

# Risk Alert



## RA 106: Drug Smuggling and Preventive Measures

### Introduction

Drug smuggling globally is on the increase. The surge in demand for illegal drugs and the large distances between production centres and the end users often results in the use of merchant vessels to unwittingly provide drug smugglers with access to ports worldwide.



World drug trafficking flows showing that all ports and seas are vulnerable  
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The consequences for any Member whose vessel is found to be carrying illegal drugs can prove to be very costly, not only in terms of the direct and indirect financial impact, but also the potential reputational damage, the diversion of management time and resources in response to such an incident, and the hardening of security measures necessary to prevent any recurrence.

Drugs being found on a vessel has the potential to result in its detention for the purposes of an investigation, and significant fines being imposed on the Member. There are also likely to be consequential losses, not only as the result of detention, but also potential future losses following any drug seizure. Involvement in drug smuggling, unwittingly or otherwise, may adversely affect future commercial prospects. There are also very serious consequences for



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any of the ship's crew who may have been actively involved in drug smuggling in the form of imprisonment, severe fines and loss of employment. In some jurisdictions, capital punishment may be the penalty for drug smuggling.

Security measures in ports and terminals are there to deter the drug traffickers, but in an effort to overcome these security barriers, they may then target vulnerable and opportunistic crew members who could be tempted to facilitate smuggling for financial reward. It is therefore very important that there be robust procedures in place, for not only preventing drugs being secreted onboard a vessel and for detecting drugs that may be on board, but also for addressing one of the weakest links in the drug trafficking chain, humans. Educating crew members as to the methodologies and practices used by drug traffickers to recruit and coerce unsuspecting persons into working for them is an important mitigating barrier in combatting this risk.

Ships with very short turnaround times in ports, particularly when carrying time sensitive cargoes such as fruit (in reefers) and other perishables, require timely and efficient logistics and may be targeted in the belief that there might be less stringent security checks undertaken in order to quickly release the cargo. Container ships are also a prime target for smuggling. Goods in containers are not readily visible, and containers provide the opportunity to conceal goods within lawful cargoes, within the structure of the containers themselves, and for intermediaries to introduce/remove packages of drugs on opening of the containers and resealing with cloned seals. Examples of the drugs smuggled by sea include cocaine, heroin, morphine and amphetamine-type stimulants (ATS). The United Nations Office on Drugs and Crime (UNODC) provides detailed updated analysis on trends, trafficking routes, seizure data and other pertinent information as a 'World Drug Report' which can be accessed [here](#).

## **Where drugs are concealed**

Drugs can be concealed and mixed within the contents of containers (reefer or non-reefer), within and around the structure of containers, and around the ship structure that holds and secures the containers. Drugs can also be hidden inside vehicles on vehicle carriers and within bulk cargoes such as grain, sugar, coal and ore.

Regardless of ship type and size, drugs could be hidden within and around cargo spaces, ballast tanks and void spaces, store rooms accommodation spaces, machinery and equipment spaces and many other vulnerable locations. In addition, packages of drugs have been found in containers and packages welded or attached to underwater locations such as sea chests and within unapproved ship modifications where concealment can go unnoticed.





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- The Ship Security Officer (SSO) together with the CSO should conduct a security risk assessment and verify that the existing security measures are adequate for the intended voyage. A full security briefing prior to arrival in port and a debriefing after port departure should be conducted. Ship security measures and plans must not be disclosed to any third party without the CSO's and company permission.
- Where vessels regularly trade to known drug hot spots, consideration should be given to rotating ship's crew to vessels which are not trading in such areas, removing the risk that they may be vulnerable to coercion, or have already been compromised into supporting drug traffickers.
- Ship's crew must be familiar with and drilled in the security procedures, reporting requirements and all steps to be taken in the event of actual or suspected drugs or contraband smuggling and security breaches.
- Detailed documented records should be maintained of such activities as the testing of security equipment, ship drills and training being undertaken, security levels and other appropriate measures that are being implemented such as engaging additional security patrols, dive inspections etc.
- Where possible, and practicable vessel operators should undertake a thorough background check of ship's crew and all third-party contractors, including but not limited to, agents, stevedores, suppliers, technicians and surveyors. Such checks for ship's crew should include a review to identify any criminal records and any known history of drug abuse and for third parties, a review of their credentials, company reputation, certification, and licences.
- As part of a company policy, all crew members must be warned as to the risks and potential consequences of carrying or trafficking in drugs.
- Evidence of the company's policy in regard to drugs should be clearly displayed at the point of boarding / disembarking the vessel, within the accommodation areas and also be available to the authorities when necessary.
- In order to raise awareness as to the dangers of illegal drugs use and trafficking, regular education and training must be given to both shore staff and ship's crew, with the objective of creating a united front in addressing this important issue.

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Poster that may be used as part of a prevention and education programme.  
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- Pre-joining drugs tests and unannounced onboard drugs testing should be conducted as part of a robust Drug & Alcohol policy. Documented security familiarisation training should be undertaken as soon as practicable, and ideally within 24 hours of any crew member joining a ship.
- A confidential hotline encouraging and enabling ship's crew to report blackmail, bribery, threats, peer pressure and other such coercion to undertake illegal practices such as drugs smuggling should be available. Company support in the form of counselling should be available to both staff and crew who come forward to seek help with any type of addiction, assuring them of confidentiality being maintained.
- In addition to any Company support to ship's crew, there is also the free confidential 24/7 helpline operated by MHSS for the benefit of the crews of the vessels insured by the Club, which is intended to provide support and guidance services on areas such as stress, anxiety, bullying and threats.
- Ship's crew must not give out or post online via social media – pictures and details of their vessel, including the vessel's location and future trading intentions; their own names or those of colleagues and company staff. Company Cybersecurity procedures must be always adhered to.



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- Ship's crew should not accept unknown friend requests or share company information online and should be trained to recognise and manage instances of phishing, social engineering, fraud, malware, viruses, fake emails, impersonations, etc. Failure to understand these risks could result in unwittingly sharing information that is utilised to target a vessel or to coerce and blackmail the seafarer.

## **At a Port or Anchorage or Underway:**

- The Master is to undertake regular and random security checks and shipboard inspections throughout the duration of any port, anchorage or transit call ensuring good cooperation with the Port Facility Security Officer (PFSO). The use of approved security guards should be considered as may be identified by the security risk assessment.
- A permanent watch with random security patrols must be conducted in areas where non-crew members such as stevedores, repair technicians and suppliers are working; in all working areas and be inclusive of regular overside checks. The entire vessel must be well lit through the use of all available lighting during the hours of darkness.
- It is important to maintain a diligent and effective lookout for approaching small boats, the presence of unauthorised divers, and for attempts by unauthorised persons to board the vessel including from bunker barges, supply barges, the other STS vessel if engaged in STS operations and leisure craft.
- Where available, CCTV should be in operation and monitored. Gangways, pilot ladders, anchor hawse pipes and other potential means of access/egress to the vessel are to be kept secured. Access to ship's accommodation should be through a single controlled access point and all other points of entry to the accommodation and machinery spaces should be secured, keeping in mind the need for ease of escape from these spaces in the event of an emergency. Funnel doors, entry to the steering flat and engine room, emergency escapes should also be secured, and tamper proof seals fixed. Locks, seals and coded door locks for storerooms and other spaces onboard should be in use and intactness verified and documented during security patrols. A ship whose crew present themselves as being alert to security risks, active and coordinated will discourage drug smugglers who may then seek a softer target.
- There should be a procedure for challenging, checking and recording the photographic identity, permits and documentation of all persons boarding or exiting the vessel. No unauthorised persons or stores should be allowed onboard, and where there is any doubt, access to the vessel should be declined until such time as there has been official verification as to their having legitimate reasons for attending the vessel.



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- Visitors and their baggage must be checked thoroughly before boarding the vessel, ideally at the gangway. Visitors should be permitted access only to those spaces necessary for them to conduct their business, and they should never be left unaccompanied.
- Stores, provisions, and spares must only be procured through reputable; company approved vendors and should be checked thoroughly before receipt onboard. Checks and comparisons against the description, weight, dimensions and type of stores, provisions, spares, etc. should be undertaken against the requisition, and caution should be exercised where packages do not fit the ordered description.
- Ship's crew must be cautioned against and not feel pressurised into accepting to carry medicines, gifts, parcels, mails, etc., from unknown persons, port agents, port staff, ship visitors, stevedores, manning agents, company staff, colleagues, friends, etc.
- Ship's crew must be vigilant for any suspicious activity occurring in the vicinity of the vessel on the berth or quay, such as persons collecting and recording data or asking questions about the vessel. Be alert to persons, vehicles or craft being located where they should not be - such as unauthorised divers, small boats and leisure craft and any other suspicious activity.
- Be alert to unauthorised modifications to the ship such as the removal of deckhead or bulkhead panels.
- Transshipment of cargo, stores, provisions, and spares should only be carried out if approved by the port, coastal state, company, relevant authorities, with all the appropriate documentation in place.
- Regularly review gangway and ship medical logbooks to check for any unusual patterns of shore leave and medicine consumption onboard. Be observant of any changes in crew behaviour such as a crew member becoming withdrawn, depressed, aggressive, stealing, sudden displays of expensive personal effects and money, suspicious actions, any of which may indicate either a drug addiction or drug smuggling participation. Masters should be aware of what to look for when performing weekly accommodation, cabin and store checks.
- When taking shore leave crew should be wary as to who they interact with, being alert to the dangers of meeting with persons who may be connected with drug related activities. If any crew member is seen to be interacting with individuals known to the local authorities to be involved in the illegal drug trade, there is every likelihood that the authorities will act robustly.
- At regular intervals, search cargo holds and their structure, vehicle decks and vehicles, and any other locations where drugs could be secreted, maintaining detailed documented records of the search and taking photographic evidence in support.
- Appointed independent survey and inspection companies should be approved, reputable and reliable.



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## **Prior Vessel Departure from a Port or Anchorage or High-Risk Area:**

- Prior to departure the ship's crew should undertake a thorough and systematic search of the vessel. There should be a particular focus, where practicable, on hard-to-reach places such as void spaces, cofferdams, ballast tanks, chain lockers, ducts, ventilation trunking, funnels, bow thruster and pump rooms; storerooms, mast houses, cranes, satellite domes, machinery spaces. If practicable, the external structure of the vessel should also be checked, particularly the rudder and trunking if the vessel's departure draught leaves these areas exposed.
- If the reputation of a port, or the behaviour of visitors gives any suspicion that drugs may have been secreted onboard a vessel then a full search by an anti-narcotics team with sniffer dogs should be initiated.
- In the event of suspicious activity in the vicinity of the vessel or on the basis of local intelligence an underwater inspection of the hull, sea chests and other such locations should be undertaken by a trained diver / ROV for example. Some jurisdictions may mandate such an [underwater inspection](#) of the vessel prior to departure.

## **In the event drugs are located:**

- If despite best efforts, drugs or suspect items are found onboard, the ship's crew should not touch, smell, taste, handle or shift them, but should instead seal off the area, taking photographic and where possible video evidence of the discovery and onboard actions.

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Actions when drugs are found on board.  
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- Reports should be promptly and discreetly made to the SSO, CSO, DPA, Port Authorities, the Club and other relevant authorities as required.
- The vessel and crew should co-operate fully, honestly and be transparent with the local authorities for the entire duration of the investigation.
- If drugs are located or even suspected of being onboard then the Master should immediately notify the Club's local correspondents.

## Club Cover in the event of Drug Smuggling:

- In the event of illegal drugs being found onboard a vessel, the consequences could involve criminal penalties on the crew, substantial fines upon the vessel's owner or operator, and in extreme cases the potential confiscation of the vessel itself.
- There is no Club cover for the criminal consequences for crew members convicted of drug smuggling.
- In relation to any fines imposed on the vessel owner or operator for the smuggling of drugs, there is no entitlement to cover as of right for that particular category of fine. Cover in such circumstances is at the discretion of the Club's Board of Directors. The exercise of that discretion is dependent upon the Member having satisfied the



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Directors that it took such steps as appear to the Directors to be reasonable to avoid the event giving rise to the fine.

- In the event of a vessel being confiscated as the result of involvement in drug smuggling, any cover for an owner's claim for the loss of an entered ship through confiscation, is similarly discretionary. It is necessary for the owner to satisfy the Club's Board of Directors that it took such steps as appear to the Directors to be reasonable to avoid the infringement of the customs law or regulation that gave rise to the confiscation.
- Industry guidance such as the ICS Guidance on Drug Trafficking and Drug Abuse on Board Ship, the International Ship and Port Facility Security (ISPS) Code and the Code of Practice on Security in Ports should be incorporated into the company's SMS, security procedures and guidance to the Company Security Officer / Designated Person Ashore (DPA) *as applicable*.
- The Master, Operators, Owners, Managers and Charterers should refer to IMO's [Maritime Safety Committee \(MSC\) - 82/24/Add.2, ANNEX 14](#) and [Facilitation Committee - FAL 34/19, ANNEX 2](#) ensuring that all the aforementioned publications guidance contained therein is followed and incorporated as so far as possible into their company SMS to demonstrate due diligence whilst maintaining detailed ship and shore records.
- Where possible Members should consider incorporating appropriate anti-drug clauses within the charter party, to ensure clear allocation of liability between Owners and Charterers.
- Absent clear allocation of liability under the terms Owners and Charterers can be left trying to find arguments under the general terms.
- For example, whether there is a right by Owners to claim an implied indemnity arising out of Charterer's orders to call at the port where drugs were found.
- Whereas Charterers might look to suggest Owners had failed in their obligations to secure the vessel or comply with regulations.
- There is a risk that if the contract does not make specific and clear provision for liabilities arising from drug smuggling that losses may rest where they fall.
- The absence of express clauses may also lead to debate as to whether the vessel remained on-hire or is off-hire during periods of delays whilst the issue is resolved with the authorities.



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[Colombia: Precautionary anti-narcotics guidelines](#)

[Venezuela; Drugs and Security concerns](#)

[Mexico alert – smuggling of illegal narcotics – risk of ship detention and crew arrest](#)

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**For further guidance:** Please contact the Loss Prevention Team using the following email:

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