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INTER-AMERICAN DRUG ABUSE
CONTROL COMMISSION

CICAD

Organization of American States

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Secretariat for Multidimensional Security

GROUP OF EXPERTS ON MARITIME NARCOTRAFFICKING

August 9-13, 2010

Santo Domingo, Dominican Republic

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FINAL REPORT
(DRAFT)

Executive Summary

During its forty-sixth regular session (November 18-20, 2009) in Miami, Florida, the Inter-American Drug Abuse Control Commission (CICAD) directed the Group of Experts on Maritime Narcotrafficking to meet in 2010 and execute the approved plan of action.

The Group of Experts met in the Oasis Hamaca Hotel in Boca Chica, Dominican Republic, from August 9 to 13, 2010. Dr. Mabel Féliz Báez, President of the National Drug Council (CND) and Vice Admiral Homero Luís Lajara Solá, Chief of Staff of the Dominican Navy (M. G.) welcomed the participants and offered opening remarks. Rear Admiral Luis Rafael Lee Ballester and Captain Anthony Jiminián Objío chaired the meeting, which included approximately 39 participants from 14 member states (Argentina, Bahamas, Brazil, Canada, Colombia, Ecuador, El Salvador, Dominican Republic, Haiti, Mexico, Peru, Trinidad and Tobago, United States and Venezuela) as well as the Inter-American Defense Board.

The Group executed the plan of action approved by the Commission during its forty-sixth regular session. A copy of the schedule of activities for the meeting is attached (Annex I)

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

That the Commission:

- **direct** the Group of Experts to continue its work on the issues initiated for consideration and to be finalized at the next meeting
- **accept** the proposed plan of action for the Group of Experts
- **direct** the Group of Experts to meet during 2011 and implement the plan as proposed, allowing for the consideration of new or emerging issues

I. BACKGROUND

Rear Admiral Juan Pablo Heusser chaired the meeting of CICAD's Group of Experts on Maritime Narcotrafficking in Viña del Mar, Chile from July 20 to 24, 2009. The report from this meeting was presented to the Commission during its forty-sixth regular session (November 18-20, 2009) in Miami, Florida. The Commission approved the report and plan of action, directing the Group to meet in 2010. Following this meeting, the Government of the Dominican Republic offered to chair and host this meeting.

Rear Admiral Luis Rafael Lee Ballester and Captain Anthony Jiminián Objío chaired the meeting, which took place in the Oasis Hamaca Hotel in Boca Chica, Dominican Republic, from August 9 to 13, 2010.

II. PROCEEDINGS

A. PARTICIPANTS

1. MEMBER STATES OF CICAD

Approximately 39 experts representing 14 member states (Argentina, Bahamas, Brazil, Canada, Colombia, Ecuador, El Salvador, Dominican Republic, Haiti, Mexico, Peru, Trinidad and Tobago, United States and Venezuela) as well as the Inter-American Defense Board participated in this meeting.

B. SESSIONS AND ORGANIZATION OF THE MEETING

1. OPENING SESSION

The meeting of the Group of Experts took place at Oasis Hamaca Hotel in Boca Chica, Dominican Republic from August 9 to 13, 2010. Dr. Mabel Féliz Báez, President of the National Drug Council (CND) and Vice Admiral Homero Luís Lajara Solá, Chief of Staff of the Dominican Navy (M. G.) opened the meeting and offered welcoming remarks to the participants and various guests.

2. WORKING SESSIONS

A. Presentations:

The delegation of the Dominican Republic delivered several presentations during the course of the meeting.

Captain Anthony Jiminián Objío provided an overview of maritime counterdrug activities undertaken by the Dominican Republic. The Navy of the Dominican Republic has lead responsibility in this regard. The Captain described the areas monitored under the maritime counterdrug program and the routes being used to move illicit drugs into and out of the Dominican Republic.

In his presentation the Captain discussed the strategic plan that is in place, and some of the training and other cooperative activities that the Dominican Republic pursues with other countries. In doing so he stressed the importance of information exchange and cooperation, as well as the joint operations and related activities that they execute with other agencies and countries.

Specialized Port Security Group

The Specialized Port Security Group (SCESEP) provided an overview of its role in ensuring the security of ports in the Dominican Republic. Part of their responsibilities relate to the implementation of the ISPS code. In addition the presentation included reference to the training and counterdrug cooperative efforts that SCESEP pursues in partnership with the Dirección Nacional de Control de Drogas (DNCD) of the Dominican Republic

Port Authority

The Port Authority (APODRDOM) of the Dominican Republic delivered a presentation on the ports that it administers and the legal framework within which it works to do so.

National Drug Directorate

The delegation of the Dominican Republic delivered a presentation on the National Drug Directorate (DNCD). This entity was established in 1988 with the mission to fight narcotrafficking in the country. It works with other agencies and entities in the Dominican Republic to achieve this mission.

The DNCD maintains officers in each port in the country. Among other initiatives, they register the arrival and departure of all vessels. In this way they have a good understanding of the movement of vessels in the area.

There exists a good working relationship with the port authorities through which information concerning importers and exporters is made available to verify the legitimacy of these companies. In this way the DNCD and its partners can respond to any suspicions that may exist regarding companies or specific shipments or containers.

Navy Association of the Dominican Republic

The Navy Association was established in 1969, and is comprised of 28 companies working in the ports. It serves to implement the ISPS code by working with various other public sector agencies. This private-public sector partnership has been instrumental to the successful implementation of the ISPS code in existing and new ports.

The Navy Association was actively involved in the formation of the Business Alliance for Secure Commerce (BASC) in the Dominican Republic. This has led to an increased level of security in the distribution chain and in the ports of the Dominican Republic.

The Navy Association works closely with the DNCD as well as other entities. A Commission of Exportation comprised of various agencies has been formed to standardize the verification of containers and their control in all ports in the country.

Argentina

The delegation of Argentina delivered a presentation concerning the control of containers. Container control represents a major challenge for countries in their counterdrug efforts. The presentation included reference to the changes in port security and related controls that resulted following the events of September 11. It also described procedures for the interdiction of containers with examples of specific cases.

Multimodal Port of Caucedo

The members of the Group of Experts were taken on a tour of the Multimodal Port of Caucedo. Cargos and containers from countries in the Caribbean pass through this port. It includes one container terminal located next to the Las

Americas Airport built by the private sector in 2003. Approximately 30% of marine cargo arriving in the Dominican Republic passes through this port.

B. Plenary Discussions:

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 August 2009 report. The Schedule of Activities for the meeting is attached (Annex I). The tasks addressed in plenary included the following:

Control of Containers (Chile)

During its last meeting the Group finalized a document on the control of containers prepared by a working group chaired by the delegation of Argentina. The Group proposed to prepare an annex to this guide to expand on three aspects; mechanisms for information exchange, registry of importers and exporters, and record of containers related to illicit activities. The delegation of Chile agreed to draft this annex, which would also include a draft register to record certain information useful in the control of containers.

Unfortunately Chile was not able to attend the meeting and present the draft annex tasked to the working group this delegation chaired.

The Control of "Go Fast" Boats (Colombia/Mexico)

During previous meetings the Group of Experts addressed various aspects related to the control of "go fast" boats. Several delegations identified the use of "go fast" boats as an on-going problem. The delegation of Colombia delivered an update report on the challenges presented by the use of "go fast" boats in the movement of illicit drugs and related contraband. The Group agreed to refer this issue to a working group to develop a reference tool for the control of "go fast" boats and other vessels used to transport illicit drugs.

Control of Narcotrafficking in Lakes and Riverine Systems (Venezuela)

During its last meeting the Group of Experts discussed the use of lakes and riverine systems in the movement of illicit drugs. A working group chaired by the delegation of Venezuela was tasked with preparing a guide on the control of these waterways. During this current meeting, the delegation of Venezuela delivered a presentation on the system it employs to monitor and control the

movement of illicit drugs on these waterways. A working group was formed to pursue this issue further using a draft document prepared by Venezuela.

Control of Submersible and Semi-Submersible Vessels (Colombia/United States)

Narcotraffickers continue to use submersible and semi-submersible vessels to control illicit drugs. The delegations of both Colombia and the United States have delivered presentations on this subject during meetings of the CICAD Commission. The Group of Experts considered this issue in the past, and prepared several guides on the control of different aspects of this problem.

The delegation of Colombia delivered a presentation on the evolution of the use of semi-submersibles and later self propelled submersible vessels in the movement of illicit drugs. The presentation mapped a history that began in 1993 and included the capture of 58 vessels by 2010. The presentation included an overview of the operational approaches used to identify and interdict these vessels.

During the Group's last meeting the delegation of Colombia chaired a Working Group on the principles of controlling these vessels. The draft prepared by this Working Group included elements of Colombia's legislation on the control of these vessels.

Further to its presentation on submersibles and semi-submersible vessels delivered to the CICAD Commission during its forty-seventh regular session, the delegation of the United States prepared draft model legislation/regulations on the control of these vessels.

The Group of Experts agreed to form a working group to consider these two documents, and prepare a single document that includes the principles and model legislation/regulations concerning the control of submersibles and semi-submersibles.

C. Working Groups:

During the course of the meeting, the Group divided into smaller working groups. In doing so, the working groups considered tasks or issues that originated in the previous meeting that had not been fully addressed, as well as new issues identified at the beginning of the current meeting. The following is a summary of the activities of the working groups:

Guide for the Control of "Go Fast" Boats (Colombia/Mexico)

The Group agreed to build on previous discussions regarding "go fast" boats, and develop a guide with tools that countries could use to control these and other vessels used to support them in the transport of illicit drugs. The delegation of Colombia agreed to chair this working group to prepare this draft and proposed to meet in 2011 to finalize this document.

Control of Narcotrafficking Over Lakes and Riverine Systems (Venezuela)

As noted above, a working group chaired by the delegation of Venezuela was formed to expand on a draft document prepared by this delegation on the control of lakes and riverine systems used to move illicit drugs. It is proposed that the Group of Experts meet in 2011 to review and finalize this draft document.

Model Legislation/Regulations for the Control of Submersibles and Semi-Submersibles (Colombia/United States)

The Group of Experts tasked a Working Group co-chaired by the delegations of Colombia and the United States to prepare draft principles and model regulations on the control of submersibles and semi-submersibles. Using the draft documents and model regulations prepared by these two delegations as a point of departure, the Working Group was asked to prepare a draft to be considered and finalized by the Group of Experts when it meets in 2011.

The Exchange of Information (Colombia)

Success in efforts to control maritime narcotrafficking depends on cooperation as well as the development and exchange of information to target efforts. Information exchange among agencies and countries can present certain challenges.

The Group of Experts formed a Working Group to examine mechanisms to share information regarding counterdrug efforts and activities of narcotrafficking. Due to the complexities, sensitivities and limitations of sharing certain information, the Working Group focused their efforts on developing a mechanism or platform for member states and their agencies controlling maritime narcotrafficking to share information that is in the public sector.

Colombia proposed to develop a secure web-based platform that would allow countries to post and share open-source information.

The working group agreed to begin developing this platform and proceed with its implementation as quickly as possible. Initially, participants in the platform will

include officials from the Group of Experts. Other individuals in member states will be added based on experience gained during the preliminary implementation.

The Colombian chair of the working group will report on the status of implementation during the next meeting of the Group of Experts.

On the issue of information exchange, the Brazilian delegation expressed its policy on the matter and introduced the following statement for the record:

Brazil's intelligence services are informed of the drug trafficking routes in Brazil and the Continent. Such services maintain intense cooperation with the countries of the region with the vision to efficiently combat transnational crimes.

It is the expectation of the government of Brazil that any suspicion, indication, or information, even unconfirmed, from countries of the Region, on transnational crimes in Brazilian territory, be immediately brought to its attention via diplomatic channels.

Judicial Support (Canada/United States)

Some of the delegations suggested that judges and prosecutors are often not well acquainted with issues related to maritime narcotrafficking cases. Frequently they are not familiar with terminology, operational practices, means to establish jurisdiction, and the nature of maritime narcotrafficking. This can affect the way cases are treated or considered, and result in a failure to prosecute suspects.

The Group of Experts established a Working Group to explore this issue, and identify and develop some resources that might help to reduce this information gap. The delegations of Canada and the United States co-chaired this Working Group, and agreed to coordinate the preparation of a draft guide for judicial support for consideration by the Group when it meets in 2011.

Other Issues:

The Group of Experts proposed that the following two items be included in the agenda for the next meeting:

- Colombia's experience in the prosecution of maritime narcotrafficking cases by its Fiscalía
- Standardization of seizure and other data collection stemming from counterdrug operations and related activities

The Group also expressed its concern over arms trafficking by maritime means. While this falls outside its mandate, the issue is directly linked to narcotrafficking, and hence remains a concern to the participants. The Executive Secretariat will consult with other entities in the OAS concerned with arms trafficking to see how we might address this issue during the Group's next meeting.

3. PLAN OF ACTION

Further to the discussions in plenary and in the working groups, the Group of Experts has prepared the following plan of action from which the assigned products will be presented when the Group next meets:

Preparation of the following guides, manuals or other papers:

Guide for the Control of "Go Fast" Boats (Colombia/Mexico)

Control of Narcotrafficking Over Lakes and Riverine Systems (Venezuela)

Model Legislation/Regulations for the Control of Submersible and Semi-Submersible Vessels (Colombia/United States)

The Exchange of Information (Colombia)

Judicial Support (Canada/United States)

4. CLOSING SESSION

The Group of Experts concluded its work on August 13. Ambassador Anibal Enrique Quiñones Abarca, OAS Representative in the Dominican Republic, offered closing remarks and thanked the members of the Group of Experts for their participation. Dr. Mabel Féliz Báez, President of the National Drug Council of the Dominican Republic and Vice Admiral Homero Luís Lajara Solá, Chief of Staff of the Dominican Navy (M. G.) also participated in the closing ceremonies. CPNV-EMC Mario Yopez Montesdeoca, Commandant of the Coast Guard of Ecuador also spoke and thanked the representatives from the countries for their participation in this event

III. CONCLUSIONS AND RECOMMENDATIONS OF THE GROUP OF EXPERTS

RECOMMENDATIONS FOR THE CICAD COMMISSION'S CONSIDERATION:

That the Commission:

- **direct** the Group of Experts to continue its work on the issues initiated for consideration and finalizing at the next meeting
- **accept** the proposed plan of action for the Group of Experts
- **direct** the Group of Experts to meet during 2011 and implement the plan as proposed, allowing for the consideration of new or emerging issues

ANNEX I

GROUP OF EXPERTS ON MARITIME NARCOTRAFFICKING
August, 9 to 13,
Santo Domingo, Dominican Republic

OEA/Ser.L/XIV.4.7
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DRAFT SCHEDULE OF ACTIVITIES

Monday, August 9

08:00 – 08:30 **Registration**

08:30 – 09:00 **Opening Remarks**

Welcome remarks by National Drug Commission (CND)

Welcome remarks by Ambassador Anibal Enrique Quiñonez Abarca, Representative of the OAS in the Dominican Republic

Welcome remarks by the Dominican Navy

Group Photo

09:30 – 10:00 **Coffee Break**

10:00 – 10:15 **Introduction and Review**

- Background of Group
- Schedule of work
- Proposed work methodology
- Review of tasks assigned

10:15 – 11:00 **Introduction of participants and “roundtable”
identification of additional issues of concern**

11:00– 12:30 **Control of Containers - Argentina**

Control of "Go Fast" Boats

- Colombia/Mexico

Control of Narcotrafficking Over Lakes and Riverine Systems

- Venezuela

Control of Submersible and Semi-Submersible Vessels

- Colombia

12:30 – 14:00

Lunch

14:00– 17:00

Working Groups

- New trends and routes in maritime narcotrafficking
- Model regulations concerning submersibles and semi-submersibles
- To be determined based on “roundtable” discussion

19:00 – 21:00

Welcome reception at the Naval Club

Tuesday, August 10

08:30 – 09:45

Presentation by Dominican Republic Representatives from the Navy and the Specialized Port Security Group (CESEP)

09:45 – 10:30

Working groups (*cont.*)

10:30 – 11:00

Break

11:00 – 13:00

Working groups (*cont.*)

13:00 – 14:30

Lunch

14:30 – 15:30

Working groups (*cont.*)

15:30 – 15:50

Coffee Break

15:50 – 17:00

Presentations by working groups

Wednesday, August 11

- 08:30 – 09:45** **Presentation by Dominican Republic
Representatives from Customs Directorate (DGA) and
the Port Authority (APORDOM)**
- 09:45– 10:30** **Working groups (new tasks)**
- 10:30 – 11:00** **Coffee Break**
- 11:00 – 13:00** **Working groups (new tasks) Cont.**
- 13:00 – 14:30** **Lunch**
- 14:30 – 17:00** **Working groups (new tasks) Cont.**

Thursday, August 12

- 08:30 – 09:45** **Presentation by Dominican Republic
Representatives from the Joint Information and
Coordination Center (CICC) and the Shipping
Association of the Dominican Republic (ANRD)**
- 09:45– 10:30** **Working groups (new tasks)**
- 10:30 – 11:00** **Coffee Break**
- 11:00 – 13:00** **Working groups (new tasks) Cont.**
- 13:00 – 14:30** **Lunch**
- 14:30 – 17:30** **Visit to the Multimodal Port of Caucedo**
- 19:00 – 21:00** **Reception at the Customs Directorate Club**

Friday, August 13

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|----------------------|---|
| 09:00 – 10:30 | Presentations by working groups |
| 10:30 – 10:45 | Coffee Break |
| 10:45 – 12:00 | Presentations by working groups (Cont.) |
| 12:00 – 12:15 | Conclusions, commitments and recommendations for action by the Working Group |
| 12:15 | Closing |