



Colombia Drug Smuggling

Report 2024

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1. Introduction

As part of our commitment to contribute to loss prevention in Colombia and across the region, our team regularly engages in meetings with representatives of the Colombian Highest Maritime Authority (DIMAR) and the officers in charge of anti-narcotic policies in the ports. We gather updated information about new practices and precautions to be aware of, as well as relevant recommendations and measures to adopt while visiting any of our ports.

This ongoing engagement has culminated in our 2024 report, which reflects the latest insights and strategies in combating the challenges faced by the maritime industry.



Recent events highlight the ongoing challenges in countering cocaine trafficking. For example, on February 8, 2024, British authorities announced a historic seizure of over 12,500 pounds of cocaine concealed in a banana shipment from the Port of Turbo, Colombia, to Southampton.

This incident, marking the largest single drug seizure in UK history, emphasizes the advanced techniques used by cartels to transport substantial drug quantities into Europe and the UK, thereby confirming the global impact of Colombian narcotics.

This report results from our efforts and experience over the last years, successfully assisting in several drug smuggling-related incidents and administrative investigations for breaches of shipping regulations, including the ISPS Code.

We trust that this report will serve as a valuable resource for all P&I Clubs, their Members, the Masters and crews, and, in general, the entire marine industry with an interest in Colombian ports to mitigate incidents associated with drug smuggling activities.



2. New drug smuggling concerns from authorities in Colombia.

2.1 Fruits, coal, and scrap cargoes among the most targeted for drug contamination

In 2024, one of DIMAR's principal concerns is the increasing number of cases involving drugs smuggled in containers of fruit, as well as in coal and scrap cargoes.

The port authorities in Santa Marta and Turbo have raised special concern about the discovery of drugs in reefer containers carrying fruits, particularly bananas from the Urabá and Magdalena regions, as evidenced by the aforementioned seizure in Southampton.



Moreover, bulk cargoes such as coal and scrap are also of significant concern, as they are frequently targeted by drug smugglers to conceal large quantities of illegal substances.

In the past two years, the anti-narcotic police have uncovered substantial amounts of cocaine disguised as "fake coal" and hidden within other bulk cargoes, necessitating the use of special alkaloid tests to detect the presence of drugs.

Additionally, there have been several cases of drug smuggling reported within scrap cargoes, where metal structures designed to hide the illegal substances have been overlooked by control officers and crew members.



2.2 Illegal “storage” locations found nearby main terminals.

As Colombia's coca leaf crops and Cocaine production has exceeded historical records in 2023, the illegal exports of this substance have also been raising.

In view of this phenomena, the antinarcotic police suspects that gangs may be storing drugs in hidden locations close to the main public and private terminals in order to reduce exposure to be discovered while transporting the drugs by road. This new behavior appears to be assisted in some cases by collaboration of personnel at the terminals, which allow the drugs to be introduced especially during night hours.

Moreover, one of the biggest concerns for local authorities is that the above situation may be causing an increase of bribery, threats, and extorsions of port officers or security personnel of the Terminals, which could potentially be extended also to crewmembers.

For the above reasons, it is recommended to have high precaution if crewmembers decide to go ashore during its call at any Colombian port.

3. Most common strategies/methods currently used by drug traffickers.



Colombian drug traffickers develop every day new complex trafficking patterns to use commercial vessels and their crews to transit illicit substances, especially cocaine, worldwide. Even though Colombian shipping terminals comply with ISPS standards and the Navy and local authorities have implemented several controls to avoid and prevent drug smuggling, drug traffickers have developed creative ways to hide illegal drugs inside and outside the vessels calling at Colombian Ports.

Please be aware that the most common strategies/methods currently used locally by drug traffickers include:



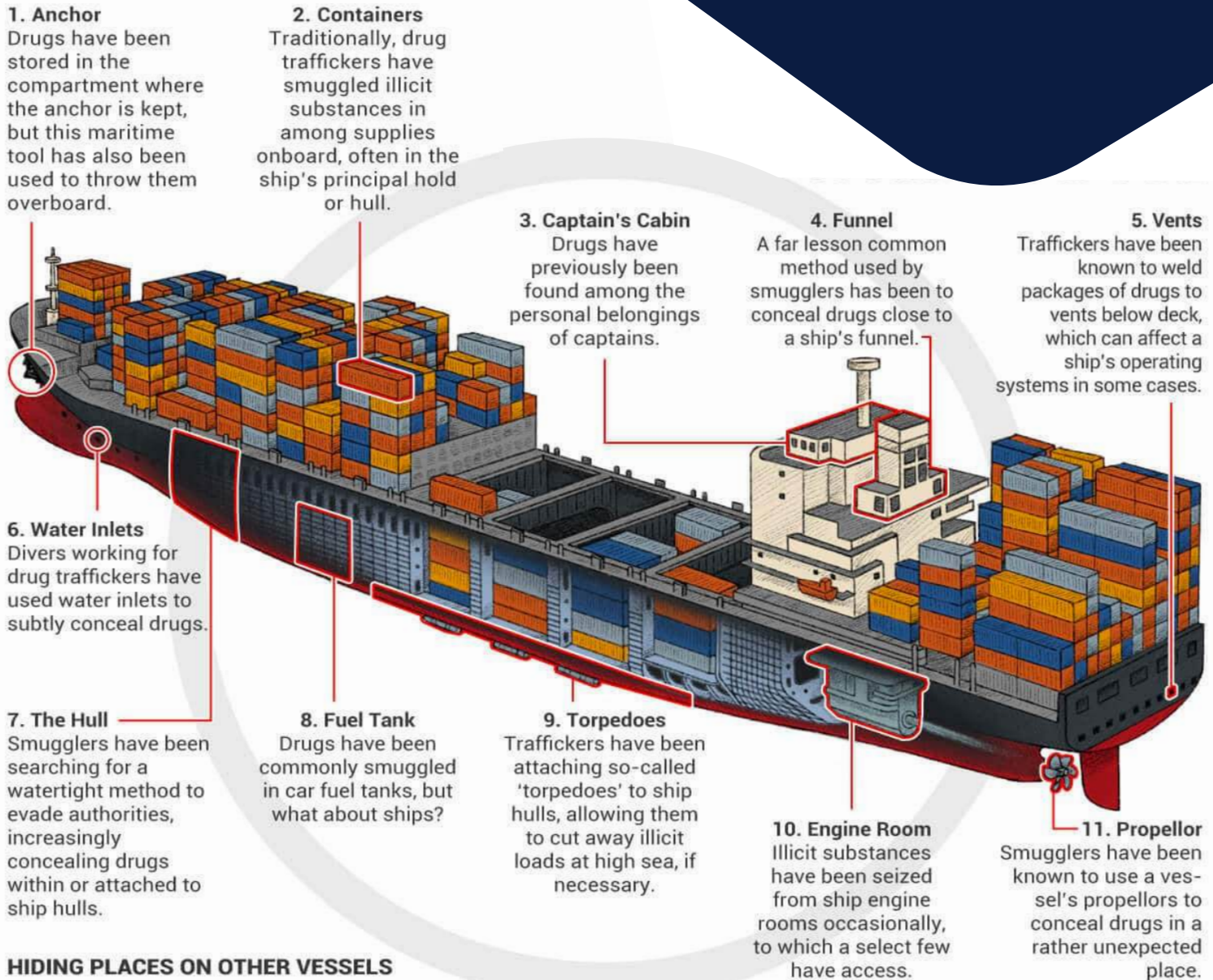
Hiding relatively small amounts of drugs in certain remote locations onboard (e.g. cabins, funnels, decks, store room or engine room) with collaboration of stevedores or even crew members. In some cases, visitors (with or without collaboration of the crew) board the vessel and quickly hide these packages in certain remote locations.

- B** Placing illegal substances within sealed containers before loading. One of the most common methods currently used by drug traffickers all around the world is to break into containers and hide drugs within the cargo, replacing then the security seals (usually this method involves certain level of collaboration from the terminal operators and/or the cargo agents). Most targeted containers are reefers.
- C** Burying packages with drugs within bulk cargoes. This method allows high quantities of illegal substances to be moved at any time, usually within the stow.
- D** Placing camouflaged drugs within bulk cargoes (especially coal cargoes). Drug dealers develop new methods to camouflage drugs within these cargoes every day, managing even to simulate coal texture and shape to traffic drugs without been noticed by security officers or crews.
- E** Introducing bags filled with drugs in the sea chests and/or attaching them to the vessel's hull, rudders, anchors, propeller, vents, or water inlets; using divers while the vessel is berthed or at anchorage.

Even though this appears to be a modality use less nowadays thanks to the effective measures often taken by shipowners and the navy, it is still recommended to be aware of it, maintaining security precautions and following the recommendations provided in this report.



Hide and Seek: Drug Traffickers get creative at sea



HIDING PLACES ON OTHER VESSELS

- 12. Store Room**
A ship's sail store room is out of bounds for most, but traffickers have found a way to use it to their advantage.
- 13. Fishing Nets**
Fishing Nets have been used to bring drugs aboard ahead of departure.

Image source: InSight-Crime Investigations 2021

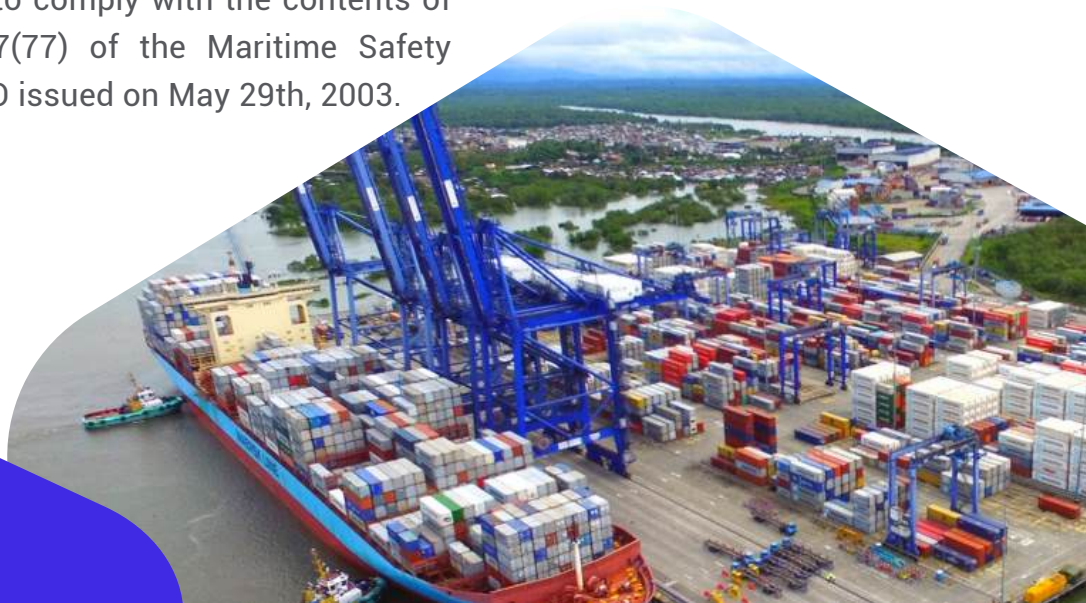
5. Performance standards for ship's security alert system – Dimar's resolution no. 0502 of 2023.

Over the last years, DIMAR had raised some concerns about the possibility that many security incidents, mostly relatively minor, were not being reported in a timely manner to local port state of control stations in order to prevent potential investigations, delays and even fines to be imposed by Colombian port authorities.

In view of the above, DIMAR issued on July 28th, 2023, the Resolution No. 0502 of 2023 by which it is ordered that all foreign ships navigating Colombian waters shall make the required configuration on its Ship Security Alert System (S.S.A.S.) for it to be harmonized with the reception equipment of the local port state of control stations in order to ensure prompt report of any security incidents, allowing the local authorities to assist and mitigate any possible losses.

In order to comply with the above order, it is recommended that shipowners confirm with their local agents the e-mail addresses of the respective port state of control stations and remind its crews that in case of security treats or incidents, prompt report is mandatory.

It is worth noting that Resolution No. 0502 of 2023 was issued in order to comply with the contents of Resolution MSC 147(77) of the Maritime Safety Committee of the IMO issued on May 29th, 2003.





4. New trafficking routes: shipowners should be aware also in other ports of southamerica.

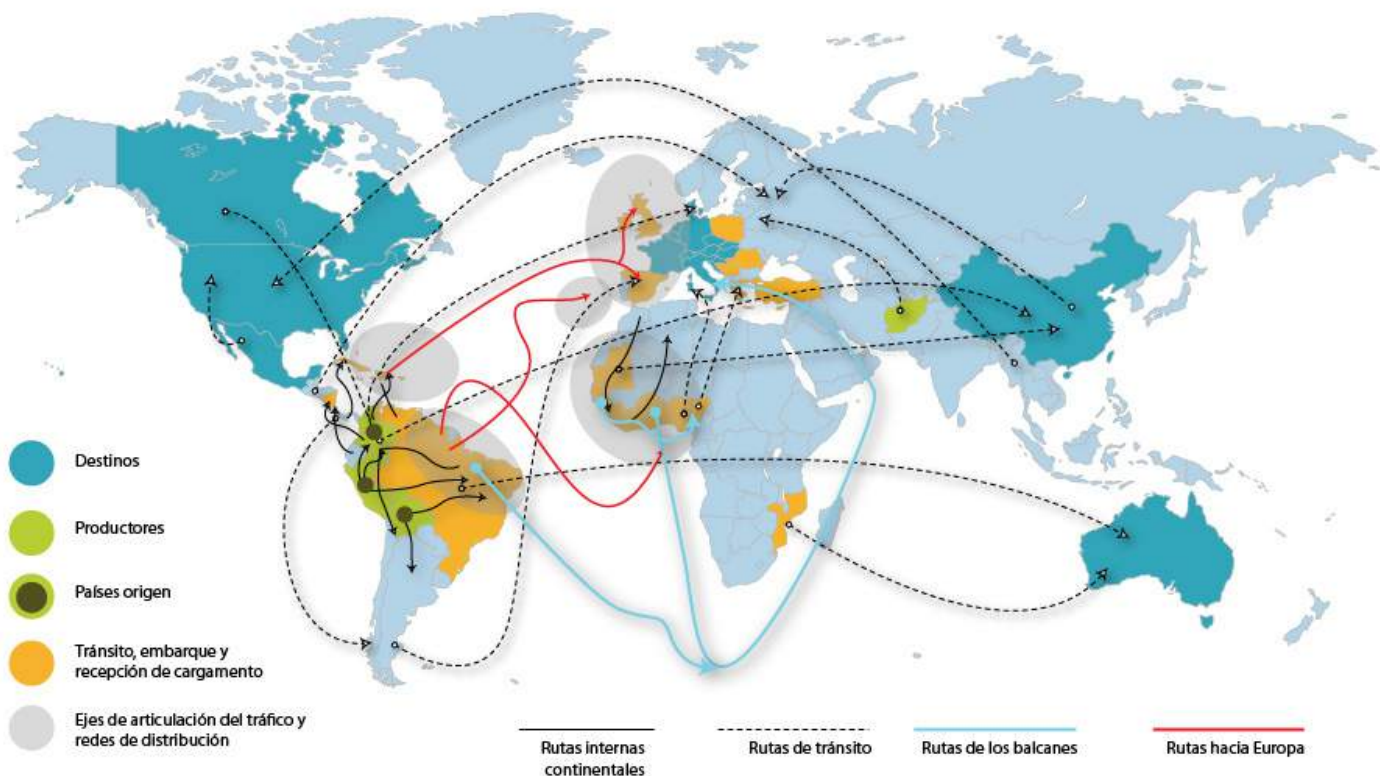


Image source: <https://www.minjusticia.gov.co/>

While most of the cocaine trafficked from Colombia keeps being illegally exported by ports located in the pacific coast, such as Buenaventura or Tumaco, the Colombian antinarcotic police recently identified that drug traffickers may be creating new routes through the south of the country, passing through Peru or Ecuador aiming to reach Chile or Uruguay where port drug controls may be lighter.

6. Preventive Measures

Vessels calling to Colombian ports should take actions to reduce the risks of drugs being placed in any manner in/on the vessel. To fully protect Member's interests concerning drug smuggling at Colombian ports, we recommend the following advice and preventive measures:

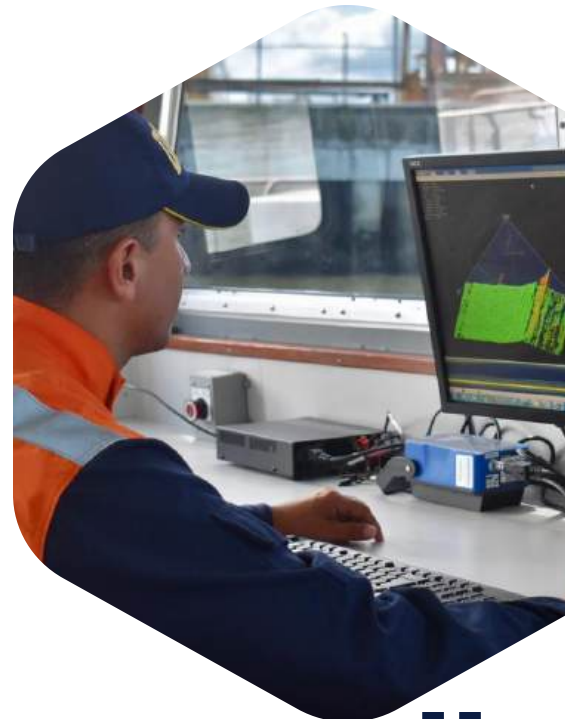


6.1 Current situation and specific risks at Colombian Ports

- Colombian ports present some risks in terms of drug trafficking and, although there are law enforcement authorities in all the ports, we would like to suggest the preventive measures discussed in point 6.2. below.
- Drug inspections performed by the Colombian navy are mandatory at the following ports: Puerto Drummond, Puerto Nuevo, Puerto Bolívar, Puerto Brisa and all Ecopetrol Terminals. In these places, it is advisable that a surveyor monitors the inspection, coordinates with the different involved parties and reviews the respective report.
- In the rest of Colombian ports, underwater inspections are not mandatory, but advisable due to drug smuggling risks. Normally, said inspections can be undertaken by the navy or by private diving companies.
- As public and private Terminal's constantly update their security scheme measures, it is important for ships to request information about any specific requirements to be fulfilled with before berthing at any Colombian Port.

6.2 Recommended measures before entry

- The crew going ashore should be informed that it is common practice in Colombia that drug traffickers may seek to be friendly just to achieve their co-operation to smuggle drugs and that local authorities are likely to act forcefully against any crewmember who is considered to be associated with drug traffickers.
- The owners and operators of vessels trading in Colombia must ensure that the Ship's Security Plan (SSP) is regularly reviewed and updated, and that crews have a proper knowledge and understanding of it. Moreover, it is required to have a Ship Security Officer designated to be the person in permanent communication with local authorities to prevent any security incidents.





Any suspicious activities conducted by third parties on the vessel should be reported to the Master

-  The ship's agent must provide the Master with the relevant updated data related to the Colombian Port. The Master should demand prompt delivery of this data from the ship's agent.
-  The ship should keep accurate records of all activities observed and the actions taken by local authorities, stevedores and other shore-based personnel and crew before entry into port, during the stay and immediately after departure.

6.3 While in port or at anchor

-  Prior to Sailing, an underwater inspection could be undertaken by a reliable private Diving Company in presence of the P&I Correspondent, to ascertain that no illegal substances are attached to the vessel below her waterline.
-  Although Colombia's terminals comply with ISPS standards, it is advisable to provide extra private security on board monitored by the P&I Correspondent. In this regard permanent watchmen should be present in areas where stevedores or repair technicians are working onboard the ship. During hours of darkness all areas should be well lit to facilitate visual monitoring of activities.

Any suspicious activities conducted by third parties on the vessel should be reported to the Master. Attention should be paid to any boats approaching the vessel and any suspicious activity in the vicinity of the ship which may warrant further investigation. The use of a search-light during nighttime should be considered.

-  The crew member on guard should undertake body/belongings searches at all times to people entering the ship (not just randomly as it usually happens). Even guards going on board should be body searched (and their belongings).

- It is important to maintain 24/7 surveillance while at anchorage as some incidents have been observed when crews are sleeping or unguarded at night hours.
- The crew should perform regular shipboard inspections throughout the duration of the port call. As explained above, it would be very advisable to employ additional security guards from trusted providers. When broken/missing seals for compartments, lockers, containers etc., are discovered an investigation should be conducted and if nothing is found the seals should be replaced by the crew. A record should be made in the logbook together with a note of the outcome of the investigation/search and the relevant seal numbers.
- Even detailed searches prior to departure can sometimes be inadequate due to the inaccessibility of some areas of the vessel. Sometimes, the best defences are physical barriers on the inside and outside that limit entry.
- The crew must inform the Ship Security Officer or Master if they are unsure whether a person has a legitimate reason to be on board and deny access to those who refuse or are unable to establish their identity and purpose of visit.
- Secure and lock areas such as accommodations and deck stores and strictly monitor the activities of stevedores, contractors, and other visitors. Stevedores and other shore personnel should be kept away from crew quarters and non-working cargo holds, and these spaces should remain closed.
- The shoreside gangway ladder should be kept well-guarded.
The seaside ladder should also be stowed, secured, and surveilled.



- It would be important to include in the Gangway Logbook (or in another ship's registry) the registration of every person boarding the ship, including stevedores, operators, and even private guards (not only authorities and agents as it usually happens).
- The crew must inform the Ship Security Officer or Master if they are unsure whether a person has a legitimate reason to be on board and deny access to those who refuse or are unable to establish their identity and purpose of visit.
- Extra crew members (or extra private guards) should be tasked to keep watch on persons loitering on deck or elsewhere on board and, if possible, try to avoid leaving outsiders (stevedores etc) wandering alone on board.
- Sealing of cargo holds should be arranged by an independent surveyor upon completion of loading of solid bulks.



7. Actions to be taken if drugs are found onboard.

If drugs are found onboard, the following actions would be highly recommendable:



The P&I insurer, the local P&I correspondent, and the shipowner/manager should be immediately contacted.



Formally inform and provide all the available information to the Police at the port. This can be done directly by the Master, or through the Vessel's agents at port. This will mitigate the risk of the Master and the crew becoming part on the criminal investigation undertaken by the Colombian Prosecutor's office when drugs are found.



The drugs must not be touched.



Photograph or video the area of the ship where the drugs were found but leave it untouched and seal it off to prevent any unauthorized access.



If drugs are found on board by the authorities, the crew members and the Master will be temporary placed under authorities' custody and they will be part on the preliminary investigation. The vessel will be also detained at port for further investigation. Sometimes, when drugs are found within containers, these latter become apprehended as they are considered evidence under the criminal process.

Additionally, it is important to note the strict punishments established under Colombian law for events of drug trafficking:

- Administrative investigation by HM: If the HM decides to open an investigation for breaches to Colombian port security regulations (i.e., ISPS Code), the proceeding may last around 3 years and the worst-case scenario would be that the HM issues a fine against the ship at the end of the investigation. These fines could go up to USD50,000.
- Criminal investigation by Public Prosecutor: in case the vessel/crew is involved at the criminal investigation, the vessel may be detained, and the crew imprisoned (if there has been a change of all the crew, then only the ship detention would apply). Additionally, please find below the relevant Colombian criminal regulations on drug smuggling (these are worst-case scenarios): the Colombian criminal code states that any person involved in the traffic, production or carriage of illegal drugs will be subject to the penalty of imprisonment from eight (8) to twenty (20) years and a fine of between 1,000 and 50,000 Colombian monthly minimum wages.

The same code states (Article 377) that any person that may use or allow the use of movable goods for the production, storage or carriage of illegal drugs will be subject to the penalty of imprisonment from six (6) to twelve (12) years and a fine of between 1,000 to 50,000 Colombian monthly minimum wages. If the shipowner is found guilty of any criminal charges by a court, the vessel could be permanently seized by Colombian authorities.



The general rule pursuant article 1544 of the Colombian Commercial Code is that shipowners are jointly and severally liable for their vessels' masters' faults, however, this extension of liability would not be applicable in relation to criminal charges.

For a shipowner to be found guilty in a criminal proceeding, it would have to be proven that he determined the commission of the crime (i.e., convincing the ship's crew to carry drugs), or that his operation was directly aimed to the commission of the crime, either independently or in collaboration with other criminal organizations.



In all of the aforementioned events, our company A&A Multiprime is able to provide immediate assistance by appointing a trusted surveyor to monitor the whole procedure and assist the master, and, if necessary, appointing one of our trusted criminal lawyers to defend the member's interests, as we have done successfully in the past.

Contact with us:

Phone: +(571) 314 2844799

+(571) 314 4153991

Gmail: aamultiprime@aamultiprime.com

Website: aamultiprime.com

Address: Av Cra 19 # 114-09 Oficina 205
Bogotá, Colombia