

# Honduras

## Evaluation of Progress in Drug Control 2005-2006

# MEM

**Multilateral Evaluation Mechanism**



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





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**ORGANIZATION OF AMERICAN STATES (OAS)  
Inter-American Drug Abuse Control Commission (CICAD)**

**Multilateral Evaluation Mechanism (MEM)  
Governmental Expert Group (GEG)**

# **HONDURAS**

**EVALUATION OF PROGRESS IN DRUG CONTROL  
2005–2006**

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**CICAD wishes to thank the following national institutions of Honduras which provided information for this MEM national Fourth Round report:**

- National Council Against Drug Trafficking
- State Secretariat in the Ministry of Foreign Affairs
- Honduran Observatory on Drugs, technical unit of the National Council Against Drug Trafficking
- Honduran Institute for Prevention of Alcoholism, Drug Addiction and Drug Dependency (IHADFA).
- Department of Forensic Medicine, Public Ministry
- Department of Drug Trafficking Control (DLCN), Public Ministry.
- State Secretariat in the Health Ministry, Unit for Control of Health-Related Products
- Financial Information Unit, National Banking and Insurance Commission
- Supreme Court
- State Secretariat in the Ministry of Security
- State Secretariat in the Ministry of Defense
- Special Prosecutor for Organized Crime, Public Ministry
- Computer Science and Legislative Studies Center of the National Congress



## PREFACE

The Multilateral Evaluation Mechanism (MEM) is a diagnostic tool designed by all 34 member states of the Organization of American States (OAS) to periodically carry out comprehensive, multilateral evaluations of the progress of actions taken by member states and by the hemisphere as a whole, in dealing with the drug problem. The Inter-American Drug Abuse Control Commission (CICAD), an OAS specialized agency, implemented this Mechanism in 1998, pursuant to a mandate from the Second Summit of the Americas held in Santiago, Chile in 1998.

The MEM is not only an evaluation instrument, but has also become a vehicle for disseminating information on the progress achieved by individual and collective efforts of OAS member state governments, catalyzing hemispheric cooperation, promoting dialogue among member state government authorities and precisely channeling assistance to areas requiring greater attention by optimizing resources. The MEM process itself is assessed by the Intergovernmental Working Group (IWG), comprised of delegations from the 34 member states, which meets before the onset of each MEM evaluation round to review and improve all operational aspects of the mechanism, including the indicators of the evaluation questionnaire.

National evaluation reports are drafted by experts from each member state, with experts not working on their own country's report, guaranteeing the transparent multilateral nature of the MEM. Each chapter is based on countries' responses to a questionnaire of indicators covering the main thematic areas of institution building, demand reduction, supply reduction and control measures<sup>1</sup> as well as subsequent comments and updated information provided by the government-appointed coordinating entities.

This report covers the full country evaluation for the MEM Fourth Round evaluation period 2005–2006. The follow-up report on the implementation progress of recommendations assigned to Honduras will be published in June 2009. All MEM reports can be accessed through the following webpage: [www.cicad.oas.org](http://www.cicad.oas.org).

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<sup>1</sup> Information for the money laundering sub-section was also taken from the Detailed Assessment Report on Anti-Money Laundering and Combating the Financing of Terrorism (2004) of the Caribbean Financial Action Task Force (FATF).



## INTRODUCTION

Honduras has a total area of 112,492 km<sup>2</sup>, with a coastline of 820 km and 1,520 km of borders. To the south and the east, it shares a border with Nicaragua (922 km), to the southwest with El Salvador (342 km), and to the west with Guatemala (256 km). The country has 7,326,496 inhabitants (2006). The main ethnic groups in the country are mestizos, indigenous peoples, Afro-descendants, and whites. The literacy rate was 76.2% in 2003. Honduras has a Republican, democratic, representative form of government. Administratively, the country is divided into 18 departments, which in turn are subdivided into autonomous municipalities. The per capita Gross Domestic Product is US\$3,000 (2006) and the inflation rate is 5.7% (2006). Annual exports total US\$1.947 billion. Its primary exports are coffee, bananas, shrimp, lobster, beef, zinc, and lumber.

### I. INSTITUTION BUILDING

#### A. National Anti-drug Strategy

During the evaluation period, Honduras had a National Drug Control Strategy that was adopted in 2000, and extended in 2002 until December 31, 2006, at which time it expired. The Strategy covers actions in the areas of demand reduction, supply reduction, development programs related to prevention or reduction of illicit crop cultivation, and drug production and trafficking, control measures, money laundering, and evaluation programs.

The authorities involved in approving the national strategy include the Office of President of the Republic, the National Congress, and the National Council Against Drug Trafficking.

The National Drug Control Strategy does not have a budget allocated to it. Consequently, each institution responsible of executing it allocates the necessary resources from their assigned budget to carry out pertinent activities. Activities are also executed through self-financing, contributions from civil society and international cooperation.

Honduras reports that it is not possible to determine the amounts allocated to each area for the execution of the anti-drug strategy.

The National Council against Drug Trafficking is the authority that coordinates national anti-drug policies. This institution was established in May 1990, and it is a decentralized agency under the Office of the President of the Republic with a legal basis.

The National Council against Drug Trafficking carries out its mandates through its Executive Secretariat and is responsible for coordinating actions in the areas of demand reduction, supply reduction, development programs related to the prevention or reduction of illicit crop cultivation, drug production or trafficking, control measures, drug observatory, international cooperation, and program evaluation.

The national authority has an annual budget that is separate from that of other government entities and is directly allocated by the government. The amounts budgeted for the national authority are presented in the following table:

**Budget for the National Authority,<sup>2</sup> 2004–2006**

Fiscal Year	Proposed Budget (US\$)	Total Budget Received (US\$)
2004	630,666.14	178,207.70
2005	316,550.36	175,914.34
2006	210,222.05	203,095.52

The country indicates that the budget for the National Council against Drug Trafficking is inadequate.

**CICAD notes with satisfaction that Honduras had a National Anti-drug Plan for the period under review, which enabled it to pursue various activities to tackle the drug problem in the country. CICAD encourages the country in its efforts to draft a new strategy for the next evaluation period.**

## B. International Conventions

Honduras has ratified the following conventions:

- Inter-American Convention on Mutual Assistance in Criminal Matters, 1992, with a reservation (September 25, 2006).
- Inter-American Convention Against Corruption, 1996 (May 25, 1998).
- Inter-American Convention against Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives and Other Related Materials (CIFTA), with a reservation (October 3, 2004).
- United Nations Single Convention on Narcotic Drugs, 1961, as amended by the 1972 Protocol (April 16, 1973).
- United Nations Convention on Psychotropic Substances, 1971 (May 5, 2005).
- United Nations Convention on the Law of the Sea, 1982 (October 5, 1993).
- United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, 1988 (December 11, 1991).
- United Nations Convention against Transnational Organized Crime, 2000 (November 4, 2003).
- United Nations Convention against Corruption, 2003, with a reservation (May 5, 2005).

The country has not signed or ratified the Protocols of the United Nations Convention against Transnational Organized Crime against the Smuggling of Migrants by Land, Sea and Air; to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children; and against the Illicit Manufacturing of and Trafficking in Firearms, their Parts and Components and Ammunition.

In keeping with the relevant international conventions, the country adopted the “Regulations for Health Control of Products, Services, and Establishments Related to Health” (Agreement No. 6, 2005); a revision of the Penal Code (Decree No. 14-2006); and Decree 180-2006 on control of tobacco use.

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<sup>2</sup> Exchange rate: 19.0275 Lempiras per U.S. dollar (May 2007).



**CICAD recognizes Honduras' progress in ratifying the international conventions on drugs. However, it is concerned that the country has not acceded to the three Protocols of the United Nations Convention against Transnational Organized Crime.**

### **RECOMMENDATION:**

1. ACCEDE TO THE FOLLOWING PROTOCOLS OF THE UNITED NATIONS CONVENTION AGAINST TRANSNATIONAL ORGANIZED CRIME, A RECOMMENDATION REITERATED FROM THE SECOND EVALUATION ROUND, 2001–2002:
  - A. PROTOCOL AGAINST THE SMUGGLING OF MIGRANTS BY LAND, SEA AND AIR;
  - B. PROTOCOL AGAINST THE ILLICIT MANUFACTURING OF AND TRAFFICKING ON FIREARMS, THEIR PARTS AND COMPONENTS AND AMMUNITION; AND
  - C. PROTOCOL TO PREVENT, SUPPRESS AND PUNISH TRAFFICKING IN PERSONS, ESPECIALLY WOMEN AND CHILDREN.

## **C. National Information System**

The Honduran Observatory on Drugs (OHSD) is the entity that compiles and coordinates drug-related statistics and other drug-related information. The main obstacles encountered in collecting and analyzing this type of information are the OHSD's lack of technical and computer resources, and poor cooperation between governmental institutions.

Honduras uses the following means to distribute public information and materials related to the drug problem: libraries, schools, universities, research institutes, national publications, e-mail, and publications and reports by the national drug authority and other government agencies. The country does not have a budget to disseminate information related to the drug problem.

Honduras has a helpline to provide drug-related information to the general public, through which callers are attended and referred to treatment centers, if necessary. The service is free and it has nationwide coverage. It is estimated that, on average, the helpline assists 65 persons each month.

**CICAD observes Honduras' efforts in establishing a helpline, and urges the country to strengthen its mechanisms to collect and analyze drug-related information nationwide.**

### **RECOMMENDATION:**

2. STRENGTHEN THE HONDURAN OBSERVATORY ON DRUGS IN ORDER TO ENSURE ITS EFFECTIVE OPERATION, A RECOMMENDATION REITERATED FROM THE THIRD EVALUATION ROUND, 2003–2004.

## **II. DEMAND REDUCTION**

### **A. Prevention**

Honduras is implementing drug abuse prevention programs that target some key sectors of the population. These programs are being implemented in both primary schools and secondary schools.





The country indicates that because of budget problems, it is working on a regional level in the central zone, and on a national level by request.

The prevention programs developed by Honduras during 2004–2006 can be observed in the following table:

**Prevention Programs Developed, 2004–2006**

Key Population	Coverage			Type of Program
	2004	2005	2006	
<b>Pre-school (kindergarten to 4th grade)</b>	—	5.13%	5.79%	Child Safety Program (PROSI)
	17.76%	8.97%	—	“Valiéndome por mi Mismo” Program
<b>Primary (10 to 12 years)</b>	—	20.37%	46.72%	Drug Prevention Program for Primary Schools (Community Police)
	—	17.07%	20.16%	Educational Program on Resisting and Avoiding Gangs (EREM)
<b>Secondary (13 to 18 years)</b>	—	32.68%	16.51%	Drug Resistance Education Program for Secondary Schools (DARE)
<b>Adults</b>	—	0.93%	1.94%	“Despertad” Program

The country has also developed the “Conociéndome” prevention project, with a coverage of 6.69% in 2004, and 13.33% in 2006; and the “Educación Preventiva Integral” project, with a coverage of 75.55% in 2004. These projects are directed at secondary school students. Honduras also reports that during 2005 and 2006, training activities were carried out on basic information on gangs, directed at adults, justice officers, and the police.

During 2005, 12 persons from the Honduran Institute for the Prevention of Alcoholism, Drug Addiction, and Drug Dependency (IHADFA) participated in a course on addictions and in refresher or in-service training courses as part of the project entitled “Establishment of a Treatment, Rehabilitation, and Aftercare Network in Central America”, with technical assistance from the United Nations Office on Drugs and Crime (UNODC).

Courses on drug abuse prevention, treatment, and research are included in the curriculum of psychiatry students at the Autonomous University of Honduras.

In 2004 and 2005, five professionals attended international master’s programs on issues related to drug demand reduction. Moreover, the country participated in two international training exchange programs.

The country indicates that the courses described above do not meet national demand for professional training in the areas of prevention and treatment.

**CICAD recognizes Honduras’ efforts in the area of prevention, with the implementation of programs for children and schools, which are considered as populations at risk. However, it considers it important for the country to take into account other key sectors of the population, such as university students, women, children outside of the school system, and prison inmates, in order to implement new prevention programs.**



**CICAD considers it important for Honduras to initiate evaluations of its ongoing drug abuse prevention programs.**

### **RECOMMENDATIONS:**

3. EXPAND THE COVERAGE OF DRUG USE PREVENTION PROGRAMS DIRECTED AT THE SCHOOL POPULATION.
4. INITIATE DRUG USE PREVENTION PROGRAMS DIRECTED AT UNIVERSITY STUDENTS.
5. CARRY OUT AN EVALUATION OF ONE OF THE COUNTRY'S PRIORITY DRUG ABUSE PREVENTION PROGRAMS, A RECOMMENDATION REITERATED FROM THE THIRD EVALUATION ROUND, 2003–2004.

### **B. Treatment**

Honduras has established mandatory minimum treatment standards at national and local levels. These standards are supported by the Law of the Honduran Institute for the Prevention and Treatment of Alcoholism, Drug Addiction, and Drug Dependency (IHADFA), and Regulation No. 70-1987, issued on June 16, 1987.

IHADFA is the institution responsible for overseeing adherence to the standards of care for drug treatment and for evaluating the quality of services provided. However, the country reports that it does not have the necessary instruments for accreditation of treatment services and programs.

The National Council Against Drug Trafficking and IHADFA are the institutions responsible for keeping the registry of drug treatment programs and facilities.

Honduras offered training to personnel responsible for drug abuse treatment, through the Training School associated with "Proyecto Hombre" and the online course on addictions, Project CAM H90, in cooperation with the United Nations Office on Drugs and Crime (UNODC).

The country has five private and five public outpatient programs (including clinics), and two public and 10 private residential care programs.

Honduras has three public and two private detoxification services; four public and six private treatment and rehabilitation services; six private aftercare services; and four public and six private self-help groups. All of these services have regional coverage.

Treatment programs and centers provide care to all of the population, and NGOs conduct self-help groups for prison inmates.

The Integral Care Center reported that 137 patients received treatment for drug abuse in 2004, 236 in 2005, and 1,109 in 2006. Additionally, the country reports that 17 private and five public institutions provided attention to drug dependent persons.

**CICAD recognizes the efforts of the country in the implementation of minimum standards of care for drug abuse treatment, which will help the different treatment centers to maintain basic guidelines.**



**CICAD considers it important for the country to carry out evaluations to measure the quality of treatment services and programs.**

### **RECOMMENDATION:**

6. DEVELOP INSTRUMENTS FOR THE ACCREDITATION OF TREATMENT SERVICES AND PROGRAMS.

### **C. Statistics on Consumption**

Honduras does not have surveys on drug use prevalence or incidence in the general population. In 2005, the country conducted a drug use prevalence survey among secondary school students. The results are shown in the following table:

**First National Study on Students  
Prevalence of Drug Use among Secondary School Students, 2005**

Type of drug	Lifetime (percentage)			Last 12 months (percentage)			Last 30 days (percentage)		
	M	F	Total	M	F	Total	M	F	Total
<b>Alcohol</b>	46.01	41.27	43.38	24.47	20.24	22.12	14.66	11.15	12.70
<b>Tobacco</b>	47.84	34.40	40.37	22.67	12.24	16.87	12.89	5.91	9.01
<b>Solvents &amp; Inhalants</b>	2.72	1.18	1.86	0.96	0.37	0.63	0.33	0.11	0.21
<b>Hashish</b>	—	—	0.14	—	—	0.09	—	—	0.02
<b>Marijuana</b>	4.45	1.60	2.86	1.65	0.58	1.06	0.63	0.23	0.41
<b>Other Types of Hallucinogens</b>	—	—	0.42	—	—	0.20	—	—	0.08
<b>Types of Cocaine</b>	3.17	1.33	2.14	1.52	0.37	0.88	0.64	0.20	0.40
<b>Basuco, Coca Paste</b>	—	—	0.32	—	—	0.16	—	—	0.06
<b>Crack</b>	—	—	0.43	—	—	0.21	—	—	0.10
<b>Tranquilizers, Sedatives, and Depressants</b>	9.41	14.73	12.39	3.33	6.15	4.91	1.67	3.74	2.82
<b>Stimulants</b>	6.32	8.30	7.43	2.49	3.49	3.05	1.73	2.18	1.98
<b>MDMA (Ecstasy)</b>	—	—	0.24	—	—	0.08	—	—	0.05
<b>Any Illicit Drug</b>	9.71	4.74	6.70	4.02	1.69	2.72	1.83	0.73	1.22

The country presents an estimate on youth 12 to 17 years of age to determine the perception of drug use as being harmful to their health and well-being. The results are presented in the following table:

**First National Study on Students Percentage of Youth 12 to 17 Years of Age that Perceive Drug Use as Harmful to their Health and Well-Being, 2005**

Category	Percentage of those surveyed who believe that persons who carry out the following activities are at a moderate or great risk (or who think that it is quite harmful or very harmful)
Occasionally smoke cigarettes	71%
Often smoke cigarettes	83.7%
Often drink alcoholic drinks	83.4%
Get drunk	80.9%
Occasionally take non-prescribed tranquilizers/stimulants	66.1%
Often take non-prescribed tranquilizers/stimulants	72.2%
Occasionally inhale solvents	64.9%
Often inhale solvents	76%
Occasionally smoke marijuana	71%
Often smoke marijuana	83.7%
Occasionally take cocaine or crack	76.9%
Often take cocaine or crack	83.5%
Occasionally take ecstasy	72%
Often take ecstasy	79.2%

With respect to data on alcohol-related traffic fatalities, 120 persons were reported killed in 2004, 164 in 2005, and 763 in 2006. Additionally, it was determined that drunk driving was the primary cause of 9% of all accidents in 2005, and of 8% in 2006.

The Traffic Law which took effect on January 23, 2005 establishes nationwide regulations on measures to prevent alcohol-related traffic accidents.

**CICAD recognizes the efforts made by the country in obtaining drug use statistics through the 2005 survey on Prevalence of Drug Use among Secondary School Students. However, the country still lacks studies to determine the extent and characteristics of drug use and age of first use in the general population.**

**Moreover, CICAD recognizes that Honduras has updated its legal framework with the entry into force of the Traffic Law, that contains standards on alcohol-related accident prevention measures.**

**RECOMMENDATION:**

7. CARRY OUT STUDIES TO DETERMINE THE EXTENT AND CHARACTERISTICS OF DRUG USE IN THE GENERAL POPULATION, A RECOMMENDATION REITERATED FROM THE THIRD EVALUATION ROUND, 2003–2004.



### III. SUPPLY REDUCTION

#### A. Drug Production

Honduras reports that, during the evaluated period, the area of marijuana crops remained constant, at an estimate of 0.5 hectares per year. In 2004, 79,169 cannabis plants on 11 plantations were detected and destroyed and, in 2005, 75,806 marijuana plants on 12 plantations were detected and destroyed.

**CICAD notes that, while Honduras has not reported cannabis production in significant quantities, it is important for the country to continue to monitor areas susceptible to use for illicit crop cultivation.**

#### B. Control of Pharmaceutical Products

Honduras has the Regulations for Health Control of Products, Services, and Establishments Related to Health, for the control of pharmaceutical products, which have been in force since November 25, 2005.

The country does not have a mechanism for monitoring and preventing the diversion of pharmaceutical products applicable to health professionals and entities authorized to handle these products.

The State Secretariat in the Health Ministry is the entity responsible for coordinating activities related to control of pharmaceutical products. In Honduras, all pharmaceutical products containing substances listed in the relevant international conventions are controlled.

In the commercial sector, the country carries out the following activities: import and export control, license control, monitoring of distribution, inspection, imposition of administrative sanctions, registry of licensees, and registry of quantities of pharmaceutical products sold. In addition, the following activities are carried out in the health sector: license control, monitoring of distribution, monitoring of prescriptions, and transfer of unusual cases detected by administrative authorities to judicial authorities.

There is a system for compiling information on administrative and regulatory activities and sanctions imposed in connection with them. This system was used to compile the data presented in the table below:

**Administrative and Regulatory Activities Related to Control of Pharmaceutical Products, 2004–2006**

Regulatory Activities	2004	2005	2006
<b>Number of permits issued for:</b>			
<b>Importation</b>	—	1,290	831
<b>Exportation</b>	10	2	2
<b>Number of inspections conducted:</b>			
<b>Physicians</b>	30	3	2
<b>Dentists</b>	—	—	4
<b>Pharmacists</b>	468	244	231
<b>Manufacturers</b>	25	13	15
<b>Distributors</b>	54	19	32



Honduras offered training in handling pharmaceutical products to pharmacy inspectors, drug stores, and medicine sales outlets. The country indicates that these courses do not meet the demand for training.

The country does not have an automated information management system to facilitate the control of pharmaceutical products.

Honduran legislation provides for the application of penal, civil, and administrative sanctions in cases of diversion of pharmaceutical products. During the years 2004–2006, no sanctions of any type were applied for the diversion of these products.

The country indicates that it does not have regional offices or inspectors assigned to all of the country's customs offices for the control and oversight of pharmaceutical products.

Honduras did not seize or dispose of any pharmaceutical products during the years 2004–2006.

The country did not detect any activities related to the sale and distribution of pharmaceutical products or other drugs over the Internet, nor has it adopted legislative or administrative measures to control these activities.

**CICAD recognizes the efforts of the country to improve its domestic laws. However, it notes with concern that it has not made progress in implementing a mechanism to control the diversion of pharmaceutical products.**

**CICAD notes that the country does not have legislation or specific mechanisms to prevent and control the illicit trafficking of pharmaceutical products and other drugs over the Internet.**

### **RECOMMENDATIONS:**

8. ENSURE THE EFFECTIVE OPERATION OF THE SYSTEM FOR PREVENTING THE DIVERSION OF PHARMACEUTICAL PRODUCTS, THROUGH THE CREATION AND IMPLEMENTATION OF A CONTROL MECHANISM, A RECOMMENDATION REITERATED FROM THE SECOND EVALUATION ROUND, 2001–2002.
9. CARRY OUT RESEARCH AND TRAINING ACTIVITIES RELATED TO THE PREVENTION AND CONTROL OF THE ILLICIT TRAFFIC OF PHARMACEUTICAL PRODUCTS AND OTHER DRUGS VIA THE INTERNET, WHICH WILL ENABLE THE COUNTRY TO IDENTIFY ITS REGULATORY AND OPERATIVE NEEDS.

## **C. Control of Chemical Substances**

Honduras has the Regulations for Control of Health Products, Services, and Establishments Related to Health for the control of chemical substances. The country's legislation provides for the control of all chemical substances listed in the international conventions.

The country does not have a formal mechanism to monitor and prevent the diversion of controlled chemical substances, or an automated information management system to facilitate the control of the diversion of chemical substances.

The General Directorate for Health Regulation, through the Department for Health Control of Goods and Services, is the entity responsible for carrying out activities related to the national registry of



licensees, control of licenses for manufacture and distribution, inspections, control of distribution, control of final sale, pre-export notifications, and imposition of sanctions. Moreover, that institution, together with the Executive Directorate for Revenue, is responsible for control of the import and export of chemical substances.

The Department of Special Investigative Services of the Security Secretariat is the entity responsible for the control of transport of these substances. In addition, the Security Secretariat, the General Directorate for Control of Drug Trafficking of the Public Ministry, the Office of the Special Prosecutor against Organized Crime, and the Supreme Court of Justice are the entities responsible for conducting investigations and imposing penal sanctions.

Honduras does not offer training courses on control of the diversion of chemical substances for administrative, police, or customs officers.

The country reports that the main impediments to the effective control of chemical substances are inadequate inter-institutional coordination, shortcomings in regulation and law enforcement, and personnel shortages.

Additionally, the country indicates that it does not have regional offices or inspectors assigned to all of the country's customs offices for the control and oversight of chemical substances.

Honduran legislation provides for the application of penal, civil, and administrative sanctions in cases of diversion of controlled chemical substances. The country did not impose any administrative sanctions for the diversion of controlled chemical substances in 2005 and 2006.

Honduras reports that it does not export chemical substances or handles such substances when in transit.

The country did not receive any pre-export notifications for exports of controlled chemical substances. The notifications were received after the product's date of entry into the country. In 2004, the country reports that it received seven such notifications, none in 2005, and two in 2006.

Honduras reports that the main problem encountered in responding to export notifications received has to do with errors in the designation of the responsible entity.

The country reports that it did not seize any controlled chemical substances during the years 2004–2006.

**CICAD recognizes the efforts of the country to improve its domestic laws with respect to the control of chemical substances. However, CICAD observes with concern that the country has not made progress in the implementation of a mechanism to control the diversion of chemical substances.**

### **RECOMMENDATION:**

- 10. ENSURE THE EFFECTIVE OPERATION OF THE SYSTEM TO PREVENT THE DIVERSION OF CHEMICAL SUBSTANCES THROUGH THE CREATION AND IMPLEMENTATION OF A CONTROL MECHANISM, A RECOMMENDATION REITERATED FROM THE SECOND EVALUATION ROUND, 2001–2002.**



## IV. CONTROL MEASURES

### A. Illicit Drug Trafficking

Honduras carried out the following seizures during the years 2004–2006:

**Quantities of Drugs Seized, 2004–2006<sup>3</sup>**

Type of Drug	Number of Seizures			Quantities of Drugs Seized		
	2004	2005	2006	2004	2005	2006
<b>Cocaine Base</b>	16	14	55	2,633 kg.	55,359 kg.	2,995.48 kg.*
<b>Crack Cocaine</b>	5	2	40	312 rocks	486 rocks	7.94 kg. 1,165 rocks
<b>Cannabis Plants</b>	—	—	6	—	—	12,661 plants
<b>Leaf Cannabis (grass)</b>	7	5	275	2.77 kg.	3.63 kg.	3,824.50 cigarettes 1,394.49 kg.
<b>Cannabis Seed</b>	—	—	1	—	—	181.89 kg.

\* Includes 10 kg. and 704 kg. seized in combined operations between the coastguard services of other countries and the Honduran Navy.

Honduras reports that in 2004, 71 people were formally charged with illicit drug trafficking; 79 were formally charged in 2005 and 179 in 2006. In addition, 42 people were convicted of that crime in 2004, 52 in 2005, and 37 in 2006.

The country reports that no formal charges were filed against any public officials for crimes related to drug trafficking in 2004, and that four such accusations were filed in 2005 and two in 2006. Furthermore, in 2004 and 2005 no public officials were convicted of crimes related to drug trafficking and one person was convicted in 2006.

During 2004, 504 people were formally charged with illicit possession of drugs; 529 were formally charged in 2005 and 537 in 2006. In addition, 14 people were convicted of this crime in 2004, 25 in 2005, and 20 in 2006.

Honduras states that, according to its legislation, drug possession for personal use is considered as an illegal, punishable act.

Regarding alternative sentences for possession of illicit drugs for personal use, Honduras reports that, if it is determined that the person is drug dependent, he or she is admitted to a rehabilitation center for treatment.

There were no arrests for illicit drug possession for personal use in 2004, and 10 people were arrested for this offense in 2005, and 15 in 2006.

Honduras pursues inter-institutional coordination to facilitate the timely exchange of operational

<sup>3</sup> In addition to the amounts listed in the table, the country reports that, during year 2006, it seized 116 bags of crack cocaine, and six cigars and 23 small bags of cannabis.





information and cooperation among national authorities responsible for controlling illicit drug trafficking, and makes use of judicial assistance to facilitate the exchange of this type of information with authorities from other countries.

Honduras reports that in 2004 no judicial cooperation requests were made to other countries regarding illicit drug trafficking. In 2005, four requests were made, three of which were granted, and in 2006, six requests were made and four replies received granting requests.

The country reports that in 2004 and 2005 no requests for judicial cooperation were received from other states in connection with illicit drug trafficking. In 2006, one such request was received and granted.

The Public Ministry, Supreme Court of Justice, and the State Secretariat of the Interior and Justice are the authorities in charge of making and receiving extradition requests in illicit drug trafficking cases. The country does not provide information on the number of extradition requests that it has made or received for this offense, or on the number of replies granting requests.

Honduran national law prohibits the extradition of its nationals to stand trial abroad, without exception.

The country has not developed specialized training courses or informational sessions on controlling illicit drug trafficking for security, police, customs forces, prosecutors, or other employees of the Judicial Branch.

**CICAD recognizes the efforts that the country has made in the area of illicit drug trafficking, and urges the country to improve its information systems on extradition requests in illicit drug trafficking cases. However, CICAD observes that the country is not providing specialized training courses on combating drug trafficking.**

### **RECOMMENDATION:**

- 11. IMPLEMENT SPECIALIZED TRAINING COURSES ON COMBATING ILLICIT DRUG TRAFFICKING, DIRECTED AT LAW ENFORCEMENT PERSONNEL.**

## **B. Firearms, Ammunition, Explosives and other Related Materials**

In Honduras, the State Secretariat for National Defense is the entity responsible for granting import, export and transit licenses and permits, and the cancellation of licenses and permits for firearms, ammunition, explosives, and other related materials. The State Secretariat of Security and the Secretariat of National Defense are the entities responsible for the confiscation and forfeiture of such material if it is trafficked illegally. In addition, the Secretariat of Security, the Secretariat of Defense, the Public Ministry, and the Supreme Court are the entities in charge of the exchange of information on these items within the country, and with the respective authorities in other countries.

The country reports that the main impediment the country has found to the exchange of information and effective cooperation among the national entities in charge has been the lack of a digitized, real time communications system to allow all of the institutions involved to interface in the handling of information.



The Law on the Control of Firearms, Ammunition, Explosives and Similar Materials and the Criminal Code are the laws in force that criminalize the illicit manufacture of and trafficking in firearms, ammunition, explosives, and other related materials.

Honduras provides data on formal charges and convictions for the possession of and trafficking in firearms, ammunition, explosives, and other related materials in the following table:

**Persons Formally Charged with Illicit Possession of and Trafficking in Firearms, Ammunition, Explosives, and other Related Materials**

	2004	2005	2006
<b>Formally Charged Persons</b>			
<b>Firearms</b>	145	195	744
<b>Ammunition</b>	1	3	4
<b>Explosives</b>	0	2	1
<b>Other Related Materials</b>	1	0	2
<b>Convicted Persons</b>			
<b>Firearms</b>	62	126	364
<b>Ammunition</b>	0	0	3
<b>Explosives</b>	0	1	0
<b>Other Related Materials</b>	0	0	1

Honduras approved Regulations in 2005 that establish administrative controls for the import, export, and movement in transit of firearms, ammunition, explosives, and other related materials.

The Law for the Control of Firearms, Ammunition, Explosives, and Similar Materials requires Honduras to issue import or transit licenses or permits before authorizing entry of a shipment of firearms, ammunition, explosives, and other related materials.

The Law also requires the importing country to first issue the necessary licenses or permits before a shipment of firearms, ammunition, explosives, and other related materials can be authorized for export. Similarly, the country requires that before a shipment of firearms, ammunition, explosives, and other related materials can be authorized, the in-transit country must issue the necessary licenses or permits.

Honduras confiscated 116 firearms in 2004; 310 firearms, 165,859 rounds of ammunition, and 14 explosive devices in 2005; and 330 firearms, 3,601 projectiles, and 110 related materials in 2006.

The country provides information on the quantity of firearms and ammunition confiscated in relation to the number of arrests for illicit drug trafficking offenses in the following table:



**Quantity of Firearms and Ammunition Confiscated in Relation to the Number of Arrests for Illicit Drug Trafficking Offenses**

Year	Number of Arrests	Quantity of Confiscated Firearms	Quantity of Confiscated Ammunition	Number of Operations
2004	17	20	6,238	13
2005	15	52	690	18
2006	7	24	255	11

Honduras has computerized records of the importation and in-transit passage of firearms, ammunition, and explosives. The Law does not stipulate how long these records must be kept, and no regulations in this regard have been issued.

The Armory of the Armed Forces maintains the registry of sales and purchases of weapons for commercial use since 1976. The Department of Logistics maintains a permanent computerized registry of firearms, ammunition, and explosives assigned to the Armed Forces of Honduras.

According to the laws in force, the Secretariat of State in the Ministry of Security, through the General Department of Criminal Investigations, organizes and maintains the National Weapons Registry.

In Honduras, the Armed Forces, the General Department of Preventive Policing, the General Department of Criminal Investigations, and the State Secretariats in the Ministries of Defense and Security are in charge of exchanging operational information with other countries regarding the control of firearms, ammunition, explosives, and other related materials.

**CICAD recognizes the progress made by Honduras in maintaining computerized records on the import and transit of firearms, ammunition, and explosives. However, CICAD notes with concern that the country has not adopted regulations in this regard, and that the legislation in force does not dictate how long those records must be kept.**

### **C. Money Laundering**

Honduras reports that money laundering is criminalized by the Law against Money Laundering (Decree No. 45-2002). This law recognizes money laundering as an autonomous offense, independent of any other offense embodied in the common criminal law and special criminal laws. The offense of money laundering applies to both natural and legal persons.

The Law recognizes the following as predicate offenses to this crime: illicit drug trafficking, trafficking in persons, insider trading, illegal arms trafficking, trafficking in human organs, theft or robbery of automotive vehicles, robbery of financial institutions, financial fraud in public or private activities, kidnapping and terrorism. The criminalization of this offense is extended to crimes that have a sanction above five years of incarceration (known as "serious offenses"). The crimes of prostitution, pornography, extortion, and offenses against the administration are not recognized as predicate offenses for money laundering.

The Law against Money Laundering permits under-cover police operations, electronic surveillance, use of informants, controlled deliveries, and plea bargaining to combat this offense.



Honduran legislation includes administrative controls for private and state banks, financial institutions, exchange houses, securities' exchange, insurance companies, casinos, cross-border movements of cash or securities, lotteries, savings and credit cooperatives, and cash remittances. However, off-shore banks, real estate agencies, attorneys, notaries, and accountants are not regulated.

With regard to the number of persons formally charged with and convicted of money laundering offenses, the following data are reported for the years 2004–2006:

**Persons Formally Charged with and Convicted of Money Laundering, 2004–2006**

Year	Persons Formally Charged	Persons Convicted
2004	16	16
2005	42	2
2006	20	2

The Honduras Financial Intelligence Unit (FIU) was created by the Law against Money Laundering and is under the supervision of the Superintendency of Banks, Insurance and Financial Institutions.

The FIU is authorized to analyze, receive, and communicate conclusions, request information on all transactions carried out by an individual or entity in institutions belonging to the National Financial System, and obtain documents supporting such transactions. In addition, it shares information with other state institutions and counterpart foreign institutions.

This Unit has 14 officers and had an approved budget of US\$686,943 for 2004, US\$560,460 for 2005, and US\$683,132 for 2006.

Honduras indicates that its FIU was accepted as a member of the Egmont Group in June 2005. The country has signed memoranda of understanding to allow for information exchanges with 12 countries. Its laws permit information sharing without previously signing a memorandum.

Legislation on money laundering requires financial institutions and other responsible entities to report unusual or suspicious transactions, report transactions involving large amounts, register clients, verify the identity of clients, register transactions, keep records, and prohibit anonymous accounts. In addition, these entities must have compliance or enforcement officers, independent audits, and "know your customers" and "know your employees" policies.

**Number of Suspicious Transaction Reports Received and Investigated, 2004–2006**

Year	Number of Suspicious Transaction Reports Received	Number of Suspicious Transaction Reports Investigated
2004	76	68
2005	83	75
2006	122	109



The country reports that it is possible to obtain financial documents and records; they can be requested under the existing law for financial intelligence and for legal proceedings or judicial prosecution. Money laundering investigations are conducted through requests to lift bank secrecy, through the FIU.

**Requests to Obtain Documents from Banks and Other Financial Institutions,  
2004–2006**

Year	Number of money laundering cases	Number of requests to obtain documents from banks or other financial institutions	Number of cases in which financial documents and records were obtained
2004	166	258	258
2005	136	159	159
2006	69	132	132

The Law against Money Laundering provides for applicable precautionary measures. The Public Ministry or the competent judicial authority may hand down, without prior notification or hearing, peremptory orders of attachment, distraint, or any other preventive or precautionary measure provided by law to maintain the availability of the property, products or instruments of the offenses referred to in the law, and these shall be immediately placed in the custody of the Office of Seized Assets (OABI).

OABI is a dependency of the Public Ministry and in charge of the safekeeping, custody, and administration of all assets, proceeds, or instruments connected with the crime of money laundering. The country reports that the value of the property forfeited by OABI in money laundering cases was of approximately US\$6,046,037 during 2004, US\$6,180,763 in 2005, and US\$6,112,258 in 2006.

The Law stipulates that, at the request of another country, the competent judicial entity may order, in accordance with domestic law, the seizure, precautionary embargo or confiscation of goods, products or instruments located within its jurisdiction and related to offenses specified in the Law.

The Public Ministry and the Supreme Court are the central authorities responsible for receiving requests for freezing or seizures of assets.

The Supreme Court of Justice is the entity responsible for extradition procedures in money laundering cases.

**CICAD recognizes that Honduras has a legal framework to control money laundering, which includes repressive and preventive aspects.**

**However, it observes with concern that the law has not been amended to regulate offshore banks, real estate agencies, lawyers, notaries, and accountants, and that the crimes of pornography, extortion and offenses against the administration as predicate crimes in money laundering cases.**



## **RECOMMENDATIONS:**

12. EXPAND THE LIST OF PREDICATE OFFENSES FOR MONEY LAUNDERING TO INCLUDE ALL CRIMINAL ACTIVITIES CONSIDERED SERIOUS CRIMES UNDER THE PALERMO CONVENTION (PUNISHABLE BY A MAXIMUM DEPRIVATION OF LIBERTY OF AT LEAST FOUR YEARS OR A MORE SERIOUS PENALTY), A RECOMMENDATION FROM THE THIRD EVALUATION ROUND, 2003–2004.
13. EXPAND THE SCOPE OF THE LAWS IN FORCE ON MONEY LAUNDERING TO ENCOMPASS OFFSHORE BANKS, REAL ESTATE AGENCIES, LAWYERS, NOTARIES AND ACCOUNTANTS, A RECOMMENDATION FROM THE THIRD EVALUATION ROUND, 2003–2004.



## CONCLUSIONS

Honduras had a National Drug Control Strategy for 2002–2006, whose implementation involves various government agencies. As the Strategy does not have a budget allocated to it, each institution draws on funds from its assigned budget to carry out the activities for which it is responsible.

In the country, the national authority that coordinates national anti-drug policies is the National Council against Drug Trafficking, which has an annual budget that is separate from that of other government entities. However, the budget is insufficient.

Given that the National Plan expired in December 2006, it is important for the country to review and draw up a new plan for the forthcoming period.

CICAD recognizes the progress made in legal matters by the country, which has ratified the Inter-American Convention on Mutual Assistance in Criminal Matters, and the United Nations Conventions on Psychotropic Substances and Against Corruption.

CICAD notes that Honduras has a helpline which provides drug-related information to the general public and through which users are referred to treatment centers, if necessary. Another important development is the country's first drug-use prevalence survey among school students, which was carried out in 2005.

The country has also made progress in the area of drug use prevention, through the implementation of school-based programs for children and youth. However, it is important for the country to consider other key populations to carry out prevention programs and to initiate evaluations of its ongoing programs.

CICAD recognizes the country's improvements in its domestic regulatory framework, with the entry into force of the Traffic Law in January 2005, which includes regulations on measures to prevent alcohol-related accidents.

CICAD also recognizes the country's efforts in the implementation of minimum standards of care for drug dependent persons.

The country has made efforts to improve its domestic legislation with laws and regulations on supply reduction. However, it has yet to implement an automated information management system that ensures proper control and regulation of pharmaceutical products and chemical substances.

CICAD notes that Honduras has a legal framework for the control of money laundering, which includes repressive and preventive aspects. However, the country has not yet amended the law to regulate offshore banks, real estate agencies, lawyers, notaries, and accountants; and it does not consider the crimes of prostitution, pornography, extortion, and offenses against the administration as predicate offenses for money laundering.

CICAD recognizes the efforts made by Honduras and its active participation in the process of the Multilateral Evaluation Mechanism and urges the country to continue the processes initiated to extend the scope of its programs to reduce drug supply and demand.



## SUMMARY OF RECOMMENDATIONS

The following recommendations are assigned to Honduras in order to assist the country in strengthening its policies to combat the problem of drugs and related activities and increase multilateral cooperation in the Hemisphere:

### INSTITUTIONAL STRENGTHENING

1. ACCEDE TO THE FOLLOWING PROTOCOLS OF THE UNITED NATIONS CONVENTION AGAINST TRANSNATIONAL ORGANIZED CRIME, A RECOMMENDATION REITERATED FROM THE SECOND EVALUATION ROUND, 2001–2002:
  - A. PROTOCOL AGAINST THE SMUGGLING OF MIGRANTS BY LAND, SEA AND AIR;
  - B. PROTOCOL AGAINST THE ILLICIT MANUFACTURING OF AND TRAFFICKING ON FIREARMS, THEIR PARTS AND COMPONENTS AND AMMUNITION; AND
  - C. PROTOCOL TO PREVENT, SUPPRESS AND PUNISH TRAFFICKING IN PERSONS, ESPECIALLY WOMEN AND CHILDREN.
2. STRENGTHEN THE HONDURAN OBSERVATORY ON DRUGS IN ORDER TO ENSURE ITS EFFECTIVE OPERATION, A RECOMMENDATION REITERATED FROM THE THIRD EVALUATION ROUND, 2003–2004.

### DEMAND REDUCTION

3. EXPAND THE COVERAGE OF DRUG USE PREVENTION PROGRAMS DIRECTED AT THE SCHOOL POPULATION.
4. INITIATE DRUG USE PREVENTION PROGRAMS DIRECTED AT UNIVERSITY STUDENTS.
5. CARRY OUT AN EVALUATION OF ONE OF THE COUNTRY'S PRIORITY DRUG ABUSE PREVENTION PROGRAMS, A RECOMMENDATION REITERATED FROM THE THIRD EVALUATION ROUND, 2003–2004.
6. DEVELOP INSTRUMENTS FOR THE ACCREDITATION OF TREATMENT SERVICES AND PROGRAMS.
7. CARRY OUT STUDIES TO DETERMINE THE EXTENT AND CHARACTERISTICS OF DRUG USE IN THE GENERAL POPULATION, A RECOMMENDATION REITERATED FROM THE THIRD EVALUATION ROUND, 2003–2004.

### SUPPLY REDUCTION

8. ENSURE THE EFFECTIVE OPERATION OF THE SYSTEM FOR PREVENTING THE DIVERSION OF PHARMACEUTICAL PRODUCTS, THROUGH THE CREATION AND IMPLEMENTATION OF A CONTROL MECHANISM, A RECOMMENDATION REITERATED FROM THE SECOND EVALUATION ROUND, 2001–2002.





9. CARRY OUT RESEARCH AND TRAINING ACTIVITIES RELATED TO THE PREVENTION AND CONTROL OF THE ILLICIT TRAFFIC OF PHARMACEUTICAL PRODUCTS AND OTHER DRUGS VIA THE INTERNET, WHICH WILL ENABLE THE COUNTRY TO IDENTIFY ITS REGULATORY AND OPERATIVE NEEDS.
10. ENSURE THE EFFECTIVE OPERATION OF THE SYSTEM TO PREVENT THE DIVERSION OF CHEMICAL SUBSTANCES THROUGH THE CREATION AND IMPLEMENTATION OF A CONTROL MECHANISM, A RECOMMENDATION REITERATED FROM THE SECOND EVALUATION ROUND, 2001–2002.

### **CONTROL MEASURES**

11. IMPLEMENT SPECIALIZED TRAINING COURSES ON COMBATING ILLICIT DRUG TRAFFICKING, DIRECTED AT LAW ENFORCEMENT PERSONNEL.
12. EXPAND THE LIST OF PREDICATE OFFENSES FOR MONEY LAUNDERING TO INCLUDE ALL CRIMINAL ACTIVITIES CONSIDERED SERIOUS CRIMES UNDER THE PALERMO CONVENTION (PUNISHABLE BY A MAXIMUM DEPRIVATION OF LIBERTY OF AT LEAST FOUR YEARS OR A MORE SERIOUS PENALTY), A RECOMMENDATION FROM THE THIRD EVALUATION ROUND, 2003–2004.
13. EXPAND THE SCOPE OF THE LAWS IN FORCE ON MONEY LAUNDERING TO ENCOMPASS OFFSHORE BANKS, REAL ESTATE AGENCIES, LAWYERS, NOTARIES AND ACCOUNTANTS, A RECOMMENDATION FROM THE THIRD EVALUATION ROUND, 2003–2004.



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