



JAPAN P&I NEWS

To the Members

Brazil—Drug trafficking Guidance

We have obtained the Practical Guidance on Shipborne Drug Trafficking in Brazil from the local correspondent Representações Proinde Ltda.

All Brazilian ports are vulnerable to drug smuggling threats to varying degrees. Members are recommended to strengthen preventive measures by referring to the guidance.

To get an overview, a summary of the guidance is provided below. For more information, please see the attachment.

1. The drug problem
 - Brazil is the second largest consumer market, behind the United States, and plays a significant role as a strategic hub to sustain international drug trafficking.
2. Legal framework
 - The criminal penalties for drug trafficking range from five to fifteen years in prison, plus a fine. In the case of interstate or transnational drug trafficking, the penalty is increased by one-third to two-thirds.
3. Port security arrangement
 - The Navy Commander acts as a maritime authority.
 - The Federal Police are tasked with combating illegal drug trafficking.
4. Shipborne drug trafficking
 - Commercial vessels of all sizes and types have become major conduits for the international drug trade.
 - The most common drug shipped from Brazilian ports is cocaine.
5. Drug smuggling methods
 - The coronavirus pandemic has triggered changes in maritime cocaine trafficking patterns.
 - Containers remain the preferred method for transporting large amounts of cocaine from Brazil.
 - Drugs are being discovered in increasing volumes inside ships, cargo compartments, deck spaces, or attached to hulls and structures below the waterline.
 - The cocaine has been buried in the bulk cargo or concealed somewhere on deck, as well as ro-ro ships, where the narcotics are hidden inside vehicles and on multiple decks.
 - The narcotic is stashed in the hull, inside the underwater compartment, particularly sea chests, accessible only from the outside of the vessel with diving gear.
 - It is uncommon for shipowners, masters or crew to face legal consequences when illicit drugs are discovered in

containers that were not packed or sealed by the carrier.

- Should the illegal narcotic be found in an LCL container or a container manifested as empty, the master and crew could eventually be accused and prosecuted for cooperation with drug trafficking.
- The concealment of drugs directly onto a vessel, even in places below the waterline and physically inaccessible from inside the ship, puts the risk of detection on the master and crew.

6. Drug seizures in Brazil

- In 2023, 180,881 events were recorded, meaning no less than 496 daily offences, almost 20 cases per hour.
- 50% of offences were reported in the Southeast region (Espírito Santo, Minas Gerais, Rio de Janeiro and São Paulo) and 19% in the South region (Paraná, Rio Grande do Sul and Santa Catarina).
- In 2023, 143 tons of cocaine were seized.
- Between January 2020 and December 2023, 12 tons of cocaine were seized from sea chests of 70 cargo vessels.

7. Prevention and response

Before arrival

- Contact local agents, port authorities, port facility security officer (PFSO) and P&I correspondents to inquire about any security concerns.
- Consider installing security equipment and systems, such as intrusion alarms and video surveillance (CCTV), for monitoring high-risk areas within and around the ship.
- Keep sea chest and other underwater compartments accessible from the outside of the hull with tamper-evident security seals.

At anchorage

- Secure and lock portholes and accesses to the living quarters, engine room, and bridge.
- Maintain a permanent watch on the VHF channel 16.
- Keep the vessel's deck, access points, and outer side well-lit, and ensure gangway ladders are raised and latched in place.
- Conduct regular rounds on deck, watch the anchor chain, monitor the approach of any suspicious boats or underwater activities and alert other vessels in the vicinity.
- Look out for bubbles around the ship near the hull, indicating possible underwater activity.
- Illuminate approaching suspicious craft and underwater activities around the ship with floodlights.

Alongside

- Secure and lock portholes and accesses to the living quarters, engine room, and bridge.
- Keep shore side access ladder guarded at all times and seaside ladder stowed and latched.
- Consider posting warning notices, ideally in Portuguese, on deck and at the foot of the gangway ladder regarding strict enforcement of anti-drug policy on board.
- Assign a crewmember to guard the gangway to control shore visitors' access to the vessel and enforce safety rules and practices.

During cargo operation

- Keep non-crew members away from accommodations, non-working holds, deck spaces, etc.
- Conduct thorough searches of breakbulk volumes, the interior of ro/ro cargoes and unsealed empty containers, seal integrity of laden containers and structure of reefer units, including accessible machinery spaces.

Before departure

- Take photos of the top of the stow of bulk cargo after loading and before closing the hold.
- Arrange the sealing of the holds and associated manholes certified by a reliable local surveyor after loading of solid bulks and arrange the unsealing of these compartments by a reliable local surveyor at the port of discharge.

Basic responsive measures in case of drug discovery

- Call the nearest crewmember to witness the location where the suspicious package was found and inform the Ship Security Officer or the master immediately.
- Take pictures or videos.
- Notify local authorities, the company security officer, PFSO, flag state and P&I correspondent.
- Keep the suspicious package where it was found under the watch of at least two crewmembers until police arrive onboard the vessel.
- Conduct a thorough shipboard search to verify if more suspicious items have been secreted elsewhere and document it.

8. Conclusion

- Brazil is a key cocaine transshipment hub.
- Shipborne drug trafficking has intensified in recent years, with growing amounts of cocaine seized from within ships and their hulls, in addition to shipping containers.
- New smuggling methods have developed in recent years.
- Smuggling exposes innocent seafarers to the risk of being criminally implicated and facing punishment, sometimes with their own life.
- If drugs are found inside a ship or its underwater compartment, some law enforcement around the world tend to assume there was crew conspiracy in some way.

Yours faithfully,

The Japan Ship Owners' Mutual Protection & Indemnity Association

Attachment: Practical Guidance on Shipborne Drug Trafficking in Brazil