



## NATIONAL ANTI-DRUG STRATEGY

Guatemala has a National Anti-Drug Plan, which covers the areas of supply reduction, demand reduction, control measures, institutional framework, budget and an evaluation system. The plan is in effect from 1999-2003. The National Anti-Drug Plan has as its legal basis Congressional Decree 48-92.

The Commission Against Drug Addiction and Illegal Trafficking (CCATID) coordinates demand reduction activities, control measures and the information center. Its legal basis is through Congressional Decree 48-92.

The budget of the Executive Secretariat of the CCATID (SECCATID) comes under the budget of the Ministries and other offices of the Executive Branch, which is managed independently in the framework of the relevant governing provisions. Resources are provided by the Treasury and the Commission has no self-funding mechanism.

Guatemala has ratified the United Nations Conventions of 1961, 1971 and 1988. It has ratified the Inter-American Convention on Mutual Assistance in Criminal Matters. It has signed the Inter-American Convention Against Corruption and the Inter-American Convention Against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives and Other Related Materials.

Furthermore, it has national laws and regulations with respect to the issue of drugs in accordance with international conventions. Guatemala does not indicate specific legislation with respect to controlled chemical substances in accordance with CICAD model regulations. It has specific legislation on firearms, ammunitions, explosives and money laundering. However, it does not mention if they are in accordance with CICAD model regulations.

Guatemala maintains a separate collection of statistics on demand reduction, supply reduction, control measures and the societal impact of illicit drugs. It is in the process of establishing a system for the collection and maintenance of statistics and documents, which is at the initial phase of preparation. This includes the development of software for collection of structured information with a view to setting up a data bank so that the information available can be used to support the design and development of national programs. The first stage has been completed, which involved procurement of the equipment for what is to be the National Observatory on Drugs with the support of international agencies.

## Recommendations

1. Ratify the Inter-American Convention Against Corruption and the Inter-American Convention Against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives and Other Related Materials.
2. Develop an integrated system for the collection, analysis and maintenance of statistics and documents, which is an important tool for national efforts against all aspects of the drugs phenomenon.

## DEMAND REDUCTION

Prevention and treatment programs are in the early stages of implementation and can form a base from which to launch additional programs. Collection and evaluation of data will be crucial to achieve success in program design and implementation. Efforts should be made to access assistance through relevant regional and international organizations as well as bilateral arrangements.

Guatemala has indicated that it has a national strategy to reduce the demand for drugs. There is a national drug abuse prevention program that targets certain key sectors of the population. Currently efforts are concentrated on school children. However a strategy of training multiplier agents is in place in order to increase coverage to youth leaders, parents, community-base leaders, and the religious community.

The program for schoolchildren reaches approximately 5% of the group and 500 community leaders are served. There are no reports of programs for prisoners. Nevertheless, the country indicates that the non-governmental organization REMAR Central America-Center for Rehabilitation and Reinsertion of Marginalized People carries out several drug-addiction prevention programs in juvenile detention centers, intended for the children and adolescents detained at those establishments. The department of psychology of the Prison Service Bureau is planning to launch a drug prevention program in prisons next year. Efforts targeting street children are currently carried out by allied non-governmental organizations. SECCATID coordinates the activities with these NGOs and the benefits of this service as regards training are shared. There is minimal programming for out-of-school youth and for women.

There are no "Drugs in the Workplace" programs, except for isolated activities carried out in response to requests received by the institution. In connection with that, the Labor Ministry is planning to launch a program aimed at those key population segments and, to that end, preliminary contacts have been established with a view to coordination and systematization of prevention efforts in these sectors.

Guatemala has adopted the United Nations Declaration on the Guiding Principles of Drug Demand Reduction, and its Plan of Action. There is no data available with regard to minimum standards of care and of drug treatment. Drug treatment and rehabilitation programs are available; most of which are managed by non-governmental organizations and private enterprise. No specialized training in drug abuse prevention and treatment is offered on a systematic basis at universities; but service professionals have had the opportunity to participate in training activities provided with the support of international organizations. There is no regular measurement of the prevalence of drug use in the general population. Research has not been done on the prevalence of drug use in the general population, but has been done in school children.

The DUSI national survey conducted in 1998 revealed that the average age for the first use of alcohol was 13.88 years, 14.99 years for cocaine, 14.51 years for marijuana, 13.61 years for tobacco, 13.81 years for stimulants, 13.72 for tranquilizers, and 13.21 for inhalants. There is no system to determine the annual incidence of new drug users. There are no studies to evaluate treatment and rehabilitation programs and their modalities.

## Recommendations

1. **Develop, establish and oversee guidelines on minimum standards of care for treatment programs, and the basic principles of prevention.**
2. **Expand prevention programs to include prisoners, and out-of-school youth and broaden the scope of programs to reach a greater percentage of key populations.**
3. **Implement the "Drugs in the Workplace" programs.**
4. **Develop and establish specialized training courses for professionals working in drug abuse prevention and treatment.**
5. **Strengthen the system for gathering data so that regular measurements can be made on drug use in the general population, the average age of first use of drugs, the types of drugs used and the incidence of first users.**
6. **Incorporate an evaluation component in all current programs and in the development of new prevention, and treatment and rehabilitation programs.**

## SUPPLY REDUCTION

**G**uatemala reported the existence of 3.9 hectares of cannabis cultivation and 2.48 hectares of poppy cultivation. According to the country, those figures are for cultivation detected, not actual cultivation in the country, since that information is not available, given the absence of a record of the number of plants per hectare. However, the country did report manual eradication of 53.7 hectares of cannabis and 3.83 hectares of poppy over the year and stated that the alternative development programs had failed to yield the results expected.

The Ministry of Health and Social Assistance is the body in charge of supervising controlled substances. This Ministry estimates annual legitimate needs for controlled substances based on use in the last 3 years. The professions involved in the distribution of pharmaceutical drugs are regulated through the Regulations for Medical Control of Pharmaceuticals and Related Products (Government Agreement 7-12-99).

Guatemala has laws and regulations authorizing penal, civil and administrative sanctions for the diversion of pharmaceuticals and controlled chemical substances. However, in 1999 no sanctions were imposed.

Guatemala has mechanisms for the exchange of operational information on controlled substances via the different sections of the Department for Regulating and Controlling Pharmaceuticals and Related Products, an agency of the Ministry of Public Health. This body and the SECCATID carry out information exchanges at international level, with the International Narcotics Control Board (INCB).

The country does not apply a pre-notification mechanism in accordance with the Vienna Convention and the guidelines stipulated by the INCB.

## Recommendations

1. **Strengthen surveillance mechanisms to prevent the increase of illegal crops.**
2. **Strengthen the application of a mechanism for pre-notification of international controlled substance transactions.**

## CONTROL MEASURES

The Republic of Guatemala has law enforcement, judicial, and administrative institutions responsible for investigating, controlling, and eliminating illicit drug trafficking. The law enforcement agencies are: the Department of Anti-Narcotics Operations of the National Civil Police, the Interior Ministry, and the Ministry of National Defense. The following administrative institutions are mentioned: the Department of Anti-Narcotics Operations of the National Civil Police, the Interior Ministry, the Customs Administration Bureau, and the Ministry of Finance. The Office of the Attorney General and the Office of the Public Prosecutor on Narcotics Activity are responsible for investigations and criminal prosecutions in connection with all crimes relating to the production, manufacture, use, keeping, trafficking, and illicit drug trade. The competent judicial entities are the Criminal Courts of First Instance and Sentencing for Drug-Related Activities and Crimes Against the Environment.

Guatemala states that there is an agency in charge of operational information exchange and cooperation among national authorities. That agency is the Interior Ministry acting through the National Civilian Police. Its Department of Anti-Drug Operations (DOAN), in turn, engages in information exchanges and coordination with other countries.

The country does not provide data on the number of drug seizure operations conducted, but does report that a total of 10,959 kilograms of drugs were seized. In 1999 a total of 243 persons were arrested, 566 were charged, and 10 were convicted for these offenses.

The country makes references to international cooperation to investigate and prosecute drug traffickers and its records do not indicate whether the requests were domestic or international. It provides no data regarding responses thereto.

Guatemala has criminalized the illegal manufacture of, trafficking in, export, and import of firearms, ammunition, explosives, and other related materials.

In that regard, it has established administrative controls to prevent those operations, as well as laws and regulations that allow for the freezing or seizure of those materials. The Ministry of National Defense, through the Department of Arms and Ammunition (DECAM) is the administrative authority that keeps records on the manufacture, import, export, and in-transit of firearms, ammunition, explosives, and other related materials. Moreover, it ensures previous authorizations for the export for these materials exist, and that the importing or transit country has issued the relevant licenses or permits. Likewise, there is an entity in charge of information exchanges among domestic and international agencies.

Guatemala does not indicate the number of persons arrested and convicted for these offenses, the number of seizure operations conducted for firearms, ammunition, explosives, and other related materials in connection with drug trafficking, or the amounts seized during 1999. In addition, it states that it keeps no record of the origin of the firearms, ammunition, explosives and other materials or of the routing employed in their diversion.

With regard to international cooperation to investigate and prosecute the illegal manufacture of and trafficking in firearms, ammunition, explosives, and other related materials, the country reports that there were no requests and no individuals were tried for those crimes.

Guatemala has criminalized money laundering, which includes suppression and prevention of laundering of drug trafficking proceeds. It also has preventive administrative controls in place and a legal framework that allows for freezing or seizure and forfeiture of such assets.

There is a central agency in Guatemala that processes data from reports of suspicious transactions and a legal framework requiring that will be reported. It has a mechanism or authority to manage the proceeds of drug trafficking.

Guatemala indicates that in 1998 there were 8 persons charged but no arrests or convictions, and no administrative sanctions were imposed for this type of offense.

Regarding international cooperation to investigate and prosecute money-laundering offenses, 8 requests were made, but it does not report any replies.

## Recommendation

1. Create a database for identifying seizure operations and the routing and origins of firearms, ammunitions, explosives and other related materials in connection with trafficking of illicit drugs.

## HUMAN, SOCIAL AND ECONOMIC COST OF DRUGS

**E**stimating the human, social and economic cost of the drug problem in all of its manifestations constitutes a complex process. This information is relevant to each country's understanding of the magnitude of the drug problem. This would enable each country to appreciate the direct and indirect cost in proportion to their Gross National Product or national annual budget. Because many countries

have difficulty in providing these estimates, CICAD is proposing a hemisphere-wide program involving training and technical assistance, which should assist the country in its effort in confronting the drug problem and fulfilling this indicator's requirements.

## Recommendation

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



## SUMMARY OF RECOMMENDATIONS

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

1. Ratify the Inter-American Convention Against Corruption and the Inter-American Convention Against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives and Other Related Materials.
2. Develop an integrated system for the collection, analysis and maintenance of statistics and documents, which is an important tool for national efforts against all aspects of the drugs phenomenon.
3. Develop, establish and oversee guidelines on minimum standards of care for treatment programs, and the basic principles of prevention.
4. Expand Prevention programs to include prisoners, and out of school youth and broaden the scope of programs to reach a greater percentage of key populations.
5. Implement the "Drugs in the Workplace" programs.
6. Develop and establish specialized training courses for professionals working in drug abuse prevention and treatment.
7. Strengthen the system for gathering data so that regular measurements can be made on drug use in the general population, the average age of first use of drugs, the types of drugs used and the incidence of first users.
8. Incorporate an evaluation component in all current programs and in the development of new prevention, and treatment and rehabilitation programs.
9. Strengthen surveillance mechanisms to prevent the increase of illegal crops.
10. Strengthen the application of a mechanism for prenotification of international controlled substance transactions.
11. Create a database for identifying seizure operations and the routing and origins of firearms, ammunitions, explosives and other related materials in connection with trafficking of illicit drugs.
12. Develop the capacity to estimate the human, social, and economic costs of the drug problem.