



ORGANIZATION OF AMERICAN STATES

INTER-AMERICAN DRUG ABUSE CONTROL COMMISSION

cicad

BEST PRACTICES ON EFFECTIVE CONTROLS OF PORTS AND MARITIME NARCOTRAFFICKING

Next Steps at Panama Meeting in July 2007:

Ad-hoc Working Group to provide comments/input including respective best practices and lesson learned intercessionally to Canada/Marc Mes and CICAD Secretariat by 15 September 2007 for inclusion in this Best Practices document.

BEST PRACTICES ON EFFECTIVE CONTROLS OF PORTS AND MARITIME NARCOTRAFFICKING

This Best Practices document was developed by an ad-hoc Working Group of the Maritime Narcotrafficking Experts Group in a collaborative and coordinated approach to assist member states of the Organization of American States (OAS) in developing effective controls of ports and maritime narcotrafficking. This document is by no means exhaustive, but provides a collection of lessons learned and best practices as a non-binding tool to assist member states in their efforts to control ports and narcotrafficking.

Narcotraffickers have the ability and flexibility to change in response to pressures and opportunities and to take advantage of vulnerabilities among the member states of CICAD presented by poor controls. Member states require effective controls of ports and maritime narcotrafficking to deter drug traffickers from using maritime means to transport illicit drug cargos and related contraband.

Use of these Best Practices will further curb transnational organized crime and maximize opportunities to prevent further effective control of ports and maritime narcotrafficking.

Some National examples for effective controls of ports and maritime narcotrafficking are also available, and such information is included in this document.

The order in which these Best Practices are presented is not necessarily the order with which they should be considered, but they are organized into the following seven topics:

1. Detection

- Ø Risk assessment approach
- Ø Requires an integrated and coordinated approach
- Ø Effective non-intrusive inspections
 - a. Coastal Watch Programs
 - Public/Private partnerships
 - b. Detection Technology
 - X-ray and gamma ray systems including mobile VACIS inspection systems
 - Remote operated vehicles and underwater cameras
 - Ion systems to identify trace amounts of narcotic residue
 - c. Canine Detection Units
 - d. Use of Port Workers as Part of the Solution
 - Port worker clearance programs (background checks)

- e. Container Security Programs

2. Enforcement

- Ø Focus on integration
- Ø Intelligence driven
- Ø Coordinated between Intelligence and Operations
- Ø Roles and responsibilities: Who has the lead?

- a. Port Enforcement Teams
- b. Small Vessel/boat Control
- c. Area Security Committees

3. Prevention

- a. Risk Assessment Approach
- b. Public/Private Partnerships
- c. IT Systems

4. Joint Forces Operations

- Ø Coordinated/Integrated
 - Ø Multiple agencies: Potential for different leads
 - Ø Maritime narcotrafficking is a global issue with no borders
- a. Coordinated Intelligence Gathering and Analysis
 - Create an integrated picture of maritime activity to assist/identify potential risks/threats
 - b. Operations: National, Regional and International
 - Issue of sovereign waters
 - Recognize that different models exist: SouthCom; Model presented by Panama (joint project with US)
 - Take into account judicial and legislative authority
 - Operational agreements to allow for international cooperation

5. Training

- a. Search Techniques and Procedures
 - Use of detection tools including non-intrusive systems (Venezuela)
 - Confined spaces aboard vessels
 - Container examination

- Hidden compartment training
 - Canine units
 - X-ray/Scanning
- b. Vessels
- Vessel identification and searching
 - Officer safety
 - Use of force to stop a vessel
- c. Chemicals
- Identification of chemical precursors – test kits
 - Officer safety

6. Information Sharing

Ø Detection of falsified documents

- a. Models: G8 Best Practices on Information Sharing; National Drug System
- b. Standardized Data Elements & Data Systems
- c. Bilateral Standardized Communication Plan

7. Capacity Building

- a. International & Multilateral
- IMO, WCO
- b. Regional & National

1. DETECTION

a. COASTAL WATCH PROGRAMS

Canada

http://www.rcmp-grc.gc.ca/qc/infos_gen/publications/surv_cot/table_e.htm

The Coastal/Airport Watch Program was established by the Royal Canadian Mounted Police (RCMP) to assist in the identification of persons, vessels, vehicles and aircraft that may constitute a threat to Canada's national security, or that be involved in illegal activities such as drug importation. Drugs, primarily cannabis products, cocaine and

heroin, are continually being imported by vessels and aircraft across the country using various methods. Other illegal activities include terrorism; the smuggling of weapons, cigarettes and alcohol; income tax fraud and evasion; theft of logs/shake blocks and illegal log salvage; persons illegally entering the country; illegal waste discharge, etc.

Profiles that may indicate illegal activities have been developed to highlight some of the unique characteristics and activities of drug smugglers. The Program has also developed profiles of the type of suspicious activities encountered in vessel movement and repairs, real estate transactions, banking procedures, trucking methods, shipping containers, aircraft activity, actions of suspect pilots, illegal immigration activities, environmental infractions, and forestry crimes.

Law enforcement needs more “eyes and ears.” Members of the public are being encouraged to report, on a confidential basis, any activity that appears suspicious.

Example of what the public is encouraged to look for:

Vessel Profile

- No name and/or home port displayed, and/or name affixed on portable device.
- Cash payments for equipment, property, fuel, repairs, etc.
- Boat abandoned in marina or work yard for long periods of time.
- Crew members usually male adults – not typical cruisers, sailors, fishermen, etc.
- Unusual itinerary that differs from fishing schedules, etc. No regular hours.
- Inconsistent “cover” stories and vague details.
- Vessel may have additional fuel capacity (drums, jerry cans, extra tanks) and a zodiac.
- Sophisticated radio and/or scanner devices and other electronics on board that are inconsistent with the vessel’s design and purpose.
- Crew reluctant to leave vessel while it is being serviced and/or other unusual security measures.
- Vessel changes course to avoid other vessels, particularly those marked as enforcement vessels.
- Anchors/cruises in one area for no apparent reason.
- Vessel anchored or running without lights during hours of darkness.
- Smaller vessels hovering in vicinity of suspicious vessel.
- Vessel rides low in water or has false painted water lines.

Other areas that the public are encouraged to look for are suspicious real estate, shipyard, container and trucker activity.

b. DETECTION TECHNOLOGY

Mobile Vehicle and Cargo Inspection System

Canada

<http://www.cbsa.gc.ca/>

The mobile Vehicle and Cargo Inspections System (VACIS™) is a truck-mounted, gamma ray, mobile scanning system that captures an image of a marine container, rail car, or truck contents. It gives the operators of this equipment an image similar in many ways to an X-ray. The mobile VACIS™ can quickly scan a shipment to detect suspected contraband, weapons, and other dangerous goods while minimizing disruptions and costs for importers.

VACIS is a relatively simple system compared to other high technology, non-intrusive inspection equipment. Two parallel tracks, 90 feet long, are placed on a flat surface. On one track is positioned a component that houses the radioactive source. On the other track sits a 21-foot tall detector tower. Vehicles or containers to be imaged are placed between the tracks and the full image of the vehicle is produced at an operator's console nearby. The radioactive source and the detector tower move along the tracks while the vehicle to be examined stays stationary between them. As the VACIS "truck" moves past a vehicle, the VACIS shutter facing the tower is opened, and an image is produced on a console housed within the cab of the vehicle. The mobile VACIS can scan up to seven feet per second, so inspection time varies depending on a vehicle's length.

One important feature of the VACIS design is its ability to be disassembled and reassembled within one working day. VACIS can be set up and operated on any flat surface of a parking lot or roadway. It can scan vehicles up to 70 feet in length within 90 seconds. VACIS' ability to be moved from place to place means Customs can deploy the system according to operational needs. It also means smuggling organizations are kept guessing as to where and when the system is operational.

Pallet Vehicle and Cargo Inspection System

Canada

<http://www.cbsa.gc.ca/>

The Pallet Vehicle and Cargo Inspection System (VACIS) is a self-contained stationary gamma-ray scanning system that captures images of pallets and large pieces of freight in customs commercial examination facilities. This state-of-the-art technology assists officers in examining dense freight in order to detect contraband, weapons, and other potentially dangerous goods.

The Pallet VACIS™ units use a low-level radiation source to penetrate cargo. The Cobalt 60 energy source emits a gamma-ray beam that provides an image similar in many ways to those produced by X-ray systems. Using this scanning method, operators view

radiographic images of goods on a computer to quickly and easily identify hidden compartments associated with the concealment of dangerous goods. Pallet VACIS™ units enable operators to determine if commercial cargo is consistent with the declared manifest.

Remote Operated Vehicles and Underwater Cameras

Canada

<http://www.cbsa.gc.ca/>

The Remote Operated Vehicle (ROV) is another effective piece of equipment that has assisted border services officers in detecting illicit materials. The ROV looks like a mini-submarine that officers use to inspect a ship's hull below the waterline. Remotely operated by trained officers, the vehicle is lightweight and easily deployable. It allows the examination of the entire exterior portion of a vessel's hull below the waterline by transmitting real-time images to a monitor. The ROV can be operated regardless of water temperature, duration of examination, time of day and location. Its use removes the health and safety risks that exist whenever divers are used.

In 2005, Canada Border Services Agency (CBSA) made two significant seizures using the ROV. In total, officers found over 135.1 kilograms of cocaine worth more than \$16.9 million. In both cases, the drugs were found in duffel bags or plastic bags hidden in the sea chest area below the water line of the vessels.

ION MOBILITY SPECTROMETRY (IMS) TECHNOLOGY

Canada

<http://www.cbsa.gc.ca/>

Advances in trace detection—the discovery and identification of microscopic particles and vapors emitted by explosives and narcotics—have kept pace with the increasingly complex security risks of our time. Innovative technology now makes it possible to detect a wide range of substances with greater accuracy, speed and reliability than ever before.

As a result, trace detection can now be an integral component of a total security solution. Used alone or as a complement to X-ray scanners, metal detectors and canine patrols, it can help close security loopholes by reliably detecting residue from explosives and narcotics on skin, clothing, parcels, bags, cargo, vehicles and other surfaces.

Trace detection technologies differ significantly in sensitivity, specificity, reliability and ease of use. The development of single-sample substance collection and analysis has

helped to revolutionize the landscape of threat prevention. Sophisticated, precision sample testing, once possible only in laboratories or clean rooms, can now be routinely performed in the real world, in real time, where real threats exist.

http://www.gesensing.com/products/resources/datasheets/kaye_validator_itms_whitepaper.pdf

http://tracedetection.net/Itemiser_White_Paper.pdf

c. CANINE DETECTION UNITS

Canada

<http://cbsa.gc.ca/security-securite/dds-scd/menu-eng.html>

Dogs have one of the most acute senses of smell of any creature in the animal world. This not only allows them to detect the presence of prohibited or regulated substances, but more importantly, to pinpoint their locations. The canine detection units or detector dog teams (DDT) work in all modes of travel such as air, highway, marine, and rail and in postal and courier centres. The Canada Border Services Agency (CBSA) has specialized dogs trained in the detection of narcotics (e.g. cocaine, heroin, ecstasy).

The DDS plays an important role in the detection of prohibited or regulated goods entering the country and significantly increasing opportunities to interdict narcotics, firearms, currency and food, plant and animal products; deterring smugglers; assisting officers in conducting examinations and eliminating labour-intensive searches; and improving service to the travelling public by reducing the time needed to screen or examine passengers, luggage and commercial shipments in the least intrusive manner.

Dogs are trained to recognize the specific scents that they will be employed to detect, whether the scents are from narcotics, firearms, or agriculture products. They also become familiar with the circumstances and situations under which they will work. During the 10-week basic training, the dog handlers learn how to care for, maintain and train their dogs. The dog handlers are also trained in understanding the environment — particularly air currents, dangerous areas — and learn to understand the "cone of scent." The CBSA uses several different breeds of dog, but has primarily employed the Labrador Retriever for drug, firearm and currency detection and the Beagle for food, plant and animal detection.

When the training program initially started, all drug/firearm dogs were trained to indicate actively by scratching, digging, biting and barking at the source of the contraband odour. This was an effective way to deter drug and firearm smuggling. Primarily, only passive dog training is now conducted. Passive dogs are trained for all aspects of the working environment, but are especially effective in inspecting travellers for body packs and

hand-carried items that are used to smuggle contraband. Passive dogs will sit beside the source of the trained odour. The docile and friendly nature of the dogs allows CBSA officers to peacefully circulate with them among arriving travellers

d. PORT WORKER CLEARANCE PROGRAMS

Canada

<http://www.tc.gc.ca/MarineSecurity/Regulatory/Initiatives/InfopackageMTSCP.htm>

Canada's Marine Transportation Security Clearance Program (MTSCP) was initiated in January 2003 with a commitment to introduce background checks of workers at marine facilities and ports. The purpose of the MTSCP is to reduce the risk of security threats by preventing unlawful interference with the marine transportation system by conducting background checks on marine workers who perform certain duties or who have access to certain restricted areas. The MTSCP will enhance the security of the marine transportation system, benefiting the public, passengers, marine workers, and operators of vessels, ports and marine facilities.

The MTSCP was developed and consulted on extensively through a Transport Canada/Industry working group.

e. CONTAINER SECURITY PROGRAMS

Canada

http://www.cbsa-asfc.gc.ca/security-secureite/mts_smc-eng.html

United States

http://www.cbp.gov/xp/cgov/border_security/international_activities/csi/

To specifically address container security, the Canada Border Services Agency (CBSA) launched the Advance Commercial Information (ACI) marine program in April 2004. The program provides officers with advance cargo reporting to make informed decisions about whether to inspect a container before it arrives in Canada. For example, industry must report marine data electronically to the CBSA 24 hours before loading shipping containers at foreign seaports for all Canada-bound vessels (24-hour rule).

On October 20, 2005, the CBSA and U.S. Customs and Border Protection (CBP) signed a Container Security Initiative Partnership Arrangement. The objective of this arrangement is to enhance marine security by deploying officers to foreign ports so that they can pre-screen and examine cargo containers in coordination with the host nation before the containers arrive in country.

The Canada-U.S. Joint In-Transit Container Targeting at Seaports Initiative has two objectives: to achieve maximum effectiveness in identifying high-risk containers at the first point of arrival in North America, and to share important law-enforcement information from both sides of the border through an exchange of officers.

Canadian officers are stationed at seaports in the U.S. while U.S. officers are stationed at Canadian seaports. By working together, Canada and the U.S. can improve container inspection by jointly targeting marine in-transit containers that arrive in Canada or the U.S. en route to the other country. The program simplifies the inspection process and helps avoid duplicate examinations.

2. ENFORCEMENT

a. PORT ENFORCEMENT TEAMS

Canada

http://www.rcmp-grc.gc.ca/fio/marine_ports_e.htm#npets

Canada's National Port Enforcement Teams (NPETs) are integrated, intelligence-led teams that investigate federal statute offences at Canadian seaports while maintaining the free flow of goods, persons and services. The Royal Canadian Mounted Police's (RCMP) lead role in Canadian marine security is to enforce the laws that deal with national security, organized crime, and other federal statutes such as those involving smuggling, illegal drugs and immigration.

The RCMP National Ports Strategy is part of the RCMP's overall mandate to ensure border integrity. The objective is to take an intelligence-led, multi-disciplinary and integrated approach to prevent, deter and detect any illicit and/or terrorist activity, cargo or people at Canada's major marine ports that may pose a threat to national, US and global safety and security. The mandate is to significantly disrupt and/or eliminate the capacity of organized crime groups to utilize ports as a conduit for the entry of cargo and/or persons that could pose a risk to national security.

The NPETs consist of partners from federal, provincial and municipal law-enforcement agencies that focus on national security investigations, organized crime, illicit drug cargos and related contraband and other criminality.

b. SMALL VESSEL AND PLEASURE CRAFT CONTROL

c. AREA SECURITY COMMITTEES

3. PREVENTION

a. RISK ASSESSMENT APPROACH

b. PUBLIC/PRIVATE PARTNERSHIPS

c. IT SYSTEMS

4. JOINT FORCES OPERATIONS

a. COORDINATED INTELLIGENCE GATHERING AND ANALYSIS

Canada

http://www.msoc-cosm.gc.ca/index_e.asp

Marine Security Operations Centres (MSOCs) provide Canadians with enhanced marine security and help detect, assess and support a response to any threat to marine security that could affect the safety, security, environment or economy of Canada. Threats could include emerging terrorist activity, trans-national crime, environmental and health threats, and over-fishing in Canadian waters by other countries.

The Centres represent a new and unique level of integration and co-operation between government departments and agencies involved in marine security, and bring together civilian and military interagency staff. Partners include Transport Canada, the Department of National Defence, the Canada Border Services Agency, the Canadian Coast Guard and the Royal Canadian Mounted Police.

The function of the Marine Security Operations Centres is to enable departments and agencies to work collaboratively to collect and analyze intelligence and other information in an effort to develop a solid awareness in their area of responsibility with regard to marine security.

By bringing together civilian and military interagency staff, the centres provide a much clearer picture of the identification, intent and movement of vessels, personnel and cargo destined for, or already in, the maritime approaches to Canada. They will have the authority and capacity to detect, assess and provide a coordinated interdepartmental approach when dealing with marine security threats to Canada and its Allies.

The Marine Security Operations Centres are aimed at enhancing marine intelligence, surveillance and reconnaissance capabilities by shifting from an individual agency/departmental approach to a collaborative effort among specific federal agencies with a vested interest in marine security.

The Centres will provide for greater marine security awareness and will help detect, assess and respond to any threat to marine security that could adversely affect the safety, security, environment or economy of Canada. These include foreign trans-national organized crime (drug trafficking, piracy, migrant smuggling), emerging terrorist activity, over-fishing and polluters.

The Centres enable marine intelligence and operations information and data that are collected by the partner agencies/departments to be transformed into an integrated marine situational awareness and contingency planning product.

b. OPERATIONS: NATIONAL, REGIONAL AND INTERNATIONAL

Canada

http://www.rcmp-grc.gc.ca/news/2005/n_0522_e.htm

In 2005 the RCMP participated in the Shiprider Program: a pilot project where, for the first time in history, armed officers from the RCMP and US Coast Guard (USCG) boarded each other's vessels to patrol parts of the Great Lakes. The Shiprider pilot project represents an innovative and integrated approach to conduct joint maritime law enforcement operations on inland Canadian and US waters. The Shiprider pilot program aimed at enhancing intelligence capacity and interdiction flexibility to respond to organized crime, drug smuggling and other types of criminality.

Long-standing jurisdictional issues have prevented Canadian and American police boats from entering the other country's waters. Pivotal to the pilot's success was the officers' new-found ability to cross the marine border in pursuit of suspected smugglers or security threats. In the past, the border acted as an invisible brick wall that could stop a patrol ship in its path, allowing the pursuant to sail over the line and out of sight.

Following a bi-national training course for all Shiprider participants, RCMP officers boarded USCG ships to patrol American territory. There, they were considered peace

officers that were subordinate to their U.S. counterparts. The arrangement was reversed when patrolling the Canadian side, where U.S. were considered peace officers and were subordinate to their Canadian counterparts. RCMP and USCG operations could include detection, monitoring, pursuit, and boarding of suspect vessels in US and Canadian waters.

One of the most valuable aspects of the Shiprider program is that authorities on both sides of the border learn how to integrate their operations so they are better equipped to respond. Putting all the pieces together could lead to a clearer picture, whether it's a threat to security or the criminal transport of contraband.

5. TRAINING

a. SEARCH TECHNIQUES AND PROCEDURES

Canada

www.cbsa.gc.ca

http://www.international.gc.ca/foreign_policy/internationalcrime/ctcbp/menu-en.asp

Canada's Border Services Agency and other federal departments and agencies have training courses available to its employees.

Canada also has created the Counter Terrorism Capacity Building (CTCB) Program in 2005 to provide training, funding, equipment, technical and legal assistance to other international states so that they are able to prevent and respond to terrorist activity in accordance with international counter-terrorism and human rights norms, standards and obligations.

Through this Program, Canada shares its expertise in seven main areas:

- Border security;
- Transportation security;
- Legislative, regulatory and legal policy development, legislative drafting, and human rights and counter-terrorism training;
- Law enforcement, security, military and intelligence training;
- Chemical/biological/radiological/nuclear and explosives (CBRNE) terrorism prevention, mitigation, preparedness, response and recovery;
- Combating terrorism financing; and
- Cyber security and protecting critical infrastructure.

b. VESSELS

Canada

www.cbsa.gc.ca

Canada's Border Services Agency has a series of training courses available to its employees.

c. CHEMICALS

6. INFORMATION SHARING

a. MODELS

http://www.g8.utoronto.ca/justice/G8justice2004_info_sharing.pdf

G8 Recommendations for Sharing and Protecting National Security Intelligence Information in the Investigation and Prosecution of Terrorists and Those who Commit Associated Offenses May 2004

Terrorism constitutes a grave threat to international peace and security, and to the safety of our citizens. In addressing this ongoing threat, States must continue to improve the timely and accurate sharing of national security intelligence information about the activities, capabilities, plans and intentions of terrorists, and those who commit associated offenses, in order to prevent, disrupt and preempt terrorist activities and prosecute the perpetrators. States must continue to improve their abilities to use national security intelligence information in the investigation and prosecution of terrorists and their associates, as this information can be of critical importance to the success of these efforts. In order to ensure effective and efficient information sharing, as well as the appropriate protection of national security intelligence information in criminal prosecutions, States should, to the extent they have not already done so:

- Adopt legislation and/or establish operational mechanisms and procedural safeguards which permit information sharing among and between their intelligence community, their law enforcement community and their prosecutors, to the fullest degree possible, in order to prevent, disrupt and preempt terrorist activities, and to assist in the investigation and/or prosecution of terrorists and those who commit associated offenses
- Adopt legislation and/or establish operational mechanisms and procedural safeguards which will permit national security intelligence information to be used in the

prosecution of terrorists and those who commit associated offenses, while protecting such information, including the sources and methods by which such information has been acquired; to the extent consistent with a fair trial, such mechanisms may, for example, include the use of summaries, substitutions or stipulations

- Adopt legislation and/or establish operational mechanisms and procedural safeguards, in accord with domestic law, which ensure that national security intelligence information received from the competent authorities in another State is used in a criminal proceeding in accord with the conditions, if any, agreed upon between the competent authorities in the originating State and those in the receiving State
- Maximize the use of existing channels for information sharing and/or exchange, improve them where necessary; and explore the use of additional channels
- Review, as necessary, the results when national security intelligence information has been shared with another State for use in the investigation and/or prosecution of a criminal case, in order to identify problems that arose and potential ways of resolving such problems, as well as reasons for success, in order to identify any legal provisions, operational mechanisms and/or procedural safeguards that have proven successful
- Ensure that in adopting the legislation and/or establishing operational mechanisms and procedural safeguards recommended above, States give due regard to civil liberties and fundamental principles of law.

b. Standardized Data Elements & Data Systems

c. Bilateral Standardized Communication Plan

7. CAPACITY BUILDING

a. INTERNATIONAL AND MULTILATERAL INITIATIVES

b. REGIONAL AND NATIONAL INITIATIVES