

Multilateral
Evaluation
Mechanism
MEM

Costa Rica

Evaluation of Progress in Drug Control

Organization of American States – **OAS**

Inter-American Drug Abuse Control Commission – **CICAD**

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1999
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2000

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Organización de los Estados Americanos – OEA

Comisión Interamericana para el Control del Abuso de Drogas – CICAD

Organization of American States – OAS

Inter-American Drug Abuse Control Commission – CICAD

Organização dos Estados Americanos – OEA

Comissão Interamericana para o Controle do Abuso de Drogas – CICAD

Organisation des Etats Américains – OEA

Commission Interaméricaine de Lutte Contre l'abus des Drogues – CICAD

NATIONAL ANTI-DRUG STRATEGY

Since 1995, Costa Rica has a National Anti-Drug Plan, which covers the areas of Supply Reduction and Demand Reduction but does not cover the areas of Control Measures, Institutional Framework, Budget, or an Evaluation System. The Joint Anti-Drug Intelligent Center (CICAD) notes the country's intention to address those areas in revisions of its 1999 Plan.

The National Center for Drug Prevention (CENADRO) established by Law 7786, is the central agency coordinating demand reduction, supply reduction, control measures and information center activities. Although CENADRO has its own budget that is part of the national budget, it has other legal instruments for self-financing, such as those indicated in Law No.7786.

The country has ratified the United Nations Conventions of 1961, 1971 and 1988, as well as the Inter-American Convention against Corruption. It has signed and is in the process of ratifying the Inter-American Convention Against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives and Other Related Materials. It has not signed the Inter-American Convention on Mutual Assistance in Criminal Matters.

National laws and regulations with respect to chemical substances, money laundering and firearms, ammunitions and explosives are in place and it is noted that these laws are in compliance with CICAD's model regulations.

An integrated system for the collection and maintenance of statistics and documents has been established. The country also maintains separate collections of documents and statistics on Demand Reduction, Control Measures, and the Societal Impact of Illicit Drugs.

Recommendations

1. **Ratify the Inter-American Convention Against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives and Other Related Materials.**¹
2. **Adopt and implement the National Anti-Drug Plan.**
3. **Sign and ratify the Inter-American Convention on Mutual Assistance in Criminal Matters.**

¹ See page 7, recommendation No. 1

DEMAND REDUCTION

The National Anti-Drug Plan establishes the framework for implementing all aspects of demand reduction activities. Many prevention programs are measured, but additional attention is required to gathering data through the regular surveys that are conducted. This will assist in expanding existing programs and provide a basis for developing new ones.

Since 1995 there has been a National Demand Reduction Strategy, which is executed by the Institute on Alcoholism and Drug Dependency (IAFA); the National Center for Drug Prevention; and relevant Ministries and other public and private agencies. It is noted that the United Nations Declaration on the Guiding Principles of Drug Demand Reduction and its Plan of Action have been adopted.

There is a national system of drug abuse prevention programs, a number of which are delivered in schools. Various aspects of adolescent development are taken into account and the use of alcohol, tobacco and other drugs is given due attention within the "Program for the Comprehensive Care of Adolescents". There is a clinic for adolescents, an assistance program for street children, programs for children and adolescents at social risk, and prison programs. Strategies have been designed to reach young people who are not enrolled in schools and efforts have been made to get community groups and leaders involved in prevention committees that carry out a variety of local activities with the support and backing of IAFA. However, there is no program in place for prison officers nor for out-of-school youth.

"Drugs in the Workplace" programs which focus on training activities such as workshops and seminars are in place in the private and public sectors while professional specialized training is available at several levels: two university level programs are available while other training is offered by IAFA.

Minimum standards of care for drug treatment have not been applied nationally and are currently being brought up to date. Drug treatment and rehabilitation programs are offered by state agencies and NGO's in both public and private sectors.

The country has a methodology in place to measure drug use in the general population every five years and at the present time, studies have been carried out for the year 2000 that include annual incidence. This country conducts surveys to measure the prevalence of drug use in the general population and evaluates drug prevention programs. It is reported that the average age of first use of illicit drugs is 19.39 years for males and 18.27 years for females. The country did not provided an estimate of the annual incidence of new drug users corresponding to year 1995.

Recommendations

1. Deseign and develop a prevention programs for illgal use of drugs for prison officers and out of school youth.
2. Strengthen programs targeting primary school children, the workplace and women.
3. Apply minimum standards for drug treatment programs nationally.

SUPPLY REDUCTION

As to illegal cultivation, in the year under review, 2,153,645 cannabis plants were destroyed, equivalent to a cultivated area of 108,793.39 square meters.

The Ministry of Health monitors the diversion of controlled chemical substances and pharmaceuticals; it also estimates annual needs for the above using a methodology developed by the International Narcotics Control Board (INCB) and is responsible for monitoring and regulating those professions involved in the distribution and use of pharmaceuticals. A system for determining needs in terms of controlled substances does not exist owing to a lack of technical and financial resources.

In the Ministry of Health, the Drugs, Narcotics, and Psychotropic and Precursor Substance Control Service of the Registration and Control Directorate is the unit responsible for international exchanges of information. On the domestic front, Costa Rica has been making efforts to strengthen Inter-agency coordination between the Ministry of Health, the Drug Control Police, the Joint Anti-Drug Intelligence Center, and the National Customs Administration.

Furthermore, there are laws and regulations authorizing criminal, civil, and administrative sanctions for the diversion of pharmaceuticals and controlled chemical substances. Three administrative sanctions were imposed in 1999.

Regarding international transactions involving controlled substances and pharmaceuticals, the country implements the pre-export notification mechanism for its exports. In 1999, it issued 74 pre-export notifications to countries in Central America for re-export of controlled chemical substances. It responded to all requests received in 1999.

The country reports no seizures of controlled chemical substances for the year under review, and made no requests for cooperation under international agreements.

Recommendation

1. Develop an action plan to establish a system for determining requirements concerning controlled substances.

CONTROL MEASURES

The Republic of Costa Rica has law enforcement, judicial, and administrative agencies that deal with illicit drug trafficking. The law enforcement agencies are the Ministry of Public Security, the Ministry of the Interior and the Police, and the Ministry of Finance (Customs and Fiscal Control). The judicial agencies responsible for investigating and prosecuting offenses of this kind are Judicial Investigation Agency (Narcotics Section, Delegations, Sub-delegations, and Regional Offices), and the Office of the Attorney General (Anti-Drug Inspection Service). For administrative institutions, it cites the Joint Anti-Drug Intelligence Center and the National Drug Prevention Center Customs, Fiscal Control, the Ministry of Public Security, and the General Police Act.

Costa Rica indicates that the Joint Anti-Drug Intelligence Center effects coordination, cooperation and timely exchanges of information among national and international authorities; the latter function is consistent with its international commitments under the relevant agreements.

The country carried out a total of 429 drug seizure operations (60 by Drug Control Police, 320 by the Judicial Investigation Agency, 44 by Public Forces, 5 by Municipal Police).

The quantities and type of drugs seized are described in the following table:

Type of Drug	Unit	Quantity	Purity
Heroin	gr	8.77	80% to 90%
Cocaine Base	stones	54,163	-
Cocaine Salts	Kg	1,998.62	70% to 90%
Cannabis plants	Kg	2,153,645	-
Cannabis Seed	Kg	3.4	-
Marijuana (loose)	Kg	1,693.05	-
Marijuana (cigarettes)		13,077	-

It also indicates that a total of 737 people have been arrested, of which 503 were charged, and 481 were convicted for illicit drug trafficking in 1999.

The country reports a total of 540 requests for international cooperation to investigate and prosecute drug traffickers and received 499 replies to these requests.

Costa Rica has criminalized the manufacture, trafficking, import, and export of firearms, ammunition, explosives, and other related materials. National laws and regulations exist as well. It reports that only one mechanism or authority exists for keeping records on the import of firearms, ammunition, explosives, and other related materials, but not on their manufacture, export, and transit. That authority also ensures that there is pre-authorization for the export of those materials. There is no authority to effect inter-agency coordination and information exchanges in this area at the national and international level.

No one has been charged or convicted in connection with these types of offenses. Moreover, no information has been provided on the number of operations or the quantities of firearms, ammunition, explosives, and other related materials seized in those operations. It was reported, however, that 24 rifles and pistols and 359 stores of ammunition of various calibers were confiscated or seized by the competent authorities. The country also has no information identifying the origin of the firearms; ammunition, explosives, and other related materials or the routing used to divert them.

Costa Rica made no requests for international cooperation to investigate and prosecute the illicit manufacture of and trafficking in firearms, ammunition, explosives, and other related materials.

Costa Rica's laws have criminalized money laundering and include provisions to suppress and prevent the laundering of drug trafficking proceeds. The country has administrative, preventive controls and laws that allow for the freezing or seizure and forfeiture of these assets.

It has a Financial Analysis Unit (UAF) in the Joint Anti-Drug Intelligence Center, which is responsible for receiving, requesting, analyzing, and transmitting to the relevant authorities information on financial transactions. This permits the exchange of operational information and operational collaboration among national authorities and among related central agencies in other countries. Costa Rica has laws and regulations requiring financial institutions and others responsible to report suspicious or unusual transactions to the competent authorities. The National Drug Prevention Center is the agency responsible for the management and disposition of assets seized and forfeited from illicit drug trafficking and other related offenses.

Costa Rica reports that no one was arrested for, charged with, or convicted of money laundering in 1999. Furthermore, no administrative and regulatory penalties were imposed on financial institutions. It did not report on court-imposed sanctions for failure to report suspicious transactions last year.

Bearing in mind international agreements, Costa Rica has made 184 requests for international cooperation to investigate and prosecute money-laundering offenses and received 138 replies.

Recommendations

1. Create a register and/or databank to identify the number of seizures, operations, routes and origins of the firearms, ammunition, explosives, and other related materials in drug trafficking.
2. Established a mechanism or authority to oversee the registry of the manufacture, import, export, and transit of firearms, explosives, ammunition and other related materials.
3. Create an entity responsible for the coordination of information exchange regarding manufacture, export and transit of firearms, explosives, ammunition and other related materials both nationally and internationally.

HUMAN, SOCIAL AND ECONOMIC COST OF DRUGS

Estimating the human, social and economic cost of the drug problem in all of its manifestations constitutes a complex process. This information is relevant to each country's understanding of the magnitude of the drug problem.

This would enable each country to appreciate the direct and indirect cost in proportion to their Gross National Product or national annual budget. Because many countries have difficulty in providing these estimates, CICAD is proposing a hemispheric-wide program involving training and technical assistance, which should assist the country in its effort in confronting the drug problem and fulfilling this indicator's requirements.

Recommendation

1. Develop the capacity to estimate the human, social, and economic costs of its drug problem.

SUMMARY OF RECOMMENDATIONS

CICAD recommends that Costa Rica's anti-drug efforts be strengthened by addressing the following:

1. Ratify the Inter-American Convention Against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives and Other Related Materials.²
2. Adopt and implement the National Anti-Drug Plan.
3. Sign and Ratify the Inter-American Convention on Mutual Assistance in Criminal Matters.
4. Develop and deliver prevention programs for prison officers and out of school youth.
5. Provide estimates of annual incidence of new drug users.
6. Strengthen programs targeting primary school children, the workplace and women.
7. Apply minimum standards for drug treatment programs nationally.
8. Develop an action plan for establishing a system for determining requirements in terms of controlled substances.
9. Create a register and/or databank to identify the number of seizures, operations, routes and origins of the firearms, ammunition, explosives, and other related materials in drug trafficking.
10. Established a mechanism or authority to control the register of the manufacture, import, export, and transit of firearms, explosives, ammunition and other related materials.
11. Create an entity responsible for the coordination of information exchange regarding manufacture, export and transit of firearms, explosives, ammunition and other related materials both nationally and internationally.

² Costa Rica ratified the Inter-American Convention against the Illicit Manufacturing and Trafficking in Firearms, Ammunition, Explosives and Other Related Materials by means of Law No. 8042 on November 21, 2000.