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MULTILATERAL EVALUATION MECHANISM (MEM)

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

Guatemala

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

2023



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GUATEMALA

Evaluation Report on Drug Policies:

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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.

Guatemala’s national drug authority is the Executive Secretariat of the Commission Against Addiction and Illicit Drug Trafficking (SECCATID), which was established in 1994 and is positioned within the government administrative structure as the executive entity of the Commission against Addiction and Illicit Drug Trafficking, chaired by the Vice President of the Republic.

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.

SECCATID has a legal basis. The main law is the Anti-Drug Trafficking Act, whose article 70 establishes the Commission Against Addiction and Illicit Drug Trafficking, and whose article 72 integrates the aforementioned body and institutions that have competence in this area.

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

Guatemala 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) | 1,024,543.98 | 1,024,543.98 | 1,024,543.98 | 1,024,543.98 | 1,024,543.98 |

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.

Guatemala does not have a 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 and/or strategies.

The country’s national drug authority coordinates the areas of demand reduction, supply

reduction, 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.

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

In Guatemala, the Directorate of the National Observatory on Drugs (OND) of the Executive Secretariat of the Commission Against Addiction and Illicit Drug Trafficking (SECCATID), collects and uses evidence as a basis for formulating and updating national drug policies and/or strategies. In this sense, the OND collects, processes and analyzes information and generates reports for decision making. This information feeds the databases showing national hot spots used to decide on changes to the strategies for combating and controlling drug-related issues. In this case, the Executive Secretariat of the Commission Against Addictions and Illicit Drug Trafficking presents reports to the Commission Against Addiction and Illicit Drug Trafficking (CCATID) so national authorities can change their lines of action.

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

| Relevant actors | Development | Implementation | Evaluation | Update |
|---|-------------|----------------|------------|--------|
| Health Ministry | X | X | | X |
| Interior Ministry | X | X | X | X |
| Justice Ministry | X | X | | X |
| Education Ministry | X | X | | X |
| Regional and/or local governments | | X | | X |
| Scientific community/academia | X | | X | X |
| Civil society | X | | | X |
| Private sector | | | | X |
| Others: Ministry of Agriculture, Livestock | X | X | X | X |

| | | | | |
|---|--|--|--|--|
| and Food Office of the Public Prosecutor | | | | |
|---|--|--|--|--|

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.

Guatemala has partially delegated responsibilities on drugs issues to sub-national/local governments, to implement concrete actions related to drug policies and/or strategies, in coordination with the national drug authority. In this regard, each institution appoints focal points to develop, under their authority, the corresponding follow-up to the National Drug Policy. In addition, a number of cooperation agreements have been signed with public and private institutions to help attain the institutional objective with respect to the drug issue.

The national drug authority of the country has, 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. In this sense, the Prevention Directorate provides training on the consequences of drug use to the general population, including local/subnational governments or agencies.

Guatemala’s national drug authority has 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. In this regard, the Sub-Directorate for Analysis of Anti-Narcotics Information has different offices nationwide with personnel that specialize in the fight against drug trafficking.

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.

Guatemala does not engage private sector entities to develop innovative approaches in the implementation of drug policies and exchange information and best practices.

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.

Guatemala 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/or strategies. In this sense, the principle of respecting and recognizing fundamental rights is the main and most important focus of the policy. Additionally, actions implemented progressively are focused on reducing supply and demand.

The country's national drug policies and strategies take into account the United Nations 2030 Agenda for Sustainable Development. Through the National policy for addressing drugs and addiction, SECCATID has strengthened actions in the country, in compliance with the goals developed for Sustainable Development Goal (SDG) 16 on peace, justice and strong institutions and SDG 3 on healthy lives and well-being for the 2030 agenda, on rehabilitation, on assistance, and on development of specific guidelines for processing information and controlling substances in conjunction with other agencies, all to some extent to lay the groundwork for all other institutions involved in actions to prevent, control, and combat consumption that are to be oriented through the National Commission to strengthen their actions on drugs.

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.

Guatemala's national drug policies and strategies take into account a human rights approach. In this sense, the National Policy for Addressing Drugs and Addiction centralizes actions and strategies with a multilateral approach to address the complex and dynamic problem of drugs from a comprehensive development perspective aimed at promoting respect for human rights, with a focus on public health, gender, age group, culture, interagency coordination at different levels of government, and the different social strata of the Guatemalan population, based on scientific evidence generated by the National Observatory on Drugs.

The country's national drug policies and strategies take into account the gender perspective. In this sense, SECCATID coordinated and directed the drafting of the new National Policy for the Approach to Drugs and Addiction for the period 2019-2030. During that time period, specific actions are to be implemented to which the National Policy refers and whose general objective is precisely the implementation of actions aimed at reducing the demand and supply of drugs with a public health approach. The general objective is precisely the implementation of actions aimed at reducing drug demand and supply with a public health, gender, ethnic, multidisciplinary, multisectoral, balanced, and evidence-based approach, and with full observance of human rights, all actions that must be focused on.

Guatemala'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 by promoting strategies more focused on people, families and communities that directly suffer from the drug problem in the hemisphere, based on evidence and under comprehensive, balanced and sustainable approaches that promote inclusion and address risk factors and social determinants in each context.

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

Guatemala does not have the necessary resources to implement drug policies and programs. The national budget allocates different items oriented mainly to security and justice, specific to plans designed to combat drug trafficking in general. However, the drug problem is ever changing, and given its transformations, there are limits on the budget for taking necessary actions for adequate implementation. Still, with what is available, efforts are being made to achieve positive results in the implementation of policies and plans.

**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.

Guatemala 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. In this sense, policies and strategies are in place for implementing core and concrete actions against drug trafficking, and plans, programs and related projects are designed to coordinate on the basis of these tools.

Among the activities carried out is the creation of the Interinstitutional Center against Narcoactivity in Guatemala (CICNAG), with participation from the Public Ministry, the Ministry of the Interior, and the Ministry of National Defense, to carry out the coordination, action, compilation, integration, classification, and analysis of information on drug activity, with the aim of generating intelligence that helps provide lines of action to carry out effective operations and prosecute criminal actions, in order to prevent, combat, dismantle and eradicate criminal actions dedicated to drug trafficking throughout the national territory. drug trafficking and other related illicit activities.

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.

Guatemala does not have concrete multisectoral plans or programs to address the socioeconomic causes and consequences of the drug problem, based on human rights, public health, and development principles.

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

Guatemala participates in international cooperation programs at the bilateral and multilateral levels to strengthen policies, programs, institutions, and their internal processes, such as:

- Workshop for National Drug Observatories of Latin America and the Caribbean and the EU
- Activities of the Spanish Cooperation Training Center in Cartagena
- Multilateral workshop on Adequate Availability of Controlled Substances for Medical and Scientific Purposes

- Sub-Regional Training Seminar on Controlled Substances

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

Guatemala promotes comprehensive and cross-cutting public policies to reduce and prevent crime, violence, social exclusion, and corruption through the following policies:

- National Policy for the Prevention of violence and crime, citizen security and peaceful coexistence
- National Security Policy
- National Policy for Addressing Drug Addictions
- National Open Data Policy “Democratic Criminal Policy of the State of Guatemala”
- National Reparation Policy for Communities Affected by the Chixoy Hydroelectric Plant whose human rights were violated
- Institutional Policy for Gender Equality and Strategic Implementation Framework

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

Guatemala implements measures that promote equal access to justice and due process, taking into account gender, age, community, and cultural context. Through the following provisions and actions, Guatemala, in respecting the right to equality and inclusion, involves the population in general, without any distinction, focusing on persons whose access to justice is limited or difficult due to certain circumstances:

- Protection of Senior Citizens Act
- Office of the Ombudsperson for the Elderly of the Office of the Human Rights Ombudsperson
- Convention on the Elimination of All Forms of Discrimination against Women and its Optional Protocol
- Law Against Femicide
- Convention 169 of the International Labour Organization (ILO)
- Access to Justice Policy for Older Adults 2019-2023 of the Judicial Branch
- General Government Plan 2020-2024

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

Guatemala implements measures that foster citizen participation in crime prevention, build community cohesion, increase public safety, and emphasize social inclusion. In this regard, the

country is implementing the following actions at the national level:

- The National Policy for Violence and Crime Prevention, Citizen Security and Peaceful Coexistence 2014-2034
- National Strategy for Violence and Crime Prevention (ENP)
- National Open Government Action Plan 2021-2023
- Commission on Violence and Crime Prevention at the community level

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.

Guatemala's laws provide for alternative measures to incarceration for minor or non-violent drug-related offenses, as follows: 17-73 (Penal Code), Decree 48-92 (Law against Drug Trafficking) and Decree 33-2006 (Law of the Penitentiary Regime).

These measures do not take into account human rights or the gender perspective in accordance with the relevant international instruments.

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.

Guatemala does not develop mechanisms to monitor or evaluate alternative measures to incarceration for minor or non-violent drug-related offenses.

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

Guatemala does not promote a common understanding of national legal norms, regulations, and internal procedures for the implementation of alternatives to incarceration.

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.

Guatemala does not have 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.

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

Guatemala 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, and workshops, among others. It does so through active participation in the various meetings before international bodies, in which the national point of view can be expressed and these best practices and lessons learned can be shared. These include the following:

- Meeting of Heads of National Drug Law Enforcement Agencies of Latin America and the Caribbean (HONLEA)
- Meeting of the Group of Experts on Chemical Substances and Pharmaceutical Products of the Inter-American Drug Abuse Control Commission
- Meeting of the CICAD Group of Experts on Maritime Narcotrafficking
- Celebration of the 66th Session of the Commission on Narcotic Drugs (CND)

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.

Guatemala promotes the Anti-Narcotics Law, which provides for proportional legal sentencing for minor drug-related offenses in accordance with domestic law.

The country does not have special courts for minor drug-related offenses.

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

Guatemala does not promote 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.

Guatemala has an Observatory on Drugs (OND) of the Executive Secretariat of the Commission Against Addiction and Illicit Drug Trafficking (SECCATID), established through Decree 48-92 (Anti-Drug Trafficking Act) and Government Resolution 95-2012 of the President of the Republic of Guatemala.

The NDO has financial and human resources assigned to carry out its functions, as it is funded by Financing Source 11 (Current Revenues). The budget allocation as a cost center for the NDO does not exist. It is located under activity 01 in the direction and coordination budget under the auspices of the Executive Secretariat of the Commission Against Addiction and Illicit Drug Trafficking (SECCATID).

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.

Guatemala has established and maintained working relationships with academic and research institutions. In this regard, a variety of inter-institutional agreements have been signed with both public and private entities on providing statistical information that may be useful to the NDO.

The country has not carried out studies on the drug problem through universities or specialized research centers, non-governmental organizations (NGOs), or other academic and research institutions.

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

Guatemala has developed and adopted the following quantitative and qualitative methodologies and information-gathering mechanisms that allow for the comparison of data among countries:

- Data collection matrices
- Technical committees formed to compile inter-agency information
- Technical committees for producing early warning reports

However, the country has not carried out studies on drug use applying the Inter-American Uniform Drug Use Data System (SIDUC) methodology, or a national methodology that is harmonized with SIDUC.

Additionally, Guatemala 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 carried out the ENACOD using methods that are 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.

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 NDO has a national drug information network (DIN) that interacts through the following means:

| Means | Yes | No | Frequency |
|-------------------|-----|----|-----------|
| Meetings | X | | Monthly |
| Document exchange | X | | Monthly |

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.

Guatemala does not have an early warning system (EWS) on drugs or similar mechanism to identify NPS or other emerging drug threats.

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

The NDO carries out trainings with local stakeholders to enhance data collection and management.

) The NDO 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.

Guatemala 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 NDO promotes and disseminates best practices and the exchange of successful experiences in research among member states. In that sense, information is shared with the different organizations or instances with the purpose of making the information generated from the NDO known. Guatemala's NDO obtains and provides information through channels authorized by the Inter-American Observatory on Drugs. Experiences and good practices are exchanged through different activities such as the one carried out at the First Meeting of Drug Observatories organized by the Cooperation Program between Latin America, the Caribbean and the European Union on Drugs Policies (COPOLAD) III.

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.

Guatemala 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 | |
| National household surveys (12-64 years) | X | | 2020 |
| Cross-section survey of patients in treatment centers | | X | |
| Survey of patients in emergency rooms | | X | |
| Survey of university students | | X | |
| Survey of incarcerated individuals | | X | |
| Studies on drug-related mortality | | X | |
| Studies on drug-related morbidity | | X | |

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.

Guatemala 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.

Guatemala has carried out studies to evaluate prevention programs and/or interventions:

| Scope | Are evaluation studies carried out? | | Title of the study and assessment year |
|------------|-------------------------------------|----|--|
| | Yes | No | |
| Prevention | X | | National Study on Drug Consumption and Associated Factors in Guatemala (ENACOD) 2020 |
| Treatment | | X | |

The country has not carried out any process or intermediate outcome evaluations of prevention or treatment programs.

Guatemala has not conducted impact evaluations of any prevention or treatment programs.

The country has mechanisms to continually monitor and evaluate the results of the following programs and services in the public health care and/or social protection network:

| Programs/ Services | Mechanisms to continually monitor and evaluate the results | | Name of the mechanisms |
|---------------------------------|--|----|---------------------------|
| | Yes | No | |
| Care | X | | Minimum standards of care |
| Treatment | X | | |
| Rehabilitation | X | | |
| Recovery and social integration | X | | |

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.

Guatemala has mechanisms to collect and analyze information related to the illicit supply of drugs. General Subdirectorate for Anti-Narcotics Information Analysis (SGAIA) participates in these mechanisms.

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 | | 2022 |
| Number of seizures of illicit drugs and raw materials for their production | X | | 2022 |
| Quantities of illicit drugs and raw materials for their production seized | X | | 2022 |
| Number of seizures of controlled chemical substances (precursors) | X | | 2022 |
| Quantities of seized controlled chemical substances (precursors) | X | | 2022 |
| 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 | | 2022 |
| Number of persons convicted of drug use, possession, and trafficking | | X | |
| Number of laboratories producing illicit plant-based drugs detected and dismantled | | X | |
| Number of laboratories producing illicit drugs of synthetic origin detected and dismantled | X | | 2022 |
| Chemical composition of seized drugs | | X | |
| Sale price of drugs (for consumers) | X | | 2022 |
| Number of persons formally charged with money laundering | X | | 2022 |
| Number of persons convicted of money laundering | | X | |
| Number of persons formally charged with trafficking in firearms, explosives, ammunition, and related materials | | X | |

| Supply reduction, trafficking, and related crimes | | | |
|---|-----------------------|----|---------------------------------|
| Information | Available information | | Year of most recent information |
| | Yes | No | |
| Number of persons convicted of trafficking in firearms, explosives, ammunition, and related materials | | X | |
| Number of persons formally charged with diversion of chemical substances | | X | |
| Number of persons convicted of diversion of chemical substances | | X | |

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

The country does not carry out the studies on medical and scientific uses and other legal use of narcotics or psychotropic substances, subject to the international control system.

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

Guatemala does not collect data or information on drug prices, purity or concentration, and chemical profile of drugs.

The country conducts chemical characterization and tests of purity for substances that may or may not be subject to international control. The country has a mechanism through which substances that have been classified as not subject to international controls can be placed under control. The controlled substances are identified in Governmental Order 54-003 of the President of the Republic and Ministerial Order 239-2022 of the Minister of Public Health and Social Assistance.

In addition, the Ministry of Public Health and Social Assistance is in charge of the mechanism for controlling substances. It periodically reviews the lists of precursors or chemical substances and has the authority to amend via ministerial decree, adding new substances, removing some existing ones, or moving them from one list to another.

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.

In Guatemala, the National Institute of Forensic Sciences of Guatemala (INACIF) is responsible for analyzing chemical substances, precursors, and pharmaceutical products, including new psychoactive substances. It is a member of the drug information network (DIN).

The country implements the following periodic training programs for personnel involved in the analysis of chemical substances, precursors, and pharmaceutical products, including new psychoactive substances:

| Implements or participates in the program | Type of Training | Targeted institutions | Year when training was last done |
|---|---|---|----------------------------------|
| Implements | Course on Controlling the Trafficking and Illicit Manufacture of Narcotic Drugs and Psychotropic Substances | <ul style="list-style-type: none"> - Executive Secretariat of the Commission Against Addictions and Illicit Drug Trafficking (SECCATID) - Ministry of Public Health and Social Assistance (MSPAS) - National Institute of Forensic Sciences of Guatemala (INACIF) - Ministry of the Interior (MINGOB) | 2022 |

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.

Guatemala’s national drug information network (DIN) relies on standardized indicators for the collection of data on drug supply.

The country implements 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, Guatemala 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 Governmental Expert 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, Guatemala 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.

Guatemala 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.

Guatemala has 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. In this regard, the conclusions are analyzed and used to guide the country to strengthen and improve with respect to certain aspects that are essential to enhancing the applicability of the drug issue.

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

Guatemala has reviewed the MEM Evaluation Reports on Drug Policies and identified opportunities to increase cooperation and partnerships with other member states and sharing of best practices and lessons learned (horizontal cooperation). In this regard, the opportunities identified were as follows:

- Improve control of precursors and chemicals
- Strengthen the destruction and incineration of drugs
- Promote alternative development
- Improve communication channels

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.

Guatemala 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 this regard, the country has participated in the following events, where joint actions and best practices are discussed:

- Management of support from cooperating countries to improve infrastructure
- Meeting of Heads of National Drug Law Enforcement Agencies of Latin America and the Caribbean (HONLEA), where best practices were exchanged and ties were strengthened with counterpart States
- Meeting of the Group of Experts on Chemical Substances and Pharmaceutical Products
- Bilateral meetings with states and counterpart institutions

The country has established secure communication channels for the exchange of intelligence information on drug interdiction and control through the following measures:

- Video conferences of the Technical Subcommittee for Intelligence (SCTIC) of the Commission of Police Chiefs of Central America, Mexico, the Caribbean, and Colombia
- Video conferences of the Technical Subcommittee on Anti-Narcotics (SCTAN), which includes 12 police institutions from 10 member countries of the International Criminal Police Organization (INTERPOL).
- Coordination with international intelligence agencies.
- The Drug Crimes Prosecutor's Office of the Public Prosecutor's Office is assigned by the Attorney General to participate in the different editions of the Orion naval campaigns, in which more than 40 countries of the region participate in exchanging secure intelligence information on drug interdiction and control. This is in addition to exchanging strategies established with certain countries in which they carry out exchanges in specific cases.

Guatemala 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. In this sense, the country promotes the exchange, with foreign counterparts, of good practices in training, specialization and professional development

of the personnel in charge of implementing the National Policy Against Addictions and Illicit Drug Trafficking, through training received by international organizations such as, for example: Workshops for National Drug Observatories in Latin America and the Caribbean and the European Union, Activities of the Spanish Cooperation Training Center in Cartagena, and Meetings of the Heads of the National Organizations in Charge of Combating Illicit Drug Trafficking, Latin America and the Caribbean (HONLEA), among others.

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. In this sense, the country participates in the following activities:

- Technical Subcommittee on Anti-Narcotics (SCTAN), with the objective of learning about new drug trafficking routes, possible organizational forms and their territorial expansion, drug transfer methods, intelligence exchange and analysis
- Carrying out Diamond Plan Operations with INTERPOL
- Plan 04-2023, Regional Anti-Firearms Operation (ORCA)
- Working groups, coordination, contact links, visits and adoption of best practices
- High-level Security and Justice Groups
- Ibero-American Intelligence Service Forum
- Egmont Group
- Financial Action Task Force of Latin America (GAFILAT)
- The Drug Crimes Prosecutor's Office of the Office of the Public Prosecutor was appointed by the Prosecutor as a member of the Ibero-American Network of Anti-Drug Prosecutors (RFAI), where activities like exchanging strategies on preventing crimes associated with illicit drug trafficking are carried out. This is in addition to exchanging strategies established with certain countries in which they carry out exchanges in specific cases

Guatemala has bilateral mechanisms in place for coordinating and collaborating with other countries, focused on the dismantling of criminal groups linked to drug trafficking and related crimes, established with:

- The Guatemala-Mexico High Level Security Group (GANSEG)
- The Guatemala-El Salvador GANSEG
- The Guatemala-Honduras High Level Security Group and Justice (GANSEJ)
- Colombia
- Belize
- United States
- Ecuador

These mechanisms are used with the following frequencies:

- The representatives of each country that make up the different GANSEG subgroups meet twice a year to present outcomes and progress made during the first and second half of each year.

The representatives that make up the subgroups, in this case the National Civil Police of Guatemala, are responsible for Subgroup IV, Public and Border Security, which coordinates joint activities with peer nations to combat different transnational crimes.

- At other times, on a weekly basis.
- The Public Prosecutor's Office for Drug Trafficking Crimes of the Office of the Public Prosecutor is constantly working to coordinate with countries of the region on specific cases.

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

Guatemala has not promoted technology transfers among and between OAS member states and international (including regional) organizations.

The country has promoted the following information sharing among and between OAS member states and international (including regional) organizations:

- Operations of the different INTERPOL Diamond Work Plans in Central America, Mexico, the Caribbean and Colombia
- Mayan Regional Operation, Regional Anti-Gang Operation of the Technical Anti-Gang Subcommittee of the Commission of Chiefs and Directors of Police of Central America, Mexico, the Caribbean and Colombia (CJDPCAMCC)
- Ninth Regional Operation Against Firearms Trafficking (ORCA) of the CJDPCAMCC
- Profiling of persons is carried out
- Report on the legal status of persons
- Data on drug seizures and cocaine package labeling

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

Guatemala does not promote 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.**

Priority Action 2.1: Strengthen regional and international cooperation by competent authorities to investigate and prosecute criminals on drug-related offenses.

The competent authorities of Guatemala do not carry out cooperation activities at the regional and international level to investigate or prosecute criminals for drug-related offenses.

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.

Guatemala 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. In this sense, in accordance with international principles, rules and practice, it maintains relations with other states or organizations in order to contribute to maintaining peace and freedom; to respect for and defense of human rights; and to strengthening the democratic processes and international institutions that guarantee mutual and equitable benefits among states.

The country also executes and follows up on the different conventions, treaties and commitments adopted on the matter. In addition, it has the Anti-Drug Trafficking Act in place recognizing international legal assistance, which means that its remit is not temporary but rather applied permanently in collaboration with the counterparts. A specific extradition law is also in place.

Among the treaties and commitments adopted to strengthen regional and international cooperation to facilitate mutual legal assistance, extradition and referral of proceedings, the following are mentioned:

- The Cooperation Treaty between the Government of the Republic of Guatemala and the Government of the United Mexican States on Mutual Legal Assistance. Signed on February 26, 1996. Approved on June 24, 1997. Ratified on July 20, 1997. Published on July 28, 1997
- The Agreement between the Republic of Guatemala and the Republic of Peru on Legal Assistance in Criminal Matters. Signed on April 16, 1998. Approved on May 31, 2006. Published on June 21, 2006
- The Inter-American Convention on Mutual Legal Assistance in Criminal Matters (1992)
- The Inter-American Convention on the Reception of Evidence Abroad (1975) and its Additional

- Protocol (1984); The Inter-American Convention on Exhorts and Letters Rogatory (1975)
- The Treaty on Mutual Legal Assistance in Criminal Matters between the Republics of Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua, and Panama
 - United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances
 - Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment
 - Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
 - United Nations Convention against Transnational Organized Crime; International Convention for the Suppression of the Financing of Terrorism
 - Inter-American Convention against Corruption
 - United Nations Convention Against Corruption
 - Inter-American Convention against the Illicit Manufacturing and Trafficking of firearms, ammunition, explosives and other related materials

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.

Guatemala has not enacted or adopted, during the evaluation period (2019-2023), legislation or administrative measures and actions to improve the implementation of obligations set forth within international legal instruments related to the world drug problem, respecting human rights and gender equality.

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

Guatemala 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 | |
| | Convention against Transnational Organized Crime, 2000 | | |
| | 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 Materials (CIFTA), 1997 | X | |

| | | | |
|--|--|---|--|
| | Convention against Corruption, 1996 | X | |
| | Convention on Mutual Assistance in Criminal Matters, 1992 | 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 that Guatemala has a national drug authority, which has a legal basis. Furthermore, CICAD observes that in the country there is an annual budget for the national drug authority, which is independent. However, CICAD notes that Guatemala does not have a 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 and/or strategies and that the national drug authority coordinates the areas of demand reduction, supply reduction, 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 Guatemala 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 of national drug policies and/or strategies. CICAD notes that the country has partially delegated drug responsibilities to local/subnational governments to implement concrete actions related to drug policies and strategies, in coordination with the national drug authority, and that said the said authority has, 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. In addition, the national drug authority has 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. However, Guatemala 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 observes that the country does not engage private sector entities to develop innovative approaches in the implementation of drug policies and exchange information and best practices. CICAD notes that Guatemala 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/or strategies. Likewise, these policies and strategies take into account the UN 2030 Agenda for Sustainable Development. CICAD

observes that the country's national drug policies and strategies take into account the human rights approach, the gender perspective, and the social inclusion approach. On the other hand, CICAD notes that Guatemala does not have 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 Guatemala 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. However, CICAD observes that the country does not have concrete multisectoral plans or 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 Guatemala participates in international cooperation programs at the bilateral and multilateral levels to strengthen policies, programs, institutions, and their internal processes. Additionally, 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 Guatemala 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 crime prevention, build community cohesion, increase public safety, and emphasize 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 that Guatemala's laws provide for alternative measures to incarceration for minor or non-violent drug-related offenses, however, these measures do not take into account human rights or the gender perspective in accordance with the relevant international instruments. Furthermore, CICAD observes that the country does not develop mechanisms to monitor or evaluate these measures and does not promote a common understanding of national legal norms, regulations, and internal procedures for the implementation of said measures.

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 that Guatemala does not have 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. However, 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 observes that Guatemala promotes legislation that provides for proportional legal sentencing for minor drug-related offenses in accordance with domestic law but does not have special courts for these offenses. However, CICAD notes that the country does not promote 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.

CICAD notes that Guatemala has a National Drug Observatory (NDO), which has a legal basis and has been assigned financial and human resources to carry out its functions. Likewise, CICAD observes that the country has established and maintained working relationships with academic and research institutions but has not carried out studies on the drug problem through them. Furthermore, CICAD notes that Guatemala has developed and adopted the following quantitative and qualitative methodologies and information-gathering mechanisms that allow for the comparison of data among countries, however, has not carried out studies on drug use applying the SIDUC methodology but 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 that are 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. Likewise, CICAD

observes that the Guatemalan observatory has a national drug information network (DIN), which interacts through meetings and the exchange of documents, and publishes a periodic report. However, the country does not have an early warning system (EWS) to identify NPS and other emerging drug threats. CICAD notes that the country's observatory carries out trainings with local stakeholders to enhance data collection and management, as well as meetings and other workshops where the results of studies and other data collection activities are shared with local stakeholders. However, CICAD observes that Guatemala has not established forums that allow drug researchers to present their findings to policymakers. On the other hand, CICAD notes that the country's observatory promotes and disseminates 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 Guatemala has carried out and published a demand reduction study during the evaluation period (2019-2023). Likewise, CICAD notes 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. Furthermore, CICAD observes that Guatemala has carried out a study to evaluate prevention programs and interventions, but not for treatment programs. Likewise, the country has not carried out process or intermediate outcome evaluations of prevention or treatment programs. On the other hand, the country has mechanisms to continually monitor and evaluate the results of care, treatment, rehabilitation, and 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 Guatemala has mechanisms to collect and analyze information related to the illicit supply of drugs and has information related to supply reduction, trafficking, and related crimes. However, the country does not carry out periodic studies and research on the drug market for illicit drugs or on the medical and scientific uses and other legal use of narcotics or psychotropic substances, subject to the international control system. CICAD observes that Guatemala does not collect data or information on drug prices, purity or concentration, and chemical profile of drugs, although it does conduct chemical characterization and tests of purity for substances that may or may not be subject to international control. Likewise, the country has mechanisms through which substances that have been classified as not subject to international controls can be placed under control. CICAD notes that Guatemala has an institution responsible

for analyzing chemical substances, precursors, and pharmaceutical products, including new psychoactive substances, which is part of the national drug information network (DIN). In addition, the country implements periodic training programs for personnel involved in the analysis of these substances. CICAD observes that Guatemala's DIN relies on standardized indicators for the collection of data on drug supply and that the country implements 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 evaluation round of the MEM, Guatemala 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 Expert Group (GEG). CICAD observes that, for the eighth round of MEM evaluation, the country designated delegates for all MEM groups, actively participating and contributing to the evaluation process. However, CICAD notes that Guatemala does not carry out periodic activities to promote or raise awareness of the MEM Evaluation Reports on Drug Policies aimed at national institutions. On the other hand, CICAD observes that the country has 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 notes that Guatemala has reviewed the MEM Evaluation Reports on Drug Policies and 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 that Guatemala 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. Moreover, Guatemala 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, Guatemala has bilateral mechanisms in place for coordinating and collaborating with other countries, focused on the dismantling of criminal groups linked to drug trafficking and related crimes. However, CICAD observes that the country has not promoted technology transfers among and between OAS member states and international (including regional) organizations, but it has promoted information sharing among and between them. On the other hand, CICAD notes that Guatemala does not promote 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 that the competent authorities of Guatemala do not carry out cooperation activities at the regional and international level to investigate or prosecute criminals for drug-related offenses. On the other hand, 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. However, CICAD notes that Guatemala has not enacted or adopted, during the evaluation period (2019-2023), legislation or administrative measures and actions to improve the implementation of obligations set forth within international legal instruments related to the world drug problem, respecting human rights and gender equality. On the other hand, 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.



**ORGANIZATION OF AMERICAN STATES (OAS)
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