

M E M M

Multilateral Evaluation Mechanism

Inter-American Drug Abuse
Control Commission
(CICAD)

Secretariat for
Multidimensional
Security
(SMS)

El Salvador

**EVALUATION OF
PROGRESS IN
DRUG CONTROL**

2007-2009



Organization of
American States

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ORGANIZATION OF AMERICAN STATES
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EL SALVADOR

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 - Comprehensive Civic Development Program “An achievable dream, well trained and educated students”
- Ministry of Public Health and Social Assistance
 - Mental Health Unit
- Ministry of Justice and Public Security
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 - Directorate General of Legal Affairs
 - Directorate General of Foreign Affairs
- Ministry of National Defense
 - Defense Policy Directorate
 - Logistics Directorate
 - Navy of El Salvador
 - Airport Radar Control Center of El Salvador
 - Monitoring Center of the United States of America
- Attorney General of the Republic
 - Division for the Defense of Societal Interests
 - Specialized Unit against Drug Trafficking Offenses
 - Financial Investigation Unit
- Supreme Court of Justice
 - International Technical Advisory Unit
 - Criminal Chamber
 - Administrative Systems Unit
 - Department of Probation and Assisted Confinement
- National Civilian Police
 - Subdirectorates of Administration and Finances
 - Subdirectorates of Land Transit
 - Anti-drug Division
- Superior Council on Public Health
 - Narcotics, Psychotropic Substances, and Additives Unit
- Maritime Port Authority
 - Port Security Unit



PREFACE

The Multilateral Evaluation Mechanism (MEM) is a diagnostic tool designed by all member states of the Organization of American States (OAS) to periodically carry out comprehensive, multilateral evaluations of the progress of actions taken by member states and by the hemisphere as a whole, in dealing with the drug problem. The Inter-American Drug Abuse Control Commission (CICAD), of the Secretariat of Multidimensional Security, an OAS specialized agency, implemented this Mechanism in 1998, pursuant to a mandate from the Second Summit of the Americas held in Santiago, Chile in 1998.

The MEM is not only an evaluation instrument, but has also become a vehicle for disseminating information on the progress achieved by individual and collective efforts of OAS member state governments, catalyzing hemispheric cooperation, promoting dialogue among member state government authorities and precisely channeling assistance to areas requiring greater attention by optimizing resources. The MEM process itself is assessed by the Intergovernmental Working Group (IWG), comprised of delegations from all member states, which meets before the onset of each MEM evaluation round to review and strengthen all operational aspects of the mechanism, including the indicators of the evaluation questionnaire.

National evaluation reports are drafted by experts from each member state, with experts not working on their own country's report, guaranteeing the transparent multilateral nature of the MEM. Each chapter is based on countries' responses to a questionnaire of indicators covering the main thematic areas of institution building, demand reduction, supply reduction and control measures as well as subsequent comments and updated information provided by the government-appointed coordinating entities.

This report covers the full country evaluation for the MEM Fifth Round evaluation period 2007-2009. The follow-up report on the implementation progress of recommendations assigned to the country will be published in June 2012. All MEM reports can be accessed through the following webpage: www.cicad.oas.org.



INTRODUCTION

El Salvador is a country of the Central American isthmus, with an estimated population of 6,150,953 people (2009)¹ and an estimated population density of 292 inhabitants per km². Urban areas account for 3,884,432 inhabitants, which represents 63.2% of the total population, while rural areas account for a population of 2,266,521 inhabitants, representing 36.8 % of the total population. The illiteracy rate among the population 10 years of age and older was 14.1 % in 2008², which in absolute numbers translates into more than 700,000 persons between 15 and 24 years of age who cannot read or write. The number is particularly high among rural women whose illiteracy rate ascends to 24.9%. The rate of enrollment in primary education has increased from 86% to 86.7%, and the average educational level has risen from 4.3 to 5.6 years. El Salvador is a Republic that is divided into 14 departments. The Gross Domestic Product (GDP) was US\$21.10 billion in 2009³, and the per capita GDP at current prices was US\$3,429.50 (2009)⁴. Annual exports totaled US\$3.79 billion (2009).

I. INSTITUTIONAL STRENGTHENING

A. National Anti-drug Strategy

El Salvador's National Anti-drug Plan (2002-2008)⁵ expired in December 2008. The Plan covers the following areas: prevention; treatment, rehabilitation and reintegration; treaties, legislation and conventions; inspection and control of substances; control of supply and related crimes; research, information and statistics; education and training; financing and cooperation; and monitoring and evaluation. Anti-drug activities are conducted within the various areas of responsibility defined in the 2002-2008 National Anti-drug Plan, still in effect until the approval of the new strategy, and their coordination is achieved through the annual plans that the relevant entities execute in each area of responsibility.

The strategic priorities and goals within the framework of the National Anti-drug Plan (2002-2008) are to reduce the misuse and abuse of both licit and illicit drugs and the associated consequences of those phenomena, to reduce the availability of illicit drugs and to prevent the diversion of licit drugs to illicit channels.

The national entities involved in implementing the National Anti-drug Plan are the Ministry of Education; the Ministry of Public Health and Social Assistance; the Ministry of National Defense; the Ministry of Justice and Public Security; the Superior Council on Public Health; the Ministry of

¹ Ministry of Economy, General Statistics and Census Directorate, 2009 Household and Multiple Purposes Poll. Website: www.digestyc.gob.sv

² Source: 1991- 2008 Household and Multiple Purposes Poll. General Statistics and Census Directorate

³ Central Reserve Bank of El Salvador, 2009 preliminary figures.

⁴ Central Reserve Bank of El Salvador, 2009 preliminary figures.

⁵ The National Anti-drug Plan, 2002-2008 can be found in: <http://www.seguridad.gob.sv/observatorio>.



Foreign Affairs; the Ministry of Government; the Ministry of Treasury; the Office of the Attorney General of the Republic; the National Civil Police; the Supreme Court of Justice; and the Executive Directorate of the National Anti-drug Commission.

Authorities from the country's 14 departments have jurisdiction in areas related to anti-drug policies.

El Salvador's National Anti-drug Plan (2002-2008) does not have an assigned budget. This is due to the fact that each institution establishes the activities to be implemented within the framework of the National Anti-drug Plan. These activities which are financed by the resources that these public and/or private entities assign, vis-à-vis their institutional budgets, to the area of drugs, as well as by the funds received through international cooperation. The following table shows the approximate annual amount of the Plan's budget:

Approximate Annual Amount of the Plan's Budget

2006 (US\$)	2007 (US\$)	2008 (US\$)	2009 (US\$)
\$6,605,167	\$5,078,366	\$6,163,202	7,221,574

The reported amounts in the preceding table have been calculated on the basis of the human resources, logistics and basic services that each entity assigns to treating these problems.

El Salvador's National Anti-drug Plan (2002-2008) includes a system of monitoring and evaluation. The Executive Directorate of the National Anti-drug Commission (CNA) is the entity responsible for coordinating, supervising and evaluating the plans, strategies and governmental policies aimed at preventing and combating the trafficking, selling and use of illicit drugs, treatment, and the rehabilitation of drug-dependent persons. The implementation of the institutional plans in each area has been duly monitored and supervised. Local activities are implemented in 14 of the country's departments as part of the National Anti-drug Plan.

The CNA operates under the direction of the Office of the President of the Republic, and is the national anti-drug authority in El Salvador. It was created by an amendment to the Law Regulating Drug-related Activities, by means of Legislative Decree No. 153 of 2 October 2003, published in Official Gazette No. 208. The CNA is comprised of the Ministers and their representatives from the Ministry of Public Security and Justice; the Ministry of Public Health and Social Assistance; the Ministry of Education; the Ministry of National Defense; and the Superior Council on Public Health. The CNA has a legal foundation and coordinates the areas of demand reduction, supply reduction, control measures, drug observatory, and international cooperation. Moreover, follow-up, monitoring and supervision of the implementation of institutional plans in each area have been undertaken. However, the country reports that no project or program evaluations have been carried out.

The country reports that the Executive Directorate of the CNA has an annual budget, which is integrated into that of the Ministry of Justice and Public Safety. Its financing derives from governmental allocations and contributions from international cooperation.



**Annual Budget
Executive Directorate of the CNA (2006-2009)**

Fiscal Year	Total Budget Received (US\$)
2006	437,438.04
2007	372,821.42
2008	270,046.60
2009	234,083.52

B. International Conventions

El Salvador has ratified the following conventions:

- Inter-American Convention on Mutual Assistance in Criminal Matters, 1992;
- Inter-American Convention against Corruption, 1996;
- Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and other Related Materials (CIFTA), 1997;
- United Nations Single Convention on Narcotic Drugs, 1961, as amended by the 1972 Protocol. The country reports that it is not State Party to the 1972 Protocol;
- United Nations Convention on Psychotropic Substances, 1971;
- United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, 1988;
- United Nations Convention against Transnational Organized Crime, 2000, and its three Protocols: Protocol against the Smuggling of Migrants by Land, Sea, and Air, the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, and the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, their Parts and Components and Ammunition; and
- United Nations Convention against Corruption, 2003.

The country entered reservations to the United Nations Convention against Corruption, and the United Nations Convention against Transnational Organized Crime and its three Protocols: Protocol against the Smuggling of Migrants by Land, Sea and Air; Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children; and the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, their Parts and Components and Ammunition.

The country reports that, in accordance with the United Nations Convention against Transnational Organized Crime, it enacted the Law against Organized Crime and Complex Crimes, on January 22, 2007, to regulate and establish the authority of specialized courts and the procedures for prosecuting crimes committed under the classification of organized crime or crimes of a complex nature.



C. National Information System

El Salvador reports that it has a national observatory on drugs, which organizes and undertakes studies, and compiles and coordinates statistics and other drug-related information. However, it also indicates that there is no budget assigned to the observatory to carry out its functions.

The following table shows the studies carried out by the country related to demand reduction from 2006-2009:

Studies	2006		2007		2008		2009	
	Yes	No	Yes	No	Yes	No	Yes	No
Priority Studies								
Survey of high-school students		X		X	X			X
National Household Survey		X		X		X		X
Access to patient records in treatment centers in the country	X		X		X		X	
Recommended Information								
Cross-sectional survey of patients in treatment centers		X		X		X		X
Access to records showing the link between drug use and cause of death		X		X		X		X
Survey of patients in emergency rooms		X		X		X		X
Survey of college students		X		X		X		X
Number of drug-related deaths	X		X		X		X	

The following table shows the information available in the country in the area of supply from 2006-2009:

Information	2006		2007		2008		2009	
	Yes	No	Yes	No	Yes	No	Yes	No
Priority Information								
Indicators of direct drug supply		X		X	X			X
Quantities of seized drugs	X		X		X		X	
Number of charges and convictions for use, possession and trafficking in drugs	X		X		X		X	
Number of drug labs destroyed	X		X		X		X	
Recommended Information								
Number of persons formally charged with and convicted of money laundering	X		X		X		X	
Number of persons formally charged with and convicted of trafficking in firearms, explosives, ammunition and related materials	X		X		X		X	



Information	2006		2007		2008		2009	
	Yes	No	Yes	No	Yes	No	Yes	No
Number of persons formally charged with and convicted of chemical substance diversion	X		X		X		X	
Quantities of seized chemical substances	X		X		X		X	
Sales price of drugs (to consumer)	X		X		X		X	

II. DEMAND REDUCTION

A. Prevention

El Salvador indicates that it is implementing drug abuse prevention programs, as shown in the following table:

Population Type	Estimated Coverage		Name of Program	Type of Program
	Target Population	% of Coverage		
Pre-school: 4, 5 and 6 years	225,346	50.3%	Pre-school	Universal
Basic Primary/ Elementary: 7 to 12 years	929,969	92.9%	Basic Education	Universal
Secondary/High School: 12 to 14 years	387,285	92.9%	Third cycle program. Courses on Health Sciences and the Environment	Universal
	195,926	32.6%	Third cycle program and High School	Universal
15 to 17 years	165,328	36%	Comprehensive Citizen's Development	Universal
	35,930	23%	School Mediation	Selective
	37,310	23.5%	Psychological intervention and counseling	Selective
	96,147	17%	Life Skills and Drug Prevention	Universal
15 and 22 years	2,000 students (metropolitan area)	4%	No More Violence	Universal



Population Type	Estimated Coverage		Name of Program	Type of Program
	Target Population	% of Coverage		
Prisoners	912	58.66%	Drug Dependency	Indicated

El Salvador indicates that the school-based prevention programs are compatible with the principles of “CICAD’s Hemispheric Guidelines on School-Based Prevention”, and adopt a life skills approach.

El Salvador does not carry out prevention programs for the workplace, street children and youth, university students, families, or community sectors.

During the years 2006-2009, diplomas, training, courses for teachers, counselors and quality control teams, non-professional technical training courses, refresher continuing education courses for university graduates, as well as regional and international capacity-building programs were offered, and under-graduate university degrees were awarded.

Within the area of prevention, the following refresher or advanced courses were carried out from 2008-2009:

Name of training course	Offered to:	Number of participants	
		2008	2009
Diploma in Moral Education and Citizenship	Teachers	245	300
Virtual Diplomas on Gender	Teachers	0	40
Training Series for Education for Life	Teachers	0	4,504
Prevention of Gender Violence	Teachers	0	800
Diploma in Gender and Sexuality	Teachers	0	135
Training on Gender and Masculinity	Advisors	0	229
Diploma in HIV/AIDS	Teachers	238	357
Open Course on Life Skills	Teachers	165	116
Open Course on Human Trafficking	Teachers	57	189
Awareness-raising on Human Trafficking	Quality Monitoring Teams	0	400

In the area of treatment, 60 courses were offered in training for drug treatment facilitators in 2007 and 60 in 2009.

The country reports that its university faculties does not have courses on prevention or treatment in the general curricula of the disciplines related to the drug abuse fields.

The country reports that Jose Simeon Cañas Central American University (UCA) offered the following specialized courses on addictions, prevention, and treatment and research for professionals working in related areas:



- Post-graduate coursework in Statistical Methods to support Research, with a program duration of six months (220 hrs).
- Certification in Violence Prevention 2008, with a program duration of nine months.
- Certification in Methodological Strategies for School Co-existence 2009, with a program duration of nine months.
- Country experts have participated in international training programs on drug abuse research.

The country has not undertaken process or intermediate outcome evaluations of drug abuse prevention programs from 2006-2009.

The country reports that it has not carried out evaluations on the impact of the drug abuse prevention programs (best practices) or any other type of investigative study during the years 2006-2009.

B. Treatment

Regarding the treatment of problems associated with drug use, the Ministry of Public Health and Social Assistance carries out the following functions: design and implementation of public policy, control and regulation of treatment services offered, financing, program supervision, and human resources training.

The country assigns a budget for the development of treatment programs offered to persons with problems associated with drug use, which derives from institutional services offered, rather than from a defined budgetary line for addiction treatment.

Estimated amount of the national public budget for financing treatment programs

2006	2007	2008	2009
US\$ 234,828	US\$ 241,612	US\$ 311,243	US\$ 453,472

The official operating standards in place for specialized facilities that provide treatment services for persons with problems associated with drug use are the “Standards of Care for Persons with Addicted Behavior to Psychoactive Substances.”

El Salvador reports that the official licensing procedure for authorizing the operation of specialized facilities that provide treatment services for persons with problems associated with drug use is defined in two documents: “Procedural Guide for Authorizing the Opening and Functioning of Institutions and Facilities Offering Integral Care to Persons Affected by Drugs;” and “Regulation of the Functioning of Institutions and Facilities Offering Integral Care to Persons Affected by Drugs.” The country indicates that these procedural guides and regulations have not been implemented.

The country does not keep an official record of specialized facilities that provide treatment services for persons with problems associated with drug use.



El Salvador does not have a monitoring system for specialized facilities that provide treatment services for persons with problems associated with drug use.

The country reports that to address problems associated with drug use, the institutions forming part of the Primary Health Care (PHC) network implement the following activities: harm detection, referral to specialized areas, intoxication management, brief intervention and referrals to more specialized centers or hospitals.

El Salvador indicates that 18 institutions belonging to the PHC network in the country undertook specific care activities for problems associated with drug use in 2006; 35 in 2007; 62 in 2008; and 98 in 2009.

There is no information available on the number of cases that were treated in officially-licensed specialized treatment facilities for problems associated with drug use, nor on the number of these cases that were referred from institutions forming part of the general health network (out-patient or hospitals).

El Salvador reports that no activities are carried out for the follow-up of patients discharged after completion of their indicated treatment.

C. Statistics on Consumption

El Salvador has not carried out an estimate of drug use in the general population, during the 2007-2009 evaluation period.

El Salvador conducted the Second Survey on Prevalence of Drug Use among Primary and High School Students in 2008, in urban centers with a population greater than 30,000 inhabitants, and a representative sample of 6,265 students.⁶

Prevalence among Students of Seventh and Ninth Grades and Second Year of High School Use of Psychoactive Substances SIDUC Scholars 2008									
Type of Drug	Lifetime (percentage)			Last 12 months (percentage)			Last 30 days (percentage)		
	M	F	Total	M	F	Total	M	F	Total
Alcohol	34.6	30.7	32.5	21.9	18.4	20.0	12.7	10.6	11.5
Cigarettes	34.3	22.4	27.9	19.9	10.9	15.1	13.2	5.9	9.3
Tranquilizers without prescription ⁷	2.2	3.4	2.8	1.3	2.2	1.8	1.0	1.5	1.3
Stimulants without prescription ⁸	1.6	1.7	1.7	1.1	1.2	1.1	0.9	1.0	0.9

⁶ The data presented in the tables are the substances included in the country's survey, and are a subset of the substances suggested by the MEM

⁷ Valium, clonazepam, alprazolam, lorazepam.

⁸ Ritalin, concerta, duromine.



Prevalence among Students of Seventh and Ninth Grades and Second Year of High School Use of Psychoactive Substances SIDUC Scholars 2008									
Type of Drug	Lifetime (percentage)			Last 12 months (percentage)			Last 30 days (percentage)		
	M	F	Total	M	F	Total	M	F	Total
Solvents or inhalants	4.1	1.7	2.8	2.4	0.8	1.5	1.2	0.4	0.8
Marijuana	8.3	3.1	5.5	5.4	1.8	3.5	2.9	0.8	1.8
Hallucinogens *	0.8	0.5	0.6	*	*	*	*	*	*
Heroin*	0.7	0.3	0.5	*	*	*	*	*	*
Cocaine HCL	2.9	1.1	1.9	1.6	0.6	1.1	0.8	0.3	0.5
Crack	1.8	0.7	1.2	0.9	0.3	0.6	0.6	0.2	0.4
Ecstasy*	1.0	0.7	0.8	*	*	*	*	*	*
Other drugs*	0.1	0.0	0.1	*	*	*	*	*	*
Any illicit drug	10.7	4.5	7.4	6.8	2.3	4.4	3.4	1.0	2.2

Source: Research and Studies Unit, Executive Directorate of the National Anti-drug Commission.

Note: Rate of prevalence of drug use is defined as the number of people who used a drug during a specified period of time divided by the total number of people in the population at that time; and is generally multiplied by 100. The “at-risk population” is the total population under study minus those persons who have used drugs prior to the specified time period.

* The Survey questionnaire did not include questions to assess prevalence of the use of hallucinogens, heroin, ecstasy and other drugs, during the last year or last month.

The country provides information on the incidence of drug use from the Second Survey on Prevalence of Drug Use among Primary and High School Students (2008) in Seventh and Ninth Grades, and Second Year of High School.

Year of Survey: 2008	Survey's Target Population: Students of Seventh and Ninth Grades, and Second Year of High School					
	Last 12 months (percentage)			Last 30 days (percentage)		
	M	F	Total	M	F	Total
Alcohol	10.2	8.1	9.1	2.1	1.9	2.0
Tobacco	7.0	5.0	5.9	2.1	1.1	1.5
Solvents or inhalants	3.7	1.6	2.6	0.9	0.4	0.6
Marijuana	7.9	2.8	5.2	2.2	0.6	1.3
Cocaine HCL	2.7	1.0	1.8	0.7	0.3	0.5
Crack	1.7	0.5	1,1	0.4	0.1	0.2

Note: Rate of incidence of drug use is defined as the number of people who began to use a drug during a specified period of time (a year or a month) divided by the number of people who are at risk of using a specific drug for the first time. The “at-risk population” is the total population under study minus those persons who have used drugs prior to the specified time period.

Age of first use for alcohol or any type of drug in El Salvador, according to the results of the Second Survey on Prevalence of Drug Use among Primary and High School Students (2008), is shown in the table below:



Population: Students in Seventh and Ninth Grades, and Second Year of High School	2008	
	Average	Median
Type of drug		
Alcohol	13	14
Tobacco	13	13
Solvents or inhalants	14	14
Marijuana	14	14
Cocaine HCL	14	14
Crack	14	14
Ecstasy	14	14
Heroin	13	13

The percentage of youth that perceive drug use as harmful to their health and well-being, according to the results of the Second Survey of Prevalence of Drug Use among Primary and High School Students (2008), is shown in the following table:

Percentage of Seventh and Ninth Grades, and Second year High School students that perceive drug use as harmful to health, SIDUC Scholars 2008

Category	Very dangerous
Smoke cigarettes occasionally	12.2
Smoke cigarettes frequently	48.9
Use alcohol occasionally	17.2
Use alcohol frequently	63.1
Get drunk	66.1
Use tranquilizers/stimulants without prescription occasionally	32.3
Use tranquilizers/stimulants without a prescription frequently	58.0
Inhale solvents occasionally	26.4
Inhale solvents frequently	61.6
Smoke marijuana occasionally	37.1
Smoke marijuana frequently	74.9
Use cocaine occasionally	37.9
Use cocaine frequently	77.0
Use crack occasionally	38.6
Use crack frequently	74.1
Use heroin occasionally	39.5
Use heroin frequently	75.3
Use ecstasy occasionally	36.1
Use ecstasy frequently	74.0

Source: 2008 statistics, National Anti-drug Commission, Research and Investigation Unit



El Salvador reports that it has records of traffic accidents related to alcohol consumption, which indicate that intoxication is the 8th most common cause of traffic accidents. The following table shows the percentage of traffic accidents in which alcohol consumption was a contributing factor for the years 2006-2009:

2006	2007	2008	2009
2.95%	2.55%	2.67%	2.91%

The country does not have records on work-related accidents linked to alcohol and/or drugs.

El Salvador reports that the norms and regulations on preventive actions for alcohol- and/or drug-related accidents are:

Art. 147-E of the current Penal Code

Art. 66 of the Law on Land Transportation, Traffic and Road Safety

Art. 170 of the General Regulations on Traffic and Road Safety

III. SUPPLY REDUCTION

A. Drug Production

El Salvador reports that the country has no significant cultivated areas of cannabis crops. Moreover, it reports that it has not detected indoor cannabis crops and carries out some eradication activities for illicit crops.

El Salvador indicates that it has not found illicit laboratories for organic or synthetic drugs throughout its territory.

B. Control of Pharmaceutical Products

El Salvador has the following national laws and regulations for the control of pharmaceutical products, in accordance with international conventions:

- Health Code, 11 May 1988;
- Law on the Control and Commercialization of Substances and Products Containing Liquid Solvents and Inhalants for Industrial and Non-industrial Use, 10 September 1990;
- Regulation of Narcotics, Psychotropic Drugs, Precursors, Chemical Substances and Products and Additives, 22 July 1998;
- Amendments to the Law Regulating Drug-related Activities, Legislative Decree No. 153, published in Official Gazette No. 208, Vol. No. 361, 7 November 2003;



- Agreement on the Control and Handling of Pseudoephedrine as a Raw Material and Pharmaceutical Products containing it, Council Agreement during the 30th Regular Session of 13 August 2008, number 10;
- Amendment to the Agreement of 3 September concerning timeline. Reduction from 12 to 8 months, Council Agreement during the 41st Regular Session of 27 October 2008, paragraph A;
- Prohibition of Ephedra, Ephedrine and Pseudoephedrine as Raw Materials and Pharmaceutical Products containing them, Council Agreement during the 14th Ordinary Session of 15 April 2009, number 19; and
- Amendment to the Agreement of 15 April 2009 concerning permitting the activities related to oral pharmaceutical products containing ephedrine, Council Agreement during the 20th Regular Session of 27 May 2009.

The country indicates that all pharmaceutical products listed in international conventions are controlled in the country and that the following products are also controlled: oxytocin, ketamine, mexazolam, zaleplon, cisapride and oseltamivir (for use by humans); lidocaine, mepivacaine, and bupivacaine (end product) in a container (for orthodontic use); xilazine, promethazine, acepromazine, and phenotiazine.

The authorities responsible for coordinating activities related to the control of pharmaceutical products are the Superior Council on Public Health and the Anti-Narcotics Division of the National Civilian Police.

With the aim of controlling pharmaceutical products and preventing their diversion, within the health sector El Salvador carries out health register control, distribution monitoring, prescription control and monitoring, inspections, imposition of administrative sanctions, and transfer of irregular cases detected by administrative authorities to judicial authorities.

In addition, in the private sector, the country carries out import and export control, control of health registers, production control, distribution monitoring, inspections, imposition of administrative sanctions, registry of licensees, and registry of quantities of products sold and produced. The country has provisions for the control of free trade zones, in accordance with international conventions.

El Salvador has a comprehensive procedure to monitor and prevent the diversion of pharmaceutical products. In this sense, the country maintains an Annual Operational Plan in collaboration with the Anti-narcotics Division of the National Civilian Police to inspect each of the institutions that carry out pharmaceutical-related activities that are subject to special controls. Moreover, activities are undertaken in coordination with the Surveillance Board of Health Care Professionals to follow-up on the prescription of controlled products by medical staff. Alternatively, meetings are coordinated with the General Directorate of Customs in order to exchange and update information to improve control measures at borders, ports and airports. In addition, communication is maintained with the health establishments (importers, exporters, distributors, marketers, public and private hospitals and all those that handle pharmaceutical products that are subject to special controls), and control over quotas and the handling of products is monitored.



The country has a regulatory system in place to control pharmaceutical products that includes two chemical-pharmaceutical inspectors from the Superior Council on Public Health, who, if necessary, have the support of the inspectors of the Surveillance Health Board, the Anti-Narcotics Division of the National Civilian Police and any other authority or official required.

With respect to the mechanisms used by the members of the health sector to communicate and share information with the judicial and police authorities to control the diversion of pharmaceutical products, El Salvador reports that all cases that appear to be illicit are reported to the Anti-Narcotics Division of the National Civilian Police by the Narcotics, Psychotropic Substances, and Additives Unit of the Superior Council on Public Health, as well as to the Attorney General of the Republic for its investigation. The country reports that the joint work in the area of inspections, audits, notices and international requirements with the police authorities have allowed for the prevention of diversion in many instances.

Moreover, the country reports that it maintains a flow of communication in real-time with the authorities responsible for the handling and distribution of medication among the public hospital network, military health and social security, and when possible diversions are detected, the police authorities are notified vis-à-vis the Narcotics, Psychotropic Substances, and Additives Unit to perform an investigation.

El Salvador has a system in place to compile information on administrative and regulatory activities and sanctions imposed related to controlled pharmaceutical products, from which the following information was obtained:

**Regulatory Activities Related to the
Control of Pharmaceutical Products, 2006 – 2009**

	2006	2007	2008	2009
Regulatory Activities				
Number of licenses issued to:				
Importers	56	53	49	47
Exporters	29	28	28	34
Manufacturers	25	28	35	32
Distributors	53	47	47	49
Others (pharmacies, dental supplies & equipment deposits, national and private first aid stations, analysis laboratories connected to universities authorized to import, sell, and distribute pharmaceutical products and additives)	331	433	454	631
Number of permits issued for:				
Importation	492	474	452	496
Exportation	307	321	334	306
Others (transfers from wholesalers to retailers, transfers between health facilities, among others)	5,331	7,046	7,132	7,463



	2006	2007	2008	2009
Regulated Entities				
Number of inspections conducted:				
Pharmacies	0	7	2	5
Importers	9	11	3	9
Exporters	1	6	3	5
Manufacturers	6	8	10	3
Distributors	4	6	3	12
Others (first aid stations, hospitals, health centers, dental supplies & equipment deposits)	12	31	23	24

Regarding administrative sanctions imposed, in 2006 there were 9; in 2007, there were 28; in 2008, there were 5; and in 2009, 60 cases were processed, 6 of which were penalized for non-compliance with the Regulations on Narcotics, Psychotropic Drugs, Precursors and Chemical Products and Additives. El Salvador does not have penal or civil sanctions for the illicit production, diversion or illicit trafficking of pharmaceutical products.

With respect to the training courses for personnel working in the public and private sectors involved in the handling of pharmaceutical products, in 2007 a dissemination and continuing education program was initiated on the application of norms related to these products. This program targeted all the sectors involved in the control, monitoring and handling of controlled substances and products. The country reports that the continuing education and dissemination program offered to companies, health facilities, and government employees on the current norms in place concerning the handling of pharmaceutical goods containing substances subject to special controls, is of a permanent nature and represents a means of facilitating compliance with the nation's responsibilities in this area.

El Salvador has an automated system in place to facilitate the control of pharmaceutical products.

The country reports that in 2006, no pharmaceutical products were seized; in 2007, it seized 104,787 flu tablets; in 2008, 376,991 tablets, 97.8 liters, and 21.56 kg of pharmaceutical products containing pseudoephedrine; and during 2009, it seized 5,652,120 tablets, 10,727.05 liters, and 32.59 kg of pharmaceutical products containing pseudoephedrine, and 262 amphetamine tablets.

El Salvador reports the disposal of 5,652,120 tablets, 10,727.05 liters, and 32.59 kg of products containing pseudoephedrine and amphetamines in 2009. These products were disposed of through incineration, in accordance with the Superior Council on Public Health.

C. Control of Chemical Substances

El Salvador reports that it has the following national laws and regulations to control chemical substances, in accordance with international conventions:



Title	Type	Date of Entry into Force
Health Code	Primary Law	11 May 1988
Law Regulating Drug-related Activities ⁹	Law	5 March 1991
Law on the Control and Commercialization of Substances and Products Containing Liquid Solvents and Inhalants for Industrial and Non-industrial Use	Law	10 September 1990
Regulations on Narcotics, Psychotropic Drugs, Precursors and Chemical Products and Additives	Regulation	22 June 1998
Amendments to the Law Regulating Drug-related Activities	Law Decree No. 153 published in Official Gazette No. 208, Vol. 361	7 November 2003
Agreement on the control and handling of pseudoephedrine as a raw material and pharmaceutical products containing it	Council Agreement, 30th Regular Session (RS), 13 August 2008, item 10	3 September 2008 to 30 May 2009
Amendment to Agreement of 3 September concerning timeline. Reduction from 12 to 8 months	Council Agreement, 41st RS, 27 October 2008, item (a)	28 October 2008 to 30 May 2009
Prohibition of Ephedra, ephedrine and pseudoephedrine as raw materials and pharmaceutical products containing them	Council Agreement, 14th RS, 15 April 2009, item 19	As of 1 June 2009
Amendment to the Agreement of 15 April 2009 concerning permission for activities related to oral pharmaceutical products containing ephedrine	Council Agreement, 20th RS, 27 May 2009	2 June 2009 to 2 November 2009

The country controls all the chemical substances listed in the international conventions, in addition to the substances found in the Model Regulations to Control Chemical Substances Used in the Illicit Production of Narcotic Drugs and Psychotropic Substances of CICAD/OAS.

El Salvador reports that, with respect to the prohibition of ephedra, ephedrine, and pseudoephedrine, its salts and optical isomers, raw material and pharmaceutical products which contain them, the importation of raw material ephedrine to be used for the production of the injectable pharmaceutical form and the end product, which is essential for medical treatment, remains exempt.

Concerning the mechanisms used by the institutions responsible for controlling the diversion of chemical substances to communicate and share information, El Salvador has an Annual Operating Plan executed by the Anti-Narcotics Division of the National Civilian Police.

In addition, in 2009, El Salvador concluded the customs classification of all the chemical substances subject to special controls by the Superior Council on Public Health, which facilitates control by the General Directorate of Customs. The country sends information concerning the new controls or modifications of these to the institutions and publishes them on its webpages.

⁹ Within the framework of the Forty-Eighth Regular Session of CICAD, 6-8 December 2010, El Salvador reported that this law was repealed by the Amendment to the Law Regulating Drug-Related Activities, Decree Law 153 published in the Official Journal No. 208, November 2003.



El Salvador indicates that it is using the PEN Online system for pre-export notifications.

The national authorities responsible for the application of laws and regulations for the control of chemical substances in El Salvador include the Superior Council on Public Health, the General Directorate of Customs, the Attorney General of the Republic and the Anti-Narcotics Division of the National Civilian Police.

The country carries out the following activities to control the diversion of controlled chemical substances:

Action	Responsible Entity
National register of licensees	Superior Council on Public Health
Licensing control (manufacturing and distribution)	
Import/export control	
Distribution control	
Control of the final commercialization	
Pre-export notifications	
Imposition of sanctions	
Inspections	Superior Council on Public Health
Transport control	Anti-Narcotics Division of the National Civilian Police
Transaction controls	Superior Council on Public Health Anti-Narcotics Division of the National Civilian Police General Directorate of Customs

These agencies hold meetings aimed at coordinating actions to improve control procedures and the control of chemical substances. Moreover, the country reports that it holds meetings with importers and exporters in order to explain the controls, study their need for chemical substances in order to carry out activities and improve the cooperation and exchange of information, train, raise awareness and promote their commitment to the control process. The country has a regulatory system that includes two inspectors from the Superior Council on Public Health and five researchers from the Anti-Narcotics Division of the National Civilian Police, as well as the support of inspectors from the Health Surveillance Board.

El Salvador offers training courses on the control of chemical substance diversion, having successfully trained 130 people on the implementation of the regulations on narcotic drugs, psychotropic substances and additives, during the period under evaluation: The country also trained 17 persons on the NDS 6.0 system; 33 on identifying narcotic drugs, psychotropic substances, chemical precursors and control mechanisms; 45 on the implementation of regulations on narcotic drugs, psychotropic substances, and additives; 40 on customs regulations; and 142 in different regions of the country on the application of the regulations on substance control.

El Salvador uses a computerized system to issue special import and export permits for controlled chemical substances, which facilitates the internal control of authorizations issued.



El Salvador has provisions in place which allow for the application of administrative sanctions for the illicit production, diversion and illicit trafficking of controlled chemical substances. The country has provisions for penal and civil sanctions for illicit trafficking of controlled chemical substances. The criminal penalty is imprisonment for ten to 15 years and a fine of 50 to 5,000 times current minimum monthly urban wages.

During the evaluation period, El Salvador applied 9 administrative sanctions in 2006 and 6 in 2009.

El Salvador exports controlled chemical substances. The following number of exports was made during the years 2006–2009:

Importing or In-transit countries	2006	2007	2008	2009
Guatemala	266	332	417	148
Honduras	130	224	237	220
Nicaragua	112	259	161	79
Costa Rica	123	164	214	144
Panama	27	76	105	78
Belize	4	20	26	0
Dominican Republic	0	0	0	2
Trinidad and Tobago	0	1	0	0
Holland	0	0	3	2
Haiti	0	0	2	2
Total **	662	1,076	1,188	675

** In the total number of exports, the substances included are from Tables I and II of the 1988 Convention, as well as substances from Tables I, II and III of the CICAD/OAS Model Regulations that are completely controlled in the country, and substances and mixtures under national control.

Moreover, during 2006–2009, the country sent the following number of pre-export notifications:

Importing and In-transit countries	2006	2007	2008	2009
Guatemala	0	24	20	7
Honduras	0	7	2	0
Nicaragua	6	0	2	0
Costa Rica	0	42	22	0
Panama	0	2	8	0
Belize	0	2	0	0
Total	6	77	54	7

El Salvador reports that the total number of exports of chemical substances carried out is different than the total number of pre-export notifications issued due to the fact that some exported substances are not controlled in other countries or are part of mixtures that are likewise not controlled. Therefore, it only requires the duly legalized certification stating that it is not a controlled substance or product in the destination country and is by no means notified.



No pre-export notification issued by the country in 2007 or 2009 was rejected, and in 2008, only one was rejected. The country reports that the data on rejected notifications for 2006 is not available.

El Salvador imports controlled chemical substances and handles them in transit. In 2006, 1,942 imports of controlled chemical substances were made; 2,336 in 2007; 2,381 in 2008; and 2,152 in 2009.

The country received and responded to the following number of pre-export notifications from 2006–2009:

	2006	2007	2008	2009
Number of pre-export notifications received	75	79	82	25
Number of responses sent	Not available	49	59	20
Number of responses sent on time (maximum 15 days)	Not available	49	59	20

El Salvador reports that the total number of controlled chemical substance imports differs from the total number of pre-export notifications received due to the fact that many of the notifications were sent after the final day of confirmation or with insufficient time to respond.

During 2006–2009, the country did not approve the following number of pre-export notifications:

	2006	2007	2008	2009
Number of pre-export notifications not approved by El Salvador	1*	16	5	13
Number of investigations initiated by El Salvador	0	2	2	3

* Despite the fact that the PEN Online System was implemented in 2006, it was not used. The statistics were first kept in 2007.

El Salvador uses the NDS 6.0 system for processing pre-export notifications. The country reports that the system has been implemented and is currently in the phase of feeding information into the database.

The country provides the following figures with respect to the quantities of controlled chemical substances seized for 2006-2009:

Controlled Chemical Substances	Unit of Measure	Seized Quantities			
		2006	2007	2008	2009
Hydrochloric Acid	Gallons	110	0	0	0
Ephedrine (Raw Material)	Kilograms	0	0	3.460	0
Pseudoephedrine (Raw Material)	kilograms	0	0	0	101.16

El Salvador reports that the relevant national authorities exchange information on seizures and confiscations carried out, through the monthly provision of statistics via Internet.



The country did not dispose of controlled chemical substances from 2006– 2008. In 2009, the country disposed of 101.16 kilograms of pseudoephedrine (raw material), which was destroyed via incineration, in accordance with the Superior Council on Public Health.

IV. CONTROL MEASURES

A. Illicit Drug Trafficking

The country provides data on the quantities of drugs forfeited by law enforcement and interdiction agencies from 2006-2009 in the following table:

Type of illicit drug-	Quantity of forfeited drugs				
	Unit of Measure	2006	2007	2008	2009
Heroin	kilograms	22.6	0	8.4	8.1
Cocaine HCL	kilograms	101.7	4,075.3	1,347.9	442.39
Crack	kilograms	5.7	6.0	5.8	3.2
Cannabis plants	units	435	4,048	3,555	644
Cannabis (grass)	kilograms	464.72	372.36	439.69	440.5
MDMA (ecstasy) and derivatives	units	30	0	0	0
Ephedrine	kilograms	0	0	3.460	0

The country reports that it has not undertaken specialized studies or analyses for the characterization and profiling of seized substances.

El Salvador provides the following data on the number of persons formally charged with and convicted of illicit drug trafficking during the years 2006–2009:

Year	Number of persons formally charged	Number of persons convicted
2006	958	421
2007	677	224
2008	952	214
2009	604	162

In the following table, the country indicates the number of public officials formally charged with and convicted of crimes related to illicit drug trafficking during the years 2006–2009:

Year	Number of public officials formally charged	Number of public officials convicted
2006	1	1
2007	1	1
2008	2	0
2009	1	0



With respect to illicit drug possession for personal use, El Salvador reports that the Law Regulating Drug-related Activities does not criminalize illicit possession of drugs for personal use.

The country reports that possession and holding are penalized under Art. 34 of the Law Regulating Drug-related Activities. In the following table, the country reports on the number of persons formally charged with and convicted of the illicit possession of drugs from 2006–2009:

Year	Number of persons formally charged	Number of persons convicted
2006	2,081	626
2007	2,501	898
2008	2,115	804
2009	1,447	773

The country has alternative measures to punitive penalties applied to any offense that meets the legal requirements to grant this benefit. In 2009, the following measures were applied for illicit drug possession:

Type of Measure	Number of persons to whom the measure was applied
Conditional Suspension of the Proceedings	649
Community Service	1,125
Weekend Arrest	16

The Anti-Narcotics Division of the National Civil Police and the Attorney General of the Republic are the relevant authorities responsible for illicit drug trafficking control.

The country reports that the mechanisms that it has been using to promote and facilitate the appropriate exchange of information and collaboration within the country among authorities in charge of illicit drug trafficking control include programmed meetings, analysis of intelligence data, and implementation of operational plans.

Concerning the international cooperation mechanisms used by the authorities responsible for illicit drug trafficking control to promote and facilitate the timely exchange of operational information and collaboration with national authorities of other countries responsible for illicit drug trafficking control, the country reports that it has carried out multilateral meetings, and has radar controls and the U.S. monitoring center.

El Salvador has developed specialized capacity-building courses and informative sessions on combating illicit drug trafficking, which are aimed at police and customs law enforcement, judges and judiciary personnel.

El Salvador has implemented the International Ship and Port Facility Security (ISPS) Code of the International Maritime Organization (IMO) adopted in December 2002. All ports and maritime terminals in the country where international ships dock, likewise implement the ISPS Code.



El Salvador has other port security programs in addition to the ISPS Code, such as the Business Alliance for Secure Commerce (BASC), implemented through the Chamber of Commerce and Industry of El Salvador.

With respect to the entities in charge of coordinating the execution of anti-drug port security programs, port facilities operators, the Maritime Port Authority and the National Civilian Police through the Anti-Narcotics Division and the Finance Division are the authorities designated to supervise compliance with the ISPS Code and its Integral Security Regulations, as well as the internal security of port operators.

The country does not have a common interagency database, or mutual access to databases for compiling, analyzing, exchanging and sharing information and intelligence among national and public entities participating in drug control activities at ports. However, the country uses standing interagency task forces, review of manifests and other documents for targeting purposes, regular interagency meetings and shipping documents.

El Salvador undertakes maritime anti-drug detection, monitoring and interdiction activities, such as permanent maritime patrols of the Naval Force. The Navy is the entity responsible for coordinating maritime monitoring activities and interdiction operations. The country indicates that during 2006-2009, there was no seizure of vessels in maritime interdiction operations. During the years 2006-2009, and in accordance with article 17 of the 1988 Vienna Convention, the country carried out 13 maritime anti-drug operations together with Nicaragua and Guatemala, and issued 13 requests.

The Air Force, in coordination with the Radar Control Center of the El Salvador Airport, and the Monitoring Facility of the United States of America, and the Anti-Narcotics Divisions of the National Civilian Police, undertake interdiction activities for illicit flights throughout the entire country. The Air Force and the Comalapa Monitoring Facility (FOL) are the entities responsible for coordinating surveillance and aerial interdiction operations. The country carried out 10 aerial interdiction operations in 2006; 9 in 2007; 0 in 2008; and 9 in 2009, but there was no seizure of vessels.

The country controls the entry of consolidated goods internally, in transit to the temporary customs warehouses and free trade zones. The Anti-narcotics Division reviews the shipments in the free trade zone and if controlled substances are found, custody is given to the importers.

The country reports that there are provisions in its legislation to control the sale of drugs via the Internet, which categorically prohibits the sales and distribution of substances. However, this legislation does not define the jurisdiction or responsibilities for authorities concerning control of drug sales via the Internet. The responsible institutions lack the procedures, investigative techniques, training, or equipment to detect illicit drug sales via the Internet.

El Salvador has not undertaken awareness-raising activities or programs on illicit drug sales via Internet for administrative, judicial and customs authorities, law enforcement, the postal service and others. In addition, the country has not established mechanisms for citizens to report the



illicit drug sales via the Internet. Likewise, the country makes recommendations concerning which products should not be authorized to enter the country, for which purpose it seeks the original prescription from a physician officially licensed for this activity in the country of origin. Subsequently, it requests that a national medical expert review the prescription and endorse it.

At land, borders, ports and airports, coordination is carried out among the Anti-drug Division of the National Civilian Police, customs officials, and the Superior Public Health Council, who check all medications entering the country, including those sold via the Internet. Then, if it is determined that there are controlled products without an appropriate license, they are seized and delivered to the Superior Council of Public Health.

B. Firearms, Ammunition, Explosives and other Related Materials

El Salvador has official governmental agencies or institutions that regulate and authorize manufacturing, importation, exportation, transit, acquisition, sale, delivery, transfer, transport, marking, register, shipping, possession, holding, storage and trade of firearms, ammunition, explosives and other related materials. The Ministry of National Defense is responsible for regulating, authorizing and controlling these activities. The current legislation that establishes controls for regulating these activities includes: the Law on the Control and Regulation of Firearms, Ammunition, Explosives and Related Materials, of 25 May 2009; Regulations of the Law on the Control and Regulation of Firearms, Encumbrance Act related to the Control and Regulation of Firearms, Ammunition, Explosives and Related Materials; and the Special Regulations for the Control and Regulation of Items Similar to Explosives, Chemical Substances and Pyrotechnic Products.

The country has current national legal and/or regulatory norms establishing administrative controls for the manufacturing, importation, exportation and transit of firearms, ammunition, explosives and other related materials. The country provides in the following table the names and articles of the current legal norms and applicable sanctions:

Material	Names and articles of the existing laws and/or regulations	Sanctions
Firearms	<ul style="list-style-type: none"> - Art. 4, 5, 6, 7, 8, 11, 12, 13, 14, 15, 16 to 22, 32, 34 of the Law on the Control and Regulation of Firearms, Ammunition, Explosives and Related Materials. - Art. 47 to 58 of the Regulations of the Law on the Control and Regulation of Firearms. 	<ul style="list-style-type: none"> - Art. 68 of the Law on the Control and Regulation of Firearms, Ammunition, Explosives and Related Materials, and Art. 106 of the Regulations of the Law.
Ammunition	<ul style="list-style-type: none"> - Art. 8 and 16 of the Law on the Control and Regulation of Firearms, Ammunition, Explosives and Related Materials. 	



Material	Names and articles of the existing laws and/or regulations	Sanctions
Explosives	- Art. 47, 48, 49 and 50 of the Law on the Control and Regulation of Firearms, Ammunition, Explosives and Related Materials.	Less serious, serious and very serious misconduct (a fine of from two hundred colones to one hundred thousand colones is imposed on administrative sanctions).
Other related materials	- Law on the Control and Regulation of Firearms, Ammunition, Explosives and other Related Materials, Regulations of the Law on the Control and Regulation of Firearms. - Special Regulations for the Control and Regulation of Related Materials and Explosives, Chemical Substances and Pyrotechnic Products Art. 7, 8, 11, 15, 28, 31, 42 and 57.	

The country has current national legal and/or regulatory norms that criminalize the illicit trafficking in and manufacturing of these types of firearms, ammunition, explosives and other related materials. In this regards, in the following table, the names and articles of the existing legal and/or regulatory norms and applicable sanctions are shown:

Names and Articles of the existing laws and/or regulations	Sanctions
- Art. 58 and 68 of the Law on the Control and Regulation of Firearms, Ammunition, Explosives and Related Materials.	- Art. 68 of the Law on the Control and Regulation of Firearms, Ammunition, Explosives and Related Materials. - Less serious, serious and very serious misconduct. Fines are subject to type of offense, ranging from one hundred thousand to two hundred thousand colones.
Criminal Code, Chapter II from Related Crimes to Public Peace: - Art. 346-A Manufacturing, possession, holding or illegal trade in artisanal or home-made firearms or explosives; - Art. 347 Illegal trade and deposit of firearms.	Prison sentence of four to eight years. Prison sentence of five to fifteen years.

The country reports that it has the following administrative controls in place for regulating the transfer of property and/or possession of firearms between legal entities:

Material	Names and articles of existing laws and/or regulations	Sanctions
Firearms	- Art. 7 and 16 of the Law on Control and Regulation of Firearms, Ammunition, Explosives and Related Materials. - Art. 7, 12, 19, 57 and 58 of the Regulations of the Law on the Control and Regulation of Firearms.	- Art. 68 of the Law on the Control and Regulation of Firearms, Ammunition, Explosives and Related Materials. - Very serious offenses Nos. 11 and 2 sanctioned with a fine equivalent to twenty times the current urban minimum wage (MUV).



Material	Names and articles of existing laws and/or regulations	Sanctions
Ammunition	<ul style="list-style-type: none"> - Art. 8 and 16 of the Law on the Control and Regulation of Firearms, Ammunition, Explosives and Related Materials. - Art. 57 and 58 of the Regulations of the Law on the Control and Regulation of Firearms. 	<ul style="list-style-type: none"> - Less serious offense No. 5 sanctioned with a fine equivalent to 10% of the MUV wages. - Serious offense No. 1 sanctioned with a fine equivalent to one MUV wages. - Serious offense No. 8 and 10, carries a fine equivalent to five times MUV wages. - Very serious offense No. 2, carries a fine equivalent to twenty times MUV wages.
Explosives	<ul style="list-style-type: none"> - Art. 47, 48, 49 and 50 of the Law on the Control and Regulation of Firearms, Ammunition, Explosives, and Related Materials. - Art. 68 to 69 of the Regulations of the Law on the Control and Regulation of Firearms. 	<ul style="list-style-type: none"> - Less serious offense No. 10, carries a fine equivalent to 50% of MUV wages. - Serious offense No. 5, with a fine equivalent to three times MUV wages. - Very serious offense, Nos. 8, 16, 18, 19, 20 and 25, carry a fine equivalent to twenty times MUV wages. - A first time offense against any of the obligations established in Article 50 of the Law shall be subject to a fine equivalent to three to five times MUV wages.
Other related materials	<ul style="list-style-type: none"> - Art. 1 and following articles of the Special Regulations for the Control and Regulation of other Materials Related to Explosives, Chemical Substances and Pyrotechnic Products. 	<ul style="list-style-type: none"> - Art. 68, 73 and 74 of the Special Regulations for the Control and Regulation of Materials Related to Explosives, Chemical Substances and Pyrotechnic Products.

The country has current national legal and regulatory norms that regulate and authorize the commercial activity (buying and selling) of firearms, ammunition, explosives and other related materials between: natural persons; legal entities with natural persons; legal entities; and natural person or legal entity with foreigners. In this regard, the country indicates that the Law to Control and Regulate Firearms, Ammunition, and Explosives and its Regulations, provides for administrative sanctions for very serious and less serious offenses.

In accordance with the Inter-American Convention on the Manufacturing of and Trafficking in Firearms, Explosives and other Related Materials, the country legislation requires the marking of firearms at the time of manufacture, for importation and for official use following seizure or confiscation. However, the marking for importation is not regulated in the Law on the Control and Regulation of Firearms, Ammunition, Explosives and Related Materials.

The country has a mechanism in place for the exchange of information and cooperation among national and international institutions to control activities related to firearms, ammunition, explosives and other related materials, in all modalities.

El Salvador indicates that it has a national registry for the importation, exportation and transit of firearms, ammunition and explosives. The registry is computerized and manual, and is maintained on a permanent basis. In addition, the country reports that there is a permanent computerized national registry in place on the confiscation of firearms, ammunition and explosives.

The country provides the quantities of firearms, ammunition, explosives and other related materials seized, linked with narco-trafficking from 2006-2009 in the following table:



Quantities Seized				
Year	Firearms	Ammunition	Explosives	Other related materials
2006	81	42	2	3
2007	54	50	1	2
2008	72	80	0	0
2009	65	54	0	1

The country provides the quantities of firearms, ammunition, explosives and other related materials forfeited, linked with narco trafficking from 2006-2009 in the following table:

Quantities Forfeited				
Year	Firearms	Ammunition	Explosives	Other related materials
2006	124	1,463	3	4
2007	85	958	2	5
2008	107	2,350	0	0
2009	98	1,353	0	2

The country provides the quantities of firearms, ammunition, explosives and other related materials seized in relation to the number of arrests linked with narco trafficking in the following table:

Year	Number of arrests	Quantity of firearms	Quantity of ammunition	Quantity of explosives	Quantity of other related materials	Number of operations
2006	21	81	42	2	3	84
2007	14	54	50	1	2	57
2008	24	72	80	0	0	72
2009	16	54	54	0	1	41

The country provides the quantities of firearms, ammunition, explosives and other related materials forfeited in relation to the number of arrests linked with narco trafficking in the following table:

Year	Number of arrests	Quantity of firearms	Quantity of ammunition	Quantity of explosives	Quantity of other related materials	Number of operations
2006	21	124	1,463	3	4	131
2007	14	85	958	2	5	92
2008	24	107	2,350	0	0	107
2009	16	57	1,353	0	2	59

As a result of formal indictments for illicit activities related to firearms, ammunition, explosives and other related materials associated with narco trafficking, the country indicates that 12 firearms were seized in 2006, 13 in 2007, 17 in 2008, and 11 in 2009.



El Salvador reports that the Ministry of National Defense has in custody, as a deposit, 22,389 firearms, which are under the jurisdiction of the different courts. Many do not specify the crime for which they were submitted.

The country indicates that in 2009, 6 domestic investigations for firearms tracing were initiated, as a result of trace requests from other countries.

The number of international firearms trace requests received that the country reported was 4 in 2006, one in 2007, 3 in 2008 and 8 in 2009.

The country reported the following number of international firearms tracings completed: 2 in 2006, 0 in 2007, 1 in 2008 and 4 in 2009.

El Salvador reports that tracing is carried out by the INTERPOL Division of the National Civilian Police, as well as other branches of the National Civilian Police and the Office of the Attorney General of the Republic, particularly when registering firearms without documents proving their legal acquisition and destruction. With respect to the control of ammunition, firearms and homemade firearms, the Republic’s Attorney General’s Office, the National Civilian Police and the Ministry of National Defense signed an agreement geared toward investigating the firearms’ location, their legal status and their connection to detainees, and offenses, among others.

C. Money Laundering

The Law against the Laundering of Money and Assets (LCLDA), created by Legislative Decree 498 of 2/12/1998, criminalizes money laundering and related crimes. The sanctions in case of non compliance are reflected in the following table:

Names, dates and articles of the laws classifying money laundering and related crimes as an offense	Sanction
Art. 4 LCLDA, “Laundering of Money and Assets”	5-15 years in prison and from 50 to 2,500 times the minimum monthly wages in force for trade
Art. 5 LCLDA, “Special Cases of Laundering in Money and Assets”	8-12 years in prison and from 50 to 2,500 times the minimum monthly wages in force for trade
Art. 7 LCLDA, “Special Cases of Concealment”	4-10 years in prison
Art. 8 LCLDA, “Wrongful Concealment”	2-4 years in prison

The country has established the following crimes as predicate offenses for money laundering: illicit drug trafficking, trafficking of firearms, illicit trafficking of migrants, trafficking in human beings, kidnapping, extortion, corruption and crimes against the public administration, and fraud or financial crimes.



In El Salvador it is not necessary that a person be convicted of a predicate offense, in order to be convicted for laundering the proceeds of that crime.

The country has penal laws that allow for the conviction of the perpetrator of a predicate offense as a perpetrator of the offense of money laundering. According to the law, the offense of laundering of money and assets is considered autonomous and independent from the precursor crimes described in Article 6 of the same regulation.

El Salvador identifies the following special investigative techniques that are included in its national legislation for investigations into money laundering cases: undercover investigations, use of informants, controlled delivery, and sentence reduction for cooperating witnesses. Nevertheless, it reports that it does not permit electronic surveillance.

El Salvador is a member of the Caribbean Financial Action Task Force (CFATF). The last evaluation of the country was carried out in 2009.

El Salvador reports that in Art. 9 to 15 of the Law Against the Laundering of Money and Assets, the following sectors and activities are subject to the obligation of submitting suspicious transaction reports to prevent money laundering: banking sector, currency exchange sector, stock exchanges, insurance sector, transfer of funds, cash or valuables, real estate, and casinos and gambling. However, the country reports that lawyers, notaries and accountants are not included.

El Salvador has a Financial Intelligence Unit (FIU) assigned to the Office of the Attorney General of the Republic, with an assigned budget.

The country indicates the number of information requests received and responses sent through Egmont's secure network in the following table:

Year	Information requests received	Responses to information requests sent
2006	---	---
2007	---	---
2008	5	5
2009	9	9

El Salvador reports that there are no limitations on obtaining financial documents or records in money laundering cases, even if these are considered subject to secrecy, confidentiality or held in reserve.

El Salvador reports that it does not have an entity for the management or disposition of assets seized and forfeited in cases of illicit drug trafficking and money laundering offenses.

The country's constitutional law includes mechanisms related to the legal disposition of assets concerning illicit drug trafficking activities. In this respect, in accordance with Article 70 of the Law Regulating Drug-related Activities and Article 23 of the Law against Money Laundering, in the final



ruling, the court will ensure that the confiscated items be sent to the Special Fund on Crimes Related to Illicit Drug Trafficking and Related Offenses, and be at the disposal of the entities in charge of combating illicit drug trafficking. In addition, the country reports that its legislation permits the presale and/or disposition of seized goods.

El Salvador indicates in the following table the number of investigations that were initiated as part of a Financial Intelligence Report submitted by the Financial Intelligence Unit for the years 2006-2009:

Year	Investigations initiated through a Financial Intelligence Report
2006	5
2007	3
2008	0
2009	1

The country indicates in the following table the total number of penal proceedings that were initiated for money laundering offenses from 2006-2009:

Year	Penal proceedings initiated for money laundering offenses
2006	8
2007	11
2008	7
2009	7

The country indicates in the following table, the number of persons formally charged and convicted, as part of the investigations initiated from 2006-2009:

Year	Number of persons formally charged	Number of persons convicted
2006	14	1
2007	15	4
2008	12	3
2009	16	1

D. Judicial Cooperation

El Salvador reports that, in accordance with its laws, extradition for charges of illicit drug trafficking and money laundering is possible, the extradition of nationals is also permitted. The country reports that it has fulfilled its obligation to designate a relevant authority, in accordance with the international legal framework, responsible for receiving, responding and processing requests for extradition.



The domestic law of the country provides for the possibility that nationals, whose extradition for illicit drug trafficking or money laundering charges has been denied, be tried for this offense in their own country.

The domestic law of El Salvador also permits the provision of reciprocal judicial assistance. For such purpose, the country can take evidence or statements from persons, present judicial documents, execute inspections and seizures, examine objects and sites, provide information and evidentiary items, submit originals or certified copies of documents and records related to the case, including banking, financial, corporate and business records, and identify or trace proceeds, property, instrumentalities or other items for evidentiary purposes. The country can also use secure technological resources to facilitate communication among the authorities managing the criminal investigation.

The country reports that bank secrecy or other confidentiality laws are not an obstacle or impediment to providing reciprocal judicial assistance.

El Salvador reports that the basic principles of its domestic law allow for granting a controlled delivery request, and that there are provisions of penal and procedural law that permit the use of the controlled delivery technique.

The country reports that it does not have a mechanism in place for recovering assets forfeited abroad.

The country reports that in 2006, 5 active extradition requests were made in cases of illicit drug trafficking and 1 for money laundering.

During the evaluation period, 2007-2009, the country reports that no passive extradition requests in cases of illicit drug trafficking and money laundering were answered.

The number of requests made for reciprocal judicial assistance in cases of illicit drug trafficking and money laundering, is provided by the country in the following table:

Requests for reciprocal judicial assistance made Illicit drug trafficking				Requests for reciprocal judicial assistance made Money laundering			
2006	2007	2008	2009	2006	2007	2008	2009
3	5	7	4	11	17	13	11

The number of reciprocal judicial assistance requests responded in illicit drug trafficking and money laundering cases, is provided by the country in the following table:

Requests for reciprocal judicial assistance responded to regarding illicit drug trafficking				Requests for reciprocal judicial assistance responded to regarding money laundering			
2006	2007	2008	2009	2006	2007	2008	2009
2	5	7	5	7	27	8	16



EVALUATIVE SUMMARY

In the area of institutional strengthening, CICAD observes that El Salvador has a National Anti-drug Plan, 2002-2008. Its activities are financed through resources assigned by each institution involved in the drug issue and contributions from international cooperation. CICAD takes note that the country has a National Anti-drug Commission that coordinates the activities of the national anti-drug system.

Regarding international conventions, CICAD recognizes that El Salvador has ratified all the international instruments recommended by the MEM in the area of drug control and related criminal activities.

With reference to national information systems, CICAD recognizes that the country has an Observatory that maintains statistics on supply controls. However, CICAD observes that the country has not carried out a study on drug use in the general population during the evaluation period.

In the area of demand reduction, particularly prevention, CICAD observes that the country carries out drug use prevention programs for primary and high school students and prisoners. Similarly, CICAD observes the lack of prevention programs for street children and youth and workers in the workplace. Likewise, CICAD takes note that the country has not conducted process, intermediate outcome, or impact evaluations of existing prevention programs.

CICAD recognizes that El Salvador provides refresher and training courses on drug use prevention, treatment and research at the undergraduate and postgraduate levels.

Regarding the treatment area, CICAD observes that El Salvador has official operating standards in place for specialized facilities that provide treatment services for persons with problems associated with drug use. Likewise, CICAD observes that the country has a procedural guide for accrediting the operations of these facilities, which is pending implementation.

However, CICAD views with concern that the country has not implemented an official register for specialized facilities that provide treatment services for persons with problems associated with drug use, or a system to monitor the facilities that provide these services, and does not have data on the number of persons treated in these specialized facilities.

In reference to statistics on consumption, CICAD takes note that El Salvador conducted the Second Survey on Prevalence of Drug Use among Primary and High School Students in 2008, but has not carried out a study on the magnitude of drug use in the general population.

In the area of supply reduction, particularly drug production, CICAD observes that El Salvador does not have significant areas of cannabis cultivation, and has not detected indoor cannabis cultivation or illicit drug laboratories.



Regarding the control of pharmaceutical products, CICAD recognizes that El Salvador has implemented an administrative mechanism to prevent the diversion of pharmaceutical products and has an information system on the administrative and regulatory activities to control pharmaceutical products. However, CICAD views with concern that the country has no penal sanctions applicable to the illicit production, diversion or illicit trafficking of pharmaceutical products.

For the control of chemical substances, CICAD observes that El Salvador has regulations and administrative procedures, and a system for the handling of information that allow the control, monitoring and training to prevent the diversion of controlled chemical substances.

In the area of control measures, particularly illicit drug trafficking, CICAD takes note that El Salvador has laws and regulations in place to control drug sales via the Internet. However, CICAD views with concern that the country has not undertaken awareness-raising activities or programs on the illicit sale of drugs via the Internet aimed at authorities, or established mechanisms for citizens to report on this topic. CICAD also observes that during the evaluation period, 2007-2009, the country initiated specialized training courses for the control of illicit drug trafficking, particularly with reference to special investigative techniques on organized crime.

With reference to the control of firearms, ammunition, explosives and other related materials, CICAD observes that El Salvador has legislation and institutional regulations for the control of firearms, ammunition, explosives and other related materials, as well as a register for the compilation of statistics on the seizure and confiscation of firearms, ammunition, explosives and other related materials, and a strategic projects system that enables the country to locate firearms and determine their legal status and their connection to detainees and offenses. Likewise, CICAD takes note that the country does not regulate the marking of imported firearms.

Regarding money laundering controls, CICAD observes that the country has laws and regulations to prevent, control and repress money laundering. Nonetheless, CICAD notes that the country has not yet obligated lawyers, accountants, and public notaries to report suspicious transactions. Likewise, CICAD notes that the country does not have an entity for the management and disposition of assets seized and forfeited in cases of illicit drug trafficking and money laundering offenses.

In the area of judicial cooperation, CICAD recognizes that El Salvador has domestic legislation that allows the provision of reciprocal judicial assistance and permits extradition for illicit drug trafficking and money laundering offenses, including extradition of nationals.

CICAD recognizes El Salvador's efforts in the context of the Multilateral Evaluation Mechanism (MEM), and encourages the country to continue to participate actively in the process.



RECOMMENDATIONS

The following recommendations are assigned to El Salvador in order to assist the country in strengthening its policy to combat the problem of drugs and related activities and increase multilateral cooperation in the Hemisphere:

INSTITUTIONAL STRENGTHENING

1. APPROVE A NATIONAL ANTI-DRUG PLAN THAT SERVES AS THE FRAMEWORK FOR ALL ANTI-DRUG ACTIVITIES.

DEMAND REDUCTION

2. IMPLEMENT PREVENTION PROGRAMS FOR STREET CHILDREN AND YOUTH.
3. IMPLEMENT PREVENTION PROGRAMS FOR WORKERS IN THE WORKPLACE.
4. CARRY OUT AN OUTCOME EVALUATION OF THE PREVENTION PROGRAMS TARGETING PRIMARY AND SECONDARY SCHOOL STUDENTS.
5. IMPLEMENT AN OFFICIAL REGISTRATION SYSTEM FOR SPECIALIZED FACILITIES THAT PROVIDE TREATMENT SERVICES TO PERSONS WITH PROBLEMS ASSOCIATED WITH DRUG USE, A RECOMMENDATION REITERATED FROM THE THIRD EVALUATION ROUND, 2003-2004.
6. ESTABLISH A MONITORING SYSTEM FOR THE FACILITIES THAT PROVIDE TREATMENT SERVICES FOR PERSONS WITH PROBLEMS ASSOCIATED WITH DRUG USE.
7. CONDUCT A SURVEY TO ESTIMATE THE MAGNITUDE OF DRUG USE IN THE GENERAL POPULATION.

SUPPLY REDUCTION

8. ESTABLISH PENAL SANCTIONS FOR THE ILLICIT PRODUCTION, DIVERSION AND TRAFFICKING OF PHARMACEUTICAL PRODUCTS, A RECOMMENDATION REITERATED FROM THE THIRD EVALUATION ROUND, 2003-2004.

CONTROL MEASURES

9. CARRY OUT RESEARCH AND TRAINING ACTIVITIES RELATED TO THE PREVENTION AND CONTROL OF ILLICIT TRAFFICKING OF PHARMACEUTICAL PRODUCTS AND OTHER DRUGS VIA THE INTERNET, WHICH WILL ENABLE THE COUNTRY TO IDENTIFY ITS REGULATORY AND OPERATIVE NEEDS, A RECOMMENDATION REITERATED FROM THE FOURTH EVALUATION ROUND, 2005-2006.
10. EXPAND THE AVAILABILITY OF SPECIALIZED TRAINING COURSES IN THE CONTROL OF ILLICIT DRUG TRAFFICKING, PARTICULARLY RELATED TO SPECIAL INVESTIGATIVE TECHNIQUES FOR ORGANIZED



CRIME AND RELATED OFFENSES.

11. REGULATE THE MARKING OF IMPORTED FIREARMS.
12. EXTEND THE OBLIGATION TO SUBMIT SUSPICIOUS TRANSACTION REPORTS TO PREVENT MONEY LAUNDERING TO LAWYERS, NOTARIES AND ACCOUNTANTS.



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