

ORGANIZATION OF AMERICAN STATES



INTER-AMERICAN DRUG ABUSE CONTROL COMMISSION

cicad

**GROUP OF EXPERTS ON
MARITIME NARCOTRAFFICKING
April 3-7, 2006
Rio de Janeiro, Brazil**

**OEA/Ser.L/XIV.4
CICAD/doc.3/06
April 10, 2006
Original: English**

FINAL REPORT

Executive Summary

During its thirty-seventh regular session in Santo Domingo, Dominican Republic (April 26-29, 2005), the Commission directed the Group of Experts on Maritime Narcotrafficking to meet during 2005. The Group was asked to begin work on the tasks contained in the report that it presented to the Commission during its XXXVII regular session.

The Group of Experts next met in Mexico City, Mexico (October 25-27, 2005) to begin work on the tasks assigned. The report from this meeting was presented at the Commission's XXXVIII regular session in Washington (December 6-9, 2005). During this meeting the Commission approved the plan of action presented by the Group in its report. The Group was directed to meet in 2006 and begin work on its plan of action.

The Group of Experts met in Rio de Janeiro, Brazil from April 3 to 7, 2006. The Chairman for the meeting of this Group of Experts was Ms. Luiza Lopes da Silva, of Brazil's Foreign Ministry. Fifty-eight (58) experts from 15 countries (Argentina, Barbados, Bolivia, Brazil, Canada, Chile, Colombia, Ecuador, Haiti, Mexico, Panama, St. Lucia, Trinidad and Tobago, United States and Venezuela) participated in this meeting.

The Group worked on the tasks found in the plan of action presented at the Commission's XXXVIII regular session.

The Group of Experts offers the following priority recommendations for the Commission's consideration:

1. That the Commission:
 - **accept** the following reference tools and direct the Executive Secretariat to post them on the CICAD web page:
 - **Alternatives to increase private industry stakeholder participation in the funding of and involvement in counterdrug port security** (Annex II)
 - **Model system or vessel registry to monitor pleasure boats, traditional fishing vessels and "go fast" boats in support of maritime domain awareness and investigations** (Annex III)
 - **accept** the proposed plan of action for the Group of Experts
 - **direct** the Group of Experts to meet during the first quarter of 2007 and implement the plan as proposed, allowing for the consideration of new or emerging issues

I. BACKGROUND

The Group of Experts met in Mexico City, Mexico (October 25-27, 2005) to begin work on the tasks assigned by the Commission during its XXXVII regular session in Santo Domingo, Dominican Republic (April 26-29, 2005). The report from the meeting in Mexico City was presented at the Commission's XXXVIII regular session in Washington (December 6-9, 2005). During this meeting the Commission approved the plan of action presented by the Group in its report. The Group was directed to meet in 2006 and begin work on this plan of action.

II. PROCEEDINGS

A. PARTICIPANTS

1. MEMBER STATES OF CICAD

Fifty-eight (58) experts representing the following 15 member states participated in this meeting: Argentina, Barbados, Bolivia, Brazil, Canada, Chile, Colombia, Ecuador, Haiti, Mexico, Panama, St. Lucia, Trinidad and Tobago, United States and Venezuela

B. SESSIONS AND ORGANIZATION OF THE MEETING

1. OPENING SESSION

The opening session for this Group of Experts meeting took place at 09:20 on April 3 at the Hotel Luxor Regente in Rio de Janeiro, Brazil. In opening the meeting, Mr. Getulio Bezerra Bantols, Director of Combat Against Transnational Crime, Ms. Luiza Lopes of Brazil's Foreign Ministry, Mr. Giovanni Quaglia, Regional Representative for the UNODC (Brasil and Southern Cone), Capitan Jose Corro Chavez, Chief of Intelligence, Office of the Chief of Staff of the Mexican Navy and Mr. Ziggie Malyniwsky, Chief of CICAD Supply Reduction and Control Section welcomed the participants and offered preliminary remarks.

During the course of the meeting, Minister of Justice, Marcio Thomas Bastos, Dr. Paulo Fernando Lacerda, Director General of the Department of the Federal Police, and Dr. Luis Fernando Correa, Secretary of National Public Security, joined participants. In his remarks, Minister Bastos underlined the importance of the work of this Group of Experts. In doing so, he stressed the importance of bringing together officials and agencies with different skills and technical expertise in cooperation to address the dynamic and complex problem of maritime narcotrafficking.

WORKING SESSIONS

The Group of Experts on Maritime Narcotrafficking met in plenary session and in smaller working groups to complete the tasks defined by the Group's plan of action contained in the October 2005 report. A copy of the schedule of activities for the meeting is attached (**Annex I**).

A. Presentations:

During the meeting of the Group of Experts, participants delivered the following presentations:

Alternatives to increase private industry stakeholder participation in the funding of and involvement in counterdrug port security (Task 9)

Officials from the Brazilian Department of Federal Police (DPF) and National Transportation Confederation as well as the UNODC delivered a number of presentations on initiatives that have been pursued in Brazil to strengthen the cooperation between private and public sectors in law enforcement and control activities in several areas.

The three initiatives described focused on increased control over chemicals, enhanced capacity to deal with organized criminal groups and increased control over containers moving through Brazilian ports. Each of these initiatives included the active participation of the private sector as a fundamental element.

In addition to the foregoing, Brazilian officials delivered a presentation on the Frontier Vehicle Monitoring System. This is an initiative implemented in the tri-border area with Argentina and Paraguay. The Government of Brazil and the insurance industry worked together to implement this automated system that tracks the movement of vehicles using strategically located cameras. The cameras are able to capture the license plate number and check the movement of that vehicle against the database. In this way, it has been possible to note unusual activities or movement of vehicles. For example, it may be possible to identify when a license plate is used by a number of different vehicles as part of an auto smuggling scheme.

Each of these initiatives underlined the importance of partnerships with the private sector and the resultant successes and gains that can be realized.

In addition to the foregoing presentations, Brazilian hosts for the meeting organized a number of site visits for the participants. The first was a visit to the Federal Police office in the Port of Rio de Janeiro (NEPOM) and the Anti

Smuggling and Piracy Division. Here participants saw the assets used by the NEPOM and received a presentation on its activities. This was followed by a visit to the officers of Brazilian Customs where participants saw its operations center and container port. Finally, the Brazilian Navy hosted participants to a tour and briefing of its Operations Center as well as the Fiscal Island Museum.

B. Working Groups:

During the course of the meeting the Group divided into smaller working groups. The following is a summary of their activities, the products they developed and their recommendations for the Commission:

Model principles of interdiction for use in bilateral or multinational responses to maritime narcotrafficking (Task 2-revised)

Mr. Lou Orsini of the US delegation delivered a brief overview on the draft model principles of interdiction for use in bilateral or multinational responses to maritime narcotrafficking. A preliminary version of this paper was presented to the Group of Experts at its last meeting in Mexico City.

Mr. Orsini chaired the Working Group that considered this paper. The Working Group reviewed the paper in great detail. The draft generated a great deal of discussion and led to further revisions.

Given the complexity and sensitivity of the various elements and provisions of the principles paper, the Working Group and the Group of Experts as a whole, proposed the following:

- The Executive Secretariat (ES) should prepare a revised draft (in English, Spanish and Portuguese) which would include the changes proposed during the Working Group discussion
- The ES would then distribute the revised draft to the members of the Group of experts for comments
- Participants would then submit their comments to the ES by a specified date
- The comments should be specific in identifying problems with the text presented, quoting appropriate legislation, agreements or other relevant references and offering specific language to replace the text in question
- The ES will compile the input received and include it all in a revised version of the paper with attribution to the country making comments
- The ES will then distribute the annotated revised text to the participants for review and finalization at the next meeting of the Group of Experts

Effective controls of ports and maritime narcotrafficking (Task 3)

Mr. Marc Mes of Canada chaired this working group that included representatives from Argentina, Canada, Haiti, México, Panama, United States, Trinidad and Tobago and Venezuela.

The Working Group examined the various issues and elements that must be considered to ensure effective port security. In doing so, the Working Group prepared an outline that would serve as the template for a guide or best practices manual related to port security. The outline included a range of elements such as operational matters, information gathering and sharing, inter-agency cooperation and non-intrusive inspection procedures to name a few.

Mr. Mes agreed to prepare a first draft of the guide or best practices manual, which he would then distribute to all Group participants for review and comments. Based on comments received, Mr. Mes will prepare a revised version for review and finalization during the next meeting of the Group.

Model Operating Procedures Manual for joint and combined bilateral or regional interdiction operations (Task 7)

Lt. Braithwaite, of Trinidad and Tobago, presented the Model Operating Procedures Manual for joint and combined bilateral or regional interdiction operations. The Group began working on this task during an earlier meeting in Tegucigalpa, Honduras. Participants had an opportunity to comment on a draft distributed during the last meeting of the Group in Mexico City.

Due to time limitations, the Group of Experts was not able to consider the draft manual during this meeting. The Executive Secretary will redistribute copies of the draft manual in English, Spanish and Portuguese to all participants. The draft will then be considered during the Group's next meeting.

Alternatives to increase private industry stakeholder participation in the funding of and involvement in counterdrug port security (Task 9)

Ms. Luiza Lopez of Brazil chaired this working group that included representatives from Argentina, Brazil, Chile and Mexico. The Group prepared a guide that underlined the importance of partnerships between the public and private sectors in matters related to counterdrug port security.

Ms. Luiza Lopez presented the draft guide to the Group. Participants offered additional comments and suggestions that were then included in the draft guide. The revised draft was then finalized, a copy of which is attached.

Develop a model system or vessel registry to monitor pleasure boats, traditional fishing vessels and “go fast” boats in support of maritime domain awareness and investigations (Task 10)

Colombia and Mexico co-chaired this working group that included representatives from Chile, Colombia, Ecuador and México. The Group began work on this issue during an earlier meeting in Tegucigalpa, Honduras. The Group considered a draft model/“best practices” guide prepared by the co-chairs. Further to an excellent exchange of ideas and suggestions, the Group finalized the draft paper (copy attached)

Effective systemic control of chemical cargoes shipped through ports, in order to prevent their illicit diversion (Task 11)

Brazil and Mexico co-chaired this working group, which also included Argentina and Chile, which considered a paper previously prepared by the chairing countries. The draft covered the control of chemicals in general with particular consideration for their movement through and control in ports. The draft paper provided an overview or framework for the control of chemicals. Some participants expressed their concern that the paper did not focus sufficiently on the problems presented by chemicals in ports and the challenges faced by customs and others concerned with the control of these substances. In addition to the foregoing, several participants pointed out that another CICAD Group of Experts is already addressing the issue of chemical control.

The Brazilian co-chair proposed that the Group prepare two additional guides. The first would focus on the control of chemicals in ports including elements related to methods used to disguise or falsify shipments, officer safety and others. The second guide would deal with investigation and interdiction. The Group also agreed to share the draft on chemical control with the Group of Experts on Chemical Substances and in doing so, seek their comments and input. The combined papers could be considered as a joint product of the two Groups to be presented at the next meeting.

3. PLAN OF ACTION

The Group of Experts was not able to address all of the issues in its plan of action for this meeting. At the same time, the Group identified a number of other new issues of concern related to the control of maritime narcotrafficking. As such, the Group of Experts proposes the following as its new plan for action:

Finalize the guides, manuals or other papers associated with the following:

Model principles of interdiction for use in bilateral or multinational responses to maritime narcotrafficking (Task 2-revised)

- Executive Secretariat

Effective controls of ports and maritime narcotrafficking (Task 3)

- Canada

Establishment of an interagency council or committee to coordinate the cooperative implementation of counterdrug port security programs. (Task 6)

- Canada

Model Operating Procedures Manual for joint and combined bilateral or regional interdiction operations (Task 7)

- Trinidad and Tobago

Effective systemic control of chemical cargoes shipped through ports, in order to prevent their illicit diversion (Task 11)

- Brazil and Mexico

In addition to the foregoing, the Group proposes to consider the following:

Enhance security in free trade zones in ports and free ports (Task 12)

- the delegation of Panama agreed to take leadership of this issue, deliver a presentation on this issue at the next meeting and/or prepare a draft guide or best practices manual for the Group's consideration.

Control of Containers

- The Executive Secretariat will communicate with all participants to seek their input regarding specific aspects related to the control of containers. This input will form the basis for discussion and consideration during the Group's next meeting.

Current data collection systems utilized in ports (Task 4)

- the Group proposes to defer this issue for consideration at a future meeting

4. NEXT MEETING

The Co-Chairs from Mexico and Brazil reminded the Group that their two-year co-chairmanship expires in April 2007. As such, they proposed that the Group meet next during the first quarter of 2007. For the time being, they proposed that the meeting take place in Washington but indicated that subject to further consultations, it may take place in either Mexico or Brazil.

The Executive Secretariat indicated that it would have to confirm that funds are available to organize such a meeting.

The delegation of Panama announced that it would be interested in chairing the Group of Experts following Mexico and Brazil's term.

3. CLOSING SESSION

The Group of Experts concluded its work at 12:00 on April 7. The Chair of the Group closed the meeting and thanked the members for their participation.

III. CONCLUSIONS AND RECOMMENDATIONS OF THE GROUP OF EXPERTS

RECOMMENDATIONS TO CICAD IN ITS THIRTY-SEVENTH REGULAR SESSION:

1. That the Commission:
 - **accept** the following reference tools and direct the Executive Secretariat to post them on the CICAD web page:
 - **Alternatives to increase private industry stakeholder participation in the funding of and involvement in counterdrug port security** (Annex II)
 - **Model system or vessel registry to monitor pleasure boats, traditional fishing vessels and “go fast” boats in support of maritime domain awareness and investigations** (Annex III)
 - **accept** the proposed plan of action for the Group of Experts
 - **direct** the Group of Experts to meet during the first quarter of 2007 and implement the plan as proposed, allowing for the consideration of new or emerging issues

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INTER-AMERICAN DRUG ABUSE CONTROL COMMISSION

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**EXPERTS GROUP ON MARITIME
NARCOTRAFFICKING MEETING**
April 3-7, 2006
Rio de Janeiro, Brasil

CICAD/inf. 2/06
January 25, 2006
Original: English

SCHEDULE OF ACTIVITIES

(draft)

Monday, April 3

- | | |
|----------------------|---|
| 08:30 – 09:00 | Registration |
| 09:00 – 09:15 | Opening Remarks |
| 09:15 – 10:15 | Introduction and Review <ul style="list-style-type: none">• Background of Group• Schedule of work• Proposed work methodology• Review of tasks assigned• Introduction of participants and identification of additional issues of concern |
| 10:15 – 10:30 | Break |
| 10:30– 11:30 | Task 2 (revised): Create a set of model principles of interdiction for use in bilateral or multinational responses to maritime narcotrafficking
- Introduction of revised draft model principles to be reviewed and finalized by the Group (US) |
| 11:30– 12:30 | Task 7: Model Operating Procedures Manual for joint and combined bilateral or regional interdiction operations
- Introduction of revised draft manual to be reviewed and finalized by the Group (T&T) |
| 12:30 – 14:00 | Lunch |

14:00– 14:30 **Task 9: Develop alternatives to increase private industry stakeholder participation in the funding of and involvement in counterdrug port security**
- presentation by Brazil on experiences in engaging the private sector to support (financially or in-kind) the establishment of systems, procedures and/or infrastructure to enhance port security

14:30– 17:30 **Working Groups**

- Task 3: Effective controls of ports and maritime narcotrafficking (Canada)
- Task 4: Current data collection systems utilized in ports (US)
- Task 9: Develop alternatives to increase private industry stakeholder participation in the funding of and involvement in counterdrug port security (Brazil)
- Task 10: Develop a model system or vessel registry to monitor pleasure boats, traditional fishing vessels and “go fast” boats in support of maritime domain awareness and investigations. (Colombia/Mexico)

Tuesday, April 5

09:00 – 10:45 **Working groups (*cont.*)**

10:45 – 11:00 **Break**

11:00 – 12:30 **Working groups (*cont.*)**

12:30 – 14:00 **Lunch**

14:00 – 17:30 **Working groups (*cont.*)**

Wednesday, April 6

09:00 – 10:45 **Presentations by working groups**

10:45 – 11:00 **Break**

11:00 – 12:00 **Presentations by working groups**

- 12:00 – 12:45** **Task 12: Enhance security in free trade zones in ports and free ports**
- presentation
- 12:45 – 14:00** **Lunch**
- 14:00 – 17:30** **Special activities**

Thursday, April 7

- 09:00 – 12:30** **Working Groups**
- Task 6: Establishment of an interagency council or committee to coordinate the cooperative implementation of counterdrug port security programs. (US)
- Task 11: Effective systemic control of chemical cargoes shipped through ports, in order to prevent their illicit diversion (Mexico and Brazil)
- Task 12: Enhance security in free trade zones in ports and free ports (TBD)
- 12:30 – 14:00** **Lunch**
- 14:00 – 17:30** **Working groups (*cont.*)**

Friday, April 8

- 09:00 – 11:00** **Presentations by working groups**
- 11:00 – 11:15** **Break**
- 11:00 – 12:30** **Finalize draft Plan of Action**
- 12:30 – 14:00** **Lunch**
- 14:00 – 16:00** **Conclusions, commitments and recommendations for action by the Working Group**
- 16:00** **Closing**

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**ALTERNATIVES TO INCREASE PRIVATE INDUSTRY STAKEHOLDER
PARTICIPATION IN THE FUNDING OF AND INVOLVEMENT IN
COUNTERDRUG PORT SECURITY**

ALTERNATIVES TO INCREASE PRIVATE INDUSTRY STAKEHOLDER PARTICIPATION IN THE FUNDING OF AND INVOLVEMENT IN COUNTERDRUG PORT SECURITY

Justification

Within the current framework of the world economy, private companies and the associations that represent them are essential participants when dealing with matters related to port security and fight against drug trafficking. In this context, some sectors such as transportation, cargo storing and consolidation, maritime agencies, ship builders and insurance companies, are especially important. These sectors have clear interests in the fight against crimes such as drug trafficking, cargo theft, documentation fraud, money laundering and related crimes that hinder their commercial activities. Therefore, these sectors are potential partners for the governmental agencies in their efforts against illicit activities. Economic, social and environmental benefits may result for both sides from such a partnership.

Possible lines of action

To allow this partnership to flourish, it is necessary to previously establish a framework. A list of the possible actions identified follows:

1. Institutionalization

To establish and/or enhance national legislation so as to define obligations and responsibilities of the competent governmental agencies and private companies. To create task forces that facilitate and promote inter-institutional cooperation.

2. Raising private sector awareness

To have competent governmental agencies build a strategy to raise awareness among the private sector as to the need to assist law enforcement agencies in identifying and reporting drug trafficking activities and related crimes. This effort should highlight the possible benefits that would result from this cooperation with governmental agencies.

3. Motivating the private sector

To encourage the private sector to assist in the fight against drug trafficking and related crimes by identifying benefits for those companies (compatible with national legislations) - such as cost reduction, fiscal benefits and financing facilitation, increase in security, reduction of risk factors, improved public image and social responsibility – and benefits for the community as a whole.

To create a voluntary program of “responsible behavior” with pre-established rules, through which participating companies that comply with the legal norms, especially those related to the fight against drug trafficking, obtain a specific renewable accreditation.

a) Reduction of Operational Costs – Companies will benefit from comprehensive operational planning. With the knowledge of the procedures adopted by the control agencies and of market features, they may be able to act in a faster and safer way, maximizing the available resources.

b) Fiscal Benefits – Governments may establish programs with financial incentives for companies that join on a voluntary basis. Such initiative may allow tax reduction and free financial resources that may then be invested in control and port security, with immediate potential results in terms of fighting drug trafficking and diversion of chemical precursors.

c) Loan/Financing Facilitation – The private investments that are necessary to enhance security may be stimulated in various ways, such as loan facilitation, larger terms of payment and provisions for special interest rates.

d) Reduction of Risk Factors – Risks that are inherent to economic activities may be reduced in view of the joint participation of public and private sectors in the formulation of bills and development policies, making their activities safer.

e) Image Improvement – Vis-à-vis society and the market, complying companies will have an enhanced image in comparison to others, as a result of their participation in special security programs. Such programs may contribute to economic growth, with possible positive consequences for the environment and security.

f) Social responsibility – Company compliance to a series of norms (security, environmental and others) will be recognized by the public, thus contributing to an increased positive perception of the company as well as that of the products and brands that it produces.

g) Reduction of unfair competition – Based on business ethics, a greater integration between public and private activities will permit information sharing that may help governmental control agencies to fight crime and keep fraudulent companies out of the marketplace. Unfair competition, a great obstacle to entrepreneurial activities, will be gradually reduced until such time as companies recognize the need to participate in the project for their own survival.

Therefore, by becoming an active participant in the project, companies may realize benefits in the short and medium terms, such as increased compliance to legislation, resource optimization, increased productivity and profitability, greater operational security, enhanced workplace safety, reduced environmental

damage, greater staff integration and motivation, enhanced customer satisfaction, better organizational management and administrative control.

4. Training for public and private sectors

To elaborate strategies for training in the following areas: (a) training personnel in order to identify hidden/disguised drugs, arms and chemical precursors, as well as related crimes; (b) training public sector personnel on standardizing operations to combat drug trafficking and connected crimes.

5. Infrastructure

To include in the national customs legislation a requirement that ports, airports and border ports of entry comply with international standards of control that allow the identification of suspicious cargo, luggage, vehicles and persons.

To instruct the competent agencies of the public sector to orient the private companies to purchase adequate equipment, with up-to-date technology (such as scanners, kits for chemical tests, electronic scales) that are useful for the identification of suspicious cargo. In accordance with national legislation, explore the possibility of having customs allow/facilitate the importation of such equipment.

6. Private investments

To stimulate the coordination between private and public sectors with a view to identifying ways to optimize voluntary private investments in security. Efforts may be directed to areas such as:

(a) insurance; (b) logistic chain of distribution and transportation; (c) storage; (d) port handlers/operators; (e) maritime agencies; (f) customs agents.

7. Integration of systems for cargo monitoring

(a) Development and integration of the various cargo storage and handling systems with a view to tracking an individual cargo and identifying those who are responsible for it at each step of the way;

(b) To establish an integrated data system/bank for the law enforcement agencies and, whenever possible, with access by the private companies, in order to combat fraud in the bills of landing and similar documents, as well as to provide inputs for police and customs intelligence;

(c) To develop cargo tracking systems (such as OCR – Optical Character Recognizer), with a view to cover primary zone of customs control and roads;

(d) To develop a system that makes ship builders, cargo handlers and transporters register all the movement of containers in customs zones and all the routes used (land and water routes, domestic as well as international).

8. Improvement of the Foreign Trade Systems

Implementation of new procedures, when possible, into the National Foreign Trade Systems (involving all imports and exports of products) that permit one to follow the cargo all throughout its route), access by private sector entities

(transporters, cargo storers and consolidators, customs agents, importers and exporters) to information regarding the operations of their specific interest (i.e. access only to the information regarding the operations in which it is directly involved). The goal of such a measure would be to provide greater transparency and speed to customs procedures.

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**MODEL SYSTEM OR VESSEL REGISTRY TO
MONITOR PLEASURE CRAFT, TRADITIONAL FISHING VESSELS,
AND SPEEDBOATS, IN SUPPORT OF MARITIME
DOMAIN AWARENESS AND INVESTIGATIONS**

STRATEGIC FRAMEWORK FOR INTER-AMERICAN COOPERATION IN THE REGISTRY OF VESSELS

INTRODUCTION

A registry of all vessels with the competent authorities is a key part of security of life at sea and the maritime transport system of a country, and of international competitiveness. It should contribute to general programs to fight crime, and especially to combat terrorism and other threats, such as the illicit trafficking of drugs, arms, and persons, and other forms of organized crime, as well as other illicit acts that adversely affect the security of cargo and maritime traffic (for instance, theft, stowaways, and smuggling), and that threaten to use ports for illicit purposes.

The Inter-American Drug Control Commission (CICAD) plays an important role in the effort to assist countries to improve vessel registry systems for pleasure craft, traditional fishing vessels, and high speed boats.

An effective vessel registry system requires a network of interdependence among associated countries and ports, as well as adherence to an international standard of security that protects the movements of cargo for export, import, and transshipment, and the transport of passengers.

Consequently, a strategic frame of reference could guide OAS member states in developing their institutions and acquiring the necessary technical capacity to introduce the improvements needed to protect ports.

The highest international standards for registry of pleasure boats or speedboats already established or to be established require the promotion of closer cooperation among the countries of the Hemisphere through international organizations like CICAD, which are specialized on these issues, so that the higher costs entailed in improving the physical and administrative infrastructure and equipment, and in training and improving capacities, etc., can be absorbed by all the countries as a way of guaranteeing the coordinated application of a new set of standards for port protection.

In considering the appropriate mechanisms and procedures for strengthening hemispheric cooperation in designing a strategic framework for regional port protection, countries should examine the bilateral and multilateral initiatives in place that have compatible objectives and structures, and consider how they could be used to promote this process. The text and objectives of this frame of reference are based on an amalgamation and synthesis of the successes already achieved by the OAS and international plans, strategies, and initiatives in the area of protection.

PRESENTATION

This main purpose of this document is to make recommendations to the member states of the Organization of American States regarding implementation, improvement and/or putting into operation of a system for registry of pleasure craft, traditional fishing vessels, and speedboats for the purpose of deterring, thwarting, and dismantling terrorist organizations and criminal organizations that are using the sea to transport narcotics, arms, and inputs for processing drugs. To accomplish this, it is critical to adopt a strategic and systemic approach for the purposes of planning and preparing policies for mobilization, coordination, and consciousness-raising of the means and resources. This approach should include certain basic factors that would make it possible to synchronize common instruments and interactive technology. The document is basically designed to be a working instrument for consultation, to serve as a general frame of reference for personnel working in maritime activities, to develop specific functions that will make it possible to continuously modernize and update the tasks involved to meet current needs.

DEFINITIONS

The following definitions will be used for the vessel registry system:

1. **Illicit activity:** Any activity related to illicit trafficking in narcotics and psychotropic substances and related offenses, terrorism, transnational crime, illicit trafficking in arms, ammunition, and explosives, smuggling of chemical precursors, and kidnapping and extortion, among other crimes committed on the oceans and waterways.
2. **Competent authority:** Public officials authorized to make decisions or perform acts in compliance with the functions recognized by the laws and regulations of their country.
3. **Maritime authority:** Authority in charge of exercising control of navigation on the seas and/or waterways of each of the countries.
4. **Minimum safety crew:** Personnel needed to operate a boat safely, depending on the type of service it renders.
5. **Vessel:** Any type of principal or independent structure suitable for navigation and built for that purpose, whatever its propulsion system may be.

6. **Surveillance and control functions:** Powers conferred on parties to combat illicit activities on the seas and rivers.
7. **Immobilization:** Detention or retention of a vessel, its crew, passengers and cargo by uniformed personnel of any of the countries, when there is evidence that they are involved in illicit activities, to be handed over to the competent authorities of the country in which the vessel is registered or the country of origin of the crew and/or passengers, in accordance with the domestic legislation of each country, conventions and international agreements.
8. **Inspection:** The search of a vessel by the competent authority of the parties for the purpose of checking the material, equipment, crew, personnel, and cargo, and verifying that they are not being used for illicit activities in accordance with the domestic legislation of each country, conventions and international agreements.
9. **Visit:** Activity conducted by the competent authority of the parties for the purpose of checking the documents and condition of the vessel and the personnel or crew on board under the terms established by Article 110 of the Law of the Sea UN Convention.
10. **Certificate of safety:** Certificate issued by the National Maritime Authority which describes all of the navigation, safety, and emergency equipment and materials that make a vessel safe to navigate, depending on the area of navigation.
11. **Sporting craft:** Boats devoted exclusively to nautical sports, sports fishing, or recreation.
12. **Special vessels:** These are boats that are under a special system as regards inspections and their periodicity. Large capacity yachts are considered special vessels.
13. **Owner:** The natural or legal person in whose name the vessel is registered.
14. **Yacht:** A craft used for sports and/or recreational purposes, propelled by a sail and/or motor, which is closed in and has the capacity to be inhabited. This category is subdivided into:
 - a) *Large-capacity yacht:* A yacht that is at least 24 meters long and/or with a gross tonnage of 50, which requires special provisions, especially with regard to inspections and their degree of exigency.
 - b) *Medium-capacity yacht:* A yacht that is less than 24 meters and equal to or greater than 6 meters in length.

- c) *Small-capacity yacht*: A yacht that is less than 6 meters in length.

SCOPE OF APPLICATION

2. Classification of Vessels: Sporting craft can be subdivided as follows::

- 1) According to areas of navigation:
 - (a) Navigation on the open seas
 - (b) Navigation on internal waterways
- 2) According to propulsion systems:
 - a) With propulsion: A propulsion system with a central motor, outboard motor, sails, or oars.
 - b) Without propulsion: When the vessel has no means of propulsion and is towed or pushed by another one with a propulsion system.

TYPES OF NAVIGATION

1. Areas of navigation: For the purposes of the crew, safety and life-saving equipment and licenses, the following areas of navigation are established:

- a) **Open seas**: Navigation in unprotected waters, and for the purposes of this decree, will be subdivided into:
 - (i) **Coastal navigation**: Within the visibility of the coastline and up to a distance of twelve (12) miles;
 - (ii) **Ocean navigation**: On the open seas without geographical limits.
- b) **Interior**: Navigation in protected waters, which, for the purposes of this document, is subdivided into:
 - (a) **Area 1**: Protected areas where normally there are neither waves of significant height nor adverse wind, current, or tide conditions that would impair navigation;
 - (b) **Area 2**: Partially protected areas, where there could be waves of a significant height and/or adverse wind, current, or tide conditions or a combination of these adverse elements that would impair navigation.

PARAGRAPH 1: When a vessel operates in two areas, it must comply with the requirements of the stricter area.

PARAGRAPH 2: The different interior navigation areas will be determined by the Port Authority, on the basis of a study of the local characteristics.

TYPES OF VESSELS

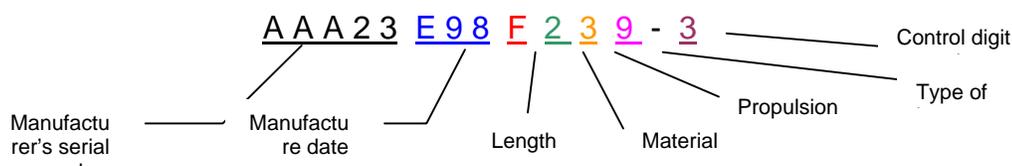
- a) Canoe: A craft made of a single piece built from the trunk of a tree and propelled by an oar.
- b) Kayak: A fiberglass craft used for recreation or nautical sports.
- c) Motorboat: A motorized vessel made of fiberglass and propelled with a motor, used for recreation or nautical sports.
- d) Boat: Vessels that are equal to or less than five (5) meters in length, either open or covered, but without a habitable cabin and with a fixed means of propulsion; if they use an outboard motor, it cannot exceed thirty (30) HP. (A habitable cabin is considered as one that has the conditions to be inhabited.).
- e) A floating artifact for nautical sports: An artifact equal to or less than five (5) meters long, without propulsion, used for sporting purposes and designed to be towed.
- f) Launch: A vessel made of wood and fiberglass with a cabin, propelled by an outboard motor.
- g) Sailboat
- h) Yacht: A vessel for sporting or recreational purposes, propelled by a sail and/or a motor, which is covered and has habitable quarters.

This system is applicable for the registration of pleasure boats, traditional fishing boats, and high-speed launches in each of the member countries, and thus is meant to guarantee free navigation and to control illicit activities on the seas.

SYSTEM FOR IDENTIFICATION OF HULLS OF SMALLER CRAFT IN FACTORY

1. **PURPOSE:** To establish in this resolution a system for identification of hulls of smaller craft in factory to be used as a model for those States that would like to consider it.

2. **COMPULSORY HULL IDENTIFICATION NUMBER.** All smaller ocean-going or river vessels manufactured in the country and all smaller imported vessels are required to have a hull identification number (NIC), which must be placed at the location established by the Maritime Authorities of each country, according to mandatory reference guides and the procedures established for that purpose.
3. **RESPONSIBILITY:** Legally established national shipyards that build smaller vessels and have a commercial operating license issued by the Maritime Department of each country, importers of hulls and vessels, and natural or legal persons who build artisan vessels must, prior to beginning fabrication of the hull, request the National Maritime Authority to assign the hull identification number; the request must include the main specifications of the hull to be manufactured.
4. **ASSIGNMENT OF THE HULL IDENTIFICATION NUMBER (NIC).** For purposes of identification and control by the National Maritime Authority, a hull identification number will be assigned to each smaller vessel, and it must be affixed in accordance with the regulations of each country.
5. **COMPOSITION OF THE HULL IDENTIFICATION NUMBER (NIC).** The hull identification number will consist of thirteen (13) basic alphanumeric characters. The first five (5) characters will be determined by the manufacturer or the importer on the basis of the serial number. The next three (3) will be determined by the date of manufacture, and the following four (4) are established on the basis of the vessel's characteristics, such as length, hull material, primary propulsion, or type of boat, and the final one (1) is a control digit determined by the Maritime Authority and separated with a hyphen. The use of these characters is compulsory to facilitate the search by authorities of vessels with new identification numbers, or vessels that have been stolen or compromised by their use for other purposes.



6. **NIC REQUIREMENTS:** The following requirements pertain to the hull identification number (NIC):

Characters: Each hull identification number (NIC) must be composed of thirteen (13) consecutive alphanumeric characters, or of thirteen (13) letters in the Spanish alphabet or Arabic numbers.

The first five (5) characters are the manufacturer's serial numbers assigned by the Maritime Authority, and of these five, the first three are letters, with the exception of the letters D, I, O, and Q, and the last two characters must be numbers.

The sixth, seventh, and eighth characters identify the month and year of manufacture, with the character for the month to be taken from the following table.

The date selected cannot be prior to the initial date of manufacture.

The sixth character indicates the month, beginning with "A" for January.

<i>MONTH</i>	<i>CHARACTER</i>	<i>MONTH</i>	<i>CHARACT.</i>
JANUARY	A	JULY	H
FEBRUARY	B	AUGUST	J
MARCH	C	SEPTEMBER	K
APRIL	E	OCTOBER	L
MAY	F	NOVEMBER	M
JUNE	G	DECEMBER	N

The seventh and eighth characters indicate the year of manufacture and use the last digits of the year, i.e., "02" for 2002, for instance.

The ninth character indicates the length of the boat, which must be taken from the following table by selecting the length closest to the actual figure (for example, 15 feet, 10 inches is closest to 15 feet).

SYMBOL	LENGTH (ft.)	SYMBOL	LENGTH (ft)
A	less than 6	N	21
B	6 to 10	P	22
C	11	R	23
D	12	S	24
E	13	T	25
F	14	U	26
G	15	V	27
H	16	W	28
J	17	X	29
K	18	Y	30
L	19	Z	31 or more
M	20		

The tenth (10) character indicates the hull material. The number must be taken from the following table:

Number	Type of material
1	Aluminum
2	Reinforced concrete
3	Fiberglass reinforced plastic (FRP)
4	Flexible fabrication
5	Foam
6	Plastic
7	Steel
8	Wood

Reinforced concrete includes all types of concrete and Portland cement.

Flexible fabrication can be identified by plastic sheets or the present of any type of reinforcement material.

Plastic includes flexible plastic sheets, rigid thermal-formed sheets, and plastic processed by rotational mold.

The eleventh (11) character indicates the primary propulsion of the boat. The character must correspond to those in the following table:

Number	Type of propulsion
1	Air jet
2	Outboard motor mounted on a support
3	Inside
4	Inside air jet
5	Inside/ Outside
6	Not propelled
7	Outboard
8	Sail
9	Sail outside/auxiliary inside

Not propelled includes pedals, poles and oars, but not sailboats. Sailing craft includes sailboats that can have a small motor for auxiliary propulsion.

The twelfth (12) character indicates the type of boat. The number must be selected from the following list:

Number	Type of boat
1	Air cushion boat
2	Canoe, kayak, sail boat, surfboard
3	Inflatable
4	Single hull / configuration of the cabin
5	Single hull / closed cabin
6	Single hull / open cabin
7	Multiple hull / closed cabin
8	Multiple hull / open cabin
9	Personal launch

The configuration of the cabin includes complete cabin, room, houseboat, and in general any place that offers protection and that has a berth or another type of accommodation for persons.

The closed bow is the most common form of identification of a small boat, and includes any type of cover toward the bow which is not adequate to provide shelter to the crew.

The open or uncovered bow refers to public service boats with an uncovered deck and a central console.

The multiple hull includes more than one hull interconnected by a common hull, such as tri-hulls, catamarans, and pontoon boats.

Personal launches include a broad variety of vessels that are designed to be piloted over the V's of the hull. They usually have the capacity to hold one or two persons.

The thirteenth (13) character is a control digit assigned by the Maritime Authority.

Size of the characters. The height of each character used in the hull identification number may not be less than six (6) millimeters.

REQUIREMENTS

1. Application for registration addressed to the maritime authority of each country by the owner of the vessel.
2. Certificates of navigability and safety for the vessel, issued by a ship expert.
3. Copy of the purchase contract of the vessel.
4. License issued by the competent agency in each country.
5. Certificate indicating that the vessel has not been involved in narcotrafficking, issued by the responsible agency in each country.
6. Three 3x4 color photographs of the vessel, showing the side view.
7. Receipt showing payment of registration fees.
8. Three 15 x 16 photographs, one of the stern, one of the bow, and one of the sides.

PROCEDURES

Once the documentation has been submitted to the nearest Port Authority, it will proceed to check the documents received.

DESCRIPTION OF THE REGISTRATION

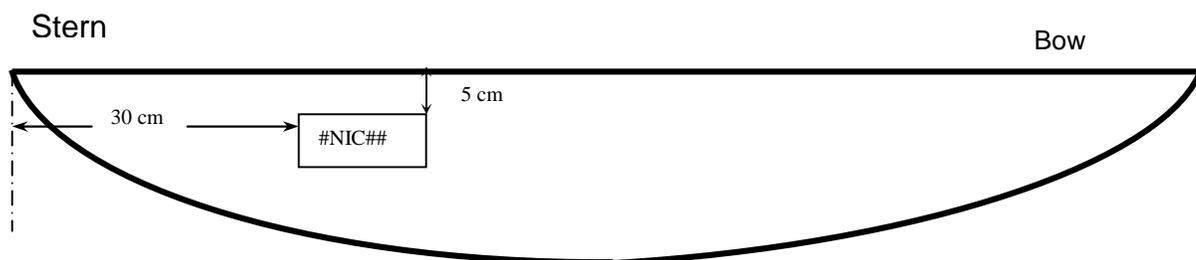
1. **LOCATION AND EXHIBITION OF THE HULL IDENTIFICATION NUMBER (NIC).** Smaller craft must affix and exhibit their principal hull identification number and the duplicate hull identification number in accordance with the following requirements established for placement:

Principal hull identification number (NIC): The principal hull identification number must be located in a visible place, as specified below:

On boats with a mirror, it must be placed on the starboard side of the mirror five centimeters from the highest part of the mirror.

On boats without a mirror or with a mirror on which it would be impractical to place a hull identification number, it must be placed on the starboard side of the hull 30 centimeters from the helm in the stern and five centimeters from the upper part of the hull, on the side, or on the hull where it joins the deck, whichever is lower.

On catamarans and pontoon boats, if their hulls can be easily removed, each one will be marked as indicated in the following figure:



If there are handrails, pipes, or other accessories that block the location of the hull identification number, it must be placed as close as possible to the required location, and in a visible place.

Duplicate hull identification number: It must be placed in an area where it will not be exposed to the weather, inside the boat, on a fixed material that has not been installed as an accessory.

2. **REQUIREMENTS FOR INSTALLATION:** The hull identification number must be installed in accordance with the following requirements:

Permanence: Each hull identification number must be made, engraved, cast, stamped, etched, or molded permanently on the boat so that any alteration, removal, or substitution would be obvious and easily verified.

Separate plaque: If a separate plaque is used to exhibit the hull identification number, the plaque must be affixed to the boat in such a way that it cannot be removed.

Separate parts of the boat: The hull identification number may not be

affixed to removable parts of the boat.

- Registration: The only official instrument to identify vessels is the registration number.
- This registration consists of an individual number assigned to each vessel, composed by eleven digits.

Composition of the Registration Number

