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USE OF GO-FAST BOATS IN DRUG TRAFFICKING AND DISTRIBUTION.

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PREAMBLE

Use of go-fast boats is a frequent modus operandi for criminal groups and organizations for drug trafficking and distribution. Specific characteristics favor this type of crime, the most important of which is the widespread use of these boats for legal fishing, making it very hard to find criminals in the huge universe of fishing activity.

Another serious problem in this regard is the legislation of the different countries to regulate the boats' use, and the lack of adequate regulations to restrict their illegal use, a situation that criminals thoroughly exploit for their illicit activities, taking advantage of these legal gaps or loopholes, which also facilitate arms trafficking, trafficking in illegal aliens, and other offenses.

PURPOSE.

The purpose of this document is only to serve as a reference guide of best practices for member states to use to the extent they consider it might help with each nation's specific problems; it is not intended to constitute an obligation or be binding on the countries.

THE PROBLEM

Examining the problem faced by each of our countries, we can see that it involves many social facets that have a negative impact on our countries' citizens, but since this group cannot address all the problems of each of our governments, we have endeavored to fulfill the group's mandate by focusing on the go-fast boats.

For a critical analysis, we think this paper should start with some questions that will help us to organize the process in a focused manner.

Since the topic is the use of go-fast boats, the questions we should ask are:

- Is the inappropriate use of go-fast boats contributing to a problem in our societies?
- How are they contributing to the problem?
- What is the effect of this form of transportation in our countries?
- Is it a threat to our countries' sovereignty and order?
- How can we stop this damage? It is necessary to stop the arrival of go-fast boats.
- How to prevent it? We could stop go-fast boats before they enter our waters or before they reach the coast; alternatively, we could stop them from leaving the coast.
- How are we going to stop go-fast boats from arriving at or leaving the coast? By controlling national waters or controlling the movements of the go-fast boats.
- Can we control all our national waters?
- Can we control all the go-fast boats?
- What is the solution? To increase the degree of control of our waters and the go-fast boats.
- How can we control the go-fast boats? We need to know who they are, the names of their crew members, where they are, their characteristics, the motors they use, and if they leave we need to know if we can pursue them or find them.

PRACTICAL GUIDE FOR CONTROL OF BOATS

GENERAL MEASURES

1. DEFINITIONS: The following definitions are offered for the purposes of this document:

1. **IDENTIFICATION MARK:** The identification mark is the symbol used to identify all vessels of national registry, except for warships.
The identification mark should have the following characteristics:
 - a. Markings should be unique and permanently affixed to the vessel
 - b. Placement: as determined by each country.
Homemade vessels will only have the identification mark on the bow sides.
 - c. Information: numbers and symbols as determined by each maritime authority.
For pilot vessels, they should also have the word “pilot” in capital letters, in the center of the vessel’s sides.
 - d. Size: Each letter or number should be placed in proportional size to the freeboard and length, based on the size of the vessel or naval craft.
 - e. Appearance: The mark should be painted in a color that contrasts with the vessel color to permit visibility and clear identification, using long-lasting weather-resistant reflective or fluorescent paint.

2. **SIGNAL TO CHANGE SPEED:** Is the signal emitted by a unit of the maritime authority or Coast Guard Service that orders the owner or captain of the vessel to stop or change the speed of the vessel (as the case may be) to allow boarding safely. The signal will be determined by each country, and can be accompanied by intermittent light signals to the vessel in question. It can also be supplemented by a verbal order regarding the directions in question on the VHF-FM channel designated for this purpose.

3. **REQUIRED DOCUMENTS:** The required documents are the set of documents issued by the national or local maritime authority, and those recognized or accepted that have been issued by a foreign maritime authority or a recognized organization. The nature of the documents required will vary based on the class of the vessels in question and the requirements defined by each country. These documents should be checked during the vessel inspections.

Required documents for vessels and artifacts of national registry could include the following and others:

- a. Navigation licenses for all crew members.
- b. Vessel registration or special navigation permit (depending on class of vessel).
- c. National Fisheries Institute permit for fishing vessels.
- d. Resolution of authorization or route registration (depending on the vessel’s traffic pattern).
- e. Sailing document and other documents required by current merchant marine regulations, based on the vessel class.

- f. Registration certificate or, if there is none, a safe-conduct.
- g. Motor registration certificate.
- h. Certificate of maximum authorized fuel capacity.
- i. Statutory certificates of safety, seaworthiness, minimum crew, and prevention of pollution.
- j. Special transit authorization issued by the maritime authority.
- k. Other documentation that the maritime authority of each country deems pertinent

The required documents for ships and craft of foreign registry are:

- a. Navigation licenses for all crew members.
 - b. Vessel registration or special navigation permit (depending on class of vessel).
 - c. Fishing authority of each country permit for fishing vessels.
 - d. Resolution of authorization or route registration (depending on the vessel's traffic pattern).
 - e. Sailing document and other documents required by current merchant marine regulations, based on the vessel class.
 - f. Registration certificate.
 - g. Motor registration certificate.
 - h. Statutory certificates of safety, seaworthiness, minimum crew, and prevention of pollution.
 - i. Special transit authorization issued by the maritime authority.
 - j. Other documents that each country deems pertinent
1. **STATUTORY CERTIFICATES:** Statutory certificates are the documents issued by the maritime authority to ships and naval craft to certify their adequacy in terms of safety, seaworthiness, minimum crew, and prevention of pollution, in accordance with current technical regulations.

2. NORMS FOR CONTROL OF TRANSIT OF SHIPS OR NAVAL CRAFT: All large and smaller vessels (as defined in each case by the country in terms of length and other factors) and naval craft under the jurisdiction of each maritime authority, except for warships, should comply with the following requirements:

- 1. Vessels and naval craft of foreign registry:
 - a. Be registered with the foreign maritime authority.
 - b. Have aboard and current at all times the required documents for the vessel and its crew, issued by the foreign maritime authority or recognized authority, depending on the specific case.

- c. Heed the “signal to stop engines” and the order to halt communicated on VHF-FM channel 16 and other requirements and procedures carried out by the country’s operational units.
- d. Stay on the authorized route in the case of coastal traffic, or the registered route for international traffic, in accordance with the authorization in the administrative act issued by each country’s maritime authority.
- e. Cruise at speeds less than twenty-five (25) knots in internal bays and access channels and (30) knots in jurisdictional waters, except for vessels engaged in competitive racing, as previously authorized by the harbor master of the corresponding port.
- f. Obtain from the area harbor master the special transit permit for ships whose hull-motor ratio enables them to make speeds greater than twenty-five (25) knots.
- g. Obtain from the appropriate harbor master the special transit permit for smaller vessels that wish to sail between dusk and dawn, in which case they should have battery-powered navigation lights.
- h. Not carry on board equipment that is for exclusive use by relevant authorities, including night vision devices, radar detectors, and radio scanners for HF, VHF, and UHF frequencies.
- i. Report periodically to the jurisdiction’s maritime traffic control station on the VHF-FM channel designated for this purpose by the country when the vessel intends to enter the port and/or go out to sea.
- j. Not to transport fuel in tanks or open containers, or in an amount that exceeds the design capacity for fuel transport, or the quantity of additional fuel to be carried as cargo, in order to prevent marine pollution, protect human life at sea, and comply with the authorization for maximum fuel capacity (at each country’s criteria).

NOTE: The restriction indicated in the previous paragraph should only applies to vessels with a tonnage equal to or less than one thousand (1,000) gross register tons (GRT).

- k. Limit the amount of fuel carried by fishing vessels whose purpose is refueling of fishing support boats, taking into account that the hourly consumption rate of fuel in an outboard motor is ten percent (10%) of the motor’s horsepower. Before harbor masters authorize the departure of fishing vessels that use smaller support boats that must be refueled in the course of the activity they must calculate the number of fishing days and the total horsepower of the motors used. This is in order to limit the amount of fuel loaded, to prevent unnecessary handling of fuel that exposes the crew and vessel to danger, and to reduce the risks of marine pollution.
 - l. Not to use outboard motors larger than twenty-five (25) HP in smaller fishing support boats.
2. Vessels and naval craft of national registry.
In addition to the provisions in part 1 dealing with Identification Marks, they should comply with the following requirements:

- a. Display the identification mark, which shall be visible at all times.
- b. Register any motor for sea or river use with a harbor master in the country, who shall issue the motor registration certificate (Annex B of this resolution).
- c. Not to transport fuel in tanks or open containers, or in an amount that exceeds the design capacity for fuel transport, or the quantity of additional fuel to be carried as cargo, in order to prevent marine pollution, protect human life at sea, and comply with the authorization for maximum fuel capacity (Annex A of this resolution).

NOTE. The restriction indicated in paragraph c of this section should only apply to vessels with tonnage equal to or less than one thousand (1,000) gross register tons (GRT), except for: vessels that navigate within the jurisdiction of the same harbor master, those dedicated to personal fishing, transport of passengers (which may only have enough fuel for their use); family boats that have to carry fuel for domestic use, and those dedicated to coastal traffic on a route authorized by the maritime authority.

3. NORMS APPLICABLE TO REGIONAL PORT AUTHORITIES. Personnel in regional port societies in the jurisdictional areas of the maritime authority, in areas of their competence, should follow the guidelines for the prevention and suppression of trafficking in narcotic or psychotropic substances, and inputs or essential chemical products or precursors for the elaboration, processing, or transformation of drugs, established by the International Maritime Organization (IMO) in resolution A872 (20).

4. NORMS APPLICABLE TO MARINAS AND YACHT CLUBS: Marinas and yacht clubs, in jurisdictional areas of the maritime authority, should comply strictly with the following requirements:

1. Be registered with the maritime authority.
2. Have a current business license, issued by the maritime authority.
3. In areas within their competence, follow guidelines for the prevention and suppression of trafficking in narcotic or psychotropic substances, and inputs or essential chemical products or precursors for the elaboration, processing, or transformation of drugs, established by the International Maritime Organization (IMO) in resolution A872 (20).
4. Immediately inform the jurisdiction's harbor master when a vessel of national registry arrives without an identification mark or the certificate of maximum authorized fuel capacity, seeking any type of service, so that the harbor master can take appropriate action.
5. Immediately inform the jurisdiction's harbor master of the arrival or departure to or from its installations of any vessel of foreign registry, including sailboats and yachts, in order to control the length of their stay in domestic waters.
6. Fuel vessels in accordance with the specifications in the certificate of maximum authorized fuel capacity, issued by the harbor master for each planned voyage.
7. Keep a permanent register of fuel sold by ship.

8. Keep an updated record of regular activities as marinas or yacht clubs, for which within sixty (60) calendar days after the publication of this document (unless they have already done it) they should start a book of vessel arrivals and departures, which registers for each vessel the name of the owner or operator, with address and telephone number, identification number, motor registration number, and number of the certificate of maximum authorized fuel capacity.

NOTE: The book of vessel arrivals and departures and the fueling register should be subject to review by the harbor master or competent authority in the inspections done to control and check those activities.

9. Send the harbor master of the jurisdiction a monthly report of movement of vessels for which some service was provided, indicating the time they spent in the marina or yacht club without movement; hours they arrived and departed; full names of the captain and crew, and their respective identification numbers.

5. NORMS APPLICABLE TO SHIPYARDS: Shipyards in jurisdictional areas of the maritime authority should comply strictly with the following requirements:

1. Be registered with the maritime authority.
2. Have a current business license, issued by the maritime authority.
3. In areas within their competence, follow guidelines for the prevention and suppression of trafficking in narcotic or psychotropic substances, and inputs or essential chemical products or precursors for the elaboration, processing, or transformation of drugs, established by the International Maritime Organization (IMO) in resolution A872 (20).
4. Not to repair, modify, and/or do maintenance on vessels or naval craft of national registry without the corresponding authorization for modification issued by the maritime authority, and/or if they lack the required documents specified in section 1.3 of this document.

NOTE: Repairs and modifications of vessels and/or naval craft of national registry should be supervised by an inspector named by the jurisdiction's harbor master.

Vessels of foreign registry should present documents equivalent to the national ones.

5. Immediately inform the jurisdiction's harbor master when a vessel or naval craft requiring repair, modification, and/or maintenance or any other service fails to present or lacks the documentation specified in the previous paragraph, so that the respective harbor master can take the appropriate action.
6. Immediately inform the jurisdiction's harbor master of the arrival or departure to or from its installations of any vessel of foreign registry, including sailboats and yachts, in order to control the length of their stay in domestic waters.
7. Not to alter the design capacity for transportation of fuel without prior authorization from the respective harbor master.

8. For vessels built or imported, with authorization from the owner or operator apply for the vessel registration certificate and the motor registration certificate from the harbor master of the jurisdiction where the vessel or motor will be used.
9. Place the identification mark, as prescribed in section 1.1 of this document, and deliver the vessel or naval craft and/or motor to the owner, after obtaining the vessel registration certificate and motor registration certificate, with authorization from the owner or operator.
10. Within sixty (60) calendar days from the date of publication of this document, submit a monthly report to the maritime authority on repairs and modifications made, including those to increase the range and/or maximum fuel capacity, modification of tanks, coffers, or any interior space, as well as sales completed during the past three (3) years if they make or market any type of vessel and/or motor for sea or river use.

The following data should be submitted:

- a. Name, identification number, and address of the buyer (individual or corporation).
- b. Number and class of vessels and/or motors sold, including technical specifications and serial numbers on the hull and motor.
- c. Intended use of the vessel and/or motors.

NOTE 1. Filers of the list of sales during the past three (3) years should continue submitting the monthly report.

NOTE 2. In the case of vessels or naval craft that are manufactured or imported (hull and/or motors, joined or separate) for a commercial distributor, the distributor, upon authorization from the owner or operator, may process the registration of the vessel or naval craft, registration of the motor, and affixing of the identification mark before effecting delivery to the buyer

For these purposes the shipyard should send a list with updated data on commercial distributors that are authorized to distribute its products; the list should be kept current, and the harbor master informed of any new development or change in the information.

11. If they make or market any type of vessel and/or motor for sea or river use, after submitting the abovementioned report, file a report with the maritime authority within the first fifteen (15) calendar days of each month, listing repairs, modifications, increase of range and/or maximum fuel capacity, as well as sales during the period since the date of publication of this document.

The following information should be required:

- a. Name, identification number, and address of the buyer (individual or corporation).
- b. Number and class of vessels and/or motors sold, including technical specifications and serial numbers on the hull and motor.
- c. Number of registration certificate and motor registration certificate.
- d. Intended use of the vessel and/or motors.

12. Immediately inform the jurisdiction's harbor master when a vessel or naval craft requiring repair, modification, and/or maintenance or any other service has had any type of structural modification of the internal or external spaces of the motor vessel that are not duly shown in the plans of the vessel or naval craft or authorized by competent authority and could be used for the transportation of narcotics or psychotropic substances, or of inputs or essential chemical products or precursors for the making, processing, or transformation of drugs, or any unauthorized substance.

6. NORMS APPLICABLE TO SHIP REPAIR SHOPS AND OTHER INDIVIDUALS AND CORPORATIONS ENGAGED IN THE CONSTRUCTION, REPAIR, MODIFICATION, AND/OR MAINTENANCE OF VESSELS OR NAVAL CRAFT: Ship repair shops and those described above that are in areas under the jurisdiction of the maritime authority should comply strictly with the following requirements:

1. Be registered with the maritime authority.
2. Have a current business license, issued by the maritime authority.
3. In areas within their competence, follow guidelines for the prevention and suppression of trafficking in narcotic or psychotropic substances, and inputs or essential chemical products or precursors for the elaboration, processing, or transformation of drugs, established by the International Maritime Organization (IMO) in resolution A872 (20).
4. Not to repair, modify, and/or do maintenance on vessels or naval craft of national registry without the corresponding authorization for modification issued by the maritime authority, and/or if they lack the required documents specified in section 1.3 of this document.

NOTE: Repairs and modifications of vessels and/or naval craft of national registry should be supervised by an inspector named by the jurisdiction's harbor master.

Vessels of foreign registry should present documents equivalent to the national ones.

5. Immediately inform the jurisdiction's harbor master when a vessel or naval craft requiring repair, modification, and/or maintenance or any other service fails to present or lacks the documentation specified in the previous paragraph, so that the respective harbor master can take the appropriate action.
6. Not to alter the design capacity for transportation of fuel without prior authorization from the respective harbor master.
7. Within sixty (60) calendar days from the date of publication of this resolution, submit a monthly report to the maritime authority on repairs and modifications made, including those to increase the range and/or maximum fuel capacity, modification of tanks, coffer, or any interior space, as well as sales completed during the past three (3) years if they make or market any type of vessel and/or motor for sea or river use.

The following data should be submitted:

- a. Name, identification number, and address of the buyer (individual or corporation).

- b. Number and class of vessels and/or motors sold, including technical specifications and serial numbers on the hull and motor.
- c. Intended use of the vessel and/or motors.

NOTE: Filers of the list of sales during the past three (3) years should continue submitting the monthly report.

- 8. If they make or market any type of vessel and/or motor for sea or river use, after submitting the abovementioned report, file a report with the maritime authority within the first fifteen (15) calendar days of each month, listing repairs, modifications, increase of range and/or maximum fuel capacity, modification of tanks, coffer, or any interior space, as well as sales during that period, since the date of publication of this resolution.

The following information should be required:

- a. Name, identification number, and address of the buyer (individual or corporation).
 - b. Number and class of vessels and/or motors sold, including technical specifications and serial numbers on the hull and motor.
 - c. Number of registration certificate and motor registration certificate.
 - d. Intended use of the vessel and/or motors.
- 9. Immediately inform the jurisdiction's harbor master when a vessel or naval craft requiring repair, modification, and/or maintenance or any other service has had any type of structural modification of the internal or external spaces of the motor vessel that are not duly shown in the plans of the vessel or naval craft or authorized by competent authority and could be used for the transportation of narcotics or psychotropic substances, or of inputs or essential chemical products or precursors for the elaboration, processing, or transformation of drugs.

7. NORMS APPLICABLE TO INDIVIDUALS OR CORPORATIONS THAT SELL VESSELS OR NAVAL CRAFT AND/OR MOTORS FOR SEA OR RIVER USE:

Individuals and corporations that sell vessels or naval craft and/or motors for sea or river use in areas under the jurisdiction of the maritime authority should comply strictly with the following requirements:

- 1. Purchases of vessels should only be permitted using traceable means of payment.
- 2. With authorization from the owner or operator, they may apply for the vessel registration certificate and the motor registration certificate from the harbor master of the jurisdiction where the vessel or motor will be used.
- 3. Place the identification mark, as prescribed in section 1.1 of this document, and deliver the vessel or naval craft and/or motor to the owner, after obtaining the vessel registration certificate and motor registration certificate, with authorization from the owner or operator.
- 4. Within sixty (60) calendar days from the date of publication of this resolution, submit a report to the maritime authority on sales completed during the past three (3) years, with the following information:

- a. Name, identification number, and address of the buyer (individual or corporation).
- b. Number and class of vessels and/or motors sold, including technical specifications and serial numbers on the hull and motor.
- c. Intended use of the vessel and/or motors.

NOTE: Filers of the list of sales during the past three (3) years should continue submitting the monthly report.

5. After submitting the abovementioned report, file a report with the maritime authority within the first fifteen (15) calendar days of each month, listing sales during that period, since the date of publication of this document.

The following information should be required:

- a. Name, identification number, and address of the buyer (individual or corporation).
- b. Number and class of vessels and/or motors sold, including technical specifications and serial numbers on the hull and motor.
- c. Number of registration certificate and motor registration certificate.
- d. Intended use of the vessel and/or motors.

8. NORMS APPLICABLE TO OWNERS, OPERATORS, AND MARITIME AGENTS:

Owners, operators, and maritime agents, in areas within their competence, should follow guidelines for the prevention and suppression of trafficking in narcotic or psychotropic substances, and inputs or essential chemical products or precursors for the elaboration, processing, or transformation of drugs, established by the International Maritime Organization (IMO) in resolution A872 (20), complying with the following requirements:

1. Vessels registered with the national maritime authority: The owner, operator, or maritime agent of a duly licensed vessel or naval craft or a motor duly registered prior to the date of publication of this resolution, within three (3) months from this date, shall undertake the following procedure with the harbor master of his or her jurisdiction:
 - a. As required, arrange for authorization or register of a specific route or reconfirm the previously assigned or registered route, according to the vessel's traffic pattern.
 - b. Take necessary steps for issuance of the certificate of maximum authorized fuel capacity for each intended voyage, whenever it is necessary to leave.
 - c. Arrange for issuance of the motor registration certificate.
 - d. Request a special inspection from the harbor master where registered in accordance with the provisions of section 17.9 of this document.
2. Unregistered vessels: The owner, operator, or maritime agent of a vessel or naval craft not duly licensed or a motor not duly registered prior to the date of publication of this resolution, within three (3) months from this date, in addition to the requirements in

paragraph 1 of this article, shall undertake the following procedure with the harbor master of his or her jurisdiction:

- a. Take the necessary steps for issuance of the various required documents, depending on the class of vessel or naval craft.
- b. Obtain from the respective harbor master authorization for any modification of the design capacity for transporting fuel on the vessel or naval craft.
- c. Inform the harbor master with which registered of any development or change in the information concerning the vessel's technical data, personal data and that of the owner when this is not the operator, and the place where the vessel is normally docked.
- d. Not to alter the characteristics of the vessel or naval craft without prior authorization from the maritime authority, and not to take on more fuel than specified in the certificate of maximum authorized fuel capacity. (Annex A of this resolution.)

9. NORMS APPLICABLE TO VESSEL CREWS AND CAPTAINS: Vessel crews and captains in areas within their competence, should follow guidelines for the prevention and suppression of trafficking in narcotic or psychotropic substances, and inputs or essential chemical products or precursors for the elaboration, processing, or transformation of drugs, established by the International Maritime Organization (IMO) in resolution A872 (20), complying with the following requirements:

1. Report to authorities any crimes or violations of which they may become aware, particularly those involving:
 - a. Piracy.
 - b. Trafficking in persons.
 - c. Human Smuggling
 - d. Making unauthorized transmissions.
 - e. Trafficking in narcotic or psychotropic substances, and inputs or essential chemical products or precursors for the elaboration, processing, or transformation of drugs.
 - f. Unauthorized transportation of weapons, ammunition, or explosives.
 - g. Contraband and encouragement of contraband.
 - h. Unauthorized exploration for shipwrecked antiquities.
 - i. Unauthorized recovery of shipwrecked currency.
 - j. Unauthorized fishing, exploration, exploitation of resources or in areas not authorized for fishing by the competent authority.
 - k. That the vessel does not have a nationality.
 - l. Transport of radioactive waste or substances.
2. In addition to the provisions of the previous number, ship captains should comply with the following requirements:

- a. Report all suspicious activities to an appropriate agency or office designated for this purpose
- b. Not to permit objects of illicit trade aboard the vessel or naval craft.
- c. Give advance notice by radio or other communication means or through their maritime agent if they have one, to the authorities or nearest harbor master that they are carrying essential chemicals or precursors for the elaboration, processing, or transformation of narcotics, and indicate the route in the case of innocent passage or the port where they intend to dock.
- d. Give advance notice by radio or other communication means, or through their maritime agent if they have one, to the respective harbor master and other competent authorities at least twenty-four (24) hours before the estimated time of arrival at the port, with indication of the type of merchandise, amount, marks, manufacturer, country of origin, and itinerary of ports where the vessel will stop before unloading the essential chemical products or precursors for the elaboration, processing, or transformation of narcotics, in addition to declaring said merchandise per applicable regulations of each country's customs authority.
- e. Permit boarding of the vessel or naval craft by commanders of the waterborne units of the maritime authority in order to check the required documents of the vessel or naval craft and/or the crew and/or to inspect and search all or part of the vessel or naval craft.

DETENTION

10. DETENTION OF VESSELS OR NAVAL CRAFT: This is the action taken by commanders of operational units or by the maritime authority or Coast Guard Service to temporarily prevent the sailing or navigation of vessels or naval craft so they can be boarded as provided in section 13 of this document.

11. PRESENCE OF AUTHORITY: When a unit of the maritime authority is present, all vessels or naval craft should monitor VHF-FM channel 16 and answer if called.

Any vessel that does not heed or ignores the "signal to stop engines" or an order to halt shall be pursued and temporarily detained because the action is considered an indication that felonies or misdemeanors are being committed. In addition, failure to comply with the "signal to stop engines" shall cause the maritime authority to impose the penalties specified in section 18 of this document.

12. APPLICATION: Temporary detention of vessels or naval craft can be executed by any marine authority unit, as follows:

1. By operational units, when there is evidence that would imply that felonies or misdemeanors are being committed by the vessel or its crew, as follows:
 - a. Piracy.
 - b. Trafficking in persons.

- c. Human Smuggling.
- d. Making unauthorized transmissions.
- d. Trafficking, manufacture, or transportation of narcotics or psychotropic substances, inputs or essential chemical products or precursors for the elaboration, processing, or transformation of drugs.
- e. Unauthorized transportation of weapons, ammunition, or explosives.
- f. Unauthorized exploration for shipwrecked antiquities.
- g. Unauthorized recovery of shipwrecked currency.
- h. Contraband of goods and encouragement of contraband.
- i. Unauthorized fishing, exploration, exploitation of resources or in areas not authorized for fishing by the competent authority.
- j. When the vessel is not registered with a national or foreign maritime authority.
- k. When the vessel and/or the crew lack the required documents.
- l. When the vessel or its crew ignore the “signal to stop engines” or the order to halt given in a communication on VHF-FM channel 16 by a unit of the national navy, the vessel shall be pursued.
- m. When a vessel engaged in coastal traffic strays from the authorized route, or when a vessel in international traffic strays from the route authorized by the maritime authority.
- n. When the vessel runs at more than twenty-five (25) knots in domestic bays and access channels or more than thirty (30) knots in sea and river waters under the maritime authority’s jurisdiction without special authorization to do so.
- o. When the smaller vessel does not have specific authorization to operate in the period from dusk to dawn., or operates without lights as required in section 1.3.j in connection with section 2.g of this document.
- p. When the number or power of the motor differs from that on the registration certificate and the motor registration certificate.
- q. When the vessel lacks the identification mark required by section 1.1 of this document.
- r. When there is no motor registration certificate (Annex B of this resolution).
- s. When the vessel carries on board equipment that is for exclusive use by the police, including night vision devices, radar detectors, and radio scanners for HF, VHF, and UHF frequencies.
- t. When vessels and naval craft with tonnage equal to or less than one thousand (1,000) gross register tons (GRT) transport fuel in tanks or open containers, or in an amount that exceeds the design capacity for fuel transport, or the quantity of additional fuel to be carried as cargo in accordance with the certificate of maximum authorized fuel capacity (Annex A of this resolution).
- u. When the vessel is not flying any flag.
- v. When the vessel has no nationality.
- w. When the vessel is carrying radioactive waste or substances.

- x. When ordered by the court of jurisdiction.
 - y. When the vessel poses a serious hazard to the safety of human life at sea and/or protection of the marine environment.
2. By the maritime authority in the following cases:
- a. When the vessel is not registered with a national or foreign maritime authority.
 - b. When the vessel and/or the crew lack the required documents.
 - c. When a vessel engaged in coastal traffic strays from the authorized route, or when a vessel in international traffic strays from the route authorized by the maritime authority.
 - d. When the smaller vessel does not have specific authorization to operate in the period from dusk to dawn or operates without lights.
 - e. When the number or power of the motor differs from that on the registration certificate and the motor registration certificate.
 - f. When the vessel lacks the identification mark required by section 1.1 of this document.
 - g. When there is no motor registration certificate (Annex B of this document).
 - h. When the vessel carries on board equipment that is for exclusive use by the police, including night vision devices, radar detectors, and radio scanners for HF, VHF, and UHF frequencies.
 - i. When vessels and naval craft with tonnage equal to or less than one thousand (1,000) gross register tons (GRT) transport fuel in tanks or open containers, or in an amount that exceeds the design capacity for fuel transport, or the quantity of additional fuel to be carried as cargo, except for vessels engaged in personal fishing; transport of passengers, which may only carry the amount of fuel needed for consumption; those for family use that need to carry fuel for domestic use; and those engaged in coastal traffic on a route authorized by the port authority, in accordance with the certificate of maximum authorized fuel capacity.
 - j. When the equipment of the vessel or naval craft does not meet the established requirements for validation.
 - k. When the vessels or naval craft are working for transportation companies whose licenses, operating permits, or registrations have been suspended or revoked, unless they qualify for the expressly established exceptions.
 - l. When documents to authorize the vessel's operation are missing or altered, it may be detained for the time needed to clarify the facts.
 - m. When the vessel or naval craft lacks the technical and mechanical conditions for operation, or is providing an unauthorized service. In the latter case, the vessel or

naval craft shall be detained for up to three (3) months, and if it is a recurring offense it may be punished by fine.

- n. When the vessel or naval craft exceeds permissible limits for size, weight, or cargo.
- o. When it is necessary to halt the sailing of a vessel or stop it at sea because it has violated current domestic merchant marine regulations.
- p. When the vessel poses a serious hazard to the safety of human life at sea and/or protection of the marine environment.

BOARDING

13. BOARDING THE VESSEL OR NAVAL CRAFT: This is the action taken by commanders of the waterborne units of the maritime authority, Navy or Coast Guard Service that consists of boarding the vessel or naval craft by an officer, noncommissioned officer, or other competent authority for the purpose of checking the required documents of the vessel or naval craft and/or the crew, or determining whether illegal activities are being carried out by the vessel and/or the crew, for which purpose the boarding party may inspect and search all or part of the ship.

14. TREATMENT OF GOODS AND INDIVIDUALS: When evidence or indications are found that implicate the vessel and/or naval craft, cargo, or crew in a felony and/or misdemeanor, they should be placed at the disposal of the competent authority by written order of the commander of the unit, maritime authority, and other participants, accompanied with photos or videos where relevant, indicating at least: brand, type, model, date of construction, number of the vessel and/or naval craft, registry, hull material, motor number, displacement, net tonnage, length, beam, colors of the hull, use, condition, name of individual or corporation who owns the vessel and/or naval craft and their identification numbers, operator and identification number, list of persons allegedly responsible and their identification numbers, annexing a statement of good treatment, name of the unit that made the seizure, date of same, including inventories, if applicable, and other information considered necessary so that competent authorities can determine the circumstances of the time, manner, and place that the facts occurred.

15. SCOPE OF APPLICATION: Boarding of the vessel or naval craft can be done at any time, under any circumstances, or at any place, whether on land, in marinas, yacht clubs, naval shipyards, repair shops, or any other jurisdictional area on land, wherever the ship is tied, alongside, anchored, or operating in jurisdictional waters or on the high seas.

The boarding of vessels should be undertaken in the manner and to the extent legally authorized by relevant legislation, regulations or other legal instruments of provisions.

OPERATIONAL PROVISIONS

16. OPERATIONAL ENFORCEMENT: Operational enforcement of the provisions of this document should be done by:

- 1. Naval units, through patrolling in their jurisdiction, for detention, boarding, and pursuing vessels and naval craft as established in sections 10, 11, 12.1, and 13 of this document.

2. Maritime authority, through the harbor masters, in their respective jurisdictions, for the detention, boarding, inspection, and search of vessels and naval craft, and the monitoring and control of individuals and corporations engaged in maritime activities.

17. PROVISIONS FOR HARBOR MASTERS: Harbor masters should comply strictly with the following instructions:

1. In areas within their jurisdiction, follow guidelines for the prevention and suppression of trafficking in narcotic or psychotropic substances, and inputs or essential chemical products or precursors for the elaboration, processing, or transformation of drugs, established by the International Maritime Organization (IMO) in resolution A872 (20).
2. (If there are restrictions on fuel use) Issue to domestic vessels with tonnage equal to or less than one thousand (1000) gross register tonnage (GRT) the certificate of maximum authorized fuel capacity for each voyage with the sailing document, taking into account the following considerations:
 - a. The vessel's original designed fuel capacity.
 - b. The amount of fuel needed to cover the authorized route.
 - c. Refueling in the destination port to return on the authorized route (if practical).
 - d. Additional fuel to be carried as cargo for sale in the destination port, or for conducting authorized activities, provided that the vessel complies with the technical and safety specifications and requirements for navigability and prevention of pollution when executing the activity.
 - e. The harbor master will establish specific regulations for issuing this authorization, taking into account the circumstances of the jurisdictional area and the activity conducted by the vessel.
3. Issue the motor registration certificate to motors of all vessels of domestic registry that operate within its jurisdiction, taking into account the import declaration, authorization for retrieval, commercial invoice, or any other document required by the national customs authority.
4. Issue the annual national inspection certificate to the vessels.
5. At the time of the registration, determine the correlation between the power of the motors, the type of hull, and the activity for which the vessel is registered.
6. Prepare and maintain an accurate updated register of the technical data of the vessels and motors, as well as the personal data of their owner, operator, or maritime agent.
7. Notify the legal office and the ships and sea personnel division of the maritime authority of any confirmed infractions involving the imposition of any penalty against sea personnel, vessels, or individuals or corporations engaged in maritime activities. Data and documents should be included in the information submitted regularly to the maritime authority within the first (5) calendar days of each month.

8. During the first and second half of each year make regular inspections of shipyards, ship repair shops, marinas, and yacht clubs in their respective jurisdictions, at least once each semester, to ensure compliance with the requirements established in this document. The inspection reports shall be submitted to the maritime authority.
9. Make special inspections of vessels and/or motors based on existing registers of the harbor master or at the request of the owner, operator, or maritime agent, in order to:
 - a. Verify the location of the vessels and/or the motors.
 - b. Update the harbor master's register with complete personal data on the owner, operator, or maritime agent.
 - c. Update the harbor master's register with technical characteristics of the vessels and motors, including serial number of hull and motors.
 - d. Confirm the correct location and format of the identification mark on vessels, as required in section 1.1 of this document.
 - e. Determine the maximum design capacity for transport of fuel.
 - f. Register the number of the hull and motors officially on the registration certificate.
 - g. Verify the existence and currency of required documents that should be carried aboard, as provided in section 1.3 of this document, including those for the motors and the crew.

NOTE: Required documents for vessels and naval craft of domestic registry should only be issued by the maritime authority through the harbor masters.

10. Issue special transit authorization for vessels whose hull/motor ratio permits them to operate in excess of twenty-five (25) knots, taking into account the following considerations:
 - a. The ship's commercial activity.
 - b. The assigned route and the water and weather conditions along it.
 - c. Transportation of passengers whose safety must be ensured throughout the voyage.
11. Not to issue special transit authorization to vessels that do not document use for legal activities of motors that together with the hull can reach speeds in excess of twenty-five (25) knots.
12. Issue special transit authorization for smaller vessels that wish to operate between dusk and dawn
13. Request commanders of waterborne naval units to board vessels or naval craft when circumstances require it.

14. Impose applicable penalties for violations of the regulations in this resolution, if within their competence.

18. SANCTIONS: Without prejudice to the provisions of each country's laws, failure to comply with the provisions of this document should authorize the maritime authority to impose the sanctions it deems appropriate.

EXAMPLE

1. Captains and crews:
 - a. Suspension of navigation license.
 - b. Revocation of navigation license.
 - c. Monetary sanctions established by each country.
2. Owners or operators of vessels, maritime agents, marinas, yacht clubs, shipyards, and naval repair shops:
Monetary sanctions established by each country for:
 - a. an individual
 - b. a corporation
3. Vessels:
 - a. Suspension of the operating permit.
 - b. Revocation of the operating license or special operating permit.
 - c. Revocation of the authorized or registered route.

NOTE: Penalties established in this section should be imposed without prejudice to those that may be applied by other agencies or organs in concurrent or related conduct in their areas of competence.

19. ORGANIZATION OF THE MARITIME AUTHORITY: The maritime authority should be organized as established by each country for compliance with the mission set forth in this document.

FINAL PROVISIONS

20. DISSEMINATION: Harbor masters should broadly publicize and disseminate this administrative act, particularly to individuals and corporations that own marinas, yacht clubs, shipyards, ship repair shops, distributors of vessels and/or motors, owners, operators, and maritime agents of vessels and naval craft, and captains and crews within their jurisdiction, by posting it in a visible place in their office for thirty (30) calendar days from the date of publication of this document, in addition to sending written notice to each and every one of the interested parties.