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INTER-AMERICAN DRUG ABUSE
CONTROL COMMISSION

CICAD

Secretariat for Multidimensional Security

Guide for the Control or Regulation of Companies that Build, Repair or Remodel Boats or Motors/Engines

Viña del Mar, Chile

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PREAMBLE

One of the methods used for the trafficking and distribution of psychotropic substances by drug trafficking organizations is the use of self propel small boats under 25 TRN, naval crafts, submersibles and semi-submersibles that navigate infringing the state members maritime legislation or the regulation applicable in international waters.

In this sense, it is well known that the final or temporary modifications made to the ships without approval of the Member States, is also a method used for the trafficking of these substances.

This document was prepared by a sub group within the Working Group on Maritime Narcotrafficking as a draft guide of recommendations of possible actions to be taken by the Member States to help establish more effective controls in the process of construction, repair, final and temporary modifications of ships, naval crafts, and semi-submersibles. It was also prepare to help facilitate the collection and distribution of information as an effort to enforce the law among drug trafficking organizations. This project may, in the Member States who find it necessary, be subject to internal consultations, for completion by the next working group meeting.

For this purpose it was agreed to divide the work on the following topics:

- 1. Responsibility of the manufacturer's on registering and the registration of hulls and engines.**
- 2. Control of minor vessels, naval crafts submersibles and semi-submersibles not authorized for international commerce**
- 3. The responsibility of the shipyards in the construction, repair and permanent or transitory modifications of small ships, minor naval crafts, submersibles and semi-submersibles.**
- 4. Registering and registration of small ships, minor naval crafts, submersibles and semi-submersibles.**
- 5. Control of temporary modifications to the structures of national and foreign ships and naval crafts.**

1. Responsibility of the manufacturer's on registering and the registration of hulls and engines.

It is suggested that states consider:

A. In the event that in a country is known that the data identification of the propeller engines are vulnerable, since they are not technically recorded on a permanent way, contact the manufacturers and importers of the propeller engines. This in order for them to implement a system that can engrave the engine number permanently, preferably in low relief on the blocks or power heads of the engines, rather than on replaceable parts.

B. In the event that in a country is known that the construction models of small boats made of fiberglass are copied by illegal builders, give the responsibility to the manufacturers of boats to implement the scheme of the identification number of the hull which from now on will be name (NIC) and engrave it on permanent places of the ship which will be stipulated by the proper authority.

C In the event that in a country is necessary to count on the traceability of buying and selling documentation of boats, it is recommended to adopt the necessary measures to ensure that such transactions are documented, especially in the case of smaller vessels and speedboats, in order to provide accurate information.

D. The competent authority may obtain, without delay, information about theft or loss of vessels and/or its engines, in order to contribute to the recovery of the good or to determine its potential use in illicit activities.

E. In the event that a country does not have detailed information of the ships built, it is recommended to design a system that will allow competent authorities to obtain information from manufacturers in order to consult, verify and control.

This information should including the following:

- 1) The hull identification number (N.I.C)
- 2) Name and identification of the owner
- 3) Activity to which it was purchased.
- 4) Length, beam, derrick, draft, tonnage and color.
- 5) Type, quantity, propulsion power and the engine series.

2. CONTROL OF MINOR VESSELS, NAVAL CRAFT, SUBMERSIBLES AND SEMI-SUBMERSIBLES NOT AUTHORIZED TO ENGAGE ON INTERNATIONAL TRAFFIC.

It is suggested that states consider that:

A. In the event that a Member State may need information from the international movements of vessels of another Member State under their jurisdiction, these states might exchange of information according to their respective laws. In order to do so it is necessary to design communication schemes that can facilitate verification processes when taking a decision.

B. The information contained in the paragraph above should be at least the following:

- 1) Flag.
- 2) Name.
- 3) Registration.
- 4) N.I.C
- 5) Classification of the ship.
- 6) List of crew and nationality.
- 7) Port of departure and the authority that issued the departure.
- 8) Port of destination

C. In the event that a Member State detects in their territorial waters a vessel of another state that has been reported by the flag state as not authorized for international navigation, the country that detected the vessel should report to the latter state via the competent authority. If the ship is already in port, it will be inspected in accordance with national law, informing the flag state of the actions taken as soon as possible.

D. It is suggested that Member States consider the feasibility and interest to create an information exchange system to enable the competent authorities to disseminate and learn in the shortest possible time, the information about stolen ships in the territory of the Member States.

3. The responsibility of the shipyards in the construction, repair and permanent or transitory modifications of small ships, minor naval crafts, submersibles and semi-submersibles.

It is suggested that states consider:

A. In the event that a Member State does not have records of repairs and/or temporary or permanent modifications to vessels, naval crafts, submersibles or semi-submersible, it is suggested to create through the authorized shipyards a plan to keep a record that will contain at least the following:

1. Number of authorization issue by the competent authority and type of work to be done.
2. Date of commencement and completion.
3. Description of work done.
4. Inspector of the flag.
5. Name of the responsible of the boat.
6. Name of the responsible of the shipyard and his registry.
7. Details and nature of the modification.

B. If necessary, the competent authority may obtain from the shipyards the information without delay about changes and constructions made.

C. It is suggested that each flag State considers the development of a technical study in order to implement a law that limits the power of the ships with respect to the speed required to ensure proper operation according to the activity that was authorized to the ship.

4. Registering and registration of small ships, minor naval crafts, submersibles and semi-submersibles.

A. Whereas a Member State does not currently have a hull identification system (IAS), it is suggested as contemplated in CICAD's document: **MODEL SYSTEM OR VESSEL REGISTRY TO MONITOR PLEASURE CRAFT, TRADITIONAL FISHING VESSELS, AND SPEEDBOATS, IN SUPPORT OF MARITIME DOMAIN AWARENESS AND INVESTIGATIONS**, to consider and implement this document at the request of other States to provide the information contained in the NCI of any boat.

B. It is suggested that each State Flag consider developing a technical policy for the legal control of construction and use of submersibles and semi-submersibles.

C. In the event that a Member State has difficulties to know on an ongoing basis, monitor and respond effectively to emergencies in the ships of its flag, it is suggested to consider implementing a tracking system route by satellite in the crafts designed to transport cargo, fishing and scientific research.

D. It is suggested that each Member State consider the possibilities that the ISPS code brings to expand of the scope of application to ships under 500 GRT, those of coastal ships and ports from which these depart and/or visit.

5. Control of temporary modifications to the structures of national and foreign ships and naval crafts.

A. It is suggested that each flag state consider including in the matrix of risk analysis systems for the protection of its ports, as a threat to the ships of its flag and the ships that use their port facilities, the action of introducing pieces that are not originally part of the ship, since they allow or facilitate the trafficking of illicit drugs.

B. It is suggested that each flag state considers establishing an exclusion zone for nautical sports activities, submarine sports activity, small fishing boats, industrial and subsistent fishing as well as other traffic, in the area of ships maneuvers not related with the port activities common of each mooring of vessels at port facilities.