

# 2009 ANNUAL REPORT



MINISTRY OF NATIONAL SECURITY

**STRATEGIC  
SERVICES  
AGENCY**

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## **DIRECTOR'S FOREWORD**

Throughout the year 2009, we continue to grapple with the core security threats involving illicit trafficking of drugs and firearms-related violence. The need for a multi-stakeholder approach to tackle these issues became increasingly evident if we were to come to terms with the threats to national security posed by these by these problems.

Strategy is no doubt the lynchpin of success since it provides that vital link between political purpose and means. In many instances the "means" is severely challenged by limitations on manpower and other resources. This fact compels even further the need for closer collaboration among our stakeholder institutions as well as the wider public.

This 2009 report reflects the work of the Agency undertaken within the framework of the National Anti-Drug Strategy 2008-2012 which has set out the goals and priorities for the ensuing period.

The successes we have achieved in 2009 must not only be attributed to the hardworking, dedicated staff of the Agency but also to the commitment of our stakeholders.

It would be remiss of if I did not publicly acknowledge the collaboration and cooperation of our many stakeholders without whose input, the Agency would not have been able to successfully pursue its mandate in 2009.

# LIST OF ABBREVIATIONS

- AML/CFT**-Anti-Money Laundering /Counter Financing of Terrorism
- CARICOM** – Caribbean Community
- CARICOM IMPACS**- Caribbean Community Implementation Agency for Crime and Security
- CICAD** – Inter American Drug Abuse Control Commission
- CFATF** - Caribbean Financial Action Task Force
- CND**- Commission on Narcotic Drugs
- ESSI**-Energy Sector Security Initiative
- ECLAC**- Economic Commission for Latin America and the Caribbean
- EULAC- European Commission**
- FATF** – Financial Action Task Force
- GEG** – Governmental Experts Group
- HONLAC**- Heads of National Drug Law Enforcement Agencies, Latin America and the Caribbean
- HONLEA**- Heads of National Law Enforcement Agencies
- INCB**- International Narcotics Control Board
- Mini- Dublin Group**- A flexible, informal consultation and coordination body concerned with the global, regional and country-specific problems of illicit drugs production, trafficking and demand.
- MOU** – Memorandum of Understanding
- NADAPP** – National Drug Abuse Prevention Programme
- NDC**-National Drug Council
- NDIS** – National Drug Information System
- NDOTT** – National Drug Observatory of Trinidad and Tobago
- NOC**- National Operating Centre
- OAS**- Organization of American States
- ODPM**-Office of Disaster and Preparedness Management
- PRELAC**- Prevention of the diversion of drugs precursors in the Latin American and Caribbean Region
- PSODC**- Public Security Official Data Coordinator
- SSA** – Strategic Services Agency
- TOC**-Transnational Organized Crime

**TTPS**-Trinidad and Tobago Police Service

**TTPrS** - Trinidad and Tobago Prison Service

**UN** – United Nations

**UNDIR**-United Nations Institute for Disarmament Research

**UNODA**- United Nations Office for Disarmament Affairs

**UNODC** – United Nations Office of Drugs and Crime

**UN-LIREC**- United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean

**UN-CTS** – United National Survey of Crime Trends and Operations of Criminal Justice Systems

## 1.0 INTRODUCTION

1.1 The Agency's writ for reporting on its operations for the calendar year 2009 draws extensively upon the findings and recommendations of the Security Sector Review Report which was presented to the Honourable Prime Minister and Government of Trinidad and Tobago by HCR Security International Limited of Canada. Work on the review had commenced in September 2008 and was concluded in February, 2009 ahead of schedule and under the designated budget.

1.2 Following the presentation of the Review findings, a National Security Sector Review Implementation Plan was developed for implementation within determined timeframes. The Plan identified the specific recommendations made in the Review by module, confirmed the priority of each recommendation, described the expected outcomes or desired effects to be achieved upon the implementation of each recommendation and identified the lead Agency/Department responsible for ultimate execution.

1.3 The Review of the Agency by the Review Team focused on the following:

- mandate, structure, organization and staffing
- accountability and effectiveness of governance
- structure and organization of the Agency and its modus operandi
- terms of reference of key staff
- staffing with an emphasis on principles of merit
- hiring, training, supervision, performance, measurement and workload of key staff
- internal and external communications especially regarding channels of communication with domestic and overseas services
- value added in achieving VISION 2020 objectives

1.4 The Review Team concluded that against the backdrop of overlapping roles and responsibilities among security agencies and having regard to the fact that the Agency's mandate was *very narrow and difficult to justify as a separate entity if Trinidad and Tobago is to achieve its VISION 2020 objectives* – that the Strategic Services Agency [SSA], Security

Intelligence Agency [SIA] and security portion of the Special Branch should be amalgamated. The newly constituted entity, the National Security Intelligence Agency [NSIA] would emerge as the focal point for security intelligence. It is contemplated that the Strategic Services Agency Act would serve as the initial legislative base in the new configuration. A condition precedent to the new security architecture is therefore the amendment or repeal of this enabling Act.

1.5 The Staff of the SSA have been proactive at many levels as follows:

**I NATIONAL SECURITY COUNCIL  
SECRETARIAT**

The SSA has been loyal to the Transformation Implementation Framework that is being steered by the Acting Chief Executive Officer of the National Security Council Secretariat through the promotion of short and medium term recommendations, registering 100% attendance at TIC meetings.

**II MINISTRY OF NATIONAL SECURITY**

Acting on a Ministerial directive we are finalizing a formal security policy that will inform standards for security clearance, access control and document classification systems within the Ministry. This will be an important pillar in the new Security Sector framework.

**III HEADS OF SECURITY**

Our representation on the Heads of Security forum ensures the '*handover*' of decisions taken at the forum to Agency/Departmental level for consideration and execution.

## **2.0 IMPACT OF REVIEW ON CORE FUNCTIONS OF THE AGENCY**

2.1 The Security Sector Report is mute on the future disposition of the Agency's core functions in discharging the Supply Reduction component of Government's approved National Anti-Drug Plan 2008-2012 – rooted in Section 6 (1) and (2) of Act No. 24 of 1995. Section Two of the approved Plan acknowledges the 'significant contributions to the nation's strategic response to drug trafficking and crime in general ...' as this country's 'national focal point for drug-related supply reduction, information-gathering, monitoring international and local drug trafficking trends and negotiating training and technical assistance opportunities'. As of January 31, 2010 the SSA continues to await instructions on where this mandate would rest in the future.

## **3.0 STRENGTHENING AND SUSTAINING NATIONAL MECHANISMS DESIGNED TO COORDINATE AND MANAGE THE IMPLEMENTATION OF TRINIDAD AND TOBAGO'S APPROVED NATIONAL ANTI DRUG PLAN [2008 – 2012]**

3.1 This Report, while detailing the major activities undertaken by the Agency in 2009, also seeks to make a case for strengthening and preserving Trinidad and Tobago's national framework designed to coordinate and manage national initiatives to eliminate the illicit production and trafficking of drugs produced naturally and synthetically and promote related control measures. This framework is defined in Government's approved <sup>1</sup>National Strategy to Eliminate Illicit Production and Trafficking of Drugs Produced Naturally and Synthetically and to Promote Related Control Measures [2005 - 2009] and reiterated in the more recently approved National Anti-Drug Plan [2008 - 2012]<sup>2</sup>. The blueprint for this framework was derived from the United Nations Model Legislative and Regementary Text Establishing a Central Office for Suppression of Illicit Drug Trafficking<sup>3</sup>.

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<sup>1</sup> Cabinet Minute No. 3486 of December 16, 2004

<sup>2</sup> Cabinet Minute No. of . Prior to July 2000, in the absence of a National Commission, Trinidad and Tobago's first National Anti-Drug Plan was developed by the Strategic Services Agency. This responsibility is now appropriately assumed by the National Drug Council, pursuant to Indicator No. 1 [requirement] of the Multilateral Evaluation Mechanism Questionnaire.

<sup>3</sup> The Regulatory Text was one of the instrumentalities provided by the UN, pursuant to ratification and implementation of the UN Convention to Suppress the Illicit Production and Trafficking in Drugs and Psychotropic Substances.



3.2 The Text proposed that Member States –

- i) set up a central authority within an appropriate legal framework to support the coordination of measures to counter drug trafficking;
- ii) ensure close contact among all governmental bodies engaged in actions aimed at and empowered to detect offences related to drug traffic;
- iii) coordinate the actions of all Services; and
- iv) furnish the UN with Reports on the functioning of relevant (UN) Conventions as well as on trends and patterns that would cast light on sources of supplies and methods used by traffickers.

3.3 The said Text advocated that the Head of this Central Office ***shall take part in meetings of national services and establish and maintain contacts to facilitate the rapid exchange of information, movement of narcotic drugs and psychotropic substances, materials and instrumentalities and facilitate meetings, conferences and seminars to examine problems of common interest, in particular special problem needs of transit states.***

3.4 Government committed to the establishment of such a mechanism in 1995<sup>4</sup> and the National Drug Council [NDC] acknowledged in 2009 that this Supply Control Framework has resulted in 'significant contributions to the nation's strategic response to drug trafficking and crime in general'. The Council went further to note eight specific goals in the National Anti Drug Plan that are core to the 'integrated approach to solving the drug problem' and to guaranteed 'coordination among existing initiatives while avoiding duplication of activities and scarce resources'. Two of these goals are: that [Trinidad and Tobago] ***strengthen and sustain national mechanisms [legal and institutional] to coordinate and manage the***

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<sup>4</sup> The rationale for the establishment of a strategic response that was national in terms of scale to address drug trafficking and related serious crime in general, with credentials to interface with the international body of stakeholders led to the establishment of the Strategic Services Agency under Act No. 24 of 1995.

***implementation of the national initiatives for drug control and ensure a strong and comprehensive institutional and administrative framework.***

- 3.5 Another key observation made in the current National Anti Drug Plan was in reference to the 2005 Strategic Review of Government's Anti Drug Initiative<sup>5</sup>. The Review concluded that what was imperative was a 'clear definition of the responsibilities of the competent institutions, the parameters of their actions and coordination mechanisms among them for implementing the strategies outlined...' This criterion has been adequately satisfied within the current Supply Reduction component, [in contrast to demonstrable limitations experienced under Demand Reduction component which is not reinforced by legislation]. The Central Office discharge specifically defined functions and is mandated by law to produce annual Reviews and subject-specific Reports and report to the Parliament. In contrast, the Demand Reduction component has been identified for institutional strengthening outputs which could include a new organizational structure<sup>6</sup>.
- 3.6 Section I of this Report provides an appreciation of the integrative character of the Supply Reduction component of the National Anti-Drug Plan. It will be demonstrated that the Central Office is configured to establish functional links between national policy, the Supply Reduction Strategy and the roles and responsibilities of primary and secondary agencies involved in anti-drug action plans that flow from the Strategy.
- 3.7 Section II demonstrates the extent to which the Supply Reduction framework has enhanced Trinidad and Tobago's credibility in anti-drug initiatives, bi-regionally, within the Inter-American community and at regional level through best practices.
- 3.8 Section III outlines how a robust technological infrastructure that is unique to Supply Reduction now supports domestic stakeholders [including operational units] in executing their drug control missions. This infrastructure is so designed that Trinidad and Tobago can now fulfill

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<sup>5</sup> National Anti-Drug Plan 2008-2012 Section Two p. 31. The National Drug Council's role to "maintain a performance matrix of the implementation of all Plans of Action to which Trinidad and Tobago is obligated under various international initiatives and advise Government accordingly." This mandate is supported by the SSA's contribution in terms of preparing a drug interdiction strategy and stimulating action towards and monitoring the implementation of the agreed strategy as required by law.

<sup>6</sup> National Anti-Drug Plan p. 47

commitments made for the sharing and exchange of information and intelligence regionally and internationally under judicial and other cooperation agreements with other governments. Recent examples of such agreements are: the Police Cooperation Agreement between the Ministry of National Defence of the Republic of Colombia and the Ministry of National Security of the Republic of Trinidad and Tobago; the Agreement between the Government of the Republic of Trinidad and Tobago and the Government of the United Mexican States on Cooperation in Counteracting Illicit Trafficking in and Abuse of Narcotic Drugs and Psychotropic Substances and related Crimes; the Trinidad and Tobago/Venezuela Mixed Commission on the Suppression, Counter and Prevention of Illicit Trafficking in Narcotic Drugs and Psychotropic Substances [superseded by the Bilateral Security Meetings between Trinidad and Tobago and Venezuela, July 27, 2005] and the Cooperation Agreement between the Government of the Republic of Trinidad and Tobago and the Government of the Republic of Cuba to Counteract Drug Trafficking. Many of these Agreements have not been/cannot be satisfactorily discharged in the absence of an institutionalized framework, although admittedly intelligence sharing does occur between directly affiliated communities such as police, customs and intelligence. This type of sharing is mission specific and not of a wholly integrated nature, as contemplated under the Government to Government Agreements.

## **SECTION I**

- 4.0 The Inter-American approach to Supply Reduction seeks to reinforce the linkages between the overarching Hemispheric Anti-Drug Strategy and national policies, strategies and action plans<sup>7</sup>. The Hemispheric Strategy promotes greater coordination among national law enforcement agencies/officials and the judiciary of Member States, encourages intelligence gathering/exchange and drug-related investigations and more robust mechanisms for the verification of illicit drug trafficking trends, environmental damage, the identification of economic redevelopment programmes in areas currently or formerly under illicit crop cultivation and encourages international cooperation.

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<sup>7</sup> See Hemispheric Strategy on Drugs emanating from 1998 Summit of the Americas and Reiterated in Panama Action Plan and the commitments of the UNGASS on Drugs of 1998.

- 4.1 Control Measures, as distinct from Supply Reduction form part of a specific, yet correlated regime of initiatives within the Hemispheric Strategy on Drugs. Trinidad and Tobago maintained a robust institutional approach in addressing this aspect of the approved Anti-Drug Plan. Control measures specifically address: the dismantling of criminal organizations and their support networks, the development of legal systems taking particular account of the complex nature of the illegal drug problem; establishing and strengthening internal mechanisms for the control of precursors and essential chemicals [according to the provisions of the 1988 Vienna Convention and consistent with CICAD Model Regulations to Control Chemical Precursors and Chemical Substances, Medicines and Materials]; the establishment of stricter controls to prevent the movement of money and property derived from illicit activities and facilitate the forfeiture of assets so derived and the smuggling of small arms and light weapons and explosives, the collating, sharing and exchange of statistics on smuggled weapons and explosives in order to avoid diversion; the dissemination of information to facilitate the identification and determination of their origin; and prosecution of persons and groups responsible for illegal trafficking. The protection of Trinidad and Tobago's territorial borders is integral to all of this and has been accordingly identified as a Control Measure under the approved Supply Reduction Strategy.
- 4.2 Cabinet-appointed Ministerial Committees have been established to pursue various levels of activities involved in the administering of programmes designed to transition the Supply Reduction Strategy into "ground level action". It is also to be noted that these Committees serve as Inter-Sessional Working Groups tasked to prepare Briefs that form part of the reporting requirements of High Level [policy] and Expert Group [technical] Meetings that convene periodically<sup>8</sup>. Listed below are some examples of work that is undertaken by specific Cabinet appointed Ministerial Committees.

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<sup>8</sup> Examples are: Inter American Experts Groups Meetings on Money Laundering; Precursor Chemicals and Controlled Drugs. Also the UN Programme of Action Biennial Meetings, the OAS Technical Group on Transnational Organised Crime; the European Union Latin American Caribbean Coordination and Cooperation Mechanism Against Drugs – High Level **and** Experts Group Meetings. With the exception of Biennial Meeting, the other convocations are held on an annual basis.

**1. CABINET-APPOINTED PRECURSOR CHEMICALS TEAM**

**[Minute No. 2169 dated August 28, 2003]**

4.3 The assembly of a team of officials in 2003 [under the Chairmanship of the Director, Forensic Science Centre] was a first step in an exercise aimed at reviewing the present legislative regime and taking appropriate steps to strengthen existing systems as a whole. The Team was initially tasked to develop a National Precursor Chemical Policy and Strategy and submit draft legislation to Cabinet for consideration.

4.4 To date, the Team has produced the following:

- a Policy Paper on Precursor Chemicals – which delivers an assessment of the current institutional arrangements and legislative regime and recommends consolidated legislation [having regard to the provisions of The Dangerous Drugs Act 1991 as amended in 1994 and 2000; the Pesticides and Toxic Chemicals Act, 1979; and the Food and Drugs Act Chapter 30:01 and the requirements of Article 12 of the Vienna Convention. [This had been proposed in the approved Supply Reduction Strategy 2005-2009 p. 38].
- a draft Precursor Chemicals Bill. [The approved Supply Reduction Strategy 2005-2009 proposed that a team of experts would be tasked to examine legislation and put forward an appropriate draft Bill p. 38].

**2. NATIONAL COMMITTEE ESTABLISHED TO DEVELOP,  
MONITOR AND PROMOTE A COUNTER MONEY LAUNDERING  
AND TERRORIST FINANCING FRAMEWORK**

**[also referred to as a National Anti-Money Laundering Committee]**

4.5 Established on the authority of Cabinet [Minute 650 dated March 23, 2006] the National Anti-Money Laundering Committee is Government's key vehicle in implementing the political will reflected in Trinidad and Tobago's approved Anti-Money Laundering Strategy. The

Committee comprises a high-level membership representing law, law enforcement, intelligence, banking and finance. Its primary functions are:

- providing technical support and advice to the Prime Contact, Government's official point of contact with the Caribbean Financial Action Task Force (CFATF).
- facilitating mission visits for ongoing Multilateral Evaluation Assessments.
- conducting ongoing reviews of Trinidad and Tobago's current legislative framework, and causing to be prepared policy proposals and legislative briefs. This is aimed at compliance with the FATF 40+9 Recommendations.
- facilitating outreach with national stakeholders including specific sectors regulated by the AML/CFT regime.
- facilitating capacity building of enforcement and regulatory authorities through access to training and technical assistance delivered by international partners [IMF, World Bank, FATF, Egmont Group].
- liaising with the Office of the Attorney General in contributing to the pre-legislative work.
- Preparation of appropriate Briefs [e.g. Follow Up Reports] for presentation at CFATF Plenaries and Ministerial Councils and Commentaries Required on deliberations of the CFATF Steering Group and Financial Action Task Force Working Groups.

## SECTION II

- 5.0 Fifteen strategic objectives are now in force under Supply Reduction. These are identified in the National Strategy to Eliminate Illicit Production and Trafficking of Drugs Produced Naturally or Synthetically and To Promote Related Control Measures and re-iterated in the National Anti Drug Plan.
- 5.1 Three of these objectives: preventing the diversion of precursor chemicals and promoting the monitoring of controlled drugs; eliminating the illicit traffic of arms, ammunition and their component parts and eliminating the incidence of criminal money laundering and promoting the confiscation of criminally-derived assets – have been recognized as examples of international best practices by the wider global community.

### **1. MONEY LAUNDERING**

- 5.2 In 2006, a high-level mission visit to Port of Spain by executives and policy makers of the Eastern and Southern African Anti Money Laundering Group engaged in formal dialogue with the Executive Director of the Caribbean Financial Action Task Force [CFATF] and the Director of the Strategic Services Agency [SSA].
- 5.3 The mission was introduced to the methods of operation of the regional-styled body [CFATF] and to the institutional design and operations of the Strategic Services Agency [SSA], the latter in specific relation to primary support provided to the office of Trinidad and Tobago's Prime Contact to the CFATF. On the basis of this Port of Spain contact the organizational mission of the Southern African Group has been considerably enhanced. A reciprocal visit to that region's Eastern and Southern African Anti Money Laundering Group was paid by the CFATF to obtain first-hand feedback on the merits of the Port of Spain visit.

## **2. PRECURSOR CHEMICALS AND CONTROLLED DRUGS – The National Drug Control System [NDS]**

5.4 The United Nations Office on Drugs and Crime (UNODC) has been commissioning National Drug Control Systems [NDS] at capitals in select sub regions, with the objective of establishing a global network of such facilities. The purpose of establishing systems of controlling the production, manufacture and trade in precursor chemicals nationally and internationally is twofold: to prevent illegal diversion and to ensure that countries obtain the required quantities for medical, scientific, industrial and other forms of legal/licit use.

Given the scale of Trinidad and Tobago's petrochemical and manufacturing sector, its highly competitive energy base and the complex process of regulating and monitoring the movement of chemicals among numerous stakeholders, the need for a centralized and/or quota system to capture this volume of transactions, is compelling. The NDS which is now housed at the Strategic Services Agency [SSA] offers a solution.

5.5 The system provides, inter alia, the following features:

- An electronic repository of all institutions and bodies dealing with controlled substances as well as monitors relevant transactions that are performed on those substances by registered companies e.g. the issuance of domestic licenses and import/export authorizations; and
- Automation of information amongst all involved stakeholders at national and international levels; e.g. information relative to Narcotics Control Board Annual Reports on precursor chemical shipments.

5.6 Installed in 2007, The National Drug Control System [NDS] housed at the Strategic Services Agency [SSA] in Port of Spain, is configured to serve the CARICOM bloc, in the same way as a similar system in Mexico [commissioned in 2009] services Central America. The institutional framework for Trinidad and Tobago's Supply Reduction Strategy enabled this country to meet National Administration criteria for the hosting of the multi-user system. No other jurisdiction within CARICOM meets these requirements.



5.7 Jamaica has already signaled interest to benefit from the shared-use facility. This occurred in 2008 during the 51<sup>st</sup> Session of the Commission for Narcotic Drugs (CND) held in Vienna, Austria. On that occasion, the United Nations Office on Drugs and Crime [UNODC] in collaboration with the Inter American Drug Abuse Control Commission facilitated a side meeting between respective country delegations as a first step towards a formalized arrangement.

5.8 **3. COMBATING THE TRAFFICKING OF SMALL ARMS  
AND LIGHT WEAPONS – CONTRIBUTION TO REGIONAL  
POLICY, STRATEGY AND PROGRAMME OF WORK**

5.9 Pursuant to a decision taken at the Fifth Meeting of the Council of Ministers responsible for National Security and Law Enforcement [CONSLE] held in Port of Spain, Trinidad and Tobago on April 03 - 04, 2008 pursuant to Recommendations for a Regional Counter Proliferation Strategy, the Strategic Services Agency [SSA] partnered with the relevant CARICOM desk [Implementation Agency for Crime and Security] in sharing experiences on strategy development and programme administration. It is to be noted that Trinidad and Tobago is one of the CARICOM members that has consistently satisfied UN reporting requirements and questionnaire responses to the UN Institute for Disarmament Research [UNIDIR] and participated in Biennial Meetings.

5.10 Specific features of Trinidad and Tobago's strategic framework agreed to at regional level by CONSLE include –

- **ensuring** harmonization of policy, strategy and operational initiatives. This is the mission of the Ministerial Gun Retrieval Committee which is chaired by the Strategic Services Agency [SSA].
- **oversight** for harmonization of legislation in relation to the UN Programme of Action and related Inter American instruments. This portfolio is held by the Strategic Services Agency [SSA] for coordinating Trinidad and Tobago's Supply Reduction component.

- ***mechanisms*** for the development, maintenance and sharing of relevant, accurate and timely statistics which support strategic policy and operational planning. The INV7 provides this asset and is housed at the Strategic Services Agency [SSA].
  
- ***regular country assessments*** and fulfillment of official reporting criteria to the United Nations [UN] and Inter American Drug Abuse Control Commission [CICAD]. With the exception of Trinidad and Tobago and Jamaica, members of the CARICOM bloc have faltered in their UN and CICAD commitments.
  
- ***groundwork for the projected Regional Integrated Ballistic Information Network [RIBIN]***. This has been made possible with the acquisition of IBIS System by Forensic Sciences Centre carded to be upgraded to 3D ballistic system with INV7 capitalizing on database sharing capabilities of the proposed network. This will permit electronic interface among relevant local agencies at all phases of the investigative and forensic chain in Port of Spain, Trinidad. This system has been presented on two occasions at the Heads of Security forum of the Ministry of National Security and MOUs now exist among select Agencies in support of their specific roles e.g. investigation, forensic analyses, case building, intelligence.

These measures contributed significantly to the work of the SSA within 2009 in its effort to contribute to the monitoring and/or controlling of the illegal trafficking of firearms.

### SECTION III

#### **6.0 MULTILATERAL EVALUATION MECHANISM and INTERNATIONAL COOPERATION**

- 6.1 The Multilateral Evaluation Mechanism [MEM] is a formalized process agreed to by Member countries of the Organization of American States [OAS] to measure progress made in drug control throughout the hemisphere. The Multilateral Evaluation Mechanism [MEM] is a mechanism which promotes the dissemination of information on progress achieved through individual and collective efforts of governments and on this basis it promotes dialogue and cooperation at hemispheric level. By this means assistance is channeled to areas of greatest need, thereby optimizing resources.
- 6.2 Two of the indicator requirements of the Multilateral Evaluation Mechanism [MEM] are: the development and implementation of a National Drug Observatory [NDOTT] and a National Drug Information System [NDIS]. These mechanisms promote the **centralization of statistical and other data for policy makers and researchers**, provide a **source of communication to** the public on Government's response to the drug problem, **promote increased networking and collaboration among agencies** and **increased efficiency in the management of information of the drug problem**.
- 6.3 The Supply Reduction database [INV7] provides a technological foundation that facilitates timely and tailored analytical support, creates web based information that adds value to analysis and strengthens collaboration among primary and secondary stakeholders. Relevant MOUs with the Strategic Services Agency [SSA] have been signed by TTDF, TTPS and the Immigration Division of the Ministry of National Security. Discussions have commenced with the National Drug Council on the use of INV7 to add robustness and flexibility to the current systems on which the National Drug Observatory [NDOTT] and National Drug Information System [NDIS] are being run.
- 6.4 While striving to address drug control and transnational organized crime, the provision of mutual assistance in criminal matters, the sharing and exchange of information and intelligence

are integral to all bilateral and multilateral agreements between Trinidad and Tobago and other regional partners. Giving effect to these commitments requires an institutional framework with proven credentials for security, time sensitivity and confidentiality. This is now guaranteed with the use of technology, not previously accessible when many of these agreements were signed. Law enforcement, intelligence, investigative, forensic and operational units now have the ability to share and exchange information locally and internationally with respect to a range of subjects including, but not limited to, travel patterns on persons of interest, deportees, drug arrests and seizures and movement of vessels.

## **7.0 PRECURSOR CHEMICAL CONTROL IN TRINIDAD AND TOBAGO**

### **7.1 Domestic – Draft Bill and Policy/PRINCE 2 Project**

Trinidad and Tobago periodically examines its controls of precursors and other chemical substances through Meetings of the Precursor Chemical Team [PCT]. The Strategic Services Agency [SSA] currently chairs this Team. The Committee is composed of representatives from all the relevant Government Ministries and private sector involved in the supply and use of such controlled substances<sup>1</sup>. Control measures deemed necessary for adoption by the Team are adequately discussed and proposals are made to the relevant Ministries.

7.2 In 2009, the primary work of the PCT was the redrafting of the Precursor Chemical Bill, with a view to incorporating the views of its newest members, the Ministry of Energy and Energy Industries, the private sector representatives and the Ministry of Trade and Industry. From July to November 2009, eleven meetings of the PCT were held in order to advance this work as well as other initiatives such as Trinidad and Tobago's participation in the "*Prevention of the Diversion of Precursor Chemicals in Latin America and the Caribbean*" [PRELAC] Project as well as the Precursor Chemical Project.

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<sup>1</sup> Ministry of Health, Ministry of Trade and Industry, Ministry of Finance: Customs & Excise, Ministry of National Security, Ministry of Energy and Energy Industries, Trinidad and Tobago Manufacturers' Association and Trinidad and Tobago Chamber of Industry and Commerce.

- 7.3 It is envisioned that once a consensus has been reached by the Team on the revised version of the Bill, the SSA will be in a position to resubmit the draft legislation to Cabinet for its consideration.
- 7.4 The PCT is also involved in launching the Precursor Chemical Project with the United Nations-endorsed PRINCE 2 project management methodology framework. The main aim of this project is to establish the Precursor Chemical Unit for which the upcoming legislation [Precursor Chemical Bill] provides. This Project represents a collaborative effort between the SSA [representing the PCT] and the United Nations Development Programme [UNDP] to rationalize and execute the activities relevant to the establishment of the Unit. One example of the operational issues to be decided upon is the use of the National Drug Control System [NDS] which is an information platform designed to automate transactions between and among stakeholders so as to improve the monitoring of precursor chemicals.

The most recent developments with respect to this Project are as follows:

1. September 29, 2009 – Draft Project Document and Cost Sharing Agreement finalized
2. December 16, 2009 – Cost sharing agreement<sup>2</sup> reviewed and approved by SSA's Legal and Financial Advisor.
3. Proposed that by January 2010 – Correspondence to be sent to Permanent Secretary of Ministry of National Security re: Launching of the Precursor Chemical Project.

## **8.0 REGIONAL AND HEMISPHERIC – PRELAC/CICAD Group of Experts on Chemical Substances and Pharmaceutical Products**

### **8.1 PRELAC**

Trinidad and Tobago is part of a European Commission-financed, 3-year project called the "*Prevention of the Diversion of Precursor Chemicals in Latin America and the Caribbean*" [PRELAC]. With the authorization of Government, officials from the Strategic Services Agency

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<sup>2</sup> The date for signature of both the cost sharing agreement and the project document are yet to be determined.

[SSA] and the Ministry of Health attended its inaugural seminar in July 2009. This project is designed to strengthen the capacities of national administrative control authorities to prevent the diversion of precursor chemicals from the licit market in Latin America and the Caribbean for the illicit manufacturing of narcotic and synthetic drugs.

Within the framework of the project, it is proposed that in all participating countries:

- A web-based system be established for information exchange on the movement of precursor chemicals in the region
- Precursor control mechanisms and legal frameworks be standardized
- Inspection and investigation techniques improved
- Synergies fostered between the control agencies and chemical operators in both the public and private sector; and
- The effectiveness of customs administrations in the control of precursor chemicals improved.

8.2 During October 12 – 14, 2009, the PCT facilitated the visit of a PRELAC official to Trinidad and Tobago to conduct an analysis of the country's precursor chemical control mechanisms with a view to obtaining information which would contribute in designing a regional web-based communication tool that will enhance the sharing of information among Member States on these matters. In the course of his visit, the official held discussions with and apprised the Permanent Secretary of the Ministry of National Security of his mission. The subsequent PRELAC Technical Evaluation Report on Trinidad and Tobago, will be published by the PRELAC Administration in the first quarter of 2010.

8.3 During December 9 – 10, 2009 PRELAC hosted Regional IT Workshop in Lima, Peru. At this Meeting, participants inclusive of three representatives from Trinidad and Tobago discussed in preliminary terms, what is needed for the establishment of an IT Committee to develop the aforementioned regional web-based communication tool. A

representative from the SSA was nominated as Trinidad and Tobago's representative to this Committee. The first meeting of PRELAC IT Committee was scheduled to be held in February 2010.

## **9.0 CICAD**

- 9.1 Trinidad and Tobago also actively participates in precursor chemical control-related meetings such as the CICAD Group of Experts [GEG] on Chemical Substances and Pharmaceutical Products. Officials from the Strategic Services Agency and the Ministry of Health regularly attend these annual meetings where current trends, patterns and control measures related to precursor chemicals are discussed among countries of the Western Hemisphere. One such example of this is the awareness gained of chemicals more recently discovered as increasingly being used in the production of illicit drugs. Knowledge of these trends is then passed to the relevant domestic competent authorities for their subsequent monitoring.

The most recent CICAD GEG meeting was held in Lima, Peru during August 10 – 14, 2009 in which representatives from the SSA and the Ministry of Health participated.

## **10.0 COMBATING THE LAUNDERING OF MONEY AND FINANCING OF TERRORISM**

- 10.1 The Staff of the SSA who served as the secretariat of the AML/CFT Committee, which is chaired by the Director of the SSA, provided yeoman service in ensuring that Trinidad and Tobago maintained its credibility in meeting its international obligations. As mentioned in previous Annual Reports, Government has committed itself to sustaining a level of performance as a member of the Caribbean Financial Action Task Force [CFATF], offering an example to the international community, that is indicative of a robust and responsible Anti-Money Laundering/Combating the Financing of Terrorism [AML/CFT] regime. Government acknowledges that the CFATF Mutual Evaluation Programme and the Follow-up process as determined by the CFATF Council of Ministers is critical to the protection of the economy against criminal activity and the reputation of the Caribbean Basin Region as a strong partner on AML/CFT issues.

## **11.0 MEMBERSHIP PARTICIPATION**

11.1 Trinidad and Tobago continues to be guided by the Caribbean Financial Action Task Force [CFATF] constitutive document - the Memorandum of Understanding [MOU] and more recent commitments and undertakings enshrined in the St Kitts and Nevis Communiqué which provide guiding principles for all aspects of CFATF operations. During 2009 the Strategic Services Agency [SSA] was part of a Trinidad and Tobago delegation represented at two annual Plenary Meetings, namely

- The XXIX Plenary of Senior Officials hosted in Port of Spain, Trinidad
- The XXX Plenary of Senior Officials and Ministerial Council XVI held in Curacao, Netherlands Antilles on October 27 – 30, 2009

The delegation of Trinidad and Tobago at Plenary XXX comprised

Ms. Serena Joseph-Harris	-	Strategic Services Agency
Ms. Wendy Ho-sing	-	Central Bank of Trinidad and Tobago
Mr. Stephen Sookram	-	Counter Drug and Crime Task Force
Mr Andrew Balbosa	-	Special Anti Crime Unit of Trinidad and Tobago

The Attorney General, Senator the Honourable John Jeremie represented Trinidad and Tobago at the Ministerial Council Meeting.

## **12.0 THE MUTUAL EVALUATION PROGRAMME**

12.1 Emanating from a decision taken at the XVI Ministerial Council, Trinidad and Tobago was directed to pursue four specific lines of action geared towards the enhancement and consideration of its compliance ratings.

- i) As a member of the CFATF, Trinidad and Tobago was required to prepare a Matrix and Action Plan for submission to the CFATF Secretariat. The Matrix and Action Plan reflected the status of legislative and administrative measures being taken in relation to: the Proceeds of Crime Amendment



Act No. 10 of 2009; the Financial Intelligence Unit Act No. 11 of 2009 and the [then] Financial Obligations Regulations – Legal Notice 213. The 2009 Regulations are now superceded by the Financial Obligations Regulations, 2010, passed on January 19, 2010.

- ii) As a jurisdiction under the “enhanced monitoring” imposed by the Financial Action Task Force [FATF] International Cooperation Review Group, Trinidad and Tobago was directed to address *key deficiencies, which when coupled with the characteristics of the jurisdiction’s financial sector and its ML/FT threat profile, constitute a significant deficiency for prioritized action.*

12.2 The strategically important deficiencies identified in the ICRG Targetted Review were:

- Lack of criminalization of both money laundering and terrorist financing [FATF Recommendation I and Special Recommendation II]
- Lack of adequate customer due diligence measures for reporting entities and proper supervision of financial institutions for compliance [Recommendations 5 and 23]
- Lack of a functional financial intelligence unit to receive and analyse suspicious transactions reports [Recommendations 26 and 13]

12.3 In January 2010 the foregoing deficiencies are to be addressed in the course of a comprehensive “Legislative and Administrative Roll-Out” executed through the office of Trinidad and Tobago’s Prime Contact to the Caribbean Financial Action Task Force [CFATF].

1. The Financial Obligations Regulations 2009 which were laid in Parliament on October 09, 2009 and published on October 10, 2009 were scheduled to be repealed and replaced by strengthening Financial Obligations Regulations 2010.
  2. The Amendment to the Anti-Terrorism Act which criminalizes the financing of terrorism, thereby fulfilling FATF Special Recommendations 1 to 5 is scheduled to be passed in January 2010 and assented to shortly thereafter.
  3. Further to the passage of an Act to establish the Financial Intelligence Unit (FIU) of Trinidad and Tobago assented to on October 09, 2009, the administrative [FIU] remains to be brought into full operational mode. An approach is to be made to Cabinet in January 2010 seeking approval for the retention of a Consultant through the Sole Selective Tendering process. Upon engagement, the Consultant is expected to commence the process of advertising internationally for a suitable candidate to fill the position of Director, Financial Intelligence Unit and provide an organizational and plant structure in preparation for the staffing of the unit. March 31, 2010 has been set as a timeline for this phase of activity.
- 12.4 In January 2010, a Follow-Up Report reflecting the above referenced actions taken by Government is to be forwarded to the Americas Review Group Co-chairs for consideration and inclusion in their Final Reports to be forwarded to the FATF Plenary.
- 12.5 Trinidad and Tobago was successfully able to fulfill schedules imposed by the Americas Review Group (reproduced below for reference). The Secretariat worked assiduously to ensure that the timelines set were met.

DATE	ACTIVITY	STATUS
December 11, 2009	Jurisdictions under review to send comments on draft reports and additional comments	Comments on hold, pending passing of Financial Obligations Regulations and legislation criminalizing the financing of terrorism.
January 04, 2010	Primary reviewers to distribute draft reports to group	Comments on hold, pending passing of Financial Obligations Regulations and legislation criminalizing the financing of terrorism
January 07, 2010	Conference call of AARG to review revised draft reports	Comments on hold, pending passing of financial Obligations regulations and legislation criminalizing the financing of terrorism
January 08, 2010	Primary reviewers to send final drafts to AARG Co-chairs for review	
January 11, 2010	Co-Chairs to provide final draft Reports to FATF Secretariat and to five jurisdictions for final review	Draft Report from Co-chairs received
January 21-22, 2010	ICRF Intercessional in Paris	Updated comments dispatched from Port of Spain to Co-chair ARR
January 25, 2010	Primary reviewers/AARG Co-chairs to update country reports as per ICRF and/or additional comments from jurisdiction	Updated comments from Port of Spain incorporated into country report
January 26, 2010	AARG Co-chairs to provide final reports	
February 15-19, 2010	FATF Plenary	

4. A Financial Enforcement Unit has been established within the framework of the Special Anti-Crime Unit of Trinidad and Tobago. The Development Plan of the Unit provides for its full development over the short, medium and long term.
5. Cabinet approved of the conduct of a Vulnerability Survey/Risk Assessment of Trinidad and Tobago's Anti-Money Laundering/Combating the Financing of Terrorism [AML/CFT] framework in 2010 by the International Monetary Fund [IMF].

## **13.0 PUBLICATIONS**

The Agency is mandated to advise on policy formation and disseminate information and intelligence to the appropriate Services (Section 6 (1) (d) (e) of Act 24 of 1995). To this end, the Agency produces and publishes several publications. The Narcotics and Firearms Quarterly Bulletin which was compiled for the first three quarters of 2009 and the World Watch for all four quarters respectively were our publications for the year. Our readership includes Government as the principal stakeholder and domestic and international partners within law enforcement, intelligence, regulatory and operational sectors and diplomatic missions

### **13.1 World Watch**

The World Watch publication provides a global overview of international developments that are aligned to the Agency's Strategic Objectives and is targeted specifically for readership by Trinidad and Tobago's Foreign Missions.

## 13.2 Narcotics and Firearms Quarterly Bulletin

The Narcotics and Firearms Quarterly Bulletin gives an in-depth analysis of patterns of arrests and seizures of narcotics and firearms within Trinidad and Tobago. The data is provided by the Trinidad and Tobago Police Service, the Counter Drug Crime Task Force as well as the Trinidad and Tobago Prison Service.

## 14.0 CONCLUSION

The operations of the Agency for the calendar year 2009 were undertaken against the backdrop of the findings and recommendations of the Security Sector Review Report. These findings created an air of uncertainty with respect to its future operations. Despite these challenges, the Agency faithfully sought to achieve its objectives of facilitating measures to reduce the supply of illicit drugs and other related criminal activities.

While the Security Sector Report is mute on the future disposition of the Agency's core functions in discharging the Supply Reduction component of Government's approved National Anti-Drug Plan 2008-2012, the Agency nevertheless continues to undertake its core functions which are rooted in Section 6 (1) and (2) of Act No. 24 of 1995.

Regardless of the uncertainty of what the future holds, the SSA will continue in 2010 to make significant contributions to the nation's strategic response to drug trafficking and crime in general as this country's 'national focal point for drug-related supply reduction, information-gathering, monitoring international and local drug trafficking trends and negotiating training and technical assistance opportunities'.