

Multilateral Evaluation Mechanism MEM



Dominican Republic

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



**RECOMMENDATION 1:**

RATIFY THE UNITED NATIONS CONVENTION AGAINST TRANSNATIONAL ORGANIZED CRIME, A RECOMMENDATION REITERATED FROM THE SECOND EVALUATION ROUND, 2001–2002 AND ITS PROTOCOLS:

- A. PROTOCOL AGAINST THE SMUGGLING OF MIGRANTS BY LAND, SEA AND AIR;**
- B. PROTOCOL AGAINST THE ILLICIT MANUFACTURING OF AND TRAFFICKING IN FIREARMS, THEIR PARTS AND COMPONENTS AND AMMUNITION;**
- C. PROTOCOL TO PREVENT, SUPPRESS AND PUNISH TRAFFICKING IN PERSONS, ESPECIALLY WOMEN AND CHILDREN**

PUBLICATION DATE: JANUARY 2003

REITERATION DATE: JUNE 2005

The Dominican Republic reports that the ratification process of the Convention and its three Protocols has been initiated with the delivery of these instruments to the Senate on December 13, 2005.

CICAD urges the Dominican Republic to make efforts to fully implement this recommendation, which was assigned to the country during the Second Evaluation Round, 2001–2002.

RECOMMENDATION 2:

RATIFY THE INTER-AMERICAN CONVENTION AGAINST ILLICIT MANUFACTURING OF AND TRAFFICKING IN FIREARMS, AMMUNITION, EXPLOSIVES, AND OTHER RELATED MATERIALS (1997), A RECOMMENDATION REITERATED FROM THE FIRST EVALUATION ROUND, 1999–2000

PUBLICATION DATE: JANUARY 2001

REITERATION DATE: JANUARY 2003

JUNE 2005

The Dominican Republic reports that the ratification process of the Inter-American Convention against the Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and other Related Materials, CIFTA (1997) has begun with its delivery to the Senate on February 8, 2006.

The country expects that the Convention will be studied and approved by the Senate during 2006.

CICAD notes with concern the slow progress made in implementing this recommendation, which was assigned to the country during the First Evaluation Round, 1999–2000, and urges the Dominican Republic to make efforts to implement it fully within the established timeframe.

**RECOMMENDATION 3:****RATIFY THE INTER-AMERICAN CONVENTION ON MUTUAL ASSISTANCE IN CRIMINAL MATTERS (1992), A RECOMMENDATION REITERATED FROM THE FIRST EVALUATION ROUND, 1999–2000**

PUBLICATION DATE: JANUARY 2001

REITERATION DATE: JANUARY 2003

JUNE 2005

The Dominican Republic reports that that steps have now begun to implement the recommendation, as the Foreign Affairs Secretariat has been requested to forward the international instrument to the Executive Branch's Legal Services Department.

CICAD notes with concern the slow progress made in implementing this recommendation, which was assigned to the Dominican Republic during the First Evaluation Round, 1999–2000, and urges the country to make efforts to implement it fully.

RECOMMENDATION 4:**INCREASE THE AVAILABILITY OF SPECIALIZED PROFESSIONAL TRAINING IN DRUG USE PREVENTION**

PUBLICATION DATE: JUNE 2005

The Dominican Republic reports that it has not commenced implementation of this recommendation.

CICAD encourages the Dominican Republic to undertake the efforts necessary to comply with this recommendation.

RECOMMENDATION 5:**IMPLEMENT AN EVALUATION OF RESULTS TO MEASURE THE EFFECTIVENESS OF THE PREVENTION PROGRAM IN PRIMARY SCHOOLS, A RECOMMENDATION REITERATED FROM THE SECOND EVALUATION ROUND, 2001–2002**

PUBLICATION DATE: JANUARY 2003

REITERATION DATE: JUNE 2005

The Dominican Republic reports that it has not commenced implementation of this recommendation.

CICAD notes with concern the lack of progress made in implementing this recommendation and urges the Dominican Republic to make efforts to implement it fully, since it was assigned to the country during the Second Evaluation Round, 2001–2002.

**RECOMMENDATION 6:****EXTEND THE COVERAGE OF PREVENTION PROGRAMS TO OTHER SPECIFIC GROUP POPULATIONS, IN PARTICULAR, STREET CHILDREN**

PUBLICATION DATE: JUNE 2005

The Dominican Republic reports that in follow-up of this recommendation, support has been provided to the National Council on Children's "Halfway House for At-Risk Teenagers" program. In addition, institutions that work with street children have been identified.

CICAD encourages the Dominican Republic to continue with its efforts toward full compliance with this recommendation.

RECOMMENDATION 7:**INCREASE THE COVERAGE OF TREATMENT SERVICES IN ORDER TO PROVIDE CARE TO THOSE SEEKING TREATMENT**

PUBLICATION DATE: JUNE 2005

The Dominican Republic reports that the Directorate of Treatment and Rehabilitation (DTR) of the National Drugs Council has drawn up a Strategic and Operational Plan for the 2006–2008 period.

This plan defines actions for promoting the establishment of care services in drug dependence and the development of a National Care System with quality standards.

CICAD recognizes the progress made by the Dominican Republic and encourages the country to continue with its actions toward full compliance of this recommendation.

RECOMMENDATION 8:**CONDUCT A STUDY TO EVALUATE THE EFFICIENCY OF ONE OF THE EXISTING TREATMENT AND REHABILITATION PROGRAMS**

PUBLICATION DATE: JUNE 2005

The Dominican Republic has not commenced implementation of this recommendation. However, the country reports that it has begun drafting a preliminary plan for the evaluation of existing treatment and rehabilitation programs.

CICAD encourages the Dominican Republic to implement this recommendation.

RECOMMENDATION 9:**CONDUCT A STUDY TO ESTIMATE THE PREVALENCE OF DRUG ABUSE AMONG THE GENERAL POPULATION**

PUBLICATION DATE: JUNE 2005

The Dominican Republic has not commenced implementation of this recommendation. Nevertheless, the country reports that the National Drugs Council is preparing a study into drug use among



the general population with an estimated sample of 8,000 households in urban areas of more than 30,000 inhabitants. This study is scheduled to be carried out between 2006 and 2007.

CICAD encourages the Dominican Republic to undertake efforts toward complying with this recommendation.

RECOMMENDATION 10:

ESTABLISH A NATIONAL SYSTEM TO COMPILE AND SHARE INFORMATION ON DRUG-RELATED MORBIDITY AND MORTALITY

PUBLICATION DATE: JUNE 2005

The Dominican Republic has not commenced implementation of this recommendation. However, the country reports that it has begun coordination work among the corresponding institutions to define the mechanisms for gathering the necessary data. The country indicates that it plans to set up that system in 2006.

CICAD encourages the Dominican Republic to comply with this recommendation within the timeframe indicated.

RECOMMENDATION 11:

DEVELOP A MECHANISM TO ESTIMATE THE POTENTIAL DRUG PRODUCTION

PUBLICATION DATE: JUNE 2005

The Dominican Republic indicates that only small plantations of low-quality cannabis have been detected. Therefore, it has not developed a mechanism to estimate the potential production of drugs.

CICAD takes note of the information submitted by the Dominican Republic in response to this recommendation and accepts the justification provided.

RECOMMENDATION 12:

INCLUDE THE CONTROL OF THE ISSUANCE OF MEDICAL PRESCRIPTIONS IN THE COUNTRY'S REGULATION OF USE AND DISTRIBUTION OF PHARMACEUTICAL PRODUCTS BY HEALTH PROFESSIONALS

PUBLICATION DATE: JUNE 2005

The Dominican Republic has not commenced implementation of this recommendation.

CICAD encourages the Dominican Republic to undertake the efforts necessary to comply with this recommendation.

**RECOMMENDATION 13:****ESTABLISH A FORMAL MECHANISM TO EVALUATE THE EFFECTIVENESS OF ACTIVITIES CARRIED OUT BY THE NATIONAL ENTITIES RESPONSIBLE FOR CONTROLLING THE ILLICIT TRAFFICKING OF FIREARMS, AMMUNITION, EXPLOSIVES AND OTHER RELATED MATERIALS**

PUBLICATION DATE: JUNE 2005

The Dominican Republic has not commenced implementation of this recommendation.

The country reports that the National Police has established an integrated mechanism for the control of firearms seized in different operations. The Ministry of the Interior and the Police have control of firearms registered in the country, in coordination with the Armed Forces Secretariat, which maintains the records of war material. However, the country does not yet have a formal mechanism for assessing the effectiveness of the activities carried out by the national agencies charged with controlling illicit trafficking in firearms, ammunition, explosives and other related materials.

CICAD encourages the Dominican Republic to fully comply with this recommendation.

RECOMMENDATION 14:**UPDATE CURRENT NATIONAL LAW TO CONTROL ILLICIT TRAFFICKING OF FIREARMS, AMMUNITION, EXPLOSIVES, AND OTHER RELATED MATERIALS, IN ORDER TO BRING IT INTO LINE WITH APPLICABLE INTERNATIONAL AGREEMENTS ON THE SUBJECT**

PUBLICATION DATE: JUNE 2005

The Dominican Republic reports that the National Congress has been sent four bills dealing with amending and updating Law 36 on trafficking of firearms, ammunition, explosives, and other related materials.

CICAD encourages the Dominican Republic to continue with its efforts toward full compliance with this recommendation.

RECOMMENDATION 15:**EXPAND THE NATIONAL LEGISLATION TO CRIMINALIZE OR DEFINE AS AN ADMINISTRATIVE MISDEMEANOR, ALL ACTS OF CORRUPTION INCLUDED IN THE INTER-AMERICAN CONVENTION AGAINST CORRUPTION (1996)**

PUBLICATION DATE: JUNE 2005

The Dominican Republic indicates that all offenses criminalized in the Inter-American Convention against Corruption are included in the Draft Penal Code, that is currently being discussed by the National Congress.

In addition, the country indicates that administrative misdemeanors are covered by Law No. 120-01, which contains the Code of Ethics of Public Servants.

CICAD encourages the Dominican Republic to continue its efforts to implement this recommendation in full.

**RECOMMENDATION 16:****DEVELOP A DATABASE TO COMPILE FIGURES ON PUBLIC OFFICIALS ARRESTED, TRIED AND CONVICTED FOR CORRUPTION OFFENSES RELATED TO ILLICIT DRUG TRAFFICKING**

PUBLICATION DATE: JUNE 2005

The Dominican Republic reports that since 2004, with the introduction of the new Code of Criminal Procedure, judicial proceedings in the country involve a flow of information that requires greater controls and oversight on the part of the national authorities.

The country adds that the National Drug Control Directorate (DNCD) developed a new criminological information system that covers the entire process, starting at the time of arrest and including case details, evidence handling, court proceedings, and ending with the individual's release or conviction. However, the country does not indicate if this system provides information on whether the detainees are public officials or not.

CICAD encourages the Dominican Republic to comply with this recommendation.

CONCLUSIONS

During the Third Evaluation Round, 2003–2004, the Dominican Republic received a total of 16 recommendations. Out of these, one has been completed, eight are currently under implementation, and the implementation of the remaining seven recommendations has yet to be initiated.

The recommendations in progress are those that involve the ratification of international instruments, such as the United Nations Convention against Transnational Organized Crime and its three Protocols; the Inter-American Convention against Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and other Related Materials (CIFTA), and the Inter-American Convention on Mutual Assistance in Criminal Matters.

In the area of demand reduction, the country indicates that it is also carrying out activities to extend the coverage of prevention programs targeting street children, and is making progress in expanding the coverage of the available treatment programs.

In the area of control measures, the Dominican Republic has made efforts to update the law on trafficking of firearms, ammunition, explosives, and other related materials and to criminalize or define as an administrative misdemeanor, all acts of corruption that are included in the respective international instruments.

CICAD views with concern that work has not started on implementing almost half the recommendations, and encourages the Dominican Republic to take steps toward full compliance with them.

CICAD recognizes the participation and commitment of the Dominican Republic to the Multilateral Evaluation Mechanism (MEM) process.