

# MEMEM

## Multilateral Evaluation Mechanism

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

**Secretariat for  
Multidimensional  
Security  
(SMS)**

**Nicaragua**

**EVALUATION  
OF PROGRESS  
IN DRUG CONTROL**

**IMPLEMENTATION OF RECOMMENDATIONS  
FIFTH EVALUATION ROUND**

**2012**



**Organization of  
American States**



Organization of  
American States



Inter-American Drug Abuse  
Control Commission

## Multilateral Evaluation Mechanism (MEM)

# NICARAGUA

## 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

### APPROVE A NATIONAL ANTI-DRUG PLAN THAT SERVES AS A FRAMEWORK FOR ALL ANTI-DRUGS ACTIVITIES.

Nicaragua reports that it has drafted a preliminary document on the Strategy Against Organized Crime of which introduces action in the field of drugs and crime related problems and it remains under consultation with the institutions linked to this topic.

CICAD takes note of the information provided and encourages the country to comply with the recommendation.

## RECOMMENDATION 2

### IMPLEMENT DRUG USE PREVENTION PROGRAMS TARGETING KEY POPULATIONS.

Nicaragua reports that the Ministry of Health, through the Institute against Alcoholism and Drug Addiction (ICAD) is implementing drug abuse prevention programs at the national level. With regard to primary prevention, it is carrying out programs for the prevention of drugs, alcohol, and tobacco use so that the risk is perceived with greater clarity and to promote healthy lifestyles. With regard to secondary prevention, it is implementing early detection of cases for intervention and to reduce problematic use. In tertiary prevention, it is receiving alcohol and drug-dependent individuals for referral to treatment and rehabilitation programs.

Nicaragua also reports that the Ministry of Education is carrying out school counseling programs, whose target population is 130,000 preschool, primary, and secondary students at the national level.

The country indicates that, since 2009, the Ministry of the Family, Children, and Adolescents has been implementing the Amor Program initiative, whose main objective is restitution of children and adolescents rights, with participation by the family, community, and the institutions comprising the Social Welfare System. This ministry serves 18,350 street children and workers ages 7 through 17 who, having been in the street for a long time, are exposed to risks such as drug use.

Nicaragua also reports that the National Police are carrying out programs such as DARE and others doing prevention work with at-risk youth from an early age.

CICAD expresses its satisfaction for the implementation of this recommendation.



### RECOMMENDATION 3

ESTABLISH A NATIONAL REGISTRY OF SPECIALIZED FACILITIES THAT PROVIDE TREATMENT SERVICES FOR PERSONS WITH PROBLEMS ASSOCIATED WITH DRUG USE, A RECOMMENDATION REITERATED FROM THE THIRD EVALUATION ROUND, 2003-2004.

Nicaragua reports that the Institute against Alcoholism and Drug Addiction has established the registry of specialized facilities that provide treatment services.

CICAD expresses its satisfaction for the implementation of this recommendation.

### RECOMMENDATION 4

IMPLEMENT THE OFFICIAL OPERATING STANDARDS FOR SPECIALIZED FACILITIES THAT PROVIDE TREATMENT SERVICES FOR PERSONS WITH PROBLEMS ASSOCIATED WITH DRUG USE, A RECOMMENDATION REITERATED FROM THE FIRST EVALUATION ROUND, 1999-2000.

Nicaragua reports that the Ministry of Health and the Institute against Alcoholism and Drug Addiction (ICAD) drafted the document called “Minimum Standards of Care for the Treatment and Rehabilitation of Persons Using Addictive Substances” for approval by the pertinent authorities.

CICAD takes note of the information provided and urges Nicaragua to comply with this reiterated recommendation, considering it was assigned during the First Evaluation Round, 1999-2000.

### RECOMMENDATION 5

CONDUCT A STUDY TO DETERMINE DRUG USE AND ABUSE IN THE SCHOOL POPULATION.

Nicaragua reports that, through the Institute against Alcoholism and Drug Addiction, it conducted a survey on drug use among the school population at seven secondary education centers in Managua, the final report of such survey was drawn up and is pending an editorial review and publication.

CICAD recognizes the progress made and encourages the country to comply with the recommendation.



## RECOMMENDATION 7

### IMPLEMENT ADEQUATE CONTROL AND MONITORING MEASURES TO PREVENT THE DIVERSION OF PHARMACEUTICAL PRODUCTS.

Nicaragua reports there is coordination between the National Police, the Ministry of Health, the General Directorate of Customs Services, and the Army of Nicaragua, which are the institutions responsible for the control and monitoring of pharmaceutical products.

Additionally, Nicaragua reports that Law 735 of Prevention, Investigation, and Prosecution of Organized Crime and the Administration of Seized, Confiscated, and Abandoned Assets, enacted in October 2010, establishes as authorities of the Ministry of Health: maintaining a registry of and controlling medications, regulating and controlling the preparation, production, manufacture, procurement, distribution, sale, consumption, and use of medications; and authorizing sales to the public of narcotic medications by prescription on an official form.

CICAD expresses its satisfaction for the implementation of this recommendation.

## RECOMMENDATION 8

### DEVELOP AND IMPLEMENT AN AUTOMATED SYSTEM TO FACILITATE THE SECURE AND EFFICIENT HANDLING OF INFORMATION, INCLUDING A PRE- EXPORT NOTIFICATION MECHANISM, RELATED TO THE CONTROL OF THE DIVERSION OF CHEMICAL SUBSTANCES.

Nicaragua has not started the implementation of this recommendation.

CICAD urges the country to comply with the recommendation.

## RECOMMENDATION 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.

Nicaragua reports that it has not started the implementation of this recommendation.

CICAD urges the country to comply with this reiterated recommendation, considering it was assigned during the Fourth Evaluation Round, 2005-2006.



## RECOMMENDATION 10

IMPLEMENT A DATABASE TO COLLECT INFORMATION ON PUBLIC OFFICIALS FORMALLY CHARGED WITH AND CONVICTED OF CRIMES RELATED TO ILLICIT DRUG TRAFFICKING, A RECOMMENDATION REITERATED FROM THE FOURTH EVALUATION ROUND, 2005-2006.

Nicaragua reports that the judiciary and the Office of the Attorney General of the Republic have a database of offenses of organized crime, from which information related to government officials accused and convicted of crimes related to illicit drug trafficking may be drawn.

CICAD expresses its satisfaction for the implementation of this recommendation.

## RECOMMENDATION 11

MAINTAIN THE NATIONAL REGISTRY FOR THE IMPORT AND TRANSIT OF FIREARMS, AMMUNITION, EXPLOSIVES, AND OTHER RELATED MATERIALS, FOR A PERIOD OF 10 YEARS.

Nicaragua reports that Article 82 of Law 510, “Law for the Control and Regulation of Firearms, Ammunition, Explosives and other Related Materials,” establishes that the registry be maintained for a period of five years.

CICAD takes note of the information provided and encourages the country to comply with the recommendation.

## RECOMMENDATION 12

ESTABLISH AN ENTITY RESPONSIBLE FOR THE ADMINISTRATION AND DISPOSAL OF SEIZED AND CONFISCATED ASSETS, RECOMMENDATION REITERATED FROM THE THIRD EVALUATION ROUND, 2003-2004.

Nicaragua reports that Law No. 735, Prevention, Investigation, and Prosecution of Organized Crime and the Administration of Seized, Confiscated, and Abandoned Assets, enacted in October 2010, in Article 43 establishes the creation of the Administrative Unit for Seized, Confiscated and Abandoned Assets from Illicit Activities, as a decentralized legal body, with own assets, with technical and administrative autonomy, of the Ministry of Finance and Public Credit.

CICAD expresses its satisfaction for the implementation of this recommendation.



## RECOMMENDATION 13

CREATE A FINANCIAL INTELLIGENCE UNIT, IN ACCORDANCE WITH INTERNATIONAL STANDARDS, A RECOMMENDATION REITERATED FROM THE FOURTH EVALUATION ROUND, 2005-2006.

Nicaragua reports that it is in the process of drawing up a new bill to establish and operate the Financial Intelligence Unit (UAF).

CICAD urges the country to comply with this reiterated recommendation, considering it was assigned during the Fourth Evaluation Round, 2005-2006.

## RECOMMENDATION 14

INCLUDE REAL ESTATE, LAWYERS, NOTARIES, AND ACCOUNTANTS AS SUBJECTS OBLIGATED TO REPORT SUSPICIOUS TRANSACTIONS TO REPRESS MONEY LAUNDERING, REITERATED RECOMMENDATION FROM THE SECOND EVALUATION ROUND, 2001-2002.

Nicaragua has not started the implementation of this recommendation.

CICAD urges the country to comply with this reiterated recommendation, considering it was assigned during the Second Evaluation Round, 2001-2002.

## RECOMMENDATION 15

ESTABLISH AN INSTITUTIONAL FRAMEWORK THAT ALLOWS FOR JUDICIAL COOPERATION WITH COUNTRIES IN THE REGION TO SUPPRESS ILLICIT DRUG TRAFFICKING AND MONEY LAUNDERING.

Nicaragua reports that Chapter XII of Law 735 of Prevention, Investigation, and Prosecution of Organized Crime, in Articles 93 to 97 provides for international cooperation and mutual legal assistance in order to provide the broadest international cooperation in this area.

CICAD takes note of the information provided and, since the legislation enacted by Nicaragua allows for broader scope of application, considers this recommendation fulfilled.





## CONCLUSION

During the Fifth Evaluation Round, 2007-2009, CICAD assigned fifteen recommendations to Nicaragua, of the total, six have been fulfilled; five are in the process of being implemented; three have not been started and one recommendation was withdrawn<sup>1</sup>.

CICAD highlights with satisfaction that of the six fulfilled recommendations by Nicaragua, two correspond to the area of demand reduction and refer to the implementation of drug use prevention programs targeting key population sectors and the establishment of a national registry of specialized facilities that provide treatment services for persons problems associated with drug use; one recommendation is in the area of supply reduction and deals with the implementation of control measures and adequate monitoring to prevent the diversion of pharmaceutical products; and three recommendations correspond to the area of control measures and relate to the proposal underway for a database to obtain information regarding public officials formally arrested and charged for crimes related to illicit drug trafficking; the establishment of an entity responsible for the administration and disposal of seized and confiscated assets; lastly, the establishment of an institutional framework that allows for judicial cooperation with countries in the region to suppress illicit drug trafficking and money laundering.

CICAD notes that of the five recommendations pending implementation, Nicaragua is implementing actions to approve a National Anti-Drug Plan; the implementation of the official operating standards for specialized facilities that provide treatment services for persons with problems associated with drug use; conduct a study to determine drug use and abuse in the school population; maintain a national registry for the import and transit of firearms, ammunition, explosives, and other related materials for a period of ten years; create a financial intelligence unit in accordance with international standards.

CICAD notes with concern that there has been no initiation of implementation of three recommendations relating to the development of an automated system to facilitate the secure and efficient control of the diversion of chemical substances; investigative and research activities on the prevention and control of illicit trafficking in pharmaceutical products and other drugs via the Internet; and inclusion of real estate agencies, attorneys, notaries and accountants among the subjects obligated to report suspicious transactions to prevent money laundering.

CICAD recognizes the participation of Nicaragua in the Multilateral Evaluation Mechanism (MEM) process and urges the country to fully comply with the pending recommendations.

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<sup>1</sup> Recommendation 6 was withdrawn.

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