

# MEMEM

## Multilateral Evaluation Mechanism

**Inter-American Drug Abuse  
Control Commission  
(CICAD)**

**Secretariat for  
Multidimensional  
Security  
(SMS)**

**Guatemala**

**EVALUATION  
OF PROGRESS  
IN DRUG CONTROL**

**IMPLEMENTATION OF RECOMMENDATIONS  
FIFTH EVALUATION ROUND**

**2012**



Organization of  
American States





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American States



Inter-American Drug Abuse  
Control Commission

## Multilateral Evaluation Mechanism (MEM)

# GUATEMALA

## Evaluation of Progress in Drug Control

## Implementation of Recommendations from the Fifth Evaluation Round

2012

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## PREFACE

The Multilateral Evaluation Mechanism (MEM) is an instrument designed to measure progress in actions taken by the member states of the Organization of American States (OAS) to address the global drug problem and other related offenses.

The Inter-American Drug Abuse Control Commission (CICAD), 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 April 1988.

The MEM is not only a diagnostic tool but has also become a vehicle for disseminating information on the progress achieved through the 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 evaluation reports are drafted by the Governmental Expert Group (GEG), a multidisciplinary group composed of experts designated from all OAS/CICAD member states. Each expert functions independently from his or her own government, and experts do not participate in the evaluation of their own countries. Additionally, each country has the opportunity to review and comment on the contents of the evaluations, ensuring an open and participatory process.

The Fifth Evaluation Round, covering the period 2007-2009, consisted of two phases. The full evaluation phase assessed progress made by all member states in combating the drug problem in the subject areas of institutional strengthening, demand reduction, supply reduction and control measures. This culminated with the publication of national reports containing 350 recommendations for individual member states. The follow-up phase evaluated progress made in the implementation of the recommendations assigned in the Fifth Round.





## RECOMMENDATION 1

### DEVELOP DRUG ABUSE PREVENTION PROGRAMS TARGETING THE STREET AND PRISON POPULATIONS.

Guatemala reports that as a part of its 2004-2015 National Plan for the Protection of Street Children, it is carrying out activities in order to design a strategy for preventing street children from using drugs.

The country also reports that, in order to implement drug prevention programs among the prison population, it has conducted a survey to determine the level of drug use in that sector. The study's results will be used to design a strategic plan to improve prisoners' situation and to obtain the necessary resources for its application. Guatemala also reports that it carried out a training program on preventing drug use for security officers of the National Prison System.

CICAD encourages the country to continue with pending actions to implement this recommendation.

## RECOMMENDATION 2

### CONDUCT EVALUATIONS OF DRUG ABUSE PREVENTION PROGRAMS IMPLEMENTED.

Guatemala reports that del Valle University has evaluated the "Mis Primeros Pasos" (My First Steps) Program, which is the first program included in the national basic curricula of the Ministry of Education of Guatemala. This program, which addresses 6-year-old elementary school children, was implemented in 2011 in three populations living in high-risk areas.

CICAD views with satisfaction the implementation of this recommendation.

## RECOMMENDATION 3

### VERIFY THE QUALITY OF TREATMENT OFFERED AT THE NATIONAL LEVEL FOR DRUG ABUSE-RELATED PROBLEMS, A RECOMMENDATION REITERATED FROM THE FOURTH EVALUATION ROUND, 2005-2006.

Guatemala reports that it has carried out the first phase of the assessment of compliance with the minimum standards for centers that care for people with problems derived from addictive substance use in the country's metropolitan area. It also reports that training has been given to the staff of facilities that care for drug dependents, in order to professionalize the services offered to those individuals and to promote the observance of the aforesaid minimum standards.



The country reports that the compliance evaluation at the national level is pending, as well as the design of a project to disseminate the minimum standards.

CICAD recognizes the progress made and urges the country to implement this reiterated recommendation, given that it was assigned during the Fourth Evaluation Round, 2005-2006.

## RECOMMENDATION 4

IMPLEMENT A NATIONAL INFORMATION SYSTEM ON TREATMENT TO DETERMINE THE NUMBER OF CASES TREATED FOR DRUG ABUSE-RELATED PROBLEMS, A RECOMMENDATION REITERATED FROM THE FOURTH EVALUATION ROUND, 2005-2006.

Guatemala reports that it plans to introduce a national drug treatment information system, and that it has conducted the training of the first group of employees in the use of the project “Clinical History System”.

The country reports that forms have been developed to gather monthly data from the treatment centers on the number of patients and the variables of age, gender, type of drug used, location, and other data.

CICAD notes the information provided and urges the country to implement this reiterated recommendation, given that it was assigned during the Fourth Evaluation Round, 2005-2006.

## RECOMMENDATION 5

IMPLEMENT MEASURES TO ENSURE THAT PRIMARY HEALTH CARE (PHC) FACILITIES PERFORM SPECIFIC ACTIVITIES TO ADDRESS PROBLEMS ASSOCIATED WITH DRUG USE.

Guatemala has not started the implementation of this recommendation.

CICAD encourages the country take steps to implement the recommendation.





## RECOMMENDATION 6

### CONDUCT A DRUG USE SURVEY AMONG THE SCHOOL POPULATION.

Guatemala reports that in 2009 it conducted the Guatemala Chapter of the “Global School-based Student Health Survey” which examined use of alcohol and other drugs in the student population, among other aspects. The country also reports that, in the same year, it carried out the study on “Incidence of Drug Use Perceived by Students and Teachers in the Urban Area of the Departments of Santa Rosa, San Marcos, Jutiapa, and Alta Verapaz.”

The country also reports that the “First National Youth Survey” (ENJU) was conducted in 2011 to study both the school and non-school youth population, and it included a module to measure drug use among this population.

CICAD views with satisfaction the implementation of this recommendation.

## RECOMMENDATION 7

### IMPLEMENT AN AUTOMATED SYSTEM TO FACILITATE THE CONTROL OF PHARMACEUTICAL PRODUCTS AND GATHER DATA ON THE APPLICATION OF ADMINISTRATIVE AND REGULATORY MEASURES AND PENAL SANCTIONS TO PREVENT THE DIVERSION OF PHARMACEUTICAL PRODUCTS.

Guatemala reports that it has a program to record imports of pharmaceutical products, which include components classified as psychotropics, narcotics, or precursor chemicals, by pharmaceutical establishments that import those products. The country also indicates that pharmaceutical establishments and health facilities are required to make monthly, documented reports of movements in those products, which are recorded manually.

The country reports that the implementation of a computerized system for recording the application of administrative measures is still pending, as is the systematization of monthly reports on the quantities of medicines distributed or consumed.

CICAD notes the information provided and encourages the country to continue with its efforts toward implementation of this recommendation.



## RECOMMENDATION 8

### CARRY OUT TRAINING ACTIVITIES FOR PUBLIC AND PRIVATE SECTOR PERSONNEL INVOLVED IN THE HANDLING OF PHARMACEUTICAL PRODUCTS.

Guatemala reports that it has given training to the technical directors of pharmaceutical establishments on the legislation governing controlled substances and the responsibility of pharmacists. To this end, a web page has been set up ([www.medicamentos.com.gt](http://www.medicamentos.com.gt)) to disseminate relevant issues on laws, technical norms and other aspects related to regulations and control of pharmaceutical products. The country also reports that, through two workshops, it has trained 25 prosecutors from the Office of the Prosecutor for Narcotics Activities and 25 judges from the Judicial Branch on national legislation on the control of chemical substances and precursors, as well as the administrative process of registering businesses that handle these substances.

CICAD views with satisfaction the implementation of this recommendation.

## RECOMMENDATION 9

### IMPLEMENT AN AUTOMATED SYSTEM FOR THE SECURE AND EFFICIENT MANAGEMENT OF INFORMATION IN ORDER TO FACILITATE THE CONTROL OF THE DIVERSION OF CONTROLLED CHEMICAL SUBSTANCES.

Guatemala reports that it keeps a register of pharmaceutical establishments and other companies that import chemical substances and precursors. The country also keeps control over all the imports made by each company, and the companies must file monthly, documented reports on movement in those substances.

CICAD recognizes the progress made and encourages Guatemala to implement this recommendation.

## RECOMMENDATION 10

### IMPLEMENT THE PRE-EXPORT NOTIFICATION SYSTEM FOR CONTROLLED CHEMICAL SUBSTANCES.

Guatemala reports that it is using the PEN OnLine pre-notification system to receive and respond to controlled chemical pre-export notifications.

CICAD views with satisfaction the implementation of this recommendation.



## RECOMMENDATION 11

ESTABLISH A SYSTEM TO REGISTER INFORMATION ON THE NUMBER OF PUBLIC OFFICIALS WHO WERE CHARGED AND CONVICTED FOR OFFENSES RELATED TO ILLICIT DRUG TRAFFICKING, A RECOMMENDATION REITERATED FROM THE FOURTH EVALUATION ROUND, 2005-2006.

Guatemala reports that it has not begun implementing this recommendation.

CICAD urges the country to initiate actions toward the full implementation of this reiterated recommendation, given that it was assigned during the Fourth Evaluation Round 2005-2006.

## RECOMMENDATION 12

CARRY OUT RESEARCH AND TRAINING ACTIVITIES RELATED TO THE PREVENTION AND CONTROL OF ILLICIT TRAFFIC OF PHARMACEUTICAL PRODUCTS AND OTHER DRUGS VIA THE INTERNET, WHICH WILL ENABLE THE COUNTRY TO IDENTIFY ITS REGULATORY AND OPERATIONAL NEEDS, A RECOMMENDATION REITERATED FROM THE FOURTH EVALUATION ROUND, 2005-2006.

Guatemala reports that it has not carried out any training activity on the prevention and control of illicit drug trafficking via the Internet.

CICAD urges the country to take steps towards the implementation of this reiterated recommendation, given that it was assigned during the Fourth Evaluation Round, 2005-2006.

## RECOMMENDATION 13

EXTEND THE SUPPLY OF SPECIALIZED TRAINING TO ADDRESS ILLICIT DRUG TRAFFICKING FOR OFFICIALS RESPONSIBLE FOR ITS CONTROL.

Guatemala reports that in 2011 it organized a workshop on the control of chemical precursors that trained officials of the following government entities involved in this area: Ministry of the Interior, Ministry of Public Health and Social Welfare, Public Prosecutor's Office, National Institute of Forensic Sciences of Guatemala, and the Executive Secretariat of the Commission Against Addictions and Illicit Drug Trafficking.

CICAD views with satisfaction the implementation of this recommendation.



## RECOMMENDATION 14

### EXTEND THE OBLIGATION TO REPORT SUSPICIOUS TRANSACTIONS TO ECONOMIC ACTIVITIES AND SECTORS SUCH AS REAL ESTATE AGENCIES, LAWYERS, NOTARIES, ACCOUNTANTS AND CASINOS.

Guatemala indicates that Decree No. 58-2005, the Law to Prevent and Repress the Funding of Terrorism, and its regulations, issued by means of Governmental Agreement No. 86-2006, places the obligation of reporting suspicious operations on, inter alia, individuals and legal entities that engage in real-estate operations and transactions, as well as notaries, public accountants, and auditors. The country also reports that it is considering requiring lawyers to report suspicious transactions.

With regard to obligatory reporting of casinos, the country reports that gaming parlors are prohibited by law, and Articles 477 and 478 of the Guatemalan Penal Code provide penalties for their owners, administrators, or managers and fines for persons who frequent such establishments.

Guatemala reports that entities are authorized to operate raffles, lotteries, and games of chance, and that they are obligated subjects under the laws against money and asset laundering and to prevent and repress the funding of terrorism.

CICAD encourages the country to continue with the pertinent steps to implement this recommendation.

## RECOMMENDATION 15

### ESTABLISH A MECHANISM FOR THE ADMINISTRATION OF SEIZED ASSETS RELATED TO MONEY LAUNDERING CASES.

Guatemala reports that the Congress of the Republic approved Decree No. 55-2010, containing the Forfeiture Law, which creates a commission to administer seized and forfeited assets in money laundering cases.

CICAD views with satisfaction the implementation of this recommendation.



## CONCLUSIONS

During the Fifth Evaluation Round, Guatemala was assigned a total of 15 recommendations, of which the country implemented six. However, six recommendations are in progress and three have not been initiated.

Guatemala has implemented the recommendations to evaluate the results of its drug abuse prevention programs, to carry out a study on drug use in the school population, to conduct training activities for public and private officials in management of pharmaceuticals, to implement the mechanism of pre-export notifications for controlled chemical substances, and to expand specialized training on illicit drug trafficking for officials responsible controlling it.

CICAD highlights approval by the Guatemalan Congress of the Forfeiture Law, which established a commission to administer seized and forfeited assets in money laundering cases.

CICAD recognizes the country's progress in developing prevention programs for the street population and prisoners, and in implementing computerized systems to facilitate the control of the diversion of pharmaceutical products and controlled chemical substances. Moreover, progress is noted in extending the obligation to report suspicious financial transactions to other sectors and economic activities.

CICAD encourages the country to implement pending recommendations, such as culminating the necessary steps to verify the quality of the national treatment supply for drug dependents and the establishment of a database on cases treated that involve drug-abuse-related problems.

However, CICAD notes that Guatemala has not taken measures to ensure that Primary Health Care facilities perform specific activities to address problems associated with drug use, or to establish a system to register information on the number of public officials who were charged with and convicted of offenses related to illicit drug trafficking, and has not carried out research and training activities related to the prevention and control of illicit traffic via the Internet.

CICAD recognizes Guatemala's participation in the Multilateral Evaluation Mechanism and encourages the country to continue its efforts to implement the pending recommendations.

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