

The Honourable Marvin Hanlon Dames, Minister of National Security

The Commonwealth of The Bahamas

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Located along the drug trafficking routes between South America and North America and the migrant smuggling route emanating from one of the more impoverished and less stable Caribbean countries, The Bahamas continues to be challenged with unsafe transport and smuggling of migrants, gun smuggling and drug transshipments. Notwithstanding the challenges faced, The Bahamas has been consistent in its efforts regarding drug control and has either ratified or acceded to most of the international legal instruments, including the United Nations Conventions and the Inter-American Conventions.

During 2019, The Bahamas will undergo an assessment by the International Narcotics Control Board of its adherence to the Conventions and other recommendations. The Bahamas hopes that its actions would serve to demonstrate its national commitment to reduce and eliminate drug supply and demand, the diversion and trafficking of precursors, and money laundering relating to the same. In its efforts, the country has applied a two pronged approach inclusive of legislative and institutional frameworks and a comprehensive approach to drug demand and supply.

Legislative and Institutional Framework

The Bahamas has established a number of bilateral and regional international cooperation agreements for mutual legal or judicial assistance on the control of drug trafficking and related crimes such as the Mutual Legal Assistance in Criminal Matters Treaties, Forfeited or Confiscated Assets or their Equivalent Sums Agreement and an Investigation of Drug Trafficking and Confiscation of the Proceeds of Drug Trafficking Agreement. Laws or other legal provisions exist to provide mutual legal or judicial assistance to third party States in investigations, trials, and legal proceedings for drug trafficking and related crimes. Other preventive and enforcement measures taken to combat criminal activities that may be linked to trafficking includes laws to address trafficking in persons, smuggling of migrants and the financing of terrorism. Also, The Bahamas Extradition Act of 1994 permits extradition for drug trafficking and related crimes which has sought to facilitate the country signing extradition agreements with several countries.

The Financial Services sector continues to be a major contributor to The Bahamas' economy and, hence, the country has been responsive to the constant demands for improvements in its regulatory regime. While the country has updated and strengthened the legislative and institutional frameworks to counter money laundering derived from drug trafficking and related crimes through the updated Proceeds of Crime Act and Financial Transactions Reporting Act, amongst others, the threat of money laundering continues to be a challenge. Nonetheless, The Bahamas will use this as an opportunity for further strengthening the State's legislative framework and practices regarding the same.

Comprehensive Approach to Drug Demand and Supply Reduction

The Bahamas' current National Anti-Drug Plan covers the years 2017-2021. The National Anti-Drug Secretariat (NADS) functions as the main coordinating agency and collaborates with other government and non-government agencies in the planning and execution of the drug strategy. The plan incorporates the United Nations General Assembly Special Session (UNNGASS) recommendations, which are included in the Inter-American Drug Control Commission's Hemispheric Plan of Action, which the country is a party to.

As per the Political Declaration and Plan of Action on International Cooperation, The Bahamas has implemented universal, selected and indicated prevention programmes that targets members of the general population, selected at-risk groups and individuals exhibiting behavioural problems, respectively. However, we seek to improve upon coverage rates along with improvements in the monitoring and evaluation of prevention programmes to ensure both efficiency and effectiveness. The Bahamas hopes to become more deliberate, consistent and utilize more technology and innovation in targeting those most at-risk and across the archipelago to ensure that no one is to be left behind.

Further, The Bahamas has a national system for comprehensive treatment and social integration programmes for people with problematic drug use that takes into account human rights, age differences, and gender, while guaranteeing non-discrimination. The Bahamas does not have legislation on proportionate sentencing nor special courts or tribunals for low-level drug-related offenses. However, Magistrates do have the discretion to provide for treatment for drug-using offenders, as an alternative to sanctions or punishment. Efforts are underway for the establishment of more formal Drug Treatment Courts.

While The Bahamas does not have an accreditation process for centres that offer treatment and rehabilitation services nor the supervisory mechanisms in place to ensure the quality of services, The Bahamas has, within the past year, finalized and piloted its treatment standards which are in line with international standards. It is anticipated that a phased implementation will be put in place within the next year once the regulatory and supervisory mechanisms have been finalized. Sufficient numbers of trained staff to meet treatment needs across the country continues to be a challenge. To address the need for training, The Bahamas offers ongoing competence-based training in prevention and treatment, and participates in training programmes offered by the International Society of Substance Use Prevention and Treatment Professionals (ISSUP) that leads to certification.

Under the coordination of the Heads of National Law Enforcement Agencies (HONLEA), The Bahamas has consistently produced and implemented an integrated strategy to reduce drug supply. Drug supply reduction activities generally involve strategic programmes to detect and seize drugs; programmes for the eradication of illicit drug crops; control of precursor chemicals; forensic intelligence; and anti-money-laundering initiatives. To accomplish this, within our borders, we do employ special investigative tools and techniques that are approved by law. Additionally, The Bahamas actively engages in cross-border cooperation between law enforcement agencies in different countries for joint operations, exchange of liaison officers and exchange of information. As an example, Operation Bahamas Turks and Caicos (OPBAT) is a three-nation multiagency

drug interdiction effort focused on intercepting the illicit flow of drugs and other illegal activities between The Bahamas, Turks and Caicos Islands and the United States.

The Bahamas is a recipient of technical assistance in the area of drug supply reduction from other countries and external agencies and also takes full advantage of the communication platforms offered by the various international agencies, such as INTERPOL, to exchange information with counterparts in other countries. The Bahamas has a competent authority responsible for controlling domestic trade to prevent diversion of controlled chemical substances towards illicit activities and has an updated register of individuals and corporations handling pharmaceutical products containing precursor substances, narcotics or psychotropic substances. The country will improve in the area of regular inspections or audits of the establishments. The Bahamas has special processes for issuing import and export authorizations for substances subject to international control for medical and scientific purposes. Consequently, the potential for corruption among law enforcement ranks is a challenge, however, The Bahamas has taken a zero tolerance approach to such behaviour. Efforts to address the threat posed by corruption within domestic law enforcement agencies have been implemented and have been successful. It is expected that counter measures will continue to be implemented as new trends emerge.

Note that The Bahamas is fully committed to eradicating drug shipment and use within its borders, the region and globally. The ravaging effects are often consequential on individuals, families, communities and, most importantly, humanity. Therefore, on behalf of the Government and people of The Bahamas, rest assured that we are steadfast in our commitment to jointly addressing and countering the world's drug problems.