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INTER-AMERICAN DRUG ABUSE
CONTROL COMMISSION

CICAD

Secretariat for Multidimensional Security

**DRAFT GUIDE OF BEST PRACTICES FOR IMPROVING CONTROLS OF VESSELS
FOR SPORTING USE, SMALL-SCALE FISHING, AND LIMITED TOURISM**

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PREAMBLE:

Vessels for sport, recreation, small-scale fishing, and limited tourism that ply rivers and seas pose one of today's primary challenges in terms of control in the fight against drug trafficking, diversion of controlled chemical substances, and transnational crime, because they are an ideal transport medium for developing concealment methods and strategies for such purposes, **given the weakness of controls and the lack of a system for efficient monitoring of those craft.**

A working subgroup was formed to address this problem, coordinated by the delegation of Argentina and including representatives of Bahamas, Brazil, Chile, Colombia, Dominican Republic, Haiti, Mexico, Suriname, United States, and Venezuela, to analyze the subject and establish the bases for execution of an action plan to prepare a **Guide of Best Practices for Improving Controls of Vessels for Sporting Use, Small-scale Fishing, and Limited Tourism**, to prevent the vessels' use for transnational crime.

GENERAL PURPOSE:

The purpose of the draft **Guide of Best Practices for Improving Controls of Vessels for Sporting Use, Small-scale Fishing, and Limited Tourism** is to have the States parties establish an **Online Documentation System** to ensure that the legal and recreational use of these boats that navigate in the seas and rivers of each member state is not diverted to activities involved in the illicit trafficking of drugs and controlled chemical substances. Member states would be invited to apply it, respecting their domestic legislation and regulations.

This document is not a legal instrument, and therefore does not establish any obligations for the member states, and does not abolish, limit, or suspend existing maritime control systems.

SPECIFIC PURPOSE:

It is recommended that each member state's agencies with jurisdiction in the subject consider adoption of the following measures:

- § Facilitate and accelerate the control and traffic of vessels for sporting use, small-scale fishing, and limited tourism, preventing in all cases their diversion to activities involved in the illicit trafficking of drugs and controlled chemical substances.
- § Cooperate in the process of preparation and application of measures to facilitate the arrival, stay, and departure of this type of craft, seeking simplification and accuracy in the information.
- § Seek the greatest possible uniformity in the formalities, documentary requirements, and procedures, in order to facilitate and improve domestic and international seaborne and river borne traffic, minimizing insofar as possible the differences that must be adopted for special reasons.
- § Transfer data organized according to approved standards electronically between computer applications.

It is recommended that each country's agencies implement a uniform system in accordance with the sociocultural, political, and economic development of the states involved, guaranteeing the facilitation and simplification of procedures and data processing, yet responsive to the various demands and contingencies that may arise after their implementation and subsequent use.

It is also recommended that member states of the International Maritime Organization (IMO), make greater use of various procedures to harmonize the information flow regarding the vessel, cargo, and documentation needed for entry or departure from a port, in order to improve the handling and alacrity of the data by using standard online documents for swift exchange of information to facilitate proactive and appropriate controls by the maritime, police, and customs authorities.

Information requesters and information providers both have certain responsibilities. The basic idea is to use techniques for transferring a minimum amount of information as efficiently as possible. The criterion should be the minimum information needed for the process, and not the

minimum for persons who wish to get the information for other purposes. This imposes a special responsibility on the interested parties, especially the governments, state agencies, and other parties authorized to require information.

The information must be transmitted by the most rapid and efficient means available to the interested parties, and the parties (especially the government agencies involved), must have the capacity to process and analyze the data efficiently.

Increased use of computer-based management and administration systems by various agencies such as maritime and government authorities would facilitate the expansion of these systems.

The advantages of open networks would be even greater if the member governments agreed to use standard forms (such as common data for presentation of documentation).

Implementation of the guide proposed here would solve many of the problems associated with the information flow by using a standard electronic documentation system.

In view of the foregoing, information requesters (customs, port authorities, immigration services, etc.) should require a minimum of information at the best possible time, and should use a standard form to facilitate filling out documents (such as customs declarations).

Information providers should be required to furnish precise data in a timely manner on the agreed-upon form. If these conditions are met, both parties (information providers and receivers) could use efficient documentation systems and complete their own processes with a minimum of time.

ANNEXES:

The annexes specify the data recorded by the individual responsible for the vessel's embarkation, in this case the duly licensed owner or operator and the possible situations that might occur at the time of the craft's arrival or departure.

ANNEX I:

CONTENT OF THE GUIDE OF BEST PRACTICES FOR IMPROVING CONTROLS OF VESSELS FOR SPORTING USE, SMALL-SCALE FISHING, AND LIMITED TOURISM

The Guide will consist of an electronic form on a web site, on which at the moment of these vessels' departure from and arrival at port their owners or operators will be required to submit a sworn statement with the following data:

- Ø Name of the vessel.
- Ø Registration number of the vessel issued by the maritime authority.
- Ø Full name of the crew member responsible for the vessel.
- Ø Number of certificate or license for piloting the vessel.
- Ø Number of the crew member's national identity document.
- Ø Number of other persons aboard.
- Ø Full name and national identity document number for each of them.
- Ø Specify the geographical place or zone to which sailing.
- Ø Duration (in hours or days) of the trip.
- Ø Date and time of the vessel's return.
- Ø Request authorization for the vessel's departure and arrival online from the competent maritime authority.

ANEXO II:

PRACTICAL IMPLEMENTATION OF THE "GUIDE OF BEST PRACTICES FOR IMPROVING CONTROLS OF VESSELS FOR SPORTING USE, SMALL-SCALE FISHING, AND LIMITED TOURISM":

National Navigation: Persons seeking authorization for departure of their vessel have access by password, granted by the maritime authority when they receive their pilot's license, to the Internet

site or official page of the guide. They find two forms that constitute a sworn statement for the departure and subsequent arrival of the vessel, and insert the required data in the respective fields.

International Navigation: For international navigation, immigration formalities must be completed in advance with the appropriate authority and attached to the online departure form.

In addition, all required data must be provided on the departure form and then transmitted to the competent authority of each of the two States parties involved.

In this way, the departure form will be formally registered in both countries and the person who prepared it will be responsible for the data provided.

Upon arrival, the responsible party must complete the entry form, filling out all the fields for that purpose and transmitting the form to both countries' authorities to complete the control process.

Comments: The maritime authority and/or competent authority that receives the online form may in addition physically inspect the vessel to ensure that the established guidelines in the Guide's forms have been followed, and see whether it is necessary to revise the authorization.