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# MULTILATERAL EVALUATION MECHANISM (MEM)

*Evaluation Report on Drug Policies:  
Institutional Strengthening; Research,  
Information, Monitoring, and Evaluation;  
and International Cooperation*

## Costa Rica

Inter-American Drug Abuse Control Commission (CICAD)  
Secretariat for Multidimensional Security (SMS)

2023





## MULTILATERAL EVALUATION MECHANISM (MEM)

# COSTA RICA

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### **Evaluation Report on Drug Policies:**

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and International Cooperation

### **EIGHTH EVALUATION ROUND**

**2023**

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## PREFACE

The Multilateral Evaluation Mechanism (MEM), established by a mandate from the Second Summit of the Americas (Santiago, Chile - 1998), is a unique multilateral evaluation tool designed to measure the progress made and challenges faced by the member states of the Organization of American States (OAS) in implementing the Hemispheric Plan of Action on Drugs of the OAS Hemispheric Drug Strategy, currently in force.

The Inter-American Drug Abuse Control Commission (CICAD) of the Secretariat for Multidimensional Security (SMS) is the OAS specialized agency in charge of implementing this Mechanism.

The current MEM round is based on the objectives of the Hemispheric Plan of Action on Drugs 2021-2025 of the Hemispheric Drug Strategy 2020 and their respective priority actions. These documents take into account the recommendations of the outcome document of the United Nations General Assembly Special Session on the World Drug Problem (UNGASS 2016) and the United Nations 2030 Agenda on Sustainable Development, as well as cross-cutting issues, such as the gender perspective and human rights, cultural context, and social inclusion approaches, among others.

Seven evaluation rounds have been completed from 1998 to 2019 and, during 2020, the MEM Intergovernmental Working Group (IWG), composed of member state delegates, agreed on a new methodology for the eighth round, consisting of annual thematic evaluations with the support of independent technical consultants, as follows: 2021 – Measures for Prevention, Treatment, and Recovery Support; 2022 – Measures to Control and Counter the Illicit Cultivation, Production, Trafficking, and Distribution of Drugs, and to Address their Causes and Consequences; 2023 – Institutional Strengthening; Research, Information, Monitoring, and Evaluation; International Cooperation; and 2024 – Comprehensive Evaluation based on updated information from all thematic areas.

MEM evaluations are carried out based on information provided by the member states' National Coordinating Entities (NCEs), which is analyzed by the MEM Governmental Expert Group (GEG), composed of experts designated by the countries, who do not participate in their own country's evaluation, thus ensuring the transparency and impartiality of the process. The GEG is always supported by the group of independent technical consultants and the MEM Unit. The eighth round represents a more rigorous evaluation process, in which countries are requested to provide valid means of verification to support the information submitted and ensure compliance of each priority action.

Specifically, the GEG's work for the thematic assessment for the areas of "Institutional Strengthening; Research, Information, Monitoring, and Evaluation; and International Cooperation" was conducted during 2023, and covers the 2019 to 2023 period (unless otherwise specified). This work was adapted to the COVID-19 pandemic with the use of technology and virtual tools, as well as taking it into consideration in the evaluation assessments.

Finally, it should be noted that one of the main purposes of MEM evaluation reports is to serve as a useful diagnostic tool to identify opportunities for improvement in drug policies and strategies, both at the national and regional levels.

# INSTITUTIONAL STRENGTHENING

**OBJECTIVE**

**1**

**ESTABLISH AND/OR STRENGTHEN NATIONAL DRUG AUTHORITIES, PLACING THEM AT A HIGH POLITICAL LEVEL AND PROVIDING THEM WITH THE NECESSARY CAPABILITIES, RESOURCES, AND COMPETENCIES TO COORDINATE FORMULATION, IMPLEMENTATION, MONITORING, AND EVALUATION OF NATIONAL DRUG POLICIES.**

**Priority Action 1.1: Place national drug authorities at a high political level.**

Costa Rica’s national drug authority is the Costa Rican Institute on Drugs (ICD), which was established in 2002 and is positioned within the government administrative structure as a body attached to the Ministry of the Presidency of the Republic of Costa Rica.

**Priority Action 1.2: Grant national drug policy entities the authority to guide and coordinate the formulation, implementation, monitoring, and evaluation of national drug policies.**

The ICD is established in legislation under the Law on narcotics, psychotropic substances, drugs used without authorization, related activities, money laundering and financing of terrorism No. 8204.

**Priority Action 1.3: Allocate the necessary resources (material, financial, and human) for the effective functioning of the national drug authorities.**

Costa Rica has an independent annual budget for its national drug authority. The following is the annual budget amount of the national drug authority for 2019-2023:

Year	2019	2020	2021	2022	2023
Annual budget amount (US dollars)	\$10,573,386	\$18,713,503	\$7,032,085	\$6,813,873	\$8,411,949

**Priority Action 1.4: Design or optimize mechanisms to facilitate effective coordination and collaboration among government institutions for the formulation, implementation, monitoring, evaluation, and updating of evidence-based national drug policies and/or strategies.**

Costa Rica has an ongoing coordination and collaboration mechanism among agencies and other levels of government (national and sub-national), to formulate, implement, monitor, evaluate, and update evidence-based national drug policies or strategies. The "Institutional Planning" Unit of the Costa Rican Institute on Drugs, which is responsible for coordinating the drafting, implementation, monitoring, and evaluation of the National Strategy on Drugs and Associated Crimes, as well as the National Plan on Drugs, Money Laundering and Financing of Terrorism, has incorporated the institutional actors responsible for compliance with the policies and other



interventions into both political and technical management instruments, specifying roles, responsibilities and organizational competencies at the national and subnational levels to advance compliance with the country's commitments formalized in both tools.

The country's national drug authority coordinates the areas of demand reduction, supply reduction, preventive alternative development programs, control measures, drug observatory, international cooperation, and program evaluation. The national drug authority also coordinates initiatives aimed at defending the human rights of people who use psychoactive substances and the human development of the population in general.

**OBJECTIVE  
2**

FORMULATE, IMPLEMENT, EVALUATE, AND UPDATE COMPREHENSIVE NATIONAL DRUG POLICIES AND/OR STRATEGIES THAT PROMOTE BALANCED, MULTIDISCIPLINARY, AND EVIDENCE-BASED APPROACHES, WHILE FULLY RESPECTING HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS, UNDER THE PRINCIPLE OF COMMON AND SHARED RESPONSIBILITY, CONSISTENT WITH OBLIGATIONS OF PARTIES UNDER INTERNATIONAL LAW, AND TAKE INTO ACCOUNT GENDER, AGE, COMMUNITY, CULTURAL CONTEXT, AND SOCIALLY INCLUSIVE DEVELOPMENT.

**Priority Action 2.1:** Collect and use evidence as a basis for the formulation and updating of national drug policies and/or strategies.

In Costa Rica, the Costa Rican Institute on Drugs (ICD), through the National Drug Information and Statistics Unit, collects and uses evidence as a basis for formulating and updating national drug policies and/or strategies. The information corresponds to administrative data from the records of other state entities such as the police and centers for the treatment of mental and behavioral illnesses caused by psychoactive substance use, as well as information from specific research studies such as prevalence studies on the use of psychoactive substances in the general population.

**Priority Action 2.2:** Promote and establish collaborative relationships with the scientific community, public policy experts, community and/or civil society actors, and other relevant stakeholders, to contribute to the evidence-based development, implementation, evaluation, and updating of national drug policies.

In Costa Rica, the following relevant actors from priority areas are involved in the development, implementation, evaluation, and updating the national drug policies and/or strategies:

Relevant actors	Development	Implementation	Evaluation	Update
Health Ministry	X	X	X	X
Justice Ministry	X	X	X	X
Education Ministry	X	X	X	X
Regional and/or local governments	X	X	X	X
Scientific community/academia	X	X	X	X
Civil society	X	X	X	X
Private sector	X	X	X	X
Others	X	X	X	X

**Priority Action 2.3:** Promote sub-national/local management of drug policies and/or strategies through greater coordination and/or delegation of responsibilities, as appropriate, between sub-national/local and national agencies, taking into account the socio-cultural, demographic and other differences of each region.

Costa Rica has partially delegated responsibilities to sub-national/local governments, to implement concrete actions related to drug policies and/or strategies, in coordination with the national drug authority.

The country's national drug authority does not have, in its central structure, an office or operational unit to promote, coordinate, train, and provide technical support on drug-related issues to sub-national/local governments or agencies.

Costa Rica's national drug authority does not have coordinators, offices, or representatives within its sub-national or local territories, as part of a decentralized operational and coordination structure at the local level to respond to the drug problem.

The country does not have a specific and ongoing mechanism or program to transfer funds or finance drug initiatives or projects implemented by sub-national or local governments.

**Priority Action 2.4:** Engage private sector entities to develop innovative approaches to implementation of drug policy, including the exchange of information on emerging substances and new drug trafficking modalities that may affect the private sector, and best practices for denying criminals access to the private sector platforms and technologies that facilitate international trade.

Costa Rica engages private sector entities to develop innovative approaches in the implementation of drug policies and exchange information and best practices. The private sector participates in some of the areas in which its involvement is necessary.

In the area of precursor chemicals, Costa Rica has achieved a good degree of compliance by vendor companies with the "know your customer" policy, as well as compliance on issuing alerts regarding suspicious situations.

The Competent National Authority (CNA), which is the Precursors Control and Inspection Unit, has made an online system available to users that enables them to easily report movements and manage procedures (Precursors Online - Precursors User Information Exchange System), making communication more fluid and improving the traceability of controlled products.

**Priority Action 2.5: Formulate or update national drug policies and/or strategies in line with the 2020 OAS Hemispheric Strategy on Drugs and this accompanying Plan of Action, taking into account the objectives of the 2030 Agenda for Sustainable Development.**

Costa Rica takes into account the 2020 Hemispheric Strategy on Drugs of the OAS and its corresponding Plan of Action to formulate or update national drug policies and strategies. Both hemispheric instruments are used as inputs in the process of drafting Costa Rica's National Strategy on Drugs and Associated Crimes (ENDDA) and its Action Plan, a document that by law is called the National Plan on Drugs, Money Laundering and Financing of Terrorism (PNsD), impacting the national and international situational analysis and providing a basis for identifying priorities and devising public policy statements.

The country's national drug policies and strategies take into account the UN 2030 Agenda for Sustainable Development. In this regard, pages 21-29 of the ENDDA 2020-2030 include an exercise carried out with respect to the pillars on which this strategy is based to link them with the SDGs of the 2030 Agenda and the recommendations of the UNGASS 2016.

**Priority Action 2.6: Integrate a human rights, gender, and social inclusion approach, particularly with respect to at-risk populations, in the process of formulating, implementing, and updating national drug policies and/or strategies.**

The ENDDA and the PNsD take into account the human rights approach. In this regard, one of the pillars from which state policies on drugs and related crimes are derived is "Drugs and human rights."

Costa Rica's national drug policies and strategies take into account the gender perspective. In this regard, policies and interventions (projects) were set for implementation specifically with a gender perspective. As an example, CR's current ENDDA and PNsD have the following policy in place: "Adoption of an inclusive gender approach in handling the population that consumes and is dependent on PAS," among other policies.

Costa Rica's national drug authority does not require technical support for developing and implementing programs with a gender perspective.

The country's national drug policies and strategies take into account the social inclusion approach. In this sense, social inclusion is a guiding principle of the ENDDA 2020-2030 (page 74). In addition, all the policies defined in the pillar "Drugs and human rights" are aimed at reducing inequality in this area (pages 75 and 76 of the ENDDA).

**Priority Action 2.7: Provide adequate financial and other resources necessary for implementing drug policies and programs.**

Costa Rica has the necessary resources to implement drug policies and programs, pursuant to the terms of articles 85 and 87 of Law 8204.

**OBJECTIVE**  
**3****DESIGN AND COORDINATE NATIONAL DRUG POLICIES, THAT CAN BE HARMONIZED ACROSS RELATED GOVERNMENT POLICIES AND/OR STRATEGIES, THAT ADDRESS THE FUNDAMENTAL CAUSES AND CONSEQUENCES OF THE DRUG PROBLEM.**

**Priority Action 3.1: Establish and/or strengthen interagency and multisectoral policy and technical coordination mechanisms, to achieve a comprehensive, balanced, and multi-disciplinary approach to the drug problem, including its causes and consequences.**

Costa Rica has interagency and multisectoral policy and technical coordination mechanisms to address the drug problem through a comprehensive, balanced, and multidisciplinary approach, including its causes and consequences. One mechanism is the senior leadership of the Costa Rican Institute on Drugs (ICD) since it is a collegiate body composed of two branches of the Republic (Executive and Judicial). The other mechanism is the coordination of the National Plan 2020-2024 and the National Strategy on Drugs and Related Crimes 2020-2030, which are technical working groups that the ICD coordinates and that meet periodically to follow up on the initiatives provided for these instruments.

**Priority Action 3.2: Design, implement, and evaluate multisectoral plans and programs based on the principles of human rights, public health, and development, to address and counter the socioeconomic causes and the consequences of the drug problem.**

Costa Rica has concrete multisectoral plans and programs to address the socioeconomic causes and consequences of the drug problem, based on human rights, public health, and development principles.

Both the Plan and the National Strategy on Drugs and Related Crimes were developed under the principles promulgated at the United Nations Special Session UNGASS 2016 on the need to take another look at the approach to the drug problem. The Plan therefore specifically entails policies, programs and strategic interventions in four pillars, three of them in the area of demand reduction: Drugs and Health, Drugs and Human Rights, and Drugs and Human Development. Each of these pillars contains specific interventions that address health, rights and human development issues.

**Priority Action 3.3: Participate in international cooperation programs at the bilateral and multilateral levels to strengthen policies, programs, institutions, and their internal processes.**

Costa Rica participates in international cooperation programs at the bilateral and multilateral levels to strengthen policies, programs, institutions, and their internal processes. In this regard, cooperation flows with respect to broad topics like training and specialized technical assistance with the Cooperation Programme between Latin America, the Caribbean and the European Union (COPOLAD), the Inter-American Drug Abuse Commission (CICAD/OAS), and the United Nations

Office on Drugs and Crime (UNODC). Forums, webinars, conferences and training events on health, human rights and development are held with these entities.

More specific cooperation activities are also carried out on specific issues like money laundering, which include participation of the following: The Egmont Group of Financial Intelligence Units; the GAFILAT Asset Recovery Network; and the Regional Network on Cross-Border Transportation of Money; as well as the signing of memoranda of understanding with counterpart intelligence units.

Regarding control and monitoring of precursors, the unit participates as the national representative to the CICAD/OAS Group of Experts on Chemical Substances and Pharmaceutical Products, which includes representatives of the OAS member states and has enabled the exchange of experiences, the dissemination of model regulations for controlling these products, and the production of a series of guides and documents to strengthen the actions of regulatory entities and improve operational control mechanisms.

The country has participated in the biregional COPOLAD Program (European Union - Latin America and the Caribbean), which has enriched the exchange of experiences, with experts from the European Union, in different projects aimed at enhancing cooperation and control at the national, regional and biregional levels.

The INCB also strongly supports international action on the drug problem. Specifically in the area of precursors, the PEN Online platform is in place for exchanging pre-export notifications to verify the legitimacy of shipments of controlled substances (Tables I and II of the 1988 Convention), and work is underway to implement PEN Online Light for non-scheduled substances. Another valuable tool is the Precursor Incident Communication System (PICS), for reporting and querying incidents related to precursors, including arrests, seizures, countries or regions involved, modus operandi in cases of diversion, and other relevant information. In addition, it allows direct consultation between authorities if they want to coordinate an investigation or go deeper into the details of a case involving the country. The Project ION Incident Communication System (IONICS), which is linked to incident reporting on new psychoactive substances, is another system that provides valuable information that serves a variety of purposes, providing an early warning system that gives a regional and global overview of the problem and the proactive measures to be taken if reported incidents are followed up on in a timely manner.

**Priority Action 3.4: Promote comprehensive and cross-cutting public policies to reduce and prevent crime, violence, social exclusion, and corruption.**

Costa Rica promotes comprehensive and cross-cutting public policies to reduce and prevent crime, violence, social exclusion, and corruption, especially with respect to issues surrounding social exclusion and violence through specific interventions for high-risk populations like young people and women in vulnerable areas or who are in trouble with the law.

**Priority Action 3.5: Implement measures that promote equal access to justice and due process, taking into account gender, age, community, and cultural context.**

Costa Rica implements measures that promote equal access to justice and due process, taking into account gender, age, community, and cultural context. In this regard, Article 77 of Law 8204 has been amended to establish a measure for women heads of household who are in trouble with the law for the first time who have children or relatives dependent on them, are experiencing poverty, and whose crime has been classified as drug dealing in which proportionality and gender specificity is introduced: "Should any of the above conditions be found, the presiding judge or the sentence execution judge may order the sentence served under home detention, conditional release, in a halfway house, restricted freedom with non-stigmatizing electronic devices, or other measure as an alternative to imprisonment." Amendment to Law 8204 of December 2013.

In addition, the Public Defender's Office of Costa Rica provides legal representation and advice for criminal cases, sentence execution, indigenous users, alimony and family cases, agrarian cases, juvenile criminal cases, labor cases, and administrative litigation, fostering an intersectional approach to users, in application of the provisions of the Brasilia Rules on access to justice for vulnerable persons.

In this regard, when analyzing the theory of the case, under current law, the public defenders may resort to the following elements of evidence, among others:

- Intercultural expert witness reports
- Social work and psychological assessments
- Forensic medical-legal or forensic psychiatric reports

In addition, the following can be requested:

- Appointment of interpreters, technical consultants and specialists, depending on the defense strategy
- The adjournment of the hearing to discuss the sentence at a later stage
- Application of the restorative justice model
- Implementation of the Drug Treatment under Judicial Supervision Program (PTDJ)
- Granting of alternative or substitute sentences should conditions of vulnerability be proven, or reduction in the length or amount of the sentence for reasons of vulnerability.

**Priority Action 3.6: Implement measures that foster citizen participation in crime prevention, build community cohesion, increase public safety, and emphasize social inclusion.**

Costa Rica implements measures that foster citizen participation in the prevention of money laundering crimes at the national level. However, it does not implement other measures that encourage citizen participation in preventing other crimes, building community cohesion,



increasing public security, or emphasizing social inclusion.

Regarding money laundering, the country works with different private sector operators, especially designated as non-financial commercial and professional activities designated in the Financial Action Task Force (FATF) International Standard. Likewise, these are obligated subjects established in the Law, which have the responsibility of preventing money laundering and terrorist financing. In addition, training and outreach is provided in the requirements of preventive compliance. Additionally, a free platform is provided to report suspicious operations confidentially.

**OBJECTIVE**

4

**DESIGN, ADOPT, AND IMPLEMENT ALTERNATIVES TO INCARCERATION FOR MINOR OR NON-VIOLENT DRUG OR DRUG-RELATED OFFENSES, WHILE TAKING INTO ACCOUNT NATIONAL, CONSTITUTIONAL, LEGAL, AND ADMINISTRATIVE SYSTEMS, AND IN ACCORDANCE WITH RELEVANT INTERNATIONAL INSTRUMENTS.**

**Priority Action 4.1:** Adopt alternative measures to incarceration for minor or non-violent drug-related offenses, where appropriate, while safeguarding the sovereignty of states, and ensuring individual accountability, respecting human rights and the gender perspective.

Costa Rica's laws provide for alternative measures to incarceration for minor or non-violent drug-related offenses, as follows:

- Article 77 bis of Law 8204
- Articles 71 and 72 of the Penal Code, Law 4573, amended by Law 9628
- Law 9271
- Law 9582, Restorative Justice Act
- Monitoring mechanism as an alternative to a prison sentence in a penitentiary institution

These measures respect human rights and take into account the gender perspective in accordance with the relevant international instruments. At its different stages, the process allows for the introduction of evidence proving the conditions of vulnerability associated with the gender perspective that led to the commission of the crime.

**Priority Action 4.2:** Develop mechanisms to monitor and evaluate alternative measures to incarceration for minor or non-violent drug-related offenses, in collaboration with academic and research institutions, as well as civil society.

Costa Rica develops mechanisms to monitor and evaluate alternative measures to incarceration for minor or non-violent drug-related offenses. The agency responsible for implementing the monitoring and evaluation mechanisms is the Ministry of Justice and Peace through the National Office of Community Response and the Sentence Execution Courts of the country: Jurisdiction assigned in accordance with Article 482 of the Code of Criminal Procedure.

The Public Defender's Office is in charge of sentence execution by monitoring visits to detention centers: Jurisdiction assigned in accordance with Article 480 of the Code of Criminal Procedure, Sustainable Development Goals, especially number 16, which invites States to "Promote just, peaceful and inclusive societies;" One Hundred Brasilia Rules on access to justice for persons in condition of vulnerability, which in its update approved by the Plenary Assembly of the XIX edition of the Ibero-American Judicial Summit, April 2018, Quito-Ecuador, establish as follows: "Beneficiaries of the Regulations (...) 10.- Confinement (22) Confinement, ordered by a competent public authority, can generate difficulties to exercise fully before the justice system the rest of rights pertaining to the person in confinement, especially if any of the other causes of

vulnerability listed in the previous sections concur. To comply with these measures, the judicial authority shall be responsible for ensuring the dignity of the person deprived of liberty and their fundamental guarantees, in accordance with international human rights instruments. (23) To the effects of these Regulations, confinement is understood as that which has been ordered by a public authority, whether for reasons of crime investigation, a criminal sentence, mental illness or any other reason, and Open Justice Principles of the Public Defender's Office of the Judicial Branch of Costa Rica, as follows: Transparency, Participation, Collaboration, Cross-cutting issues: Access to Justice, Gender Equality, Quality Public Service, Restorative Justice”.

These mechanisms involve academic and research institutions, as well as civil society. In this regard, the Public Defender's Office is developing a strategy for inter-agency coordination and coordination with civil society to enable response, prevention, documentation, and reporting with respect to cases of institutional violence in prisons. This is accomplished through the creation of the Intersectoral Dialogue and Action Board (MEDAI), with the participation of public institutions and civil society.

**Priority Action 4.3: Promote common understanding of national legal norms, regulations, and internal procedures for the implementation of alternatives to incarceration.**

Costa Rica promotes a common understanding of national legal norms, regulations, and internal procedures for the implementation of alternatives to incarceration. The Public Defender's Office can move to request the following legal provisions:

- The adjournment of the hearing to discuss the sentence at a later stage
- Application of the restorative justice model
- Implementation of the Drug Treatment under Judicial Supervision Program (PTDJ)
- Granting of alternative or substitute sentences should conditions of vulnerability be proven, or reduction in the length or amount of the sentence for reasons of vulnerability.

## OBJECTIVE

5

PROMOTE AND IMPLEMENT, AS APPROPRIATE, IN ACCORDANCE WITH THE POLICIES, LAWS AND NEEDS OF EACH COUNTRY, COMPREHENSIVE PROGRAMS THAT PROMOTE SOCIAL INCLUSION, ESPECIALLY TO THOSE AT-RISK POPULATIONS.

**Priority Action 5.1:** Design and implement, in accordance with the characteristics, interests, and needs of each country, inter-agency and multisectoral programs that promote the social inclusion of individuals, families, and communities affected by the drug problem, taking into account the specific needs of at-risk populations.

Costa Rica has inter-agency and multisectoral programs that promote the social inclusion of individuals, families, and communities affected by the drug problem, taking into account the specific needs of at-risk populations. The strategic interventions, by category, are as follows:

- "Drugs and health" category (pages 34-41 of the National Plan on Drugs, Money Laundering and Financing of Terrorism - PNsD)
  - "The community is all of us"
  - "Adding connections"
- "Drugs and human rights" category (pages 44-57 of the PNsD)
  - "Equally different"
  - "What I deserve"
  - "Opportunities with a human face"
  - "Having a good time"

**Priority Action 5.2:** Disseminate best practices and lessons learned to improve institutional responses to the needs of at-risk populations.

Costa Rica disseminates best practices and lessons learned to improve institutional responses to the needs of at-risk populations, such as mechanisms, programs, and interventions, through publications, meetings, workshops, among others. The Costa Rican Institute on Drugs (ICD) Planning Unit has shared experiences and knowledge with the OAS Inter-American Drug Abuse Commission (CICAD/OAS) member states through hemispheric training activities delivered in person (2022) and virtually (2023). For its part, the ICD's Prevention Programs Unit has participated through conferences, webinars, and forums organized at the national and international level.

## OBJECTIVE

6

PROMOTE PROPORTIONATE SENTENCING FOR DRUG-RELATED CRIMES THAT PROVIDES FOR PENALTIES COMMENSURATE WITH THE RELATIVE SERIOUSNESS OF OFFENSES, IN LINE WITH THE INTERNATIONAL DRUG CONVENTIONS AND RESPECTING THE PRINCIPLES OF DUE PROCESS, WITH GENDER PERSPECTIVE, AGE, COMMUNITY, AND A HUMAN RIGHTS APPROACH.

**Priority Action 6.1:** Promote proportional legal sentencing for minor drug-related offenses in accordance with domestic law.

Costa Rica amended Law 8204 on narcotics, psychotropic substances, drugs used without authorization, related activities, money laundering and financing of terrorism, of December 26, 2001, to introduce proportionality and gender specificity; and enacted Law 9582 on Restorative Justice, to establish proportional legal penalties for minor drug-related offenses, in accordance with national legislation. The country also implements drug treatment programs under judicial supervision.

The country has special courts for minor drug-related offenses. Under the Drug Treatment under Judicial Supervision Program (PTDJ), 12 of the 15 judicial circuits in Costa Rica operate with this procedure using a restorative justice modality. In terms of healthcare, the procedure is supported by the Institute on Alcoholism and Drug Dependence's (IAFA) technical teams, who provide psychosocial and medical care. The program is aimed at users of the following courts: 1st, 2nd and 3rd judicial circuit of San José; judicial circuit of Cartago; 1st and 2nd judicial circuit of the southern zone; judicial circuit of Puntarenas; judicial circuit of Heredia; 1st judicial circuit of Guanacaste; judicial circuit of Pococí; judicial circuit of Limón; and judicial circuit of Alajuela.

**Priority Action 6.2:** Promote legal reforms as needed, to promote proportional sentencing for minor drug-related offenses.

Costa Rica promotes legal reforms in regard to proportional sentencing for minor drug-related offenses.

# RESEARCH, INFORMATION, MONITORING, AND EVALUATION

**OBJECTIVE**  
**1**

**ESTABLISH OR STRENGTHEN NATIONAL OBSERVATORIES ON DRUGS, OR SIMILAR TECHNICAL OFFICES, STRENGTHENING NATIONAL DRUG INFORMATION SYSTEMS, AND FOSTER SCIENTIFIC RESEARCH TO GENERATE, COLLECT, ORGANIZE, ANALYZE, AND DISSEMINATE INFORMATION TO INFORM THE DEVELOPMENT AND IMPLEMENTATION OF EVIDENCE-BASED DRUG POLICIES AND STRATEGIES.**

**Priority Action 1.1: Develop and strengthen national drug observatories (NDO) or similar technical offices ensuring they have adequate human and financial resources.**

Costa Rica has a National Drug Information and Statistics Unit, which was created by Law 8204, as part of the organizational structure of the Costa Rican Drug Institute.

The National Drug Information and Statistics Unit has sufficient financial and human resources assigned to it to carry out its functions, as it is funded by direct transfers from the state and funds provided for under Articles 85 and 87 of Law 8204. The breakdown of budget allocations is as follows:

- Year 2020: US\$278,415
- Year 2021: US\$251,777
- Year 2022: US\$272,966
- Year 2023: US\$260,705

**Priority Action 1.2: Strengthen ties to academic and research institutions, as well as specialized non-governmental organizations, to foster scientific research and studies on the various aspects of the drug phenomenon.**

Costa Rica has established and maintained working relationships with academic and research institutions. In this regard, cooperation agreements are in place coordinating training and research that provide scientific evidence for decision making. Also, resources from articles 85 and 87 of Law 8204 have supported prevention and treatment efforts in non-governmental organizations, as well as the funding required for research that has been coordinated with academia.

The country has carried out the following studies on the drug problem through academic and research institutions:

- Consumption profile of psychotropic drugs for medical use in Costa Rica during the period 2018-2021
- Inclusion of the gender perspective in the care programs of non-governmental organizations that provide residential treatment in Costa Rica 2021-2022. Drug Information and Statistics Unit, DCI, 2022
- Inclusion of the Sexually Diverse Population in Non-Governmental Organizations approved by

the Institute on Alcoholism and Drug Dependence (IAFA) Providing Residential Treatment in Costa Rica, 2021

- What are the reasons why not all NGOs that offer residential treatment for psychoactive substance use are IAFA-approved?, 2021
- Common factors in recidivism of psychoactive substance use in the population registered in the NGO care module of the PENSTAT System during the years 2018-2019
- Discharge due to non-compliance with treatment in the different NGOs authorized by IAFA. 2019 (2020)
- First Report: Profile of psychoactive substance use among students at public universities in Costa Rica

**Priority Action 1.3: Develop and adopt quantitative and qualitative methodologies and information-gathering mechanisms that allow for the comparison of data among countries.**

Costa Rica has developed and adopted quantitative and qualitative methodologies and information-gathering mechanisms that allow for the comparison of data among countries. In this regard, prevalence studies on the use of psychoactive substances are carried out in different population groups. These studies yield comparable information in the form of internationally-used indicators such as lifetime, yearly and monthly prevalence. The metric system is also used to report drug seizures in the country, which allows for comparability across the hemisphere.

The country has also conducted studies on drug use using a national methodology that follows the provisions of the Costa Rican Biomedical Research Act, harmonized with the Inter-American Uniform Drug Use Data System (SIDUC). In this regard, it conducts prevalence studies on the use of psychoactive substances in the general population, high school students, university students and persons deprived of liberty.

Additionally, Costa Rica has utilized the CICAD standard indicators for drug information networks for the collection, analysis, and reporting of national drug related data and information.

The country has carried out studies using methods non-representative of the population and/or qualitative methodologies to obtain information on drugs that can be shared with other countries that have carried out studies with similar methodologies. These studies have been conducted to identify factors unique to a sexually diverse population.



**Priority Action 1.4:** Establish and strengthen national drug information networks (DINs) to carry out long-term monitoring and early warning systems (EWS), including the use of a broad range of research methods and information sources, to develop rapid responses to emerging threats.

**Priority Action 1.5:** Contribute to the Early Warning System of the Americas (Spanish acronym SATA) to gather the available national alerts and disseminate them to member states, so that member states can respond in the shortest possible time to new threats.

**Priority Action 1.6:** Publish updates annually, when possible, on drug supply and drug demand utilizing the information provided on the national drug situation by using information from the national DINs.

The National Drug Information and Statistics Unit has a national drug information network (DIN) that interacts through the following means:

Means	Yes	No	Frequency
Meetings	X		No defined frequency, rather based on the specific needs that arise.
Document exchange	X		No defined frequency, rather based on the specific needs that arise.

The following stakeholders are involved in the DIN:

Stakeholders	Yes	No
Universities/Academia	X	
Health institutions	X	
Drug treatment facilities	X	
Law enforcement	X	
Forensic laboratories	X	
Statistical and census institutions	X	
Private consultants	X	
Civil society and other social stakeholders		X
International organizations of cooperation	X	

The DIN publishes a periodic report.

Costa Rica started the implementation of an early warning system (EWS) on drugs to identify New Psychoactive Substances (NPS) and other emerging drug threats, led by the National Drug Information and Statistics Unit. The EWS does not share information, alerts, and reports with the Early Warning System of the Americas (SATA).

The EWS has a mechanism to share information in real time.

The following stakeholders participate in the EWS:

Stakeholders	Yes	No
Universities/Academia		X
Health institutions		X
Drug treatment facilities		X
Law enforcement	X	
Forensic laboratories	X	
Statistical and census institutions		X
Private consultants		X
Civil society and other social stakeholders		X
International organizations of cooperation		X

**Priority Action 1.7:** Build capacity among relevant stakeholders to enhance the collection, management, and dissemination of drug related information.

The National Drug Information and Statistics Unit does not carry out trainings with local stakeholders to enhance data collection and management.

The National Drug Information and Statistics Unit convenes meetings and other workshops where the results of studies and other data collection activities are shared with local stakeholders.

**Priority Action 1.8:** Establish or strengthen forums at which drug researchers can present their findings to policymakers, and encourage their participation in CICAD experts groups.

Costa Rica has not established forums that allow drug researchers to present their findings to policymakers.

**Priority Action 1.9:** Foster and disseminate best practices and the exchange of successful experiences in research among member states.

The Drug Information and Statistics Unit does not foster and disseminate best practices and the exchange of successful experiences in research among member states.

**OBJECTIVE  
2**

**EXPAND ACCESS TO INFORMATION ON DRUG USE AND RELATED ISSUES THROUGH THE USE OF SOUND, SYSTEMATIC DATA COLLECTION PRACTICES, SCIENTIFIC RESEARCH, AND STANDARDIZED METHODOLOGIES, ENSURING THAT COUNTRIES HAVE THE INFORMATION NECESSARY TO DEVELOP SOUND DEMAND REDUCTION PROGRAMS AND POLICIES.**

**Priority Action 2.1:** Generate information on the incidence, prevalence, and modes of drug use and health impacts of drug use (e.g. non-fatal overdose, fatal overdose, infectious disease transmission), as well as drug use and health impact trends over time using sound, systematic data collection practices, scientific research, and standardized methodologies to monitor use across the general public and in key populations, whenever possible utilizing the Inter-American Drug Use Data System (SIDUC) as the standard methodology for epidemiological surveillance.

Costa Rica has carried out and published the following demand reduction studies:

Demand reduction			
Studies	Studies carried out and published		Year of most recent study
	Yes	No	
Survey of secondary school students	X		2019
National household surveys (12-64 years)		X	
Cross-section survey of patients in treatment centers		X	
Survey of patients in emergency rooms		X	
Survey of university students	X		2021
Survey of incarcerated individuals	X		2021
Studies on drug-related mortality		X	
Studies on drug-related morbidity		X	
Survey of other target populations		X	
Others: Studies on Gender Inclusion and Inclusion of Sexually Diverse Population			2022 and 2021

**Priority Action 2.2:** Develop drug treatment information systems that record the number of patients treated, diagnoses, clinical history, and available information on treatment outcomes.

Costa Rica has a national system for the collection of data on the number of patients treated, diagnoses, clinical history, and available information on treatment outcomes.

The national system on treatment data includes the following modalities and interventions:

Modalities and interventions	Yes	No
Community-based service		X

Screening, Brief Interventions, and Referral to Treatment	X	
Medication-Assisted Treatment	X	
Short-Term In-Patient or Residential Treatment	X	
Outpatient Treatment	X	
Long-term Residential Treatment	X	
Recovery Management	X	

Information on patients treated is collected from the following institutions:

Institution	Yes	No
Public health system	X	
Private institutions	X	
Non-governmental organizations	X	
Religious institutions		X

**Priority Action 2.3:** Evaluate and monitor the impact and the results of treatment and prevention programs using scientific methodologies and make recommendations to update programs based on findings.

Costa Rica has not carried out studies to evaluate the results treatment programs and interventions.

The country has conducted the following process evaluation of one of its treatment programs:

Evaluated program	Title of impact evaluation performed	Year of publication of research findings	Year of program evaluation
Court Supervised Drug Treatment Program (PTDJ)	Process evaluation of the PTDJ and its immediate effects on the beneficiary population	2019	2018

Costa Rica has not conducted impact evaluation of its prevention programs.

The country has mechanisms to continually monitor and evaluate the results of care, treatment, rehabilitation, recovery, and social integration programs and services in the public health and/or social protection network. The mechanisms include the following: The programs provided at the national level are endorsed and audited at least twice a year by a regulatory team of the Institute on Alcoholism and Drug Dependence (IAFA), which is the governing body on treating mental and behavioral illnesses caused by the use of psychoactive substances. It evaluates compliance with standards that guarantee the protection of human rights and the quality of the services received by the population. This team is called the Program Approval Unit of the IAFA. This unit has a management system to carry out procedures based on ISO IEC 17020, on the quality of inspection

processes. The evaluation assesses intervention processes based on quality criteria, as published by United Nations Office on Drugs and Crime (UNODC). Also, the Costa Rican Social Security Fund (CCSS) has implemented a management manual for the operation of Interdisciplinary Health Teams for Addiction Care (EISAA) - dual pathology, in the CCSS Health Services Network.

**OBJECTIVE**  
**3**

**EXPAND AND ENHANCE THE COLLECTION AND DISSEMINATION OF INFORMATION ON ILLICIT DRUG PRODUCTION, TRAFFICKING, AND RELATED ISSUES, THROUGH THE USE OF SOUND, SYSTEMATIC DATA COLLECTION PRACTICES, SCIENTIFIC RESEARCH, AND STANDARDIZED METHODOLOGIES.**

**Priority Action 3.1:** Generate information on illicit drug production, trafficking, drug markets, and related issues, using systematic data collection practices, scientific research, and wherever possible applying comparable methodologies.

Costa Rica has mechanisms to collect and analyze information related to the illicit supply of drugs. The following institutions participate in these mechanisms:

- Costa Rican Institute on Drugs
- Ministry of Public Security
- Judicial Investigation Bureau
- Municipal police
- Prison police
- Laboratory of Analytical Chemistry of the Judiciary

The country has the following information related to supply reduction, trafficking, and related crimes:

Supply reduction, trafficking, and related crimes			
Information	Available information		Year of most recent information
	Yes	No	
Quantification of illicit crop cultivation including crops grown indoors	X		2023
Number of seizures of illicit drugs and raw materials for their production	X		2023
Quantities of illicit drugs and raw materials for their production seized	X		2023
Number of seizures of controlled chemical substances (precursors)	X		2023
Quantities of seized controlled chemical substances (precursors)	X		2023
Number of seizures of pharmaceutical products		X	
Quantities of seized pharmaceutical products		X	
Number of persons formally charged with drug use, possession, and trafficking	X		2019
Number of persons convicted of drug use, possession, and trafficking	X		2021
Number of laboratories producing illicit plant-based drugs detected and dismantled		X	
Number of laboratories producing illicit drugs of synthetic origin		X	

Supply reduction, trafficking, and related crimes			
Information	Available information		Year of most recent information
	Yes	No	
detected and dismantled			
Chemical composition of seized drugs		X	
Sale price of drugs (for consumers)	X		2023
Number of persons formally charged with money laundering		X	
Number of persons convicted of money laundering	X		2021
Number of persons formally charged with trafficking in firearms, explosives, ammunition, and related materials		X	
Number of persons convicted of trafficking in firearms, explosives, ammunition, and related materials	X		2021
Number of persons formally charged with diversion of chemical substances		X	
Number of persons convicted of diversion of chemical substances		X	

Costa Rica does not carry out periodic studies and research on the drug market for illicit drugs.

The country carries out the following studies on medical and scientific uses and other legal use, as appropriate, of narcotics or psychotropic substances, subject to the international control system:

Type of Study	Title of report	Year of publication of research findings
Descriptive	Consumption profile of psychotropic drugs for medical use in Costa Rica during the period 2018-2021	2022
Descriptive	Consumption of psychotropic and narcotic drugs for medical use during the COVID-19 pandemic in Costa Rica	2021

**Priority Action 3.2: Conduct studies on the price, purity or concentration, and chemical profile of drugs.**

Costa Rica collects information on drug prices through the 2023 "Price Report." The country does not compile information on the purity or concentration, and chemical profile of drugs.

does not conduct chemical characterization or tests of purity for substances that may or may not be subject to international control.

**Priority Action 3.3:** Establish and strengthen the relationship between the NDOs, or similar technical offices, and national, and when applicable, local, or sub-national forensic laboratories to bolster the collection of data on the chemical composition of substances and precursors seized.

Costa Rica has agencies responsible for analyzing chemical substances, precursors, and pharmaceutical products, including new psychoactive substances. The Analytical Chemistry Section of the Department of Forensic Sciences Laboratories of the Judicial Branch provides expert analysis services for identifying controlled substances, new psychotropic substances and active ingredients in pharmaceutical formulations. There is no unit in charge of analyzing precursor substances and there are no procedures for this type of analysis. The Costa Rican Drug Institute is in charge of precursors. These agencies form part of the national drug information network (DIN).

The country does not implement or participate in periodic training programs for personnel involved in the analysis of chemical substances, precursors, and pharmaceutical products, including new psychoactive substances.

**Priority Action 3.4:** Strengthen drug information networks in member states by improving the mechanisms used to gather and analyze data to inform the development of public policies that control the illicit supply of drugs.

Costa Rica's drug information network (DIN) relies on standardized indicators for the collection of data on drug supply.

The country does not implement or participate in training activities for DIN stakeholders to improve and strengthen the mechanisms that are needed for the collection and exchange of information on drug supply.



**OBJECTIVE**

4

**PARTICIPATE IN AND STRENGTHEN THE MULTILATERAL EVALUATION MECHANISM (MEM) PROCESS, CONSIDERING ITS RECOMMENDATIONS.**

**Priority Action 4.1: Regularly collect information and data to evaluate implementation of the Hemispheric Plan of Action.**

For the eighth MEM evaluation round, Costa Rica compiled information on the implementation of the Hemispheric Plan of Action on Drugs 2016-2020 and submitted it in a timely manner for evaluation by the Government Experts Group (GEG) in the following thematic areas:

- Prevention, Treatment and Recovery Support Measures (2021)
- Measures to Control and Counter the Illicit Cultivation, Production, Trafficking, and Distribution of Drugs, and to Address their Causes and Consequences (2022)
- Institutional Strengthening; Research, Information, Monitoring, and Evaluation; and International Cooperation (2023)

**Priority Action 4.2: Support and facilitate active and timely participation in each of the MEM activities agreed to by member states.**

For the eighth MEM evaluation round, Costa Rica designated delegates for the following MEM groups, actively participating and contributing to the evaluation process:

Thematic Evaluation	National Coordinating Entities (NCEs)	Government Experts Group (GEG)
Prevention, Treatment and Recovery Support Measures (2021)	Yes	Yes
Measures to Control and Counter the Illicit Cultivation, Production, Trafficking, and Distribution of Drugs, and to Address their Causes and Consequences (2022)	Yes	Yes
Institutional Strengthening; Research, Information, Monitoring, and Evaluation; and International Cooperation (2023)	Yes	Yes

**Priority Action 4.3: Disseminate MEM evaluation reports by member states among national stakeholders, other pertinent organizations, and the general public.**

Costa Rica does not carry out periodic activities to promote or raise awareness of the MEM Evaluation Reports on Drug Policies aimed at national institutions.

**Priority Action 4.4: Promote use of the MEM’s findings to identify technical assistance needs.**

Costa Rica has not promoted the analysis of the findings of MEM Evaluation Reports on Drug Policies for national institutions to identify areas where technical assistance is needed to improve national drug-related policies and programs.

**Priority Action 4.5: Increase hemispheric cooperation and partnerships among member states and sharing of best practices and lessons learned.**

Costa Rica has not reviewed MEM Evaluation Reports on Drug Policies, nor has it identified opportunities to increase cooperation and partnerships with other member states and sharing of best practices and lessons learned (horizontal cooperation).

# INTERNATIONAL COOPERATION

**OBJECTIVE**

**1**

**PROMOTE AND STRENGTHEN COOPERATION AND COORDINATION MECHANISMS TO FOSTER TECHNICAL ASSISTANCE, IMPROVE EXCHANGE OF INFORMATION AND EXPERIENCES, AND SHARE BEST PRACTICES AND LESSONS LEARNED ON DRUG POLICIES.**

**Priority Action 1.1: Develop and implement a plan for promoting and strengthening technical assistance and horizontal cooperation among member states and with states outside of the Western Hemisphere, and with relevant international and regional organizations, and related initiatives and programs.**

(Costa Rica develops and implements a plan for promoting and strengthening technical assistance and horizontal cooperation among member states and with states outside of the Western Hemisphere, and with relevant international and regional organizations, and related initiatives and programs. For demand reduction, training activities are carried out with international organizations like the OAS Inter-American Drug Abuse Commission (CICAD/OAS), the United Nations, the Pan American Health Organization (PAHO), and the Cooperation Programme between Latin America, the Caribbean and the European Union on Drugs Policies (COPOLAD) through webinars and in-person seminars. There have been some bilateral cooperation events, the most recent with Uruguay on treating vulnerable populations (2019). As far as the Judicial Branch, meetings are also held between regional networks, such as with the Ibero-American Association of Public Ministries (SICA) and with members of the Ibero-American Network of International Legal Cooperation (IberRed).

The country has established secure communication channels for the exchange of intelligence information on drug interdiction and control. Information is shared through members of established cooperation networks, as well as through the police (crime bulletins). Regarding international criminal cooperation, information is sometimes shared spontaneously based on article 18, paragraph 4, of the United Nations Convention against Transnational Organized Crime. This is done by designating points of contact with different organizations such as COPOLAD and the Global Program on Criminal Network Disruption (CRIMJUST), through which channels for exchanging information have been established. Information is also shared through the police attachés of the Royal Canadian Mounted Police and the National Crime Agency of England.

Costa Rica also maintains contact with other intelligence agencies of friendly countries, both through official emails and through telephone applications like WhatsApp. In-person and virtual bilateral meetings are also used.

The country promotes the exchange, with member states and with states outside of the Western Hemisphere, and with relevant international and regional organizations, of best practices on training, specialization, and professional development of the staff responsible for implementing the national drug policies and strategies. The activities carried out included the representatives of central authorities, as well as meetings of network members: The Ibero-American Association of Public Prosecutors (AIAMP), the European Union Agency for Criminal Justice Cooperation

(EUROJUST), and the IberRed. Information is also shared through regional trainings for network representatives and/or members of the Public Prosecutor's Office. Bilateral meetings are also held on an ongoing basis to coordinate training and specialization courses.

Costa Rica participates in regional coordination activities to prevent crimes related to drug trafficking, such as firearms trafficking, extortion, kidnapping, money laundering, and corruption, among others. The activities have taken the form of bilateral meetings promoted by specialized networks. In addition, the Judicial Police are part of several networks. For example, with respect to arms trafficking, the Miscellaneous Crimes Section conducts operations and is in constant contact with the commission of police chiefs and directors of Central America, Mexico, and the Caribbean; participates in Orca operations; and also participates in Triguier network and the Assistance Program against Organized Crime (PAcCTO) operations. In addition, with regard to kidnapping and anti-extortion, the country is a member of the Ibero-American Anti-kidnapping Network and the Colombian National Police's Anti-Kidnapping and Anti-Extortion Directorate (DIASE).

The country has bilateral mechanisms in place for coordination and collaboration with Canada, England, Panama, the Netherlands, the United States and Spain, focused on the dismantling of criminal groups linked to drug trafficking and related crimes. The country promotes international criminal cooperation based on the United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances. It also seeks to foster the striking of bilateral treaties on international criminal cooperation to expedite request processing. The frequency with which these mechanisms are used cannot be determined since it is based on existing need at any given time, but qualitatively, the mechanisms can be said to be used frequently.

**Priority Action 1.2: Promote technology transfers and information sharing among and between member states and international organizations.**

Costa Rica has promoted technology transfers among and between OAS member states and international (including regional) organizations. In this sense, the Cybercrime Section of the Judicial Police is constantly communicating with respect to technological processes to help in the fight against cybercrime; improving investigation processes; and applying tools for managing new and innovative ways of operating that are already being developed in other countries.

The country has promoted information sharing among and between OAS member states and international (including regional) organizations. In this sense, the exchange of confidential information is between the authorities of each country and is not open to third parties. However, it can be noted that the sharing is under the auspices of international assistance that is carried out through the intervention of the Public Ministry and its International Relations Office, based on the cooperation agreements with each corresponding country, and that includes exchange of policing activities, such as surveillance, communications, bilateral meetings, and evidence seizures. Due to regional needs, information exchanges occur more frequently with Colombia, Ecuador, and Panama through counterpart offices or through UNODC programs, such as

container control, Operation Orion or CRIMJUST.

**Priority Action 1.3: Promote the dissemination of good practices and exchange of successful research experiences among and between member states and international organizations.**

Costa Rica promotes the dissemination of good practices and the exchange of successful research experiences among and between member states and international organizations on drug policies. In this regard, the country belongs to a number of international organizations where experiences are shared to develop investigations into drug trafficking and organized crime. This is done through the International Criminal Police Organization (INTERPOL) National Central Bureau, where exchanges of best practices in different areas are carried out. The same is true for the meetings of the other regional commissions we are part of, such as anti-gang and intelligence commissions. At the meetings, experiences are presented that provide feedback for the country's best practices.

**OBJECTIVE**  
**2****STRENGTHEN INTERNATIONAL COOPERATION AS DEFINED IN THE INTERNATIONAL LEGAL INSTRUMENTS RELATED TO THE WORLD DRUG PROBLEM, MAINTAINING RESPECT FOR HUMAN RIGHTS.****Priority Action 2.1: Strengthen regional and international cooperation by competent authorities to investigate and prosecute criminals on drug-related offenses.**

Costa Rica's competent authorities carry out cooperation activities at the regional and international level to investigate and prosecute criminals for drug-related offenses by carrying out international criminal cooperation requests involving two or more countries. This sometimes requires meetings beforehand to establish the best way to approach international criminal assistance.

The country takes human rights into account when carrying out these activities. In this sense, requests for international criminal cooperation are executed in accordance with current Costa Rican law, not based on the laws of the requesting state. In addition, requests that would violate fundamental rights must be brought before the jurisdictional authority, and it is up to the judge responsible for procedural safeguards to assess whether they are admissible.

**Priority Action 2.2: Strengthen regional and international cooperation to facilitate, where appropriate, mutual legal assistance, extradition, and transfer of proceedings, in accordance with international legal instruments, when investigating and prosecuting criminals on drug-related offenses.**

Costa Rica carries out activities to strengthen regional and international cooperation to facilitate, where appropriate, mutual legal assistance, extradition, and transfer of proceedings, in accordance with international legal instruments, when investigating and prosecuting criminals on drug-related offenses.

The Technical Advisory and International Relations Office is an office attached to the Attorney General's Office of the Office of the Public Prosecutor of Costa Rica and is the central authority for several international criminal cooperation instruments, including the following:

- Nassau Agreement
- Vienna Convention of 1988
- Palermo Convention
- Inter-American Arms Convention
- Budapest Convention
- Bilateral agreement between Costa Rica and Italy
- Bilateral agreement between Costa Rica and France
- Bilateral agreement between Costa Rica and Mexico

The status of central authority within the Office of the Public Prosecutor ensures the expeditious

processing of requests for international criminal cooperation. In addition, it fosters rapprochement between central authorities, as well as meetings between delegations of states involved in any potential request for assistance, which allows for a preliminary analysis and thus establish lines of work once the international criminal assistance has materialized. Meetings between delegations or meetings between central authorities are held in person as well as virtually.

**Priority Action 2.3: Enact national legislation and/or take administrative actions, as appropriate, to more fully implement the obligations set forth within these legal instruments.**

Costa Rica has enacted and adopted, during the evaluation period (2019-2023), the following legislative and administrative measures and actions to improve implementation of obligations set forth within international legal instruments related to the world drug problem, respecting human rights and gender equality:

	Enacted	Adopted	Name of the legislation / administrative measures or actions
<b>Legislative Actions/ Measures</b>	X	X	Law Creating the Specialized Jurisdiction for Organized Crime
<b>Administrative Actions/ Measures</b>	X	X	<ul style="list-style-type: none"> <li>• National Drug Strategy (2018-2022)</li> <li>• National Drug Plan</li> <li>• National Strategy on Drugs and Associated Crimes 2020-2030</li> </ul>

**Priority Action 2.4: Promote the accession, ratification, and implementation of the international legal instruments related to the world drug problem and related crimes.)**

Costa Rica has ratified or acceded to the following international legal instruments:

Conventions and Protocols		Yes	No
United Nations Conventions	Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children	X	
	Protocol against the Smuggling of Migrants by Land, Sea, and Air	X	
	Protocol against the Illicit Manufacturing and Trafficking in Firearms, their Parts and Components and Ammunition	X	
	Single Convention on Narcotic Drugs, 1961	X	
	Convention on Psychotropic Substances, 1971	X	
	Convention against Corruption, 2003	X	
Inter-American Conventions	Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and other Related	X	



	<b>Materials (CIFTA), 1997</b>		
	<b>Convention against Corruption, 1996</b>	X	
	<b>Convention on Mutual Assistance in Criminal Matters, 1992</b>	X	

## EVALUATIVE SUMMARY

### INSTITUTIONAL STRENGTHENING

#### **Objective 1**

**Establish and/or strengthen national drug authorities, placing them at a high political level and providing them with the necessary capabilities, resources, and competencies to coordinate formulation, implementation, monitoring, and evaluation of national drug policies.**

CICAD notes with satisfaction that Costa Rica has a national drug authority, which has a legal basis. Furthermore, CICAD observes that in Costa Rica has an independent annual budget for its national drug authority. Likewise, CICAD notes that Costa Rica has an ongoing coordination and collaboration mechanism among agencies and other levels of government (national and sub-national), to formulate, implement, monitor, evaluate, and update evidence-based national drug policies or strategies and that the national drug authority coordinates the areas of demand reduction, supply reduction, preventive alternative development programs, control measures, drug observatory, international cooperation, and program evaluation.

#### **Objective 2**

**Formulate, implement, evaluate, and update comprehensive national drug policies and/or strategies that promote balanced, multidisciplinary, and evidence-based approaches, while fully respecting human rights and fundamental freedoms, under the principle of common and shared responsibility, consistent with obligations of parties under international law, and take into account gender, age, community, cultural context, and socially inclusive development.**

CICAD notes that Costa Rica collects and uses evidence as a basis for formulating and updating national drug policies and/or strategies. In addition, CICAD observes the involvement of relevant actors from priority areas in the development, implementation, evaluation, and updating the national drug policies and/or strategies. CICAD notes that Costa Rica has partially delegated responsibilities to sub-national/local governments, to implement concrete actions related to drug policies and/or strategies, in coordination with the national drug authority, however said authority It does not have, in its central structure, an office or operational unit to promote, coordinate, train, and provide technical support on drug-related issues to sub-national/local governments or agencies. Likewise, the national drug authority does not have coordinators, offices, or representatives within its sub-national or local territories, as part of a decentralized operational and coordination structure at the local level to respond to the drug problem. Moreover, Costa Rica does not have a specific and ongoing mechanism or program to transfer funds or finance drug initiatives or projects implemented by sub-national or local governments. CICAD notes that Costa Rica engages private sector entities to develop innovative approaches in the implementation of drug policies and exchange information and best practices. CICAD notes that Costa Rica takes into account the 2020 Hemispheric Strategy on Drugs of the OAS and its corresponding Plan of Action to formulate or update national drug policies and strategies. Likewise, these policies and strategies take into account the UN 2030 Agenda for Sustainable

Development. CICAD observes that Costa Rica's national drug policies and strategies take into account the human rights approach, the gender perspective, and the social inclusion approach. Likewise, CICAD notes that Costa Rica has the necessary resources to implement drug policies and programs.

### **Objective 3**

**Design and coordinate national drug policies, that can be harmonized across related government policies and/or strategies, that address the fundamental causes and consequences of the drug problem.**

CICAD notes that Costa Rica has interagency and multisectoral policy and technical coordination mechanisms to address the drug problem through a comprehensive, balanced, and multidisciplinary approach, including its causes and consequences. Likewise, CICAD observes that the country has concrete multisectoral plans and programs to address the socioeconomic causes and consequences of the drug problem, based on human rights, public health, and development principles. Furthermore, CICAD notes that Costa Rica participates in international cooperation programs at the bilateral and multilateral levels to strengthen policies, programs, institutions, and their internal processes. Likewise, CICAD observes that the country promotes comprehensive and cross-cutting public policies to reduce and prevent crime, violence, social exclusion, and corruption. Additionally, CICAD notes that Costa Rica implements measures that promote equal access to justice and due process, taking into account gender, age, community, and cultural context. Likewise, CICAD observes that the country implements measures that foster citizen participation in the prevention of money laundering crimes at the national level. However, it does not implement other measures that encourage citizen participation in preventing other crimes, building community cohesion, increasing public security, or emphasizing social inclusion.

### **Objective 4**

**Design, adopt, and implement alternatives to incarceration for minor or non-violent drug or drug-related offenses, while taking into account national, constitutional, legal, and administrative systems, and in accordance with relevant international instruments.**

CICAD notes with satisfaction that Costa Rican legislation provides for alternative measures to incarceration for minor or non-violent drug-related offenses, which respect human rights and take into account the gender perspective in accordance with the relevant international instruments. Furthermore, CICAD observes that the country develops mechanisms to monitor and evaluate these measures, which involve academic and research institutions, as well as civil society, and promotes a common understanding of national legal norms, regulations, and internal procedures for their implementation.

**Objective 5**

**Promote and implement, as appropriate, in accordance with the policies, laws and needs of each country, comprehensive programs that promote social inclusion, especially to those at-risk populations.**

CICAD notes with satisfaction that Costa Rica has inter-agency and multisectoral programs that promote the social inclusion of individuals, families, and communities affected by the drug problem, taking into account the specific needs of at-risk populations. Furthermore, CICAD observes that the country disseminates best practices and lessons learned to improve institutional responses to the needs of at-risk populations.

**Objective 6**

**Promote proportionate sentencing for drug-related crimes that provides for penalties commensurate with the relative seriousness of offenses, in line with the international drug conventions and respecting the principles of due process, with gender perspective, age, community, and a human rights approach.**

CICAD notes with satisfaction that Costa Rica promotes domestic laws, which provide for proportional legal sentencing for minor drug-related offences, in accordance with national legislation, and has special courts for these offenses. Likewise, CICAD observes that the country promotes legal reforms, when appropriate, regarding proportional sentencing for minor drug-related offenses.

**RESEARCH, INFORMATION, MONITORING, AND EVALUATION****Objective 1**

**Establish or strengthen national observatories on drugs, or similar technical offices, strengthening national drug information systems, and foster scientific research to generate, collect, organize, analyze, and disseminate information to inform the development and implementation of evidence-based drug policies and strategies.**

CICAD notes that Costa Rica has a National Drug Observatory (NDO), which has a legal basis and sufficient financial and human resources assigned to it to carry out its functions. Likewise, CICAD observes that the country has established and maintained working relationships with academic and research institutions, and has carried out studies on the drug problem through them. Furthermore, CICAD notes that Costa Rica has developed and adopted quantitative and qualitative methodologies and information-gathering mechanisms that allow for the comparison of data among countries, has carried out studies on drug use applying a national methodology harmonized with SIDUC and has utilized the CICAD standard indicators for drug information networks for the collection, analysis, and reporting of national drug related data and information. Likewise, the country has carried out studies using methods non-representative of the population and/or qualitative methodologies to obtain information on drugs that can be shared with other

countries that have carried out studies with similar methodologies. Additionally, CICAD notes that the National Drug Observatory of Costa Rica has a national drug information network (DIN), which interacts through meetings and document exchanges, and publishes a periodic report. Additionally, the country began the implementation of an early warning system (EWS) to identify NPS and other emerging drug threats. However, it does not share information, alerts, and reports with the Early Warning System of the Americas (SATA). The EWS has a mechanism to share information in real time. However, CICAD observes that the National Drug Observatory of Costa Rica does not carry out trainings with local stakeholders to enhance data collection and management. However, it convenes meetings and other workshops where the results of studies and other data collection activities are shared with local stakeholders. CICAD notes that Costa Rica has not established forums that allow drug researchers to present their findings to policymakers. Likewise, CICAD observes that the Costa Rican observatory does not foster and disseminate best practices and the exchange of successful experiences in research among member states.

### **Objective 2**

**Expand access to information on drug use and related issues through the use of sound, systematic data collection practices, scientific research, and standardized methodologies, ensuring that countries have the information necessary to develop sound demand reduction programs and policies.**

CICAD notes that Costa Rica has carried out and published five demand reduction studies during the evaluation period (2019-2023). Likewise, CICAD observes that the country has a national system for the collection of data on the number of patients treated, diagnoses, clinical history, and available information on treatment outcomes. However, CICAD notes that Costa Rica has not carried out studies to evaluate the results treatment programs and interventions. On the other hand, the country has carried out a process evaluation of one of its treatment programs. However, it has not conducted impact evaluations of its prevention or treatment programs. On the other hand, Costa Rica has mechanisms to continually monitor and evaluate the results of care, treatment, rehabilitation, recovery, and social integration programs and services in the public health and/or social protection network.

### **Objective 3**

**Expand and enhance the collection and dissemination of information on illicit drug production, trafficking, and related issues, through the use of sound, systematic data collection practices, scientific research, and standardized methodologies.**

CICAD notes that Costa Rica has mechanisms to collect and analyze information related to the illicit supply of drugs and has information related to supply reduction, trafficking, and related crime. On the other hand, the country does not carry out periodic studies and research on the drug market for illicit drugs but carries out studies on medical and scientific uses and other legal use, as appropriate, of narcotics or psychotropic substances, subject to the international control

system. CICAD observes that Costa Rica collects information on the price of drugs, however, it does not collect information on their purity or concentration or their chemical profile. Furthermore, it does not conduct chemical characterization or tests of purity for substances that may or may not be subject to international control. CICAD notes that the country has agencies responsible for analyzing chemical substances, precursors, and pharmaceutical products, including new psychoactive substances, which are part of the national drug information network (DIN). However, the country does not implement or participate in periodic training programs for personnel involved in the analysis of these substances. CICAD observes that Costa Rica's DIN relies on standardized indicators for the collection of data on drug supply. On the other hand, the country does not implement or participate in training activities for DIN stakeholders to improve and strengthen the mechanisms that are needed for the collection and exchange of information on drug supply.

#### **Objective 4**

**Participate in and strengthen the Multilateral Evaluation Mechanism (MEM) process, considering its recommendations.**

CICAD notes that, for the eighth MEM evaluation round, Costa Rica compiled information on the implementation of the Hemispheric Plan of Action on Drugs 2021-2025 and submitted it in a timely manner for evaluation by the Government Experts Group (GEG). CICAD observes that, for the eighth MEM evaluation round, the country designated delegates for all MEM groups, actively participating and contributing to the evaluation process. However, CICAD notes that Costa Rica does not carry out periodic activities to promote or raise awareness of the MEM Evaluation Reports on Drug Policies aimed at national institutions. Likewise, CICAD notes that Costa Rica has not promoted the analysis of the findings of MEM Evaluation Reports on Drug Policies for national institutions to identify areas where technical assistance is needed to improve national drug-related policies and programs. Additionally, CICAD observes that the country has not reviewed MEM Evaluation Reports on Drug Policies, nor has it identified opportunities to increase cooperation and partnerships with other member states and sharing of best practices and lessons learned (horizontal cooperation).

### **INTERNATIONAL COOPERATION**

#### **Objective 1**

**Promote and strengthen cooperation and coordination mechanisms to foster technical assistance, improve exchange of information and experiences, and share best practices and lessons learned on drug policies.**

CICAD notes with satisfaction that Costa Rica develops and implements a plan for promoting and strengthening technical assistance and horizontal cooperation among member states and with states outside of the Western Hemisphere, and with relevant international and regional organizations, and related initiatives and programs. In addition, the country has established

secure communication channels for the exchange of intelligence information on drug interdiction and control. Additionally, Costa Rica promotes the exchange, with member states and with states outside of the Western Hemisphere, and with relevant international and regional organizations, of best practices on training, specialization, and professional development of the staff responsible for implementing the national drug policies and strategies. Likewise, the country participates in regional coordination activities to prevent crimes related to drug trafficking, such as firearms trafficking, extortion, kidnapping, money laundering, and corruption, among others. Additionally, Costa Rica has bilateral mechanisms in place for coordination and collaboration with other countries, focused on the dismantling of criminal groups linked to drug trafficking and related crimes. Furthermore, CICAD observes that the country has promoted technology transfers among and between OAS member states and international (including regional) organizations and the exchange of information between them. Likewise, CICAD notes that Costa Rica promotes the dissemination of good practices and the exchange of successful research experiences among and between member states and international organizations on drug policies.

### **Objective 2**

#### **Strengthen international cooperation as defined in the international legal instruments related to the world drug problem, maintaining respect for human rights.**

CICAD notes with satisfaction that Costa Rica's competent authorities carry out cooperation activities at the regional and international level to investigate and prosecute criminals for drug-related offenses. Likewise, CICAD observes that the country carries out activities to strengthen regional and international cooperation to facilitate, where appropriate, mutual legal assistance, extradition, and transfer of proceedings, in accordance with international legal instruments, when investigating and prosecuting criminals on drug-related offenses. Furthermore, CICAD notes that Costa Rica has enacted and adopted, during the evaluation period (2019-2023), legislative and administrative measures and actions to improve implementation of obligations set forth within international legal instruments related to the world drug problem, respecting human rights and gender equality. Likewise, CICAD observes that the country has ratified or acceded to all the international legal instruments of the United Nations and all the OAS Inter-American legal instruments regarding the world drug problem and related crimes.







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