

Multilateral  
Evaluation  
Mechanism  
MEM

# Nicaragua

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

**N**icaragua does not have a national anti-drug plan, however, one is being drafted. The central coordinating authority is the National Anti-Drug Council, established in 1999. It coordinates the activities related to demand reduction, supply reduction, and control measures, as well as an information center. Law No. 285 of 1999 is the legal basis for the National Anti-Drug Council, and establishes its budget.

Nicaragua has ratified the 1988 and 1961 United Nations Conventions. It has acceded to the United Nations Convention of 1971. It has ratified the Inter-American Convention Against Corruption and the Inter-American Convention Against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives and Other Related Materials. The Inter-American Convention on Mutual Assistance in Criminal Matters is pending ratification.

It has national laws and regulations with respect to the issue of drugs in accordance with international conventions. Specifically it has legislation regarding money laundering in keeping with the CICAD Model Regulations. There is no specific legislation on firearms or chemical substances.

Nicaragua has a system for the collection and maintenance of statistics and documents in the area of supply reduction. It does not yet have documents and statistics on demand reduction, control measures, and the impact of drugs on society.

## Recommendations

1. Continue its efforts to adopt the national anti-drug plan.
2. Ratify the Inter-American Convention on Mutual Assistance in Criminal Matters.
3. Extend the information system to include the areas of demand reduction, control measures, and the impact of drugs on society, so as to obtain a comprehensive system.

## DEMAND REDUCTION

**N**icaragua does not have a national demand reduction strategy. Without an instrument of this nature, it is very difficult to implement, in a meaningful, coherent fashion, the various components of programs to be developed. Nicaragua has a national system of drug abuse prevention programs, which cover school children, community leaders, and other groups at risk. Programs are currently available for out-of-school youth, street children, and their families in the nine cities with the highest incidence of drug use. There are no programs for prisoners and no “Drugs in the Workplace” programs.

Nicaragua has not adopted the UN Declaration on the Guiding Principles of Drug Demand Reduction and its Plan of Action.

There are limited drug treatment and rehabilitation programs that cover early detection and outreach, treatment, rehabilitation, social reintegration, and after-care.

There are no guidelines on minimum standards of care for drug treatment institutions.

Although there is no regular system of professional specialized prevention training available within the country, opportunities are made available in other ways. Some professionals access training abroad, while experts are periodically brought into Nicaragua for special topical areas. Professional training on treatment is available in the health care system throughout the country.

No studies have been carried out regarding the extent of drug consumption among the general population, consequently there are no data available to determine the annual incidence of new drug users or the average age of first use of illicit drugs. Nationwide research on drug use among secondary school students was recently completed, although the findings are not yet available. There is no research on prevention or evaluation of drug abuse prevention programs. No studies to evaluate treatment and rehabilitation programs and modalities have been conducted.

### Recommendations

- 1. Adopt the UN Declaration on the Guiding Principles of Drug Demand Reduction with the purpose of providing the basic framework for the design and implementation of appropriate demand reduction policies and programs.**
- 2. Develop prevention programs for prisoners and for “Drugs in the Workplace.”**

3. Establish guidelines on minimum standards of care for drug treatment.
4. Carry out studies to determine the average age of first use of any illicit drug and the annual incidence of new drug users.
5. Evaluate demand reduction programs.

## SUPPLY REDUCTION

There are cannabis crops in Nicaragua, although their extent is unknown. In 1999, 40,965 cannabis plants and 1,019.5 kilos of marijuana were destroyed. The country states that it cannot report the amount of marijuana seized as a percentage of the total area planted, because there has been no study or diagnosis indicating the illicit area planted.

The country has a body, the Ministry of Health, responsible for controlling the diversion of pharmaceuticals and controlled substances.

Nicaragua has a mechanism for exchanges of operational information and for national collaboration among agencies responsible for controlling pharmaceuticals and controlled chemical substances. The National Police, Customs Bureau, and the Ministry of Health are responsible for this work.

There are no systems in place to estimate legitimate needs for pharmaceuticals and controlled chemical substances.

The Medications Regulation Bureau of the Ministry of Health is in charge of regulating those professions involved in handling pharmaceuticals.

The country has laws establishing penal sanctions for the diversion of chemical substances (Law No. 285 of June 30, 1999). Administrative sanctions for pharmaceuticals and controlled chemical substances are set forth in regulatory decree No. 74/99. However, the country does not report the enforcement of those sanctions in the past year.

The country has mechanisms for the international exchanges of operational information for the control of pharmaceuticals and controlled chemical substances. They are headed up by the Ministry of Health and the Drug Investigation Office of the National Police, respectively.

Regarding international transactions, the Ministry of Health issued 13 prior notifications in 1999, and reports that it responded to all notifications received.

## Recommendations

1. Implement a mechanism enabling it to determine the existence or absence of illicit drug crops, area planted, and potential production capacity.
2. Create a system to estimate legitimate needs for pharmaceuticals and controlled chemical substances.

## CONTROL MEASURES

The law enforcement entities are the National Police and the National Army. The judicial agencies in charge of investigating and prosecuting this offense are the Courts and the Attorney General's Office. In administrative matters, the institutions mentioned are the Ministry of Health, the Customs Office, the National Anti-Drug Council, and the Revenue Office.

Nicaragua states that it has a mechanism for the timely exchange of operational information for cooperation among national authorities; the Police are in charge of this mechanism.

There are centralized agencies in Nicaragua that allow for the timely exchange of information, coordination, and cooperation among countries in accordance with the commitments made through international treaties; they are the National Police and the Office of the Attorney General.

Nicaragua conducted 591 drug seizure operations. As a result of those, it seized the following substances:

Type of drug	Unit	Quantity
Heroin	Kg	2
Cocaine salts	Kg	1,078.63
Cannabis plants	Units	40,965
Leaf Cannabis (grass)	Kg	1,019

In 1999, 805 people were arrested for illicit drug trafficking offenses; 857 were charged; and 77 were convicted.

In terms of international cooperation, Nicaragua made one request for judicial assistance to investigate and prosecute drug traffickers and received a reply.

Nicaragua has not defined as an offense the illicit manufacture, trafficking, export,

and import of firearms, ammunition, explosives, and other related materials. In this regard, administrative controls have been established for prevention, as well as laws and regulations that allow for seizure or freezing of such materials.

Nicaragua has an authority that keeps a record of imports, exports, and transit of firearms, ammunition, explosives, and other related materials. The National Police is the entity responsible for maintaining a record of the manufacture of firearms, ammunition, and explosives. The country has an entity in charge of coordination and information exchanges among national agencies and with other states, but does not give its name.

In 1999, Nicaragua seized the following materials:

Firearms	
Type	Quantity
.22 caliber pistol	1
.357 caliber magnum pistol	1
.38 caliber pistol	3
Tula Tucarov pistol	1
AK rifles	196
FAL rifles	2
M-3 carbine	1
AR-15 rifles	2
F-5 hand grenades	14
RPG-7 grenade launchers	2
AK silencers	2
AK bullets	70,773
AK magazines	702

Nicaragua does not record the number of seizure operations for firearms, ammunition, explosives, and other related materials connected with illicit drug trafficking and keeps no record of their origin or the routing employed in their diversion.

In terms of international cooperation to investigate and prosecute the illegal manufacture of and trafficking in firearms, ammunition, explosives, and other related materials, Nicaragua made one request for assistance and received one reply.

Nicaragua has incorporated into its legislation the crime of money laundering, which includes suppression and prevention of the laundering of drug trafficking proceeds, and it has in place preventive administrative controls and a legal framework that allows for freezing or seizure and forfeiture of these goods. In 1999, no one was arrested, charged, or convicted for these offenses, since laws on this topic were only recently placed on the books.

The Financial Analysis Commission is in charge of detecting and preventing money laundering in all its manifestations. The country has laws and regulations in place requiring financial institutions and others responsible to report suspicious or unusual transactions to the competent authorities. There is no mechanism or entity that manages seized goods from drug trafficking offenses. However seized goods remain at the disposal of the judge, who can appoint a custodian to manage them, after consulting with the National Council.

The country has not reported on administrative and regulatory sanctions imposed on financial institutions and does not report convictions in the courts for failure to report suspicious transactions during the past year.

Taking international agreements into account, Nicaragua has made one request for international cooperation to investigate and prosecute money-laundering offenses, obtaining its respective reply.

## Recommendations

1. Enact legislation to criminalize and regulate as an offense, the illicit manufacture, trafficking, import, and export of firearms, ammunition, explosives, and other related materials.
2. Create a register and/or data bank that reflects the information on the number of seizure operations for firearms, ammunition, explosives, and other related materials connected with illicit drug trafficking, as well as keeps record of their origin or the routing employed in their diversion.
3. Create a register and/or data bank that reflects the number of persons arrested, charged, or convicted for money laundering offenses.
4. Designate an agency or entity in charge of the administration of goods seized from drug trafficking and other related offenses.
5. Create a register and/or data bank that reflects administrative and regulatory sanctions imposed on financial institutions for failure to report suspicious transactions.

## HUMAN, SOCIAL AND ECONOMIC COST OF DRUGS

**E**stimating 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 cost of the drug problem.**



## SUMMARY OF RECOMMENDATIONS

**C**ICAD recommends that Nicaragua's anti-drug efforts be strengthened by addressing the following:

1. Continue its efforts to adopt the national anti-drug plan.
2. Ratify the Inter-American Convention on Mutual Assistance in Criminal Matters.
3. Extend the information system to include the areas of demand reduction, control measures, and the impact of drugs on society, so as to obtain a comprehensive system.
4. Adopt the UN Declaration on the Guiding Principles of Drug Demand Reduction with the purpose of providing the basic framework for the design and implementation of appropriate demand reduction policies and programs.
5. Develop prevention programs for prisoners and for "Drugs in the Workplace."
6. Establish guidelines on minimum standards of care for drug treatment.
7. Carry out studies to determine the average age of first use of any illicit drug and the annual incidence of new drug users.
8. Evaluate demand reduction programs.
9. Implement a mechanism enabling it to determine the existence or absence of illicit drug crops, area planted, and potential production capacity.
10. Create a system to estimate legitimate needs for pharmaceuticals and controlled chemical substances.
11. Enact legislation to criminalize and regulate as an offense, the illicit manufacture, trafficking, import, and export of firearms, ammunition, explosives, and other related materials.
12. Create a register and/or data bank that reflects the information on the number of seizure operations for firearms, ammunition, explosives, and other related materials connected with illicit drug trafficking, as well as keeps record of their origin or the routing employed in their diversion.
13. Create a register and/or data bank that reflects the number of persons arrested, charged, or convicted for money laundering offenses.

14. Designate an agency or entity in charge of the administration of goods seized from drug trafficking and other related offenses.
15. Create a register and/or data bank that reflects administrative and regulatory sanctions imposed on financial institutions for failure to report suspicious transactions.
16. Develop the capacity to estimate the human, social, and economic cost of the drug problem.