) of cocaine and 323 MT of marijuana, a significant increase over the same period in 2019. As of October the PF eradicated 658 hectares in Brazil and supported Paraguayan Federal Police operations to eradicate 520 hectares of cannabis plants in Paraguay. Synthetic drugs are present in Brazil, though combating them is a lower government priority than cocaine, given the overwhelming cocaine problem. Produced in China, tetracaine is a chemical precursor that is used to produce cocaine and is subject to special control by the Brazilian National Health Surveillance Agency (ANVISA). Brazilian federal and state authorities actively promote drug threat awareness, demand reduction, and treatment programs. Brazil takes a holistic approach to reintegration of people with substance use disorders, providing a range of services from medical care to job training, but these programs are not yet commensurate with the size of the addicted population.

The United States and Brazil have a standing working group on narcotics trafficking under the U.S.-Brazil Permanent Forum on Security to address hurdles and challenges to bilateral cooperation. The 2008 U.S.-Brazil Memorandum of Understanding on Narcotics Control and Law Enforcement provides the framework for capacity building in Brazilian federal and state agencies to combat illicit drug trafficking. Bilateral extradition and mutual legal assistance treaties are in force between the United States and Brazil.

Brazil has participated in the Multilateral Maritime Counter Drug Summit (MMCDS) since 2016. The MMCDS brings together nearly 180 counter drug professionals from North, Central, and South America. It serves as a continuing dialogue between maritime and justice sectors of source and transit countries to further regional awareness of air, surface, and submersible threats while advancing regional maritime ability to effectively combat illicit trafficking.

# Burma

## A. Introduction

Burma is a major source of illicit methamphetamine and opiates. Facilitated by the illicit import of precursor chemicals from China, production and trafficking of synthetic drugs in Burma has increased dramatically in the past five years. According to the United Nations Office on Drugs and Crime (UNODC), Burma also remains the second largest opium poppy cultivator in the world, despite downward trends in poppy cultivation and heroin production. Ethnic armed groups (EAGs), military-affiliated militias, and transnational criminal organizations oversee a drug production and trafficking industry worth billions of dollars. This illicit economy helps fuel violence in many parts of the country.

Narcotics produced in Burma are trafficked throughout the region, with routes extending beyond Southeast Asia to Australia, New Zealand, and Japan. Burma is not a major source or transit country for drugs entering the United States. Domestic illicit drug consumption is substantial and widespread, but there are no reliable, comprehensive studies providing data on the scope of substance use and abuse.

## B. Drug Control Accomplishments, Policies, and Trends

### 1. Institutional Development

The government is committed to counternarcotics enforcement, although lack of government control in conflict areas, limited institutional capacity, and lack of inter-ministerial cooperation limit its effectiveness. The Central Committee for Drug Abuse Control (CCDAC) is Burma's interagency coordinating body on counternarcotics. The Minister for Home Affairs is the Chairman of CCDAC; the Commander of Drug Enforcement Division (DED) is the Joint Secretary; and membership includes ministries and justice sector institutions with drug enforcement authorities.

Burma's DED is the primary narcotics interdiction unit, although joint interdiction operations with the military are common. DED is understaffed, with about 1,360 of nearly 4,000 authorized positions filled. In 2020, DED stood up 15 additional anti-narcotics task forces, for a total of 65 nationwide. Additional DED sub-divisions based in Nay Pyi Taw, Kyaingtong, and Myitkyina were also added. While DED investigative capacity has improved, the legal framework to protect whistleblowers and enable complex investigations using techniques like controlled delivery does not exist; thus, cases often conclude without pursuing high-ranking suspects.

The Union Attorney General's Office (UAGO) oversees all criminal narcotics prosecutions in Burma; however, prosecutors lack substantive knowledge of narcotics production techniques, trafficking methods, and precursor chemicals. Law enforcement and other justice sector actors engage in limited coordination, especially at the working level. Prosecution of criminal activity by EAGs and military-affiliated militias remains outside of DED control to investigate and UAGO to prosecute. As a result, several EAGs operate with near-total autonomy and impunity in regions where drugs are produced.

Burma's law enforcement and justice institutions may, in principle, cooperate internationally, but lack of experience limits the use and understanding of extradition and mutual legal assistance mechanisms. Burma has a bilateral extradition treaty with the United States and is a member of multiple multilateral conventions that allow for international cooperation. DED maintains relationships with counterparts in regional countries, most notably Thailand, India, Australia, the Philippines, and China.

## **2. Supply Reduction**

According to the 2019 UNODC Myanmar Opium Survey, farmers cultivated about 33,100 hectares of opium poppy, a decrease of 11 percent from 2018. Burma implemented opium poppy eradication activities, but the overall reduction is likely due to the rise in synthetic drug production.

From January through August 2020, authorities seized over 286 million methamphetamine tablets, equivalent to approximately 28.6 metric tons (MT) of methamphetamine, as well as 3.15 MT of opium, 1.18 MT of heroin, and 13.74 MT of crystal methamphetamine. In June the CCDAC destroyed seized narcotics valued at \$839 million, more than double what was destroyed in 2019. This included narcotics seized from a joint military-police operation in Kutkai Township, Shan State in February, which was the largest seizure to date in Asia. Primary trafficking routes originating from Shan State head to Thailand, China, India, and Bangladesh over land and to Southeast Asia, Australia, New Zealand, and Japan via sea. Burma is not a significant source of fentanyl, but existing industrial-scale production of other synthetic drugs together with ready access to precursor chemicals in non-government controlled areas remains a potential risk.

From January through July 2020 (the most recent period for which data is available), there were 11,103 drug-related arrests compared to 18,681 arrests during the entire year of 2019. As of August, there were 10,039 drug-related prosecutions compared to 13,037 prosecutions in 2019. The COVID-19 pandemic hampered some interdiction and prosecution efforts. The Office of the President operates a special complaint hotline for narcotics complaints. While the 2018 amended Drug Law shifted focus of enforcement to drug producers and traffickers, enforcement remains focused on low-level drug users.

## **3. Public Information, Prevention, and Treatment**

Anecdotally, domestic consumption of illicit drugs is high; however, Burma lacks official statistics on consumption. Polling by the International Republican Institute in 2019 indicated drugs were the top concern of Burma's people. Media coverage of drug enforcement usually stops at interdiction, impacting public perception on the credibility of enforcement.

Burma has an active awareness program, though it remains insufficient to stem growing illicit drug use. The Minister for Home Affairs hosts an annual International Day against Drug Abuse and Illicit Trafficking event. Schools in Burma offer a life skills curriculum that includes drug prevention, although teachers lack sufficient training and parents are not engaged as active

partners. Burma relies on the international community to provide drug treatment and prevention training to health and education professionals.

The Ministry of Health and Sports (MOHS) offers drug detox services and opioid substitution therapy at public hospitals, with heroin users constituting 88 percent of newly admitted patients. MOHS operates 29 major and 56 minor drug treatment centers. The MOHS National Methadone Maintenance Therapy (MMT) program opened 18 new sites in 2020, bringing the total to 89 centers nationwide that serve over 22,400 clients as of July. A new digital database provides real-time MMT recipient information and strengthens reporting quality.

Evidence-based drug rehabilitation services are insufficient to meet demand. The Ministry of Social Welfare, Relief, and Resettlement (MSWRR) manages 14 rehabilitation centers, three of which opened in 2020. These centers offer 90-day residential rehabilitation programs and shorter community-based rehabilitation programs but operate with severe budget and staffing shortages. COVID-19 precautions shuttered most centers. MSWRR budgeted \$7 million to build a new rehabilitation center in Yangon and developed an updated evidence-based guide for rehabilitation staff.

International partners support drug prevention, rehabilitation, and treatment programs with technical and material assistance. This includes U.S. material support to a new rehabilitation center in Shan State, the first with residential programs for women. In ethnic states and non-government-controlled areas, some organizations offer non-evidence-based rehabilitation services that engage in human rights abuses and have high relapse rates.

#### **4. Corruption**

Burma does not, as a matter of government policy, encourage or facilitate illicit drug production or distribution, nor is it involved in laundering the proceeds of the sale of illicit drugs. However, corruption is widespread in Burma, and illicit proceeds from the drug trade fuel both corruption and conflict.

While the government has not provided sufficient resources to lead a systemic anticorruption effort, the Anti-Corruption Commission (ACC) has made important strides to investigate official corruption. The United States provided assistance to open ACC offices in Shan State and Mon State in 2020, the first ACC offices in ethnic states.

#### **C. National Goals, Bilateral Cooperation, and U.S. Policy Initiatives**

Since Burma and the United States signed an Amended Letter of Agreement in 2017, cooperation on counternarcotics has remained steady and has expanded to include efforts related to operational assistance and training on investigations, interdiction, and maritime security.

The United States partners with DED on law enforcement intelligence sharing, joint investigations, training, and material assistance. In 2020, the United States trained 84 DED officers on interdiction, precursor chemicals, and officer safety, and provided interdiction and personal safety equipment that directly supported 31 major seizures from January to June. Also

in 2020, 26 law enforcement officials attended courses at the U.S.-supported International Law Enforcement Academy (ILEA) in Bangkok. The United States organized programs to build capacity on anti-money laundering and trial advocacy that engaged 290 prosecutors and police.

Through the President's Emergency Plan for AIDS Relief, the United States also supports HIV testing, counseling, treatment, and care for people who inject drugs.

#### **D. Conclusion**

The scale of Burma's narcotics problems is enormous. Burma is a major source of illicit drugs throughout Southeast Asia, domestic consumption is widespread, and illicit proceeds from the trade threaten internal stability. Recent years have seen some progress, but Burma requires continued reforms to facilitate effective and transparent criminal investigations and prosecutions. Burma must dedicate more resources to build law enforcement capacity to investigate and prosecute drug traffickers and interdict drugs and precursor chemicals. The United States works with Burma on all elements of the country's drug control policy and will continue to work with Burmese authorities, local communities, and international partners to address these challenges in ways that bolster Burma's democracy and human rights.

## Cabo Verde

Located at a crossroads for sea lanes and lines of communication in the mid-Atlantic, Cabo Verde is a transit hub for cocaine, marijuana, and other drugs trafficked from Latin America to Europe. The archipelago's large maritime territory, minimal patrol resources, and many remote areas on its 10 islands make Cabo Verde attractive to traffickers using both air and sea. Before the COVID-19 pandemic, growing tourist and business traffic at the country's airports and increasing numbers of visiting cargo and cruise ships also expanded opportunities for drug traffickers.

The UN Office on Drugs and Crime (UNODC) reports that marijuana, cocaine, hashish, heroin, and methamphetamine are the most frequently used drugs in Cabo Verde. Synthetic drugs are reportedly available on the tourist destination islands of Sal and Boa Vista.

The level of corruption is low in Cabo Verde. The government fights drug trafficking and drug use mostly through punitive means. Support from the United States and other donors is helping to improve the capacity of Cabo Verdean law enforcement agencies to identify and interdict illicit drug shipments. U.S. support has also increased Cabo Verde's ability to combat money laundering and other financial crimes associated with drug trafficking. There are few drug demand reduction programs in the country, and recidivism for drug crimes is high.

As of October 2020, Cabo Verde had tried two major international drug trafficking cases. In the first, concerning the seizure of 8.76 metric tons (MT) of cocaine from a vessel docked in Praia, the capital, all defendants were convicted of drug trafficking. The ship's captain was sentenced to 12 years, and the rest of the crew received 10 years each. In the second, five Brazilian defendants apprehended at sea were convicted of trafficking 2.5 MT of cocaine and sentenced to 10 years each. At the conclusion of 2020, a case also remained underway involving 33 defendants in the country's first major domestic drug trafficking case.

The United States and other international partners support Cabo Verde in combating narcotics trafficking and associated crimes, providing robust and varied training to its law enforcement and armed forces. Cabo Verde's Center for Maritime Security Operations in Praia and its Joint Operations Center in Mindelo provide oversight of Cabo Verde's maritime territory. The United States partners with Cabo Verdean authorities on periodic patrols in the region to interdict suspected drug transshipments and other illicit activities and to provide training and build capacity within the security sector.

Cabo Verde does not have a bilateral extradition treaty or mutual legal assistance treaty with the United States. However, Cabo Verde is a party to several multilateral law enforcement conventions that permit international cooperation with the United States.



## Canada

In 2020, transnational criminal organizations trafficked cocaine, heroin, methamphetamine, synthetic drugs, and counterfeit prescription drugs to Canada for domestic consumption, some of which transited the United States. Canada remained a primary source of synthetic drugs, cannabis, and MDMA (ecstasy) trafficked to the United States. Canada and the United States cooperate extensively on drug control through federal arrangements and interactions between state, municipal, and tribal entities. Bilateral collaboration also occurs pursuant to the United States-Canada Joint Action Plan to Combat Opioids, which formally launched in 2020, and Canada actively engages with the United States and Mexico through the North American Drug Dialogue to coordinate law enforcement and public health drug-related policy.

The Royal Canadian Air Force and Navy support drug interdiction operations in the eastern Pacific Ocean and Caribbean Sea. Canadian ships deploy with United States vessels through a 2010 Memorandum of Understanding. The Integrated Cross-Border Maritime Law Enforcement Operations partnership between Canada and the United States helps prevent traffickers from using the jurisdictional boundaries of the international maritime border as a shield from interdiction and prosecution.

Canada's Controlled Drugs and Substances Act (CDSA), enacted in 2017, provides "temporary accelerated scheduling" powers for substances for a period of up to two years, pending a comprehensive review and decision on permanent scheduling. The CDSA criminalizes the illicit manufacture or distribution of controlled substance analogues. The Canadian government has taken measures to counter manufacturing of, or trafficking in, illicit synthetic opioids; the CDSA requires registration to import designated devices that could be used to manufacture controlled substances, such as tableting and encapsulating machines.

Canada experienced over 16,364 opioid-related deaths between January 2016 and March 2020, and 1,018 between January and March 2020. During the COVID-19 pandemic, fatal opioid overdoses across Canada saw double digit increases over the same time period in 2019. A 2020 study of Canadian opioid prescription rates and overdose deaths between 2011 and 2018 concluded that recent increases in opioid-related deaths, largely due to illicit synthetic opioids, correlated with the provinces that had the greatest reductions in opioid prescriptions issued. Methamphetamine use is also on the rise in Canada. In 2019, there were more arrests for possession of methamphetamine than opioids, and methamphetamine trafficking was up 17 percent. Experts attribute the rise in part to lower drug prices due to increased availability of inexpensive methamphetamine manufactured in Mexico.

Canada's legal framework has criminal penalties for drug production, distribution, sale, and possession. Canada is a party to United Nations conventions and protocols to combat illicit drugs, corruption, and organized crime. Though unauthorized import or export of cannabis to and from Canada remains a criminal offense, after Canada legalized cannabis for non-medical purposes in 2018 (and implemented new regulatory controls to allow edible cannabis, cannabis extracts, and cannabis topicals), there was a surge in U.S. seizures of cannabis in transit from Canada to the United States. The Buffalo, New York field office of U.S. Customs and Border

Protection saw a 1,000 percent increase in drug seizures in fiscal year (FY) 2020, with marijuana seizures soaring from 1,561.2 kilograms (kg) in FY19 to 18,294.7 kg in FY20.

The United States and Canada used asset-sharing, mutual legal assistance, and extradition and customs treaties to exchange forfeited assets, conduct extraditions, and cooperate on law enforcement matters. Additional measures Canada could undertake include increasing collaboration with the United States on money laundering investigations to target the illicit proceeds of drug traffickers; strengthening coordination that targets real estate and crypto currencies used in criminal transactions; and increasing cyber investigations of dark net vendors of illicit substances.

# China

## A. Introduction

The People's Republic of China (PRC) is a major source of precursor chemicals, new psychoactive substances (NPS), and synthetic drugs, including fentanyl precursors and methamphetamine. Domestic PRC criminal organizations traffic illicit drugs within the PRC as well as to international markets, and PRC authorities have noted the presence of international drug trafficking organizations originating from Mexico and Southeast Asia operating in the country. In addition to chemical production and trafficking issues, the PRC also faces significant illicit drug consumption challenges, including synthetic drugs. The PRC shares borders with drug source countries in both Southeast and Southwest Asia and remains a major destination and transit country for heroin produced in these areas. Its numerous coastal cities with high-volume seaports and its vast network of major international airports make the PRC an attractive destination and transit country for illicit drugs.

Domestic use of synthetic drugs (primarily methamphetamine and ketamine) is increasingly prevalent in the PRC. The PRC's large and loosely controlled chemical and pharmaceutical industries provide an ideal environment for the illicit production of these drugs. According to U.S. and international law enforcement sources, the PRC remains a major source of NPS sold in North America and Europe, which are often purchased via the internet and shipped to overseas customers. Chemical alterations of scheduled drugs to circumvent existing anti-drug laws have hampered efforts to stem the flow of these drugs.

The opioid crisis in the United States underlines the importance of U.S.-PRC drug control cooperation. Although U.S. Customs and Border Protection has detected or seized almost no shipments of fentanyl or fentanyl analogues coming from the PRC since September 2019, following the PRC's implementation of class-wide controls on fentanyl in May 2019, fentanyl-related overdoses and seizures have continued to increase in the United States. Traffickers have adapted their strategies, resulting in the shipment of synthetic opioid precursor chemicals from the PRC to Mexico as well as greater fentanyl production and shipment from Mexico to the United States. Effectively combating the trafficking of synthetic opioid precursors to third countries for fentanyl manufacturing presents formidable challenges. While there have been some successes, PRC law enforcement and chemical industry regulatory bodies such as the National Medical Products Administration need to do more to prevent these shipments. The use of cargo mislabeling to avoid detection and bypass current laws are formidable challenges that will test the cooperative spirit and ingenuity of law enforcement authorities in the PRC, the United States, and other countries in the supply chain.

## B. Drug Control Accomplishments, Policies, and Trends

### 1. Institutional Development

PRC drug control strategy focuses on prevention, education, illicit crop eradication, interdiction, rehabilitation, commercial regulation, and law enforcement. The Ministry of Public Security's National Narcotics Control Commission (NNCC) is the primary national drug enforcement entity

and works with provincial public security bureau offices. The Anti-Smuggling Bureau within the General Administration of Customs enforces China's drug control laws at seaports, airports, and land border checkpoints. The PRC maintains bilateral drug control agreements with many countries and international organizations, including the United Nations Office on Drugs and Crime, and participates in a variety of international drug conferences and bilateral meetings. There is no extradition treaty between the PRC and the United States. The PRC and the United States are parties to a bilateral mutual legal assistance agreement that entered into force in 2001. In June, the PRC's Supreme People's Court designated a U.S.-PRC joint investigation case on fentanyl distribution as one of its ten "Guiding Principles in Drug Cases" for the year 2020, meaning that other courts will follow the reasoning in that case when trying similar cases. This was the first case in the PRC to prosecute and convict individuals for fentanyl distribution under the new class scheduling law and thus was set as a guide for future prosecutions.

## **2. Supply Reduction**

According to the NNCC's 2019 Annual Drug Report (published June 2020), PRC law enforcement investigated 83,000 drug-related cases, including 62,000 trafficking-related investigations, and made 90,000 drug-related arrests in 2019, all of which decreased from the previous year. PRC authorities also targeted clandestine labs used to produce NPS and other synthetic drugs, illicit drugs, and precursors, destroyed 173 drug manufacturing plants, and solved 290 illicit drug manufacturing cases.

## **3. Public Information, Prevention, and Treatment**

According to the NNCC, synthetic drugs – primarily methamphetamine and ketamine – have surpassed heroin and other opioids as the PRC's primary domestic drug threat. The PRC previously listed 431 kinds of drugs and scheduled fentanyl as a class, but NPS remain a problem. The NNCC discovered 41 new types of NPS on the market in 2019 alone. The NNCC has publicly identified the increase in NPS abuse cases as an emerging trend, and, in addition to ketamine, identified methcathinone and the synthetic cannabinoid JWH-018 as commonly abused NPS. According to the NNCC's 2019 Annual Drug Report, the total number of registered illegal drug users in the PRC is 2.148 million, but the actual number of drug abusers is estimated to be at least 14 million, according to media reports. Of the reported registered drug users, 1.186 million abused methamphetamine (55.2 percent), a year-on-year 12.1 percent decrease, while 807,000 (37.5 percent) reportedly used opioids (e.g., heroin), 49,000 abused ketamine, and 24,000 abused marijuana. According to NNCC, 1.095 million drug users were over 35 years old (51 percent), and drug users between 18 to 35 years-old accounted for 1.045 million (48.7 percent). In 2019, an additional 223,000 persons with substance use disorders were newly identified.

## **4. Corruption**

The PRC government does not, as a matter of government policy, encourage or facilitate illicit drug production or distribution, nor is it involved in laundering the proceeds of the sale of illicit drugs. The Ministry of Public Security takes allegations of drug-related corruption seriously and launches investigations when deemed appropriate. Despite efforts to stem drug-related

corruption, financial corruption among provincial, prefectural, county, and district government officials continues to be a concern. Based on publicly available information, there have been no reports of any senior PRC officials at the central government or provincial levels having facilitated the illicit production or distribution of drugs since 2017. Similarly, there have been no reports of any senior PRC officials from the central government (or provincial level) having laundered proceeds from drug-related activities.

### **C. National Goals, Bilateral Cooperation, and U.S. Policy Initiatives**

The U.S.-China Bilateral Drug Intelligence Working Group (BDIWG), the Counter Narcotics Working Group (CNWG), and a group of chemists and experts meet annually to exchange information on drug trends; discuss laws, regulations, and policies; seek progress and address challenges in precursor chemical control; and improve cooperation on investigations of mutual interest. During the reporting period, however, COVID-19 related restrictions on meetings slowed the pace of the more formal dialogues. Nevertheless, COVID-related restrictions did not dramatically hinder cooperation between PRC and U.S. law enforcement agencies in several drug-related investigations, with officials from both countries meeting frequently outside of the formal dialogue mechanisms to discuss practical cooperation.

### **D. Conclusion**

Drug control cooperation between the United States and the PRC continues to improve through law enforcement operational cooperation and various working groups and consultative mechanisms. Drug trafficking, manufacturing, diversion, and other drug-related crimes remain significant problems in the PRC. U.S. law enforcement has made inroads in strengthening relationships with provincial public security bureaus, with oversight by central authorities. The PRC also should strengthen enforcement of chemical control laws and take other measures to prevent the diversion of drug precursors to illicit drug manufacturers and shipment of NPS directly to other countries.

# Colombia

## A. Introduction

Colombia is the world's top cocaine producer and exporter and a source of heroin and marijuana. According to the U.S. Office of National Drug Control Policy, Colombian coca cultivation remained stable at 212,000 hectares (ha) in 2019 (the most recent period for which figures are available), compared to 208,000 ha in 2018, after explosive growth from 2012 to 2017. The U.S. government estimates Colombia's potential pure cocaine production increased from 877 metric tons (MT) in 2018 to 936 MT in 2019 (the most recent year for which complete data is available).

Since 2018, the U.S. and Colombian governments have expanded counternarcotics cooperation with the goal of reducing Colombia's coca cultivation and cocaine production to 50 percent of 2017 levels by the end of 2023. In March 2020, the United States and Colombia held the first high-level Counternarcotics Working Group meeting to assess progress towards the 2023 goal and deepen cooperation to expand state presence and economic opportunity in narco-trafficking-afflicted rural areas.

Under President Duque, Colombia has increased efforts against the illicit drug trade. Colombia reported seizing or assisting with the seizure of 487.7 MT of cocaine and cocaine base during 2019 and 426.7 MT during the first nine months of 2020. The Colombian government eradicated more than 100,000 ha of coca in 2019. President Duque announced December 30 the Colombian government met its target of eradicating 130,000 hectares in 2020, despite the challenges posed by the COVID-19 pandemic and a six-month national lockdown.

At least 89 percent of the cocaine samples seized in the United States in 2020 and subjected to laboratory analysis were of Colombian origin.

## B. Drug Control Accomplishments, Policies, and Trends

### 1. Institutional Development

Despite signing an historic peace accord with the Revolutionary Armed Forces of Colombia in 2016, Colombia struggles with persistent security, governance, and economic challenges in rural regions. The Colombian government recognizes that the illicit drug trade and organized criminal groups are principal threats to peace and security in Colombia.

The Colombian government suspended aerial eradication of coca in 2015, removing a critical tool for reducing coca cultivation. A 2017 Colombian Constitutional Court decision set stringent conditions for restarting it. In July 2019, the Constitutional Court modified and clarified the conditions for restarting aerial spray and the Colombian government is working to start a Colombian-led, U.S.-supported program. President Duque has stated publicly his intent to incorporate aerial eradication into an integrated drug control strategy that includes manual and aerial eradication, interdiction, alternative development, and operations to dismantle transnational criminal networks.

## **2. Supply Reduction**

The United States estimates coca cultivation in Colombia remained relatively stable at 212,000 ha in 2019, compared to 208,000 ha in 2018. In 2019, a continuing influx of laborers and lack of government intervention led to an increase in coca planting in Norte de Santander, resulting in that department becoming Colombia's leading coca cultivating department, while focused eradication in Nariño reduced the amount of coca in the previous top department. The Colombian justice ministry reports that police, military, and civilian contractors eradicated 101,608 ha of coca during the first ten months of 2020, already reaching 107 percent of the yearly manual eradication total from 2019.

Along with coca eradication, the Colombian government's drug control priorities include interdicting cocaine and precursor chemicals, dismantling criminal groups, and extraditing top drug traffickers to the United States. Colombian authorities reported that Colombian forces and international partners – acting on intelligence provided by Colombia – seized 426.7 MT of cocaine and cocaine base in Colombia and abroad during the first nine months of 2020, as well as 403.5 MT of marijuana and 205.7 kilograms of heroin, and destroyed 3,860 cocaine base laboratories and 181 cocaine hydrochloride laboratories.

## **3. Public Information, Prevention, and Treatment**

According to the Organization of American States (OAS) 2019 Report on Drug Use in the Americas, Colombia has the fifth highest consumption rate of cocaine and the sixth highest consumption rate of marijuana in Latin America.

Colombia focuses treatment on youth substance abusers. The Colombian National Police prevention unit teaches drug prevention to school children nationwide. Colombia implemented a pilot juvenile drug treatment court in Medellin and is expanding the program. Colombia also is expanding restorative justice programs and is training drug prevention and treatment professionals in the U.S.-developed Universal Treatment and Prevention Curricula.

## **4. Corruption**

The Colombian government does not, as a matter of government policy, encourage or facilitate illicit drug production or distribution, nor is it involved in laundering the proceeds of the sale of illicit drugs. Nevertheless, corruption remains a pervasive problem, as was illustrated in the undercover police operation of Carlos Bermeo, a prosecutor for the Special Jurisdiction for Peace (JEP). The operation, which was videotaped in a Bogota hotel lobby in 2019, revealed Bermeo accepting a \$2 million dollar bribe in return for agreeing to obstruct the extradition of Seuxis Hernández Solarte. Hernández Solarte is a former FARC commander who had just been elected to the Colombian Congress and who also had been recorded negotiating a multi-ton cocaine deal in 2018. A former Colombian senator named Luis Alberto Gil was involved in brokering this obstruction conspiracy. Hernández Solarte was later released from custody due in part to the obstruction orchestrated by Gil and Bermeo. Fearing a second arrest, Hernández Solarte fled to Venezuela where he and dozens of other former FARC commanders have since begun to rebuild the FARC terrorist organization. In September 2019, Gil pled guilty to bribery, conspiracy, and

influence peddling in exchange for a 4.5 year house arrest. Bermeo also has been charged but his trial has been repeatedly delayed.

In 2020, prosecutors launched 32 corruption investigations of public contracts issued during the COVID-19 pandemic, in which charges were filed against ten mayors. The supreme court is investigating the governors of Arauca, Guaviare, San Andrés, and Putumayo departments for misuse of COVID-19 related public funds.

### **C. National Goals, Bilateral Cooperation, and U.S. Policy Initiatives**

In 2018, the U.S. and Colombian governments agreed to expand counternarcotics cooperation over the next five years, implementing a whole-of-government strategy aimed at reducing Colombia's coca cultivation and cocaine production to 50 percent of 2017 levels by the end of 2023. The United States provides counterdrug assistance to the Colombian police and military, the justice ministry, the offices of the attorney general and inspector general, and the judiciary. Under President Duque, Colombia has increased the tempo of counternarcotics operations. Bilateral cooperation on extraditions, drug, and money laundering investigations have resulted in hundreds of U.S. indictments and the extradition of high-level drug traffickers.

The United States works with Colombian institutions located in rural, conflict-affected areas where the Colombian government has not historically had a sustained presence. The focus includes reducing drug trafficking; increasing citizen security; bolstering economically sustainable legal livelihoods and markets; expanding the permanent presence of and confidence in the police and other government institutions; promoting civil society engagement and oversight; formalizing land ownership; promoting the rule of law; dismantling organized crime networks; and protecting human rights.

Through the U.S.-Colombia Action Plan on Regional Security Cooperation, Colombia's police and military build law enforcement capabilities and connections by training regional counterparts in countering transnational organized crime and drug trafficking.

Colombia is a regional leader in coordinating the multinational operation "Campaign Orion," which with U.S. support targets illicit drug flow in the land, air, maritime, and riverine regions. Since 2018, these operations have seized a combined total of nearly 200 MT of cocaine, demonstrating Colombia's skill as an international leader mobilizing the region against transnational crime.

### **D. Conclusion**

Reducing coca cultivation and cocaine production and combating organized crime in Colombia remain top priorities for the Colombian and U.S. governments. Increased efforts under the Duque administration have resulted in measurable progress. Colombian police and military forces have made substantial efforts to stem coca cultivation and cocaine production, preventing hundreds of metric tons of drugs from reaching the United States each year at great human cost to Colombian forces and eradicators. Still, current efforts are likely not sufficient to achieve the goal of cutting coca cultivation and cocaine production by 50 percent of 2017 levels by the end



of 2023. In order to do so, Colombia will need to continue to expand manual eradication and implement its stated goal of restarting a safe, limited, and effective Colombian-led aerial eradication program. Colombia must continue to expand cocaine and precursor interdiction operations and extraditions of top criminal leaders. Colombian crop substitution and rural development programs also require strong commitment and funding if coca reductions are to be sustainable. The U.S. government supports and closely monitors implementation of Colombia's drug control strategy to ensure progress in reducing coca cultivation and cocaine production.

# Costa Rica

## A. Introduction

Costa Rica's strategic location, vast maritime territory, and the small size of its security forces make it an attractive transit, warehousing, and logistics hub for illicit drug trafficking. In 2020, Costa Rica remained a significant transit country for drugs entering the United States, with trafficking unimpeded by the global COVID-19 pandemic.

Costa Rica has a growing domestic drug consumption problem, as drugs warehoused in Costa Rica are making their way to the local market and criminal organizations use cocaine as payment in kind for services. Concerns of violence have intensified the government's fight against drug trafficking, leading to greater police professionalization, advances in community security programs, and improved success in drug interdiction and disruption of drug trafficking. However, the pandemic and related budget cuts are straining security services, and pose significant challenges to future success.

## B. Drug Control Accomplishments, Policies, and Trends

### 1. Institutional Development

The government enhanced police professionalization efforts, including investment in leadership training, training facilities, canine programs, and better cooperation between national agencies and local governments.

Costa Rica's Coast Guard (SNG) is a successful regional partner with the United States for maritime interdiction. However, pandemic-related budget cuts will make SNG's work increasingly difficult in the near term.

In 2019, Costa Rica established the country's first-ever Joint Operations Center (JOC), bringing together all major law enforcement entities and enhancing coordination of alerts, assets, and operations. The center is the Ministry of Public Security's 24/7 command and control node for coordinating, directing, and monitoring joint law enforcement operations, and maintains continual communication with the United States and other partner nation operations centers.

The Border Police improved control of Costa Rica's porous land borders by focusing resources at chokepoints, increasing its footprint in smuggling routes, enhancing canine capabilities, expanding biometrics, and improving cooperation with Panama.

The Air Surveillance Service (SVA) completed the first year of its training program on the UH-1ST helicopters in June 2020, and expects to have four fully trained UH-1ST flight crews by mid-2021. The SVA used the Raven B small unmanned aircraft system to monitor the country's land borders and deter illicit activity. SVA has also successfully used its King Air B-250 maritime patrol aircraft in support of regional counternarcotics operations.

## **2. Supply Reduction**

During the period January-October 2020, Costa Rica seized over 43 metric tons (MT) of cocaine, exceeding the record of 35.1 MT during the same time period in 2019. Costa Rica seized 12.5 MT of cocaine in containerized cargo, an increase from 2019 that was assisted by U.S. support to scanning operations and training. The Costa Rican government, working closely with the United States and regional partners, reports having disrupted more than 17 international drug trafficking organizations in 2020.

Costa Rica is a regional leader in eradicating marijuana, having seized 10.3 MT and destroyed over 618,631 plants during the period January-October 2020. The government also expanded cooperation on maritime interdiction and information exchange with Panama, Colombia, Jamaica, and Honduras.

## **3. Public Information, Prevention, and Treatment**

Drug-related crimes are serious offenses in Costa Rica, even though laws against personal consumption are rarely enforced. The Costa Rican Drug Institute oversees drug prevention programs. The Institute on Alcohol and Drug Abuse also offers treatment and prevention programs, though considerable gaps remain. The National Police implement the Gang Resistance Education and Training (GREAT) Program. GREAT began in August 2013 and grew from 800 graduates in 2014 to over 35,000 in 2019. It is now fully sustained by Costa Rican law enforcement.

## **4. Corruption**

The Costa Rican government does not, as a matter of government policy, encourage or facilitate illicit drug production or distribution, nor is it involved in laundering the proceeds of the sale of illicit drugs. The government generally implements a 2006 law that penalizes official corruption; however, there are frequent reports of low- and mid-level corruption, and periodic cases of high-level corruption. The growing presence of transnational criminal organizations (TCOs) and rising corruption in all security services are chief concerns.

The judicial branch is in the midst of a three-year effort to strengthen ethics controls within the judiciary. The United States supports efforts that include new risk-management methodologies, new tools, training, and a public awareness campaign.

## **C. National Goals, Bilateral Cooperation, and U.S. Policy Initiatives**

Costa Rica shares the U.S. priorities of disrupting the flow of illicit drugs and dismantling organized crime. The United States supports Costa Rican efforts to investigate and prosecute crimes more effectively, to make its borders more secure, and to increase the safety of its citizens, consistent with the Central America Regional Security Initiative (CARSI).

The United States supports police professionalization through a range of leadership and specialized training. President Carlos Alvarado has made the U.S.-supported “Sembremos

Seguridad” citizen security program the core of his security strategy and the Ministry of Public Security has quickly expanded the program’s reach since its official launch in 2018. The program now covers close to half of all municipalities nationwide. To date, the Costa Rican government has invested over \$27 million in Sembremos Seguridad and has restructured its police forces to provide additional support.

Through November 2020, the United States assisted in transporting 122 MT of drugs seized by Costa Rican authorities to the United States for destruction. The United States is supporting an effort to provide an organic incinerator capability, which is set to come online in 2021.

The United States provides support on a broad range of topics in the justice sector, including trafficking in persons, money laundering, improved procedures for prosecutors, and the creation of a judicial compliance office.

The United States works with the Ministry of Public Security and the National Police Academy to consolidate security assistance resources and infrastructure projects into Costa Rica’s National Law Enforcement Training Center, with the goal of developing a national and regional center of excellence for accredited police training and education. Specialized training has significantly helped to build the capabilities of partner nation forces. Costa Rica began developing a second Maritime Interdiction Unit in 2020.

Costa Rica is an active participant in the annual Multilateral Maritime Counter Drug Summit, which fosters dialogue between maritime and justice sectors in source, transit, and destination countries in the Western Hemisphere. Further, a bilateral agreement between the United States and Costa Rica is regularly used in maritime drug interdiction operations, demonstrating the continuous cooperation between the two nations in enforcing the 1988 UN Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances.

#### **D. Conclusion**

Costa Rica demonstrated a strong commitment in 2020 to combat drug trafficking and TCOs, despite major challenges posed by the COVID-19 pandemic and related budget cuts.

Top priorities should include: 1) professionalizing police and judicial institutions, with an emphasis on anti-corruption; 2) efforts to maintain and sustainably operate capital assets, to include much-needed staffing increases in police forces; 3) investment in border security, to include Border and Customs Police; and 4) strengthening Costa Rica’s cooperation with regional partners.

## Cuba

Cuba is not a major consumer, producer, or transit point of illicit drugs. Cuba's domestic production and consumption remain low due to active policing, strict sentencing, and nationwide prevention and public information programs. Cuba's intensive security presence and interdiction efforts have kept supplies of illicit drugs down and prevented traffickers from establishing a foothold. Cuba concentrates supply reduction efforts on preventing smuggling through its territorial waters, collecting abandoned drugs found washed up on coastal shores and conducting thorough airport searches. Cuba dedicates significant resources to prevent illicit drugs and drug use from entering or spreading within the country, and regional traffickers typically avoid Cuba.

Most maritime seizures are found washed up on the shores of Cuba's coast after being jettisoned by traffickers being pursued by law enforcement. With respect to international cooperation, the Cuban government reports 40 bilateral agreements for counterdrug cooperation, including the U.S.-Cuba Operational Cooperation Arrangement to Counter Illicit Traffic in Narcotics and Psychotropic Substances (signed in July 2016). The U.S. Embassy maintains a U.S. Coast Guard liaison to coordinate with Cuban law enforcement, particularly the Cuban Border Guards. The United States and Cuba exchange limited drug control information at the working level.

Prescription drug abuse is increasing in Cuba, though it remains low compared to other countries, partly due to severe pharmaceutical shortages. Steroids, psychoactive drugs, sedatives, and painkillers are available in the black market through diversion from the legitimate supply chain (including drugs intended for veterinary use) and illicit importation.

# Dominican Republic

## A. Introduction

The U.S. government estimates that a majority of cocaine transiting through the Caribbean flows through the Dominican Republic. Maritime routes involving the use of “go-fast” boats and commercial containers are the primary methods of transportation. The Dominican Republic continued its cooperation with the U.S. government in 2020 to interdict illicit drug shipments, extradite criminals, and otherwise combat the influence of drug traffickers and transnational crime. Despite this cooperation, corruption often hampers these efforts.

## B. Drug Control Accomplishments, Policies, and Trends

### 1. Institutional Development

The U.S. government’s primary Dominican partners are the National Directorate for the Control of Drugs (DNCD); the Dominican National Police (DNP); the National Council on Drugs (CND); the Office of the Attorney General; the National Intelligence Directorate (DNI); and the Dominican Armed Forces. The Dominican Specialized Corps for Port Security (CESEP), working with U.S. authorities and private port operators, continued to improve security at key ports. The participation of the Dominican government in the Cooperative Situational Information Integration System, the Caribbean Basin Security Initiative (CBSI), and the Central America Integration System (SICA) has enhanced relations with the United States and regional Caribbean partners.

The Dominican Republic is a party to the Inter-American Convention against Corruption and has had an agreement on international narcotics control cooperation with the United States since 1985. The Dominican Republic signed and ratified the Caribbean Regional Maritime Agreement and has had a maritime counter-drug agreement with the United States since 1995. An extradition treaty between the Dominican Republic and the United States entered into force in December 2016, updating the 1909 treaty. The United States and the Dominican Republic have shared approximately \$4 million in assets under the 2012 Permanent Forfeited Asset-Sharing Agreement.

The Dominican Republic is one of the United States’ most active extradition partners. Due to the lack of a formal bilateral mutual legal assistance treaty, requests for legal assistance take place through informal channels and formal means under other multilateral treaties. The Dominican Republic processes U.S. requests for legal and judicial assistance expeditiously.

### 2. Supply Reduction

Most seizures result from operations targeting vessels from South America. Dominican forces seized 6.6 metric tons (MT) of cocaine during the first ten months of 2020 within Dominican territory and contributed to seizures by the United States and other international partners of over 2 MT of drugs.

Illicit drugs are available locally but are mostly shipped via maritime routes to the United States and Europe. Dominican security forces cooperate with the United States and international partners in planning and conducting interdiction operations. One Dominican port, Caucedo, is certified under the Container Security Initiative (CSI). However, the other 15 Dominican ports, including Rio Haina, a major Dominican port handling container traffic destined for the United States, are not CSI certified. The DNCD is increasing efforts to combat contraband at ports.

### **3. Public Information, Prevention, and Treatment**

Local drug use is concentrated in tourist centers and major metropolitan areas, although drug use and associated violence occurs throughout the country. The Dominican government conducts outreach efforts to warn youth about the dangers of drugs. The CND conducted demand reduction efforts in 2020 under its strategic national prevention plan. The DNP promoted community-based policing as an effective way to deal with crime locally and the publication of its community policing manual has served as a catalyst to implement community policing throughout the largest cities in the country.

### **4. Corruption**

The Dominican government does not, as a matter of government policy, encourage or facilitate illicit drug production or distribution, nor is it involved in laundering the proceeds of the sale of illicit drugs. The Abinader administration has prioritized efforts to address corruption among judicial, military, and law enforcement forces, recognizing that corruption is a significant impediment to law enforcement efforts. The judiciary is politicized and riddled with corruption, and the legal system offers little recourse to those who lack money or influence. While officials in the executive and judiciary branches have been suspended due to anticorruption investigations, there have yet to be convictions in these cases.

### **C. National Goals, Bilateral Cooperation, and U. S. Policy Initiatives**

The United States supports a wide range of efforts to address crime and violence affecting Dominican citizens, primarily through CBSI. CBSI is a security partnership between the United States and nations of the Caribbean that seeks to reduce illicit trafficking, increase public safety and security, and prevent youth crime and violence. U.S. assistance improves Dominican capabilities to conduct investigations, undertake effective prosecution, and coordinate and participate in drug control efforts with the United States and neighboring countries. U.S. and Dominican law enforcement maintain strong relationships.

The United States provided equipment and training in 2020 to support the DNCD drug-detection canine and other specialized units; to enhance communications and coordination between Dominican law enforcement agencies; and to strengthen maritime capabilities through training, search and rescue, port security, crisis management, and professional development for the Dominican Navy.

The United States also provides tactical training, equipment, and other assistance to both the DNCD and Dominican military to strengthen interdiction capabilities. The United States

provides training at the entry and officer levels of the DNP and technical assistance to strengthen strategic planning and communication, operations management and human resource systems. Because of the COVID-19 pandemic, Colombian National Police officers conducted only 20 of 50 planned training activities virtually for DNP officers under the U.S.-funded Colombia Action Plan on Regional Security Cooperation in 2020. If conditions permit, 2021 should see a return to approximately 50 activities per year. The programs provided training for approximately 400 DNP officers of all ranks in 2020. Efforts to strengthen the infrastructure of the Financial Analysis Unit remain ongoing.

U.S. assistance strengthens justice sector capacity to prosecute complex money laundering, fraud, public corruption, and trafficking cases, and to establish internal controls to prevent corruption. The United States works with courts, prosecutors, public defenders, and other justice sector actors to build the capacity of the national police and prosecutors to develop stronger cases and successful prosecutions. U.S. assistance strengthens Dominican civil society coalitions for citizen security and criminal justice reform, supports access to justice for vulnerable populations, and helps at-risk youth pursue education, vocational training, and employment.

#### **D. Conclusion**

Combating pervasive corruption, restoring public confidence in law enforcement, addressing illicit maritime drug smuggling, and confronting rising levels of drug-fueled violence are major challenges facing the Dominican Republic. The Dominican Republic's interdiction efforts demonstrate institutional capacity and political will to help stem the flow of drugs into the country. The Abinader administration has pledged to strengthen efforts to build a coherent, multifaceted drug control program featuring both increased cooperation between national security forces and greater regional cooperation.



## Dutch Caribbean

### A. Introduction

The Dutch Caribbean consists of Aruba, Curaçao, Sint Maarten, Bonaire, St. Eustatius, and Saba. Aruba, Curaçao, and Sint Maarten are semi-autonomous countries within the Kingdom of the Netherlands. Bonaire, St. Eustatius and Saba are special municipalities of the country of the Netherlands. Aruba and Curaçao are located 30 to 40 miles north of Venezuela and continue to serve as northbound transshipment points for cocaine originating from Colombia and Venezuela. Cocaine is primarily transported via “go fast” boats, fishing boats, and inter-coastal freighters to the United States, other Caribbean islands, Africa, and Europe. Sint Maarten is located in the Eastern Caribbean and is a transshipment hub for cocaine, heroin, and marijuana ultimately destined for Puerto Rico and the U.S. Virgin Islands as well as Europe.

### B. Drug Control Accomplishments, Policies, and Trends

#### 1. Institutional Development

Aruba, Curaçao, and Sint Maarten have autonomy over their internal affairs, with the right to exercise independent decision-making in several counternarcotics areas. The Kingdom of the Netherlands is responsible for the islands’ defense and foreign affairs, and assists the governments in their efforts to combat narcotics trafficking through its support for the RST (Recherche Samenwerkings Team or “Special Police Task Force”).

In June 2016, the United States, the Kingdom of the Netherlands, Aruba, Sint Maarten, and Curaçao signed a Memorandum of Understanding (MOU) regarding the enhancement of existing cooperation and strengthening of law enforcement and the criminal justice system in the Caribbean parts of the Kingdom of the Netherlands. While the purpose of the MOU is broad based, it will include making the fight against drug trafficking more effective. No new counter narcotics programs were initiated in 2020.

#### Aruba

Aruba’s police force, the Korps Politie Aruba (KPA), continues to evolve into a regional leader in the fight against narcotics trafficking and international criminal organizations. The KPA is at the forefront in collecting and sharing intelligence with regional law enforcement partners. The primary method of transporting cocaine to Aruba continues to be via go-fast vessels, cargo containers and airlines. Through coordinated law enforcement efforts, the KPA conducted several successful investigations including the record breaking seizure in February 2020 of 5,410 kilograms (kg) of cocaine seized from a cargo ship just southwest of Aruba. Despite insufficient resources, the KPA continues to investigate trafficking organizations effectively.

#### Curaçao

Curaçao’s police force, the Korps Politie Curaçao (KPC), works closely with the United States to diminish the flow of illegal narcotics from Venezuela and Colombia to the Dutch Caribbean. In

September of 2020, the KPC seized 342 kg of cocaine intended for a local drug trafficking organization operating in Curaçao. KPC continues to investigate drug trafficking organizations effectively, but institutional weaknesses remain.

### St. Maarten

St. Maarten/St. Martin is a transshipment point for cocaine in the Caribbean to the United States, partially due to its proximity to the U.S. Virgin Islands (approximately 100 nautical miles away) and Puerto Rico (approximately 200 nautical miles away), as well as to Europe. This small, two-nation island (St. Maarten/Dutch side – population of approximately 41,000 and St. Martin/French side – population of approximately 37,000) is a challenging place for law enforcement to combat drug trafficking. In 2015, authorities in St. Maarten lifted the visa requirement for Colombian and Venezuelan nationals. Colombian and Venezuelan Drug Trafficking Organizations (DTOs) operating in St. Maarten/St. Martin mostly employ Dominican boat captains to transport large cocaine shipments via go-fast vessels to the United States. U.S. reporting shows multi-ton quantities of cocaine are smuggled into Puerto Rico and the U.S. Virgin Islands via go-fast vessels from St. Maarten/St. Martin on a monthly basis. In 2020, U.S. authorities, Korps Politie St. Maarten (KPSM), Dutch Caribbean Coast Guard (DCCG), Koninklijke Marechaussee (KMAR), RST, Dutch Navy, French OCTRIS, and French Customs in St. Martin worked effectively to target maritime vessels trafficking large quantities of cocaine from St. Maarten/St. Martin to Puerto Rico and the U.S. Virgin Islands.

### Bonaire, St. Eustatius, Saba

The National Office for the Caribbean in the Netherlands Ministry of Interior Affairs and Kingdom Relations assumes the responsibilities of law enforcement, security, and other administrative functions on behalf of the Government of the Netherlands for Bonaire, St. Eustatius, and Saba.

## **2. Supply Reduction**

Due to increased intelligence sharing and cooperation between Dutch Caribbean law enforcement organizations and the United States, the opportunity to further impact drug trafficking is improving. In addition, the above referenced MOU targets enhanced police enforcement and better organization for airport security and harbor/cruise terminal security with the goal of reducing drug trafficking. The Dutch Caribbean with U.S. law enforcement support seized over 6,000 kg of cocaine in the first 10 months of 2020.

## **3. Public Information, Prevention, and Treatment**

Drug treatment and prevention is accomplished through a combination of privately and publicly funded foundations on each of the islands. Sint Maarten has one drug treatment foundation, which suffered severe damage from Hurricane Irma in 2017 and has yet to fully recover.

#### **4. Corruption**

None of the Dutch Caribbean countries, as a matter of government policy, encourages or facilitates illicit drug production or distribution, nor are they involved in laundering the proceeds of the sale of illicit drugs. However, in October 2018 approximately 500 kg of seized cocaine was stolen from the KPC's evidence vault in Curaçao. This investigation continues, but the evidence obtained at this juncture points to internal corruption in the local police force as the catalyst of the theft.

#### **C. National Goals, Bilateral Cooperation, and U.S. Policy Initiatives**

The objectives of U.S. counternarcotics policy in the Dutch Caribbean are to promote cooperation between law enforcement and military partners, and to reduce illicit drug trafficking. The United States works with its island counterparts to advance joint investigations, both within the Dutch Caribbean and the United States.

The Kingdom of the Netherlands supports counternarcotics efforts by continuing to support U.S. Air Force Forward Operating Locations in Curaçao and Aruba. U.S. military aircraft conduct detection and monitoring flights from the FOL in Curaçao over the southern Caribbean Sea. In addition, the Dutch Navy regularly conducts counternarcotics operations in the region. U.S. Coast Guard Law Enforcement Detachments operate aboard Dutch vessels through a signed Memorandum of Understanding, conducting interdiction operations in support of regional objectives.

#### **D. Conclusion**

Ten years after the dissolution of the Netherlands Antilles, Curaçao and Sint Maarten are still establishing counternarcotics organizational structures among their various agencies. The COVID-19 economic crisis and stress on public finances will likely lead to less resources available to law enforcement in the near future. It is imperative that Curaçao and Sint Maarten embrace regional cooperation and intelligence sharing efforts; they can look to Aruba as an example of how this is accomplished.

## Eastern Caribbean

### A. Introduction

The Eastern Caribbean refers collectively to seven independent countries: Antigua and Barbuda, Barbados, Dominica, Grenada, Saint Kitts and Nevis, Saint Lucia, and Saint Vincent and the Grenadines. The region is a transit point for cocaine and marijuana destined for North America, Europe, and elsewhere in the Caribbean. There is a small local demand for cocaine, and negligible use of synthetic drugs. Major challenges in combatting the illegal drug trade include the geographic and jurisdictional diversity of the Eastern Caribbean, including Eastern Caribbean countries' close proximity to one another and South America. None of these island nations have sufficient maritime resources to patrol their coastlines effectively. Traffickers use a variety of vessels to transport illicit drugs, with “go fast” boats being the most popular, enabling traffickers to avoid capture by accessing multiple territorial waters.

Cannabis is cultivated in all countries, mostly for local consumption. Several Eastern Caribbean countries permit cultivation of cannabis for medical and/or religious use by licensed growers. There is also a growing trend toward decriminalization of possession of small amounts of marijuana for personal use.

In the 2020 October Throne Speech, the Governor General of Barbados outlined the government's plans to decriminalize possession of small quantities of marijuana. In November 2019, the Barbados Parliament passed the Medicinal Cannabis Industry Bill and the Sacramental Cannabis Bill, which allow the use of marijuana in religious ceremonies. Implementing legislation is still pending.

In February, the St. Kitts and Nevis Parliament passed the Cannabis Act of 2020, which authorizes cultivation for medical and religious purposes and decriminalizes possession of small amounts of marijuana. In May of 2019, the Eastern Caribbean Court of Justice (CCJ) ruled that adults in St. Kitts and Nevis may legally possess and consume marijuana in their homes and ordered the government to amend the Drugs Act accordingly. The ruling had no effect in other countries under CCJ jurisdiction. The Antigua and Barbuda Cannabis Act of 2018 authorizes cultivation for medical and religious purposes. Implementing legislation is still pending. Legislation continued to evolve in St. Vincent and the Grenadines, which in 2019 decriminalized individual marijuana possession and instituted fines rather than arrests for small quantities.

### B. Drug Control Accomplishments, Policies, and Trends

#### 1. Institutional Development

All of the Eastern Caribbean countries have a strong working relationship with the United States on counternarcotics operations, resulting in major drug confiscations and maritime interdictions.

Antigua and Barbuda refined its investigation techniques and operations during 2020, including adopting a new practice of using confidential informants and training their agents to carry out

undercover narcotics investigations. Since implementing these updated policing initiatives, Antigua and Barbuda reported four indictable narcotics importation cases, the identification of several new drug trafficking investigation targets, and the seizure of over 375 kilograms (kg) of narcotics.

All Eastern Caribbean countries have extradition and mutual legal assistance treaties in force with the United States. All have signed or ratified the Inter-American Convention against Corruption and the Inter-American Convention against Terrorism. Antigua and Barbuda and Saint Lucia ratified the Inter-American Convention on Extradition. Antigua and Barbuda, Dominica, and Grenada signed and/or ratified the Inter-American Convention on Mutual Assistance in Criminal Matters.

## **2. Supply Reduction**

In the spring of 2020, COVID-19 border closures led Barbados to see an increase in domestic marijuana production, particularly on inland unused farmland where authorities eradicated 25,026 cannabis plants. Barbados continued to seize significant shipments at the ports of entry and reported maritime interdictions totaling 3,681.4 kg of marijuana and 50.7 kg of cocaine.

In October 2020, after monitoring drug traffickers over a period of months, the Grenada police made their largest drug confiscation to date. The police in Grenada conducted a joint operation on Carriacou Island that netted a seizure of 416 kg of cocaine stashed inside a vehicle.

Comparative criminal arrest and conviction data for the Eastern Caribbean countries was not available at the time of this report. The United States continues to provide critical assistance to the Eastern Caribbean countries in the form of training and equipment to sustain operational relationships.

## **3. Public Information, Prevention, and Treatment**

Reliable statistics on drug consumption are not available, but the most commonly used drug is marijuana. All Eastern Caribbean countries have some form of drug demand reduction programming. Barbados, Grenada, and St. Vincent and the Grenadines maintain drug prevention programming specifically targeting youth. Barbados maintains programs through the National Council on Substance Abuse, the Centre for Counseling Addiction Support Alternatives, and Alcoholics Anonymous. The National Council on Substance Abuse monitors the programs through qualitative assessments, surveys, and pre- and post-testing. Since COVID-19 arrived in the region in March 2020, much of this counseling is now carried out virtually.

Saint Kitts and Nevis has four formal programs. The Explorer program targets children ages 5-12. Mentoring Advising Guiding Instructing Children teaches children about the harmful effects of drugs. Teen and Police Service targets predominantly at-risk or troubled teens. Operation Future brings children and parents together to learn about the perils of drug use. Saint Lucia's Substance Abuse Advisory Council Secretariat develops programs tailored to individuals, communities, and the entire country. Additionally, St. Vincent and the Grenadines has numerous programs, including a Coast Guard summer program for teens, a local cadet force with growing

membership, and police youth clubs. St. Vincent and the Grenadines has a Monday night radio program that reaches a large audience with anti-drug messaging, and police are facilitating the establishment of neighborhood watch programs. The National Drug Avoidance Committee in the Ministry of Education operates Grenada's programs.

Some countries operate drug rehabilitation clinics, such as the Crossroads Rehabilitation Center and its affiliate halfway house, Bevon House, in Antigua and Barbuda. Barbados has five drug rehabilitation clinics, and Saint Lucia runs a National Mental Wellness Centre. The Marion House offers drug counseling in St. Vincent and the Grenadines.

#### **4. Corruption**

As a matter of policy, Eastern Caribbean governments do not encourage or facilitate illicit drug production or distribution, nor are they involved in laundering the proceeds of the sale of illicit drugs. However, some corruption cases in institutions continue to come to light. For example, in 2020, Antigua and Barbuda investigated allegations that one of its customs officers conspired to import a significant amount of narcotics into the country after sending a broker to clear a suspect shipment. Antiguan police employed a controlled delivery of the goods as part of their investigation, which led to the arrest of the suspected customs officer for attempting to illegally import approximately 180 kg of cannabis.

#### **C. National Goals, Bilateral Cooperation, and U.S. Policy Initiatives**

The United States supports a wide range of efforts designed to address crime and violence affecting citizens of Eastern Caribbean countries, primarily through the Caribbean Basin Security Initiative (CBSI). CBSI is a security partnership between the United States and Caribbean countries that seeks to substantially reduce illicit trafficking, advance public safety and citizen security, and promote social justice. The United States has an agreement with the Regional Security Service (RSS) under the CBSI, in addition to bilateral agreements on law enforcement cooperation with each country. The main counternarcotics goals of the RSS agreement include supporting operations of the RSS's Air Wing and Digital Forensic Lab and collaborating on training for all member states.

#### **D. Conclusion**

The United States enjoys a cooperative counternarcotics relationship with the Eastern Caribbean countries and strongly advocates that all countries meet their financial commitments to the Regional Security Service and, for those in arrears, pay their back dues. The United States also encourages Eastern Caribbean countries to redouble their efforts in the fight against corruption, and has assisted with the development of standard operating procedures for communication and coordination domestically and internationally between and among Eastern Caribbean countries where those procedures do not already exist.

# Ecuador

## A. Introduction

While not a major drug producing country, Ecuador is a major transit country for illicit drugs. Cocaine and heroin from Colombia and cocaine from Peru are trafficked through land borders and maritime routes for distribution to the United States and Europe. Ecuador also is a major transit country for chemical precursors to process cocaine, and is vulnerable to transnational organized crime (TOC) due to permeable borders, a U.S. dollar-denominated economy, and corruption. While Ecuador's government is committed to combating drug trafficking, it lacks sufficient resources to effectively confront transnational crime.

President Lenin Moreno is committed to reducing both drug supply and demand, as reflected in the 2017-2021 National Drug Prevention and Control Plan. Domestic drug consumption is rising, and public treatment facilities are insufficient to fully address increasing substance abuse. Colombian and Mexican nationals are often arrested while engaged in drug-related activities in Ecuador.

## B. Drug Control Accomplishments, Policies, and Trends

### 1. Institutional Development

Ecuador's Ministry of Health has oversight over drug prevention and treatment programs. The Ministry of Government is responsible for combating the production, trafficking, sale, and use of illicit drugs, and for regulating the use of controlled substances and destroying seized substances; it reported it destroyed 32.6 metric tons (MT) of seized illegal substances in the first 10 months of 2020.

Ecuador has bilateral drug control agreements with many countries in the region, including the United States. U.S. security and law enforcement agencies have several agreements with Ecuadorian counterparts to increase information sharing and cooperation to fight transnational crime and narcotrafficking. The United States and Ecuador have a customs mutual assistance agreement. In 2019, Ecuador and the United States signed an agreement to bolster joint efforts to fight TOC.

Since 2018, the United States has conducted maritime patrol flights, with the participation of Ecuadorian military and police riders, to monitor and interdict maritime drug trafficking in the Eastern Pacific. U.S. and Ecuadorian maritime authorities also follow maritime operational procedures that coordinate the boarding of vessels claiming Ecuadorian nationality and stateless vessels in international waters. The United States supports several units within the police.

The United States and Ecuador have a bilateral extradition treaty that entered into force in 1873 and a supplemental extradition treaty that entered into force in 1941. Ecuador's constitution prohibits the extradition of Ecuadorian citizens. The United States works with Ecuador's National Court of Justice to improve and advance the two countries' extradition relationship. The United States and Ecuador do not have a bilateral mutual legal assistance

treaty but cooperate under the Inter-American Convention on Mutual Assistance in Criminal Matters, as well as relevant UN conventions.

## **2. Supply Reduction**

During the first 10 months of 2020, the police arrested 9,720 individuals for drug trafficking-related crimes, compared to 9,556 during the same period in 2019, a 1.7 percent increase. As of November 22, the Ecuador National Police (ENP) broke its all-time record for drug seizures in a single year. From January 1 – November 22, 2020, the ENP seized 111.07 MT of drugs, breaking the then-record of 110.34 MT seized in 2016. The 2020 drug seizures include 80.68 MT of cocaine, 29.86 MT of marijuana, and 425.34 kilograms (kg) of heroin.

As of November 22, total drugs seized in 2020 increased by 51.6 percent over 2019 (the ENP seized 73.26 MT of drugs during the same period in 2019). The police seized 17,934.58 liters of liquid controlled precursor chemicals and 57.55 MT of solid controlled precursor chemicals in the first 10 months of 2020, compared with 647,802 liters of liquid controlled precursor chemicals and 96.6 MT of solid controlled precursor chemicals in the first 10 months of 2019. On August 4, Ecuadorian police and navy units working with U.S. law enforcement and security partners from Mexico and Colombia executed a successful operation leading to a 2.2 MT cocaine seizure in Mexico's waters.

Maritime seizures of all illicit drugs totaled 2.67 MT during the first 10 months of 2020, compared to approximately 3.9 MT during the same period in 2019. Ecuadorian Coast Guard officials attributed the decrease to a reduced budget and limited operations during the COVID-19 pandemic. During the first 10 months of 2020, the police detected three drug trafficking aircrafts and located nine clandestine airstrips in Guayas, Manabi, El Oro, Los Rios, and Santa Elena provinces.

Drug traffickers use cargo and shipping containers to smuggle drugs out of Ecuador, often concealing drugs in legitimate cargo. Guayaquil is a major transshipment hub for cocaine concealed in container cargo shipped to Europe. In one of Guayaquil's largest ports, concession holder Contecon employs security measures at its facility but the police inspect only 15 percent of containerized exports. During the first 10 months of 2020, the police conducted 52,083 container inspections in the four Guayaquil ports and the Posorja Port that ship containerized cargo, compared to 51,436 inspected containers in these five ports in all of 2019. In 2020, U.S. officials posted to Guayaquil continued to work with Ecuadorian authorities to secure maritime cargo under the Container Security Initiative established in 2018.

Ecuador is not a major drug producing country. During the first 10 months of 2020, Ecuador eradicated 13,007 coca plants, or approximately 1.3 hectares, including 500 coca plants in the northern border province of Esmeraldas; 12,004 coca plants in the northern border province of Sucumbios; 500 coca plants in the coastal province of Santo Domingo de los Tsachilas; and three plants in the Amazonian province of Napo. Synthetic drug production and consumption is an issue of growing concern for Ecuadorian authorities.



### **3. Public Information, Prevention, and Treatment**

Domestic drug abuse is a growing challenge in Ecuador. As of October 2020, there were 61 publicly-funded outpatient drug treatment facilities and 12 public inpatient drug treatment facilities, the same as in 2019. The Ministry of Health conducted online drug prevention trainings for private experts and public sector officials during the first 10 months of 2020. In 2019, the Guayaquil Municipality established a mobile drug treatment center. The lack of sufficient drug treatment facilities has led to the growth of unofficial facilities, particularly in the Guayaquil area.

In 2020, the Colombian police provided virtual drug prevention training to the Ecuadorian police under the U.S.-Colombia Action Plan. The U.S.-supported Colombo Plan started implementing in October a three-month virtual drug treatment training for 25 Ecuadorian Ministry of Health, local government, and private sector drug treatment professionals. In January and March, the Organization of American States' Inter-American Drug Abuse Control Commission and National Autonomous University of Mexico implemented two U.S.-funded online drug treatment courses for 181 Ministry of Health professionals, training a total of 595 treatment professionals from the public and private sectors between 2019 and 2020.

### **4. Corruption**

The Government of Ecuador does not, as a matter of government policy, encourage or facilitate illicit drug production or distribution, nor is it involved in laundering the proceeds of the sale of illicit drugs. President Moreno has made fighting corruption a priority, including drug-related corruption. Drug-related corruption nevertheless remains a problem in Ecuador's public security forces. In June, the police detained three of its own officials for suspected drug trafficking during an operation in Santo Domingo de los Tsachilas province that resulted in the seizure of 120.8 kg of cocaine.

### **C. National Goals, Bilateral Cooperation, and U.S. Policy Initiatives**

The Ecuadorian government has expressed a strong commitment to work with international partners, including the United States, to fight transnational crime and drug trafficking and strengthen security, particularly along its northern border with Colombia. In 2020, the United States provided equipment, technical assistance, and training to judges, prosecutors, the police, Coast Guard, financial analysts, and other criminal justice officials.

The United States continues to work with Ecuadorian security officials to increase their maritime and land interdiction capacity, including at port facilities, and to strengthen their anti-money laundering capabilities related to narcotrafficking. Since 2006, the United States has maintained a procedure with Ecuador to stop, board, and search vessels at sea and that are reasonably suspected of drug smuggling. A maritime bilateral agreement to counter illicit drug trafficking (and other crimes) is currently being negotiated between the Governments of Ecuador and the United States.

Ecuador is a founding member of the Multilateral Maritime Counter Drug Summit, which brings together counter drug professionals from North, Central, and South America and Europe each year.

#### **D. Conclusion**

To address the growing challenges of transnational crime and drug trafficking, Ecuadorian authorities need to do more to secure maritime cargo from illicit use, enhance analytical intelligence capabilities, increase maritime interdiction capacity, and redouble efforts to investigate and prosecute corruption within the police, military, and justice systems. Ecuador will need to continue working with international partners to strengthen inter-institutional cooperation and information sharing among Ecuadorian agencies. Ecuador requires additional resources to augment the capacity of the police, the military, and the justice sector through training; improve communications equipment; acquire technology to disrupt transnational criminal organizations; and facilitate investigations, prosecutions, and convictions of narcotics, money laundering, and other related crimes.

## El Salvador

### A. Introduction

El Salvador is a transit country for illicit drugs destined for the United States. To avoid detection, drug trafficking organizations transport cocaine shipments by maritime conveyance, using coastal routes that are hard to detect or over 400 nautical miles into the Pacific Ocean, beyond the range of the Salvadoran Navy's operations. Transnational criminal organizations (TCOs) are using private vehicles to transport small amounts of cocaine north to the Guatemalan border and larger amounts from Nicaragua to Guatemala using prefabricated concealment devices attached to large trucks.

A lack of reliable information on the severity of drug consumption and internal distribution within El Salvador continues to be a challenge. Despite a worldwide pandemic and a months-long lockdown, the overall volume of illicit drugs seized during the first 10 months of 2020 was slightly higher than during the same time frame in 2019.

### B. Drug Control Accomplishments, Policies, and Trends

#### 1. Institutional Development

The vetted, U.S. supported Anti-Narcotics Division (DAN) of the National Civil Police (PNC) is the primary agency responsible for combating drug-related crimes in El Salvador. It is now a full time Sensitive Investigative Unit (SIU) responsible for conducting high level and international drug investigations and is the primary contact for such cases within El Salvador's Attorney General's Office (FGR). The SIU continued to build institutional links with SIUs in Guatemala, Honduras, Panama, and Colombia, greatly expanding El Salvador's ability to respond to drug trafficking alerts and to investigate larger criminal organizations. In August 2020, the SIU relocated to a new, custom-designed safe house with dedicated office space for prosecutors from the FGR and the United States to assist with active investigations. El Salvador has a full-time liaison office with the United States to support regional drug control coordination.

Established in 2012, El Salvador's National Electronic Monitoring Center allows Salvadoran law enforcement authorities with judicial warrants to intercept electronic communications for violations of Salvadoran law including drug trafficking and other serious crimes. The center continues to expand, building on a 2019 agreement that increases communication between the PNC and FGR and streamlines the flow of intercepted intelligence from the center to PNC surveillance teams. A U.S.-supported upgrade to the intercept system will be installed in early 2021. In anticipation of this acquisition, the PNC and FGR have increased the number of personnel in the center by 66 percent and doubled its physical space.

## **2. Supply Reduction**

From January through October 2020, the DAN seized approximately 1,725 kilograms (kg) of cocaine, 725 kg of marijuana, and 5 kg of crack cocaine. Authorities also seized \$116,912 in bulk currency and arrested 2,971 individuals on drug-related crimes.

In October 2020, the DAN seized approximately 1,500 kg of cocaine at the El Salvador-Honduras border, the largest land seizure for the DAN in more than 20 years. All previous large drug seizures by the PNC have occurred at sea.

A sustained decline in maritime drug trafficking within Salvadoran territorial waters continued in 2020. Enhanced patrolling of the Pacific coastline by the newly expanded maritime police unit (the PNC's Maritime Tactical Operations Response Section (STORM), and the Salvadoran Navy may have contributed to the decrease. The Salvadoran Navy maintains primary responsibility for maritime interdiction at or beyond 20 nautical miles from El Salvador's coastline. The average interdiction occurs between 200-400 nautical miles offshore, and suspects are detained and escorted ashore for processing by the Salvadoran justice system. The Salvadoran Navy is in the process of increasing its coverage of coastal areas by enhancing maritime interdiction capabilities of several naval trident units.

## **3. Public Information, Prevention, and Treatment**

Drug use among Salvadorans is a growing concern, particularly synthetic recreational drug use among youth. El Salvador has not kept reliable statistics for illegal consumption since 2012.

## **4. Corruption**

The Government of El Salvador does not, as a matter of government policy, encourage or facilitate illicit drug production or distribution, nor is it involved in laundering the proceeds of the sale of illicit drugs. However, corruption within the Salvadoran political system is a serious problem at all levels. The United States supports programs aimed at curbing corruption, including polygraph tests for El Salvador's security forces, although no polygraphs were conducted in 2020 due to travel restrictions during the pandemic.

The United States has worked with the Ministry of Public Security, FGR, and the Legislative Assembly to assist in the development and implementation of a new "control and confidence" law that will provide for the classification of sensitive jobs and require the job holder to meet specific clearance requirements. After a constitutional review, the law will be taken up by the Legislative Assembly.

## **C. National Goals, Bilateral Cooperation, and U.S. Policy Initiatives**

The United States provides assistance to El Salvador through the Central America Regional Security Initiative. U.S.-supported programs aim to expand Salvadoran capabilities to interdict, investigate, and prosecute illegal drug trafficking and other transnational crimes, implement prevention programs, and strengthen El Salvador's justice sector. The United States' support of El Salvador's Automated Fingerprint Identification System (AFIS) database has resulted in data

sharing that allows U.S. law enforcement access to over 350,000 criminal fingerprints, including records for drug traffickers and members of TCOs. It receives the greatest number of “hits” for U.S. law enforcement of any foreign database.

The Cooperative Security Location (CSL) Agreement between the United States and El Salvador, which permits basing of United States counterdrug air assets until 2025, has supported El Salvador as a key hub for regional drug interdiction efforts, including interdictions more than 400 miles off the Salvadoran coast. It also allows U.S. access to ports and other governmental facilities in connection with aerial detection, monitoring, and tracking of illicit drug trafficking operations, and has helped to successfully disrupt drug trafficking networks.

Since 2009, the United States has provided training teams in maritime law enforcement, port security, and officer development, and is helping to develop the capacity of the Salvadoran navy. The United States funds an advisor at U.S. Embassy San Salvador to assist in building El Salvador’s capability through training focused on the maritime domain.

#### **D. Conclusion**

El Salvador is a cooperative and willing partner in counterdrug efforts. The country maintained its capacity to fight transnational crime in 2020, evidenced by drug traffickers’ continued shifting of their maritime routes further from El Salvador’s coast and along harder to detect coastal routes. Continued strengthening of the entire continuum of El Salvador’s criminal justice institutions is needed to combat drug trafficking and prevent the return of trafficking routes if interdiction efforts in neighboring countries continue to advance. Political will to confront corruption and support for adequate budgets for the PNC and Attorney General’s Office, including adequate pay and physical protection, remain challenges.

## Georgia

Georgia is located on a major drug trafficking route along which opium, heroin and precursor chemicals are transported. Heroin and opium originating from Afghanistan are transported through Iran into Armenia, then transit Georgia for shipment to Western Europe via the Black Sea. In April 2020, the Ministry of Internal Affairs Drug Transit Unit within the Central Criminal Police Department (CCPD) worked jointly with the United States to seize 40 kilograms (kg) of heroin in Batumi (following a related seizure of 72 kg in Bulgaria via the Black Sea from Georgia).

Potentially due to the COVID-19 crisis, domestic drug use has increased in Georgia, particularly narcotics purchased via crypto-currency on the Dark Web. Sales of cannabis products comprise an estimated 56% of these transactions, while synthetic drugs and psychotropic substances comprise the remainder. These transactions largely occur via dead-drops around the country, using communication via VoIP applications such as Telegram.

CCPD introduced a Dark Web Drug Unit in January 2019 in response to several overdose deaths. The unit saw enormous success in 2020, seizing 70 kg of liquid alpha-PVP and 20 kg of alpha-PVP in November and December 2020, 4,380 MDMA pills in July 2020, and 964 Subutex pills in August 2020. As a result of these and other drug seizures, CCPD seized almost 50 assets (vehicles, real estate, and cash), with a value of over \$850,000. Following the 2018 abolishment of administrative punishment for the personal use of marijuana, marijuana trafficking increased. Between July 2019 and January 2020, five significant marijuana loads totaling over 80 kg of marijuana were seized via commercial flights from South Africa.

The United States supported a one-week training course on Emerging Trends in Synthetic Drugs in Tbilisi in November 2019.

The Georgian government closed Georgia's borders (except to cargo) in March 2020 to stem the spread of COVID-19. Based on Ministry of Internal Affairs reporting, this action was the probable cause of a 66 percent decrease in drug smuggling from January to August of 2020 compared to the same period in 2019. Overall drug-related crimes decreased approximately 32 percent in the same period.

# Ghana

## A. Introduction

Ghana is a transit and destination point for illicit drugs trafficked from Asia and South America to other African nations and Europe, and to a lesser extent the United States. Cocaine from South America and heroin and controlled pharmaceuticals from Asia are smuggled into the country for limited local consumption and onward shipment. Crystal methamphetamine produced in clandestine laboratories in Nigeria also transit the country. Precursor chemicals required to produce crystal methamphetamine are believed to be diverted from Ghanaian sources.

Porous borders and a lack of resources hamper Ghana's efforts to combat the illegal drug trade. Cannabis is also produced in substantial quantities, primarily for domestic use, although authorities believe an increasing amount is trafficked to international markets in the region or to Europe. Officials report that the illegal importation and abuse of tramadol, a controlled pharmaceutical, is increasingly problematic. Ghana is not a significant source or transit country for drugs entering the United States.

Ghana continues to work productively with international partners on law enforcement operations targeting transnational drug trafficking organizations and to attend U.S.-sponsored trainings that improve their capabilities, though COVID-19 affected such efforts throughout most of 2020.

## B. Drug Control Accomplishments, Policies, and Trends

### 1. Institutional Development

After five years of debate, in March 2020 Parliament passed and the president signed into law the long-sought Narcotics Control Commission Act. The law transformed the former Narcotics Control Board (NACOB), an agency under the Ministry of Interior with limited functions, to the independent Narcotics Control Commission (NACOC) with an expanded mandate and law enforcement powers, including prosecutorial powers, and authorizes NACOC officers to be armed.

The legislation reduces the stringent mandatory five-year imprisonment for possession and personal use of illicit drugs to a maximum of 15 months, but maintains transnational trafficking at the mandatory 10 to 25 years imprisonment. It also decriminalized the non-recreational use of cannabis and cultivation of cannabis with not more than 0.3 percent THC, if licensed by NACOC. The law directs the government to treat drug use as a public health issue as well as a law enforcement issue. It addresses gaps in interagency coordination and enhances the government's toolset for fighting precursor chemicals. Although the legislation has passed, NACOC faces logistics and technical capacity challenges to fight transnational trafficking.

In addition, since 2015 the United States has funded the United Nations Office on Drugs and Crime (UNODC) to expand the Ghana Police Service's (GPS) Drug Law Enforcement Unit (DLEU) from two offices centered on the largest two cities to six. The four new DLEUs

expanded the police presence to regions that are prone to the cultivation of cannabis. The United States also provided vehicles and capacity building to the DLEU.

Ghana is a pioneering member and active participant in the Africa Multilateral Drug Enforcement Coordination (AMDEC) meetings, which consists mainly of drug law enforcement agencies in Africa. The AMDEC platform provides for information-sharing on drug-related cases between the United States and African countries across the continent.

There is no mutual legal assistance treaty between Ghana and the United States, although mutual legal assistance can be provided through multilateral conventions to which both countries are signatories. Extradition is available between Ghana and the United States based on the 1931 United States – United Kingdom treaty to which Ghana acceded after independence.

## **2. Supply Reduction**

On June 5, 2020, the DLEU in Sunyani intercepted a cargo truck transporting approximately 8.22 metric tons of compressed marijuana from Nsawkwa in the Bono Region to Hamile in the Upper West Region (bordering Burkina Faso). Two subjects were arrested. It was suspected that the seized drugs were destined for Burkina Faso. Capacity building and logistical support provided by the United States were instrumental in the successful interdiction.

On June 9, 2020, the DLEU in Accra and Ho conducted an operation that resulted in the destruction of approximately 12 hectares of cannabis. The United States funded the Ho branch office and the vehicles deployed in the operation.

In September 2020, NACOC intercepted 152 kilograms (kg) of cocaine concealed in a shipment of sugar from Brazil at the Tema Harbor. The Commission said the successful interception was based on intelligence gathered in conjunction with other security agencies.

NACOC continues to target money laundering and other drug-related financial crimes. Five ongoing asset seizure cases are pending before the courts.

## **3. Public Information, Prevention, and Treatment**

Consumption of cannabis and other drugs in Ghana is a growing problem. Narcotic substances are commonly found on suspects arrested for various unrelated offenses, like robbery. School and public sensitization programs are conducted across the country on a regular basis.

The DLEU and NACOC conduct operations to arrest and deter youth from the excessive use of narcotic substances.

Ghana has benefited from the U.S.-sponsored Colombo Plan Universal Treatment Curriculum (UTC). As of 2019, Ghana has 42 International Certified Addiction Professional practitioners, eight of whom have progressed to an advanced level of certification. The UTC training programs help to provide evidence-based interventions to private rehabilitation centers, mostly run by non-profit organizations. Information for 2020 is not yet available.



On International World Drugs Day on June 26, 2020, NACOC, following a court order, and in coordination with other security agencies and international partners, publicly destroyed 2,553.68 kg of drugs valued at approximately \$496,000 at the Bundase Military Camp. They also destroyed 287.61 kg of khat.

#### **4. Corruption**

Ghana does not, as a matter of government policy, encourage or facilitate illicit drug production or distribution, nor is it involved in laundering the proceeds of the sale of illicit drugs. Ghana has laws that cover drug-related corruption, but enforcement is patchy due to lack of capacity, resources, and, at times, political will. Ghana also has a free and dynamic press, which routinely reports on corruption issues. There are no known senior Ghanaian officials associated with illegal drug trafficking activities.

#### **C. National Goals, Bilateral Cooperation, and U.S. Policy Initiatives**

Since September 2015, the United States, working with UNODC, assisted the Criminal Investigations Department (CID) of the Ghana Police Service to establish four additional DLEU branch offices in different regions of the country. The United States also provided training to enhance cooperation between law enforcement agencies and prosecutors in drug cases.

The United States has also supported the former NACOB's Canine (K9) Unit, which has increased its capacity to deploy narcotics detection dogs, especially at Kotoka International Airport in Accra.

#### **D. Conclusion**

The new Narcotics Control Commission is expected to streamline and increase the capacity of information-sharing between agencies. Ghanaian law enforcement and intelligence agencies have alleged that transnational drug trafficking networks operating in the country have links to organized crime and terrorist organizations. However, fragmented data collection and incomplete information sharing make accurate figures difficult to obtain.

Ghana maintained a high degree of cooperation with the United States and other international partners on drug control issues, resulting in several high-level seizures and arrests. While drug consumption in the country continues to be a concern, enforcement efforts have been positive, and Ghana is building its capacity to enforce drug trafficking laws.

Challenges include lack of alternative livelihood or alternative crops programs for people cultivating cannabis, lack of law enforcement accessibility to areas of cannabis cultivation, weak institutions, and lack of resources.

# Guatemala

## A. Introduction

Guatemala is a major transit country for illegal drugs destined for the United States. Despite close cooperation with U.S. law enforcement agencies, Guatemalan authorities have capacity challenges and insufficient resources to respond to drug trafficking, detect and eradicate illicit crop cultivation, and adequately regulate precursor chemical importation.

Trafficking patterns through Guatemala continued to shift from maritime to air deliveries, exploiting clandestine airstrips in remote areas near the Mexican border. Drug traffickers increasingly used commercial executive jets in 2020, outpacing the Guatemalan government's airborne platforms. Guatemala's aerial interdiction efforts also remained hampered by the lack of night capable rotary air support. The Guatemalan Naval Special Forces (FEN), however, remained an effective deterrent to maritime landings.

Guatemala continued to detect and eradicate coca cultivations and destroy cocaine hydrochloride (HCl) and base labs in 2020, demonstrating transnational criminal organizations' (TCOs) continued pursuit of Guatemalan production capacity. Criminal organizations also cultivate opium poppy and cannabis, although poppy cultivation has declined sharply.

## B. Drug Control Accomplishments, Policies, and Trends

### 1. Institutional Development

The National Police (PNC) counternarcotics unit (SGAIA) is the primary agency responsible for combating drug-related crimes throughout Guatemala. SGAIA's K-9 unit screens airports, checkpoints, and prisons. SGAIA receives significant support from Guatemalan military units, most notably the FEN, the unit responsible for maritime interdiction. In 2020, the FEN increased its maritime presence with U.S. government support and acquired a medium endurance logistical support vessel providing improved ability to respond beyond international waters and support waterborne interdiction operations.

Guatemala has responded to increased air deliveries of narcotics with the creation of a detection and monitoring capability that has strengthened national authorities' air interdiction capabilities. SGAIA's coordination with the Guatemalan army has significantly reduced ground reaction time to suspicious air traffic.

The Guatemalan Counter Narcotics Aviation Program (FIAAT) provides air mobile capacity for the PNC special forces to disrupt drug trafficking organizations (DTOs) throughout Guatemala. After being effectively grounded from 2016-2019, President Alejandro Giammattei reestablished the FIAAT in 2020. The FIAAT has been training and developing its Guatemalan flight crew in 2020.

The Guatemalan government inaugurated three of 12 planned interagency highway checkpoints to combat TCOs, drug trafficking, bulk cash smuggling, and contraband. Guatemalan counter

narcotics police, canine units, border police, military, and customs staff the checkpoints, enhancing information sharing and operational synergies. Guatemala works closely with U.S. authorities on extraditions and regularly extradites its citizens to the United States for prosecution.

## **2. Supply Reduction**

Maritime narcotics seizures totaled 425 kilograms (kg) in the first 10 months of 2020. Overall, Guatemala witnessed a drop in maritime drug deliveries in 2020 due in part to U.S. government support and the deployment of a new medium range naval vessel enabling FEN units to respond to maritime tracks. The maritime interdiction successes have probably contributed to DTOs shifting to air deliveries in the remote forest regions of Guatemala. Here too, however, Guatemala has had some success. Following a record number of illicit drug flights into Guatemala in 2019, detected air trafficking in the first 10 months of 2020 was down 50 percent compared to the same time period last year, possibly due to effects of COVID-19. The new Guatemalan government developed detection and monitoring capabilities, increased the number of security forces, and improved operational coordination between SGAIA and the Guatemalan military, which also likely contributed to this decrease. SGAIA and the Guatemalan military jointly destroyed 14 clandestine airstrips in the first 10 months of 2020 to restrict illicit landings. SGAIA's canine unit has also played a key role in cocaine interdictions, assisting in 88 percent of all seizures, and 84 percent of all cash seizures by the PNC in the first 10 months of 2020.

TCOs continued to cultivate coca in Guatemala on a limited scale in 2020. The Guatemalan army initiated regular patrols to detect coca cultivation, often jointly with SGAIA, in remote forest regions. In the first 10 months of 2020, SGAIA and the Guatemalan military eradicated over 19 hectares of coca and destroyed seven cocaine base and HCl labs. Poppy cultivation is believed to have declined sharply, and the PNC reported no eradication of poppy in Guatemala in 2020.

## **3. Public Information, Prevention, and Treatment**

The United Nations Office on Drugs and Crime is conducting the first Guatemalan national drug use survey in 16 years and expects to publish results in early 2021. Prior studies indicated regular consumption on average began at age 11, with the most commonly used drugs being marijuana, and cocaine. The Guatemalan Drug Commission will use the new survey results to design drug prevention and treatment strategies.

## **4. Corruption**

Guatemala does not, as a matter of government policy, encourage or facilitate illicit drug production or distribution, nor is it involved in laundering the proceeds of the sale of illicit drugs. However, corruption threatens Guatemala's public and private institutions, subjecting them to the influence of drug traffickers and exacerbating the country's security, rule of law, governance, and economic challenges. Guatemalan law provides criminal penalties for official corruption, but various officials who have been identified as engaging in corrupt acts have evaded justice due to weak institutions, legal loopholes, and influence peddling in the justice sector. U.S.

assistance supports law enforcement capacity by developing and training specialized vetted units and supporting efforts against drug trafficking, money laundering, corruption, and criminal gangs.

The Special Prosecutor's Office Against Impunity (FECI) within the Public Ministry is the lead special prosecutor for high-profile cases of corruption and impunity. Feci expanded its team by adding investigators and analysts and now has 88 Guatemalan officials dedicated to investigating and prosecuting more than 200 pending public corruption cases. Feci has demonstrated sound leadership and a strong capacity for uncovering corruption cases that have exposed widespread public sector corruption, including cases of influence peddling in the judicial system.

President Giammattei established an internal commission to help detect corruption within the executive branch and to address structural deficiencies that enable corruption. With this effort, he has an opportunity to start a society-wide dialogue on good governance and anticorruption.

### **C. National Goals, Bilateral Cooperation, and U.S. Policy Initiatives**

The United States provides assistance to Guatemala through the Central America Regional Security Initiative, which supports the improvement of capacity and integrity of Guatemala's security and judicial institutions to create sustainable, effective structures and organizations that can fight illicit drug production and trafficking, and TCOs.

The United States maintains a bilateral agreement with Guatemala to suppress illicit trafficking by sea and air, which includes provisions for ship boarding, ship riders, pursuit, entry to investigate, over flight of territorial seas, order to land, and interdiction support.

Guatemala is a regular and active participant in the Multilateral Maritime Counter Drug Summit, which brings together maritime counter drug professionals from North, Central and South America and Europe. The summit fosters dialogue between maritime and justice sectors representing source, transit, and destination countries. The United States has provided training in a broad range of maritime issues.

### **D. Conclusion**

The Guatemalan government works closely with U.S. law enforcement agencies to improve drug enforcement and has had significant success in deterring maritime trafficking within its territorial waters. Aerial detection of illicit drug flights also improved in 2020. Nonetheless, significant capacity gaps remain, including in intelligence gathering, aerial interdiction, and legal frameworks, especially as related to the storage and destruction of precursor chemicals. The Guatemalan government should continue to take steps to expand its law enforcement presence in remote areas and improve its ability to respond to cultivation and aerial trans-shipment. Endemic corruption will continue to enable the facilitation of trafficking of illicit drugs through Guatemala until the Guatemalan government addresses the structural changes necessary which allow corruption to pervade its institutions.

# Guyana

## A. Introduction

Guyana is a transit country for cocaine destined for the United States, Canada, the Caribbean, Europe, and West Africa. Cocaine originating in Colombia is smuggled to Venezuela and onward to Guyana by sea or air. Smugglers also transit land borders and the shared river network with Brazil, Venezuela, and Suriname. Cocaine is concealed in legitimate commodities and smuggled through commercial and private air transport, maritime vessels, human couriers, go-fast boats, and various postal systems.

Drug traffickers are attracted by the country's poorly monitored ports, remote airstrips, intricate river networks, porous land borders, as well as by corruption and an under-resourced security sector. Guyana also has a growing domestic drug consumption problem. The Government of Guyana has demonstrated political will to combat the trafficking of narcotics in and through Guyana.

## B. Drug Control Accomplishments/Policies and Trends

### 1. Institutional Development

Guyana's drug control institutions are the Guyana Police Force (GPF), Guyana Revenue Authority (GRA), Customs Anti-Narcotics Unit (CANU), Special Organized Crime Unit (SOCU), and Guyana Defense Force (GDF) Coast Guard. These agencies are responsible for the implementation of the National Drug Strategy Master Plan 2016-2020. In October, the government disbanded the National Anti-Narcotic Agency (NANA) which had coordinated and overseen the government's drug control institutions.

In 2008, Guyana acceded to and has since filed information requests under the Inter-American Convention on Mutual Assistance in Criminal Matters, to which the United States is also a party. Guyana has bilateral counter-narcotics agreements with its neighbors and the United Kingdom. Guyana is also a member of the Organization of American States' Inter-American Drug Abuse Control Commission (OAS/CICAD). In September 2020, Guyana signed on to implement a 2001 bilateral agreement with the United States that enables joint maritime and aerospace patrols to counter narcotic flows. The 1931 Extradition Treaty between the United States and the United Kingdom is applicable to the United States and Guyana, and Guyana honors that treaty.

### 2. Supply Reduction

Guyana's National Drug Demand Reduction Unit trains public health officers, teachers, social workers, and civil society groups as part of the government's supply reduction strategy. Guyana has a drug enforcement presence at its international airports, post offices, and, to a lesser extent, at seaport and land-border entry points. Anti-narcotics agencies reported several interdiction efforts and drug-related seizures and convictions for the first nine months of 2020. Through September, authorities seized 518 kilograms (kg) of cocaine, an increase of more than 400 kg for

the same period in 2019, and 671 kg of cannabis, a decrease of 100 kg for the same period in 2019.

### **3. Public Information, Prevention, and Treatment**

Guyana has a growing domestic drug consumption problem. Marijuana is the most widely used illicit drug in Guyana, followed by cocaine. The government also reports that, in addition to marijuana and cocaine, there were seizures of small amounts of synthetic drugs, including ecstasy. The Ministry of Health, Ministry of Education, and Ministry of Human Services and Social Security are responsible for addressing demand reduction. Guyana has a comprehensive demand reduction strategy that adequately addresses drug rehabilitation. Non-governmental organizations also offer rehabilitation services, with the government providing financial assistance. The Georgetown Public Hospital also provides free rehabilitation services for drug users. The government conducts anti-drug awareness sessions in secondary schools and has drug treatment courts.

### **4. Corruption**

As a matter of government policy, the Government of Guyana does not encourage or facilitate illicit drug production or distribution, nor is it involved in the laundering of proceeds from the sale of illicit drugs. However, a lack of resources, weak law enforcement institutions, an ineffective judicial system, and inadequate compensation for civil service employees and public safety officials facilitate corruption throughout all sectors.

### **C. National Goals, Bilateral Cooperation, and U.S. Policy Initiatives**

The United States supports a wide range of efforts to address crime and violence affecting Guyanese citizens, primarily through the Caribbean Basin Security Initiative (CBSI). The CBSI is a security partnership between the United States and Caribbean countries that seeks to substantially reduce illicit trafficking, advance public safety and citizen security, and promote justice. Efforts to increase law enforcement capabilities, protect borders, air and seaports, strengthen workforce development, and combat money laundering directly address priority concerns shared by Guyana and the United States.

Guyana cooperates very closely with all relevant U.S. agencies and departments, but is limited by resource constraints. The current administration, which took office in August, has expressed an interest in deepening cooperation with the United States on drug control, extradition, mutual legal assistance, and other international crime issues.

CBSI-funded programs support Guyana's maritime operations by providing interdiction assets, relevant command and control systems, and associated logistical support and training. In 2020, the United States provided port and maritime training to Guyana's Coast Guard. U.S. assistance programs also promote law enforcement professionalization and more effective narcotics investigations. By strengthening Guyana's counternarcotics capabilities, the United States seeks to enhance its interagency coordination and help gather better information on drug trafficking routes.

**D. Conclusion**

The United States enjoys strong cooperation with Guyana in advancing mutual interests against the threat of international drug trafficking. Guyana has shown great interest in furthering collaboration under CBSI. The United States looks forward to tangible progress on investigations, prosecutions, extraditions, security sector capacity enhancement, engagement of at-risk communities, and enforcement of laws against money laundering and financial crimes. Guyana should seek to enhance its anti-corruption initiatives, increase inter-agency cooperation, and fully pursue prosecutions for narcotics trafficking in accordance with its laws.

# Haiti

## A. Introduction

Haiti is a transit point for cocaine from South America and marijuana from Jamaica en route to the United States. Haiti is not a producer or significant consumer of illicit drugs, although there is cultivation of cannabis for local consumption. The counternarcotics unit of the Haitian National Police (HNP), known by the French acronym BLTS, has led investigations and drug interdiction operations against trafficking organizations along its southern coast, causing illicit activity to shift to northern Haiti. In 2020, the Haitian government increased the numbers of BLTS officers and made plans to increase the number of HNP officers in an ongoing effort to strengthen law enforcement capacity. However, the HNP is overextended due to ongoing political turmoil and responding to an increased number of violent demonstrations by former and current rogue police officers. The HNP also is combating a resurgence of gang activity throughout the country. Most of the gangs are involved in a range of criminal activities, including kidnappings for ransom. The HNP struggles to control Haiti's borders, as most of the coastline and the land border crossings with the Dominican Republic are largely uncontrolled.

## B. Drug Control Accomplishments, Policies, and Trends

### 1. Institutional Development

The Haitian government continues to face challenges to adequately fund the police force, resulting in an insufficient number of police officers in every category of policing, including counternarcotics. The graduation of the 30th HNP class of 671 recruits in August 2019 brought the total HNP strength to nearly 15,500. Since that time, there has not been another class due to labor unrest in the HNP and COVID-19.

BLTS remains the primary domestic organization dedicated to drug interdiction. It has 237 officers and is supported by and works in close coordination with the border patrol unit (POLIFRONT) and the Haitian Coast Guard (HCG). In 2020, BLTS officers were stationed with POLIFRONT officers at the new outpost at Anse-a-Pitre on the southern border with the Dominican Republic. POLIFRONT units are now posted at the four official land border crossings at Ouanaminthe, Anse-à-Pitre, Belladere, and Malpasse. The HCG, which is a component of the HNP, is the primary maritime law enforcement agency. It has operating bases in Cap Haitien, Killick (Port-au-Prince), and Les Cayes. Maritime law enforcement is a daunting task considering Haiti's 1,100 miles of coastline and seven international ports. The HCG has two operational vessels, three requiring repair, and seven that are no longer operational. BLTS also operates two boats for maritime interdiction. As of 2020, the HCG had 108 officers, and POLIFRONT had 333. Operational capacity remains low due to insufficient funding, improper management, fuel shortages, and inaccessibility of maintenance supplies.

Since 2009 the United States has provided a range of training in maritime law enforcement, although the COVID-19 pandemic limited these opportunities in 2020.



## **2. Supply Reduction**

The BLTS executed several successful operations in 2020 that resulted in the seizure of 2,210 kilograms (kg) of marijuana and 103.2 kg of cocaine. In addition, authorities arrested 108 suspects for alleged drug-related crimes during this period. The United States does not currently have information regarding any significant availability or trafficking of illegal synthetic drugs in Haiti.

## **3. Public Information, Prevention, and Treatment**

Illicit drug abuse is uncommon in Haiti, as the population's minimal discretionary income mitigates widespread drug abuse. The Government of Haiti runs small-scale public awareness and demand reduction programs funded through the Counternarcotics Policy Commission, but there is no data on the impact of these programs.

## **4. Corruption**

The Haitian government does not, as a matter of government policy, encourage or facilitate illicit drug production or distribution, nor is it involved in laundering the proceeds of the sale of illicit drugs. However, effective government action to fight corruption, particularly that related to drug trafficking organizations, is constrained by two major factors. The first is Haiti's weak legal framework. Haiti did not classify corruption as a crime until 2014, when a law formally criminalized public corruption and set penalties for bribery and illegal procurement. Implementation of this law, and educating judges on it, remain challenges. Haiti's asset seizure laws have enabled the Central Unit of Financial Investigations (UCREF) and the HNP's Financial and Economic Affairs Bureau to seize the assets of drug traffickers convicted of crimes outside of Haiti. The constitution, however, grants immunity to members of parliament, which obstructs law enforcement efforts.

The second constraining factor is Haiti's weak judicial system, which has historically been hampered by antiquated penal and criminal procedure codes, opaque court proceedings, lack of judicial oversight, and widespread judicial corruption and inefficiencies. To date, there have been five successful convictions for drug trafficking, and only one conviction on corruption related charges. The anti-corruption agency (ULCC) has advanced 32 corruption-related cases to the judiciary since its inception in 2005, but without significant impact. Haiti adopted new penal and criminal procedure codes in 2020 with U.S. assistance, but has only just begun the two-year implementation process.

## **C. National Goals, Bilateral Cooperation, and U.S. Policy Initiatives**

Haiti maintains several international drug control agreements and cooperates regularly with the United States on drug-related cases. The 1997 bilateral letter of agreement on Cooperation to Suppress Illicit Maritime Drug Traffic allows U.S. law enforcement agencies to enter Haitian territorial waters and airspace in pursuit of suspect vessels or aircraft; to board and search suspect vessels; to patrol Haitian airspace, and to carry members of the HCG as passengers on

U.S. vessels. Although there is no mutual legal assistance treaty between Haiti and the United States, the Haitian government has cooperated regularly within the limits of Haitian law. There is a bilateral extradition treaty that entered into force in 1905. The Government of Haiti has surrendered individuals under indictment in the United States to U.S. law enforcement agencies.

U.S. drug control initiatives in Haiti focus on improving the capacity of the BLTS, POLIFRONT, and the HCG to detect, investigate, and deter drug trafficking organizations. A 2004 agreement between the United States and Haiti and a second agreement in 2013 govern these activities. Core goals are to increase overall drug interdiction capabilities and to develop legal cases against trafficking organizations. The growth of the BLTS, effective Haiti-U.S. bilateral operations, and drug seizures in 2020 were all positive signs of improvement.

#### **D. Conclusion**

The HNP remains committed to combating illicit drug trafficking but remains hampered by a lack of resources. U.S. government support for the institutional development of the HNP generally, and BLTS, POLIFRONT, and the HCG specifically, has helped to improve public security and has increased Haiti's ability to fight drug trafficking. Sustained cooperation between Haitian and U.S. drug enforcement organizations will continue to yield illicit drug seizures and extraditions. The severe dysfunction of the Haitian judicial system limits domestic prosecution of offenses and limits the ability of law enforcement to deter drug trafficking organizations. Prosecutors and courts lack capacity; corruption also remains an issue. It remains to be seen if the adoption of the new penal and criminal procedure codes will improve matters. Drug seizures remain relatively low, and the ability of the HNP to patrol Haiti's maritime and terrestrial borders consistently remains insufficient. Continuing political instability also impedes Haiti's counter illicit drug efforts.

# Honduras

## A. Introduction

Traffickers exploit Honduran territory to transit cocaine destined for the United States and precursor chemicals used to produce illicit drugs. Honduras is a key transit country of U.S.-bound cocaine. Cocaine also transits through Honduras after making a first arrival in other countries. During the first nine months of 2020, cocaine seizures exceeded those of 2019, but significant challenges remain to interdict illicit drugs transiting Honduras by land, air, and sea. The northeastern Department of Gracias a Dios is particularly vulnerable to trafficking due to its remoteness, limited infrastructure, and minimal government presence. Drug trafficking organizations take advantage of these vulnerabilities, which make detection and interdiction challenging.

Small-scale coca cultivation has been present in Honduras for at least the past decade, although Honduran security forces have increasingly found and destroyed fields in the past two years. There is not enough information to evaluate the quality of leaf being grown or cocaine being produced. Honduran authorities are increasingly active in eradication. In 2020, the Honduran government emphasized locating and eradicating these fields in the northeast part of the country. As of October, the Honduras National Police (HNP) eradicated approximately 40 hectares of coca plantations and security forces located and destroyed 11 clandestine cocaine laboratories with some mission support from the United States. There is no evidence that cocaine produced in Honduras has reached the United States.

The political will of the Honduran government to combat drug trafficking in coordination with U.S. law enforcement agencies continues. The revised Honduran Air Sovereignty Law (ASL), which went into force in August, is a possible first step toward strengthening U.S.-Honduras cooperation in combating aerial drug trafficking.

## B. Drug Control Accomplishments, Policies, and Trends

### 1. Institutional Development

Corruption, combined with low tax collection rates, deprives law enforcement agencies, courts, and prosecutors of resources required to stop the flow of drugs and bring traffickers to justice. The security tax – instituted in 2014 to offset funding challenges – has helped security agencies, but funds remain inadequate to meet the significant personnel, equipment, and technology needs, especially in remote areas of the country. Already limited resources were further strained by the COVID pandemic.

Through cooperation with the United States and other international partners, the Honduran Government has established basic criminal justice infrastructure to investigate, interdict, and prosecute drug traffickers. Honduras has an extradition treaty with the United States and actively cooperates on extraditions. The United States maintains a bilateral agreement with Honduras to suppress illicit traffic by sea, which includes provisions for ship boarding, ship riders, pursuit, entry to investigate, and overflight. Honduras is party to the Organization of

American States' Inter-American Drug Abuse Control Commission and the Caribbean Regional Agreement on Maritime Counternarcotics and ratified the Inter-American Convention on Mutual Assistance in Criminal Matters.

## **2. Supply Reduction**

During the first nine months of 2020, Honduran authorities claimed to have seized approximately 2.8 metric tons (MT) of cocaine, exceeding the 2.2 MT seized during the 2019 calendar year.

New vessels purchased by the Honduran Navy are not active in counterdrug operations due to lack of fuel (which also restricts proactive boarding) and an inadequate maintenance budget. In October, President Hernandez lamented Honduras' security forces limited aviation counterdrug capabilities.

The Ministry of Defense (MOD) shares vital information with U.S. authorities, but operational elements within the Honduran Navy are limited in their ability to act on this information because of resource constraints and lack of communications infrastructure.

The Communication Intercept Unit (UIC) controls judicial intercept facilities and the U.S. government works closely with vetted Honduran law enforcement units to improve access to these facilities and operations against intelligence generated. Honduran authorities executed a six-week counternarcotics operation, Operation Dominio, with U.S. entities during May and June that yielded 212 kilograms in cocaine seizures.

The MOD reported the destruction of 34 clandestine airstrips used for transshipment of narcotics during the first ten months of 2020. The revised Honduran ASL enacted in August prohibits shooting down or damaging suspected narco trafficking aircraft. The law is the first step to share radar or other information related to airborne drug trafficking with Honduran authorities. The Honduran government does not have the capacity to track all suspected drug trafficking flights without outside support.

## **3. Public Information, Prevention, and Treatment**

Public information on drug use is insufficient, but the Organization of American States' Inter-American Drug Abuse Control Commission (CICAD) reports the most commonly used drugs are marijuana, hallucinogenic mushrooms, and cocaine, and that student drug consumption levels are some of the lowest in Central America. Prevention and treatment programs are limited in both scope and geography in Honduras and the COVID pandemic affected treatment in outpatient and admitted care facilities. The Honduran Institute for Prevention of Alcoholism, Drug Addiction and Dependence, the sole government agency dedicated to countering drug dependence in youth, has insufficient resources for programming. Due to COVID, programs supported by the United States such as the Gang Resistance Education and Training (GREAT) and "I Choose My Future," which typically reach more than 100,000 students annually with information about the dangers of drugs, were not implemented.

#### **4. Corruption**

The Government of Honduras does not, as a matter of official government policy, encourage or facilitate illicit drug production or distribution, nor is it involved in laundering the proceeds of the sale of illicit drugs. However, corruption remains widespread in private and public institutions. Honduran authorities do identify and bring to justice police, military, and other government officials involved in drug trafficking and related offenses. In January 2020, the Honduran Government allowed the mandate of the OAS Mission to Support the Fight Against Corruption and Impunity in Honduras (MACCIH) to expire. The Attorney General created UFERCO, a new anti-corruption unit, but limited resources continue to be a challenge and UFERCO has yet to present any cases to courts.

#### **C. National Goals, Bilateral Cooperation, and U.S. Policy Initiatives**

The United States provides assistance to Honduras through the Central America Regional Security Initiative. The United States engages with Honduran authorities to deny drug traffickers the use of Honduran territory, increase seizures, facilitate extraditions of traffickers, support Honduras-based prosecutions, and build stronger security presence in affected areas.

Since the passage of the revised ASL, the U.S. government has been working closely with the Honduran government to create a Joint Interagency Operations Center (JIOC) to coordinate interdiction operations and information sharing between the Honduran military, police, investigators, and prosecutors. The United States will support the JIOC to equip the facility and develop necessary policies and standard operating procedures.

The United States government provides advisory and logistical support and equipment to various HNP directorates, the Public Ministry, and the military to improve Honduras' capacity to disrupt drug trafficking. U.S.-supported HNP vetted units include the Sensitive Investigations Unit, the Transnational Anti-Gang Unit, and the Transnational Criminal Investigative Unit, which address drug trafficking and other transnational criminal activity.

Honduras is a participant in the Multilateral Maritime Counter Drug Summit, which brings together over 150 maritime counter drug professionals from North, Central, and South America and Europe to foster dialogue between maritime and justice sectors representing source, transit, and destination countries.

Since 2009, the United States has provided a range of training in maritime law enforcement.

#### **D. Conclusion**

The United States continues to help build the capacity of Honduran institutions to combat drug trafficking, corruption, and other criminal issues. While the Honduran authorities demonstrated improved capacity to conduct interdictions in 2020, insufficient fuel, command and control gaps, lack of trust between military and law enforcement institutions, and limited communications capabilities hamper additional progress. Similarly, limited aviation assets hinder Honduran capabilities to locate and track aerial and maritime trafficking in their territory.

# India

## A. Introduction

India's geographic location, industrial capacity, and transportation infrastructure make it a source and transit point for illicit narcotics and precursor chemicals bound for Europe, Africa, Southeast Asia, and North America.

India has been the leading generic drug manufacturer in the world for several years, and in 2020 exported over \$19 billion of licit pharmaceutical drugs. This commercial capacity, combined with technical expertise and chemical source supplies in India, is exploited by drug traffickers to source dangerous synthetic drugs and precursor chemicals destined for markets in the United States and elsewhere.

Trafficking of pharmaceutical opioids from India is a serious drug control challenge. Billions of tablets of trafficked pharmaceutical opioids originating in India have been seized worldwide, and two fentanyl-related investigations in 2018 resulted in the closure of an illicit fentanyl lab tied to Mexican traffickers and disruption of efforts to traffic a fentanyl precursor chemical to Mexico. Through online pharmacies, non-indexed ("dark web") websites, or call centers, U.S.-based customers illegally obtain from India pharmaceutical drugs for which they do not have prescriptions. Thousands of mail shipments containing these illicit pharmaceutical drugs are sent from India to the United States each year. Commercial business-to-business websites registered in India include numerous vendors advertising a range of drugs, including fentanyl and fentanyl analogues. U.S. law enforcement agencies assess that online pharmaceutical sales, including of opioids, will continue to increase.

India is authorized to produce opium for the legal manufacture of pharmaceuticals. Opium poppy is grown illicitly in India, however, especially in the Northeast, to meet local domestic consumption demand.

Indian drug investigations frequently include efforts to determine if narcotics trafficking is funding terrorist activity. India is committed to addressing its drug-related challenges but faces resource and capacity limitations relative to its population of 1.3 billion. A lack of information technology, including integrated networks and case management software, presents additional challenges for Indian government agencies in the enforcement of their drug laws.

## B. Drug Control Accomplishments, Policies, and Trends

### 1. Institutional Development

India continues to tighten regulations to combat illicit production of controlled substances and increase the enforcement authorities of police agencies. However, inadequate training, insufficient equipment, staffing gaps, and interagency coordination challenges constrain efforts to collect and analyze data and conduct complex investigations of criminal drug manufacturing and trafficking.

Many pharmaceutical and chemical products, licitly produced in India where there are few to no controls, find their way into the illicit market in countries where those substances are regulated. For instance, Indian-produced tramadol is a major source of the tramadol that is trafficked throughout the African continent.

The Narcotics Control Bureau (NCB), under the purview of the Ministry of Home Affairs (MHA), is India's primary agency responsible for enforcing laws on narcotic drugs and psychotropic substances. It chairs a coordination committee charged with tracking all narcotics-related crimes. In late 2020, the Director General (DG) of NCB assumed the concurrent role of DG of the Border Security Forces (BSF), which also has a mandate to combat narcotics trafficking. Other agencies with a role in narcotics law enforcement include the Directorate of Revenue Intelligence (DRI), Central Bureau of Narcotics (CBN), and the National Investigative Agency (NIA).

The CBN supervises the legal cultivation of opium poppy in India. CBN is also responsible for issuing licenses required for the manufacture of synthetic narcotic drugs and psychotropic substances listed in the Narcotics Drugs and Psychotropic Substances Act (NDPS), as well as import/export authorizations for the movement of precursor chemicals and pharmaceutical drugs. CBN is the central agency authorized to interact with the International Narcotics Control Board and foreign governments in supervising international transactions of regulated substances.

India's multiplicity of national- and state-level law enforcement agencies presents coordination challenges. Poor intelligence exploitation during drug seizures sometimes constrains the ability to generate investigative leads to identify higher-level targets. Lengthy delays between drug seizures and prosecutions in India's overburdened court system also complicate effective prosecutions. A lack of comprehensive drug legislation can also impede efforts by Indian law enforcement agencies to conduct complex drug conspiracy investigations.

The Government of India has entered into bilateral agreements and memoranda of understanding with 36 countries on cooperation to reduce demand and prevent the illicit trafficking of narcotics, psychotropic substances, and precursor chemicals. India is a signatory to mutual legal assistance treaties with 41 countries, including the United States, and maintains extradition treaties with at least 50 countries, including the United States. India offers training and assistance to countries in the region.

## **2. Supply Reduction**

Indian law enforcement agencies continue to seize heroin originating from Afghanistan and trafficked through Pakistan and Iran. In January, the Police Special Task Force in Punjab seized 196 kilograms (kg) of heroin, and in August DRI seized 191 kg of heroin. Both shipments originated in Afghanistan. In June, a shipping drum containing 78 kg of methamphetamine was recovered floating in the sea by Tamil Nadu coastal police.

### **3. Public Information, Prevention, and Treatment**

There is significant pharmaceutical drug abuse in the country, compounded by the availability of over-the-counter medications. Given India's size and large population, accurate estimates of the extent, pattern, and nature of its drug problem are difficult to quantify. Commonly abused drugs in India include heroin, opium, cocaine, ephedrine, cannabis, and MDMA (ecstasy). India's Ministry of Social Justice and Empowerment and the NCB manage India's public demand reduction strategy, which promotes drug abuse awareness, education, counseling, and treatment programs. In 2020, demand reduction programs saw an increase in enrollment during the nationwide coronavirus lockdown.

### **4. Corruption**

The Government of India does not, as a matter of government policy, encourage or facilitate illicit drug production or distribution, nor is it involved in laundering the proceeds of the sale of illicit drugs. Nevertheless, some national and local government officials have been implicated in drug-related corruption. Official corruption has undermined the effectiveness of government control regimes for illicit drugs, and Indian media reports allege widespread official corruption, with bribes paid to rural police stations and local officials to ignore illicit poppy and cannabis fields under their jurisdiction. Media reports also claim that corrupt border officials have enabled the movement of heroin, pharmaceutical drugs, and precursor materials across the border.

### **C. National Goals, Bilateral Cooperation, and U.S. Policy Initiatives**

U.S.-Indian law enforcement cooperation resulted in multiple high-yield and high-value seizures in 2020. NCB, DRI, and the United States made joint arrests and seized significant amounts of narcotics. U.S. and Indian law enforcement authorities also continue to target international drug organizations based in the United States and other locations with extensive ties to India. Investigations have shown that Indian organizations have transferred proceeds from narcotics trafficking on behalf of other international drug trafficking organizations. In February 2020, India and the United States announced the establishment of a bilateral Counternarcotics Working Group, which met virtually in late November 2020. Its objective is to expand cooperation on combating the trafficking of precursors and illicit drugs, in particular synthetic opioids such as fentanyl, tramadol, and tapentadol.

### **D. Conclusion**

Increased coordination among Indian government agencies will be necessary to address India's emerging role as a global source for precursor chemicals and drugs. Global demand for illicit pharmaceutical drugs, fentanyl, methamphetamine, heroin, and other dangerous drugs has given rise to chemical entrepreneurs in India who are retooling commercial chemical factories to produce large volumes of ephedrine, methamphetamine, and other drugs illicitly. As global demand for synthetic drugs continues to grow, illicit manufacturing and trafficking networks in India will also increase.



# Indonesia

## A. Introduction

As a transit and destination point for illicit narcotics, the Indonesian archipelago struggles with the maritime interdiction and border control issues inherent in policing more than 17,000 islands. The primary drug abused by Indonesians and seized by law enforcement is crystal methamphetamine. Middle Eastern organizations producing methamphetamine in the Pakistan-Afghanistan border region transport the product via small wooden vessels with Iranian national crews; Chinese organizations producing methamphetamine in Burma transport the drugs through Malaysia into Indonesia. Additionally, these global organizations use Indonesia as a significant transit point for methamphetamine destined for Australia and New Zealand. Indonesia is also a significant market for ecstasy, most often sourced from China or the Netherlands. Cannabis is primarily grown in northern Sumatra and other parts of Indonesia for domestic consumption.

An emerging trend during the COVID-19 global pandemic is the sale of small amounts of narcotics on social media accounts, such as Instagram, for individual use. The Indonesian Government, including the Anti-Narcotics Agency (BNN) and Indonesia National Police (INP), continued efforts to investigate, disrupt, interdict and prosecute crimes related to illicit narcotics in 2020.

## B. Drug Control Accomplishments, Policies, and Trends

### 1. Institutional Development

The central government had initially planned to increase BNN's budget by 6.24 percent this year; however, due to COVID-19, the budget was cut by 4.11 percent, resulting in a final budget of \$11,241,379. In September 2020, the head of BNN, Heru Winarko, went before the Indonesian congress and secured an 8 percent increase for BNN's 2021 budget.

In May, BNN received high marks for its annual financial audit by the Indonesia supreme audit agency (BPK); in response to the minor recommendations suggested by BPK, BNN issued internal regulations regarding the processing of petty cash and encouraging the use of government credit cards instead of cash transactions.

BNN is actively maintaining and building relationships with international partners including the United States that share similar views regarding the global challenge posed by the drug trade, the threat of New Psychoactive Substances (NPS), and the importance of reducing demand by supporting drug rehabilitation programs.

### 2. Supply Reduction

Between January and September 2020, BNN investigated 43 narcotics cases resulting in the seizure and destruction of 601.77 kilograms (kg) of crystal methamphetamine, 193,133 MDMA pills, and 1.61 tons of cannabis. In March, following a raid in Jakarta, BNN seized 62.28 liters of liquid precursor and 6.81 kilograms (kg) of powder precursor. As a result of joint

investigations involving several different law enforcement agencies in Aceh and North Sumatra, Indonesian authorities destroyed six hectares of cannabis, the equivalent of 11 metric tons of marijuana.

BNN continued to provide recommendations to the Ministry of Health on measures to control NPS; as of October 2020, 73 different NPS were identified as illegal by the Government of Indonesia and regulated by the Ministry of Health.

BNN is continuing its initiative to support alternative income sources for local communities to discourage involvement in drug distribution and encourage participation in legal economic opportunities. “Developing Entrepreneurship” is the focus of 2020. For example, in North Sumatra, BNN is cooperating with a local company to conduct a series of trainings on red ginger farming.

### **3. Public Information, Prevention, and Treatment**

Narcotics law no. 35 (2009) provides detailed guidance on drug user rehabilitation versus criminalization; an updated list of narcotics; and the establishment of drug courts.

Under presidential instruction, Indonesian standardized certification for rehabilitation providers at the end of 2019. Three agencies in Indonesia issue rehabilitation certifications -- BNN, Ministry of Health, and Ministry of Social Affairs. The three agencies agreed to certify 138 providers in 2020. Although each agency has its own standard, this new certification requires all rehabilitation providers provide the same basic services.

### **4. Corruption**

The Indonesian government does not, as a matter of government policy, encourage or facilitate illicit drug production or distribution, nor is it involved in laundering the proceeds of the sale of illicit drugs. However, corruption at all levels of government and society continues to be endemic and undermines the country’s counternarcotics efforts. Nevertheless, Indonesia made some progress in 2020 in combating official corruption. On July 26, BNN signed a Memorandum of Understanding with 12 Indonesian ministries and government agencies to launch an online complaint platform to report government officials suspected of drug abuse, drug trafficking, or other illicit drug activities. Notable signatories to the MOU include INP, the Ministry of Interior, and Ministry of Defense.

The local press reported on several cases of police involvement in drug trafficking. In West Java, two police officers were sentenced to death for their involvement in trafficking 37.9 kilograms of crystal methamphetamine. In Riau, INP convened a press conference to reveal a senior police official in the region had allegedly been involved in trafficking 16 kg of crystal methamphetamine.

### **C. National Goals, Bilateral Cooperation, and U.S. Policy Initiatives**

Information provided by the United States contributed to a number of significant narcotics seizures in 2020, including specific intelligence provided to INP regarding a Middle Eastern organization sending multiple dhow vessels from Pakistan to Indonesia. As a result of the intelligence provided, INP seized a total of 1,200 kg of crystal methamphetamine and arrested four Indonesian nationals. Although there are no bilateral mutual legal assistance or extradition treaties between Indonesia and the United States, Indonesia does cooperate to some extent. For example, Indonesia's domestic extradition law provides for the possibility of extradition of non-Indonesia citizens with the approval of the President. Indonesia can also rely on various multilateral treaties as a basis for mutual legal assistance.

Under a maritime cooperation agreement between the United States and Indonesia, the United States support training activities with the Indonesian Maritime Security Agency and the Indonesian Sea and Coast Guard (KPLP) on maritime law enforcement.

Before the COVID-19 global pandemic brought a halt to in-person trainings and workshops, the United States and Indonesia collaborated to provide a three-week course at the BNN training academy in December 2019. As a sign of the deepening U.S.-Indonesia collaboration on counternarcotics, BNN provided the classroom space and overnight accommodations for 40 participants. A second multi-week course on dark web training brought together officials from BNN, INP, and the Indonesian Maritime Security Agency (Indonesia's Coast Guard equivalent) to facilitate interagency coordination that included interdicting drugs at sea. During the months of October and November, Indonesian Customs officers received virtual training on cargo risk analysis and targeting to best identify narcotics and other illicit shipments in the cargo environment. In January 2020, a U.S.-funded workshop entitled "Senior Officials Meeting on Littoral Border Management and Maritime Law Enforcement to Counter Emerging Maritime Crime" included representation from BNN.

The United States and Indonesia also cooperate in the area of drug demand reduction. With the challenge posed by COVID-19, the United States is funding a new United Nations Office on Drugs and Crime project that will build the capacity of Indonesian agencies to provide telehealth support for drug abuse victims.

### **D. Conclusion**

Despite the efforts of the Indonesian government, demand for illicit narcotics is believed to be growing in Indonesia. Indonesia's commitment to reducing drug consumption and enforcing its drug control laws remains firm. The United States will continue to support Indonesian law enforcement efforts to disrupt the international drug trade, particularly in the maritime arena, while also helping Indonesia embrace a wide range of interventions aimed at reducing drug use and associated problems.

## Iran

Iran is a significant transit and destination country for opiates and cannabis products, the vast majority originating in Afghanistan. Significant volumes of methamphetamine are also produced and consumed within Iran, as well as trafficked to international markets. Most opiates and cannabis products are trafficked into Iran across its land borders with Afghanistan and Pakistan. Drug supplies transiting Iran funnel primarily through Iran's northern border to Turkey and Azerbaijan, as well as by maritime conveyance from Iran into Eastern Africa, for further transshipment to international markets. An estimated 9,000 metric tons of drugs pass through Iran annually, according to Iranian press reports.

Iran's Drug Control Headquarters (DCHQ) is the country's leading drug policy coordination body and reports directly to the country's president. The Law Enforcement Force (LEF) comprises the country's uniformed police units, including the Anti-Narcotics Police and border interdiction forces. The Iranian government recognizes that illicit drug consumption is a serious challenge. DCHQ authorities estimate that 2.8 million people regularly use some form of illicit drug within the country. Iranian authorities also believe there could be more than 1.4 million additional unidentified addicts in Iran. Opium is the most widely-used illicit drug in Iran, according to Iranian authorities, followed by cannabis products and methamphetamine (known locally as "shisheh," or "glass"). The majority of the government's counternarcotics efforts traditionally have gone toward interdiction and law enforcement initiatives.

Regarding demand reduction, Iran closed a number of addiction treatment centers during the beginning of the COVID-19 outbreak. According to Tehran's welfare services office, this resulted in 12,000 individuals with substance use disorders returning to the streets. In April 2020, Tehran launched a campaign to house addicted individuals in reopened rehabilitation centers.

The UN Office on Drugs and Crime maintains a field office in Tehran that provides some training and capacity support to Iranian authorities, including on demand reduction, drug interdiction, and forensic analysis of drug seizures. Iran maintains liaison relationships with some neighboring countries, but operational cooperation on investigations appears limited. According to Iranian authorities, the government spends over \$700 million a year on border control. Drug control cooperation between Iran and European states has been limited partially due to concerns over the Iranian government's widespread application of the death penalty for drug offenses.

# Jamaica

## A. Introduction

Jamaica is the largest Caribbean source country of marijuana and a transit point for cocaine trafficked from South America to North America and other international markets. Traffickers also export Jamaican-grown marijuana to other Caribbean countries in return for illicit firearms and other contraband. Jamaica's geographic position in the western Caribbean, its difficult to patrol coastline, high volume of tourist travel, and status as a major containerized cargo transshipment hub contribute to its use for drug trafficking.

The U.S. and Jamaican governments use bilateral legal assistance and extradition treaties, as well as agreements on maritime law enforcement cooperation, sharing intercept information, and sharing forfeited assets.

Jamaica's drug control efforts face significant challenges from corruption, organized crime, gang activity, resource constraints, and an inefficient criminal justice system. For example, criminal gangs in Jamaica and Haiti engage in a thriving "guns for ganja (marijuana)" enterprise in which, for example, Jamaican criminals use marijuana for currency with which to obtain guns or other contraband from criminal entities in Haiti.

## B. Drug Control Accomplishments, Policies, and Trends

### 1. Institutional Development

Cooperation between the United States and Jamaica against illicit drugs and related transnational crime is strong. The Jamaica Defense Force (JDF) Coast Guard is responsible for maritime law enforcement, while the Jamaica Constabulary Force (JCF) is the primary agency responsible for drug enforcement on land. The Jamaican government's use of its fixed-wing intelligence, surveillance, and reconnaissance aircraft led to increased drug interdictions in 2020. Jamaica's efforts to bring traffickers to justice are hobbled by an under-resourced and overburdened judicial system. Repeated delays and trial postponements contribute to significant case backlogs leading to impunity for many offenders. In response, the Jamaican government, with U.S. government support, has made progress towards combating the backlog of court cases to provide more timely justice.

The United States and Jamaica are bilateral parties to both a mutual legal assistance treaty and an extradition treaty. The United States and Jamaica shared intelligence and also made use of a reciprocal agreement to share forfeited criminal assets and a bilateral agreement on law enforcement cooperation on maritime interdiction of illicit traffickers, including boarding of suspicious vessels and embarkation of law enforcement officials on the other country's ships. In 2020, the U.S. and Jamaican governments continue to finalize a bilateral customs mutual assistance agreement, which would provide a legal framework for the exchange of trade information between U.S. and Jamaican customs agencies to target the flow of drugs, guns, and other contraband through U.S. and Jamaican ports of entry.

## **2. Supply Reduction**

According to the JCF, authorities seized .067 metric tons (MT) of cocaine over the first nine months of 2020. Jamaican authorities seized 1.63 MT during the same period in 2019, due to a large seizure in July 2019 of 1.2 MT. Cocaine seizures at or near the Port of Kingston indicate large shipments reach Jamaica via commercial shipping containers from South America. Cocaine also reaches Jamaica via small “go-fast” watercraft from Central and South America. After reaching Jamaica, some cocaine shipments are transshipped in containers through the Port of Kingston onto vessels bound for the United States and other international markets or are divided for outbound shipment concealed in luggage, air freight, and human couriers.

According to police data, during the first nine months of 2020, Jamaican authorities, supported by the United States, eradicated 253 hectares (ha) of cannabis plants (compared to 215 ha in 2019) and seized approximately 26 MT of cured marijuana, compared to 24 MT in 2019. Traffickers smuggle Jamaican-grown marijuana out of the country via commercial shipping and small watercraft. Small fishing vessels and speedboats carry marijuana to Central America, Haiti, the Cayman Islands, and The Bahamas. Police and customs officials also target marijuana shipments smuggled via commercial shipping directly to the United States.

Jamaica prohibits the manufacture, sale, transport, and possession of MDMA (ecstasy) and methamphetamine and regulates the precursor chemicals used to produce them. There were no reports of synthetic drugs or precursor chemicals produced or trafficked in Jamaica in 2020. U.S. law enforcement agencies work closely with Jamaican police and customs officials to develop leads, share information, and facilitate interdiction of drug shipments originating in or transiting through Jamaica. In the first nine months of 2020, 472 persons were arrested for drug crimes.

## **3. Public Information, Prevention, and Treatment**

Jamaica has a draft national drug control strategy that has yet to be finalized. The latest household study from 2016 found that 28 percent of the population (12-65 years) had used marijuana at some point in their lifetime and the latest secondary school survey (2017) found that the average age of first time substance use is 12-13 years old. The Ministry of Health’s National Council on Drug Abuse provides assessment, counseling, and treatment services for substance abusers and conducts prevention programs for targeted populations such as children and parents. In 2020, NCDA launched a public education media and print campaign to discourage substance abuse particularly during the COVID-19 pandemic and increase awareness of drug treatment services. The Jamaican government operates one detoxification center and offers services at Kingston’s Bellevue Hospital (a mental health institution). Drug treatment remains underfunded and under resourced. Significant partnerships include the United States, Organization of American States, European Union, World Health Organization, UN, and the Caribbean Community.

#### **4. Corruption**

As a matter of policy, the Jamaican government does not encourage or facilitate illegal activity associated with drug trafficking or the laundering of proceeds from illicit drug transactions. Jamaican law penalizes corruption, but in practice, corruption remains entrenched and widespread, even among senior government officials, and the judicial system has a poor record in the prosecution of corruption cases against law enforcement and government officials. Corruption at Jamaica's airports and seaports facilitates the movement of drug shipments across borders, and organized crime leaders have historically had ties to government officials.

#### **C. National Goals, Bilateral Cooperation, and U.S. Policy Initiatives**

The U.S. and Jamaican governments coordinate closely on shared priorities related to illicit drug control, including investigative capacity, customs cooperation, maritime security, and support to the judicial system.

The United States supports a wide range of efforts designed to address crime and violence affecting Jamaican citizens, primarily through the Caribbean Basin Security Initiative (CBSI). CBSI is a security partnership between the United States and nations of the Caribbean that seeks to reduce illicit trafficking, advance public safety and security, promote social justice, and prevent youth crime and violence. CBSI support to Jamaica includes training, equipment, and logistical assistance for interdicting illicit drugs and trafficked firearms and for combating money laundering, financial fraud, and other organized crime.

The U.S. government has supported the JCF's Narcotics Division and the JDF's Military Intelligence Unit and Coast Guard with equipment and training. The United States also funds projects to improve the effectiveness of prosecutors and the courts.

#### **D. Conclusion**

Cooperation between Jamaica and the United States related to drug trafficking and transnational crime continued to be strong in 2020. Significant progress against drug trafficking will depend on efforts to target high-level drug traffickers, combat corruption, increase extraditions, finalize and implement a national drug strategy, and strengthen the judicial system so drug traffickers are held criminally accountable.

# Kazakhstan

## A. Introduction

Kazakhstan is a transit country for Afghan opiates destined for Russia and Europe. Heroin seizures in the country have declined for the past five years, suggesting a possible reduction in the flow of opiates through the country. The synthetic drug market continues to expand, although the COVID-19 pandemic decreased the availability of illicit drugs in Kazakhstan, with supplies of all drug types significantly reduced during the height of strict nationwide limitations on internal and external travel that were in place for much of the period from March to August 2020.

China and Russia are the sources for most synthetic drugs sold in Kazakhstan. The number of clandestine laboratories in the country producing synthetic drugs increased in 2020, which may have been due to the limited supply of imported finished product. In 2020, the use of synthetics drugs surpassed traditional drug use in Kazakhstan.

## B. Drug Control Accomplishments/Policies and Trends

### 1. Institutional Development

Kazakhstan's National Security Strategy outlines the country's counternarcotic goals. The country implements drug demand reduction and treatment in accordance with its National Healthcare Strategy for 2020-2025. Kazakhstan has adequate laws and resources to confront drug trafficking, although it continues to seek assistance to combat sales over the internet. In 2020, legislation came into effect increasing the penalties for advertising illicit drugs online (commonly done via graffiti on electronic walls) and distributing illicit drugs through online sales.

The COVID-19 pandemic significantly decreased drug availability in Kazakhstan due to border closures and restrictions on movement within the country, causing a spike in prices. The pandemic also resulted in fewer people seeking drug abuse treatment. During the lockdown, non-government organizations (NGOs) that provide services for addicts noted a substantial increase in requests for assistance for alcohol abuse.

Anecdotal information suggests that heroin use in Kazakhstan is declining. One NGO reported not having treated a heroin addict in either 2019 or 2020. However, the number of people addicted to synthetic drugs is increasing, while the age of drug users decreases. Users and traffickers in Kazakhstan increasingly use the as a source for illicit drug transactions.

Kazakhstan has a mutual legal assistance agreement with the United States. Although there is no bilateral extradition treaty between Kazakhstan and the United States, Kazakhstan is able to extradite non-Kazakh nationals pursuant to its domestic laws.



## 2. Supply Reduction

During the first nine months of 2020, law enforcement in Kazakhstan seized six kilograms (kg) of heroin compared to 84 kg for the same period in 2019, 505 kg of hashish compared to 593 kg in 2019, and six metric tons (MT) of marijuana compared to seven MT in 2019.

Total seizures of all synthetic drugs for the first nine months of 2020 were 240 kg compared to 23 kg in 2019. The seizures included a-PVP, ephedrine, methamphetamine, and MDMA (ecstasy). The number of clandestine drug manufacturing laboratories seized increased from seven in 2019 to 21 in the first nine months of 2020. Seizures of precursor chemicals also increased from 1.5 MT in 2019 to 2.7 MT during the same period. Synthetic drugs are trafficked from Southeast Asia, China, Russia, and Europe, and precursor chemicals to supply clandestine laboratories are generally shipped from Russia.

Once coronavirus restrictions lifted in August, drug supplies returned to pre-lockdown levels. In addition to locally produced and imported synthetic drugs, users buy pharmaceuticals like tramadol or the eye drops tropicamide (a pupil dilator used in eye exams and also often used in conjunction with heroin), since in some areas of the country heroin is difficult to find.

The types of drugs used are often a function of the age of the user, with adolescents using pharmaceutical drugs like tramadol and adults under 30 using amphetamines and other synthetic drugs. Older individuals generally use cannabis, hashish, and heroin, and convert poppy seeds into a cheap and low-grade heroin. Seventy to eighty percent of drug users are male, with the percentage higher in older age groups.

## 3. Public Information, Prevention, and Treatment

The Ministry of Internal Affairs (MIA), working with the Ministry of Health, Ministry of Education and Science and NGOs conducted 9,000 drug demand reduction events in 2020, reaching over 500,000 young people. MIA also collaborated with UNODC to continue a pilot prevention program aimed at children aged 10 to 14.

With support from the U.S. government, the Community Anti-Drug Coalition of America is piloting a community based anti-drug program in four regions of Kazakhstan. The United States also supports a drug use survey to identify patterns of abuse. The survey will be a tool for the government and donor countries to determine where demand reduction resources are most needed.

NGOs and treatment centers reported a decrease in consumption of all drug types from March to August 2020, during the height of the pandemic when the government closed borders and restricted movement within the country.

Residential drug abuse treatment is available in Kazakhstan through government and non-governmental organizations. Kazakhstan has started a primary care physician program in which the doctor may prescribe outpatient treatment or referrals to other appropriate services. The government provides methadone maintenance.

#### **4. Corruption**

The Government of Kazakhstan does not, as a matter of government policy, encourage or facilitate illicit drug production or distribution, nor is there any evidence that senior officials are engaged in laundering the proceeds of the sale of illicit drugs. During the first nine months of 2020, two Kazakhstani law enforcement officers were charged with soliciting bribes in drug-related cases. Also during the year, the government announced its intention to increase penalties for corrupt members of the criminal justice system.

#### **C. National Goals, Bilateral Cooperation, and U.S. Policy Initiatives**

Kazakhstan is committed to continuing drug demand and supply reduction efforts and strengthening international cooperation. U.S.-funded programs aim to improve Kazakhstan's capacity to combat drug trafficking and reduce drug demand. The United States supports counternarcotics capacity building with a focus on strengthening analytical capabilities and countering drug-related money laundering. The United States also supports efforts to strengthen Kazakhstan's border interdiction abilities through behavior analysis training, detection of fraudulent documents, the provision of non-intrusive scanning equipment, and kennels for law enforcement canines.

#### **D. Conclusion**

Despite the pandemic, the Kazakhstan government remains open to drug control cooperation with international partners, including the United States, and is taking steps to combat existing and emerging public health and national security threats posed by transnational crime and addiction. Challenges remain, however, including the use internet sites beyond Kazakhstan's borders by both drug traffickers and users. To address these challenges, Kazakhstan must address the issue of synthetic drugs in cooperation with other countries in the region.

# Kenya

## A. Introduction

Kenya is a transit country for a variety of illicit drugs, including heroin and cocaine, and domestic drug consumption is growing within the country. Precursor chemicals used to produce methamphetamine and other illicit drugs also transit Kenya. Kenya grows cannabis and miraa (khat) domestically for both local use and export.

Heroin originating from Southwest Asia enters Kenya both from direct shipping across the Indian Ocean via south Asia and, increasingly, from countries to the south, such as Tanzania and Mozambique. Most of the heroin entering Kenya is destined for international markets, principally Europe. Domestic heroin abuse is a growing concern in Kenya, especially along the coast and in the main port city of Mombasa. Cocaine enters Kenya primarily via transshipment through Ethiopia from South America.

Kenya recognizes the threat the illegal drug trade represents and is taking steps to increase control of its territorial waters, with regional neighbors. This includes focusing on the capacity building and professionalization of the Kenya Coast Guard Service (KCGS), increased cooperation with regional maritime security bodies including the Djibouti Code of Conduct, and drafting a Maritime Security Strategy. Increased enforcement and preventive measures in Kenya have in recent years pushed maritime drug transport to the south, toward Tanzania, Mozambique, and beyond.

## B. Drug Control Accomplishments, Policies, and Trends

### 1. Institutional Development

Kenya continues to successfully target traffickers operating within Kenya. Its primary narcotics enforcement agency, the Anti-Narcotics Unit, is seen as the leading agency in drug law enforcement in East Africa.

The Kenya government has supported anti-narcotics efforts by increasing the number of officers assigned to special narcotics units and supporting laws to enhance investigative capabilities. Kenya's judiciary and justice sector require further strengthening to effectively prosecute drug trafficking. International assistance, including from the United States, targets improvements in plea bargaining, alternative sentencing, and case management to speed up judicial proceedings and encourage low level cooperation in advancing major drug trafficking investigations.

### 2. Supply Reduction

Kenya law enforcement continued efforts in 2020 to reduce the supply of drugs entering Kenya. In July, in cooperation with U.S. authorities, Kenyan law enforcement arrested an international trafficker of wildlife and heroin currently under indictment in the United States. During the first nine months of 2020, the Anti-Narcotics Unit seized approximately 18 kilograms of heroin and approximately two metric tons of cannabis, along with trace amounts of cocaine,

methamphetamine, ketamine, and rohypnol. Authorities seized approximately \$255,000 in property (vehicles) and cash linked to suspected drug trafficking.

### **3. Public Information and Treatment**

Law enforcement, health officials, and leading politicians have recognized the danger posed to the public of increasing use of illicit narcotics. In the October publication of a government reform project called the Building Bridges Initiative, the government proposed harmonizing existing narcotics control laws with demand reduction laws to increase attention to mental health. The National Authority for Campaign against Alcohol and Drug Abuse (NACADA) is a national demand reduction organization focused on educating Kenyan citizens on the dangers of drug and alcohol abuse. In September, NACADA published “Teacher’s Guide 2020” as a resource for Kenyan educators to spot and address addiction in students, as well as a “Parents Guide 2020” for families.

### **4. Corruption**

Kenya does not, as a matter of government policy, encourage or facilitate illicit drug production or distribution, nor is it involved in laundering the proceeds of the sale of illicit drugs. Nevertheless, drug trafficking is both a source and a driver of corruption in Kenya, particularly official corruption. Endemic corruption is an important factor constraining Kenya’s progression to good governance, development, and regional leadership in Africa. Both Kenyan and international media highlight the role of gang activity in supporting the drug trade in the port city of Mombasa, reportedly with the complicity of low-level law enforcement.

The government has made some efforts to combat the problem, including continued support to the Internal Affairs Unit of the National Police Service, which targets narcotics-related corruption in police ranks. Kenya’s National Ethics and Anti-Corruption Commission also maintains oversight of drug-related corruption. Kenyan law enforcement conducts investigations on corrupt officials directly or indirectly involved in drug-related crimes (such as money laundering or obstruction of justice), as well as supporting U.S. investigations. In January President Kenyatta reiterated his commitment to fight corruption in Kenya, but in June and July the government came under severe public criticism for alleged diversion of international aid related to the COVID-19 pandemic.

### **C. National Goals, Bilateral Cooperation, and U.S. Policy Initiatives**

The Government of Kenya remains committed to countering the flow of drugs through and within its territory, and its efforts have had some impact in diverting traffickers to less restrictive neighboring countries. With U.S. support, the Kenyan government is expanding its liaison and communication with drug and border enforcement authorities in East Africa and undertaking assessments of its border security capacity and capability to combat trafficking of illegal drugs and other goods. The United States continues to assist the Kenyan government in expanding the use of plea bargaining and alternative sentencing in drug-related cases to facilitate the investigation and prosecution of transnational narcotics networks.

The United States also bolstered Kenya's maritime capability in 2020 by agreeing to provide training to the Kenyan Coast Guard Service to improve its ability to effectively patrol its coastal areas, with future ambitions to increase activity and effectiveness on Kenya's inland waterways, principally Lake Victoria and Lake Turkana.

The United States remains committed to continued bilateral cooperation with Kenya to counter drug trafficking. Kenya remains receptive to U.S. mentoring programs and continues to support U.S. drug trafficking investigations on a regular basis. The United States has helped Kenya establish a specialized drug investigative unit and will continue to provide advanced training and mentoring to this unit.

Extradition between Kenya and the United States is governed by the 1931 U.S.-U.K. Extradition Treaty. There is no bilateral mutual legal assistance treaty between Kenya and the United States, though both countries are parties to various multilateral conventions with provisions for assistance.

#### **D. Conclusion**

Kenya's geographic position in the Western Indian Ocean and major international air transit location makes it an attractive target for narcotics traffickers moving drugs from Asia and Latin America to Europe and the Arabian Peninsula, and the growth of illegal drug abuse within the country, especially in coastal areas, is a concern. The Government of Kenya and civil society emphasize vigilance against the drug threat, publicly reject the illicit narcotics trade, and support demand reduction and mental health efforts, but official corruption is a major factor in the effectiveness of all Kenyan government endeavors. International partners view Kenya as a strong potential partner and prioritize improving Kenyan control over the maritime environment in the Western Indian Ocean and regional integration of law enforcement and border forces to better combat transnational networks. Kenya has been a leading and willing partner in this effort.

# Kyrgyz Republic

## A. Introduction

The Kyrgyz Republic's geographic location, limited resources, and weak criminal justice system make it a prime transshipment location. The Kyrgyz Republic lies along a significant transit route for illegal drugs moving north from Afghanistan to Russia, and then sometimes into Europe. Illicit drugs are often smuggled into the country from Tajikistan across un-demarcated borders. Information on drug use in the Kyrgyz Republic is not readily available, but it is believed that drug use is a growing problem.

The Counter Narcotics Service (CNS) under the Kyrgyz Ministry of Interior (MOI) is responsible for countering illicit trafficking of narcotic drugs, psychotropic substances, and their precursors. The Ministry of Health has oversight over the legal use of narcotic drugs for medical purposes. The Kyrgyz Republic has shown a commitment to fighting drug use. CNS enhanced international and inter-agency cooperation mechanisms for countering illicit drug trafficking by signing a cooperation agreement with the Afghan Ministry of Interior (MOI). Domestically, the Kyrgyz Republic continues to work on identifying new types of psychoactive substances, coordinating law enforcement activities to improve drug interdiction, and improving border controls.

## B. Drug Control Accomplishments, Policies, and Trends

### 1. Institutional Development

The Kyrgyz Republic implements its 2014 National Anti-Drug Program and Action Plan to counter drug use and crime in the country. Plans to adopt a new action plan in 2020 were delayed due to a political crisis related to the now annulled October 4 parliamentary elections. In June, the former CNS Head died due to COVID-19 and Bakyt Matmusaev was appointed in his stead. In October 2020, CNS opened a new U.S.-funded Analytical Center to assist in more effectively identifying new psychoactive substances. Officers received training on mapping and intelligence software to improve their abilities to track and locate illegal drugs.

The Kyrgyz Republic is a member of the Central Asia Regional Information and Coordination Center (CARICC), which is mandated to promote regional information sharing and cooperative operations to combat transnational drug trafficking.

The Kyrgyz Republic does not have an extradition agreement or mutual legal assistance agreement with the United States. However, it is a signatory to multilateral legal instruments that can be used to facilitate cooperation, such as the repatriation of \$4.5 million from the United States.

### 2. Supply Reduction

In February 2020, CNS conducted a special operation aimed at identifying and suppressing illicit drug supply channels from Afghanistan. In total, the CNS seized 280 kilograms (kg) and 620

grams of narcotic drugs, valued at \$2.5 million. Former CNS Director Zapolskii said this operation was the most significant in twenty years, and that it was only possible with U.S. cooperation and support.

In the first eight months of 2020 compared to 2019, there was an increase in detecting drug-related crimes, but fewer seizures. Law enforcement registered 640 drug-related criminal cases, an increase from 436 in 2019. Law enforcement seized 523 kg of illicit drugs, including psychotropic substances and precursor chemicals, a decrease from 16,000 kg in 2019. MOI's press service reported the seizure of 10 kilograms of cannabis, 321 kg of precursor chemicals, 1.7 kg of heroin, three kg of opium, 103 kg of hashish, and 83 kg of marijuana.

### **3. Public Information, Prevention, and Treatment**

The United States supports the Kyrgyz Republic through advocacy programs that are aimed at improving access to quality drug prevention and treatment services. These programs include organizing high-level advocacy meetings, supporting technical expert groups, reviewing policy and legal documents, and building the capacity of health care workers and civil society organizations to assist key populations.

According to the report "New Psychoactive Substance Use in the Kyrgyz Republic Research Results" released by the Swansea University Law School & Eurasian Harm Reduction Association, consumers of new psychoactive substances (NPS) in the Kyrgyz Republic lack information on the dangers of NPS use and educational resources. Drug demand reduction programming is lacking in television and in schools. Young people are increasingly using NPS because they are relatively cheap and accessible online. According to the 2019 Global Summary of Findings of an Assessment of HIV Services Packages for Key Populations in Six Regions of the Global Fund, the Kyrgyz Republic has an estimated 26,700 people who inject drugs.

### **4. Corruption:**

The Kyrgyz Republic government does not, as a matter of government policy, encourage or facilitate illicit drug production or distribution, nor is it involved in laundering the proceeds of the sale of illicit drugs. However, there are instances of corruption among law enforcement agencies and politicians in aiding the transport of drugs. Authorities commonly claim that eliminating corruption is a high priority, but only a small number of suspected high-level officials, including ex-Presidents and Prime Ministers, have resigned, been dismissed, or been arrested due to corruption accusations. The Kyrgyz Republic passed new criminal legislation in 2019 and adopted a new anti-corruption strategy in September 2020. While Kyrgyz law provides criminal penalties for public officials convicted of corruption, the government does not implement the law effectively. The payment of bribes to avoid investigation or prosecution is problematic at all levels. Likewise, law enforcement officers, particularly in the southern part of the country, employ arbitrary arrest, detainee abuse, and the threat of criminal prosecution to extort cash payments from citizens.

Anti-corruption functions are fragmented among several bodies. The anticorruption branch of the State Committee for National Security (GKNB) is empowered to investigate corruption of

high level officials. The State Service for Combatting Economic Crimes (Financial Police) is empowered to investigate corruption in economic areas. The Prosecutor General's Office is empowered to file corruption cases against state officials.

### **C. National Goals, Bilateral Cooperation, and U.S. Policy Initiatives**

United States policy objectives in the Kyrgyz Republic are to strengthen the existing capacity of law enforcement bodies, expand their ability to investigate and prosecute criminal cases, enhance anti-corruption efforts, and increase overall security in the country. U.S. assistance to the CNS to improve their analytical abilities via training on mapping and intelligence software concluded in October 2020.

There has been little engagement from the Kyrgyz MOI, the State Customs Service, or the State Border Service in countering narcotics trafficking. A proposed memorandum of cooperation between the MOI and the United States designed to replace the previous memorandum stalled in the approval process.

### **D. Conclusion**

The Kyrgyz Republic's location makes it a prime candidate for stockpiling drugs, particularly from Afghanistan, that can then be shipped to Kazakhstan, Russia, and the European Union's border without further customs checks. The CNS lacks capacity to effectively address drug smuggling, but shows willingness to work with international partners to improve their performance. The Prosecutor General's Office is also interested in working with partner countries to arrest and extradite drug smugglers as well. Sources in the MOI believe it is impossible to stop the flow of drug trafficking along non-demarcated borders until Kyrgyz, Uzbek, and Tajik authorities bring an end to border conflicts and demarcate the border. Tackling corruption and transnational crime syndicates while demarcating borders could help reduce the amount of drugs trafficked from Afghanistan.



# Laos

## A. Introduction

Laos shares approximately 3,000 miles of porous land and riverine borders with Burma, Thailand, China, Cambodia, and Vietnam. Its Bokeo Province forms part of the “Golden Triangle,” a notorious drug production and transit area. Although infrastructure is underdeveloped in much of the country, recent improvements in regional transport infrastructure have increased opportunities for drug trafficking.

Overall opium cultivation in Laos has declined in recent years, but Laos remains a source country of illicit opium cultivation and a significant transit hub for other illicit drugs, particularly amphetamine-type stimulants (ATS) and chemical precursors used in their production. Most of the opium grown in Laos is destined for export and refinement into heroin, with only a small percentage consumed in Laos. Laos is not a significant source of opiates trafficked to the United States. Over the past five years, opium poppy cultivation has decreased by an average 300-400 hectares (ha) per year, with the Lao Bureau for Drug Control and Supervision (LBDC) estimating 4,925 ha of opium poppy cultivated in Laos in 2018. Due to COVID-19, there was not an opium poppy survey in 2020 for the year 2019; thus, more recent data is not yet available.

ATS production within Laos seems to be limited, but seizure data indicates Laos is increasingly a transit country for large volumes of ATS, heroin, and chemical precursors from China used in the production of drugs. This has likely fueled a rise in the use of drugs, but there is limited data in the absence of a comprehensive drug use survey.

## B. Drug Control Accomplishments, Policies, and Trends

### 1. Institutional Development

The top policy-making body for drug control in Laos is the National Steering Committee to Combat Drugs, chaired by the prime minister. LBDC and the Counternarcotic Police Department (DCD), which fall under the Ministry of Public Security, are the main coordinating bodies for drug-related law enforcement activities. DCD is organized into 18 provincial Counter Narcotics Units (CNUs), one for each province and Vientiane Capital. Laos does not have a bilateral extradition or a mutual legal assistance agreement with the United States, though Laos has acceded to multilateral conventions that enable such cooperation. While the Lao are receptive to training opportunities, bilateral cooperation with the United States on international drug trafficking investigations has been limited due to limited U.S. law enforcement presence in country.

### 2. Supply Reduction

Laos has increased cooperation with neighboring countries to develop a collective response to narcotics production, trafficking, and use in the region. It has joined other Association of Southeast Asian Nations (ASEAN) member states in adopting the ASEAN Cooperation Plan to Tackle Illicit Drug Production and Trafficking in the Golden Triangle. The plan represents a

concerted effort to reduce drug trafficking and production in the Golden Triangle area and builds on the Safe Mekong Joint Operation Project, which began in 2013, and the ASEAN Work Plan on Securing Communities Against Illicit Drugs (2016-2025). Members of the Safe Mekong project – China, Laos, Thailand, Vietnam, Burma, and Cambodia – focus on cooperation to combat drug trafficking in the Golden Triangle area.

According to Lao drug control authorities, seizures of illicit drugs for the first six months of 2020 included the following: 6,137,287 tablets of ATS, 1,891 kilograms (kg) of crystal methamphetamine, and 351 kg of heroin. During this same period, DCD investigated 1,749 drug cases and arrested 2,438 people, including 66 foreign nationals. Statistics for the second half of the year were not available at the time of this report.

In 2016, the United States launched a three-year, \$1.5 million alternative development program with the UN Office on Drugs and Crime (UNODC) in Houaphanh province and, in 2020, the United States provided additional funding to the project, which teaches former opium poppy farmers to develop and sustain coffee plantations. In 2018, the United States signed a Letter of Agreement (LOA) with the Lao Department of Customs focused on improving border security and disrupting the flow of illicit substances into Laos and, in 2019, the United States added an additional \$5.4 million to the LOA.

### **3. Public Information, Prevention, and Treatment**

The current Lao government, led by Prime Minister Thongloun Sisoulith, has made combating illicit drugs a top priority, and the government has increased efforts to raise awareness of the risks and negative consequences of illicit drugs through mass media. Lao authorities believe ATS use is concentrated among Laos' youth, mostly consumed as “yaba,” a mixture of methamphetamine and caffeine that is inexpensive and readily available. The Lao government estimate of 40,000 consumers likely underestimates usage.

Government drug treatment facilities lack resources to provide evidence-based treatment and post-discharge follow-up. To support demand reduction, the United States advocates the adoption of community-based, voluntary treatment, providing funding to UNODC to establish and operate 28 community-based treatment centers at district hospitals across six provinces and provide training on the U.S.-developed Universal Prevention and Treatment Curriculums.

### **4. Corruption**

The Lao government does not encourage or facilitate the illicit production or distribution of narcotic or other controlled substances, or the laundering of proceeds from illegal drug transactions, and the prime minister has made anticorruption efforts an important part of his administration. However, salaries for police, military, and civil servants are low, and corruption in Laos remains endemic.

**C. National Goals, Bilateral Cooperation, and U.S. Policy Initiatives**

The Lao government approved a national drug control strategy document, the “National Drug Control Master Plan 2016-2020,” in May 2016. The master plan articulates the following priorities for the Lao government: formulation and improvement of legal instruments concerning narcotics; data/information collection and analysis; education/training/dissemination of the laws and adverse consequences of drug abuse; treatment and vocational training for drug addicts; alternative development; law enforcement; precursor control; international cooperation; and streamlining the organizational machinery of the national commission for drug control and supervision at the central and local levels.

The United States supports these goals and continues to provide training and technical assistance to enhance Laos’ capacity on counternarcotics, drug treatment, and alternative crop development.

**D. Conclusion**

Drug control cooperation between Laos and the United States is increasing and focuses on border security and improved law enforcement capacity. Drug trafficking networks across Southeast Asia span international borders and large-scale precursor flows from the PRC and India, requiring strong regional law enforcement capacity and cooperation. Lao drug enforcement institutions lack resources necessary to counter the increased sophistication of drug-related crime that has accompanied the country’s economic integration into the global economy.

# Liberia

## A. Introduction

While Liberia is not a significant transit country for illicit narcotics, the country's nascent law enforcement capacity, porous border controls, and proximity to major drug transit routes contribute to trafficking to and through Liberia. Liberia is not a significant producer of illicit narcotics. Local drug use, especially marijuana, is common, and local authorities report an increase in intravenous drug use. Other drugs consumed in Liberia include heroin (mostly smoked), cocaine (snorted), the synthetic opioid tramadol, and amphetamine-type stimulants. However, due to poor transportation and communications infrastructure and a lack of capacity and resources within the Government of Liberia, there is no detailed data on drug consumption or trends in Liberia. To date, there is no evidence of synthetic opioids being trafficked through Liberia. Most locally consumed drugs enter Liberia via commercial aircraft and maritime vessels, and across land borders, by foot and vehicle traffic. Drug use among the country's youth is a growing public concern.

## B. Drug Control Accomplishments, Policies, and Trends

### 1. Institutional Development

The Liberia National Police (LNP), Coast Guard, National Security Agency, and the Liberian Drug Enforcement Agency (LDEA) share responsibility for combating drug trafficking in Liberia. Established Nigerian criminal networks operate in Liberia, some of which traffic drugs. Local authorities work with the United States and other international partners to combat transnational crime. With U.S. assistance, the LDEA developed a database to track investigations in 2019. The LDEA also expanded coordination with Interpol's West African Police Information System and the organizations plan to share regional information on trafficking networks. LDEA has also taken steps to improve internal standard operating procedures for international requests and continues to increase its personnel administrative capacity through a new human resources development plan.

Liberian investigations and prosecutions of drug trafficking have improved since the 2014 LDEA Act and Controlled Drugs and Substances Act came into effect. The LDEA continues to improve its operational capacity and professionalism through use of confidential sources; work with private businesses; initiation of controlled deliveries; investigation of international smuggling groups; and inter-agency coordination.

The United States-Liberia extradition treaty dates from 1939. While no mutual legal assistance treaty between Liberia and the United States exists, Liberia is a party to multilateral conventions that enable such cooperation.

## **2. Supply Reduction**

Local marijuana production is not seen as a major concern by the public, and while there is little information on the extent of local cannabis cultivation, or on local trafficking networks, marijuana is the most widely available drug in the country.

The COVID-19 pandemic has had a negative impact on LDEA, with 180 of their agents being seconded to the Joint Security Task Force and tasked with enforcing health protocols. Although seizures were slowed or halted for some periods due to the Government of Liberia's COVID-19 lockdown restrictions, the LDEA increased drug seizures in 2020. In the first 10 months of 2020, the LDEA seized approximately 272 kilograms (kg) of heroin, up from 46 kg of heroin in the same period in 2019, and 26.3 kg of cocaine, up from 3.4 kg of cocaine in 2019. In addition, the LDEA seized three metric tons of marijuana. Of the 75 cases the LDEA presented to the courts for prosecution in 2020, 51 ended in conviction, with 24 pending cases as of October. The LDEA also participated in two local trainings and one international training during the year, all occurring before the COVID-19 pandemic.

## **3. Public Information, Prevention, and Treatment**

There is no recent data available on current drug use in Liberia, though anecdotal reports indicate that drug use has increased in the emerging middle class and is common in the expatriate and Lebanese communities.

Due to a lack of resources and capacity, the government has conducted very little drug prevention, rehabilitation, or treatment since the 1970s (pre-civil war). Persons with substance use disorders are either referred to the only psychiatric hospital in Liberia or to one of the few non-governmental organizations working in the field. The COVID-19 pandemic reduced already scarce rehabilitation services. COVID-19 social distancing measures also precluded the LDEA from holding the annual public event marking the International Day Against Illicit Drugs-World Drug Day, but LDEA plans to resume public events when health conditions permit.

## **4. Corruption**

The Government of Liberia does not, as a matter of government policy, encourage or facilitate the production or distribution of illicit drugs, nor is it involved in the laundering of proceeds of the sale of illicit drugs.

## **C. National Goals, Bilateral Cooperation, and U.S. Policy Initiatives**

The United States is working with the Government of Liberia to fight international drug trafficking and reduce local demand. Among ongoing initiatives, the United States is funding a \$2.5 million project through the United Nations Office on Drugs and Crime (UNODC) to enhance Liberian law enforcement and judicial capacity to counter transnational crime and trafficking of drugs and other contraband. U.S. assistance seeks to build the Government of Liberia's capacity to interdict narcotics and other illegal trafficking, develop criminal cases

against international trafficking organizations active in the country, and encourage judicial case processing and attorney understanding of anti-drug laws.

#### **D. Conclusion**

The Government of Liberia is committed to preventing transnational criminal organizations from gaining a major foothold in its territory but lacks the necessary resources and capacity to do so. The COVID-19 pandemic also prompted serious setbacks in resource allocation, manpower, and ability to conduct law enforcement operations. More than 40 percent of LDEA agents were seconded to a Joint Task Force to enforce Liberia's COVID-19 State of Emergency. Despite significant constraints, the LDEA is also working with other regional drug enforcement entities to exchange intelligence and information – collaboration that has led to the successful arrest and prosecution of international traffickers within Liberia's borders. After years of effort to overcome institutional and political resistance, the LDEA has deployed to all of Liberia's official ports of entry. The United States will continue to support and assist Liberia's efforts to strengthen its law enforcement capacities and fulfill its international drug control commitments.

## Malaysia

Malaysia is not a major source country or transit point for illicit drugs bound for the United States. Methamphetamine is the most abused and trafficked drug in Malaysia as criminal organizations continue to expand production. Drugs smuggled into Malaysia include crystal methamphetamine, MDMA (ecstasy), cannabis products, heroin, ketamine, and Erimin 5 (nimetazepam). Malaysian authorities report drug seizures were four times higher between January and August 2020 than in 2019. Authorities dismantled 82 syndicates associated with the following drugs: methamphetamines (29); ecstasy (22); cannabis (12); heroin (10); ketamine (9); and arrested 3,645 individuals in the first 10 months of 2020. There is no notable cultivation of illicit drug crops in Malaysia, and local demand and consumption is limited.

The Malaysian government does not have reliable estimates of illicit drug consumption. Malaysia had limited success in prosecuting and convicting drug traffickers due to ineffective drug conspiracy laws coupled with the high burden of proof requirements for a drug trafficking conviction. Malaysia has proposed removing criminal penalties for possession and use of drugs in small quantities. The death penalty remains in effect for the trafficking of illicit drugs.

While heroin trafficking through Malaysia decreased from the previous year, trafficking of methamphetamine, cocaine, and MDMA (ecstasy) increased due to expanded methamphetamine production in Burma and new smuggling routes into Malaysia. Malaysia is a transit point for drug trafficking organizations supplying cocaine to the Australian market. Official drug seizure statistics note that from January to June 2020, Malaysian authorities seized: 359 kilograms (kg) of heroin; 6.56 kg of cocaine; 1,053 kg of methamphetamine; 137 kg of ketamine; and 740.58 kg of MDMA. Consistent with previous years, the volume of synthetic drugs transiting through Malaysia indicates that production in neighboring countries has likely increased.

Malaysia has extradition and mutual legal assistance treaties with the United States and is a cooperative partner. Malaysian police attend U.S.-funded counter-narcotics training at the International Law Enforcement Academy in Bangkok. The U.S. Coast Guard continued its maritime law enforcement training program with the Malaysian Maritime Enforcement Agency (MMEA). Additionally, the Joint Interagency Task Force West provided law enforcement investigative training to MMEA as well as the Royal Malaysian Police Narcotics Crime Investigation Department. In 2021, the United States will seek to promote further coordination between Malaysian and U.S. law enforcement authorities, including joint interdiction efforts, information sharing, and training to further improve Malaysia's investigative and prosecutorial capacity.

## Mali

Mali is one of the largest countries in Africa with roughly 4,500 miles of unprotected and unregulated borders. The country is landlocked in the Saharan and Sahelian region, and the Niger River transects its territory diagonally and serves as one of the main trading and transport arteries. Mali is a transit point for illicit drugs trafficked mostly to Europe. Much of northern Mali is controlled by armed groups that facilitate and protect this illicit drug trafficking activity. Drug trafficking is concentrated primarily along the country's northern and southern borders, with some activity along the western border. The United States supports several ongoing security and governance programs; however, this relationship was recently complicated by the coup d'état on August 18, 2020.

Mali's counternarcotics efforts are entrusted to the Office Central des Stupefiants (OCS), an interagency unit of roughly 160 officers pooled from the National Police, Gendarmerie and the Customs enforcement unit. OCS is currently led by a very competent forward-thinking Magistrate with a strong management team who reports directly to the Minister of Security and Civil Protection. OCS is underfunded and undertrained with very limited technological and investigative capabilities, thus hampering their effectiveness as evidenced by the lack of substantial seizures. In September 2019, the United States sponsored a basic drug investigation training course for 31 members of the OCS. Forty additional OCS members attended the same course in February 2020. These trainings helped standardize the competency level of all OCS members with the hope to then develop and deliver an intermediate level course at a later date.

Regional drug control cooperation is nascent at best in West Africa. To mitigate this challenge, the United States supported an international workshop in March 2019 in Bamako, Mali, to enhance and promote regional collaboration and advance cross border coordination in anti-trafficking efforts. Counter drug law enforcement leadership and operational commanders from across West Africa attended this workshop in an effort to promote regional cooperation and coordination and attested to its importance in forming and sustaining important relationships.

The narcotics situation in Mali is complicated by the number of actors implicated in the trafficking. Criminal organizations, armed militias, terrorist groups, and government officials have all been reported to profit from the transit of illicit goods. Due to the imposition of Section 7008 sanctions in response to the aforementioned coup (legislation that restricts U.S. foreign assistance following a coup), U.S.-funded training efforts in Mali such as this have been suspended indefinitely.

Mali does not have a bilateral extradition treaty or mutual legal assistance treaty with the United States. However, Mali is a party to several multilateral law enforcement conventions that permit international cooperation with the United States.



# Mexico

## A. Introduction

Mexico is a significant source and transit country for heroin, marijuana, methamphetamine, and illicit synthetic opioids destined for the United States. Over 90 percent of the heroin seized and sampled in the United States comes from Mexico. Mexico is also a main transit country for cocaine from South America, a transit route and destination for fentanyl and associated precursors originating from China, and a source of fentanyl and fentanyl-laced counterfeit pills produced in Mexico and destined for U.S. markets. The United States works with Mexico to reduce the supply and trafficking of illegal drugs and precursor chemicals through support for Mexico's poppy eradication efforts and the provision of training and equipment to dismantle clandestine drug labs; inspection equipment at border crossings and airports; technology to improve maritime interdiction; and counter drug-related training to military and law enforcement personnel.

## B. Drug Control Accomplishments, Policies, and Trends

### 1. Institutional Development

President Andres Manuel Lopez Obrador's administration sought to reduce crime and violence through social programs aimed at addressing poverty and social inequalities and through the creation of a new federal security force, the National Guard. In 2020, Mexico made substantial progress in completing its first poppy yield study in 17 years, and produced a counterdrug strategy. President Lopez Obrador prioritized increasing alternative livelihoods for farmers, some of them in drug-producing areas, through making social programs one of the pillars of his counternarcotics strategy. Mexico increased the 2021 federal budget for justice and national security 4.2 percent compared to 2020, largely to fund the Army's management of several large civil infrastructure projects, as well as a significant increase to the National Guard. Effective investigations and implementation of an adversarial criminal justice system remain uneven and an estimated 90 percent of crimes go unreported.

The current U.S.-Mexico extradition treaty has been in force since 1980. Mexico significantly increased extraditions to the United States in early 2020 compared to the year prior. The pace of extraditions slowed during the COVID-19 pandemic. A bilateral mutual legal assistance treaty in force since 1991 fosters a broad range of cooperation in criminal matters. Mexico engages with Canada and the United States in the North American Drug Dialogue (NADD) and the North American Maritime Security Initiative (NAMSI) to share information on law enforcement and public health, improve response to transnational threats, and develop protocols for maritime interdictions.

### 2. Supply Reduction

Within the Office of the Prosecutor General (FGR), the National Center for Planning, Analysis, and Information to Combat Crime (CENAPI) publishes drug eradication and seizure statistics for Mexico's civilian law enforcement agencies and military. According to CENAPI, in calendar

year (CY) 2019 Mexico eradicated 2,319 hectares (ha) of cannabis and 7,958 ha of opium poppy. Also for 2019 (compared to 2018), Mexico reportedly seized 10.2 metric tons (MT) of cocaine (a 16 percent decrease); 199.8 MT of marijuana (13 percent decrease); 349 kilograms (kg) of opium gum (73 percent increase); 18.77 MT and 8,764 liters of methamphetamine (31 percent decrease); 384 kg of heroin (21 percent decrease); and 45 clandestine laboratories (13 fewer than 2018). They also seized 193,351 pills of fentanyl for the second semester of 2019.

During the first nine months of 2020, Mexico eradicated 1,885 hectares (ha) of cannabis and 9,963 ha of opium poppy. Also, according to CENAPI, during the first nine months of 2020 Mexico seized 10.35 MT of cocaine (a 23 percent increase compared to the first nine months of 2019); 125.9 MT of marijuana (8 percent decrease compared to the same period in CY19); 40.22 kg of opium gum (2 percent decrease for the same period in CY 2019); 10,947 liters of methamphetamine (50 percent increase for the same period in CY19); 197.61 kg of heroin (43 percent decrease from the same period in CY19), 26 clandestine laboratories (6 fewer than the same period of CY19); and 200 kg of fentanyl for the first three quarters of 2020.

Since Mexico does not have a reliable and centralized reporting system for eradication and seizure data, the majority of drug seizures probably go underreported. The United States continues to work with the Government of Mexico to establish protocols for reporting all seizures to Mexico's central data repository for crime statistics in CENAPI to improve national data collection on illicit drug seizures. The Mexican government demonstrated progress in 2020 on measuring poppy cultivation, yield, and eradication through programs supported by the United States through the United Nations Office on Drugs and Crime (UNODC). The Mexican military engaged U.S. government agencies to enhance its counter drug capacity in 2020 and the Army (SEDENA) has increased use of, but has not yet fully maximized, a U.S.-funded poppy eradication verification program.

The United States collaborates with FGR and the Mexican Navy (SEMAR) to increase their ability to dismantle clandestine drug labs and to interdict precursor chemicals at seaports. Since June 2019, SEMAR's Naval Intelligence Unit (UIN) has operated an air base refurbished with U.S. support to conduct counter drug operations in Northwest Mexico. In spite of these efforts, illicit drug production in Mexico continues at an alarming level.

Canines donated by the United States to Mexico assisted in significant seizures of illicit drugs in 2020, including fentanyl and its precursors. In the first 10 months of 2020, canines donated to the National Guard, FGR, Mexican Customs (SAT), state police canine units and state prisons units assisted in the collective seizure of 11,773 kg of methamphetamine (compared to 1,550 kg in 2019), 199 kg of fentanyl, 8.7 million U.S. dollars in cash, 5,227 illicit firearms (compared to 8,850 in 2019), and other contraband. The United States sponsors exchanges and training on combating synthetic drugs to promote awareness of the opioid crisis and increased seizures of fentanyl and precursor chemicals in Mexico.

### **3. Public Information, Prevention, and Treatment**

As of 2019, Mexican government survey data showed drug use among minors had more than quadrupled since 2002. Local security officials throughout Mexico report that conflict over

control of retail drug sales, especially of methamphetamine, are becoming a major security problem nationwide.

The United States supports 30 drug treatment courts in five Mexican states to facilitate court-supervised drug treatment and social reinsertion. U.S.-funded programs also support the implementation of civic justice systems in select municipalities, which provide a means to deal with perpetrators of low-level crimes, often youth, and channel them into cognitive behavioral therapy and vocational training opportunities. These programs also refer youth in need to addiction treatment services funded by state and non-state institutions.

#### **4. Corruption**

Mexico does not, as a matter of government policy, encourage or facilitate illicit drug production or distribution, nor is it involved in laundering the proceeds of the sale of illicit drugs. Nevertheless, corruption continues to significantly impede Mexico's drug control efforts. President Lopez Obrador has put in place asset forfeiture regulations and has stated his intent to prosecute the alleged corruption of previous administrations.

A number of high-ranking officials faced corruption-related charges in 2020, including the former head of state-run oil company PEMEX. The PEMEX case marks the FGR's first major anticorruption prosecution against a high-level official and may showcase authorities granted to prosecutors under the accusatorial legal system adopted by Mexico in 2016 such as plea bargains and cooperating witness testimony.

#### **C. National Goals, Bilateral Cooperation, and U.S. Policy Initiatives**

The United States implements security assistance in Mexico and funding helps address the opioid crisis through projects aimed at stopping illicit drug production and trafficking. Efforts increase the capacity of Mexican government institutions at the federal and state level to attack the illicit drug supply chain, from production and distribution to illicit markets and revenue. U.S.-funded programs also build the capacity of law enforcement, prosecutorial, and judicial sector actors to investigate and prosecute drug trafficking and related crimes.

Under the North American Security Initiative protocols, both countries conduct maritime operations and information sharing on suspect vessels. Mexico is a regular participant in the Multilateral Maritime Counter Drug Summit, which brings together over 150 maritime counter drug professionals from North, Central, and South America and Europe. The United States has also provided a range of maritime law enforcement training to Mexico.

In December the Mexican Congress passed and the President signed a bill that requires, among other things, foreign law enforcement and regulatory officials to share the information they gather with Mexican authorities and Mexican authorities to report contacts with foreign agents to specified Mexican officials.

**D. Conclusion**

Despite collaboration and progress in some areas, the volume of dangerous drugs entering the United States from Mexico and violent crime within Mexico fueled by transnational criminal organization (TCOs) remain alarmingly and unacceptably high. Mexico needs to strengthen investigations, prosecutions, and extraditions of the most significant criminal actors; increase drug and asset seizures; target the production and trafficking of fentanyl, heroin, methamphetamine, and precursor chemicals; ensure robust implementation of data-based poppy eradication; and combat corruption. Mexico must, together with the United States, define shared goals to reduce impunity for TCOs and measure results in support of these efforts. To deprive TCOs of the ability to operate and profit, the United States will continue to work closely with the Government of Mexico to bolster its counter illicit drug operations, increase the effectiveness of justice sector institutions, disrupt illegal arms trafficking, and demonstrate tangible results.

## Morocco

Morocco remains one of the world's top cannabis-producing countries, with Europe being a primary market. Cannabis is produced in one geographical area located in the northern mountainous Rif region. Due to a marked increase in seizures by law enforcement and the deployment of X-ray scanners at the northern Port of Tanger-Med, traffickers appear to be decreasing their use of commercialized containers for smuggling activity and increasing their use of tractor-trailers, "go-fast" boats, and fishing/sailing vessels to smuggle hashish. Moroccan hashish is also smuggled south into Mauritania, and then moved across Mali and Niger into Libya for onward transshipment and distribution.

Moroccan hashish is increasingly being smuggled to South America and the Caribbean, where traffickers exchange the hashish for cocaine and transport the latter to Europe for distribution. Due to enhanced detection methods along the northern Mediterranean coastline, traffickers have expanded internal routes by moving hashish further south to Morocco's western coastline for maritime shipment or overland through the Sahel region. Since the introduction of hybrid strains, THC levels have increased from approximately 15 percent to an estimated 25 percent while also significantly increasing production yields. Accurate estimates for cannabis cultivation and hashish production cannot be obtained by using yield estimates associated with traditional Moroccan cannabis seeds. A total of 120 metric tons (MT) of cannabis products have been reported as seized by law enforcement in the first 10 months of 2020. In the same period in 2019, 256 MT were seized.

MDMA (ecstasy), originating in Belgium and the Netherlands, continues to be smuggled into northern Morocco and is sold on the domestic market. Closed borders and increased border controls during the COVID-19 pandemic significantly affected the trafficking of MDMA as evidenced by 116,122 tablets seized in 2020 versus 917,675 reported in 2019.

Morocco remains a significant transit point for the maritime shipment of cocaine smuggled into Europe, but the country has made progress in countering trafficking activity. Moroccan authorities cite increased surveillance, border controls, and continued cooperation with U.S. and European partners as factors that have led to growing volumes of drug seizures. In November 2019, Moroccan authorities seized 476 kilograms (kg) of cocaine and Spanish authorities seized an additional 1,280 kg from the same maritime shipment following a disagreement amongst the traffickers, which forced them to attempt the offload in southern Spain. In 2020, authorities seized 64 kg of cocaine during several investigations where traffickers attempted to smuggle the cocaine into Morocco from Europe.

Morocco has a bilateral mutual legal assistance treaty with the United States, but does not have a bilateral extradition treaty with the United States. Morocco is a party to several multilateral law enforcement conventions that also permit mutual legal assistance with the United States.

## Mozambique

Mozambique is increasingly used as a base of operations by transnational organized crime networks from West and East Africa and South Asia as a transit point for illicit drug trafficking and international money laundering. Heroin from Southwest Asia, cocaine from South America, precursor chemicals and controlled pharmaceuticals from India, and methamphetamine from Nigeria frequently transit Mozambique destined for lucrative destinations in Southern Africa, Northern Africa, Europe, Canada, and the United States. Heroin originating from Afghanistan arrives off the coast of Mozambique from the Makran Coast in Pakistan and Iran on small boats called dhows for further transshipment inland. In 2020, law enforcement officials interdicted multiple mixed loads of heroin and methamphetamine on dhows in Mozambican waters and along the southern African coastline. Mozambique has an extensive coastline with hundreds of miles of isolated and unpatrolled beaches and coastline where drugs are off-loaded frequently.

Upon arrival in Mozambique, illicit drugs are normally warehoused and repackaged before being forwarded to other destinations - some via Mozambique's regional highway system to South Africa, Zimbabwe, Malawi, Tanzania, and Eswatini. Several major international commercial air and cargo hubs within the region allow for further distribution. Investigators suspect illicit cargo is also transiting Mozambique via containerized maritime shipments.

Cocaine from South America and ephedrine and other precursor chemicals from Nigeria, India, and China enter Mozambique via commercial flights, transported by human couriers or secreted in cargo. Mozambique is not a significant producer of illicit drugs or precursor chemicals. Drug production in Mozambique is limited to cannabis cultivation, and the consumption of cannabis products is high throughout the country.

Although systemic challenges remain, Mozambican authorities made significant arrests and seizures. In December 2019, the National Criminal Investigative Service (SERNIC) and the Navy in two joint operations detained more than 25 Iranian and Pakistanis suspected of trafficking more than 2,000 kilograms (kg) of heroin into Mozambique via dhows believed to have originated in the Baluchistan region that borders Iran, Afghanistan, and Pakistan. In April 2020, an international operation in coordination with the United States and Brazil captured an alleged Brazilian drug lord who was expelled by Mozambique soon after the operation. In September 2020 the National Police Force (PRM) arrested seven people, including five Mexican nationals, at an illicit drug laboratory near the border with Eswatini. In October 2020 the PRM seized 343 kg of heroin and crystal methamphetamine after uncovering a fake floor in a container truck in Nampula province.

SERNIC, the Office of the Attorney General (PGR), the Navy, and the Ministry of Interior contribute to Mozambique's efforts to combat drug trafficking. The United States provides capacity building support to increase maritime awareness, international cooperation, and counternarcotics investigation and prosecution capabilities.

## The Netherlands

The Netherlands is a significant transit country for illicit drugs, especially cocaine from South America entering through the Port of Rotterdam and destined for European markets. Customs officials announced in January that authorities confiscated 38 tons of cocaine in the Port of Rotterdam in 2019, an increase of 50 percent from 2018. Officials announced in July that authorities intercepted twice as much cocaine in the ports of Rotterdam and Vlissingen in the first half of 2020 as in the same period in 2019. The Netherlands is one of the largest sources of synthetic drugs for international markets and has identified an increase in the number of methamphetamine laboratories where Mexican nationals were accomplices. A typical methamphetamine lab seizure in 2018 yielded 22 kilograms (kg), but in 2019, the average seizure was over 400 kg.

The Dutch Opium Act prohibits the possession, commercial distribution, production, import, and export of all illicit drugs. The act distinguishes between “hard” drugs (e.g., heroin, cocaine), and “soft” drugs (cannabis products). Sales of less than five grams of cannabis products are “tolerated” (i.e., illegal but not prosecuted) in regulated establishments called “coffee shops.”

Drug traffickers increasingly use legitimate postage companies to distribute narcotics to global customers. Authorities report that dealers send over 100,000 packages containing cocaine, ecstasy, or methamphetamines to foreign countries each year.

The Ministry of Justice and Security is forming the Multidisciplinary Intervention Team (MIT), a group that will focus on cross-government investigations on narcotics production and distribution, as well as corruption, witness protection, money laundering, and other efforts to obstruct the illegal narcotics trade. The government will allocate 141 million euros for this function. The MIT will have over 100 new experts in intelligence, cyber, data science, finance, and forensics. The MIT will be a part of the National Police of the Netherlands and will work closely with international partners.

Dutch and U.S. law enforcement agencies maintain close operational cooperation. Notable joint initiatives included the take-down of global “dark web” narcotics marketplaces, such as the action against the “Wall Street” online marketplace in May 2019 and operation “DisrupTor” in September 2020 which led to arrests of 179 online traffickers. U.S. and Dutch authorities also cooperated on the arrests of international drug kingpins Ridouan Taghi in December 2019 and Said Razzouki in February 2020. The United States and the Netherlands have fully operational extradition and mutual legal assistance agreements.

The Netherlands supports U.S. Air Force Forward Operating Locations (FOLs) in the Caribbean in Curaçao and Aruba. U.S. military aircraft conduct detection and monitoring flights from the FOL in Curaçao, and the Dutch Navy serves as a force multiplier for counternarcotics operations in the Caribbean region under the auspices of Joint Interagency Task Force - South. U.S. Coast Guard Law Enforcement Detachments operate aboard Dutch vessels through a Memorandum of Understanding.

# Nicaragua

## A. Introduction

Nicaragua is a transit route for drug trafficking organizations smuggling cocaine from South America through Mexico into the United States via maritime and air routes. The country's long coastlines, porous border crossings, and sparsely populated Caribbean region provide optimal conditions for transporting illicit drugs. Although the Government of Nicaragua publicly claims successes against these organizations, its efforts remain under-resourced, without dedicated air assets, technical capacity, training, or accountability. Corruption and the diversion of government resources to prosecute domestic political opposition reduced Nicaragua's efforts to effectively combat drug trafficking in 2020.

## B. Drug Control Accomplishments, Policies, and Trends

### 1. Institutional Development

Nicaragua's Sovereign Security Law establishes narcotrafficking and international criminal organizations as threats to the nation's security. The law outlines a plan called the Containment Wall State Strategy, which is an interinstitutional approach comprised of land-based, air, and maritime patrolling from bases at key border crossings and transit routes. Under this strategy, the Nicaraguan National Police (NNP) and the Nicaraguan military are the primary institutions responsible for combatting drug trafficking. Nicaragua's limited interdiction capacity, inefficiency, and corruption remain the primary challenges to the Ortega administration's ability to combat illegal trafficking.

The economic recession, which started in 2018 due to the country's ongoing socio-political crisis, worsened during the COVID-19 pandemic in 2020. Despite the economic downturn in 2020, the budgets of the NNP and the Nicaraguan military have not decreased. Independent security experts noted the government allocated considerable security resources to repress opposition groups while independent polling showed citizen concerns about rising insecurity are at the highest point in ten years. Most 2020 international assistance was directed to public health initiatives and combating COVID; there were no reported donations to the NNP or the military to combat drug trafficking.

Nicaraguan cooperation with U.S. law enforcement is limited. While the United States and Nicaragua are parties to a bilateral extradition treaty, the Nicaraguan constitution bars the extradition of Nicaraguan nationals, which includes dual nationals. Nicaragua typically requires an International Criminal Police Organization (INTERPOL) Red Notice for wanted individuals to cooperate with the United States in expelling non-Nicaraguan citizen fugitives or assuming domestic jurisdiction in cases against Nicaraguan citizens. There is no bilateral mutual legal assistance treaty between the United States and Nicaragua, but both countries are parties to the Inter American Convention on Mutual Legal Assistance in Criminal Matters. Despite policy restrictions on cooperation with the Government of Nicaragua, the NNP continues to provide timely responses to requests for security assistance for mission operations and limited coordination on criminal investigations and narcotics and currency trafficking interdiction.



## **2. Supply Reduction**

In the first nine months of 2020, the Government of Nicaragua reported conducting 43 operations that targeted international drug trafficking and 13,824 domestic operations, an increase from 4,746 operations in the same time period in 2019. The sharp increase is attributed to the increase in operations targeting local neighborhood drug dealers, which increased from 732 operations in the first nine months of 2019 to 10,307 in the first nine months of 2020.

The Ministry of Foreign Affairs (MINREX) reported 1.18 metric tons (MT) of cocaine seized in Nicaragua during the first nine months of 2020, an increase from 0.6 MT during the same time period in 2019. Authorities reported seizing 2.18 MT of marijuana and over \$15 million in currency and assets, which was in line with statistics tracked by independent media and the United States. Officials arrested 3,179 people for drug crimes, including 31 foreigners.

Within the country's borders, the NNP sets up checkpoints with roving and stationary surveillance units along typical vehicular routes used by narcotics and currency traffickers in the regions of Leon, Chinandega, Matagalpa, and Boaco, and stops large numbers of commercial trucking and produce vehicles. The Government of Nicaragua does not share information about methods of destroying seized illicit drugs with any U.S. or other national or non-government entities.

There have been several identified illicit air tracks in 2020 whose radar signatures faded within the less densely populated northeast sections of Nicaragua in the Northern Autonomous Region. Nonetheless, the number of illicit tracks are small in comparison to that of other Central American countries.

## **3. Public Information, Prevention, and Treatment**

There are no reliable national statistics on drug consumption within Nicaragua, making it difficult to measure the impact of prevention and treatment programs. Nicaragua implemented national and local strategies to combat drug use through primary, secondary and tertiary community-based activities. MINREX officials reported 24,144 children and youth attended 898 primary prevention-based activities and 249 youth with substance abuse addictions were transferred to 15 treatment centers.

## **4. Corruption**

Widespread government corruption, politicization, and acts of repression by the police hinder the effectiveness of criminal laws that address narcotrafficking, money laundering, bribery, abuse of authority, influence peddling, and embezzlement. One example of Sandinista leadership involvement in drug trafficking is Francisco Sarria, a ruling party representative to the regional parliament, who was convicted and sentenced in 2020 to 40 years in prison on charges of organized crime and murder.

In 2020, under Executive Order 13851, the U.S. Department of the Treasury sanctioned the NNP for human rights abuses, the head of the Nicaraguan Army General Julio Cesar Aviles for the

military's role in providing weapons to parapolice in the April 2018 civil protests, and Attorney General Ana Julia Guido Ochoa for forming a group of prosecutors who worked with the NNP to fabricate judicial cases against political prisoners and their families. Since 2017, 24 high-profile Nicaraguan officials have been sanctioned for involvement in illicit activities and human rights abuses.

### **C. National Goals, Bilateral Cooperation, and U.S. Policy Initiatives**

The United States provides assistance to Nicaragua through the Central America Regional Security Initiative. The United States maintains a bilateral agreement with Nicaragua to suppress illicit traffic by sea, which includes provisions regarding ship boarding, ship riders, pursuit, entry into territorial waters, overflight, order to land, and international maritime interdiction support. The Nicaraguan Navy and the United States shared intelligence and maintained an operational relationship on counternarcotics matters throughout 2020 and are in the process of restarting several intelligence sharing platforms. This sharing has resulted in naval interdictions by the Nicaraguan Navy, which has intercepted suspected drug laden vessels in their territorial waters. The Nicaraguan Navy has also supported at least one U.S. naval interdiction of a vessel 70 nautical miles off the Pacific coast, near San Juan del Sur, resulting in a seizure of two MT of cocaine.

### **D. Conclusion**

The unresolved political crisis continues to absorb valuable security resources, hindering the Ortega regime's ability to implement effective policies and programs to combat drug trafficking in Nicaragua. Instead of preparing for democratic elections that would allow for improved international cooperation and assistance necessary to conduct successful interdiction operations, the Ortega regime passed legislation to stifle dissenting opinions. Productive and more transparent efforts to combat organized crime would require changes in government policy, notably professionalizing the police and halting the counterproductive diversion of police resources to repress peaceful protesters, the democratic opposition, and independent media.

## Niger

Niger is a transit point for illicit narcotics trafficked through the Sahara. Narcotics arriving at West African ports from South America, particularly cocaine, heroin, cannabis products, and synthetic drugs, transit through Niger en route to European and Middle Eastern markets. Synthetic drugs, such as the synthetic opioid tramadol, are shipped from Nigeria through Niger to other African countries. Hashish from Morocco is trafficked to Libya and Egypt, then onward to Europe and the Middle East. With the exception of Tramadol, Niger is not a significant destination for narcotics trafficking. Tramadol consumption is high in Niger, and it is used widely as a pain reliever, particularly in disadvantaged communities. Most tramadol available in Niger is produced in India and shipped via containerized cargo to Nigeria, then transported overland into Niger.

Narcotics trafficking across the Sahel, long-established for decades through formalized networks of Arab, Tuareg, and Toubou transportation groups, has been on the uptick since 2015, when the Nigerien government, under pressure from European states, significantly reduced migrant smuggling from sub-Saharan Africa through Niger to the Maghreb en route to Europe. These established smuggling networks then turned to the more lucrative narcotics trafficking environment, cooperating closely with their counterparts from northern Mali.

National and local Nigerien authorities have mostly sought to manage rather than stop trafficking, focusing on resolving quarrels between rival networks to prevent violence or communal infighting. Managing illicit commerce has often been an important means of strengthening weak economies and incorporating ex-rebels in government. Many of Niger's narcotics traffickers have close links with the political elite, including both ruling and opposition parties. In March 2019, the government of Guinea Bissau arrested a special advisor to a high-ranking Nigerien elected official for smuggling 800 kilograms of cocaine, demonstrating the status that government officials occasionally reward narcotics traffickers for their electoral or campaign contributions. Violent extremist organizations operating in Niger, including ISIS-West Africa and Boko Haram, are known to gain revenue by allowing and potentially taxing narcotics shipments through their areas of operation, but are not directly involved in narcotics trafficking.

The Government of Niger's main organ charged with countering transnational organized crime and drug trafficking is the Central Office for the Prevention of Narcotics Trafficking (OCRTIS in French). The United States supports this office with training on advanced narcotics investigations and equipment. The 221 employees of OCRTIS also receive funds and training from the European Union and France.

Niger does not have a bilateral extradition treaty or mutual legal assistance treaty with the United States. However, Niger is a party to several multilateral law enforcement conventions that permit international cooperation with the United States.

# Nigeria

## A. Introduction

Nigeria is a significant source country for cannabis cultivation and methamphetamine production and a major hub for transnational drug trafficking networks. Illicit drug production, trafficking, and use within Nigeria remain consistently prevalent. Nigerian drug trafficking organizations are entrenched throughout the world and are active in supplying cocaine to Asia and Europe; heroin to Europe and North America; and methamphetamine to South Africa, Southeast Asia, Australia, and New Zealand. Nigerian trafficking networks have also become involved in the transportation, facilitation, and distribution of illicitly diverted tramadol. The COVID-19 pandemic considerably affected drug trafficking in Nigeria and the government's efforts to address it.

The National Drug Law Enforcement Agency (NDLEA) is Nigeria's dedicated counternarcotic agency. NDLEA's mission is hampered by both a lack of political will to support the agency and endemic corruption. Despite the October 2019 submission of the Presidential Advisory Committee on Elimination of Drug Abuse to investigate the drug abuse problem and drug trafficking response in Nigeria, there has not been any significant pronouncement by the government regarding the report, or any action.

## B. Drug Control Accomplishments, Policies, and Trends

### 1. Institutional Development

Late passage of budgets and disbursement continues to hamper institutional development. An attempt to recruit new officers commenced in 2019; however, it has been delayed due to the COVID-19 pandemic. The vetted units sponsored by the United States and United Kingdom continue to achieve impressive results. However, these specialized units total only approximately 50 trained investigators in an agency of approximately 5,000 officers.

### 2. Supply Reduction

NDLEA carried out routine operational and interdiction efforts in 2020, which included random searches of vehicles, containers at ports, and persons travelling out of the country. Drug seizures between January and September totaled approximately 106.8 metric tons (MT) of all illicit substances. This included 102.66 MT of cannabis products; 38 kilograms (kg) of cocaine; 13 kg of methamphetamine; 8 kg of heroin; 836 grams of amphetamine; 3 kg of ephedrine (a precursor chemical used to manufacture methamphetamine); and 4,093 kg of other illicit substances. Authorities arrested 6,324 persons, and 581 persons were convicted. However, Nigeria's efforts to curtail the activities of drug traffickers and other criminal groups were impeded as a result of the COVID-19 pandemic.

Nigeria's widespread cannabis cultivation continues to hamper eradication efforts of NDLEA. Authorities seized and destroyed 318 hectares of cannabis farmlands in 2020. A total of 211,000 kg of drugs used as exhibits in criminal cases were destroyed by court order.

### **3. Public Information, Prevention, and Treatment**

The prevalence of all drug use in Nigeria is estimated at 15 percent, or 14.3 million individuals using a psychoactive substance in the past year for non-medical purposes. This number has increased considerably because the COVID-19 pandemic resulted in fewer essential services and interventions for vulnerable groups. The pandemic affected NDLEA's delivery of anti-drug sensitization and education programs for People Who Use Drugs (PWUDs) and vulnerable populations. Virtual outreach included the United Nations International Day against Drug Abuse and Illicit Trafficking 2020; International Society of Substance Use Professionals conference; intense use of radio and television programs and social media; and Toll-Free Counselling.

### **4. Corruption**

Nigeria does not, as a matter of government policy, encourage or facilitate illicit drug production or distribution, nor is it involved in laundering the proceeds of the sale of illicit drugs, and there is no evidence that senior government officials are engaged in such activities. Nigeria does not, however, consistently investigate corrupt officials. The decline in internal affairs investigations within NDLEA continues to reinforce a perception of internal corruption. Sensitive Investigative Unit (SIU) officers remain most accountable of the NDLEA officers. Officers are vulnerable to bribery because of their low pay and lack of welfare benefits. Information on government officials arrested or prosecuted is not available.

### **C. National Goals, Bilateral Cooperation, and U.S. Policy Initiative**

The United States provides equipment and training to the SIU within NDLEA. Despite the COVID 19 pandemic, the SIU collaborated with the United States and the United Kingdom, culminating in the arrest of nine suspects - eight Nigerians and one Dutch national - resulting in the seizure of approximately 244 kg of cannabis, 9.2 kg of cocaine, and lesser amounts of heroin, tramadol, and ephedrine.

The United States and Nigeria entered into a bilateral letter of agreement for law enforcement and criminal justice assistance in 2014. NDLEA participated in virtual meetings and trainings on investigation with other countries and governments in 2020, including Hong Kong, Tanzania, Mauritius, South Africa, Uganda, Italy, and Germany. Interpol and the United Nations Office on Drugs and Crime trained NDLEA officers in combating organized crime and corruption, regional investigative, and analytical case training.

Extradition between Nigeria and the United States is governed by the 1931 U.S.-U.K. Extradition Treaty. There is also a bilateral mutual legal assistance treaty in force between Nigeria and the United States.

### **D. Conclusion**

The COVID-19 pandemic hampered operations and court proceedings from March to July. Nigeria needs to provide greater funding to the NDLEA and address drug use in the

country. Corrupt officers and lack of prosecutions and sanctions continues to hamper the work of NDLEA.

# Pakistan

## A. Introduction

Pakistan is one of the world's top transit corridors for opiates and cannabis products, trafficked through its porous borders with Afghanistan and Iran. Pakistan's seaports, airports, postal services, and unpatrolled coastal areas allow illicit drugs to be distributed globally. The United Nations Office on Drugs and Crime (UNODC) estimates Pakistan is the transit country for 45 percent of the opiates produced in Afghanistan. Precursor chemicals used to produce heroin and methamphetamine also pass through Pakistan as a major transit point before global distribution.

Pakistan lacks the capacity to provide effective, non-residential substance abuse treatment and to incorporate a scientific approach to drug prevention education systematically. Opium poppy cultivation continues in Pakistan's Khyber Pakhtunkhwa (KP) province and the Newly Merged Districts (NMDs) of the former Federally Administered Tribal Areas. Government officials publicly deny poppy cultivation exists in Pakistan but express a commitment to drug prevention and narcotics interdiction.

## B. Drug Control Accomplishments, Policies, and Trends

### 1. Institutional Development

Pakistan's National Anti-Narcotics Policy outlines supply reduction, demand reduction, and interagency and international cooperation as its main objectives. In August 2020 Parliament amended the Control of Narcotics Substances Act of 1997 to expand the scope and applicability of Section 12(c) on declaring assets acquired through illegitimate means as recommended by the Financial Action Task Force.

The Anti-Narcotics Force (ANF) is Pakistan's lead drug enforcement entity. ANF's annual budget (\$16.65 million in 2020) is insufficient, with 66 percent covering the salaries of its 3,653 employees deployed across 40 stations and field offices, a slight increase from 2019. Seventy-six percent of the staff is dedicated to interdiction and 15 percent to investigations. ANF chairs the Interagency Task Force (IATF), which includes 32 agencies and met twice in the first ten months of 2020. ANF coordinated drug investigations with the United States, Cote d'Ivoire, Tanzania, Maldives, UK, and UAE in 2020. Pakistan hosts drug liaison officers from 35 countries as part of its Paris Pact obligations. ANF cooperates with the United States and the UK's National Crime Agency to operate its Special Investigation Cells.

The United States and Pakistan do not have a bilateral treaty on mutual legal assistance in criminal matters. Pakistan acceded to the 1931 Extradition Treaty between the United States and the UK following Pakistan's independence. Pakistan is a party to relevant multilateral law enforcement conventions that have provisions requiring international cooperation.

## 2. Supply Reduction

Insecurity prevents reliable ground surveying in KP and the NMDs, Pakistan's primary areas for growing poppy. The U.S. government's 2016 estimates indicate approximately 1,400 hectares of poppy under cultivation. Pakistan depends heavily on foreign assistance to implement and monitor alternative livelihood and development programs, which have discouraged poppy cultivation in some communities. The U.S. government has provided more than \$61 million to these programs since 1982, contributing to an estimated 87 percent decrease in poppy cultivation.

Most drugs trafficked through Pakistan are destined for global markets. Pakistani security forces and law enforcement interdict only a fraction of that traffic. In 2020, Pakistan's law enforcement agencies reported they disrupted eight drug trafficking organizations with 36 arrests. National seizures included 14.04 metric tons (MT) of morphine; 11.5 MT of heroin; 33.7 MT of opium; 730 kilograms (kg) of cocaine; and 130.3 MT of hashish during the first nine months of 2020. ANF reported a decline in trafficking through airports and an increase in containerized consignments through sea and land ports. Pakistani agencies reported a decrease in synthetic drug seizures as compared to 2019, possibly due to COVID-19. Pakistani agencies reported no fentanyl seizures, and that authorities seized 926 kg of methamphetamine, 302 kg of amphetamine, and 93 kg of ketamine.

The ANF represents less than half of one percent of Pakistan's law enforcement personnel. Other forces lack rigorous drug interdiction training and tend not to prioritize countering narcotics. ANF's own capacity to conduct complex drug investigations is limited. During the first 10 months of 2020, Pakistan registered 51,448 drug-related arrests, mostly drug peddlers. ANF reports a conviction rate of 72 percent, a statistic the Pakistani media questions. ANF data suggests, however, that the higher overall conviction rate could be related to a higher conviction rate in the lower courts, since most prosecuted cases were low-level possession or small-quantity courier trafficking. Pakistan has a conspiracy law, but it is rarely used to successfully prosecute leaders of criminal organizations.

## 3. Public Information, Prevention, and Treatment

The UNODC's 2013 survey classified 4.25 million of 6.7 million drug users as suffering from substance abuse disorders. The government allocated \$141,854 to drug abuse awareness and prevention. Pakistan continues to raise public awareness about the dangers of illicit drug use as the media reports increasing synthetic drug use in educational institutions. ANF officers lectured at schools and conducted 91 public awareness-raising activities as of June 2020, a drop from 2019 due to the COVID-19 pandemic. For more than a decade, ANF has managed four drug treatment centers with a bed capacity of 218 and treated 922 individuals as of September 2020. With fewer than 100 clinics operating nationwide, Pakistan's drug-treatment capacity is insufficient. Nongovernmental organizations operate most detoxification centers, serving mostly male patients as they make up nearly two thirds of the drug-user population. Pakistan could make better use of provincial-level institutions, such as hospitals and schools, to provide non-residential treatment options.



#### **4. Corruption**

The Government of Pakistan does not, as a matter of government policy, encourage or facilitate illicit drug production or distribution, nor is there evidence of its involvement in laundering the proceeds of the sale of illicit drugs, but corruption remains a concern. Pakistan's capacity to prosecute complex financial crimes is low and corruption cases are often used to prosecute political rivals.

The National Accountability Bureau (NAB) is Pakistan's main antigraft agency responsible for eliminating corruption. The NAB claims to have recovered more than \$2 billion since it was established in 2002, but the consequences for convicted perpetrators are rarely severe. Corruption undermines the government's ability to address illicit drugs, as bribery of public servants may facilitate movement of contraband or otherwise interfere with arrests and prosecutions. Media sources alleged that government officials were involved in at least one drug trafficking incident in 2020.

#### **C. National Goals, Bilateral Cooperation, and U.S. Policy Initiatives**

The United States is committed to a comprehensive approach to countering narcotics in Pakistan. To counter illicit drug trafficking and transnational organized crime, the United States supports building collaborative, intelligence-driven, and corruption-free law enforcement. The United States helps Pakistan develop its capacity to conduct sophisticated operations, such as controlled deliveries, financial crime investigations, and container profiling. The U.S. government also supports multi-year training programs and initiatives to promote Pakistan's cross-border cooperation with Afghanistan. The United States funds programs to build agricultural capacity and provide alternative licit livelihoods for farmers in the NMDs; helps Pakistan establish and enforce nationally standardized drug-use disorder treatment standards; and is funding the second national survey in 2021 so the government has updated estimates on drug use and accessibility to treatment services.

#### **D. Conclusion**

Pakistan faces economic and security challenges that often supersede drug trafficking in national security priorities. Pakistan could more effectively reduce drug trafficking by coordinating engagement and sharing information across law enforcement agencies, focusing on the financial aspects of the drug trade, and targeting high-level kingpins rather than lower-level couriers and possession cases. Greater mobilization of provincial institutions could provide a multiplier effect for efforts on interdiction, prevention, and delivery of public services. Pakistan should continue to strengthen anti-narcotics cooperation with neighboring countries.

# Panama

## A. Introduction

Panama is not a major producer or consumer of illicit drugs, but its location and geography make it a prime sea and land passage for drugs, primarily cocaine, flowing from South America to North America and Europe. As much as 40 percent of northward-bound cocaine produced in neighboring Colombia may pass through Panamanian waters, transported by transnational criminal organizations (TCOs) and their associates off both the Pacific and Caribbean coasts. Less than five percent of Colombian cocaine flows across the land border due to the dense jungle and lack of roads, but government efforts to control the border region between South and Central America deter the expansion of drug cartels and guerrilla groups. Drug traffickers also take advantage of the millions of shipping containers passing through the Panama Canal each year, of which only a fraction are screened, to smuggle illegal drugs to North America and Europe.

Panama is a willing and effective partner in combating the narcotics trade. During the initial months of the COVID-19 pandemic, government-imposed movement restrictions combined with increased police checkpoints diminished overland movement of drugs, resulting in reduced seizures from April through July. However, Panama's relentless efforts to deter narcotrafficking, especially at sea, resulted in significant maritime seizures in 2020.

The COVID-19 pandemic hit security forces especially hard. They suffered at least nine deaths by the end of July and a prevalence of infection many times higher than the general public due to the inherent exposure risk of their positions. Security forces successfully performed their counternarcotics role despite the need to isolate infected personnel, quarantine those who had been exposed, and impose prevention and disinfection protocols during operations. Despite the pandemic, Panama and the United States advanced major projects to increase Panama's counternarcotics enforcement capacity. Panama is a committed partner for information sharing with the United States and regional partners, especially its neighbors, Colombia and Costa Rica.

## B. Drug Control Accomplishments, Policies, and Trends

### 1. Institutional Development

The Panamanian government under President Laurentino "Nito" Cortizo continued the country's commitment to fighting narcotrafficking, providing counternarcotics resources and promoting regional counternarcotics cooperation. With no standing military, Panama's Ministry of Public Security (MINSEG) oversees counternarcotics through its three principal law enforcement agencies: the Panamanian National Police (PNP); the National Air and Navy Service (SENAN); and the National Border Service (SENAFRONT). After increasing for 11 straight years, MINSEG's budget decreased by 6 percent in 2020, but, pending approval, its budget will increase by 9 percent in 2021 to a total of \$824 million. On the other hand, the government reduced funding in 2020 for the already underfunded judicial sector, including the Judiciary and the Public Ministry (Attorney General's office), both of which are vital to enforcement of drug-related crimes.

U.S. law enforcement agencies cooperate with PNP, SENAN, and SENAFRONT in support of Panama's counternarcotics missions. SENAN and the United States also collaborate operationally on maritime interdictions under the 2002 Salas-Becker Agreement. Panama and the United States strengthened bilateral relations through mutual assistance programs and extradition treaties.

## **2. Supply Reduction**

Preliminary figures show Panamanian authorities seized at least 84.8 metric tons (MT) of narcotics in 2020, the highest in Central America despite reduced seizures from April to July due to the pandemic. Starting in August, seizures returned to pre-pandemic levels, indicating both the high supply of narcotics and Panama's increasing effectiveness in drug interdiction.

Nearly 78 percent of the seizures by weight were cocaine or cocaine base; the remainder were marijuana. Authorities seized most narcotics in Panama's waters, with SENAN interdicting 76 vessels in 2020 compared to 52 in 2019. SENAN seized more than 59.2 MT of narcotics (48.6 MT of cocaine and 10.6 MT of marijuana) in 2020 compared with 53.9 MT of narcotics in 2019 (42.4 MT of cocaine and 3.3 MT of marijuana). PNP seized another 15.4 MT of cocaine and 3.3 MT of marijuana. SENAFRONT's role in controlling the Darien region, with 10,000 square miles of jungle where Colombia-based drug and terrorist organizations operate, is vital in disrupting both narcotics and human smuggling.

More than four million containers are transferred from one vessel to another at Panamanian ports each year, where they are vulnerable for use in smuggling narcotics. Panama's three aging cargo scanners are insufficient for that volume, and authorities physically inspect less than one percent of containers. The United States and Panama collaborated to form a Port Task Force in 2019, which seized nearly 14 MT of cocaine in 2019 (15 percent of total seizures) and another 9.3 MT of cocaine in 2020 (11 percent of the total). Authorities have yet to seize fentanyl or other synthetic drugs, but containers present a risk, especially for chemical precursors.

## **3. Public Information, Prevention, and Treatment**

According to the Organization of American States 2019 Report on Drug Use in the Americas (the most recent report), Panama has the third lowest rate of marijuana consumption and the lowest cocaine consumption of 15 Central and South American countries studied. Panama has not updated its strategy on demand reduction since 2012 and has not conducted a drug demand study since 2015, making it difficult to assess trends.

Drug trafficking organizations use drugs as payment to recruit collaborators in indigenous and low-income coastal communities. With U.S. support, PNP runs a modernized Drug Awareness and Resistance Education (DARE) program and the Gang Resistance Education and Training (GREAT) program, which together benefitted nearly 59,000 student participants in 2019. Due to school closures for nearly all of 2020, only training for police instructors took place in 2020.

#### 4. Corruption

Panama does not, as a matter of government policy, encourage or facilitate illicit drug production or distribution, nor is it involved in laundering the proceeds of the sale of illicit drugs, and within the current administration no senior government officials have been identified as being engaged in such activity. Political factions associated with ex-Presidents Martinelli (2009-2014) and Varela (2014-2019) were alleged to be involved in corrupt activity, and respected international organizations have expressed alarm that corruption in Panama persistently worsened from 2015–2019. Although Panama’s security forces have made progress over the past decade in reducing corruption, the country’s judicial system remains ineffective in prosecuting powerful individuals.

#### C. National Goals, Bilateral Cooperation, and U.S. Policy Initiatives

The United States provides assistance to Panama through the Central America Regional Security Initiative. Panama shares U.S. national security goals, including dismantling transnational criminal organizations. The annual bilateral High-Level Strategic Dialogue occurred in December 2020, with an agenda featuring joint projects to combat narcotics trafficking and TCOs.

In a major accomplishment for Panama, the Panamanian government will launch a new Joint Maritime Force in January 2021 with U.S. support. Panama and the United States also agreed to develop a Joint Regional Air and Navy Operations Center, which will direct, monitor, and execute tactical level command and control of maritime law enforcement operations, including counternarcotics operations, search and rescue at sea, and illegal fishing operations, utilizing the Joint Maritime Force throughout Panama’s national waters.

The United States invested in several maritime security initiatives to support the three security services’ counternarcotics missions, including boats, boat and pier repairs, and support for Panama’s purchase of a 200-ton capacity mobile boat hoist. The creation of the Joint Maritime Force will optimize and increase interdiction capacity and seizure rates, while improving efficiencies, reducing costs, and eliminating duplication of missions.

Cooperation between the two countries resulted in the arrest and extradition to the United States of top leaders of the Colombia-based Clan del Golfo drug cartel in Panama in 2020. At the request of Panamanian authorities, the United States helped Panama develop a “Case Package” - a standardized presentation of evidence for maritime interdictions based on the U.S. Coast Guard model – which Panamanian security forces and courts started using in January 2020. The United States also expanded its training programs for prosecutors, judges, and police.

Panama is a regular participant in the Multilateral Maritime Counter Drug Summit, which brings together over 150 maritime counter drug professionals from North, Central, and South America and Europe. The U.S. and Panama maintain a bilateral agreement to suppress illicit trafficking by sea and air, which includes provisions for ship boarding, ship riders, pursuit, entry to investigate, overflight of territorial seas, order to land, and international maritime interdiction support.

**D. Conclusion**

Panama is among the region's most capable partners in the fight against illicit narcotics, drug trafficking organizations, and TCOs. All three security forces continue to improve their capacity to fight TCOs and seize illegal narcotics, and welcome further U.S. cooperation in the fight against drug trafficking.

Panama should: 1) increase funding to the Judiciary and Public Ministry to enable more efficient processing and stronger convictions, especially against powerful or influential defendants; 2) increase anti-corruption efforts and promote transparency; 3) pass an asset forfeiture law to deter drug trafficking and money laundering, and sustain future law enforcement activities; and 4) provide sufficient budget and staffing to maintain its capital assets to defeat TCOs and deter narcotics trafficking throughout Panama.

# Peru

## A. Introduction

Peru is the world's second-largest producer of cocaine and coca, with an estimated 72,000 hectares (ha) under cultivation in 2019, the most recent year data is available. Potential pure cocaine production in Peru rose 23 percent in 2019, the most recent year for which data is available, to 649 metric tons (MT). Peruvian cocaine is trafficked throughout South America for shipment to Europe, East Asia, Mexico, and the United States. Peru is also a major importer of precursor chemicals for cocaine production. Peru had some of the highest deaths per capita globally due to the COVID-19 pandemic, and the accompanying recession severely hindered its counterdrug response in 2020.

The Peruvian government continues to implement Peru's 2017-2021 drug control strategy, despite the impeachment and removal of President Martín Vizcarra by Congress in November 2020. Due to a six-month pause triggered by the pandemic and one of the strictest national lockdowns in the Americas, Peru's eradication agency (CORAH) eradicated 6,273 ha of coca in 2020, surpassing the modest goal of 5,400 ha. The previous 2020 goal of 25,000 ha was lowered due to pandemic-related restrictions. There is a small but growing domestic drug consumption problem in the country. The military and Peruvian National Police's (PNP) anti-drug unit (DIRANDRO) conducted joint drug interdiction operations in the Valley of the Apurimac, Ene, and Mantaro Rivers (VRAEM) and throughout the country in 2020. The narcoterrorist group Sendero Luminoso (Shining Path) remains active in the VRAEM region producing, trafficking, and protecting cocaine shipments. Through October 2020, the group killed one military official, one police official and two civilians, and wounded three military officials.

## B. Drug Control Accomplishments, Policies, and Trends

### 1. Institutional Development

Peru's 2017-2021 drug control strategy includes goals for interdiction, eradication, and alternative development. It also addresses precursor chemicals, organized crime, money laundering, and rule of law. In 2020, Peru's anti-drug agency (DEVIDA) was appropriated a total budget of \$76 million, which was less than 2019 (\$94 million) but more than 2018 (\$71 million).

The economic contraction triggered by the pandemic resulted in budget cuts across the government, dropping Peru's eradication and concomitant aviation spending in 2020 to \$11.8 million, compared to \$31.7 million in 2019. Peru plans to transition its criminal justice system from an "inquisitorial" system (where the court is actively involved in investigating cases) to an adversarial system (where, as in the U.S. system, the court is an objective party), which it believes will increase transparency and reduce corruption. The United States and Peru enjoy a strong extradition and mutual legal assistance relationship.

## 2. Supply Reduction

The U.S. government estimates that 72,000 ha of coca were cultivated in Peru in 2019, a 38 percent increase from the 2018 estimate of 52,100 ha. The U.S. estimate for pure cocaine production potential increased from 527 MT in 2018 to 649 MT in 2019, a 23 percent increase. Coca cultivation increased in all regions surveyed except Junin.

While CORAH eradicated 6,273 ha nationwide, eradication halted on March 17 when Peru imposed one of the strictest national lockdowns in the Americas to limit the spread of COVID-19. As a result, police from all units – including those who support eradication – were redirected to enforcement of the quarantine. As of September 2020, the infection rate among the PNP was roughly 20 percent, with 500 out of 130,000 total police officers nationwide dying from the virus. Eradication resumed on October 2. In 2020, CORAH was not able to eradicate in the VRAEM, where it started eradication in late 2019 for the first time. The VRAEM and Puno account for an estimated 84 percent of Peru's total potential cocaine production. As of October, CORAH had undertaken eradication in Ucayali, Pasco, and Huanuco.

DIRANDRO's budget was \$8.4 million in 2020, \$1 million less than in 2019. DIRANDRO was also called to enforce the COVID-19 quarantine. During the first nine months of 2020, DIRANDRO seized 38.33 MT of narcotics, 11.17 MT less than 2019. Seizures included 13.36 MT of cocaine base paste and 11 MT of cocaine hydrochloride. DIRANDRO also destroyed 223 cocaine base paste and hydrochloride labs. As of November 2020, cocaine seizures in the VRAEM totaled 16.6 MT, surpassing the 12.2 MT seized in the same area during all of 2018. Authorities noted a rise in marijuana trafficking from Colombia and Ecuador transiting Peru to Chile. As of September 2020, PNP and Customs officials at air and sea ports and other strategic checkpoints seized 1.4 MT of narcotics, down from 9.7 MT in 2019 due to COVID-19 border closures that began in March.

Authorities destroyed 51 clandestine runways in 2020, compared to 89 runways for the same period in 2019. Even amid COVID-19 travel restrictions, traffickers continue to ship cocaine to Europe, East Asia, Mexico, the Caribbean, the United States and other Western Hemisphere countries. Small aircraft moving cocaine from Peru to Bolivia and Brazil remain a significant concern. Peru and the United States undertake joint maritime operations that permit U.S. authorities to board Peruvian-flagged vessels in international waters. Peru and the United States have no formal agreements between their navies for shipriders (law enforcement officials from one country that are authorized to embark on a law enforcement vessel or aircraft of another), but take part in joint maritime operations and exercises, including counter narcotics operations.

With U.S. assistance, DEVIDA invested \$31.4 million in 2020 toward alternative development. In 2020, U.S.-supported alternative development efforts generated \$70 million in sales of licit products, increasing by \$15 million from 2019 sales.

Peru is not a significant source of synthetic drugs.

### **3. Public Information, Prevention, and Treatment**

DEVIDA estimates 240,000 Peruvians are addicted to illicit substances. Drug abuse rates are higher along main trafficking routes. DEVIDA implements a “Protected Schools” prevention program that was suspended in 2020 due to nationwide COVID-19 school closures. DEVIDA’s online drug abuse counseling program served 7,951 people. In 2020, DEVIDA and the United States initiated a pilot project for juvenile offenders providing substance abuse treatment and alternatives to incarceration. The judicial branch approved protocols to allow the program to be implemented nationwide. The United States also supported a school-based prevention study that showed effectiveness in preliminary results.

DEVIDA’s projected 2020 budget for drug abuse prevention was \$11.6 million, up from \$9.2 million in 2019. The Health Ministry continued to expand community mental health centers, which include treatment for substance abuse, from 155 centers in 2019 to 197 centers in 2020. Peru has only 24 private therapy centers that meet public health legal standards. The United States supports the Guiding the Recovery of Women (GROW) Substance Abuse Training Program, and the Sexual Orientation and Gender Identity (SOGI) Program. In total, 8,526 healthcare professionals received GROW or SOGI training, providing services to 27,180 persons.

### **4. Corruption**

The Government of Peru does not, as a matter of government policy, encourage or facilitate illicit drug production or distribution, nor is it involved in laundering the proceeds of the sale of illicit drugs. However, corruption is a significant challenge, eroding faith in Peru’s institutions and damaging Peru’s generally positive investment climate. Corruption scandals have ensnared many of Peru’s political figures, including President Vizcarra, who legislators in congress – many of whom are currently under investigation themselves for corruption – voted to impeach in November 2020. Peru has a 2018-2021 National Plan on Integrity and Combating Corruption. It also has a special court system to adjudicate corruption-related crimes. The NGO Proetica found that the Peruvian public ranks corruption as the second largest national problem, just behind crime. However, the Americas Society increased Peru’s score in its 2020 Capacity to Combat Corruption Index (measuring Latin American countries’ ability to uncover, punish, and prevent corruption). Peru was the only country in Latin America to witness such gains, scoring 5.47 out of 10, ranking 5<sup>th</sup> in the region and exceeding its 2019 score of 5.17.

### **C. National Goals, Bilateral Cooperation, and U.S. Policy Initiatives**

U.S. assistance supports Peru’s drug control strategy through training, technical assistance, capacity-building, intelligence, and provision of equipment. The United States and Peru jointly finance manual coca eradication and alternative development efforts. The United States provides aviation support to eradication and interdiction activities. U.S. support to the PNP has enhanced law enforcement capabilities and improved police training facilities. In 2020, the United States provided virtual training to over 500 customs officials to fight smuggling and continued to support Peru’s transition to the adversarial system, including building capacity in oral litigation for 116 justice operators working on drug trafficking.



**D. Conclusion**

The Peruvian government continues to demonstrate political will to address illicit drug production, trafficking, and use, though the pandemic greatly reduced operational capacity and recent political turnover may have a negative impact on counterdrug operations in the short term. Peru increased the number of mental health centers to treat substance use disorders. Peru should expand coca eradication operations in high-yield areas such as the VRAEM and Puno.

# Philippines

## A. Introduction

The Philippines is a regional transshipment and destination point for illegal drugs, given its porous borders and vast seaboard. Local consumption consists primarily of three substances: (1) cannabis products, (2) methamphetamine hydrochloride (locally known as ‘shabu’), and (3) MDMA (ecstasy). Chinese Transnational Criminal Organizations (TCOs) operating in the Golden Triangle region are the main source of methamphetamine. Precursor chemicals in the Philippines are typically in transit from China to Burma. Synthetic labs are not prevalent; local drug trafficking organizations fear law enforcement intervention and prefer to move finished product quickly to end users. Thus, seizures of opioids/synthetics in the Philippines remain relatively low. There is no user market for fentanyl, and no fentanyl seizures were reported.

President Rodrigo Duterte’s anti-illegal drug campaign continues, although some law enforcement units have been diverted to manage the COVID-19 pandemic. Domestic and international criticism resulting from alleged human rights abuses associated with police anti-drug operations led to an increased interest in alternative approaches, including drug demand reduction educational programming.

Despite these anti-drug efforts, drug enforcement officials reported an increase in seized methamphetamine at ports, and customs officials seized an increasing amount of methamphetamine sent via container cargo and mail services. There has been less criminal movement through the airports, however; authorities attribute this decreased activity to the layers of security in place at airports to stem the spread of COVID-19. TCOs continue to exploit vulnerabilities in the Philippines’ wide coastline, seaports, and the mail and parcel services.

## B. Drug Control Accomplishments, Policies and Trends

### 1. Institutional Development

With oversight from the Dangerous Drugs Board (DDB), the Philippines’ lead drug policy making and strategy formulation body, 61 national agencies proceeded with their respective plans for implementing counternarcotics programs mandated by the 2018 Philippine Anti-Illegal Drugs Strategy (PADS). PADS implementation has, however, been hindered by limitations brought about by the global health crisis.

Changes in the leadership of two key law enforcement agencies took place during the reporting period, with both leaders setting a strong anti-drug posture from the start. President Duterte appointed a new Philippine National Police (PNP) Chief – General Debold Sina – who emphasized he plans to continue President Duterte’s drug war. The Philippine Drug Enforcement Agency (PDEA) has a new Director General – Wilkins Villanueva – who is working to strengthen the Barangay Drug Clearing Program (BDCP), which aims to make all barangays (neighborhoods) drug free by 2022 through preventive education, community involvement and law enforcement engagement.

The Dangerous Drugs Act of 2002 is the primary narcotics control act, stipulating strict criminal penalties for the possession, trafficking, and consumption of illicit narcotics. As of August 2020, 16,744 drug cases were filed and regional courts have significant case backlogs. Last year, the Philippine Supreme Court collaborated with the DDB to host a National Summit on the Dangerous Drugs Law, convening all three branches of government to discuss gaps in the law and propose recommendations for managing drug cases. One outcome was a commitment to explore plea bargaining for select drug cases, but inadequate coordination between treatment facilities, law enforcement, and the judiciary challenged effective implementation of this commitment.

Restrictions imposed by the 1965 Anti-Wiretapping Act, which bars the use of intercepted criminal communications in court, remained in place. The Philippines has extradition and mutual legal assistance treaties with the United States, and regularly coordinates extradition and mutual legal assistance requests. The Philippines maintains a cooperative relationship with international partners, including the United States, on transnational drug interdictions and demand reduction.

## **2. Supply Reduction**

From January to September 2020, PDEA conducted 24,765 counternarcotics operations resulting in the arrest of 35,516 individuals and the seizure of 1,737 kilograms (kg) of shabu (compared to 25,310 operations, 38,048 arrests and 1,185 kg for the same period last year). In 2019, the government struggled to combat a rise in cocaine smuggling and intercepted 341.7 kg of cocaine. As of the first 10 months of 2020, only 973 grams of cocaine were seized.

To address the growing smuggling of illegal drugs across shorelines, PDEA has been closely working with other agencies such as the PNP, Bureau of Customs and the National Coast Watch Center to strengthen border protection, safeguard the Philippine coastline, and intensify security against entry of illegal drugs, controlled precursors and essential chemicals. PDEA's BDCP declared 18,582 barangays drug free (36.6 percent of the overall number of barangays in the country).

## **3. Public Information, Prevention, and Treatment**

The 2019 National Household Survey on the Patterns and Trends of Drug Abuse, released by DDB in October, noted 1.67 million Filipinos aged 10 to 69 are current drug users. The survey estimates the current user prevalence rate of 2.05 percent to be significantly lower than the 2018 global estimates of 5.3 percent published in the World Drug Report 2020.

The government's messaging now includes a focus on drug use as a public health concern. Accordingly, various agencies engaged in education and awareness programming. DOH commenced a Substance Abuse Helpline to provide easy access to information and resources on substance abuse-related problems. PDEA launched a multi-media campaign to raise public awareness. DDB, in consultation with the DOH and Department of Interior and Local Government (DILG), issued revised rules to ensure better access to treatment and rehabilitation services. Newly developed measures include a "client flow" plan detailing the steps community

health and social workers take from screening, intervention, treatment, and aftercare to community reintegration. DDB and DOH, with assistance from the United States and the United Nations Office on Drugs and Crime, are conducting webinars to further disseminate the client flow procedures. Outreach/drop-in treatment centers are available, with a strong community preference for drop-in services over in-patient care.

#### **4. Corruption**

The Philippines does not, as a matter of government policy, encourage or facilitate illicit drug production or distribution, nor is it involved in laundering the proceeds of the sale of illicit drugs. The Comprehensive Dangerous Drugs Act outlines penalties for government officials and members of the security forces involved in narcotics trafficking. Nonetheless, systemic corruption persists, and elected politicians and other government officials are sometimes connected to the illegal narcotics trade. Counternarcotics operations led to the arrest of 49 elected officials in the first nine months of 2020.

#### **C. National Goals, Bilateral Cooperation, and U.S. Policy Initiatives**

The United States, together with bilateral and multilateral partners, continues to strengthen the Philippines' capacity to counter transnational drug trafficking and reduce demand.

The central focus of current engagement is programming to reduce substance abuse through evidence-based training programs for law enforcement and treatment professionals on rehabilitation, recovery, and policy development. Communities expressed a desire to engage in support and rehabilitation efforts. A U.S. grant supported the establishment of 21 anti-drug abuse community coalitions across the Philippines and two national conferences in 2018 and 2019 to share best practices to strengthen the community coalitions. A 2020 virtual conference was held in December.

#### **D. Conclusion**

The recent drug survey reflects increased public awareness of the negative effects of drug use. There is high approval of the current administration's anti-drug campaign (81.6 percent surveyed and aware approve), and the public perceives that the drug situation under the present administration has improved (34.7 percent slightly; 45.5 percent greatly).

The global health pandemic may have slowed interdiction efforts, but public awareness and education campaigns continue to be developed and launched. The United States is expanding training to government entities on evidence-based intervention mechanisms through instruction on the Universal Training Curriculum, which the DDB and DOH enthusiastically support. The United States will also continue to provide rule of law assistance, enhancing access to justice.

## Russia

Russia is a destination country for heroin and other Afghan opiates, although Russian authorities have claimed the availability of and demand for opiates are declining. Russia is also a transit country for cocaine from South America, especially Ecuador. Cocaine generally transits through Russia via Saint Petersburg, Kaliningrad, and Black Sea ports while concealed in maritime shipments, and ends up in Europe, including Belgium and Netherlands.

Synthetic drugs are rapidly replacing more traditional plant-based drugs and are increasing in popularity. Most of these drugs are produced in clandestine drug laboratories throughout the country.

The demand for marijuana and hashish is consistently high, especially among the Central Asian migrant population, according to Russian authorities. Most marijuana is supplied from the Russian Far East and the North Caucasus, and the majority of hashish is smuggled in from Northern Africa.

While the government has been cracking down on the sale of illicit drugs via non-indexed internet sites (the “dark web”), demand remains high. In October 2019, President Putin ordered the government to consider legislation to criminalize soliciting or supporting drug use online. Since then, the Russian government proposed several legislative initiatives targeting “drug propaganda” on the internet in 2020, including a bill that fines violators up to 1.5 million rubles (\$19,400) for promoting narcotic drugs and psychotropic substances on the internet, and envisions criminal liability for repeated violations. Critics have pointed out that these proposed laws targeting internet content threaten Russia’s freedom of expression and could be applied in a politically motivated manner. According to the Ministry of Internal Affairs (MVD), in 2019 authorities blocked about 21,000 internet sites for containing prohibited information on drugs.

The MVD and the Federal Security Service (FSB) are Russia’s two federal agencies responsible for drug-related investigations. Minister of Internal Affairs Vladimir Kolokoltsev is the Chair of the State Anti-Drug Committee, which coordinates Russia’s drug control policy. The Ministry of Health is the primary government body responsible for drug user rehabilitation. The Ministry of Health, Ministry of Education, MVD, and a number of other agencies and public organizations administer drug abuse prevention programs.

Drug addiction in Russia is typically not treated according to evidence-based modern protocols but often with “cold turkey” abstinence-focused programs or antipsychotic drugs suited to treating schizophrenia and other mental illnesses. Civil society experts have criticized Russian addiction treatment and rehabilitation programs due to poor interagency and inter-sectoral cooperation, as well as for the lack of a cohesive national rehabilitation program.

The United States has well-established relationships with all host-country counterparts, including the MVD, FSB, Federal Customs Services, and Moscow City Police.

## Senegal

Given its strategic location and maritime transport infrastructure, Senegal is a major transit point on the cocaine route from South America to Europe. In February 2020, the Dakar Container Control Joint Unit seized 120 kilograms (kg) of cocaine aboard the Grande Nigeria vessel. Authorities seized an additional 1,036 kg of cocaine in October 2019. Overall, cocaine seizures decreased in 2020, due in part to the impact of the Covid-19 pandemic on transportation and border closure.

Senegal is the third-largest cannabis-producing country in West Africa. According to Customs officials, law enforcement in the Central Region of Senegal seized more than 4.5 metric tons of cannabis products in 2020.

Senegal's 1997 Drug Law was amended in 2007, but some deficiencies remained. To address weaknesses in the legal framework, the Government of Senegal is currently revisiting it. In December 2020, the government's primary policy-setting body on narcotics, the Inter-Ministerial Committee Against Drug Trafficking, was in the process of evaluating implementation progress under the national strategic plan against drug trafficking (2016-2020) and may opt to renew it for an additional five years.

Senegalese law enforcement personnel lack sufficient forensic capacity to reliably identify and seize illicit drugs. At the operational level, the anti-drug Task Force is tasked with coordinating inter-agency information sharing and collaboration in support of efficient criminal investigations and proceedings. However, a lack of coordinating tools and protocols obstructs inter-agency cooperation.

Senegal is working to improve its law enforcement capacity and professionalism by participating in multilateral efforts with its regional partners to combat cross-border drug trafficking. Thanks to a memorandum signed in 2018, cooperation and information sharing between Senegalese law enforcement and their Gambian and Bissau Guinean counterparts have improved. In 2020, the United States continued to assist Senegal in strengthening the capacities of the Gendarmerie, the Navy, and the National Police to monitor, detect, and interdict drug traffickers in Senegal's maritime approaches and territory.

The United States and Senegal do not currently have a bilateral mutual legal assistance treaty or an extradition treaty. However, Senegal is a party to multilateral law enforcement conventions that permit some international cooperation.

The Senegalese identify their greatest vulnerabilities as a continued lack of modern equipment, minimal cross-border information sharing, and inadequate training to reliably identify and seize illicit drugs and conduct effective investigations and prosecutions. Incremental improvement is taking place, but continued support from the United States and other international partners remains critical.

## Spain

Spain is a primary transit point in Europe for cocaine originating from South America and for hashish from Morocco. Cocaine arrives in Spain in large containerized shipments and in lower-volume shipments via recreational boats and within parasitic devices attached to cargo ships. Transnational criminal organizations frequently ship cocaine in raw or liquid form mixed within cargo to avoid detection. Traffickers also ship methamphetamine to Spain through express mail services. Domestic drug production is minor. There are a small but increasing number of indoor cannabis grow operations. There are also illegal labs involved in cutting, mixing, and reconstituting cocaine, and heroin and methamphetamine labs. Additionally, U.S. and Spanish law enforcement have seized synthetic drugs, including ketamine and MDMA (ecstasy), transiting from Spain to the United States.

Spanish law enforcement's counternarcotics efforts have resulted in significant drug seizures, utilizing strong border control and coastal monitoring, sophisticated geospatial detection technology, domestic police action, internal affairs investigations, and international cooperation. In 2019, the most recent year for which data is available, seizures of cocaine totaled 37.7 metric tons (MT).

In October 2019, for the first time in recent years there were significant seizures of methamphetamine in Spain or destined for Spain, most of it originating in Mexico. Four seizures of Spain-bound methamphetamine totaling 245 kilograms (kg) were made by U.S. law enforcement and Spanish Customs at express mail centers in Memphis and Madrid. U.S. law enforcement and the Spanish National Police seized another 100 kg of methamphetamine during an undercover delivery in Madrid. Spanish authorities also dismantled a clandestine lab used for processing methamphetamine.

The Spanish government continued to implement its 2017-2024 national strategy to fight addiction. The strategy prioritizes equal access to treatment for minors, women, and the elderly. Spanish authorities estimate that 9.5 percent of Spaniards consume marijuana and 2 percent consume cocaine.

Spain continued to enjoy excellent bilateral and multilateral law enforcement cooperation with international partners in 2020. Cooperation on EU operations in the Mediterranean continued, and U.S. law enforcement agencies maintained strong working relationships with Spanish authorities, leading to significant drug seizures and arrests. In October, for example, Spanish, Dutch, and U.S. law enforcement worked collaboratively to make arrests to dismantle a Dutch transnational criminal organization, which was alleged to have shipped 20 MT of cocaine through the United States and 5 MT of cocaine through European ports.

# Suriname

## A. Introduction

Suriname is a transit country for South American cocaine en route to Europe and, to a lesser extent, the United States and Africa. Cargo containers carry most illicit drugs smuggled through Suriname, but smaller fishing vessels, commercial and private air transport, and human couriers also conceal smuggled cocaine. Suriname's sparsely populated coastal region and isolated jungle interior, together with weak border controls and infrastructure, make illicit drug detection and interdiction efforts difficult.

## B. Drug Control Accomplishments, Policies, and Trends

### 1. Institutional Development

The Government of Suriname is officially opposed to illicit drug trafficking, but Suriname's practical ability to apprehend and prosecute drug traffickers remains inhibited by drug-related corruption, bureaucratic hurdles, and the lack of financial and material resources. The Suriname Police Force (KPS) is responsible for the detection and combating of drug-related activities with four units having specific drug control responsibilities. The KPS Narcotics Brigade investigates and arrests individuals involved in trafficking illicit drugs. At the airport, the Combating International Drug Trafficking Unit (BID) screens airport passengers on outbound flights. Assisting the BID team is the canine unit (Honden Brigade) for inspecting luggage.

The Container Control Unit (CCP) is the fourth unit with specific drug control responsibilities. It uses risk analysis and other proactive techniques to systematically target high-risk containers. The Unit's operating protocol requires permission and oversight of Surinamese Customs authorities during inspections.

In July 2020, Chandrikapersad Santokhi was inaugurated as President of Suriname. Santokhi served as Minister of Justice and Police from 2005-2010 in Ronald Venetiaan's third administration. His leadership of the Ministry was characterized as employing a get-tough approach to crime, particularly with respect to drug trafficking. Santokhi also served 15 years on the Inter-American Drug Abuse Control Commission, including as Vice Chair in 2009-2010 and as Chair in 2010-2011.

Suriname's new government has committed to enforcing the rule of law and expanding law enforcement cooperation with international partners. In his July 2020 inaugural remarks, President Santokhi pledged "to change Suriname's image as a drug transit country." In his first annual State of the Republic address in September 2020, he committed his government to strengthening Suriname's Narcotics Brigade. In September 2020, Secretary of State Pompeo visited Suriname, where he met with President Santokhi and a number of cabinet ministers. Santokhi's Minister of Justice and Police told local media that cooperation on counternarcotics was a theme of their discussions with the Secretary, and the minister indicated that Suriname wished to strengthen its ties with U.S. law enforcement. In October 2020, Suriname's Attorney



General called for intensified international cooperation on counternarcotics, referring specifically to this possibility for enhanced ties with the United States.

Suriname is a party to the Inter-American Convention against Corruption and Migrant Smuggling and the Inter-American Convention on Mutual Assistance in Criminal Matters. Since 1976, Suriname has shared drug-related information with the Netherlands as part of a mutual legal assistance agreement among former Dutch colonies to exchange crime-related data. Suriname has also signed bilateral agreements to combat drug trafficking with Brazil, Venezuela, and Colombia. In 1999, the United States and Suriname completed a comprehensive bilateral maritime counternarcotics enforcement agreement that remains in force.

## **2. Supply Reduction**

Suriname is not a source country for illegal drugs or precursor chemicals, but it continues to be a transshipment point for illicit drugs. In August 2020, the Container Control Unit assisted in the confiscation of more than 300 kilograms (kg) of marijuana found in a container inbound from China through Jamaica. The CCP has contributed to the seizure of more than 4.5 metric tons of cocaine since 2016.

## **3. Public Information, Prevention, and Treatment**

Illicit drug use is relatively rare in Suriname, with marijuana being the primary drug consumed locally. The government has not, therefore, undertaken significant efforts on prevention or treatment.

## **4. Corruption**

As a policy matter, the Government of Suriname does not encourage or facilitate illegal activity associated with drug trafficking. However, widespread and credible allegations suggest that drug-related corruption pervades many government offices, including the police.

The Internal Affairs Department of Suriname's National Police Force is currently investigating one of its special units for involvement in a cocaine deal in which the unit in question reportedly received information about a large shipment of drugs, intercepted it, but later returned the drugs to the owner out of fear of retribution.

## **C. National Goals, Bilateral Cooperation, and U.S. Policy Initiatives**

The United States supports a range of efforts designed to address crime and violence in Suriname, primarily through the Caribbean Basin Security Initiative (CBSI). CBSI is a security partnership between the United States and Caribbean nations that seeks to substantially reduce illicit trafficking, advance public safety and citizen security, and promote social justice. CBSI support to Suriname includes training and equipment, primarily to the KPS and justice sector actors, to prevent and interdict drug trafficking, enhance border enforcement capabilities, and combat money laundering and corruption. The United States is exploring, with local counterparts, potential capacity building projects to counter transnational organized crime.

**D. Conclusion**

Suriname continues to be a transit country for illicit drugs originating in South America. The United States is encouraged by the Santokhi administration's public statements and urges the Government of Suriname to continue its efforts to combat corruption and take further steps to increase the effectiveness of drug interdiction, investigations, and prosecutions. The United States is exploring ways it can provide law enforcement and judicial assistance to Suriname in support of this positive trend.

# Tajikistan

## A. Introduction

Tajikistan serves as a major conduit for drug trafficking in Central Asia. Opiates and cannabis exit Afghanistan across the 835-mile Tajik-Afghan border, moving through Central Asia to markets in Russia and Belarus and onward to Western and Central Europe. The government asserts that it is committed to countering drug trafficking, but resource limitations and pervasive corruption present obstacles to effective counter narcotics operations.

## B. Drug Control Accomplishments, Policies, and Trends

### 1. Institutional Development

Tajikistan's drug enforcement activities focus on combating the sale and distribution of narcotics for use on the local market. Tajikistan's drug investigation and interdiction agencies have the necessary legislative tools, and agencies involved in counternarcotics efforts have benefited from years of international donor support. However, Tajik law enforcement and border protection authorities are not fully effective at interdicting drugs transiting Tajikistan to foreign markets. In 2020, the U.S. government's support for counternarcotics focused on Tajikistan's Drug Control Agency (DCA) through financial assistance and law enforcement training.

Tajikistan is a member of the Central Asia Regional Information and Coordination Center for Combatting Illicit Trafficking of Narcotic Drugs, Psychotropic Substances and Their Precursors (CARICC). Tajikistan assumed the CARICC Directorship on February 2, 2020, for a two-year term. On February 27, the Government of Tajikistan approved DCA-proposed legislative updates to the National List of narcotic drugs, psychotropic substances, and precursors.

Tajikistan does not have an extradition or mutual legal assistance treaty with the United States, although Tajikistan is party to multilateral conventions that enable law enforcement cooperation.

### 2. Supply Reduction

According to statistics provided by the DCA, in the first nine months of 2020 Tajik law enforcement agencies seized 1,764 kilograms (kg) of illicit narcotics, including 670 kg of opiates (552 kg opium and 118 kg heroin), 7,809 synthetic pills, and 3,484 tablets classified by Tajik authorities as "potent substances." The total amount of seized narcotics was 17.5 percent more than the same period of 2019. Seizures of cannabis and hashish accounted for the bulk of the increase, a gain of 76.6 percent totaling 1056 kg. However, total drug seizures have fallen by 54 percent since 2018 when Tajik law enforcement authorities seized 3,270 kg of narcotics in the first nine months of the year. The total amount of opium seized by the Tajik government decreased by 27 percent to 552 kg, and the total amount of synthetic pills seized increased by 10 percent to 7,809 pills. The seizures of potent substances in tablets saw a ten-fold increase from 307 tablets in the first nine months of 2019 to 3,484 tablets in the same period in 2020. This may be an indication of an increase in domestic consumption of potent substances.

The number of registered drug users in the country remains at similar levels as previous years, though these figures likely do not reflect the actual number of drug users in the country given that not all drug users will register because of potential personal and employment repercussions.

Tajik law enforcement agencies registered or solved 536 incidents of drug trafficking in the first nine months of 2020. Moreover, the Tajik DCA assisted the United States in conducting a successful multinational counternarcotic investigation. The operation resulted in the arrest of U.S.-based narcotraffickers on June 2 in several U.S. cities. Despite these successes, opium and heroin seizures remain low and the use and smuggling of synthetic drugs is of increasing concern.

### **3. Public Information, Prevention, and Treatment**

During the first nine months of 2020, 5,130 Tajik citizens registered their substance use with the government, including 111 women. For every 100,000 people in Tajikistan, there are 55 drug addicts, which is slightly lower compared to the first nine months of 2019 (58.9 drug addicts for every 100,000 people in 2019). Addicts can elect to register for five years, allowing them to receive methadone through internationally-funded HIV prevention projects. However, registration denies the drug user government employment, a driver's license, and, because a marriage permit requires a drug test, the ability to marry. These costs to registration likely lead to an undercount of actual narcotics use in the country.

Illicit drug-use awareness efforts are funded by Tajikistan and international donors, including the United States. Educational campaigns increase awareness of drug harm through theater plays in schools, the media, articles in newspapers, and sporting events among students, military personnel, and populations living in remote areas. The DCA has joint drug-use prevention plans with the Ministry of Education, Ministry of Culture, Ministry of Defense, and Committee for Youth and Sports, Committee for Women and Family Affairs, Committee for Religion, and the Ministry of Interior's Juvenile Delinquency Prevention Service.

### **4. Corruption**

The Government of Tajikistan does not, as a matter of government policy, encourage or facilitate illicit drug production or distribution, nor is it involved in laundering the proceeds of the sale of illicit drugs. Tajikistan has enacted anti-corruption legislation, but enforcement is selective and generally ineffective in combating corruption of public officials. There was no reporting on significant prosecutions or convictions related to corruption involving illicit drugs during this period. However, in August 2020, a department head in the DCA, Saifiddin Barotzoda, was arrested on high-value fraud charges, which could bring up to 12 years in prison if convicted. Extremely low salaries for state workers, the profitability of narcotics transactions, and the dearth of other profitable activities make accepting drug money attractive.

### **C. National Goals, Bilateral Cooperation, and U.S. Policy Initiatives**

The United States has a Letter of Agreement in place with the Tajik government that outlines U.S. support for projects designed to enhance the counter-narcotics and law enforcement

capability of the DCA and the Border Forces under the State Committee for National Security (GKNB) through training, equipment purchases, and infrastructure projects. The U.S. government has effective relationships with both agencies. Among other projects, during the first nine months of 2020, the U.S. government provided \$211,000 in financial assistance to the DCA and pledged \$813,000 to establish a training academy for the agency.

#### **D. Conclusion**

Seizures of opium and heroin declined in 2020 from 2019 and remain low as a percentage of the estimated amount of drugs transiting Tajikistan. It is possible that the COVID-19 pandemic has led to supply chain interruptions or the use of new smuggling routes. Tajik authorities assessed that drug trafficking from Afghanistan through the Northern Route diminished because of improvements to Tajikistan's border-control measures. They also emphasized the need to combat the use and smuggling of synthetic pills, which the Tajik government has identified as a domestic priority. The United Nation Office on Drugs and Crime (UNODC) and other reporting suggest that the Northern Route remains active. Tajikistan should undertake an in-depth assessment of its counternarcotic efforts and build on its successful cooperation with the U.S. Drug Enforcement Administration in investigating and dismantling an international drug smuggling operation that was exploiting Tajikistan's territory for the transshipment of heroin from Afghanistan to western markets.

## Tanzania

Tanzania is a significant transit country for illicit drugs in East Africa. Domestic drug use in the country is also increasing. The United States promotes improved interdiction operations through law enforcement cooperation and encouragement of a strong Tanzanian government commitment to drug interdiction, combatting corruption, and improving criminal justice and rule of law.

International drug trafficking organizations and courier networks transit through Tanzania to smuggle heroin from Southwest Asia. Traffickers transport heroin via small vessels to Zanzibar and mainland Tanzania and over Tanzania's land borders with Kenya and Mozambique to destinations in Europe and North America. Tanzania produces cannabis products, including khat, for domestic consumption as well as for regional and international distribution. Porous borders and inadequate port security present considerable challenges to drug interdiction efforts.

In April 2020, Tanzania's Drug Control and Enforcement Authority (DCEA) seized 300 kilograms (kg) of heroin in Dar es Salaam and arrested a Nigerian and two Tanzanian nationals. The seizure represents one of the largest in Tanzania's history and underscored the government's commitment to the operation. In August, the DCEA seized more than five metric tons of marijuana as a result of multiple ongoing drug investigations. In September, the Tanzanian Police Force (TPF) seized 51 kg of heroin and arrested eight suspects. The DCEA and the Tanzanian Police Service Anti-Narcotics Unit conduct regional and international criminal investigations with partner nations to combat transnational organized crime.

The DCEA, TPF, Tanzanian Peoples Defense Force, and Tanzanian Maritime Police contribute to Tanzania's fight against illicit drug trafficking and also work with the United States and other international law enforcement partners. Regional cooperation on drug interdiction is improving. Extradition between Tanzania and the United States is governed by the 1931 U.S.-U.K. Extradition Treaty. There is no bilateral mutual legal assistance treaty between Tanzania and the United States, though both countries are parties to various multilateral conventions with provisions for assistance.

There are indications that domestic drug use is on the rise in Tanzania. In June, Tanzania opened a methadone clinic in Tanga Region, on the border with Kenya. Contacts suggest the clinic will serve a growing number of persons suffering from substance use disorders, likely resulting from traffickers who pay employees in narcotics instead of cash.

The Government of Tanzania does not encourage or facilitate the production or trafficking of illicit drugs as a matter of policy. Drug traffickers use financial incentives to influence politicians, law enforcement, and others in positions of power.

## Thailand

Thailand does not cultivate or produce significant quantities of opiates, methamphetamine, or other illicit drugs, nor is it a significant source or transit country for drugs entering the United States. However, it does play a major role in the illegal drug market for the Southeast Asia region and the interconnected markets in East Asia and Oceania.

Thailand's foremost drug-control challenge is addressing the surging inflow of methamphetamine, both in crystal and tablet form, from neighboring Burma. A portion is intended for local markets, but the majority transits through Thailand to other markets. Heroin, which also largely originates from Burma, continues to threaten Thailand as well. In September 2020, Thailand initiated a pilot project to allow personal use of kratom, potentially paving the way for its legalization.

During the first nine months of 2020, Thai authorities seized approximately 17.6 metric tons (MT) of crystal methamphetamine; 213.1 million methamphetamine tablets; 488 kilograms (kg) of heroin; 11.7 kg cocaine; 915 kg of ketamine; 279,743 MDMA pills; 58.6 MT of kratom; and 28.8 MT of marijuana. Additionally, during several major operations within the first few weeks of October, Thai authorities supported by the United States seized more than 750 kg of heroin and 1 MT of crystal methamphetamine.

Criminal penalties vary by narcotics classification, ranging from monetary fines to life imprisonment. The death penalty exists but is rarely imposed; the last reported execution of a drug offender was in 2009.

Substance abuse has been a high-profile social and public health problem in Thailand for decades. "Yaba," a tablet containing methamphetamine, caffeine, and other stimulants, is the most widely abused drug in Thailand. Thailand carries out demand reduction, drug treatment, and rehabilitation programs.

Thailand has well-developed drug control institutions and policies. The Office of the Narcotics Control Board (ONCB) has overall responsibility for the prevention and suppression of illegal drug use. The Royal Thai Police Narcotics Suppression Bureau works with ONCB to enforce drugs laws.

The United States and Thailand enjoy a close relationship on law enforcement, including through bilateral extradition and mutual legal assistance treaties. With United States assistance in facilitating and enhancing cooperation, Thailand is an effective and cooperative partner. The United States works closely with Thai counterparts on investigations, providing specialized training through its Sensitive Investigative Unit program and additional training and equipment through the International Law Enforcement Academy and other assistance programs.

# Trinidad and Tobago

## A. Introduction

Trinidad and Tobago (TT) is a transit point for illegal drugs destined for Europe, North America, and the rest of the Caribbean. Drug trafficking organizations take advantage of the country's proximity to Venezuela, porous borders, vulnerabilities at ports of entry, limited law enforcement capacity and resources, and corruption in border security entities and law enforcement to traffic illicit drugs. Nonetheless, Trinidad and Tobago continues to make progress in its efforts to investigate and dismantle drug networks and seized significantly more cocaine and similar amounts of marijuana in 2020 than it did the previous year.

## B. Drug Control Accomplishments, Policies, and Trends

### 1. Institutional Development

Deficiencies in staffing, interagency coordination, and funding challenge Trinidad and Tobago's drug control institutions. Authorities are, however, making progress on breaking down silos within law enforcement and intelligence agencies and improving coordination on counter-narcotics efforts. The government is working to establish a specialized multi-agency border/port interdiction unit to tackle the illegal importation of narcotics, illegal firearms, and contraband via ports of entry. The judicial system suffers from lengthy delays, and drug-related prosecutions can take years to be resolved.

In December 2019, the parliament passed a bill decriminalizing the cultivation and possession of small amounts of marijuana. The government may resubmit a draft bill to parliament that would create a new licensing authority to issue permits for the import and export, cultivation, and sale of marijuana during the current legislative year.

In 2019, the Trinidad and Tobago Police Service established a special investigations unit (SIU), which serves as the primary counternarcotics unit. In its first year of operation, the SIU focused on investigating drug shipments through courier services. Despite its role as the primary counter-narcotics unit, many regional police divisions continue to conduct drug investigations independent of the SIU. The effectiveness of the government's drug control institutions and the scope of their international cooperation did not materially change in 2020.

In collaboration with the Organization of American States, Trinidad and Tobago offers training via a Regional Counter-Drug Intelligence Training School that serves the English-speaking Caribbean.

Trinidad and Tobago has mutual legal assistance and extradition treaties with the United States, which are used periodically. The country is also party with the United States to a drug control and law enforcement letter of agreement; a maritime law enforcement agreement that enables the United States to patrol Trinidad and Tobago's waters and detain vessels suspected of trafficking drugs; a ship rider agreement that allows U.S. Coast Guard law enforcement detachments aboard Trinidad and Tobago Coast Guard vessels; and a customs mutual assistance agreement.



## **2. Supply Reduction**

TT law enforcement seized 679.1 kilograms (kg) of cocaine and 2.12 metric tons of marijuana in the first nine months of the year, compared to seizures of 320 kg and 2.89 metric tons respectively over the same period in 2019 (government cocaine seizures totaled 325 kg in 2018 and 47 kg in 2017). In April, local law enforcement, with support from international partners, seized 475.9 kg of cocaine aboard a Palau-flagged cargo vessel traveling from the Caribbean to Brazil. In August, local law enforcement and customs officials, in collaboration with international partners, seized 947.6 kg of marijuana in a shipping container that originated in Jamaica.

Marijuana is the only known locally produced illicit drug in Trinidad and Tobago. Though not a significant area of focus, TT authorities periodically eradicate marijuana. Most marijuana is imported from St. Vincent and the Grenadines, the United States, and Canada because of the perceived higher quality (higher THC levels). U.S Customs and Border Protection (CBP) continues to intercept significant volumes of marijuana destined for Trinidad and Tobago at the Caribbean Airlines warehouse in Miami. CBP and other U.S law enforcement agencies work with various airlines to identify trends and intercept narcotics destined for Trinidad and Tobago. The country is also a transshipment point for marijuana from Venezuela, much of which is destined for Barbados, St. Lucia, and other islands in the region.

Trinidad and Tobago authorities reported a rise in the illegal importation and sale of marijuana seeds following the December 2019 decriminalization of the possession and cultivation of small amounts of marijuana. These seeds are typically imported illegally via postal and courier services.

## **3. Public Information, Prevention, and Treatment**

Information about drug use in Trinidad and Tobago remains limited and largely anecdotal. Authorities continue to report increased usage of MDMA and other synthetic drugs. In response, the government amended its Dangerous Drugs Act in November 2019 to include MDMA, ketamine, and additional fentanyl preparations in its schedule of prohibited substances. Additionally, the National Drug Policy and Operational plan for 2020-2024 was submitted to the cabinet for approval in June 2020.

There are several drug treatment programs in Trinidad and Tobago supported by the government – primarily the health ministry – as well as programs administered and privately funded by nongovernmental organizations, religious groups, and hospitals.

## **4. Corruption**

As a matter of policy, the government does not encourage or facilitate illegal activity associated with drug trafficking or the laundering of proceeds from illicit drug transactions. Nonetheless, there are persistent reports of drug-related corruption in the ranks of law enforcement, border security entities, and the postal system, which facilitates the transshipment and distribution of illicit drugs.

**C. National Goals, Bilateral Cooperation, and U.S. Policy Initiatives**

The United States and Trinidad and Tobago governments coordinate closely on shared priorities related to narcotics control, including developing law enforcement capacity, customs cooperation, and support to the judicial system.

The United States supports a wide range of efforts designed to address crime and violence affecting citizens of Trinidad and Tobago, primarily through the Caribbean Basin Security Initiative (CBSI). CBSI is a security partnership between the United States and Caribbean nations that seeks to substantially reduce illicit drug trafficking, advance public safety and citizen security, and promote social justice. The United States provides, via CBSI, counternarcotics training and capacity building for relevant TT criminal justice institutions, which contributed to the seizure of significant amounts of illicit drugs in 2020.

Trinidad and Tobago is a regular participant in the annual Multilateral Maritime Interdiction and Prosecution Summit, which joins maritime professionals from the operational, intelligence, and judicial communities and directly supports CBSI objectives. The Trinidad and Tobago Defense Force hosted the seventh summit in Port of Spain in October 2019.

The Drug Enforcement Administration and Trinidad and Tobago law enforcement maintain a cooperative relationship. Furthermore, CBP and the Transportation Security Administration collaborate closely with local authorities on improving security at airports and legal ports of entry.

**D. Conclusion**

Cooperation between Trinidad and Tobago and the United States related to drug trafficking and transnational crime continued to be strong and productive in 2020. The government should continue to implement reforms and improve technical capabilities within its law enforcement and criminal justice institutions to improve their ability to detect drug trafficking and other transnational crime and investigate, arrest, and prosecute offenders in a timely manner. Progress will also depend on efforts to combat corruption in the ranks of the country's law enforcement and border security agencies. Therefore, the government should examine the establishment of a special investigative and intelligence vetted unit, which would greatly improve its ability to target high level traffickers and dismantle drug trafficking networks.

## Turkey

Turkey is a transit country for illicit drug trafficking. Heroin, opium, and cocaine are generally trafficked through Turkey to European markets, and amphetamine-type stimulants (ATS) are trafficked to markets in the Middle East and Southeast Asia. Turkish authorities continue to seize large amounts of opiates and hashish in Turkey. U.S.-Turkish counterdrug cooperation is inhibited by the Government of Turkey's conviction of a U.S. staff member on spurious charges related to his official duties.

The Turkish National Police Counter Narcotics Department is the country's most proactive counterdrug force. The United States works with the Counter Narcotics Department. Components of the Ministry of Interior also have some drug control responsibilities, and the Ministry of Health is responsible for regulating pharmaceutical products and the importation of chemicals for legitimate use. The United States also works with Turkish Customs, which falls under the Ministry of Customs and Trade. The United States offers regional training opportunities to Turkish officials to provide additional skills to combat the illicit drug trade, although no Turkish official participated in trainings in 2020, many of which were cancelled due to the Covid-19 pandemic.

Turkey is located along one of the major transit routes for opiates smuggled from Afghanistan via Iran destined for Western Europe. Turkish smugglers are frequently involved in both heroin sales and transport, as well as the production and smuggling of synthetic drugs. Transnational criminal networks reportedly have interests in heroin conversion laboratories operating in Iran near the Turkish border. The Turkish government strictly controls licit opium poppy cultivation and pharmaceutical morphine production, with no apparent diversion into the illicit market.

Turkey is a transit route for methamphetamine smuggled from Iran and bound for Southeast Asia, as well as ATS from Eastern Europe destined for the Middle East. Cocaine is trafficked from South America through Turkey to Europe. Hashish is imported or grown domestically for local consumption.

According to Turkish authorities, during the first nine months of 2020, Turkish authorities seized more than 60 metric tons (MT) of marijuana; approximately 10 MT of heroin; 280 kilograms of cocaine; and approximately 5.9 million MDMA (ecstasy) tablets.

Illegal drug use in Turkey is relatively low, compared to other countries in the region, but there seems to be an increase in the number of people seeking treatment. No Turkish government officials were charged in 2020 with complicity in drug trafficking or the laundering of drug proceeds. While overall cooperation remained limited, Turkish law enforcement officials did respond positively to offers to work with U.S. law enforcement agencies to cooperate on potential drug trafficking and money laundering investigations in Turkey.

# Turkmenistan

## A. Introduction

Turkmenistan is a transshipment route for narcotics traffickers attempting to smuggle Afghan opiates to Turkish, Russian, and European markets, either directly from Afghanistan or through Iran. It is not, however, a major producer or source country for illegal drugs or precursor chemicals. Most illegal drug seizures occur along Turkmenistan's rugged and remote 500-mile border with Afghanistan and its 713-mile frontier with Iran.

Turkmenistan has intensive cooperation with international organizations and diplomatic missions in this realm, but its law enforcement agencies continue to require increased resources, training, and equipment.

## B. Drug Control Accomplishments, Policies, and Trends

### 1. Institutional Development

The Government of Turkmenistan directs the bulk of its law enforcement resources and personnel toward stopping the flow of drugs directly from Afghanistan, Iran, and other neighboring states. Common methods of illegal drug transshipment include concealment in cargo and passenger vehicles, deliveries by pedestrian couriers, and in some cases by concealment in the stomach or body cavities of humans and animals. Commercial truck traffic from Iran remains a vulnerability and Caspian Sea ferry traffic from Turkmenistan to Azerbaijan and Russia continues to be an opportune smuggling route.

To prevent the import of coronavirus into the country, the Government of Turkmenistan introduced strict general preventative measures and special restrictions at all border checkpoints, including sea, air, and land. In early 2020, restrictions were introduced on trans-border passenger transportation and cargo from most virus-affected countries. In March, all international flights were cancelled. These measures likely limited the ability of drug traffickers to transport drugs into the country or transit its territory via air.

Turkmenistan does not have an extradition treaty or mutual legal assistance agreement with the United States, but is a party to multilateral conventions that enable law enforcement cooperation.

### 2. Supply Reduction

In 2020, the number of press reports of detentions and arrests related to drug trafficking crimes was insignificant. This is most likely due to both the ongoing improvement of the drug control situation in the country and the impact of general and cross-border transportation restrictions associated with the COVID-19 pandemic.

According to reports from international organizations, drug control efforts in the country in the first half of 2020 remained stable and showed improvement in some basic indicators when compared with the same period in 2019. In the first six months of 2020, the number of registered

drug-related crimes and the number of arrests related to drugs decreased, including a drop in the number of arrests related to both cannabis and opium drugs.

According to local authorities and rare observation reports, the street-level prices of heroin, opium, and marijuana remained among the highest in the region, though this cannot be independently verified. The government holds two "drug burn" ceremonies per year in winter and summer to destroy seized drugs and tobacco products.

There is no evidence of synthetic drug production in Turkmenistan.

### **3. Public Information, Prevention, and Treatment**

The fight against drug trafficking remains a priority for Turkmenistan. The government continues to focus on the need for a consistent and uncompromising policy against illicit drugs and called on relevant ministries, organizations, and elders to coordinate efforts and provide wide scale prevention and education activities for youth.

Local law enforcement entities possess broad authority to initiate drug-related cases and send individuals to rehabilitation. The Ministry of Health operates six drug treatment clinics: one substance abuse out-patient facility in Ashgabat, a hospital treating drug abuse patients in the Ilyaly district of Dashoguz province, and one treatment clinic in each of the other four provincial administrative centers. Patients can receive free detoxification treatment at these clinics without revealing their identity, as clinic visits are kept confidential. The government also maintains a post-treatment rehabilitation center for alcohol, drug, and tobacco users in the Altyn Asyr district of Ahal province. Patients undergo rehabilitation for up to three months and the center can accommodate up to 120 patients at a time.

The Government of Turkmenistan has not published any drug abuse-related statistics since 2006.

### **4. Corruption**

Turkmenistan does not, as a matter of government policy, encourage or facilitate illicit drug production or distribution, nor is it involved in laundering the proceeds of the sale of illicit drugs. State media occasionally report arrests of both low level officials and high profile individuals for corruption-related crimes. Traffic police are reportedly known for soliciting bribes and public distrust of law enforcement is high. In 2020, there were no official reports of prosecution of law enforcement or other government officials for narcotics-related corruption.

### **C. National Goals, Bilateral Cooperation, and U.S. Policy Initiatives**

The United States continues to cooperate with Turkmenistan in the training of law enforcement personnel. In January 2020, six employees of the General Prosecutor's Office, two officials from the Ministry of Justice, and three sitting judges took part in a three-week Law Enforcement Leadership Development course at the International Law Enforcement Academy (ILEA) in Budapest, Hungary. In February 2020, nine officials from the General Prosecutor's Office, the

Ministry of National Security, and the Ministry of Internal Affairs took part in the Computer and Network Intrusions Course conducted at the ILEA.

The United States continues to finance a project, implemented by the United Nations Office on Drugs and Crime (UNODC), that will help the forensics lab of the Ministry of Health of Turkmenistan obtain accreditation in accordance with standards set by the International Organization for Standardization. The United States also funds a project, implemented by UNODC, that provides English language training for law enforcement personnel. At the Turkmenbashi seaport, the United States provides funding for the UNODC Container Control Program to improve security and interdiction efforts. The United States, in cooperation with UNODC, is implementing a project to strengthen the capacity of special services to effectively interdict the illegal movement of drugs and other goods across the border by creating three Border Liaison Offices at border crossings with Afghanistan and Uzbekistan. These offices will improve cross-border cooperation and exchange of information between special agencies on both sides.

#### **D. Conclusion**

The Government of Turkmenistan has indicated a desire for enhanced cooperation with international partners to combat narcotics trafficking. U.S. engagement with Turkmenistan's drug enforcement agencies remains important to promoting further reform efforts. U.S. assistance will continue to focus on supply reduction through various types of drug interdiction training, law enforcement institutional building, the promotion of regional cooperation, and the exchange of drug-related intelligence. The United States will also encourage the Government of Turkmenistan to intensify long-term demand reduction efforts and to continue its partnership with international organizations, such as the UNODC, and regional bodies, such as the Central Asia Regional Information and Coordination Center based in Almaty, Kazakhstan and funded by the United States.

## Ukraine

Ukraine is a transit country for illicit drug trafficking due to its location astride several important trafficking routes into western Europe. Ukraine's numerous ports on the Black and Azov seas, its extensive river routes, and its porous northern and eastern borders make Ukraine an attractive route for drug traffickers into the European Union's (EU) illegal drug market. The ongoing Russia-led conflict in eastern Ukraine has created an area vulnerable to exploitation by transnational criminal organizations (TCOs).

Before transiting Ukraine, TCOs traffic opium and heroin from Afghanistan through Central Asia, the Caucasus, Iran, Russia, and Turkey. Ukraine is a convergence point for the Northern and Balkan drug trafficking routes. South American cocaine is primarily moved through Ukrainian seaports and airports. In 2020, the State Border Guard Service conducted two operations at the Port of Odesa, intercepting 207.8 kilograms (kg) of cocaine from Ecuador and 120 kg of cocaine from Peru destined for EU countries and Russia.

Clandestine amphetamine and methamphetamine laboratories supply the local market. The use of new psychoactive substances (NPS) has been rapidly increasing in Ukraine over the past decade, following international trends. NPS are trafficked to Ukraine primarily via postal shipments from China. The amount of NPS available for widespread consumption has been increasing, as many NPS have an undefined legal status and are relatively cheap. "Designer" drugs remain popular, particularly among youth. Domestic seizures of NPS are usually in small quantities ranging from several grams to several hundred grams.

Most domestic drug abuse continues to come from regional illicit drug crops (cannabis and opium poppy). These account for more than 90 percent of the total drug market in Ukraine. In most instances, these drugs are locally produced. During the period January-October 2020, Ukrainian law enforcement reported disrupting 10 international drug trafficking routes, dismantling 74 clandestine labs, and eliminating 105 organized criminal drug trafficking groups. Law enforcement seized 6,790 kg of narcotics, psychotropic drugs, and other controlled substances, including 380 kg of heroin, 424.1 kg of cocaine, 868.5 kg of cannabis, 97.5 kg of Alpha-PvP, 78.8 kg of methadone, 63.3 kg of amphetamine, and other drugs.

The United States provides assistance to help Ukraine bring its law enforcement institutions up to Western standards and facilitate Ukraine's integration into Euro-Atlantic institutions, and the United States has well-established working relationships across the Ukrainian law enforcement sector.

## United Kingdom

The United Kingdom is a consumer and transit country for illicit drugs. In September 2020, United Kingdom authorities seized over a ton of cocaine and heroin at UK ports. The United Kingdom's cocaine and heroin consumption rates remain among Europe's highest. Cocaine purity levels remain high, and heroin purity levels continue to increase. Cocaine and heroin prices increased during the COVID-19 pandemic. Crack cocaine remains a problem in the United Kingdom; however, purities have stabilized after a continued rise since 2015. The purity of crack cocaine at the user-level has plateaued, but remains higher than at the wholesale level.

The Scottish government delayed its report on drug-related deaths for 2019 until the end of 2020 due to the COVID-19 pandemic, but expects the number of 2019 drug-related deaths in Scotland to be equal to or higher than 2018. The availability and use of benzodiazepines have increased in Scotland and Northern Ireland. In 2018, over 57 percent of drug-related deaths in Scotland resulted from street benzodiazepine use, while 29 percent of drug-related deaths in Northern Ireland resulted from diazepam abuse.

The United Kingdom continues to receive cannabis products via mail, fast parcel, and recently via air freight shipments, particularly from U.S. states where cannabis products are legal. UK-wide criminal organizations engage in domestic drug trafficking, as well as violent and financial crimes. Drug use remains linked to serious violence, as drug supply groups establish transnational networks to access and exploit existing drug markets.

Fentanyl use has declined since 2017, but continues to be a public health threat in the United Kingdom. Fentanyl availability has not increased, but has significantly diversified to include pills, patches, and powders. Despite this diversification, the quantity of fentanyl seized by law enforcement has decreased. The UK government acknowledges that the true extent of fentanyl use is unknown since testing standards vary across the United Kingdom, and it is possible that figures have been underreported due to limitations in forensic analysis and toxicology reports.

The United States and the United Kingdom work closely bilaterally and multilaterally on drug enforcement efforts. The United States continues to conduct coordinated drug trafficking and money laundering investigations with the UK National Crime Agency, Metropolitan Police Service, UK Border Force, Police Scotland, Police Service of Northern Ireland, and other United Kingdom law enforcement agencies. The United States has provided the United Kingdom with lead information on drug shipments bound for the United Kingdom, including couriers, parcels, and containerized cargo.

The United States and United Kingdom maintain a maritime counterdrug bilateral agreement for certain United Kingdom overseas territories (Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, Montserrat, and the Turks and Caicos Islands). Provisions include ship boarding, ship riders, pursuit, entry to investigate, and overflight of territorial seas. The Royal Navy and Royal Fleet Auxiliary participate in operations in the Caribbean region, and U.S. Coast Guard Law Enforcement Detachments operate aboard Royal Navy and Royal Fleet Auxiliary vessels through a Memorandum of Understanding.



# Uzbekistan

## A. Introduction

Uzbekistan is not an important source of drug production but is a transit country for Afghan opium and heroin destined for Russia and the European Union. Growing narcotics production in Afghanistan and intensifying cross-border movement with Tajikistan and other bordering countries have increased the risks of illegal drug smuggling in Uzbekistan. Seizures of hashish, poppy straw, marijuana, New Psychoactive Substances (NPS), and synthetic drugs all increased in the first half of 2020.

The government of Uzbekistan believes that opium and heroin usage by citizens is falling, while the illicit sale and consumption of pharmaceuticals with psychoactive substances and opioid pain medications as well as NPS is rising, especially among youth. Countering drug trafficking remains a top priority for the authorities.

## B. Drug Control Accomplishments, Policies and Trends

### 1. Institutional Development

Uzbekistan law enforcement's focus is on stopping drug smuggling from Afghanistan, Tajikistan, and Kyrgyzstan. High rates of coronavirus infection among law enforcement, and their mobilization for implementing COVID-related lockdown measures, weakened Uzbekistan's counter-narcotics activity in 2020.

The country is currently implementing the last year of its 2016-2020 counter-narcotics strategy, which includes raising public awareness, improving law enforcement's technical capacity, prevention programs, improved treatment and rehabilitation, prosecution of drug crimes, and updating legislation.

Legislative changes included: authorizing limited cultivation, processing and selling of cannabis by licensed private firms, strengthened fines and criminal penalties for the illegal sale of 78 prescription medicines, and strengthening medical, psychological, and rehabilitation services for drug addicts.

With U.S. assistance, forensic chemical laboratories of the Ministry of Internal Affairs and Ministry of Justice received international ISO accreditation in September 2020, which should improve quality control in drug testing and estimating the size and type of illegal drugs.

With support from Japan, the government operates Interagency Mobile Teams composed of customs, state security, law enforcement, and border patrol officials to break down bureaucratic silos in counter-narcotics operations. Uzbekistan continues to strengthen border communication and cooperation with all Central Asian countries via U.S.-funded Port Control Units and Border Liaison Offices.

Uzbekistan does not have treaties on extradition and mutual legal assistance with the United States, although it is a party to multilateral conventions that enable law enforcement cooperation. The U.S. Drug Enforcement Administration (DEA) closed its office in Tashkent in 2017 and maintains largely dormant Memoranda of Understanding with the Ministry of Internal Affairs, the Prosecutor General Office's Financial Intelligence Unit, and the National Drug Control Center (NCDC). In 2020, the NCDC advised that it would like the U.S. to re-launch the U.S.-mentored Sensitive Investigative Unit (SIU) that was suspended in 2005.

## **2. Supply Reduction**

There is no evidence of large-scale drug production facilities in the country, though cannabis and poppy are cultivated in small amounts for personal use and sold locally. Uzbekistan conducts an annual "Black Poppy" drug eradication campaign to address this issue, among others. According to the latest available data, the NCDC recorded 789 cases of illicit cultivation in the first six months of 2020, a 54 percent increase from the same period of 2019, and eradication of 0.37 hectares (ha), an increase of 0.14 ha from 2019.

In the first half of 2020, the authorities registered 2,933 drug-related offenses, a 36 percent increase from the same period of 2019, with a 16 percent fall in drug smuggling incidents due to COVID travel restrictions. Offenses included drug sales, smuggling, illicit cultivation, operating drug dens, and other related crimes. Law enforcement seized around 636 kilograms (kg) of various narcotics in the first six months of 2020, a 63 percent increase from the same period in 2019, according to the NCDC. Seizures included three kg of heroin, 55 kg of opium, 140 kg of hashish, 149 kg of marijuana, 279 kg of poppy straw, 1.2 kg of NPS and synthetic drugs, and 8.3 kg of tramadol and other pharmaceuticals. The authorities also seized 307,474 psychotropic tablets, a nine-fold increase.

The quantity of poppy straw and hashish seized grew by almost six-fold and three-fold respectively: the amount of cannabis increased slightly, and amounts of seized heroin and opium fell by 60 percent in volume, compared to the same period of 2019. The NCDC believes that drug use in Uzbekistan is shifting from plant-based drugs to NPS, smoking blends, and pharmaceuticals, though there is little data on this issue.

## **3. Public Information, Prevention, and Treatment**

Official statistics on domestic drug consumption in Uzbekistan are largely unreliable. The NCDC reported that the number of registered drug-addicted persons in dispensaries further dropped to 5,589 in the first half of 2020, from 5,905 in 2019. Cannabis and synthetic cannabinoid users reportedly constituted 71 percent and opium users 23 percent of all registered drug abusers.

According to NCDC, Uzbekistan's drug demand strategy prioritizes preventing the use of psychoactive substances by youth, raising public awareness about the health and legal consequences of drug abuse, and fostering healthy lifestyles. Uzbekistan implements programs through the Ministry of Public Education, the Ministry of Health, NCDC, and other government

agencies. Such activities include community-based meetings with students and teachers, media appearances, and through social media.

#### **4. Corruption**

As a matter of public government policy, Uzbekistan does not encourage or facilitate illegal activities related to drugs nor is there any available evidence that senior government officials are engaged in such activity. Uzbekistan created a new Anticorruption Agency in June 2020 to develop and implement anti-corruption policies in state agencies. It remains unclear whether the agency will prosecute drug-related corruption cases. While there are media reports of pervasive corruption at multiple levels in the government, high-profile convictions of senior officials typically have not involved drug-related crimes. Corruption cases are typically handled in military courts with little to no information made public.

#### **C. National Goals, Bilateral Cooperation, and U.S. Policy Initiatives**

A 2001 letter of agreement between the United States and Uzbekistan describes bilateral goals as enhancing the government of Uzbekistan's law enforcement capability to detect and interdict illegal drug shipments through its borders and strengthening the conduct of criminal investigations. Uzbekistan is a member of the U.S.-supported Central Asian Regional Information and Coordination Center (CARICC), a regional drug intelligence center based in Almaty, Kazakhstan.

There is little to no direct bilateral cooperation on counter-drug operational activities. The United States is funding three counter-narcotics assistance programs through the United Nation's Office on Drugs and Crime: 1) anti-money laundering training for law enforcement and finance industry officials; 2) a one-time survey on drug use in Uzbekistan to establish baseline data; and, 3) assistance to state forensic laboratories in obtaining international accreditation. The United States was poised to provide basic counterdrug training in 2020, but such efforts are on hold due to the coronavirus pandemic.

#### **D. Conclusion**

Uzbekistan's reluctance to share data and information with foreign governments on operational activities impedes international cooperation and makes it difficult to evaluate the country's drug control efforts and the severity of its drug problem. Drug control authorities lack technical capacity and expertise in such areas as cybercrime, digital forensics, and financial investigations. Uzbekistan should introduce more transparency in all aspects of its counter-narcotics efforts, including narcotics data, anti-corruption cases, and operational activities. Such transparency would foster improved cooperation with international organizations and other countries, including the United States, and thereby strengthen efforts to combat drug trafficking.

# Venezuela

## A. Introduction

Venezuela is a major drug transit country and a preferred trafficking route in the Western Hemisphere for illegal drugs, predominately cocaine. On January 10, 2019, Nicolás Maduro began an illegitimate second term as president. Juan Guaidó, as President of the National Assembly, invoked the Venezuelan constitution on January 23, 2019 to assume the role of interim president, but Maduro refused to cede power.

The interim government led by Guaidó has condemned the regime's reported complicity with illegal armed narcotrafficking groups, including the National Liberation Army (ELN) and dissident elements of the former Revolutionary Armed Forces of Colombia (FARC-D). He has characterized the regime as a drug trafficking cartel lacking full control of Venezuelan territory, running the risk of turning Venezuela into a "failed state" and a "sanctuary for organized crime." The regime's practically nonexistent international drug control cooperation; appropriation of the judiciary and military services for its own illicit ends; corruption; and cooperation with criminal elements provide ideal conditions for drug trafficking and associated violence. Given the economic crisis due to its corruption and mismanagement, the regime increasingly depends on narcotrafficking funds, among other illicit revenue streams, to maintain its illegitimate grip on power. In May 2020, a ten-day gun battle between pro- and anti- regime armed criminal gangs in the Caracas' Petare neighborhood showcased the regime's faltering control in the capital.

The regime took no action in 2020 against officials, individuals, and companies designated as Specially Designated Narcotics Traffickers or indicted by the United States for drug trafficking, and as a result there was widespread impunity for such crimes. Designees and those indicted for drug trafficking include Maduro himself and members of the regime's cabinet.

## B. Drug Control Accomplishments, Policies, and Trends

### 1. Institutional Development

On April 8, 2020, the Guaidó interim government established the Commission on Security and Intelligence to combat narcotrafficking and terrorism in Venezuela and enhance international cooperation.

The Maduro regime is not committed to narcotics control. In May, the illegitimate Constituent National Assembly (ANC) adopted a new drug law that created the National Anti-Drug Superintendency. Because the ANC is illegitimate, so too are the new drug law and superintendency. General Alberto Matheus remained the head of the regime's National Anti-Narcotics Office (ONA) and continued to report to Justice and Interior Minister Néstor Reverol, who is under indictment in the United States for cocaine trafficking. On October 25, 2020, Carmen Meléndez replaced Reverol as Minister of Interior. Reverol was moved to Energy Minister. Like Reverol, Meléndez is sanctioned by the United States for undermining democratic institutions. Venezuelan security services do occasionally confront and even kill illegal armed group members, as with the killing of a FARC-D commander in November, but it

is difficult to know if that reflects national strategy or local conflicts of interest on the part of regime commanders.

The United States and Venezuela are parties to an extradition treaty that entered into force in 1923 and a mutual legal assistance treaty that entered into force in 2004. The 1999 Venezuelan Constitution bars the extradition of Venezuelan nationals. The United States will not consider extradition or mutual legal assistance requests from the illegitimate Maduro regime. There is information sharing for investigative purposes between the United States and the interim government, which has also expressed interest in future extradition cooperation.

## **2. Supply Reduction**

Venezuela remains a major transit country for cocaine shipments via aerial, terrestrial, and maritime routes. Most flights suspected of trafficking drugs depart from the Venezuelan states of Apure and Zulia that border Colombia.

Unreliable statistics make it difficult to assess 2020 regime seizures. On July 27, the regime's ONA reported 23 metric tons (MT) of total drug seizures during the first six months of 2020, the same weight reported in 2019. On April 1, the U.S. Southern Command began enhanced counternarcotics operations in the Western Hemisphere, with narcotics flow from Venezuela a key interdiction target. The U.S. Coast Guard seized 9.6 MT of cocaine from vessels claiming Venezuelan registry in calendar year 2019.

Trafficking by maritime conveyance includes the use of large cargo containers, fishing vessels, and "go-fast" boats. There are signs of connections between drug trafficking groups and human smuggling operations, particularly on the maritime routes between Venezuela and the islands of Aruba, Bonaire, and Curacao. In southern Venezuela along the border with Brazil, Venezuelan gangs are working with Brazilian armed groups to traffic drugs. In Bolívar and Amazonas states, there are credible reports of Colombian terrorist groups active in illegal mining and drug and arms trafficking, forcing the displacement of indigenous communities. Venezuela is also a significant departure point for illegal aircraft conveying cocaine to Central America and the Caribbean.

Illicit drugs that transited Venezuela in 2020 were largely destined for the Caribbean, Central America, the United States, West Africa, and Europe. Colombian drug-trafficking organizations – including various FARC-D dissident factions, the ELN, and other criminal groups – facilitate the shipment of illicit drugs through Venezuela.

The illegitimate Maduro regime occasionally publicizes drug seizures, arrests, and destruction of airstrips. These apprehensions likely are targeted at those who fail to bribe or work with regime officials. Venezuela is not a member of the Cooperative Situational Information Integration System through which countries predetermine information to share automatically with the United States. Regime authorities do not share evidence about destruction of illicit drugs with U.S. officials.

### **3. Public Information, Prevention, and Treatment**

The consumption of illicit drugs in Venezuela, especially cannabis and cocaine, remained a problem in 2020, but recent statistical data is unavailable. The Institute for Health Metrics and Evaluation reports that between 1990 and 2018, drug overdose in Venezuela increased more than 350 percent and the use of drugs increased more than 200 percent. The regime's gross economic mismanagement and corruption has decimated the quality and availability of medical care in Venezuela.

### **4. Corruption**

Public corruption is endemic in Venezuela, facilitating drug-trafficking organizations' operations. Armed gangs originating in Venezuela's prison system (pranes) and pro-regime armed groups (colectivos) are deeply involved in narcotrafficking, as are the regime's military and security services, as well as high-ranking regime officials and their family members. In its 2020 annual report, the U.N. International Narcotics Control Board noted regime officials' involvement in the Cartel de los Soles narcotrafficking organization.

On March 26, 2020, the U.S. Department of Justice unsealed indictments against Maduro, Defense Minister Vladimir Padrino López, Supreme Court President Maikel Moreno, Economic Vice President Tareck El Aissami (designated under the Kingpin Act in 2017), and 11 others for leading the Cartel de los Soles. The U.S. Department of State announced rewards under its Narcotics Rewards Program against Maduro, El Aissami, illegitimate ANC President Diosdado Cabello, former General Hugo Carvajal, and former General Clíver Alcalá. Alcalá is now in U.S. custody. The illegitimate regime failed to take action against these or other government and military officials.

The U.S. Department of the Treasury has imposed sanctions on at least 22 individuals (including numerous current or former Venezuelan officials) and 27 companies linked to Venezuela by designating them as Specially Designated Narcotics Traffickers pursuant to the Foreign Narcotics Kingpin Designation Act.

### **C. National Goals, Bilateral Cooperation, and U.S. Policy Initiatives**

Drug control cooperation between Venezuela and the United States has been limited since 2005, when Venezuela refused to sign a negotiated addendum to the 1978 Memorandum of Understanding (MOU) on Narcotics Cooperation.

### **D. Conclusion**

In 2020, the illegitimate Maduro regime failed to make any efforts to combat illegal drug activity and prosecute corrupt officials or suspected drug traffickers, including those sanctioned by the U.S. government. Regime officials demonstrated a complete lack of will to address pervasive corruption, criminality, and drug trafficking. On December 2, 2020 the government of the United States and the Guaidó interim government issued a joint communiqué in which they reaffirmed their commitment to stem the transshipment of drugs through Venezuela, prevent

illicit drug cultivation and consumption, combat the endemic corruption of regime officials, and impede the money laundering and criminal networks related to the illegal trade of commodities.

## Vietnam

Vietnam is not a significant source or transit country for illegal drugs entering the United States, but it remains a significant transshipment point for transnational criminal organizations (TCOs) that traffic heroin, crystal methamphetamine, and ketamine to markets throughout East Asia and the Pacific. The cultivation and production of illegal drugs within Vietnam is uncommon. In 2019, Vietnamese police identified and dismantled clandestine methamphetamine laboratories in Vietnam set up by a Chinese TCO. However, no labs were identified during the period January-October 2020. In 2019, Vietnamese police also interdicted several multi-hundred kilogram quantities of methamphetamine, ketamine, and heroin from Chinese TCOs using Vietnam-based businesses for transshipment to the Philippines, Taiwan and Hong Kong.

The Government of Vietnam reports that approximately 90 percent of the illicit drugs seized in the country originate in Laos, Burma, and Thailand, and are smuggled into the country via overland routes, through rural roads along the Cambodia-Vietnam and Laos-Vietnam borders. Lesser volumes of illegal drugs are smuggled through Vietnam via sea and air routes by human couriers, sea freight, and commercial cargo services. Vietnam's drug interdiction capacities are limited by shortages of equipment and the rugged mountainous terrain of the borders between neighboring countries. Vietnam conducts outreach to the United States and regional partners to obtain expanded training and sharing of resources to support complex investigations.

Vietnam works with neighboring countries to carry out interdiction operations, with border liaison offices situated along the country's borders with Cambodia, Laos, and China. The United States promotes counter-narcotics information sharing, coordination of operations, and capacity building with Vietnam's Ministry of Public Security.

According to the most recently available data from the Government of Vietnam, in 2019 Vietnamese police investigated 24,170 drug-related cases, arrested 37,101 drug dealers, seized 1,494 kilograms (kg) of heroin, 5,500 kg of methamphetamine, 987,913 ATS/MDMA tablets, 600 kg of opium, and 586 kg of marijuana. In addition, Vietnam reported having 235,314 registered drug users, 95 percent of whom were males. Of the total persons tested for drugs, 70-80 percent had abused a psychotropic substance such as methamphetamine.

In the first 10 months of 2020, the United States provided training to 182 counternarcotics officers. Capacity building courses included advanced undercover operations, narcotics case coordination, and basic clandestine lab identification and dismantlement. These training events, along with other programs, have contributed to the increasing trust between government agencies and improved partnership on combatting TCOs. The United States supports a comprehensive partnership with the Vietnam Coast Guard to enhance Vietnam's maritime law enforcement capability, including doctrine development, training and instruction, and equipment provision.



