

**Multilateral
Evaluation Mechanism
MEM**



Costa Rica

**2005 PROGRESS REPORT IN DRUG CONTROL
IMPLEMENTATION OF RECOMMENDATIONS
FROM THE THIRD EVALUATION ROUND**



**RECOMMENDATION 1:****RATIFY THE INTER-AMERICAN CONVENTION ON MUTUAL ASSISTANCE IN CRIMINAL MATTERS, A RECOMMENDATION REITERATED FROM THE FIRST EVALUATION ROUND, 1999–2000**

PUBLICATION DATE: JANUARY 2001

REITERATION DATE: JANUARY 2003

REITERATION DATE: JUNE 2005

Costa Rica reports that the legislative bill for the ratification of the Inter-American Convention on Mutual Assistance in Criminal Matters is currently being studied by the International Affairs Commission of the Legislative Assembly.

CICAD notes with concern that Costa Rica has not yet ratified the Inter-American Convention on Mutual Assistance in Criminal Matters, bearing in mind that this was a recommendation assigned during the First Evaluation Round, 1999–2000, and urges the country to take the steps necessary to comply with this recommendation.

RECOMMENDATION 2:**EVALUATE THE COUNTRY'S EXISTING PREVENTION PROGRAMS**

PUBLICATION DATE: JUNE 2005

Costa Rica reports that an evaluation of the "Mapping out the Path" Program was concluded and published. Meanwhile, the following programs are being evaluated: "I'm Learning to Take Care of Myself" and the "Mapping out the Path on Special Education".

The country also reports that the programs aimed at university, adult, workplace, and prison inmate populations are envisaged in a strategy called "Promoting Healthy Lifestyles," which is subject to process evaluation.

CICAD expresses its satisfaction at compliance with this recommendation.

RECOMMENDATION 3:**CONDUCT EVALUATIONS OF THE QUALITY OF THE TREATMENT SERVICES FOUND IN THE COUNTRY**

PUBLICATION DATE: JUNE 2005

Costa Rica reports that the institutions involved are currently analyzing a patient follow-up program designed by the Anti-Drug Foundation of El Salvador (FUNDASALVA), for possible adaptation to the Costa Rican situation. This program was proposed by the United Nations Office on Drugs and Crime (UNODC) in the framework of Project H-90, with the aim of strengthening treatment networks in Central America.

CICAD encourages the country to take the steps necessary to comply with this recommendation.

**RECOMMENDATION 4:****CONDUCT STUDIES TO ASSESS THE EFFECTIVENESS OF THE DIFFERENT PROGRAMS AND TREATMENT METHODS OFFERED BY THE COUNTRY**

PUBLICATION DATE: JUNE 2005

Costa Rica reports that, at present, it has no formal system that would enable the effectiveness of the different treatment programs and modalities to be evaluated. However, the country informs that some indicators are available on the quality of service provided and that minimum standards of care are also applied which, in turn, are monitored through follow-up of the Institute on Alcoholism and Drug Dependency (IAFA)'s accreditations of Non-Governmental Organizations (NGOs).

CICAD encourages the country to take the steps necessary to comply with this recommendation.

RECOMMENDATION 5:**CONDUCT A STUDY ON THE MAGNITUDE OF DRUG USE IN THE GENERAL POPULATION**

PUBLICATION DATE: JUNE 2005

Costa Rica reports that it has hired technical personnel to conduct a study on the magnitude of drug use in the general population. Data collection, analysis, and its publication remain pending. Conclusion of the study is foreseen in 2006.

CICAD acknowledges the efforts made and encourages the country to continue working to comply with this recommendation.

RECOMMENDATION 6:**CONDUCT STUDIES INTO MORBIDITY ASSOCIATED WITH DRUG CONSUMPTION**

PUBLICATION DATE: JUNE 2005

Costa Rica reports that it has developed an "Information System for Processing Morbidity and Mortality Data Associated with the Use of Psychoactive Substances," which was submitted to CICAD's Program to Estimate the Human, Social, and Economic Costs of Drugs in the Americas.

CICAD expresses its satisfaction at compliance with the present recommendation.

RECOMMENDATION 7:**UPDATE THE REGULATIONS OF THE MINISTRY OF HEALTH'S NARCOTIC DRUGS CONTROL BOARD**

PUBLICATION DATE: JUNE 2005

Costa Rica reports that the Narcotic Drugs Control Board of the Ministry of Health has drafted a regulations proposal that has been sent for consultation to the Costa Rican Institute on Drugs and other involved groups. The country informs that the amendments have been incorporated and the



corresponding draft decree has been drawn up, which is currently awaiting approval and publication, scheduled for 2006.

CICAD encourages the country to complete approval of the regulations within the timeframe indicated by the country.

RECOMMENDATION 8:

IMPLEMENT A FORMAL MECHANISM FOR EVALUATING THE EFFECTIVENESS OF CONTROLS IN PLACE ON THE USE AND DISTRIBUTION OF PHARMACEUTICAL PRODUCTS BY HEALTH CARE PROFESSIONALS

PUBLICATION DATE: JUNE 2005

Costa Rica reports that it has introduced the use of the National Drug Control System (NDS). The country informs that it is currently signing a contract for a complementary computer program that will allow cross checks on sales reported by the distributors of controlled substances, sales reported by pharmacies, and prescriptions written by doctors and distributed in pharmacies.

Furthermore, the country reports that it adopted the Regulations on Granting and Oversight of Licenses to Handle Psychotropic Substances and Narcotics in the Context of the National Anti-Drug Plan 2005–2007, which will come into force in 2006.

CICAD expresses its satisfaction at compliance with the recommendation.

RECOMMENDATION 9:

ESTABLISH A FORMAL MECHANISM FOR ASSESSING THE EFFECTIVENESS OF EXISTING METHODS FOR INFORMATION EXCHANGE AND COOPERATION AMONG AUTHORITIES RESPONSIBLE FOR COMBATING DRUG TRAFFICKING

PUBLICATION DATE: JUNE 2005

Costa Rica reports that the Costa Rican Drug Institute (ICD)'s Records and Inquiries Unit maintains centralized records of information for use by the authorities with responsibility for control of illicit drug trafficking, which is governed by a handbook of procedures for processing and replying to queries.

Furthermore, the ICD has implemented the so-called Interagency Results Measurement and Evaluation System (SIMEI), whose essential purpose is to measure and evaluate the results obtained from implementation of the actions, projects, and programs included in the National Anti-Drug Plan 2005–2007, in a framework that promotes responsibility for results and interagency accountability.

CICAD expresses its satisfaction at compliance with this recommendation.

**RECOMMENDATION 10:****IMPLEMENT A MECHANISM FOR EVALUATING THE EFFECTIVENESS OF THE NATIONAL AGENCIES CHARGED WITH CONTROLLING MOVEMENTS OF FIREARMS, AMMUNITIONS, AND EXPLOSIVES AND WITH PREVENTING THEIR DIVERSION**

PUBLICATION DATE: JUNE 2005

Costa Rica reports that an internal network has been installed within the General Directorate of Weaponry, which allows the various users to access information held in the different internal databases. The country also notes that the Computers Directorate of the Security Ministry has been asked to design software that will integrate all of these databases into a single format. Additionally, the General Directorate of Weaponry has been incorporated into the customs computer information system.

CICAD acknowledges the efforts made and encourages the country to continue working to comply with this recommendation.

RECOMMENDATION 11:**CREATE A REGISTER THAT WILL PROVIDE SYSTEMATIC INFORMATION ON THE NUMBER OF INDIVIDUALS ARRESTED, TRIED, AND PROSECUTED FOR ILLEGALLY OWNING, POSSESSING, AND TRAFFICKING IN FIREARMS, AMMUNITION, EXPLOSIVES, AND OTHER RELATED MATERIALS**

PUBLICATION DATE: JUNE 2005

Costa Rica reports that it has information on violations of the Firearms and Explosives Act and that the incorporation of new variables of monitoring is envisaged, making it possible to obtain data on persons arrested, tried and convicted for illegally possessing and trafficking in firearms over the medium term.

CICAD encourages the country to take the steps necessary to comply fully with this recommendation.

RECOMMENDATION 12:**ENACT THE NECESSARY LEGISLATION TO ENFORCE THE MARKING OF FIREARMS AT THE MOMENT OF MANUFACTURE AND FOR IMPORTATION**

PUBLICATION DATE: JUNE 2005

Costa Rica reports that the Legal Affairs Office of the Ministry of Security is currently analyzing a legislative proposal that includes the requirement of marking all firearms when they are manufactured or imported.

CICAD encourages the country to take the steps necessary to comply with this recommendation.

**RECOMMENDATION 13:**

EXPAND THE LIST OF INDIVIDUALS SUBJECT TO ADMINISTRATIVE CONTROLS IN CONNECTION WITH MONEY LAUNDERING TO INCLUDE INSURANCE COMPANIES, CASINOS, REAL-ESTATE BROKERS, LAWYERS, ACCOUNTANTS, AND NOTARIES, A REITERATED RECOMMENDATION FROM THE SECOND EVALUATION ROUND, 2001–2002

PUBLICATION DATE: JANUARY 2003

REITERATION DATE: JUNE 2005

Costa Rica reports that it has draft legislation that would increase the list of individuals subject to administrative controls in connection with money laundering.

CICAD notes with concern that no progress had been made in adopting the legislation necessary to expand the list of individuals subject to administrative controls with respect to money laundering, bearing in mind that this is a recommendation assigned during the Second Evaluation Round, 2001–2002, and it urges the country to step up its efforts to comply with this recommendation.

RECOMMENDATION 14:

PROVIDE JUDGES WITH SPECIALIZED TRAINING FOR THE ENFORCEMENT OF LAWS CRIMINALIZING MONEY LAUNDERING

PUBLICATION DATE: JUNE 2005

Costa Rica reports that a specialized training activity for judges and public prosecutors in the enforcement of criminal laws against money laundering was held in 2005 and that it provided training to a group of 30 judges and public prosecutors.

CICAD expresses its satisfaction at compliance with this recommendation.

RECOMMENDATION 15:

IMPLEMENT A SYSTEM FOR OBTAINING DATA ON EXTRADITION REQUESTS AND REQUESTS FOR PREVENTIVE EMBARGOES OF ASSETS ISSUED AND RECEIVED BY COSTA RICA, AND ON REQUESTS RECEIVED AND ISSUED BY THE COUNTRY FOR BANK SECRECY TO BE LIFTED

RECOMMENDATION DATE: JUNE 2005

Costa Rica reports that the incorporation of variables linked to requests for extradition, preventive embargoes and the lifting of bank secrecy in the computer systems of the Ministry of Foreign Affairs is being envisaged.

CICAD encourages the country to take the steps necessary to comply with this recommendation.

**RECOMMENDATION 16:****INTRODUCE REGULATORY MODIFICATIONS THAT WILL ALLOW FOR A PERSON CONVICTED OF A PREDICATE OFFENSE TO BE CONVICTED FOR MONEY LAUNDERING**

PUBLICATION DATE: JUNE 2005

Costa Rica has not started to implement this recommendation.

CICAD encourages Costa Rica to take the necessary measures to implement this recommendation.

CONCLUSIONS

Costa Rica has taken steps with five of the 16 recommendations that were assigned to the country during the Third Evaluation Round, 2003–2004, and has demonstrated progress in two of these. In this regard, the country has evaluated existing prevention programs, has conducted a study on the magnitude of drug use in the general population, has implemented formal mechanisms to evaluate the effectiveness of controls for the use and distribution of pharmaceutical products by health practitioners and the effectiveness of the means to exchange information and collaboration between authorities in charge of controlling the illicit trafficking in drugs, and has provided judges and prosecutors with specialized training in money laundering.

Furthermore, the country has made progress in conducting a study on the dimensions of drug use among the general population and in implementing a mechanism that would make it possible to evaluate the effectiveness of national entities in charge of controlling the movement of firearms, ammunition and explosives.

Nevertheless, CICAD views with concern that the country has made no progress with ratifying the Inter-American Convention on Mutual Assistance in Criminal Matters, since that was a recommendation assigned to Costa Rica during the First Evaluation Round, 1999–2000. Similarly, the country reports no progress in expanding the list of individuals subject to administrative controls with respect to money laundering, which was covered by a recommendation assigned during the Second Evaluation Round, 2001–2002.

In the area of demand reduction, evaluations of the quality of treatment services are pending.

Regarding supply reduction and control measures, the following recommendations are pending: the updating of the Regulations of the Narcotic Drugs Control Board of the Ministry of Health; the establishment of a register on the number of persons arrested, tried, and convicted for illegally possessing and trafficking in firearms; the adoption of the necessary regulatory framework for marking firearms; the implementation of a registry system on requests for extradition, preventive embargo of assets and the lifting of bank secrecy in cases of money laundering; and, the introduction of changes in regulations governing money laundering.

CICAD recognizes the commitment made by Costa Rica to the Multilateral Evaluation Mechanism process and encourages the country to persevere in its efforts to implement the recommendations that are pending.