

Multilateral Evaluation Mechanism MEM



Nicaragua

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



**RECOMMENDATION 1:**

RATIFY THE FOLLOWING PROTOCOLS FROM THE UNITED NATIONS CONVENTION AGAINST TRANSNATIONAL ORGANIZED CRIME (2000), A REITERATED RECOMMENDATION FROM THE SECOND EVALUATION ROUND, 2001–2002:

A. PROTOCOL AGAINST THE ILLICIT MANUFACTURING OF AND TRAFFICKING IN FIREARMS, THEIR PARTS AND COMPONENTS AND AMMUNITION

B. PROTOCOL AGAINST THE SMUGGLING OF MIGRANTS BY LAND, SEA AND AIR

PUBLICATION DATE: JANUARY 2003

REITERATION DATE: JUNE 2005

Nicaragua reports that on July 9, 2004 the Executive Branch issued Decrees 65 and 66/ 2004, by which it adhered to the Protocol against the Smuggling of Migrants by Land, Sea, and Air and the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, their Parts and Components, and Ammunition. Both have been referred to the National Assembly for their approval.

CICAD takes note of the measures adopted by Nicaragua and urges the country to conclude the corresponding ratification procedures, as it is a recommendation assigned during the Second Evaluation Round, 2001–2002.

RECOMMENDATION 2:

DEVELOP PREVENTION PROGRAMS TARGETING WOMEN AND INDIGENOUS GROUPS

PUBLICATION DATE: JUNE 2005

Nicaragua reports that it has not started implementing this recommendation because it is necessary to wait for the results of the Household Survey, which will be conducted in 2006. This will allow the country to have accurate data on the sectors referred to above and draw up effective programs aimed at these population groups.

CICAD encourages Nicaragua to take the necessary steps to start implementing this recommendation, once the results of the Household Survey become available.

RECOMMENDATION 3:

EVALUATE THE PROCESS AND EFFECTIVENESS OF THE DARE PREVENTION PROGRAM IN SCHOOLS, A RECOMMENDATION REITERATED FROM THE SECOND EVALUATION ROUND, 2001–2002

PUBLICATION DATE: JANUARY 2003

REITERATION DATE: JUNE 2005

Nicaragua has not started to implement this recommendation.

CICAD views with concern the lack of progress made in the implementation of this recommendation, which was assigned during the Second Evaluation Round 2001–2002 and urges the country to make greater efforts to implement this recommendation.

**RECOMMENDATION 4:****VALIDATE, APPROVE AND IMPLEMENT MINIMUM STANDARDS OF CARE FOR DRUG ABUSE TREATMENT, A RECOMMENDATION REITERATED FROM THE FIRST EVALUATION ROUND, 1999–2000**

PUBLICATION DATE: JANUARY 2001

REITERATION DATE: JANUARY 2003

JUNE 2005

Nicaragua reports that the Minimum Standards of Care for Users of Psychoactive Substances were approved by the Minister of Health by means of ministerial agreement No. 41-2006 on February 3, 2006. This took place under the aegis of Project H 90 "Establishment of a Network for the Treatment, Rehabilitation and Social Reinsertion and Labor Training in Central America." A Work Plan has been drawn up for its full implementation, covering publication, outreach, and training activities.

CICAD notes with satisfaction the adoption of the Minimum Standards of Care.

RECOMMENDATION 5:**ESTABLISH A NATIONAL REGISTRY OF TREATMENT SERVICES**

PUBLICATION DATE: JUNE 2005

Nicaragua reports that it has started the implementation of this recommendation by updating the directory of centers offering treatment, rehabilitation, and social reinsertion services and the national assessment of care services for drug dependents. The country reports that the registry should be completed in 2006.

CICAD recognizes the progress achieved and encourages Nicaragua to implement this recommendation within the specified timeframe.

RECOMMENDATION 6:**DEVELOP INSTRUMENTS FOR THE ACCREDITATION OF TREATMENT SERVICES**

PUBLICATION DATE: JUNE 2005

Nicaragua has not started to implement this recommendation.

CICAD encourages Nicaragua to undertake the necessary measures to implement this recommendation.

**RECOMMENDATION 7:****EVALUATE THE QUALITY OF TREATMENT SERVICES**

PUBLICATION DATE: JUNE 2005

Nicaragua has not started to implement this recommendation.

CICAD encourages Nicaragua to undertake the necessary measures to implement this recommendation.

RECOMMENDATION 8:**IMPLEMENT A NATIONAL STUDY TO ESTIMATE DRUG USE, PREVALENCE AND TRENDS AMONG THE GENERAL POPULATION, A RECOMMENDATION REITERATED FROM THE FIRST EVALUATION ROUND, 1999–2000**

PUBLICATION DATE: JANUARY 2001

REITERATION DATE: JANUARY 2003

JUNE 2005

Nicaragua reports that the national study to measure the magnitude of drug use is being implemented through a Household Survey. The country reports that this study is being conducted by the National Anti-Drug Commission (CNLCD) in coordination with the Nicaraguan Statistics and Census Institute (INEC). Publication and dissemination of the results shall take place during 2006.

CICAD recognizes the progress achieved and urges Nicaragua to complete this recommendation within the specified timeframe, as it was assigned during the First Evaluation Round, 1999–2000.

RECOMMENDATION 9:**ESTABLISH A SYSTEM TO GATHER AND REPORT INFORMATION ON DRUG-RELATED MORBIDITY**

PUBLICATION DATE: JUNE 2005

Nicaragua has not started to implement this recommendation.

CICAD encourages Nicaragua to take the necessary measures to implement this recommendation.

RECOMMENDATION 10:**ESTABLISH A REGISTRY OR DATABASE TO COMPILE INFORMATION ON AMMUNITION AND EXPLOSIVE SEIZURES ASSOCIATED WITH ILLICIT DRUG TRAFFICKING**

PUBLICATION DATE: JUNE 2005

Nicaragua reports that since 2004 it has had a registry or database to compile information on the seizures of firearms, ammunition and explosive in connection with illicit drug trafficking. The information is compiled by the Judiciary Service Bureau of the National Police Force.

CICAD views with satisfaction the fulfillment of this recommendation.

**RECOMMENDATION 11:****ESTABLISH A REGISTRY OR DATABASE TO COMPILE INFORMATION ON EXPORT PERMITS FOR FIREARMS AND AMMUNITION**

PUBLICATION DATE: JUNE 2005

Nicaragua reports that it approved the Act to Control and Regulate Firearms and Ammunition and other Related Materials and their Regulation in 2005. This Act establishes the Register and Control of Firearms, Ammunition and other Related Materials, which is currently operating. It also creates an automated national registry that includes information on permits for the export of firearms and ammunition.

CICAD views with satisfaction the fulfillment of this recommendation.

RECOMMENDATION 12:**ESTABLISH ADMINISTRATIVE CONTROLS TO PREVENT THE OFFENSE OF MONEY LAUNDERING IN AREAS SUCH AS REAL ESTATE, LAWYERS, NOTARIES AND ACCOUNTANTS, A RECOMMENDATION REITERATED FROM THE SECOND EVALUATION ROUND, 2001–2002**

PUBLICATION DATE: JANUARY 2003

REITERATION DATE: JUNE 2005

Nicaragua reports that a bill was drafted to amend the Drug Act (Law 285), which envisages in the chapter referring to money laundering, provisions aimed at regulating the activities of attorneys, notaries and accountants, but not real estate. The bill has been submitted to the National Congress for approval.

CICAD is concerned with the slow pace of progress in implementing this recommendation, which was assigned to Nicaragua during the Second Evaluation Round, 2001–2002 and urges the country to make efforts to fully implement this recommendation.

RECOMMENDATION 13:**ESTABLISH THE TRAFFICKING OF FIREARMS, THE TRAFFICKING OF ORGANS AND PORNOGRAPHY AS PREDICATE OFFENSES**

PUBLICATION DATE: JUNE 2005

Nicaragua reports that the bill to amend the Drug Act (Law 285) contains articles that establish trafficking in firearms, trafficking in organs and pornography as money laundering predicate offenses. This amendment is currently at the National Congress awaiting approval.

CICAD encourages Nicaragua to make efforts to implement this recommendation.

**RECOMMENDATION 14:****ENACT LEGISLATION THAT CRIMINALIZES MONEY LAUNDERING AS AN AUTONOMOUS OFFENSE**

PUBLICATION DATE: JUNE 2005

Nicaragua reports that the bill to amend the Drug Act (Law 285) contains provisions criminalizing money laundering as an autonomous offense. This amendment is currently at the National Congress awaiting approval.

CICAD encourages Nicaragua to make efforts to implement this recommendation.

RECOMMENDATION 15:**ESTABLISH AN ENTITY RESPONSIBLE FOR THE ADMINISTRATION AND DISPOSITION OF SEIZED AND CONFISCATED ASSETS**

PUBLICATION DATE: JUNE 2005

Nicaragua reports that a preliminary bill which makes provision for the establishment of an entity responsible for the administration of assets seized and confiscated from organized crime, is being discussed at the Anti-Drug Commission of the National Assembly

CICAD encourages Nicaragua to continue its efforts to implement this recommendation.

CONCLUSIONS

During the Third Evaluation Round, 2003–2004, Nicaragua was assigned a total of 15 recommendations. Out of these recommendations, the country has completed three, made progress with seven, and has not yet initiated five recommendations. Four of the reiterated recommendations from previous rounds are currently pending.

In the area of demand reduction, Nicaragua showed major progress as implementation of the National Study on Drug Use is under way; this will make it possible to estimate the use, prevalence, and trends of the drug problem throughout the country. On the basis of the results of the above-mentioned study, Nicaragua will be able to plan and draw up policies, strategies, and programs that have an impact on the most vulnerable groups. However, CICAD is concerned that, at present, the country does not have the human and financial resources needed to conduct evaluations of current prevention programs.

In the area of treatment, Nicaragua reports significant progress with the approval of the Minimum Standards of Care for Users of Psychoactive Substances. CICAD hopes that this approval shall lead to the prompt implementation of the other recommendations related to the treatment and rehabilitation of drug dependents, such as the development of instruments for the accreditation of treatment services, the establishment of a national registry of these services and the evaluation of their quality.

Regarding legislation, Nicaragua made considerable progress in adopting the Act to Control and Regulate Firearms and Ammunition and other Related Materials and their Regulation, which enable the development of a national registry in this area. Likewise, important progress was made,



with the establishment of a registry of the seizures of firearms, ammunition and explosives related to illicit drug trafficking, under the Judiciary Service Bureau of the National Police Force.

Despite this progress, pending are the recommendations to ratify the Protocol against the Manufacturing of and the Illicit Trafficking in Firearms, their Parts and Components and Ammunition and the Protocol against the Smuggling of Migrants by Land, Sea, and Air of the United Nations Convention against Transnational Organized Crime and to adopt the amendment to the Drug Act. This Drug Act amendment, among other important issues, shall criminalize money laundering as an autonomous offense and the trafficking in firearms, organs, and pornography as predicate offenses. In addition, it is necessary for Nicaragua to speed up the respective legislative process to enact the law that provides for the management and disposal of confiscated or seized assets.

CICAD recognizes the commitment made by Nicaragua to the Multilateral Evaluation Mechanism (MEM) process and encourages the country to persevere in its efforts to implement the pending recommendations.