

Multilateral
Evaluation
Mechanism
MEM

El Salvador

Evaluation of Progress in Drug Control

Organization of American States – **OAS**

Inter-American Drug Abuse Control Commission – **CICAD**

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1999
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2000
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Organización de los Estados Americanos – OEA
Comisión Interamericana para el Control del Abuso de Drogas – CICAD

Organization of American States – OAS
Inter-American Drug Abuse Control Commission – CICAD

Organização dos Estados Americanos – OEA
Comissão Interamericana para o Controle do Abuso de Drogas – CICAD

Organisation des Etats Américains – OEA
Commission Interaméricaine de Lutte Contre l'abus des Drogues – CICAD

NATIONAL ANTI-DRUG STRATEGY

El Salvador does not have a National Anti-Drug Plan. To assist in developing one, at the initiative of the Executive Office of the Commission to Fight Drug Activity (CAN) and the Salvadoran Anti-Drug Commission (COSA), the Interagency Commission was established. The Plan will cover the areas of supply reduction, demand reduction, control measures. It will also develop an evaluation system and its institutional framework, and determine its budget.

Central coordinating functions are carried out jointly by CAN (responsible for supply reduction and control activities) and COSA (responsible for demand reduction and prevention activities). The two Commissions were established by executive orders. The Executive Office of CAN and COSA implements the work policies of the Commissions. This structure does not include a body for compiling and processing information. The Commissions' budgets are funded under public safety and justice budgetary allocations.

El Salvador has ratified the UN Conventions of 1961, 1971, and 1988, the Inter-American Convention against Corruption, and the Inter-American Convention Against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives and Other Related Materials. It has not signed the Inter-American Convention on Mutual Assistance in Criminal Matters.

It has national laws and regulations that govern drug-related areas in keeping with the international conventions. Specifically, it has legislation on money laundering control, chemical substance diversion, and trafficking in firearms, ammunition, and explosives, in keeping with the CICAD Model Regulations.

El Salvador does not have an comprehensive system for the collection and maintenance of statistics and documents. However, the draft National Anti-Drug Plan (PNAD) envisages the creation of a drug observatory to compile information from various sources, which will make it possible to keep statistics on drug-related problems in the country. CICAD and the National Anti-Drug Plan of Spain are providing cooperation in the design and implementation of the PNAD. Currently, the country only maintains statistics on supply reduction and control measures.

Recommendations

1. **Complete the design and approval of the National Anti-Drug Plan and proceed with its implementation.**
2. **Sign and ratify the Inter-American Convention on Mutual Assistance in Criminal Matters.**

3. **Continue the process of establishing a drug observatory so that statistics and documents become available enabling consolidated information on demand reduction, supply reduction, and control measures to be kept.**

DEMAND REDUCTION

El Salvador has no National Demand Reduction Strategy, but it has adopted the UN Declaration on the Guiding Principles of Drug Demand Reduction and its Plan of Action. Neither has it established a national system of drug abuse prevention programs targeting key populations. There are no “Drugs in the Workplace” programs.

There is one public sector treatment and rehabilitation program; the only such private sector program has limited care capacity. There are no minimum standards of care for drug treatment, nor is professional specialized training available.

There is no regular study of drug use in the general population. However, “epidemiological windows” are being employed in emergency rooms in two Salvadoran cities.

FUNDASALVA has conducted research among various groups on, inter alia, beliefs and practices involving the use of alcohol and other drugs, and youth lifestyles.

Despite FUNDASALVA studies to determine the age of first drug use, the limited number of groups studied and the sample size did not enable data to be produced reflecting drug use in the general population.

Recommendations

1. **Approve a national demand reduction strategy based on the UN Declaration on the Guiding Principles of Drug Demand Reduction and its Plan of Action for purposes of systematically developing and implementing programs in this critical area.**
2. **Establish public and private sector “Drugs in the Workplace” programs.**
3. **Establish minimum standards of care for institutions offering treatment and rehabilitation services.**
4. **Create training opportunities for personnel working in drug prevention, treatment, and rehabilitation.**

5. **Conduct studies to determine the scale and characteristics of drug use in the general population to include indicators on prevalence, incidence, and age of first use.**

SUPPLY REDUCTION

El Salvador has small areas of cannabis crops located mainly in the Departments of Chalatenango and Cabañas, with total potential production of 72 metric tons per year.

The National Public Health Council is the body responsible for control of pharmaceuticals and controlled chemical substances, as well as oversight and regulation of professions involved in pharmaceutical distribution and use. These professions are regulated by the Higher Public Health Council Act and by the Medical, Dental, and Pharmaceutical Professions Supervisory Board, as well as the Regulations on Narcotics, Psychotropic Substances, Precursors, Chemical Substances and Chemical Aggregates. The Higher Public Health Council is responsible for preparing estimates of legitimate pharmaceutical and controlled chemical substance needs.

In carrying out its activities to prevent the diversion of pharmaceuticals, El Salvador controls some substances in addition to those specified in international instruments and, in application of these provisions, seized 12 pharmaceuticals, only 4 of which are regulated internationally.

The 1991 law on drug-related activities establishes penal and civil sanctions for the diversion of controlled chemical substances, while the 1988 Health Code, the 1988 Higher Public Health Council Act, and the 1958 Medical Supervisory Board Act establish administrative sanctions for the diversion of pharmaceuticals. In enforcing this legislation, El Salvador reports the application of 12 criminal sanctions, and 25 administrative sanctions for pharmaceuticals; and five penal sanctions in connection with controlled chemical substances.

El Salvador has a mechanism for national interagency exchanges of operational information on pharmaceuticals and controlled chemical substances. Information is channeled through the Higher Public Health Council and the Anti-Narcotics Division of the National Civil Police, and is disseminated to all entities responsible for drug control.

The agency responsible for international information exchanges on pharmaceuticals and controlled chemical substances is the National Civil Police through the Joint

Anti-Narcotics Intelligence Center, which is responsible for receiving and disseminating such information.

As part of its controls of controlled chemical substances, El Salvador uses the pre-export and pre-import notification system for controlled chemical substances envisaged in Article 12 of the 1988 Vienna Convention. In this connection, it has issued 236 pre-export notifications. El Salvador did not indicate that it had received replies thereto. It also received 4 pre-export notifications, which were replied to in a timely fashion.

Recommendation

1. Establish a mechanism to monitor and control the expansion of illicit crops.

CONTROL MEASURES

The Office of the Attorney General of El Salvador and the National Civil Police are the law enforcement agencies responsible for preventing and controlling illicit drug trafficking. Administrative agencies are the Higher Public Health Council, the Commission to Fight Drug Activity, the Salvadoran Anti-Drug Commission, the Ministry of Finance, and the Customs Bureau. The courts are the judicial agencies responsible for judicial control in this area.

In 1999, the Cuscatlán Joint Group (GCC) was established, comprising the Anti-Narcotics Division of the National Police, the Armed Forces, and the Executive Port Commission. It controls and seeks to create an immediate response capacity in illicit drug trafficking cases. The GCC is also responsible for national interagency exchanges of operational information and collaboration. The Joint Anti-Narcotics Intelligence Center is responsible for international information exchanges and coordination.

El Salvador carried out 1,254 drug seizure operations and reports that 98.0 grams of heroin; 27,994.8 grams of cocaine; 4,688 cannabis plants; and 604,580.6 grams of leaf cannabis (grass) were seized through those operations. It also reports that 1,319 persons were arrested; 895 prosecuted, and 204 convicted for illicit drug trafficking. El Salvador did not request international cooperation to investigate and prosecute drug traffickers.

El Salvador has defined as an offense the illicit manufacture, importation, and exportation of firearms, explosives, ammunition, and other related materials. A proposal to introduce specific criminal provisions on the illicit trafficking of firearms

and explosives is currently being studied by the legislative assembly. Administrative controls are in place for the prevention thereof, as well as laws and regulations authorizing the seizure or freezing of the aforementioned articles. The Weapons and Explosives Division of the National Civil Police is the administrative agency responsible for maintaining a record of the manufacture, importation, exportation, and transit of firearms, explosives, and other related materials. It also has a mechanism or authority that ensures, before authorizing the release of the aforementioned articles for export, that importing or transit countries have issued the necessary licenses or authorizations. It also has a body that effects interagency coordination and information exchanges.

For 1999, El Salvador reports 341 persons prosecuted and 72 convicted in connection with these offenses, and 72 seizure operations in connection with drug trafficking of firearms, ammunition, explosives, and other related materials. 85 firearms were seized therein. It also reports that it identified the origin of these articles, and the routing employed in their diversion.

Under the 1998 Money and Asset Laundering Act, El Salvador defined money laundering as an offense, to include the suppression and prevention of the laundering of the proceeds of drug trafficking and other criminal activities. It also created a specialized group of inspectors and a specialized police unit responsible for investigations in this area. The group and unit need international support for their training. El Salvador also has in place administrative controls and national laws authorizing the freezing or seizure and forfeiture of such proceeds.

The Financial Investigation Unit (FIU) of the Office of the Attorney General of El Salvador is responsible for processing data obtained from disclosures of information relating to suspicious transactions. The Money and Asset Laundering Act requires the disclosure of suspicious transactions. El Salvador has a mechanism responsible for the management of assets seized in connection with illicit drug trafficking, although its name is not provided. No criminal or administrative sanctions have been applied in connection with these types of offense.

El Salvador did not make or receive requests for international cooperation to investigate and prosecute money-laundering offenses.

Recommendation

1. **Strengthen mechanisms for international cooperation to investigate and prosecute offenses involving the manufacture and illicit trafficking of firearms, ammunition, explosives, and other related materials.**

HUMAN, SOCIAL AND ECONOMIC COST OF DRUGS

Estimating the human, social and economic cost of the drug problem in all of its manifestations constitutes a complex process. This information is relevant to each country's understanding of the magnitude of the drug problem. This would enable each country to appreciate the direct and indirect cost in proportion to their Gross National Product or national annual budget. Because many countries have difficulty in providing these estimates, CICAD is proposing a hemispheric-wide program involving training and technical assistance, which should assist the country in its effort in confronting the drug problem and fulfilling this indicator's requirements.

Recommendation

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

SUMMARY OF RECOMMENDATIONS

CICAD recommends that El Salvador's anti-drug efforts be strengthened by addressing the following:

1. Complete the design and approval of the National Anti-Drug Plan and proceed with its implementation.
2. Sign and ratify the Inter-American Convention on Mutual Assistance in Criminal Matters.
3. Continue the process of establishing a drug observatory so that statistics and documents become available enabling consolidated information on demand reduction, supply reduction, and control measures to be kept.
4. Approve a national demand reduction strategy based on the UN Declaration on the Guiding Principles of Drug Demand Reduction and its Plan of Action for purposes of systematically developing and implementing programs in this critical area.
5. Establish public and private sector "Drugs in the Workplace" programs.
6. Establish minimum standards of care for institutions offering treatment and rehabilitation services.
7. Create training opportunities for personnel working in drug prevention, treatment, and rehabilitation.
8. Conduct studies to determine the scale and characteristics of drug use in the general population to include indicators on prevalence, incidence, and age of first use.
9. Establish a mechanism to monitor and control the expansion of illicit crops.
10. Strengthen mechanisms for international cooperation to investigate and prosecute offenses involving the manufacture and illicit trafficking of firearms, ammunition, explosives, and other related materials.
11. Develop the capacity to estimate the human, social, and economic cost of the drug problem.