



**ORGANIZATION OF
AMERICAN STATES (OAS)**



MEM
**MULTILATERAL EVALUATION
MECHANISM (MEM)**

**INTER-AMERICAN DRUG ABUSE
CONTROL COMMISSION (CICAD)**

**SECRETARIAT FOR MULTIDIMENSIONAL
SECURITY (SMS)**

Guatemala

Evaluation Report on Drug Control

2014



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**Organization of American States (OAS)
Secretariat for Multidimensional Security (SMS)
Inter-American Drug Abuse Control Commission (CICAD)**

Multilateral Evaluation Mechanism (MEM)

Guatemala

**EVALUATION REPORT ON DRUG CONTROL
2014**



PREFACE

The Multilateral Evaluation Mechanism (MEM) is a diagnostic tool, designed by all member states of the Organization of American States (OAS), to periodically carry out comprehensive, multilateral evaluations on the implementation level of the Plan of Action of the Hemispheric Drug Strategy of member states of the Inter-American Drug Abuse Control Commission (CICAD). As part of the Secretariat of Multidimensional Security (SMS), CICAD is the OAS specialized agency responsible for the implementation of this Mechanism, pursuant to a mandate from the Second Summit of the Americas held in Santiago, Chile in 1998.

The MEM is not only an evaluation instrument, but has also become a valuable source of information on the progress achieved by the individual and collective efforts of the governments of OAS member states, thus strengthening hemispheric cooperation, promoting dialogue among governmental authorities of member states and precisely channeling assistance to areas requiring greater attention by optimizing resources. The MEM process in itself is assessed by the Intergovernmental Working Group (IWG) comprised of delegations from all member states, which meets before the onset of each evaluation round to review and strengthen all operational aspects of the mechanism.

The national evaluation reports for the Sixth Round collect the results of the level of implementation of the 27 recommendations, emanating from the Plan of Action 2011-2015 of the Hemispheric Drug Strategy 2010, and were drafted by experts in the different areas, assigned by each member state. Experts do not work on their own country's report, guaranteeing the transparent, objective and multilateral nature of the MEM. Each chapter is based on countries' responses to a survey covering the main thematic areas of the Hemispheric Drug Strategy: institutional strengthening, demand reduction, supply reduction¹, control measures and international cooperation, as well as additional and updated information, provided by the government-appointed coordinating entities.

This report covers the country evaluation for the MEM Sixth Evaluation Round, which covers the 2013 to mid-2014 period. All MEM reports are available through the following webpage: <http://www.cicad.oas.org>.

¹ In accordance with the CICAD Commissioner's agreement at their fiftieth regular session (November 2011), the supply reduction chapter refers exclusively to the topic of illicit crops. For this reason, the CICAD Commissioners decided, at their fifty-fourth regular session (December 2013), that the recommendations in this chapter (11 to 15) would only be applied to those countries that have significant illicit crops.



INSTITUTIONAL STRENGTHENING

RECOMMENDATION 1

ESTABLISH AND/OR STRENGTHEN NATIONAL DRUG AUTHORITIES, PLACING THEM AT A HIGH POLITICAL LEVEL, WITH THE MISSION TO COORDINATE THE EFFECTIVE PLANNING AND IMPLEMENTATION OF NATIONAL DRUG POLICIES.

Evaluation: Complete

Guatemala's national drug authority is the Commission against Addictions and Illicit Drug Trafficking (CCATID). The Executive Secretariat of the Commission (SECCATID) is located under the Vice Presidency. CCATID has a legal basis and a budget. The national authority coordinates the areas of demand reduction, supply reduction, control measures, alternative, integral and sustainable development programs, the drugs observatory, international cooperation and program evaluation. The country has a coordination mechanism for the effective planning and implementation of its national drug policies.



INSTITUTIONAL STRENGTHENING

RECOMMENDATION 2

DESIGN, IMPLEMENT, STRENGTHEN AND UPDATE NATIONAL EVIDENCE-BASED STRATEGIES AND POLICIES ON DRUGS.

Evaluation: Mostly complete

Guatemala has the National Policy against Addictions and Illicit Drug Trafficking (2012-2016), which covers demand reduction, supply reduction and institutional judicial strengthening. Relevant actors from priority areas participate in the design, drafting and execution of this National Strategy. Said Strategy has a monitoring and evaluation framework. The country has the results of the evaluations of the National Policy against Addictions and Illicit Drug Trafficking.

Guatemala has not taken actions to update its drug policies based on the evaluation of the evaluation of national policy.



INSTITUTIONAL STRENGTHENING

RECOMMENDATION 3

ESTABLISH AND/OR STRENGTHEN NATIONAL OBSERVATORIES ON DRUGS OR SIMILAR TECHNICAL OFFICES TO DEVELOP NATIONAL DRUG INFORMATION SYSTEMS AND FOSTER SCIENTIFIC RESEARCH ON THIS SUBJECT.

Evaluation: Mostly complete

Guatemala has the Guatemalan Observatory on Drugs. The country has two priority studies in demand reduction, as well as most of the priority information on supply reduction. The country has carried out a study on the economic and social costs of drugs, and disseminates information on drug supply and demand to all relevant parties.

Guatemala does not have the study on access to patient registers in treatment centers, nor priority information on supply reduction related to the number of seizures of pharmaceutical products or quantity of seized pharmaceutical products.



DEMAND REDUCTION

RECOMMENDATION 4

DEVELOP AND IMPLEMENT COMPREHENSIVE DEMAND REDUCTION POLICIES, PLANS AND/OR PROGRAMS.

Evaluation: Mostly complete

Guatemala has comprehensive demand reduction programs in the areas of prevention, early intervention, treatment and rehabilitation, social reinsertion, and recovery support services. These programs have been designed using available evidence from recognized organizations, and information on the extent of and trends in drug use from studies related to drug demand. The country monitors and evaluates the implementation of most of its demand reduction programs and updates them based on current monitoring and evaluation outcomes. Programs include a gender perspective and adopt a multisectoral approach, with the participation of different sectors of the population.

Guatemala does not carry out evaluations of its early intervention or social reinsertion programs.



DEMAND REDUCTION

RECOMMENDATION 5

DESIGN AND IMPLEMENT A COMPREHENSIVE SYSTEM OF EVIDENCE-BASED UNIVERSAL, SELECTIVE, AND INDICATED PREVENTION PROGRAMS, WITH MEASURABLE OBJECTIVES, AIMED AT DISTINCT TARGET POPULATIONS, INCLUDING AT-RISK GROUPS.

Evaluation: Complete

Guatemala has universal, selective and indicated prevention programs addressing drug use, which target different population groups. Selective and indicated drug use prevention programs vary based on the presence of risk factors. The country has a comprehensive prevention system that covers the general population's needs.



DEMAND REDUCTION

RECOMMENDATION 6

PROMOTE THE INTEGRATION OF TREATMENT AND RECOVERY PLANS AND PROGRAMS INTO THE PUBLIC HEALTH SYSTEM AND ADDRESS DRUG DEPENDENCE AS A CHRONIC, RELAPSING DISEASE.

Evaluation: Mostly complete

Guatemala has one outpatient treatment center, which provides services for persons affected by drug use. Non-governmental organizations (NGOs) and private and religious institutions coordinate among themselves to offer outpatient and residential treatment, follow-up, rehabilitation and recovery support services. These institutions include monitoring systems, and have trained professional staff to implement and manage these systems. There is an accreditation process for drug treatment centers.

Guatemala does not have a network of public health care facilities that includes treatment, rehabilitation and follow-up services. The facilities do not carry out drug use screening, nor do they have screening instruments for this purpose, do not offer guidance or brief intervention services in drug use cases and do not systematically refer persons affected by drug use to treatment.



DEMAND REDUCTION

RECOMMENDATION 7

FACILITATE ACCESS FOR DRUG-DEPENDENT PERSONS TO A SYSTEM OF DRUG TREATMENT, REHABILITATION, SOCIAL REINSERTION, AND RECOVERY SERVICES THAT ARE EVIDENCE-BASED AND FOLLOW INTERNATIONALLY-ACCEPTED QUALITY STANDARDS.

Evaluation: Mostly complete

Guatemala takes action to facilitate access to treatment, rehabilitation and social reinsertion for the different population groups affected by drug use. Treatment and rehabilitation interventions are tailored to the population profiles being served.

Guatemala does not have social reinsertion interventions tailored to the population profiles being served.



DEMAND REDUCTION

RECOMMENDATION 8

EXPLORE THE MEANS OF OFFERING TREATMENT, REHABILITATION, SOCIAL REINSERTION AND RECOVERY SUPPORT SERVICES TO DRUG-DEPENDENT CRIMINAL OFFENDERS AS AN ALTERNATIVE TO CRIMINAL PROSECUTION OR IMPRISONMENT.

Evaluation: Not started

Guatemala does not have national legislation or administrative guidelines that establish or provide for alternatives to incarceration for drug-dependent criminal offenders.



DEMAND REDUCTION

RECOMMENDATION 9

STRENGTHEN GOVERNMENTAL RELATIONSHIPS WITH ACADEMIC AND RESEARCH INSTITUTIONS AND SPECIALIZED NON-GOVERNMENTAL ORGANIZATIONS (NGOs), IN ORDER TO GENERATE EVIDENCE ON THE DEMAND FOR DRUGS.

Evaluation: Complete

Guatemala has a national drug authority that maintains cooperative relations with academic and research institutions and relevant civil society organizations that address issues related to demand reduction. The information produced by these institutions and organizations is used to develop its demand reduction policies, plans and programs. The country builds their capacities by providing access to a range of evidence-based information and analysis related to substance abuse.



DEMAND REDUCTION

RECOMMENDATION 10

PROMOTE AND STRENGTHEN TRAINING AND CONTINUING EDUCATION OF PROFESSIONALS, TECHNICIANS AND OTHERS INVOLVED IN THE IMPLEMENTATION OF DEMAND REDUCTION ACTIVITIES.

Evaluation: Mostly complete

Guatemala offers its personnel certificate, undergraduate and graduate level training programs focused on science-based approaches and best practices in drug demand reduction, so as to increase their knowledge and strengthen their skills in specialized technical or professional fields of expertise. The country offers advanced training programs in this area at the regional and international level for technical and professional experts. Specialized training includes a gender perspective, and monitoring and evaluations are conducted regularly to ensure that training meets the country's staffing needs in this area.

Guatemala does not have introductory training programs and does not offer continuing education on all aspects of demand reduction for personnel involved in conducting activities in this field.



SUPPLY REDUCTION

RECOMMENDATION 11

ADOPT AND/OR IMPROVE COMPREHENSIVE AND BALANCED MEASURES AIMED AT REDUCING THE ILLICIT SUPPLY OF DRUGS.

Evaluation: Mostly complete

Guatemala has a regulatory framework that defines its illicit drug supply reduction policy. In addition, the country has national studies identifying illicit drug supply risk factors.

Guatemala does not have studies that identify risk factors based on a comprehensive approach to crime prevention.



SUPPLY REDUCTION

RECOMMENDATION 12

ADOPT AND/OR IMPROVE DATA COLLECTION AND ANALYSIS MECHANISMS WITH A VIEW TO CARRYING OUT ASSESSMENTS THAT WILL FACILITATE THE DEVELOPMENT OF PUBLIC POLICIES AIMED AT THE REDUCTION OF THE ILLICIT SUPPLY OF DRUGS.

Evaluation: Partially complete

Guatemala, through the Government Ministry and the Commission against Addictions and Illicit Drug Trafficking, collects and analyzes information to implement illicit crop reduction policies, and uses an indicator to assess the illicit supply of drugs.

Guatemala has statistics and poppy crop eradication reports, but does not have technology or studies to estimate the extension of these illicit crops.



SUPPLY REDUCTION

RECOMMENDATION 13

PROMOTE STUDIES AND RESEARCH THAT CONTRIBUTE TO THE EARLY IDENTIFICATION AND MONITORING OF NEW AND EMERGING TRENDS THAT COULD PROVIDE UPDATED INFORMATION ON THE ILLICIT SUPPLY OF DRUGS.

Evaluation: Partially complete

Guatemala has statistics regarding the illicit poppy crops, illicit supply of drugs and its connection with other forms of transnational organized crime.

Guatemala does not have studies regarding new patterns on the cultivation of crops used in the illicit production of drugs.



SUPPLY REDUCTION

RECOMMENDATION 14

ACCORDING TO THE NEEDS OF EACH COUNTRY, ADOPT COMPREHENSIVE MEASURES, SUCH AS INTEGRAL AND SUSTAINABLE ALTERNATIVE DEVELOPMENT AND LAW ENFORCEMENT INITIATIVES.

Evaluation: Mostly complete

Guatemala carries out eradication programs for illicit poppy crops. The country eradicated 1,490 hectares of poppy in 2011, 591 hectares in 2012 and 2,183 hectares in 2013. Guatemala carries out alternative, integral and sustainable development programs, which are designed with the participation of civil society.

Guatemala's alternative development programs do not include activities to facilitate the population's access to basic health, education and sanitation services, or social inclusion.



SUPPLY REDUCTION

RECOMMENDATION 15

PROMOTE ACTIONS TO REDUCE THE NEGATIVE IMPACT ON THE ENVIRONMENT CAUSED BY THE WORLD DRUG PROBLEM, IN ACCORDANCE WITH NATIONAL POLICIES.

Evaluation: Partially complete

Guatemala has environmental management tools used by the institutions responsible for implementing environmental policies to address the negative impact of illicit poppy crops.

Guatemala has not carried out studies to determine the environmental impact of activities related to illicit drug supply, and has not signed international cooperation agreements to promote the implementation of projects to reduce the negative consequences of illicit poppy crops in the country.



CONTROL MEASURES

RECOMMENDATION 16

IMPLEMENT PROGRAMS TO PREVENT AND REDUCE THE ILLICIT PRODUCTION OF PLANT-BASED AND SYNTHETIC DRUGS.

Evaluation: Partially complete

Guatemala has mechanisms to detect and identify laboratories for the illicit manufacturing of plant-based and synthetic drugs, in the form of law enforcement investigations. The personnel responsible for carrying out control activities related to the dismantling of laboratories for illicit manufacturing of drugs receive training annually, provided by the International Law Enforcement Academy (ILEA-S.S.) and other agencies, which address theoretical elements related to the dismantling of clandestine laboratories and the diversion of precursor chemicals.

Guatemala does not have protocols for dismantling laboratories for the illicit manufacturing of plant-based and synthetic drugs, and therefore, it does not have appropriate safety measures to minimize the risk for the agents who participate in dismantling such laboratories, nor undertake actions to minimize the negative impact on the environment.



CONTROL MEASURES

RECOMMENDATION 17

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

Evaluation: Mostly complete

Guatemala has criminalized the acts established in Article 3 of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988. The country also has regulations for control of the controlled chemical substances established under the terms of Article 12 of the Convention. Guatemala has an updated register of all natural and legal persons handling this type of chemical substance, and conducts inspections or audits of these establishments on a regular basis or whenever the competent authority deems it necessary. The country has established administrative and civil penalties for infractions or violations by individuals or corporations that handle controlled chemical substances and, if those actions or omissions constitute a crime, criminal penalties are also in place. The country has a competent authority responsible for coordinating activities for the control of these substances. The country is part of the International Narcotics Control Board's (INCB) PEN Online system for issuing and responding to pre-export notifications.

Guatemala does not have specific legal provisions requiring those who handle controlled chemical substances to identify them by name, exactly as they appear in the tables of the 1988 Convention, in international trade documents. The country has not provided statistics that demonstrate that the system for timely issuance of and response to pre-export notifications is fully operational.



CONTROL MEASURES

RECOMMENDATION 18

ADOPT OR STRENGTHEN CONTROL MEASURES TO PREVENT THE DIVERSION OF NARCOTICS, PSYCHOTROPIC SUBSTANCES, PHARMACEUTICAL PRODUCTS WITH PSYCHOACTIVE PROPERTIES AND THOSE USED IN THE PRODUCTION OF SYNTHETIC DRUGS.

Evaluation: Complete

Guatemala has legislation for the control of narcotic drugs, psychotropic substances and preparations containing them, in accordance with the terms of the United Nations Single Convention on Narcotic Drugs of 1961, as amended by the 1972 Protocol, and the United Nations Convention on Psychotropic Substances of 1971. The country has a national authority responsible for coordinating control activities for these substances and preparations, which has the necessary legal authority to execute these control activities. Guatemala has mechanisms to estimate the requirements for narcotic drugs for medical and scientific purposes. Legislation provides for the application of administrative and civil penalties for infractions or violations of these regulations by medical professionals, professional managers, administrators, and legal representatives of establishments that handle narcotics, psychotropic substances, and psychoactive pharmaceutical products. In addition, if the violation constitutes a crime, criminal penalties are also applicable.



CONTROL MEASURES

RECOMMENDATION 19

ENSURE THE ADEQUATE AVAILABILITY OF NARCOTICS NEEDED FOR MEDICAL AND SCIENTIFIC USE.

Evaluation: Started

Guatemala has undertaken actions to identify and resolve some impediments to ensuring adequate availability of narcotics for medical and scientific use. These measures include increasing the availability of low-cost opiates (fast-acting morphine, administered orally) at the National Oncological Hospital, since February 2012, and introduction of a graduate course on palliative care, to educate and train doctors regarding the safe prescription of opiates to treat pain.

Guatemala does not conduct periodic evaluations of the availability of narcotics and psychotropic substances for medical and scientific use.



CONTROL MEASURES

RECOMMENDATION 20

STRENGTHEN NATIONAL ORGANIZATIONS FOR THE CONTROL OF ILLICIT DRUG TRAFFICKING AND RELATED CRIMES.

Evaluation: Partially complete

Guatemala has formal mechanisms for the exchange of information among entities responsible for the control of drug trafficking and related crimes. The country has a legal framework to address the prevention of drug trafficking and the safe and final disposal of seized drugs, as well as law enforcement plans for the prevention of drug trafficking.

Guatemala does not conduct periodic evaluations of the strengths and weaknesses of the entities responsible for the control of drug trafficking and related crimes, nor does it have ongoing training for stakeholders involved in this issue.



CONTROL MEASURES

RECOMMENDATION 21

IDENTIFY NEW TRENDS AND PATTERNS REGARDING ILLICIT DRUG TRAFFICKING AND RELATED CRIMES.

Evaluation: Not started

Guatemala does not have studies on new trends in drug trafficking and related crimes.



CONTROL MEASURES

RECOMMENDATION 22

PROMOTE IMPROVEMENTS IN INFORMATION SYSTEMS ON ILLICIT DRUG TRAFFICKING AND RELATED CRIMES.

Evaluation: Not started

Guatemala does not have a national information system of consolidated statistics on law enforcement operations related to drug trafficking and does not have an early warning system on new behaviors of criminal organizations. The country does not conduct technical studies or research on drug trafficking and related crimes; and it does not have studies on drug characterization or impurity profiles, in accordance with priorities based on the specific elements of the country's drug trafficking problem.



CONTROL MEASURES

RECOMMENDATION 23

ADOPT MEASURES FOR EFFECTIVE COOPERATION IN CRIMINAL INVESTIGATIONS, INVESTIGATION PROCEDURES, COLLECTION OF EVIDENCE, AND THE EXCHANGE OF INTELLIGENCE INFORMATION AMONG COUNTRIES, ASSURING DUE RESPECT FOR THE VARIOUS NATIONAL LEGAL SYSTEMS.

Evaluation: Complete

Guatemala has formal mechanisms for the secure and effective exchange of intelligence information in the investigation of cases of drug trafficking and related crimes. The country also has formal mechanisms for coordination and exchange of information and best practices for the prevention, investigation and control of activities relating to drug trafficking via the Internet. The country implements training activities on the use of special investigative techniques and managing the chain of custody for evidence in these types of cases. Guatemala has regulatory frameworks for the investigation of all assets during drug trafficking cases.



CONTROL MEASURES

RECOMMENDATION 24

ADOPT OR STRENGTHEN, AS APPLICABLE, CONTROL MEASURES FOR THE ILLICIT TRAFFICKING OF FIREARMS, AMMUNITION, EXPLOSIVES AND OTHER RELATED MATERIALS ASSOCIATED WITH ILLICIT DRUG TRAFFICKING.

Evaluation: Mostly complete

Guatemala has criminalized the illicit manufacture of and trafficking in firearms, ammunition, and other related materials. Also, the country has criminalized illicit trafficking in explosives. In order to prevent losses or diversion, the country takes the necessary measures to ensure the security of firearms, ammunition, explosives and other related materials that are imported, exported, or in transit. The appropriate marking of firearms is required, permitting identification of the name of the manufacturer, the place of manufacture, and the serial number. In addition, the country requires appropriate marking of any firearms confiscated or forfeited. The country maintains a system of export and import licenses for firearms, ammunition, and explosives, and international transit licenses for firearms and explosives. Guatemala also has a system of import licenses for other materials related to firearms, ammunition, and explosives. Guatemala has a national authority responsible for coordinating controls on the illicit manufacturing of and trafficking in firearms, ammunition, explosives and other related materials, which includes the measures established in Article 8 of the Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives and Other Related Materials of 1997.

Guatemala has not criminalized the illicit manufacture of explosives. The country does not have a licensing system for export and international transit of other materials related to firearms, ammunition, and explosives, nor for international transit of ammunition. Also, the country does not maintain a register of firearms, ammunition, explosives and other related materials seized in activities related to drug trafficking.



CONTROL MEASURES

RECOMMENDATION 25

ESTABLISH, UPDATE, OR STRENGTHEN LEGISLATIVE AND INSTITUTIONAL FRAMEWORKS IN MATTERS OF PREVENTION, DETECTION, INVESTIGATION, AND PROSECUTION OF MONEY LAUNDERING.

Evaluation: Complete

Guatemala criminalizes money laundering in accordance with the terms of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988 and the United Nations Convention against Transnational Organized Crime of 2000. The country has regulations for the prevention and control of money laundering that conform to the recommendations of the Financial Action Task Force (FATF); it also has the Special Verification Office (IVE), in accordance with the operating principles of the EGMONT Group and the recommendations of the FATF on Financial Intelligence Units (FIUs). In addition, the country has regulations for the forfeiture of assets related to money laundering, including provisional measures for freezing and embargo to prevent the use, transfer, or disposal of said assets.



CONTROL MEASURES

RECOMMENDATION 26

CREATE OR STRENGTHEN, IN ACCORDANCE WITH NATIONAL LEGISLATION, THE COMPETENT NATIONAL ORGANIZATIONS FOR THE MANAGEMENT OF SEIZED AND/OR FORFEITED ASSETS, AND THE DISPOSITION OF FORFEITED ASSETS.

Evaluation: Partially complete

Guatemala's National Secretariat for the Management of Forfeited Assets is responsible for the management and disposition of assets seized and forfeited in drug trafficking and money laundering cases. The country has a legal framework that establishes the procedures to be used in determining the final disposition of seized and forfeited assets, and has manuals, regulations and directives on asset management.

Guatemala does not offer or participate in training programs on the management of seized and forfeited assets.



INTERNATIONAL COOPERATION

RECOMMENDATION 27

REAFFIRM THE PRINCIPLE OF COOPERATION CONTAINED IN INTERNATIONAL INSTRUMENTS TO ADDRESS THE WORLD DRUG PROBLEM, THROUGH ACTIONS TO ENSURE COMPLIANCE AND EFFECTIVENESS.

Evaluation: Mostly complete

Guatemala has ratified the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988, the United Nations Convention against Transnational Organized Crime of 2000, the Inter-American Convention on Mutual Assistance in Criminal Matters of 1992, and has designated central authorities in accordance with the requirements of the last two conventions. Guatemalan law permits extradition of persons for the crimes of drug trafficking and money laundering, and makes extradition contingent upon the existence of a treaty. The country tries those persons whose extradition has been denied on grounds of nationality, if requested by the relevant State. There are legal provisions that allow for reciprocal judicial assistance to third party States in investigations, trials, and legal proceedings for drug trafficking and money laundering. The country has adopted measures to authorize confiscation of the proceeds derived from drug trafficking, or of property of equal value, and the materials and equipment or other instrumentalities used in or intended for use in any manner in the crime of drug trafficking. Guatemala has mechanisms for administrative cooperation with agencies and services in other States for investigations into the identity, whereabouts, and activities of persons allegedly linked to drug trafficking and the movement of narcotic drugs and psychotropic substances. Communication channels among its relevant agencies and services are available to facilitate the rapid, and secure exchange of information on all aspects of the acts criminalized in accordance with Paragraph 1, Article 3 of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988.

Guatemala does not have laws that permit the use of controlled delivery of narcotic and psychotropic substances in order to identify persons involved in the crime of drug trafficking. Guatemala has not designated a central authority in accordance with Articles 6, 7 and 17 of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988.



CONCLUSIONS

The MEM Sixth Evaluation Round report reflects the country's internal reality regarding the implementation of the Hemispheric Drug Strategy (2010) and its Plan of Action (2011-2015) from 2013 to mid-2014. CICAD recognizes that among the 27 common recommendations, Guatemala has completed six, mostly completed 11, partially completed six, started one, and not started three.

In the area of Institutional Strengthening, Guatemala has a national drug authority that functions under the Office of the Vice President of the Republic. There is a national anti-drug strategy. Also, Guatemala has a national observatory on drugs, that has carried out most of the priority studies in demand reduction (2 of 3), and has most of the priority information on supply reduction (8 of 11).

In the area of Demand Reduction, Guatemala has comprehensive demand reduction programs, which are monitored, evaluated, and updated, except for the areas of early intervention and social reinsertion. The country has a comprehensive prevention system. However, it does not have a network of public health system facilities that provides treatment, rehabilitation and aftercare. Nonetheless, the NGOs and private and religious institutions adopted a multisectoral approach to provide outpatient and residential treatment, after care, rehabilitation, and recovery support services. The public health facilities do not detect drug use or provide guidance, brief intervention, or systematic referrals for treatment. There is an accreditation system for treatment centers. Guatemala does not have alternatives to incarceration for drug-dependent criminal offenders. Policies, plans and programs are developed with the support of academic and research institutions and civil society organizations. The personnel training in demand reduction focuses on the scientific approaches and best practices, which is given from the certificate level to graduate degrees. However, it does not have introductory training or continuing education programs.

In the area of Supply Reduction, Guatemala has a regulatory framework that defines its illicit drug supply reduction policy at the national level. The country gathers and analyzes information that identifies illicit drug supply risk factors; however, it does not have studies that identify risk factors based on a comprehensive approach to crime prevention. The country has statistics and poppy crop eradication reports, however, it does not have technology or studies to estimate the extension of these crops. Guatemala carries out eradication programs for illicit poppy crops and implements alternative, integral and



sustainable development programs, but these do not include activities to facilitate the population's access to basic health, education and sanitation services, or social inclusion. The country has environmental management tools used by the institutions responsible for implementing environmental policies, but does not have studies to determine the environmental impact of activities related to illicit drug supply, and has not signed international cooperation agreements to reduce the negative consequences of illicit poppy crops in the country.

In the area of Control Measures, Guatemala has mechanisms to detect and identify laboratories for the illicit manufacture of plant-based and synthetic drugs; however, it does not have protocols for their dismantling.

With regard to chemical substances and pharmaceutical products, the country has legislation for the control of controlled chemical substances and cooperates with other States; has legislation regulating the manufacture and internal distribution of controlled chemical substances; and has a relevant authority that coordinates activities to control the diversion of precursor chemicals. However, the country does not have specific legislative provisions that establish a requirement to record the names of the controlled chemical substances. Regarding the control of narcotics, psychotropic substances and preparations containing them, the country carries out the necessary estimates for medical and scientific use. However, it does not carry out regular evaluations of the availability of narcotics and psychotropic substances for medical and scientific use, although the country has taken steps to identify and resolve some impediments.

Guatemala has formal mechanisms for the exchange of information among the institutions responsible for the control drug trafficking and related crimes, and for the secure and effective exchange of intelligence information in the investigation of related cases. In addition, the country has a legal framework to address the prevention of drug trafficking and the safe and final disposal of seized drugs. However, Guatemala does not have ongoing training programs for related stakeholders, does not have a consolidated national statistical information system regarding police procedures for drug trafficking, does not have studies on recent trends in this area, and does not have a national early warning system on new behaviors of criminal .

The laws that criminalize the illicit manufacture of and trafficking in firearms, ammunition and other related materials include measures to prevent loss and diversion in the course of licit trade. The country does not have a register of such items seized in operation and



activities related to drug trafficking. The country does not maintain a system of licenses for the export and international transit of other materials related to these items, nor for the international transit of ammunition, and does not criminalize the illicit manufacture of explosives.

Guatemala has legislation criminalizing money laundering and regulations for its prevention and control, as well as a Financial Intelligence Unit and regulations for the seizure of assets related to money laundering. Guatemala has regulations for the management and disposal of assets seized and forfeited related to money laundering, which includes guidelines for the appropriate management of those assets, as well as an agency responsible for enforcing those regulations. However, the country does not implement or participate in training programs in this area.

In the area of International Cooperation, Guatemala has ratified the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988, the United Nations Convention against Transnational Organized Crime of 2000, the Inter-American Convention on Mutual Assistance in Criminal Matters of 1992 and has designated central authorities for the latter two conventions. However, has not designated a central authority in accordance to the 1988 Convention. The country has legal provisions to permit extradition for the crimes of illicit drug trafficking and money laundering. Also, the country provides for reciprocal judicial assistance to third party states in investigations, trials, and legal proceedings for drug trafficking and money laundering. However, does not have laws that permit the use of controlled delivery of narcotic drugs and psychotropic substances in order to identify persons involved in the crime of drug trafficking.

CICAD recognizes Guatemala for its continued participation and commitment during the Sixth Evaluation Round of the MEM. In accordance with its national situation, the country is encouraged to fully implement the Plan of Action (2011-2015) of CICAD's Hemispheric Drug Strategy (2010).



SUMMARY OF THE STATUS OF COMPLIANCE WITH RECOMMENDATIONS

INSTITUTIONAL STRENGTHENING		
NO.	RECOMMENDATION	EVALUATION
1	Establish and/or strengthen national drug authorities, placing them at a high political level, with the mission to coordinate the effective planning and implementation of national drug policies.	COMPLETE
2	Design, implement, strengthen and update national evidence-based strategies and policies on drugs.	MOSTLY COMPLETE
3	Establish and/or strengthen National Observatories on Drugs or similar technical offices to develop national drug information systems and foster scientific research on this subject.	MOSTLY COMPLETE
DEMAND REDUCTION		
4	Develop and implement comprehensive demand reduction policies, plans and/or programs.	MOSTLY COMPLETE
5	Design and implement a comprehensive system of evidence-based universal, selective, and indicated prevention programs, with measurable objectives, aimed at distinct target populations, including at-risk groups.	COMPLETE
6	Promote the integration of treatment and recovery plans and programs into the public health system and address drug dependence as a chronic, relapsing disease.	MOSTLY COMPLETE
7	Facilitate access for drug-dependent persons to a system of drug treatment, rehabilitation, social reintegration, and recovery services that are evidence-based and follow internationally-accepted quality standards.	MOSTLY COMPLETE
8	Explore the means of offering treatment, rehabilitation, social reinsertion and recovery support services to drug-dependent criminal offenders as an alternative to criminal prosecution or imprisonment.	NOT STARTED
9	Strengthen governmental relationships with academic and research institutions and specialized non-governmental organizations (NGOs), in order to generate evidence on the demand for drugs.	COMPLETE
10	Promote and strengthen training and continuing education of professionals, technicians and others involved in the implementation of demand reduction activities.	MOSTLY COMPLETE



SUPPLY REDUCTION		
11	Adopt and/or improve comprehensive and balanced measures aimed at reducing the illicit supply of drugs.	MOSTLY COMPLETE
12	Adopt and/or improve data collection and analysis mechanisms with a view to carrying out assessments that will facilitate the development of public policies aimed at illicit supply of drugs reduction.	PARTIALLY COMPLETE
13	Promote studies and research that contribute to the early identification and monitoring of new and emerging trends that could provide updated information on the illicit supply of drugs.	PARTIALLY COMPLETE
14	According to the needs of each country, adopt comprehensive measures, such as integral and sustainable alternative development and law enforcement initiatives.	MOSTLY COMPLETE
15	Promote actions to reduce the negative impact on the environment caused by the world drug problem, in accordance with national policies.	PARTIALLY COMPLETE
CONTROL MEASURES		
16	Implement programs to prevent and reduce the illicit production of synthetic and plant-based drugs.	PARTIALLY COMPLETE
17	Adopt or strengthen control measures in order to prevent the diversion of controlled chemical substances towards illicit activities.	MOSTLY COMPLETE
18	Adopt or strengthen control measures to prevent the diversion of narcotics, psychotropic substances, pharmaceutical products with psychoactive properties and those used in the production of synthetic drugs.	COMPLETE
19	Ensure the adequate availability of narcotics needed for medical and scientific use.	STARTED
20	Strengthen national organizations for the control of illicit drug trafficking and related crimes.	PARTIALLY COMPLETE
21	Identify new trends and patterns regarding illicit drug trafficking and related crimes.	NOT STARTED
22	Promote improvements in information systems on illicit drug trafficking and related crimes.	NOT STARTED
23	Adopt measures for effective cooperation in criminal investigations, investigation procedures, collection of evidence, and the exchange of intelligence information among countries, assuring due respect for the various national legal systems.	COMPLETE
24	Adopt or strengthen, as applicable, control measures for the illicit trafficking of firearms, munitions, explosives, and other related materials associated with illicit drug trafficking.	MOSTLY COMPLETE



25	Establish, update, or strengthen legislative and institutional frameworks in matters of prevention, detection, investigation, and prosecution of money laundering.	COMPLETE
26	Create or strengthen, in accordance with national legislation, the competent national organizations for the management of seized and/or forfeited assets, and the disposition of forfeited assets.	PARTIALLY COMPLETE
INTERNATIONAL COOPERATION		
27	Reaffirm the principle of cooperation contained in international instruments to address the world drug problem, through actions to ensure compliance and effectiveness.	MOSTLY COMPLETE



GLOSSARY

I. INSTITUTIONAL STRENGTHENING

Relevant actors: includes civil society, scientific community, university based researchers, government at the national, regional and local levels.

II. DEMAND REDUCTION

Alternatives to incarceration: vary from jurisdiction to jurisdiction, but most involve suspension of the judicial process provided the offender volunteers to participate in a monitored drug treatment program.

Available evidence: use of information, from different sources, to support an effect with an adequate degree of confidence, so that it can be used as a basis for a particular recommendation. The quality of the information sources will indicate the level of confidence for the estimate of the effect.

Comprehensive (prevention) system: organizations and programs that provide addiction prevention services, and are interconnected with each other and with several organizations, programs and channels that provide support services.

Indicated prevention programs: a set of actions targeting persons who use drugs.

Public health system: Includes all organizations, institutions and resources whose principal objective is to carry out activities designed to improve health. The majority of national health systems include the public, private, traditional and informal sectors. The four primary functions of a health system include: provision of services, generation of resources, financing and management.

Selective prevention programs: a set of actions targeting a specific segment of the population, which, because of personal, social, family, or socio-cultural and related characteristics, is vulnerable to the diverse risk factors leading to drug use.



Social reinsertion: any social intervention with the aim of integrating former or current problem drug users into the community. The three ‘pillars’ of social reinsertion are (1) housing, (2) education and (3) employment (including vocational training). May also be referred to as “social re-integration.”

Universal prevention programs: a set of preventive actions targeting the entire population independent of risk.

III. SUPPLY REDUCTION

Regulatory framework: the set of established laws and regulations that governs the activities of the institutions responsible for the formulation, development and application of drug supply reduction policies and/or programs.

Risk factors: risk factors are those conditions that contribute to the emergence or strengthening of illicit activities and/or to the neutralization of law enforcement activities.

Social inclusion: a situation which ensures that all citizens, without exception, are able to exercise their rights, use their skills, and take advantage of opportunities available to them.

Vulnerable populations: those sectors or population groups that, due to poverty, ethnic origin, health, age, gender or disability, are unable to develop and improve their circumstances. This vulnerability places such persons at a disadvantage with regard to exercising their full rights and freedoms.

IV. CONTROL MEASURES

Drug characterization and impurity profiling: use of scientific laboratory information in support of law enforcement operation work, aimed at establishing links between drug samples. It consists of the systematic collection and sharing, in a standardized form, of physical and chemical information on a drug seizure, including the analysis and use of trace impurities to link different drug samples.



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