For a More Efficient Maritime Security in the Central and South Atlantic

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Prologue

The geopolitical landscape, characterized by shifts in the political spectrum, plays a pivotal role in influencing global movements of goods, information, and individuals. However, these movements are susceptible to illegal activities, encompassing not only drug and arms trafficking but also illegal migration, human trafficking, piracy, illicit fishery, and smuggling. Recognizing the inherently global nature of these challenges, the forthcoming publication advocates for resilient, multilateral solutions. It aims not only to shed light on often-overlooked problems and propose initial solutions but, crucially, to inform on the resources available for the development of interregional initiatives in maritime security.

This investigation is a direct outcome of a series of conferences organized by KAS ADELA / SALMA Dialogue for Peace & Security in cooperation with Crime Stoppers International (Caribbean, Bermuda & Latin America branch) in Cartagena / Colombia 2022 and Panama City 2023. During these conferences, representatives of politics, military, science and the business sector from Latin America, Africa, Europe, and North America discussed the different aspects of maritime security. This exchange of expertise, experiences, and perceptions of future developments has been instrumental in shaping strategies for a more effective security framework in the Central and South Atlantic.

Konrad Adenauer Stiftung, through its ADELA Program "Alliances for Democracy and Development with Latin America", in collaboration with its partners SALMA Dialogue in Tunisia ("Strategic Alliances: Latin America Meeting Africa") and Crime Stoppers International (CSI) Panama office, provides important insights that are essential for strengthening maritime and other security matters, benefiting not only Europe but also its partners in the Americas and Africa.

Our regional program and its esteemed partners extend sincere gratitude to all contributors who played integral roles in the success of the conferences and the creation of this publication, particularly to Ms. Daniela Molano, Lead Investigator, Ms. Valeria Vargas, Consultant, and all conference participants. Their dedication is reflected not only in the meticulous execution of these events but also in the depth and quality of the insights captured. My very special thanks go to Amina Magouri, Executive Director of SALMA Dialogue, for our always outstanding and trustful cooperation, and to Alejandro Campos, Head of Crime Stoppers CBLA, for his commitment and cooperation with CSI on security policy issues.

Winfried Weck
Editor

Winfried Weck, Director KAS ADELA, Germany. Amina Magouri, Executive Director, SALMA Dialogue, Tunisia.
SALMA Dialogue for P&S on Maritime Security Conference, Panama, 2023

Introduction

Throughout the years, the utilization of the oceans has been adapting to the evolution of human life. Initially, populations used the sea to exchange merchandise (food, goods) and access distant places (discovery, migration) and, as it was the only way of transportation, they relied heavily on this domain. However, as is often the case, human developments end up being distorted by unscrupulous people who seek exploitation of means as a way to achieve their criminal acts, as happened with piracy in the XIII century[1] and interstate territorial wars and slavery in the XVII, XVIII and XIX centuries.[2] The ocean is a complex and relatively unknown subject for international actors. Considering that 70 percent of the planet is covered by water and the rest is continental mass[3], governments have raised awareness of the use of the international maritime domain. As the International Maritime Organization defines it, Maritime Domain Awareness (MDA) "is the effective understanding of anything associated with the maritime domain that could impact security, safety and the economy of the marine environment"[4] to detect and identify the possible threats close to a country's waters.

The interest and focus on the maritime domain have become more relevant over the years as a consequence of the increasing interconnectivity of countries due to the globalization of the XX century. This century was characterized by inter-state wars (WWI, WWII, decolonization) and it developed international and regional organizations, conventions to regulate crimes committed transnationally and guideline documents to keep the maritime domain safe. For instance, the North Atlantic Treaty Organization (NATO) was established as an Alliance to "safeguard the Allies' freedom and security by political and military means, as the principal security instrument of the transatlantic community and expression of its common democratic values"[5] as well as to counterweight the power of the Communist Bloc, under the leadership of the Soviet Union.[6] NATO is an organization focused on the security of the North Atlantic States, initially to protect its members against threats from states. But currently it has been changing its raison d'être to a security organization in terms of threats from inter-state conflicts as well as non-state threats. Likewise, the United Nations was created mid-twentieth century "to maintain international peace and security, give humanitarian assistance to those in need, protect human rights and uphold international law."[7] However, as the development of international relations has demanded, the UN has had to adapt to the emergence of new actors (state and non-state) as well as to dangers and challenges imposed by non-state actors, called 'new world threats'. These threats are different from the challenges from mid-twentieth century in the sense that the new risks go beyond national barriers and become transnational risks;

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1   Royal Museums Greenwich. The Golden Age of Piracy.
2   History.com. Slavery in America.
3   United Nations. United Nations Sustainable Development Goals.
4   International Maritime Organization. (2018).
5   U.S. Department of State. NATO.
6   A political and military Alliance established in 1955, between the Soviet Union and several Eastern European countries to counterbalance NATO.
7   United Nations. History of the UN.

thus, there is no specific threat or actor to fight against. Also, they not only affect the global political and economic system but also alter and upset the health and integrity of the world's population. As Williams specified in his writing, by the end of the XX century, the system was marked by "ethnic conflict, the proliferation of Weapons of Mass Destruction (WMD) technology, black market trade and smuggling and rogue states."[8] This led to the emergence of new threats, all of which are covered by the term Transnational Organized Crime, which includes drug trafficking, arms trafficking, smuggling, illegal fishing, trafficking of migrants, human trafficking, especially women and children, and piracy, whose common denominator is that the size of the ocean works as a facilitator and favors the development of these activities. These new asymmetric threats are different.

Significant within this context is the initiative to discuss and problematize the situation of security in the Atlantic Ocean as a sector with increasing criminal activity affecting the rule of law in the different countries, as well as the role of the military industry, academia, private enterprises and international cooperation in the search for proposals and solutions to insecurity in the region. It is significant precisely to understand the current situation in the area, the reality of the regions in question and the emergence of extra-regional actors such as China and Russia, who have military and economic interests and may, to some extent, represent a risk to regional security and state sovereignty. The interests of the actors that converge in the maritime security ecosystem are aligned to increase the relative power, influence and authority level. Various factors involving China and Russia have challenged a new international order tending towards multipolarity that undermines the principles of the rule of law by using force and violating the United Nations Charter, for example. Hence, by the year 1982, the United Nations adopted the "United Nations Convention on the Law of the Sea", which focused on all issues regarding the law of the sea by being "conscious that the problems of ocean space are closely interrelated and need to be considered as a whole."[9]

Considering the growing urgency to protect the maritime domain, its resources and surrounding populations, it is imperative for the region that concerns us, Latin America and the Caribbean, to develop a joint maritime security policy focused on the Central and South Atlantic Ocean, which we share with the continents of Africa and Europe and which is the core of most activities of transnational organized crime.

As a consequence of the convergence of all the threats mentioned earlier in the Latin American and the Caribbean region, the Konrad Adenauer Foundation (KAS) in the framework of its regional program Alliances for Democracy and Development with Latin America (ADELA) based in Panama, jointly with the Latin America Meeting Africa (SALMA) Dialogue, have organized the conference titled: "For a more efficient maritime security in the Central and South Atlantic" in its two versions. The first took place in Cartagena in March 2022 and aimed at discussing current phenomena in the region, especially in the maritime field, which is gaining strength. This particular event was the first of its kind and brought together actors from all levels of Latin America and the Caribbean, Africa and Europe to find solutions

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8   United Nations. History of the UN.
9   United Nations Convention on the Law of the Sea. Pg 25.

individually and together to contain the advance of these threats. Experts in drug trafficking, piracy, illegal migration, smuggling of goods and illegal fishing were present at the event. Among the participants were experts from the Konrad Adenauer Foundation (Panama, Colombia, Peru, Costa Rica), SALMA Dialogue, Crime Stoppers, Janes security, Nigeria's navy, the Center of High Studies of Defense and Security of Senegal, the Inter-American Defense College, the Brazilian Institute of Education, Development and Research (IDP), Military colleges (Brazil and Colombia), the William J. Perry Center for Hemispheric Defense Studies, universities (Colombia, Morocco, United States), the Embassy of Germany (Colombia and Peru), the World Free Zones Organization, Ministries of Security (Panama and Uruguay), the prosecutor's office (Colombia), Air Bus, British American Tobacco and Sanofi.

For its second version, held in May 2023 in Panama City, KAS ADELA and SALMA Dialogue brought together experts from high-level military, academic and political participants who attended the event from the Americas, Europe, and Africa. This initiative aimed to establish a dialogue on global challenges, in this case, maritime security, and to develop political responsibilities and regional cooperation between partner countries such as Argentina, Brazil, Colombia, Costa Rica, Germany, Morocco, Panama, the Netherlands, Senegal, Tunisia, the United Kingdom and the United States. The event was also attended by organizations such as the African Center for Strategic Studies, an academic institution of the US Department of Defense, the Center for Maritime Strategy and Security of the Kiel Institute of Germany, the embassies of Germany, Colombia, the European Union, Canada, the Netherlands and Morocco with representation in Panama, NATO, UNODC and representatives of the cargo ports located in Panama.

This conference was the continuation of the previous conference. While the first conference dealt with issues related to the transnational threats of the new century, this second edition focused on more political and military spaces. Hence, panel discussions were about the emergence of external actors in the Atlantic Ocean, military and economic interests, political interests and strategic challenges of the regions concerned, the role of NATO: Its maritime strategy in this delimited area, the enhancement and coordination of regional cooperation against maritime crime, new trends against maritime cyber risks and risk mitigation in port exploitation.

As at the previous conference, the parties agreed that it is crucial to consider the similarities in the respective regions to find common strategies for more efficient maritime security. As explained before, threats such as drug trafficking, piracy and transshipment of products, illicit trade, smuggling of goods and illegal fishing are still priority issues. It is pertinent to consider the establishment of new bridges between continents and add the intervening variable of how Europe interacts with the South, either Africa or Latin America, from its geopolitical sphere of influence.

Dr. Gerhard Wahlers Deputy Secretary General and Director of the European and International Cooperation, Konrad-Adenauer-Stiftung, Germany.
SALMA Dialogue for P&S on Maritime Security Conference, Panama, 2023

SALMA Dialogue for P&S on Maritime Security Conference, Panama, 2023

General Overview

After 9/11, the concept of security at the international level took a radical turn as it became clear that countries no longer had to be attentive to threats from their peers only but that in this new millennium, threats to national security came from non-state actors through interconnectivity resources: the airspace and the maritime space. Since the world is immersed in a growing process of interdependence among all the actors of the economy and the international system, the globalization of the production centres and the transportation of goods to the world's collection centers has made it extremely difficult to carry out controls and establish national and international responsibilities. These, in turn, are related to the evaluation and protection of risks associated with the activities included in the logistics chain of international trade. As a result of this interdependence fostered by globalization, the ocean has become the perfect stage for the development of criminal activities.

For the purpose of this paper and in line with what was developed at the conference, the focus will be on what is taking place at the Atlantic coast bordering Latin American and Caribbean countries. Therefore, it is necessary to emphasize the criminal acts in the region that use the ocean to reach their goals. The crimes to be dealt with throughout the work include illicit drugs trafficking and arms trafficking, smuggling of fraudulent goods, IUU fishing, trafficking in human beings, illegal migration and terrorism.[10]

The security situation in Latin America is more complex than in other corners of the world. Although in terms of hard power or interstate wars, the continent has been relatively calm, the emergence of non-state actors such as gangs in Central America (MS19), drug cartels (Colombia and Mexico) and the ideological guerrillas (Sendero Luminoso, FARC and ELN), has complicated the situation in the region. As the author Woody states, "Latin America is home to about 8% of the world's population and counts about one-third of its homicides."[11] These data demonstrate the social and political instability of the region and can be explained as follows: Latin America is a region violent by nature, as a consequence of its states' lack of presence and governability, as well as some enabling factors that make this region a perfect area to develop criminal, delinquent and violent activities. The enabling factors include income inequality, high unemployment rates, especially among young men, low-quality education and poor school retention, high levels of impunity fostered by weak institutions, the condonation of violence to solve disputes, the creation of self-defence armies and vigilante groups, murder, informality and fragile states, as there is an evident "inability of the state to maintain territorial control and ensure strong institutional response."[12] Likewise, we find unregulated urbanization,

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10   Konrad Adenauer Stiftung & Salma Dialogue. (2022).
11   Woody, C (2019).
12   Ibid.

Visit to Navy Base ARC Bolivar.
SALMA Dialogue for P&S on Maritime Security Conference, Cartagena, 2022

Visit to Navy Base ARC Bolivar.
SALMA Dialogue for P&S on Maritime Security Conference, Cartagena, 2022

the proliferation of organized criminal groups, namely groups outside the law, mentioned above, such as gangs, guerrillas and cartels as well as drug trade, which is furthered by the nature of the coca leaf, native from Bolivia, Peru and Colombia.[13]

In this context, Mexico's Citizens' Council for Public Security and Criminal Justice (Consejo Ciudadano para la Seguridad Pública y Justicia Penal) published the 2021 ranking of the world's 50 most violent cities, where approximately 20 cities of the ranking are located in Latin America and the Caribbean. They are cities in Mexico (Zamora, Cancún, Celaya, Uruapan, Tijuana and Ciudad Juárez), Honduras (Tegucigalpa and San Pedro Sula), Ecuador (Guayaquil), Colombia (Cali, Palmira and Buenaventura), Jamaica (Kingston), Haiti (Port-au-Prince) and Brazil (Salvador, Natal, Recife, Mossoró, Fortaleza, among others).[14] The most striking aspect of this ranking is that several of the cities mentioned are on the coasts and are considered critical maritime hubs for each of the countries. For instance, Cancun, Fortaleza, Salvador and Natal are cities along the Atlantic coast of Latin America. They have in common that they are essential seaports for their country and have shown an excessive increase of violence propitiated by the disputes of the drug traffickers and smugglers to have control of the ports and the routes, especially in the city.

For the reasons explained above, the Organization of American States established a series of regional and sub-regional mechanisms to ensure joint maritime security and safeguard the interests of those living along the coasts and the enterprises involved in maritime commerce. Firstly, a regional cooperation network of maritime authorities in the Americas, the "Red Operativa de Cooperación Regional de Autoridades Marítimas de las Américas" (ROCRAM) was created as an informal regional organization through which maritime authorities could act in an integrated manner in different areas of cooperation, composed of Argentina, Brazil, Bolivia, Chile, Colombia, Cuba, Ecuador, Mexico, Panama, Paraguay, Peru, Uruguay and Venezuela. This mechanism aims "to promote cooperation among the maritime authorities of the region through the exchange of information and documentation to implement the IOM international conventions and the exchange of information on the national regulations of each country; to integrate efforts and exchange experiences to make the implementation of the international conventions on maritime safety, pollution and protection of the maritime environment, maritime security of ships and port facilities and the facilitation of maritime traffic and passenger transport more effective; and to foster regional cooperation between schools and information centres for merchant officers and maritime personnel to make the best use of existing infrastructure, improve the academic level and broaden the scope of education on safety and pollution issues."[15] Secondly, a complementary mechanism was created for Central America and the Dominican Republic, the "Red Operativa de Cooperación Regional de Autoridades Marítimas de Centroamérica y República Dominicana" (ROCRAM-CA). As its name says, it consists of Central American countries such as Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua, Panama and the Dominican Republic. Its main goal is to "promote activities conducive to the development and strengthening of national maritime sectors in the region and to promote the harmonization, updating and modernization of maritime legislation of member countries."[16]

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13   Woody, C (2019).
14   Seguridad, Justicia y Paz (2022).
15   Dirección General Marítima de Colombia. What is ROCRAM?
16   Comisión Centroamericana de Transporte Marítimo. ROCRAM-CA.

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On the other hand, its counterpart in the Caribbean, CARICOM, has developed several mechanisms and strategies to protect the maritime domain and counter the threats imposed by non-state actors. The Caribbean community CARICOM comprises 15 member states: Antigua and Barbuda, Bahamas, Barbados, Belize, Dominica, Grenada, Guyana, Haiti, Jamaica, Montserrat, Saint Lucia, Saint Kitts and Nevis, Saint Vincent and the Grenadines, Suriname and Trinidad and Tobago. The main characteristics of its members relate to the fact that all countries "are classified as developing countries and, excluding Belize, Guyana and Suriname, are all island states."[17] The latter statement illustrates the need for a maritime strategy in the Caribbean, as most state members rely heavily on the maritime domain and its activities.

Likewise, this region is critical as it lies between Latin America and Europe and is considered a prime transshipment location for drug trafficking and smuggling of persons and goods through maritime routes. For this reason, the organization has created the Caribbean Community Implementation Agency for Crime and Security (IMPACS), which is described as the "implementation arm of a new regional architecture to manage CARICOM's action agenda on crime and security,"[18] and is one of the leading programs to address the subject of security in the region. In this context, its objectives are related to the research, analysis, monitoring, evaluation and preparation of reports and documents to develop projects and the agenda concerning regional crime security. In addition, Caribbean states created other complementary mechanisms to support the IMPACS' process. These additional tools include the Regional Security System (RSS), an organization created to provide security against traditional security threats by putting together military and police forces. The primary purpose of this agreement is "to promote cooperation among the member states in the prevention and interdiction of traffic in illegal narcotic drugs, national emergencies, search and rescue, immigration control, fisheries protection, customs and excise control, maritime policing duties, natural and other disasters, pollution control, combatting threats to national security and the prevention of smuggling in off-shore installations and exclusive economic zones."[19] In the same line of action, the United States, some countries in Europe, such as France and the Netherlands, and some countries in Central America, namely Belize, Costa Rica, the Dominican Republic, Guatemala, Honduras and Nicaragua, have signed and ratified the Treaty of San José, which brought to life the Caribbean Regional Maritime Agreement. This treaty was developed thanks to the "urgent need for a legal instrument that can serve as a basis for more effective regional security cooperation in the maritime domain to enhance the fight against Transnational Organized Crime"[20] across the Caribbean basin.

In Africa, multilateral organizations have been developed that have attempted to address transnational threats. One of the most important organization is the ECOWAS, the Economic Community of West African States, created in 1975 by the states from West Africa (Benin, Burkina Faso, Cabo Verde, Côte d'Ivoire, Gambia, Ghana, Guinea, Guinea-Bissau, Liberia, Mali, Niger, Nigeria, Senegal, Sierra Leone and Togo). It was created for the primary purpose of "promoting economic cooperation among member states in order to raise living standards and foster economic development. ECOWAS has also worked to address some security issues by developing a peacekeeping force for conflicts in the region."[21]

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17   Caribbean Community, CARICOM. Who we are.
18   CARIFORUM (2019).
19   CARICOM (2010). "Press release".
20   Ibid.
21   Office of the United States Trade Representative.

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Over the years, the African region has suffered from the scourge of piracy. Initially, piracy came up in the area known as the Horn of Africa and the Gulf of Aden; however, due to the anti-piracy policies of the countries involved, they managed to combat piracy effectively but displaced it to other areas of the continent. Then the threat started to become noticeable in West Africa and ECOWAS took the lead in the fight against piracy. In 1993, the member countries approved a revised treaty which included "a maritime component intended to harmonize all maritime issues across the region."[22] In dealing with the issue of piracy, it became more evident that new threats, such as trafficking and smuggling of humans, weapons and narcotics as well as illegal and unregulated fishing activities converged in this area and used the maritime domain as a means.

In 2014, ECOWAS published the Integrated Maritime Strategy (EIMS) to protect all bodies of water (Atlantic Ocean, lagoons, rivers, streams) that criminals can use to perform their criminal activities. The West African counties agreed that the region is exposed to environmental and security challenges in its maritime environment, such as "overexploitation of marine resources, rapid degradation of the marine environment through pollution, coastal erosion and rise in sea level and criminal acts at sea (piracy, armed robbery, smuggling, drugs and human trafficking, illegal, unreported and unregulated (IUU) fishing and illegal migration)."[23]

This mechanism was created as a means of supranational cooperation, i.e., operating on a national, bilateral and multilateral level to ensure the inclusion of all stakeholders involved and affected in the maritime space. This, in turn, demonstrates the need to address these threats by joining several actors since they do not affect one country only and it would be significantly limiting for a single actor to combat them. Likewise, ECOWAS states "the need for coordination and cooperation, in close collaboration with neighboring states, transatlantic, European and global counterparts".[24]

The EIMS has set out its strategy with five strategic objectives, the most important of which are the following: objective 1: To strengthen maritime governance, objective 2: To achieve a safe and secure maritime domain, and objective 5: To promote maritime awareness and research. Together these objectives raise maritime domain awareness by highlighting the need to act together to improve coordination, communication and exchange of activities and information with other countries and institutions such as the Economic Community of Central African States (ECCAS), the Gulf of Guinea Commission (GGC), the Maritime Organization for West and Central Africa (MOWCA). Likewise, it seeks to "strengthen the technical and operational partnership between ECOWAS and ECCAS in the prevention and combating of piracy and armed robbery, terrorism, acts of kidnapping and hijacking, drug and human trafficking, arms smuggling and other unlawful acts committed in their combined maritime domains."[25] It has become evident that criminals have been gaining ground in the West Africa region due to its weak law enforcement, which facilitates the trafficking of illegal drugs, and so has the "range of products through the region: drugs (cocaine from South America

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22   Ben-Ari, N (2013).
23   ECOWAS (2022).
24   Ibid.
25   Ibid.

to Europe), cigarettes, weapons (conventional and non-conventional), illegal migration or the sex trade, counterfeit medicines, toxic waste, oil, and natural resources".[26]

As explained above, organizations and mechanisms have been created and developed at the regional level to provide stability and security to people, companies, infrastructure and territories against Transnational Organized Crime (TOC), consisting of different criminal activities, the following of which will be discussed in this paper: drug trafficking, arms trafficking, smuggling of goods and merchandise, trafficking in persons, illegal migration, terrorism and IUU fishing. Security matters along the coastlines should be addressed by formulating a maritime security policy that integrates the regions of Latin America and the Caribbean. The aim is to understand the current situation of these activities in Latin America and the Caribbean and to be able to provide proposals for action to the affected regions as expected from this report.

To better address the nature and the risks of these crimes, it is necessary to study their enabling factors, as they are crucial for the development of the activities in the region. Latin America and the Caribbean, being regions composed of developing countries, face several challenges regarding social, political and economic stability. These challenges represent an enormous threat due to their state and institutional nature. Therefore, it is necessary to mention public safety, corruption, weak institutions, impunity, lack of governance and state presence, lack of the rule of law and porous borders. These enabling factors deepen the root causes of violence and instability, e.g., poverty, underdevelopment, lack of access to education, unemployment and inequity, and encourages the development of TOC in these territories.

Suspected pirates surrender to the U.S. Coast Guard off the coast of Somalia in 2009.
Source: Global sea piracy ticks upward, and the coronavirus may make it worse
Retrieved from https://theconversation.com/global-sea-piracy-ticks-upward-and-the
-coronavirus-may-make-it-worse-137586

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26   ECOWAS (2022).

1. Drug Trafficking

Continuing with the TOC activities, it is essential to start discussing the most worrisome criminal activity for the region: drug trafficking. As its name states, this activity is described by the UNODC as "a global illicit trade involving the cultivation, manufacture, distribution and sale of substances (natural or synthetic) which are subject to drug prohibition laws".[27] Its high importance and danger lie in the fact that the most consumed substance in the world and the one that generates the most income, cocaine, is produced in significant quantities on Latin American soil, especially in Bolivia, Colombia and Peru, countries catalogued as the largest producers of the coca leaf in the world. Although its production depends on the coca leaf in Latin American territories, the drugs scourge has another equally important aspect that must be addressed, namely the issue of distribution and consumption. This is where the two worlds come together, the world of the developing countries that produce drugs and the world of the developed countries that consume them. Given its stages, this problem can be described as an intermestic problem, "a problem that is characterized by being present simultaneously at both the global and domestic levels".[28] Over the years, several initiatives have been aimed at eradicating drug trafficking, however, they have not been fruitful since only the production (supply) and distribution stages are being attacked, leaving aside awareness raising regarding consumption (demand), which is not commonly addressed.

In the early days, drugs were trafficked by air and land, as traffickers considered it the easiest way to circumvent government controls and get the drugs to their destination. With the rise of the Colombian cartels in the eighties, drug trafficking started to expand and reach unexplored regions in this domain, such as the United States and Europe. Due to the growing need to evade controls and get the merchandise to its destination, drug traffickers constantly adapt to achieve their goals. For this reason and fostered by globalization, the drug trafficking cartels saw the maritime domain as the perfect option to carry out their shipments with lower risk and to more distant places. The ships used for these shipments are in legal condition. They are vessels registered and flagged as legitimate vessels and, therefore, cannot be detained by coast guards without justification. This distinguishes them from pirate ships, which do not have any identification and, unlike the former, are subject to detention by any authority regardless of the country.[29] Likewise, the drug trafficking organizations started using the maritime domain for their shipping, since maritime trade represents almost 90% of world trade, which accounts for 70% to 80% of all cocaine shipments worldwide.[30] Thanks to the protections and advantages granted by maritime regulations, drug trafficking groups found a way to outwit the authorities at sea. They began exporting cocaine by sea to the destination par excellence, the United States of America,

27   United Nations Office on Drugs and Crime (UNODC). Drug Trafficking.
28   Rojas, F. (2014).
29   United Nations Convention on the Law of the Sea. Page 25.
30   Pérez, A. (2014). Mares de cocaína. Page 21.

using routes designed to evade controls through the Atlantic Ocean, the Caribbean Sea and the Pacific Ocean. For instance, the Colombian cartels ship their drugs to the United States through the Bahamas, the Antilles, Haiti, Jamaica, the Dominican Republic and Mexico.[31] Mexican cartels, in turn, ship their drugs from Mexico via the Pacific Ocean or the Atlantic Ocean to the United States.

Similarly, in the nineties, the phenomenon of maritime drug shipments spread to the European continent when Colombian cartels began sending cocaine shipments to Tarragona and Galicia in Spain. They chose Spain because of its proximity to Latin America in terms of language and cultural features, which facilitated communication between the Colombian cartels and criminal organizations in Spain and fostered the consolidation of alliances to smuggle other kinds of goods such as coffee, tobacco and alcohol.[32] Then, the maritime routes for drug trafficking expanded to other European ports such as Le Havre, Dunkerque and Marseille in France, Antwerp in Belgium, Rotterdam in the Netherlands, Palermo and Gioia Tauro in Italy, Hamburg in Germany and to the United Kingdom,[33] which received shipments from Brazil, Costa Rica, Colombia, Curaçao, the French Antilles (Martinique and Guadalupe), Jamaica, Mexico, Panama and Suriname.

These maritime routes are of the utmost importance for global security since the different criminal groups converge in this part of the world. On the one hand, there are the Latin American drug cartels from Colombia and Mexico and, on the other hand, the European mafias, primarily from Italy, Spain and Russia. In this respect, they make exchanges that facilitate their operation: Latin American organized crime groups exchange drug shipments for arms shipments, especially from Russia.

Due to the high demand and increased anti-drug operations, surveillance and maritime controls to and in Europe, criminal organizations have decided to look for alternative routes to continue supplying the European market. The idea arose about a decade ago to send shipments to Europe via Africa, a brotherly continent hitherto unexplored in this field. Until then, the African continent had suffered from another type of organized crime, piracy, an activity to be discussed later in this report. However, with the arrival of Latin American cartels, criminal organizations saw a more lucrative and less risky business opportunity than piracy-related acts, significantly, in West Africa region, adjacent to the South Atlantic Ocean. Since organized crime entered Africa for the drug trade, three hubs arose to receive and redistribute the merchandise. In the first place, "the northern hub radiating from Guinea-Bissau, Guinea, the Gambia and Senegal."[34] In second place, "the southern hub, centred on Nigeria and including Benin, Togo and Ghana."[35] And lastly, there is the "eastern hub, encompassing Mali and parts of Mauritania."[36] Currently, the most commonly used route towards Africa is the one which has been called "Highway 10", because it is located along parallel 10. This parallel crosses the world and specifically travels through critical countries involved in drug trafficking. Parallel 10 goes through Costa Rica, Colombia and Venezuela on Latin American side and continues to Guinea, Côte d'Ivoire, Burkina Faso, Ghana, Togo, Benin,

31   Pérez, A. (2014). Mares de cocaína. Page 47.
32   Ibid. Page 125.
33   European Monitoring Centre for Drugs and Addiction & EUROPOL (2022).
34   United Nations Office on Drugs and Crime (2013).
35   Ibid.
36   Ibid.

Nigeria and Cameroon on African side.[37] The cargoes shipped through this route are "trafficked onward by sea (in containers, fishing boats and pleasure craft) or by land or air across the Sahara to North Africa where they are shuttled across the Mediterranean in go-fast boats."[38]

The second most used route for drug trafficking tries to reach the Azores, an archipelago on the Atlantic Ocean, located 1500 km off the mainland of Portugal[39] , which is one of the points in Europe closest to West Africa. In her book, Ana Lilia Pérez states: "Upon entering the Atlantic, the vessels enter West Africa, zigzagging through Guinea Bissau, Guinea Conakry and Senegal to reach the Iberian Peninsula. The central route also reaches this point, extending from South America to Brazil, and crosses Cape Verde to reach the Azores or Madeira in Portugal or the Canary Islands in Spain."[40] Similarly, there is the island of Cape Verde, located between the continents of Africa and America, which is used mainly by organized crime actors as a transshipment crossing to reach the European market. Its insular condition, located 650 km off the west coast of Africa[41] and right at the intersection of the three continents (America, Europe and Africa), makes it is a strategic centre for drug trafficking and it receives huge cocaine shipments from Mexico and Colombia. These maritime routes are essential because cocaine arriving in Europe makes almost three-quarters[42] of its journey by sea in transatlantic ships or in mother ships to be transhipped to smaller vessels off the coast of West Africa and from there to European ports, and come from Brazil, Ecuador and Colombia.

As noted above, it is estimated that most of the cocaine arriving on African soil comes from the three producer countries of Colombia, Peru, and Bolivia. However, there has recently been an increase in containerized shipments from Brazil. This has attracted the attention of the authorities, not only because Brazil, being a Portuguese-speaking country, maintains close relations with several countries in the Gulf of Guinea, but also because it is "home to a large Nigerian community, which, according to Brazilian authorities, has been progressively taking control of cocaine exports from Brazil. According to a liaison officer in Brazil, Nigerian groups organize up to 30% of the cocaine exports by ship or container from Santos, Brazil's largest port."[43] Recently, the emergence of a new actor in trafficking from Latin America, Venezuela, has also raised the alarm. This new actor is characterized by having stablished legal businesses in African countries as fronts to cover their crimes and thus facilitate the movement of goods. There is evidence that fisheries and canneries have been created to serve as fronts for organized crime.[44]

Since the routes used by criminals are already known, it is necessary to discuss the different modus operandi used by transnational organizations to circumvent port controls. According to the EU Drug Market: Cocaine: In-depth analysis by the European Monitoring Centre for Drugs and Drug Addiction and Europol, there are eight identified modus operandi to hide drugs inside containers. To begin, there is the *Rip-on/Rip-off* method. This technique consists of the containers being loaded at the port of origin without the person in charge of the container or the ship being aware of its contents.

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37   Pérez, A. (2014). Mares de cocaína. Pp 236.
38   United Nations Office on Drugs and Crime (2013).
39   Azores Choice.
40   European Monitoring Centre for Drugs and Addiction & EUROPOL (2022).
41   Bannerman, W.
42   Pérez, A. (2014). Mares de cocaína. Page 25.
43   United Nations Office on Drugs and Crime (2013).
44   Asala, K (2020).

The criminals plant the drugs in the container to recover them later at the destination with the complicity of the port authorities.[45] Following is the *Trojan horse*, considered a "variation of the rip-off method involving one or more people, so-called cocaine extractors, being smuggled into a port hidden inside an empty container to retrieve cocaine concealed in other containers. The extractors wait inside the container to be informed via smartphone of the number and location of the container holding the cocaine they are tasked with retrieving. The cocaine is extracted and placed in the previously emptied container, which is subsequently retrieved from the port area."[46]
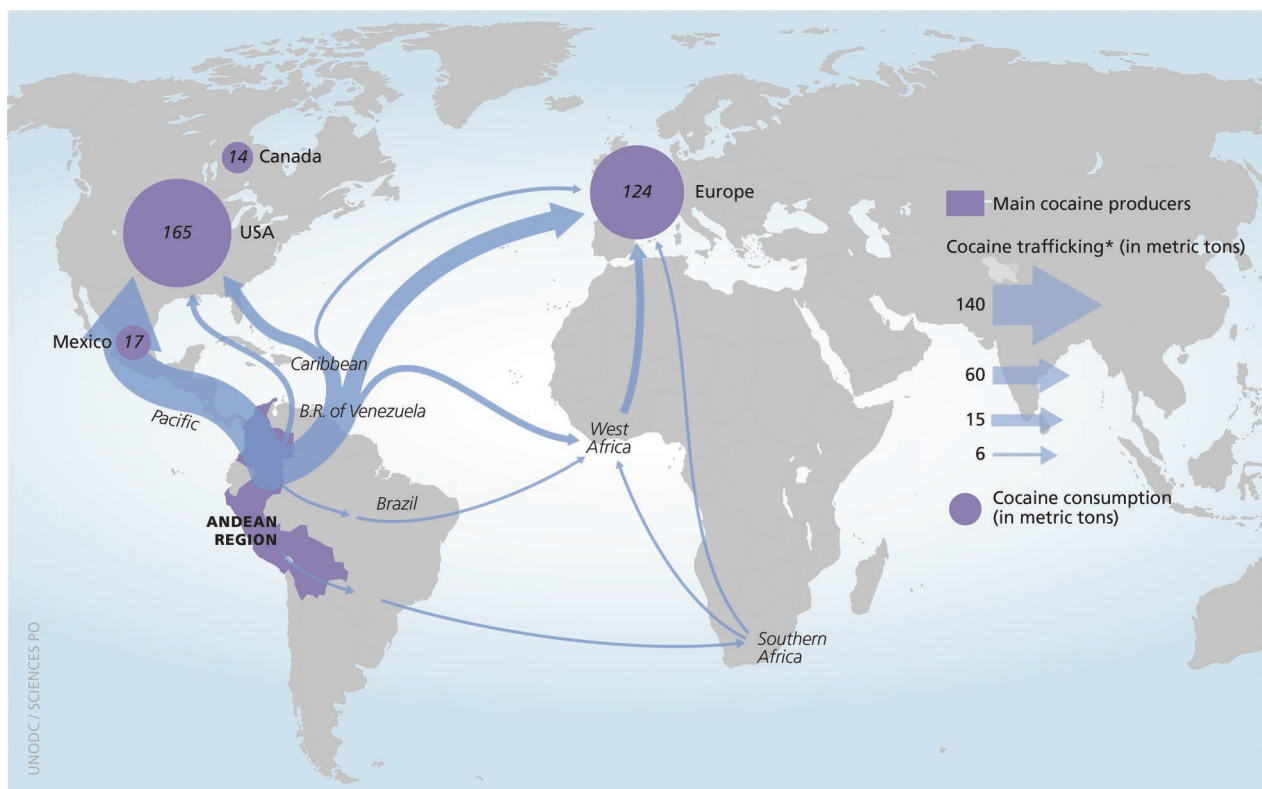

FIGURE 1. Main Cocaine Routes
Source: United Nations Office on Drugs and Crime. (2010). World Drug Report 2010. Page 70
Retrieved from https://www.unodc.org/documents/wdr/WDR_2010/World_Drug_Report_2010_lo-res.pdf.

45   European Monitoring Centre for Drugs and Addiction & EUROPOL. (2022)
46   Ibid.

Then comes the *switch* method, which is explained as follow: "In the port of origin the drugs are placed in an easily accessible place in the container. At the EU destination port, before the container is inspected, corrupt dock workers retrieve the drugs and transfer them to a different container, either one that has already been cleared by customs or one that doesn't require inspection."[47] The fourth place is occupied by the *In-container structure*, consisting of drugs hidden in areas inside the containers, such as insulation materials, cooling compartments and inside walls, where they can evade controls, evidently with the help of port authorities.[48] Subsequently, there is the *Commercial vessels and drop-off* technique. This technique involves the use of commercial vessels, whether fishing or cargo ships, to transport drugs to the final destination. However, instead of arriving at the destination port with the goods, the criminals drop the drugs off during the journey at a specific point at sea.[49] The sixth technique is the *Pleasure vessels* method, which, as its name specifies, consists of using pleasure or private vessels such as yachts to commit the crime. The following technique involves *inflatable and speedboats*: "small vessels adapted or custom-made and powered with multiple outboard motors are used to transport drug shipments over short to medium distances. The drugs are loaded and unloaded in remote areas. The vessels are fast enough to avoid detection or capture."[50] Finally, there is the *Underwater attachments and semi-submersibles* method, explained as the technique in which "drugs are transported in missile-shaped containers attached to the hull of the vessels below the water. This method requires specialized divers at both the origin and destination ports. Semi-submersible and submarine-type vessels are typically human-piloted, although unmanned crafts may be seen in the future."[51]

For these reasons, countries, either jointly or individually, have developed mechanisms and documents related to the prevention and proper management of the fight against drug trafficking. These initiatives, programs and organizations have been created to combat this threat and raise awareness of the need for the necessary tools to cope with the drugs scourge. In this regard, the Organization of American States (OAS) is the most relevant entity at regional level since it brings the three parts of the continent together: North America, Latin America and the Caribbean. Considering that the drug issue is a problem that affects all countries in the western hemisphere, producers as well as consumers, the OAS has developed strategies and commissions to attack it. Firstly, there is the Interamerican Drug Abuse Control Commission (CICAD), the "consultative and advisory body of the OAS in the drug issue. It serves as a forum for OAS member states to discuss and find solutions to the drug problem and provides them with technical assistance to increase their capacity to counter the drug problem."[52] The commission shows strong cooperation between the OAS and other relevant international organizations such as UNODC, CARICOM, the International Narcotics Control Board (INCB) and the Pan American Health Organization.

In the same way, the OAS developed a four-year plan to counter drug trafficking. For the purpose of this text, it is essential to explain the Hemispheric Plan of Action on Drugs (2021-2025), which states the necessity for the member states to adapt to the new reality regarding the Covid-19 pandemic and how this unique situation has fostered,

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47   European Monitoring Centre for Drugs and Addiction & EUROPOL. (2022)
48   Ibid.
49   Ibid.
50   Ibid.
51   Ibid.
52   Organization of American States OAS. About CICAD.

facilitated and augmented the trafficking in drugs. In this sense, the plan advocates the "exchange of best practices and lessons learned in the fields of drug demand and supply reduction policies, strengthening institutions, research and cooperation as well as closer coordination between other OAS bodies and experts in the areas of human rights, health, childhood, gender and security."[53] It focuses on institutional strengthening, namely, by giving the corresponding institutions adequate resources, tools and capabilities to formulate, implement, monitor and evaluate drug policies at a national level. It also concentrates on developing measures of prevention, treatment and recovery support, looking at drug policy from a more dual perspective, starting from the fact that a predominant factor in the drug market is the steady increase in demand for drugs. This plan attacks the drug trafficking issue from all sides by developing "measures to control and counter the illicit cultivation, production, trafficking and distribution of drugs and to address their causes and consequences."[54] To achieve this, several Early Warning Systems (EWS) and Incident Communication Systems (ION) have been established to exchange information with other existing systems in the region and to detect and intercept vessels suspected of committing a criminal act related to drug trafficking. Thereby, the OAS structured the plan to be developed by establishing cooperation and coordination mechanisms to enrich technical assistance, law enforcement training and operational intelligence gathering, improve information exchange and share best practices and experiences.

Continuing with a narrower organization, CARICOM has developed the CARIFORUM Drug Supply Control Initiatives with enhanced Coordination and Dialogue with Latin America Programs integrated by all CARICOM members, except Dominica and Montserrat. This program is a pillar of CARICOM's strategy for Integrated Border Management. This action is expected to be achieved by border agencies in charge of organizing and supervising the activities taking place at the borders while maintaining them secure and meeting national legal requirements through "strengthening border security to support harmonization and standardization of practices, policies and procedures utilized by customs and immigration officials; capacity building of information and intelligence resources and fostering operation between the Caribbean Community members."[55]

Now, moving on to initiatives of an integrated regional nature, we can find the Mérida initiative launched in 2007. The governments of the United States, Mexico and Central American (Belize, Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua, Panama, Haiti and the Dominican Republic) established the Mérida Initiative to combat drug trafficking, terrorism and transnational crime in the region. This initiative is based on four pillars: "To disrupt the capacity of organized crime to operate, to institutionalize capacity to sustain the rule of law, to create a 21st-century border structure and to build strong and resilient communities."[56] Its objectives include strengthening the border, air and maritime controls; diminishing local drug demand as well as breaking the power and impunity of criminal organizations. It also aims to offer counter-narcotic and counter-trafficking technology and provide the involved states with the required tools to supply airport and seaport security.

47   European Monitoring Centre for Drugs and Addiction & EUROPOL. (2022)
48   Ibid.
49   Ibid.
50   Ibid.
51   Ibid.
52   Organization of American States OAS. About CICAD.
53   Organization of American States and Inter-American Drug Abuse Control Commission (CICAD). (2021).
54   Ibid.
55   CARIFORUM (2019).
56   U.S. Embassy in Mexico. (2021)

Just like countries have gathered to create mechanisms, initiatives and commissions concerning drug trafficking solutions, there have also been several military exercises involving various regional navies to counteract the development of this menace. One of the most recent and successful is Operation Orion, led by the Colombian army and with the participation of Latin American countries such as Costa Rica, Honduras, Guatemala, Mexico, the Dominican Republic, Panama, Peru and Uruguay as well as Caribbean countries such as Antigua and Barbuda, Barbados, Belize, Dominica, Granada, Guyana, Cayman Islands, Jamaica, St Lucia, St Kitts, Suriname and Trinidad and Tobago. This operation was carried out in the Atlantic Ocean, specifically in the Caribbean Sea, to combat and dismantle drug trafficking groups, by establishing a holistic effort and multilateral, regional and transnational engagement among allied countries. The operation's primary objectives were to reduce drug demand, contribute to the security and comprehensive development of the states in this matter and protect the environment.[57] In the end, the overall operation demonstrated that it was very successful since it achieved high levels of drug seizures of different kinds (cocaine, marihuana, heroin and meth) and it included arms seizures and confiscations of money from illicit trade.

Similarly, the intervention of the United States, the Latin American countries' ally par excellence in the fight against drugs, cannot be missing. The US government developed two initiatives to combat drug trafficking in the neighboring region: SOUTHCOM, which enhanced counter-narcotics operations, and the Joint Interagency Task Force-South (JIAFT-S). The former is an initiative created in April 2020 involving countries from the American continent such as Colombia, Costa Rica, El Salvador, Honduras and Panama. It integrates another region of the most affected actors by drugs, Europe, represented by France, the Netherlands and the United Kingdom. This operation came to life thanks to the intent of the United States to "reduce the flow of illicit drugs, degrade transnational criminal organizations and increase interoperability with the partner nations and interagency partners."[58] The latter is a network constituted by the United States, Latin American countries and Europe, concerning "law enforcement, intelligence and military assets to focus on detecting the movements and shipments by narcoterrorism organizations."[59]

On the same note, the United States Southern Command established the creation of Operation PANAMAX jointly with another twenty countries (Argentina, Belize, Brazil, Canada, Chile, Colombia, Costa Rica, the Dominican Republic, Ecuador, El Salvador, France, Guatemala, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru and the United Kingdom) to guarantee the defense and security of the Panama Canal, considered the most important maritime port in the region. Its main goal is "to provide participating forces with an opportunity to conduct security and stability operations, practice interoperability and strengthen their ability to plan and execute complex multinational operations."[60]

In closing, the United States has fostered an initiative in the Caribbean called the Caribbean Basin Security Initiative to promote "efforts from the United States to reduce illicit trafficking, increase citizen security and promote crime

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57   Voz de América (2022).
58   U.S. Southern Command. (2020).
59   Ibid.
60   U.S. Southern Command. (2018).

prevention"[61] in the Caribbean region. This initiative's beneficiaries are Antigua and Barbuda, the Bahamas, Barbados, Dominica, the Dominican Republic, Grenada, Guyana, Jamaica, Saint Lucia, Saint Kitts and Nevis, Saint Vincent and the Grenadines, Suriname and Trinidad and Tobago. In turn, this initiative seeks to strengthen the rule of law and security, foster educational programs for the population and contain the illegal trafficking of drugs, goods and people.

In relation to the fight against drugs, on African side several initiatives have been developed at the regional and transnational level. These initiatives include the West Africa Coast Initiative (WACI), which is one of the regional efforts made by various stakeholders such as UNODC, DPA, INTERPOL and DPKO, who joined forces to establish an anti-drug strategy to address organized crime and the growing abuse of drugs in West Africa. This initiative comprises the 15 ECOWAS member countries and the offices mentioned above. It seeks to develop and implement policies focused on "law enforcement, forensics, border management, money-laundering and criminal justice"[62] to strengthen the judicial and security system in this region.

Over the years, the UN has supported the West Africa region in developing programs to combat organized crime and drug trafficking. It endorsed the Praia Declaration to establish a regulatory framework and a starting point for anti-drug policy. The UNODC has also supported initiatives like the Regional Programme for West Africa, WACI and the ECOWAS Regional Action Plan.

The UN has not only supported strategies developed within the region. It has also helped the region to execute and implement joint policies with Latin America and Europe, focused on strengthening cooperation and dialogue between the areas affected by drug trafficking. Thanks to the intervention of this office, the project "On Law Enforcement and Intelligence Cooperation against Cocaine Trafficking from Latin America to West Africa to foster trans-regional intelligence coordination and information sharing amongst several countries in West Africa, Latin America, and the Caribbean, supported by the European Commission" has been implemented.[63] Likewise, as discussed during the conference, the Global Container Programme has become relevant in all three regions, as it has been influential in seizing cocaine shipments to Africa and Europe. Finally, the role of UNODC in promoting bilateral relations between African countries and Brazil, or what was referred to during the conference as south-south cooperation, was highlighted. Brazil's role is noted in the "support to Guinea Bissau in different initiatives under the framework of implementing the National Operational Plan to combat drugs and crime."[64] Likewise, since it was highlighted during the conference that Brazil should lead inter-regional strategies and policies, the South American giant has been instrumental in implementing and developing a special security forces training center for capacity building. This training center aims to "improve security forces capacities to counter-narcotics and organized crime with a long-term aim for the Training Center to become a Regional Training Academy for Portuguese-speaking countries in Africa."[65]

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61   U.S. Department of State. (2020).
62   United Nations Office on Drugs and Crime. (2014).
63   Ibid.
64   Ibid.
65   Ibid.

In connection with the Global Container Programme, as part of the Global Illicit Flows Programme of the European Union, the European Union developed the Port Cooperation Program (SEACOP) to promote the fight against illicit maritime trafficking and associated criminal networks in both Latin America and West Africa. The purpose of this project is "to create specialized Intelligence and Investigation units in seaports or sensitive coastal areas; to strengthen coast guards through training and the provision of drug detection equipment; to support the creation of a regional intelligence center to facilitate coordination between the police forces of these countries; and to study the possibility of creating a regional information system."[66] This program reinforces the idea of Conferences I and II which raise the need to develop regional intelligence centers in both zones, which share information to facilitate the fight against drugs.

Cocaine haul worth €1.7 million that was seized in Cork
Source: Pictured: Massive €1.7 million haul of cocaine that was stashed in a sports bag
Retrieved from https://www.irishmirror.ie/news/irish-news/crime/pictured-massive-17-million-haul-5400706

66   United Nations Office on Drugs and Crime. (2014).

2. Irregular and Illegal Migration

Next on the list of current threats to national and regional security is the issue of irregular migration. Though there is no consensus on the definition of this concept, UN Migration defines it as "a movement of persons taking place outside the rules of the countries of origin or transit or host countries".[67] A migrant in an irregular situation may find themselves in one or more of the following situations: they may have entered the country irregularly, for instance, with false documents or without crossing an official border; they may be residing in the country irregularly, for example, in contravention of the conditions of the entry visa or residence permit; or they may be employed irregularly, for example, having the right to reside in the country, but not to accept paid employment. Migration by sea "is a complex phenomenon involving the intersection of several bodies of international law and delicate issues of jurisdiction. It affects countries of origin, transit and destination worldwide. Despite its prevalence, States have so far been unable to demonstrate the political will to find an internationally accepted response that respects both the sovereign right of States to control their borders and the safeguarding of the human rights and dignity of refugees from the sea."[68]

As well as the threats explained above, this scourge also has intrinsic root causes that encourage migrants to escape from precarious conditions in the country of origin. These conditions may be related to political, economic and religious conflicts; poor life conditions (poverty, unemployment, hunger, lack of access to basic services); systematic violation of human rights; and natural disasters. In the case of migrants coming from Africa, the considered enabling factors are the continuing augmentation of strong military policies in Europe, which makes African inhabitants look towards Latin America. This idea leads to the fact that in recent years, several countries in the LATAM and Caribbean region, like Ecuador and Brazil, have lifted migration restrictions such as visas for international travelers coming from Africa. Currently, three types of migration flows are identified in the Western Hemisphere. The intraregional flow of migrants from the Caribbean (Haiti and Cuba) and the inter-continental flow of migrants are divided into two parts: one coming from Asia and the other one coming from Africa (Ethiopia, Somalia, Eritrea, Nigeria, Senegal and the Democratic Republic of Congo).[69]

In the intraregional flow, the main actors are Cuba and Haiti. Cuba has presented a high outgoing migratory flow in recent years due to the end, in 2017, of the immigration privileges enjoyed by Cuban nationals given by the United States government, the 1995 "política de pies secos, pies mojados". This policy "applied exclusively to Cubans and meant for persons of that nationality attempting to migrate to the US to be able stay if they touched US soil and,

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67   United Nations International Organization for Migration (UNIOM).
68   Kumin, J. (2014).
69   Lopez, J., & Pedroza, L. (2020).

therefore, had dry feet (pies secos)."[70] In other words, dry feet applied to Cubans arriving illegally in the United States, that is, without a visa or other valid entry document. For instance, currently, Cuban citizens travel through Central America, especially Costa Rica, to cross the region and reach the United States territory. Haiti has always witnessed the phenomenon of emigration, especially to the neighboring Dominican Republic, due to the precarious living conditions of its inhabitants. However, in recent years, it has become evident that other reasons encourage such migration. On the one hand, the 2010 earthquake left destruction, hunger and death in the country and forced its citizens to seek opportunities in other countries. On the other hand, "the closing of the borders of French Guiana (French overseas region), the main destination of Haitians because of its linguistic, cultural and ethnic affinity."[71] Haitians, like Cubans, use air and sea routes to Colombia or Central American countries to reach their desired destination, the United States.

The other migratory flow of concern for this document is the one from Africa. Due to the implementation of stricter and more drastic measures on the European continent, African nationals see Latin America, the Caribbean and the United States as an opportunity for advancement. This migration flow is caused by factors such as the region's economic development in the last decade and the proximity in terms of culture and language, especially to Brazil. In Africa, several Portuguese-speaking countries seek to take advantage of the linguistic proximity with Brazil, in addition to the previously established agreements such as ZOPACAS, which facilitate interaction between States. However, on many occasions, the final destination for these people is not Brazil, but they use this country as a port of entry to the Latin American region. After entering Brazil, they take advantage of the geographic disposition of this regional power, which shares a border with 10 South American countries, to continue their journey with the firm purpose of reaching the United States.

In contrast, some migrants from other continents who travel by air or sea to reach the United States and Canada use several countries in South and Central America as transit countries. In some cases, however, these migrants get stranded on the coasts and territories of countries in the Andean region, Central America and the Caribbean.[72] As an example, once they arrive in Colombia by air, the migrants sometimes travel by boat, crossing Colombia, Panama and Central America and, once in Mexico, take the Pacific or Atlantic route to reach the United States.

The following graph explains in more detail the movement of migratory masses between the areas relevant to this work: Latin America and the Caribbean, Europe and Africa. It shows that, although the most common way to make these movements continues to be by air, the use of the maritime space, as cargo (inside containers) and in fishing vessels, is becoming more recurrent and frequent.[73] Similarly, the image exemplifies that migrants use the same routes as transnational organized crime organizations, which exposes the states' deficiency, as they cannot provide surveillance, protection nor an adequate presence to protect the maritime space from recurring criminal activities.

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70 Rodríguez, M (2018).
71 Organization of American States (2016). Pg 26.
72 Organization of American States (2016). Pg 27.
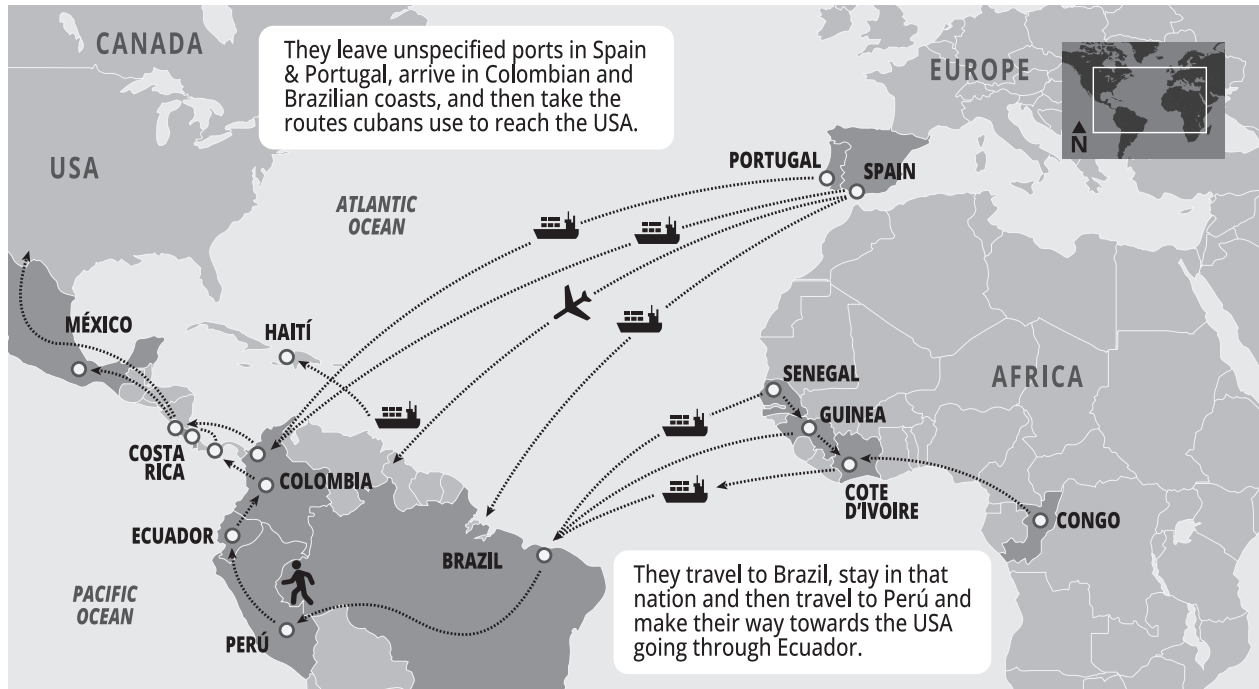73 Organization of American States (2016). Pg 28.

FIGURE 2. Main Migrant Routes from Africa and Europe
Source: Correa, L. (2020). La migración intrarregional en América Latina. Page 70. Available at
http://biblioteca.clacso.edu.ar/clacso/gt/20210504080416/La-migracion-intrarregional.pdf

This threat represents an enormous challenge for the region since responses from several sectors need to be articulated due to the convergence of several categories of law like international law, migrants' law, the declaration of human rights and refugees' rights.[74] Likewise, this type of migration becomes a catalyst for transnational organized crime, because, due to the fragile and vulnerable situation in which migrants find themselves, it can foster the development of human trafficking and drug trafficking.[75]

This, in turn, creates a problem in terms of the development of policies to address the issue. Because of its social condition, this threat must be dealt with in an articulated manner with governments, international organizations and civil society due to its susceptibility. Policies should be developed that focus on human beings rather than on the state

74   Konrad Adenauer Stiftung & Salma Dialogue. (2022). Celina Realuyo.
75   Lopez, J., & Pedroza, L. (2020).

institution. To date, joint efforts have been made in Latin America and the Caribbean to address the migration issue from a more humanitarian point of view. From security perspective, little has been established so far and we will now go deeper into the initiatives of countries in the region and in conjunction with European countries to address the issue of irregular migration. Firstly, the OAS has the Special Committee on Migration Issues (CEAM), which is "tasked with the analysis of migration issues and flows from an integral perspective, taking into account the relevant provisions of international law, especially international human rights law by incorporating a cross-cutting gender and human rights approach in order to foster international cooperation and political, social, cultural and security aspects…"[76] . Among the proposed activities and plans, the OAS has proposed the development of an Inter-American Cooperation Network for Migration in order to "identify, systematize and disseminate programs and strategies concerning public policy in the field of migration management; foster the exchange of experiences and lessons learned to create a practical community of decision makers; facilitate communication between migration authorities, international and civil society organizations and improve coordination and cooperation between these organizations and cooperation agencies; and strengthen the capacities of those responsible for migration management, the formulation and development of public policies in order to identify their needs and formulate proposals to obtain technical and financial assistance."[77]

Besides, there is the South American Conference on Migration: this is a consultative mechanism for the South American countries, namely, Argentina, Bolivia, Brazil, Chile, Colombia, Ecuador, Paraguay, Peru, Uruguay and Venezuela, with the participation of Guyana and Suriname. This mechanism aims to reach a regional migration policy by sharing ideas, knowledge, good practices and experience. Its fields of work include border management, migrant children and adolescents, gender and migration, environment, disasters, climate change, social and labor integration and trafficking and smuggling of migrants.[78] Next there is its counterpart, the Regional Conference of Migration: this is a mechanism established in 1996 to coordinate policies and programs on migration in the member states Belize, Canada, Costa Rica, the Dominican Republic, El Salvador, Guatemala, Honduras, Mexico, Nicaragua, Panama and the United States. Its purpose is to "create a forum for a frank and honest discussion on regional migration issues, leading to greater regional coordination and cooperation, and to undertake regional efforts to protect the human rights of migrants and strengthen the integrity of each member state's immigration laws, borders and national security, as well as to strengthen the links between migration and development."[79]

Finally, the Ibero-American Conference comprises 19 Latin American Countries, plus Spain, Andorra and Portugal. This conference developed the Ibero-American Forum on Migration and Development, a space for the exchange of best practices and coordination to articulate consensuses and actions shared by Ibero-American nations in the areas of migration, social and economic development and respect for human rights. Its fields of activity include irregular migration, smuggling of migrants and human trafficking.

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76   Organization of American States. Special Committee on Migration Issues.
77   Ibid.
78   South American Conference on Migration.
79   Regional Conference on Migration.

3. Human Trafficking

Illegal and irregular migration leads us to a related and sometimes intertwined matter, the trafficking of humans. In 2003, the UN issued the convention to suppress transnational organized crime and the following protocols to establish legislation on certain illegal activities. Thus, for the offense of human trafficking, in 2003, the UN set the so-called Palermo Protocol, the protocol to prevent, suppress and punish trafficking in persons, especially women and children. According to Professor Mohammed Rabat, it is the primary tool for harmonization of national and international legislation in the field.[80] The protocol mentioned establishes an international definition for trafficking in persons in article 3:

a) "Trafficking in persons" shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs;

(b) The consent of a victim of trafficking in persons to the intended exploitation set forth in subparagraph (a) of this article shall be irrelevant where any of the means set forth in subparagraph (a) have been used;

(c) The recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered "trafficking in persons" even if this does not involve any of the means set forth in subparagraph (a) of this article;

From the above definition three critical aspects of this crime are to be highlighted. First, the nature of its actions, which must include subjugation or coercion of the victims. Secondly, the victims must be submitted to some form of exploitation. By exploitation, we can refer to sexual exploitation, modern slavery, forced labour (in the fields of agriculture, construction, fishing industry, mining, street trading and domestic servitude), illegal recruitment for armed groups or gangs, forced begging, sale of children, forced marriage and removal of organs.[81] The third aspect comprises exploitation for financial profits. As Ms. Realuyo stated in the conference, "It can be more profitable than drug

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80 Konrad Adenauer Stiftung & Salma Dialogue. (2022).
81 United Nations General Assembly. A/RES/55/25.

trafficking. It affects the entire population, especially girls and women in prostitution and boys and men in forced labour"[82]. And the fourth characteristic is that this crime does not necessarily involve crossing borders; it is not transnational in nature. However, this protocol only applies to those crimes committed across borders. At the same time, these characteristics established a difference with the crime of smuggling migrants, often confused with human trafficking, since both involve the displacement of persons for monetary gains. For instance, the smuggling of migrants does not necessarily involve coercion or abuse of authority and does not involve the exploitation factor. Another difference is that revenue from the trafficking in persons for the offenders comes from the proceeds arising from the exploitation activity of the victims. In smuggling migrants, the revenue comes from the fee the illegal migrants pay to the smuggler to reach their goal.[83] In accordance with the presentation of Rosi Orozco at the KAS ADELA and SALMA conference, trafficking in humans "is an international crime against humanity and is a violation of human rights that infringes the dignity and freedom of the victims. It is considered the slavery of the XXI century."[84]

To tackle this crime, a comprehensive approach is necessary since it affects all populations (girls, boys, women and men). It is closely linked to the violation of human rights like the right to life, liberty, security, freedom from slavery and freedom of association.[85] Likewise, this problem must be attacked at its rootcauses, which are generally linked to the economic and social stability of the victims' country of precedence. Like the other crimes already mentioned, trafficking in persons is fostered by poverty, economic inequality, violence, tightening of immigration policies due to the increased demand for cheap and vulnerable labour and discrimination.[86] Equally certain circumstances outside the country's operations could trigger this phenomenon such as political upheaval, economic crisis, armed conflict, or a natural disaster.[87] Similarly, the United States Congressional Research Service has identified eight external factors that stimulate the development of this crime. These factors are "1.The high global demand for domestic servants, agricultural laborers, sex workers and factory labour; 2. Political, social, or economic crises, as well as natural disasters occurring in particular countries; 3. "*Machismo*": Chauvinistic attitudes and practices that create discrimination against women and girls; 4. Existence of established trafficking networks with sophisticated recruitment methods; 5. Public corruption, especially complicity between law enforcement and border agents with traffickers and alien smugglers; 6. Restrictive immigration policies in some destination countries that have limited the opportunities for legal migration flows; 7. Government disinterest in the issue of human trafficking; and 8. Limited economic opportunities for women in Latin America."[88]

Regarding the current situation of this crime in Latin America and the Caribbean, it is worrying, as traffickers employ the egion as source, transit and destination countries to commit their crimes. According to the United Nations Office on Drugs and Crime (UNODC) Global Report on trafficking in persons 2020, "most cross-border trafficking flows around the world are limited within the same sub region or region. Most victims detected in South America are citizens of other

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82   Konrad Adenauer Stiftung & Salma Dialogue. (2022).
83   United Nations Office on Drugs and Crime. (2006).
84   Konrad Adenauer Stiftung & Salma Dialogue. (2022). Rosi Orozco.
85   United Nations Human Rights Office of the High Commissioner.
86   Ibid.
87   Ribando, C (2016).
88   Ibid.

South American countries, with limited flow originating from the Caribbean islands."[89] Concerning the South American population, the UNODC has found trafficking flows to and from Europe, North America, the Middle East and Asia. Likewise, "victims from South America have been detected in large numbers within South America and in Central America and the Caribbean."[90] On the other hand, countries in the region of Central America and the Caribbean have experienced trafficking flows from and to countries within the region, as well as countries from North and South America. The most frequent routes used by criminals, as detected by UNODC, are the following: victims from Paraguay and Bolivia have been encountered in Argentina; victims from Venezuela have been seen in Colombia and Peru and victims from Bolivia and Peru have been found in Brazil and Chile.[91] Moreover, "Argentina and Brazil are destination countries for women trafficked from the Andes and from Caribbean countries such as the Dominican Republic, since Panama is the destination for women from Colombia and Central America."[92]

Transregional flows: detected victims in destination countries
Transregional flows: less than 5% of detected victims in destination countries
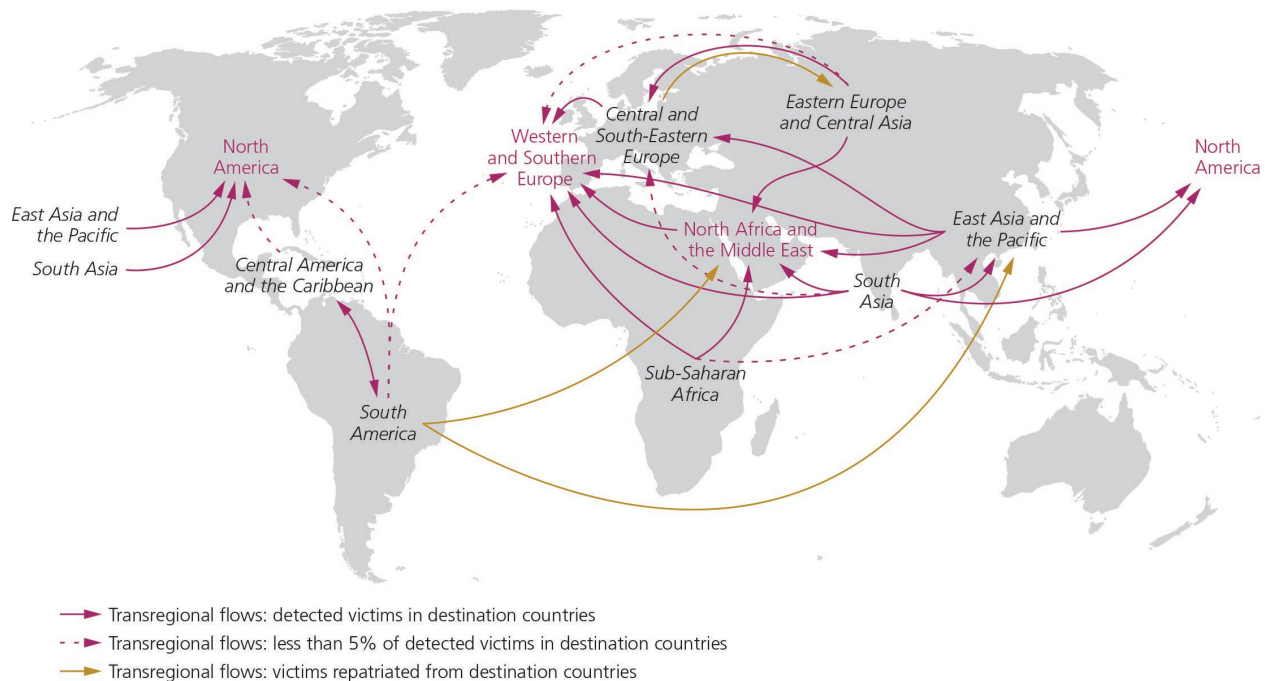Transregional flows: victims repatriated from destination countries

FIGURE 3. Main Detected Transregional Flows
United Nations Office on Drugs and Crime. (2020). Global report on trafficking in persons: 2020. Page 11. Retrieved from https://www.unodc.org/documents/data-and-analysis/tip/2021/GLOTiP_2020_15jan_web.pdf.

89   United Nations Office on Drugs and Crime. (2020).
90   Ibid.
91   Ibid.
92   Ibid.

As shown in the figure above, the trafficking flow of the victims from South America tends toward Europe and North America. Aside from the countries within the Latin American region, the main destinations for Latin American victims are Spain, Italy, the Netherlands and the United Kingdom in Europe and the United States and Canada in North America.[93] Equally, "flows out of South America are mainly directed to Central America and the Caribbean, especially from countries of the northern part."[94] Victims detected from Central America and the Caribbean mostly come from within the region. Other flows have been seen in the area from South America and other countries. The movement of these flows is "mainly from south to north, from relatively poorer countries towards relatively richer countries across the border."[95]

Due to the Covid-19 pandemic, the phenomenon of trafficking in persons has significantly augmented in the region. The health situation has exacerbated the needs of the people in poor economic conditions, which makes them more prone to be subjugated to trafficking in persons. This situation has also affected undocumented migrants since they have shown financial needs and are in need of employment, a fact that makes them vulnerable or more prone to being recruited by traffickers, especially for forced labour. As per the UNODC Global Report, in 2020, the most common crime committed in terms of trafficking in persons in the region of Latin America and the Caribbean is the trafficking for sexual exploitation, followed by the activity of forced labour.

According to the UNODC Global Report, in 2020, in North America and in Central America and the Caribbean 8,490 and 645 victims were detected, respectively. Of those 8,490 victims in North America, 72%, mainly women and girls, were trafficked for sexual exploitation, 22% for forced labour and 6% for other forms of exploitation.[96] The trend in Central America and the Caribbean is very similar, where 81% of detected victims were subject to sexual exploitation, 13% were trafficked for forced labour and the remaining 6% were subject to other forms of exploitation. In South America, most of the victims detected are women subjugated to sexual exploitation. As specified in the UNODC report of 2020 approximately 3,421 victims were detected, of whom 64% were trafficked for sexual exploitation, 35% were subjugated to forced labour and 1% was trafficked for other forms of exploitation.[97] Besides these data from the UN office, the US congressional research service has found that Latin American children are extremely vulnerable to being victims of this crime because they are trafficked not only for sexual exploitation or forced labour, but also for "illegal adoptions, for use as soldiers in armed conflicts and to work for organized criminal groups."[98] According to the UN report, "child victims of trafficking for sexual exploitation (mainly girls) are identified in every part of the world but primarily concentrated in Central America and the Caribbean; it is more evident in Guatemala, El Salvador, Paraguay, Peru, Colombia and Brazil."[99]

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93   Ribando, C (2016).
94   United Nations Office on Drugs and Crime (2020).
95   Ibid.
96   Ibid.
97   Ibid.
98   Ribando, C (2016).
99   United Nations Office on Drugs and Crime. (2020).

Apropos the measures and activities taken to counter the threat of trafficking in persons, the governments of the region, through the OAS mechanism, have developed and implemented the Hemispheric Efforts to Combat Trafficking in Persons, consisting of six meetings of national authorities on trafficking in persons in which training programs were developed and anti-trafficking policies promoted. The authorities have developed programs to foster the exchange of information and best practices among the member states to strengthen their efforts against trafficking in persons.[100] Following this direction, in 2016, the Ibero-American Association of Public Ministries (AIAMP), partnering with UNODC Colombia, UNODC Brazil, the International Center for Migration Policy Development (ICMPD) and the Spanish Agency for International Cooperation (AECID) established a regional mechanism to combat human trafficking and migrant smuggling in Latin America.[101] The so-called Global Action to Prevent and Address Trafficking in Persons and the Smuggling of Migrants was signed by sixteen countries in the region, namely Argentina, Brazil, Bolivia, Chile, Colombia, Costa Rica, Cuba, the Dominican Republic, Ecuador, El Salvador, Guatemala, Mexico, Paraguay, Peru and Uruguay, with the support of Spain, to strengthen regional cooperation regarding the identification and prosecution of cases of trafficking in person.

On the same path, the Inter-American Development Bank (IDB), in partnership with UNODC, has launched a series of technical dialogues on trafficking in persons in Latin America and the Caribbean. So far, there have been five dialogues in which representatives of governments, different actors from the banking sector, the private sector, NGOs and international organizations gather to discuss the menace of trafficking in persons. Mauricio Claver, former president of the IDB, said in his opening dialogue: "The series of technical dialogues has provided a multisectoral approach, demonstrating the importance of coordination and partnerships to respond effectively to this scourge."[102] In the context of these dialogues, the UNODC has helped develop national legal frameworks and policies in Colombia and Brazil, has cooperated in terms of consultation and supervision of legislation in Peru and Bolivia and has provided legislative assistance to the Dominican Republic.[103]

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100   Organization of American States. Committee on Hemispheric Security.
101   United Nations Office on Drugs and Crime (2016).
102   Inter-American Development Bank. (2020). Launching and 1st Technical Dialogue on Trafficking in Persons in Latin America and the Caribbean. Retrieved from https://www.youtube.com/watch?v=rcKHEnA09w4.
103   Ibid.

4. Piracy

Although the concept of piracy is renowned worldwide and the IMO has focused on it since the eighties[104] , such as it is known today, piracy is not that common in Latin America and the Caribbean. The piracy concept is a set of acts that include the following, as defined by the United Nations Convention on the Law of the Sea (UNCLOS), article 101: "a) any illegal acts of violence or detention, or any act of depredation, committed for private ends by the crew or the passengers of a private ship or a private aircraft and directed i) on the high seas, against another ship or aircraft, or against persons or property on board such ship and aircraft; ii) against a ship, aircraft, persons or property in a place outside the jurisdiction of any State; b) any act of voluntary participation in the operation of a ship or of an aircraft with knowledge of facts making it a pirate ship or aircraft; c) any act of inciting or of intentionally facilitating an act described in subparagraph (a) or (b)."[105] On the same road, the UNCLOS gives a definition of a pirate ship or aircraft: "A ship or aircraft is considered a pirate ship or aircraft if it is intended by the persons in dominant control to be used for the purpose of committing one of the acts referred to in article 101."[106]

According to the UNODC document "Pirates of the Niger Delta," there are at least three types of current piracy: deep offshore pirates, coastal and low-reach pirates and riverine criminals.[107] Currently, there are more than three different ways in which piracy is committed: stealing oil cargo, better known as petro-piracy; illegal siphoning; looting of the vessels; armed robbery and kidnapping and ransom. In contrast with piracy in the Horn of Africa and West Africa, piracy in Latin America focuses primarily on maritime trade, namely, stealing merchandise and armed robbery. This phenomenon returned to the region in 2016 because of the "weakening states and crisis in some Latin American and Caribbean countries, such as Venezuela and Ecuador."[108] Likewise, as the region is so rewarded by the different activities of transnational crime, pirates see it as a propitious opportunity to develop their activities undetected. These activities are challenging to detect not only because of the lack of institutions and resources of the State to detect them but also because of the characteristics of their execution, such as the false identity of their crew members, a fraudulent license or false papers of the vessel. Following the international outreach and coordination strategy, "piracy and incidents of maritime crime tend to be concentrated in areas of heavy commercial maritime activity, especially where there is significant political and economic instability, or in regions with little or no maritime law enforcement capacity."[109]

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104   International Maritime Organization (IMO).
105   United Nations Convention on the Law of the Sea (1982). Article 101.
106   Ibid. Article 103.
107   United Nations Office on Drugs and Crime. (2019). Pirates of the Niger Delta.
108   Kiss, A. (2020).
109   United States Department of State. (2005).

The present time of piracy in the Latin American and Caribbean region has shown a gradual increase in actual and attempted incidents, according to the IMB Piracy and Armed Robbery Against Ships Report (2021). In terms of incidents, the IMB defines four possible incidents that can be considered piracy: In the first place, a vessel is deemed boarded in the case of "an illegal act of perpetrators successfully gaining access onto the vessel."[110] In the second place, a vessel is considered hijacked when "perpetrators successfully gain access onto the vessel and take over control of the vessels from the Master and crew."[111] Third, the concept of fired upon means "an illegal act of perpetrators discharging weapons towards the vessel while attempting to gain access onto the vessel."[112] Lastly, there is the attempted incident, which consists of "an illegal act of perpetrators attempting to approach a vessel with possible intention to board but who remain unsuccessful due to the timely actions of the crew."[113]

As specified by the report, in 2021, 132 cases of piracy and armed robberies against ships were recorded worldwide, 36 of which in Latin America. During the course of the year in question, the incidents were identified in the following countries: 3 incidents in the port of Macapa in Brazil, 6 incidents in Colombia, 3 incidents in the port of Cartagena, 4 incidents in the port of Guayaquil in Ecuador, 4 incidents in Port-au-Prince in Haiti, 1 incident in Port Dos Bocas in Mexico and 18 incidents in the port of Callao in Peru.[114] From the 36 cases occurring in the region, 31 were considered boarded, two were deemed fired upon and three were considered attempted incidents.[115] The most worrying aspect of this report is that, although piracy is not very significant in the region, it does highlight the weakness of ports, especially in Peru and Colombia, which are the Latin American countries among the 8 locations with the highest number of piracy incidents in the world. This exposes the low institutional capacity and the need to develop counterstrategies against the growing threat. Likewise, piracy has increased in the southern Gulf of Mexico, more specifically near the waters of the Bay of Campeche, where offshore, oil-focused pirates are present.[116]

However, the problem in establishing a piracy-related security policy lies in the lack of consensus among the actors involved on the current definition of piracy and the diversity of penalties to punish criminals who commit this crime in the countries of the region.[117] Mexico, Cuba and El Salvador tend to apply the UNCLOS definition of piracy for prosecution matters. Venezuela and Honduras "consider piracy a crime against security and sometimes a crime violating international law."[118] Regarding prosecution and criminalization of the piracy act, Argentina, Bolivia, Costa Rica and Nicaragua "criminalize trafficking and trading with pirates,"[119] while Chile's penal code punishes those who commit piracy. Nonetheless, the problem in the region lies in the inconsistencies between the jurisdictions of each of the countries and the regulations established by international law, which are considered incongruent. These inconsistencies tend to hinder the implementation of a regional policy to attack the scourge of piracy.

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110   ICC-IMB International Maritime Bureau. (2021).
111   Ibid.
112   I ICC-IMB International Maritime Bureau. (2021).
113   Ibid.
114   Ibid.
115   Ibid.
116   Semple, K (2020).
117   Kiss, A. (2020).
118   Ibid.
119   Ibid.

IMB Piracy Report – January to December 2021

= Attempted Attack   = Boarded   = Fired upon   = Hijacked   = Suspicious vessel

Total attacks South America – 36

FIGURE 4. IMB Piracy Report on Latin America and the Caribbean. 2021.
Source: ICC-IMB International Maritime Bureau. (2021). Annual IMB Piracy Report: Piracy and armed robbery against ships: Report for the period 1 January-31 December 2021. Retrieved from
https://www.icc-ccs.org/reports/2021_Annual_IMB_Piracy_Report.pdf.

5. Illicit Trade - Smuggling of Goods

Illicit trade represents a growing threat to the region's international security. This phenomenon is sometimes related to other transnational criminal activities when sharing routes to carry them out.[120] It also serves as a means of criminal financing networks, and, as such, promotes the related crime of money laundering. As defined by *Parlamento Latino,* illicit trade is "any practice, conduct or activity prohibited by law, related to production or manufacture, assembly, importation, exportation, re-exportation, dispatch, circulation, possession, distribution, marketing, sale or purchase, including any practice, conduct or activity intended to facilitate any of these activities."[121] The activities comprised in this concept include counterfeit and pirated goods and smuggling of goods or contraband. The former involves the "imitation of authentic products that are illegally reproduced and sold by a party other than the original trademark holder."[122] The latter takes place when "authentic legal products are bought in low-tax countries, but illegally shipped and resold in countries with higher prices, evading customs duties."[123]

The contraband menace consists of the trade of the following products: tobacco, pharmaceuticals, alcohol and cultural goods, products that are highly desirable to the public and, in general, have high tax burdens because of their effects on public health. As with other illicit activities, smuggling is facilitated by several enabling factors such as "weak governance, ineffective customs and excise administration; corruption and complicity of licit good manufacturers and presence of informal sectors/distribution channels; and population perceptions and socioeconomic status."[124] These factors facilitate the development of smuggling caused by the excessive and sudden tax increases in a particular country; the difference in taxation between countries, for example, sometimes in neighbouring countries the difference is significant, which propitiates illicit commerce; and weak and permissive sanctions for people involved in this practice; and regulatory loopholes in free trade zones.[125] This, in turn, triggers a series of consequences that primarily affect the state's coffers. As a result, it creates a disincentive for the legal industry and national commerce, which affects local development, it fosters unfair competition from foreign products, which increases violence, it also promotes tax evasion, which implies fewer resources for the States, but leads to increased government spending to combat smuggling. As the illicit trade organization states, "once these products are smuggled at low prices into the market, the exact product sold at the original price is ultimately less attractive and generates significant losses in revenues for law-abiding companies as well as governments."[126]

120   Parlamento Latinoamericano y Caribeño. (2021)
121   Ibid.
122   Illicit Trade Organization. Overview: Definition of Illicit Trade and Illicit Financial Flows.
123   Ibid.
124   Illicit Trade Organization. Smuggling of goods.
125   Vela, L. (2019).
126   Illicit Trade Organization. Smuggling of goods.

The above leads us to analyse the current state of this illicit activity in the region under study, Latin America and the Caribbean. As is well known, several criminal activities converge in this hemisphere due to the region's inherent facilitating factors and illicit trade is no exception. However, the "incidence levels of counterfeiting in Latin America are considerably lower than in other parts of the world, but there is a growing trend."[127] In Latin America, the smuggling of cigarettes, sometimes called "illicit whites", and pharmaceuticals as well as the manufacture of fraudulent products such as cigarettes for distribution, are present. Cigarettes and medicines are subject to smuggling and counterfeiting and, thus, feed criminal organizations and their economy. They are a problem not only of public security and national defence but also of public health and tax collection. According to Arturo Payro, representative of British tobacco to Latin America, about 32% of cigarettes in Latin America and Canada are smuggled, which leads to governments missing out on approximately USD 1 billion in revenue through taxes.[128] Cigarettes are in high demand since their size makes them easy to smuggle and their profit margin is very high. The tax issue is fundamental because when a State, like those in Latin America and the Caribbean, ceases to receive considerable money to spend on other social aspects, it is detrimental to the quality of life of its inhabitants and, as a consequence, continues to feed the cycle of development of transnational organized crime.[129]

Although many the cigarettes being smuggled into the region come mainly from China,[130] Germany, South Korea, India and the United Arab Emirates, a significant amount of tobacco comes from the largest producer in the region, Paraguay. Paraguay, the most crucial supplier of contraband and counterfeit cigarettes,[131] has a good supply of cigarettes and, at the same time, a good demand, both domestically and internationally. Cigarettes are shipped from Paraguay to Argentina and Brazil by river, to Peru and Chile by land and then distributed by sea to Panama and the rest of the Caribbean. This growing demand is related to the low prices and taxes of this product in the country. The current excise tax rate on tobacco in Paraguay is the weakest in Latin America,[132] as shown in the following chart:

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127 Vela, L. (2019).
128 Konrad Adenauer Stiftung & Salma Dialogue. (2022).
129 Konrad Adenauer Stiftung & Salma Dialogue. (2022). Alejo Ocampo.
130 The Latin American market is flooded with smuggled cigarettes from the China National Tobacco Corporation (CNTC). The merchandise enters the region through Panama.
131 Vela, L. (2019).
132 Cresta, J., Masi, F., & Servin, B. (2021).

Gráfico III.2
América Latina (18 países): carga impositiva de impuestos selectivos e impuestos totales sobre cigarrillos, 2008 y 2016
(En porcentajes sobre el precio de venta de la marca más vendida en cada país)
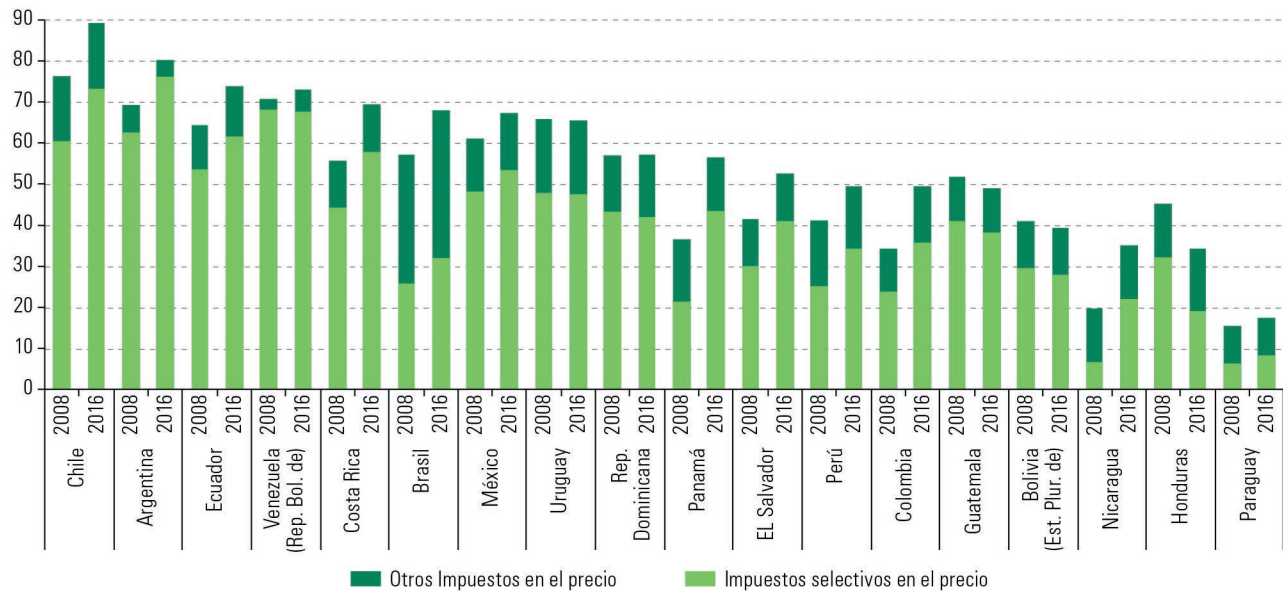
Fuente: Comisión Económica para América Latina y el Caribe (CEPAL), sobre la base de Organización Mundial de la Salud (OMS), *Global Status Report on Alcohol and Health 201*8, Ginebra, 2018.

FIGURE 5. Excise Tax Rate on Tobacco
Source: CEPAL. (2019). Panorama fiscal de América Latina y el Caribe. Retrieved from
https://repositorio.cepal.org/bitstream/handle/11362/44516/1/S1900075_es.pdf.

In the same way, according to Mr. Payro, there are other vital spots in the region where contraband of cigarettes have significant influence and transit, such as Panama, which is contemplated as a focal point because of the strategic infrastructure of the Panama Canal; Jamaica, considered a critical juncture for the coastal shipping in the ports; Aruba and Curaçao, regarded as a focal point for the distribution of goods to Colombia and Venezuela because of their proximity; Trinidad and Tobago, a country that receives imports of products from Asia and Europe and consequently exports them to Jamaica and Suriname and then to Brazil; and also Colombia, Brazil and Peru are involved in this dynamic.[133] Likewise, other vital spots need to be under surveillance and control. These are the triple border area, composed of Argentina, Brazil and Paraguay and the Northern Triangle of Central America, formed by Guatemala, Honduras and El Salvador.[134]

133   Konrad Adenauer Stiftung & Salma Dialogue. (2022). Arturo Payro.
134   Transnational Alliance to Combat Illicit Trade. (2019).
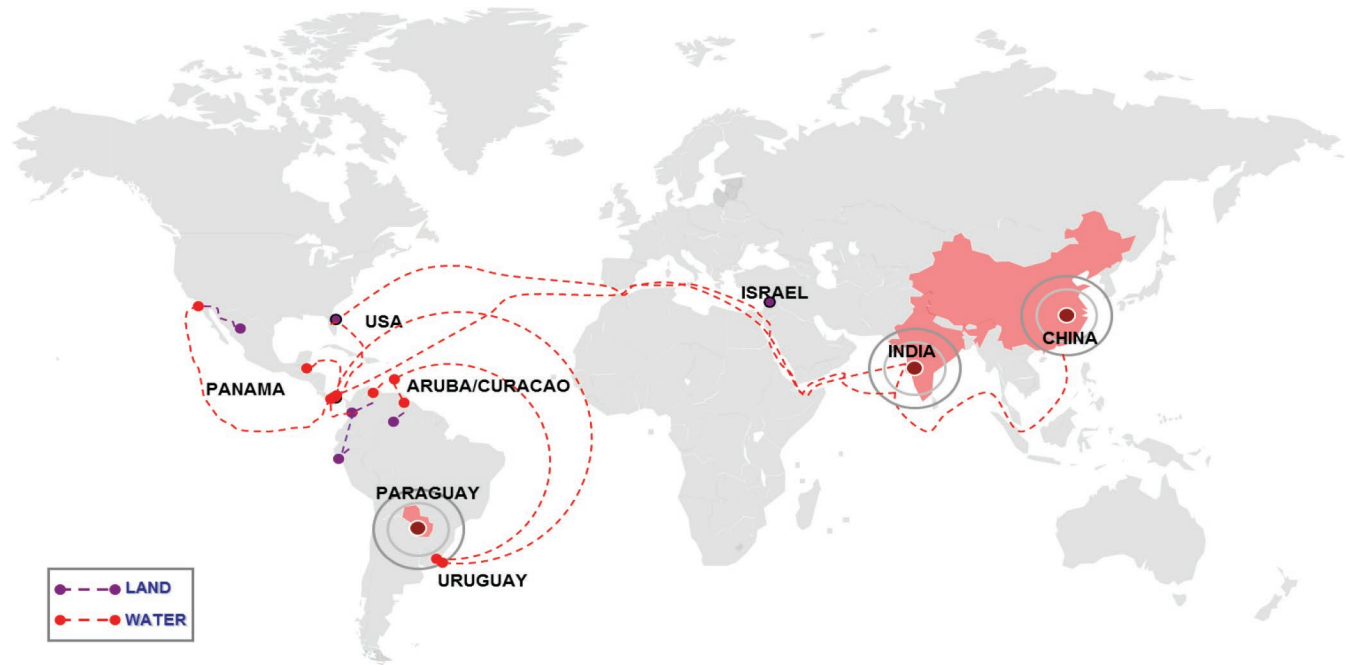
Source: Intelligence Information

FIGURE 6. Main Routes for Smuggling of Tobacco
Source: Vela, L. (2019). El contrabando y sus rutas en América Latina y en el Perú. Retrieved from
https://web.ua.es/es/giecryal/documentos/contrabando-tabaco.pdf.

As already mentioned, when discussing Paraguay, another susceptible point for smuggling is worth analysing: Panama. Because of its geographical position, vital strategic infrastructure for world trade and lax measures regarding the creation of fictitious companies in its territory that favour the evolution of this phenomenon, Panama has become a crucial point for smuggling. Here it becomes worth highlighting the importance of Free Trade Zones (FTZs) in legal and illegal trade. FTZs are "areas within which goods may be landed, handled, manufactured or reconfigured and reexported without the intervention of the customs authorities. They aim to remove from a seaport, airport, or border those hindrances to trade caused by high tariffs and complex customs regulations."[135]

135   Britannica. Free-trade zone, International trade.

However, with the advent of globalization, free trade zones have presented a problem for governments because they seem vulnerable in their operation, thus allowing criminal activities to take place. The negative effect that FTZs have caused is that they have positioned themselves as "unmonitored havens ripe for criminal operations, including those of transnational networks."[136] As for the free trade zones, three critical zones in Latin America and the Caribbean serve as a bridge for criminal organizations: Colon in Panama, Corozal in Belize and Maicao in Colombia. These FTZs have become "transit hubs for contraband, flooding neighbours in Ecuador, Colombia, the Dominican Republic and Costa Rica and throughout the region with illicit consumer goods."[137]

Thereupon, it is imperative to delve deeper into the Colon Free Zone in Panama. Considered the second largest free trade zone in the world, "with total trade passing through the zone in 2017 valued at USD19.7bn."[138] In addition to being an important trade centre for the world and the region, this free trade zone is vital as a transportation and distribution centre for its neighbouring countries. As aforementioned, Panama has become a hub par excellence for transnational organized crime due to its policies regarding banking, taxes and the creation of companies. Thus, "Panama's open banking laws, the dollarization of the economy and its lax and often corrupt judicial system make it a natural hub for global money laundering activities."[139]

Nevertheless, by 2009, Panamanian authorities fostered an increase in taxes on cigarettes. It derived from a change in logistics since it went from being a key port for the distribution of cigarettes to other countries to being a recipient country of such fraudulent merchandise.[140] The Corozal Free Zone, located on the border between Belize and Mexico, is considered one of the worst FTZs in the world regarding transparency, governance and law enforcement.[141] As described in the illicit trade index, this FTZ is turning into a "no man's land" due to the lack of government presence and law enforcement measures. Lastly, the Maicao Special Customs Regime Zone in Colombia, near the border with Venezuela has a different legal status from the other FTZs in Colombia, which is considered a play by the government "to hide it within a larger free zone."[142] This area is noted for having an inadequate and weak infrastructure, making it more difficult for the authorities to carry out controls and inspect vessels. For this reason, it has become a breeding ground for criminals, especially those who smuggle cigarettes.

As regards the actions that countries have taken to tackle illicit trade, especially contraband/smuggling of goods, there is little progress. However, in 2016, governments from the region, in partnership with the private sector, created the Alianza Latinoamericana Anticontrabando (ALAC), comprising chambers of commerce, governments and companies from Argentina, Bolivia, Brazil, Chile, Colombia, Ecuador, Guatemala, Honduras, Mexico, Panama, Costa Rica, Paraguay, Peru, Uruguay and Venezuela. This alliance emerged as an initiative from the Colombia private sector to "build a joint agenda with the region's governments to reduce smuggling. For this purpose, ALAC is the catalyst that facilitates the exchange of information and engenders strategic alliances that transcend country borders and the articulation of the

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136   The Economist. (2018).
137   Transnational Alliance to Combat Illicit Trade (2019).
138   The Economist (2018).
139   Ibid.
140   Vela, L. (2019).
141   The Economist. (2018).
142   Ibid.

public and private sectors, which is precisely its main objective."[143] Taking into consideration that there has been a progressive increase in the activity in the region and that, according to data from the alliance, "smuggling accounts for around 2% of Latin America's GDP or some USD 150 billion annually, affecting industries such as steel, tobacco, liquor, medicines and cosmetics; metal-mechanics and steel; plastics and footwear; textiles and clothing; and cybersecurity."[144] Its fields of interest and action include strengthening public-private cooperation and technological and physical infrastructure, the harmonization of regulations and communication and education. Concerning the smuggling of tobacco, the ALAC has established several measures such as "harmonization of regional regulations on free trade zones and special customs zones, which have been identified as important centres of illicit trade in Latin America. And to standardize criteria for authorizing or denying cigarette manufacturing, import and export licenses that include mechanisms to verify production capacity versus export capacity, product traceability and detection of illegal actions and operations."[145]

In addition, the ALAC proposed the creation of work groups jointly with the private and the public sector to identify the routes used by cigarette smugglers. Likewise, the alliance wants to develop "regional quantitative studies to determine the impact of illicit trade on the health and employment of the population."[146] Thus, it is vital to involve the civil population in the campaigns since it needs to know how to identify fraudulent products and avoid health problems.

Furthermore, in 2012, the *Parlamento Latino* (ParLatino), a regional organism composed of all the Latin American and Caribbean countries, developed a model law to combat illicit trade and transnational organized crime. The law aims to "regulate the mechanisms for preventing, combating, investigating and prosecuting the crimes of illicit trade, smuggling and counterfeiting of products, establishing administrative and criminal penalties as well as to establish the regulatory basis for promoting multisectoral, intergovernmental and international cooperation and assistance in the fight against illicit trade and transnational organized crime."[147] In the same way, the law seeks to establish cooperation between the public and the private sector to exchange information in the process of investigating and combating illicit trade and to develop prevention and education programs and policies. Likewise, the organism aims to foster investment in programs to modernize channels and means of communication to promote effective mechanisms of assistance between the public and private sectors in the fight against illicit trade. It strives to work on the development and implementation of databases that allow for a better understanding and monitoring of the different factors and actors and, finally, to develop and sign agreements and memorandums of understanding.[148]

Henceforth, as countries as a region have not made much progress in developing policies against smuggling in goods, it is essential to provide some guidelines regarding the path they must take. For instance, they should include in their policies or mechanisms strong measures for protecting the region and the critical FTZs. At the same time, they should supervise and inspect suspicious shipments, check services and goods going through the FTZs and designate a compliance officer to monitor imports, exports, license issuance and other movements that can take place in FTZs.[149]

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143   Asociación Nacional de Empresarios de Colombia (ANDI). (2018).
144   Ibid.
145   Ibid.
146   Cámara de Industrias y Producción. (2021).
147   Parlamento Latinoamericano y Caribeño. (2021).
148   Ibid.
149   Transnational Alliance to Combat Illicit Trade. (2019).

6. Illegal, Unreported And Unregulated Fishing

Another threat that has increased in recent years, is Illegal, Unreported and Unregulated (IUU) Fishing. This threat is becoming one of the most important in terms of the risk it imposes on global maritime security since, to achieve this, several actors of the international system converge; in this case, state actors have a direct influence. Therefore, it is necessary to define this term. According to the NOAA Fisheries, IUU Fishing as an overall concept is "a global problem that threatens ocean ecosystems and sustainable fisheries. It also threatens our economic security and the natural resources critical to global food security."[150] However, this definition is neither precise nor sufficient, considering that the concept comprises three different actions: illegal fishing, unreported fishing and unregulated fishing. Thus, in the first place, illegal fishing is defined as "fishing activities conducted in contravention of applicable laws and regulations, including those laws and rules adopted at the regional and international level."[151] In the second place, we find unreported fishing as in "fishing activities that are not reported or are misreported to relevant authorities in contravention of national laws and regulations or reporting procedures of a relevant regional fisheries management organization."[152] And in the last place, unregulated fishing, which occurs "in areas or for fish stocks for which there are no applicable conservation or management measures and where such fishing activities are conducted in a manner inconsistent with State responsibilities for the conservation of living marine resources under international law."[153]

Equally, as Mrs. Realuyo manifested in the KAS ADELA and SALMA Dialogue conference, the IUU affects the population living in coastal areas since not only does it depend on this resource for income but, in many cases, it is the only food resource (food security problem) they have. It is imperative in this hemisphere because of the dependence of the Caribbean countries on this recourse as they are surrounded by water (insular states). It also constitutes a violation of sovereignty and international waters. The activities of this threat need to be identified to better understand its development. There are approximately five activities that could exemplify IUU fishing. The activities are "fishing without a license or quota for certain species; failing to report catches or making false reports; keeping undersized fish or fish that are otherwise protected by regulations; conducting unauthorized transshipments (e.g., transfers of fish) to cargo vessels; and fishing in closed areas or during closed seasons and using prohibited fishing gear."[154] This blight is fostered by corruption and the states' lack of resources and capacity to exercise effective control, monitoring and surveillance of its waters. Likewise, it is facilitated by its population's shortage of resources, the lack of access to education and employment and a large amount of marine biodiversity, which presents a great attraction for actors such as China.[155] IUU fishing itself represents appalling consequences for the population and the environment, as it threatens

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150   NOAA Fisheries.
151   Ibid.
152   Ibid.
153   Ibid.
154   Ibid.
155   China has been consistently ranked the world's worst IUU fishing offender due to its massive distant-water fishing fleet.

livelihoods, it augments poverty, it exacerbates food insecurity, it menaces marine ecosystems and fish stocks and many countries dependent on the marine resources.

As a result of these causes and consequences, illegal fishing has become a propitious activity to encourage or facilitate the convergence of international non-state actors to carry out illicit activities such as human trafficking (forced labour), piracy and drugs and weapons trafficking. This transnational activity is considered the world's sixth largest illegal economy, generating approximately USD 15.5 to USD 36.4 billion in profits,[156] stimulated by the high prices of some species. Likewise, IUU encompasses a range of illegal activities, including "foreign vessels fishing in another country's territorial waters; violation of international conservation laws or tracking requirements; and failure to report catches to proper authorities. Perpetrators vary widely, ranging from small artisanal boats with just a few crew members to massive Distant Water Fleets (DWF), which are often authorized vessels that underreport their catches,"[157] mainly because of the appearance of China as a critical actor in the Latin American maritime environment.

The situation in Latin America and the Caribbean is relatively new, yet it has increased in the last few years. Significantly, there has been an increase in the catch of the following species: shark fin in Ecuador and Peru; octopus, grouper and geoduck clam in Mexico, squid in Argentina, tuna in Ecuador, cod, sea snail and seaweed in Chile; and sea cucumber in Honduras,[158] whose primary market is East Asia. All the poaching and overfishing activities of these species have been nurtured by the arrival of the pandemic, which brought poverty to the world wide's population and pushed local fishers towards IUU.

As for China's role, this giant is very present in the Pacific waters of South America, especially in Ecuador, Peru and Chile and in the South Atlantic in the waters of Argentina, where Chinese distant water fleets carry out IUU fishing. In Argentinian waters, Chinese-flagged boats (vessels) have damaged the ecosystem of this region by affecting the squid population, the most attractive catch. The Chinese have a seasonal schedule for executing illegal fishing on the continent. From January to April, they are in Argentina, looking for shortfin squid. From May to September, the vessels go to Ecuador, near the Galapagos islands, and from late September to December the fleet moves to Peru,[159] and comes as close as 200 nautical miles from their Exclusive Economic Zones (EEZs).[160] Despite the constant struggles of the governments concerned to dissuade Chinese vessels from fishing in their waters, China found an ally on the mainland. The port of Montevideo, Uruguay, has become an important "deposit and clearing station for foreign fleets,"[161] since, according to the foundation Oceana, it is the world's second-largest port for IUU catch.[162] Likewise, Panama is a critical player in this field since many ships that operate illegally in South American waters, are flagged in Panama but belong to China. Panama is expected to soon implement a measure to prevent the spread of this phenomenon and prevent blacklisted fishing vessels from landing or docking in its ports.

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156   Global Financial Integrity. (2017).
157   Center for Strategic and International Studies. (2021).
158   Ford, A. (2021).
159   Ibid.
160   United Nations Convention on the Law of the Sea (1982). Articles 55 & 56.
161   Ford, A. (2021).
162   Oceana. (2017).

As for the general development of illegal fishing activities in the region, the problem lies in the fact that these activities are no longer carried out by large vessels, e.g., distant water fleets, only but also by small boats and local fishermen due to the shortage of economic and food resources in the area. There is also evidence of the participation of Latin American actors in performing such practices. For example, there is evidence from Guyana fishing vessels in Venezuela, Venezuelan vessels in French Guyana and on the coast of Brazil, Haitian fishers in the Dominican Republic, Paraguayan anglers in Argentina and how vessels from different states (The Dominican Republic, Jamaica, Honduras, Nicaragua and Venezuela) coincide in the San Andrés Archipelago of Colombia and take advantage of the maritime delimitation problem with Nicaragua.[163]

Nothing can be said about the actions of states at a national, sub-regional and regional level to combat IUU fishing. Internationally, countries elaborated on the Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing (PSMA) on June 5th , 2016. This is considered the first binding international agreement that explicitly targets IUU fishing. Its primary objective is "to prevent, deter and eliminate illegal, unreported and unregulated fishing through the adoption and implementation of effective port State measures to ensure the long-term conservation and sustainable use of living marine resources."[164] This agreement is meant to establish guidelines for the appropriate use of ports, inspections, training of inspectors, information exchange and settlement of disputes.[165] However, in 2021, Panama, Ecuador, Colombia and Costa Rica created the Eastern Tropical Pacific Marine Corridor (CMAR) Initiative, which consists of "joining and increasing the size of their protected territorial waters to develop a fishing-free corridor covering more than 500,000 sq. km in one of the world's most important migratory routes for sea turtles, whales, sharks and rays."[166]

In addition, it is mandatory to take action "to protect rare marine species and commercial fish populations against foreign fishing fleets exploiting the region's rich marine biodiversity, as well as to limit illegal, unreported and unregulated (IUU) fishing by local fishing communities."[167] There has been another couple of actions regarding the prevention and combatting of IUU fishing. For instance, the countries of Chile, Costa Rica, Panama and Peru have started sharing data on their vessels to create a real-time map to help identify the commercial fishing vessels that enter protected areas and are developing illegal fishing activities. On the same path, Brazil has stepped up in terms of transparency, as it agreed to share the location data of its industrial fishing boats with the Global Fishing Watch foundation. Likewise, the US Army, partnered with Brazil, Guyana and Uruguay, has deployed a US-led mission in the South Atlantic to develop "joint exercises and gave presentations on law enforcement tactics and conducted patrols." [168] Finally, on a national level, countries have tried to increase security measures at sea, increasing patrols using aircraft. They have also tried to augment fines for committing illegal fishing and to implement some bans on the catch of certain species, such as sharks, but failed, especially in Costa Rica and Ecuador. Nevertheless, the actor that must be taken care of, is China, which continues to act in bad faith by not being transparent about the fleet's subsidies and refusing proposals from South American countries to impose regional anti-IUU fishing measures.

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163   Mistler, S (2021).
164   Food and Agriculture Organization of the United Nations. (2016).
165   Ibid.
166   Collyns, D. (2021).
167   Ibid.
168   Ford, A. (2021).

FIGURE 7. Illegal Fishing Hotspots In Latin America
Source: Ford, A. (2021). Insight Crime. GameChangers 2021: How IUU Fishing Plundered Latin America's
Oceans. Retrieved from
https://insightcrime.org/news/gamechangers-2021-iuu-fishing-plundered-latin-americas-oceans/.

The scourge of illegal, unreported, and unregulated (IUU) fishing has been developed as a multidisciplinary concept, which can be viewed from several perspectives: one is the security perspective that was developed at the first conference, which described the relatively recent emergence of illegal fishing and how it affects the security of coastal states. At the end of the second conference, the second perspective to consider was the environment. This perspective is to be considered when approaching this threat, because, although it is not a threat to international security as developed in this paper, it may represent a problem for food security, understood as "when all people, at all times, have physical and economic access to sufficient safe and nutritious food that meets their dietary needs and food preferences for an active and healthy life."[169]

Concerning the environment, the capacity of illegal fishing to influence environmental deterioration and impact the low quality of life of coastal populations was determined. In this regard, the adverse effects caused by illegal fishing have been identified and include "reduction of fishing resources, lack of protection of marine areas, increased marine pollution and the impact of invasive species that affect native fauna."[170]

This, in turn, is caused by "non-compliance with national and international legal mandates for the promotion of marine protection, the lack of development opportunities for fishing areas and their habitats, and the disconnection between existing projects."[171] It is here where the fundamental elements that constitute the coastal environmental issue must be considered: marine protected areas, illegal fishing, atmospheric and marine pollution and invasive species. These elements determine which are the relevant actors to address and which are of utmost importance for developing joint regional policies. For this specific case, it is determined that multilateral organizations such as FAO, UNESCO and IMO are relevant. Likewise, emphasis is placed on the importance of the actors involved in fishing, such as companies and States, some of which are accused of harmful fishing practices in the Central and South Atlantic. Also of utmost importance is the participation of the governments of the coastal countries since they are the ones directly affected. Finally, it is necessary to involve the fishing communities because they often lack the information and knowledge required to carry out this activity more sustainably and consciously, both with the environment and with themselves. The vulnerability of these populations must be highlighted, since, as they are located in coastal areas and fishing is their main source of income, the development of IUU fishing means an impact on local fisheries. This, in turn, creates the perfect opportunity for organized crime to fill this economic void and recruit local fishermen.

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169   World Bank (2022).
170   Vargas, V. (2023).
171   Ibid.

7. Interaction of Extra-regional Powers in Latin America

The concept of globalization brings along an unprecedented interconnectivity and interdependence between actors in the international system. Today's world is torn between political and economic relations which need to be strengthened with a diversity of actors, if such relations are mutually beneficial. This situation includes actors like the United States, China and Russia, trying to gain ground in regions outside their own in search of economic, military and political allies, while securing access to mineral, agricultural and oil resources. This is why the States of the Latin American (LA) region seek alternatives in extra-regional actors to dependence on the American giant, which offers additional and different support to meet their political, military and economic needs.

Although it is not a threat from the New World, the presence of extra-regional powers like Russia, China, the European Union and the United States in the Central and South Atlantic poses a latent threat to Latin American countries since the dispute over Latin America between these powers could have adverse effects on national and regional security, an imbalance in the economies and a political dependence that conditions the ideals and ideologies of the region and, thus, create the space for the deployment of a possible war. The presence of these powers in the region can be defined in terms of mineral resources since South America is home to minerals such as iron, silver, and lithium, which are considered necessary for producing electronic devices. Likewise, geographic location (proximity to Antarctica) is fundamental for establishing military bases. Latin America is also regarded as rich in terms of resources such as gas and oil. This information will be developed in more detail below to clarify the interest of each of the extra-regional powers.

As evidenced in the explanation of conventional threats, both the European Union and the United States have been partners par excellence in the Latin American region, both because of their geographic proximity (United States) and because of the immediate impact on their territory and population of drug trafficking, human trafficking and migrant smuggling, among others. Despite the historical relationship, nowadays they are not considered the only extra-regional partners of LAC. On the one hand, the People's Republic of China (PRC) has progressively increased its presence in the region in line with its economic interests, especially concerning raw materials and regional power. However, the last decade has witnessed an unprecedented advance of its influence in a region like Latin America in political, cultural, and security spheres. Today China's interests in the area are considered to have changed from purely economic to geopolitical.

Similarly, the Asian country has focused its approach on acquiring raw materials and mineral resources. China seeks to spread its political ideals worldwide and position its leader, Xi Jinping, as a global leader. To achieve this goal, the PRC is implementing a strategy known as "One China."[172] Additionally, it is worth mentioning China's current flagship strategy, the Belt and Road Initiative (BRI),[173] which consists of recreating the ancient Silk Road as a way of political, cultural, and economic connection and fostering international cooperation between China and the rest of the world. In the field of space, China features the Space Observation Centre, known as the "Far Space Station," built by the Chinese in the Neuquén region of Argentina. In the last decade, in the military field, China, through its People's Liberation Army (PLA), has tried to establish itself as a strategic military ally through leadership visits, military exercises, training and exchange of professional military education between China's army and the armies of the region.

China has been aware of the geostrategic advantages offered by this point and has shown interest in having a presence in the port of Ushuaia in Argentina. The PRC seeks to develop the port infrastructure in this area to access Antarctica while establishing "a processing and dispatch centre for Chinese fisheries in the Southeast Pacific, the South Atlantic and the American sector of the Southern Ocean."[174] The issue of IUU fishing has become relevant in this region due to the strong presence of Chinese vessels in Peruvian, Ecuadorian, Chilean and Argentinean waters, where they are accused of illegal fishing activities.

On the other hand, there is Russia, whose interest has been growing to resume ties left in Latin America, especially for the provision of weapons and military equipment, the development of space technology and economic and resource issues. This is taking place in an international system primarily dominated by the US but witnessing the growing influence of other extra-regional actors. It seems that Russia wants to revive its political, ideological and military potential of the XX century and re-energize itself as a global power. This represents a threat to the states of the region and the US, as it implies a possible future Russian military incursion into the territory.

Russia has been gaining ground in the region thanks to the military, technological and resource cooperation it has developed with countries with political affinity. In the military aspect, its entry into the region is defined by multiple areas of cooperation, such as training exercises, exchange of experiences operations against illicit activities in maritime areas in the Caribbean, the fight against drug trafficking and the CTO, especially with Nicaragua and Venezuela. Apart from the military sector, Russia is also venturing into other industries such as space, media, atomic energy, resources (oil and gas), mining and construction. Finally, in the security sector, Russia has become one of the largest suppliers of military weapons and armament material to Latin American countries. Brazil, Argentina and Peru are its largest creditors.

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172   Eight of the fourteen countries still maintain diplomatic relations with Taiwan are in the region.
173   China-CELAC Forum (2021).
174   Guzmán, J (2022).

The appearance of these actors in the Latin American scenario has awakened the need to "create multilateral governance structures to coordinate common ground, a policy between States, i.e., must draft policies with governance and they must be State policies and not government policies."[175] These actors do not only jeopardize the national sovereignty of each of the states in the region but are also perpetrators (China) of some crimes committed at sea, such as illegal fishing, as explained previously in the section on illegal fishing, and are also related to smuggling in the southern part of the continent. Hence, "cooperation is sought between countries in the region before beginning to seek interregional cooperation. It is expected to create spaces for political coordination and international mechanisms that are institutionally articulated. Standardized minimums should be established for monitoring, evaluation and follow-up mechanisms."[176]

U.S. Coast Guard boat and agents
Retrieved from https://www.pexels.com/es-es/foto/mar-vehiculos-agua-bahia-14559760/

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175   Vargas, V. (2023)
176   Ibid.

Systematization Of Proposals And Recommendations Provided By The Working Groups Of The Conference

A series of recommendations and proposals were drawn from these conferences both by individual speakers and global working groups established by area. First the speakers' recommendations will be analysed and then the proposals from the working groups.

The expected impact of the activities is the exchange of experiences of the participants in their areas of study and their regions of interest as well as the identification of common problems for developing joint solutions. At the same time, in the medium term, alliances and networks are expected to be created for support, follow-up and project management to strengthen international cooperation to abandon traditional north-south cooperation and implement new responses based on horizontality and information exchange. This forum addressed security from a global perspective and different territories.

Some of the issues to be considered are those associated with international cooperation to abandon the traditional North-South cooperation and implement new responses from an approach based on transparency and information exchange. However, this becomes a complicated task for the countries concerned, especially in Latin America, due to the evident lack of multilateralism in recent years that has prevented the development of joint regional policies. The scarcity of multilateralism in itself does not represent a threat. Still, it does present a barrier to attempts at regional cooperation due to the fluctuation of political ideologies in the countries, which makes discussing agreements or policies with opposition governments challenging. As a common denominator of the conference, each speaker raised the need for cooperation and work in the regions of Africa, Europe and Latin America to combat transnational organized crime and provide security in the Central and South Atlantic region.

To begin, the recommendations from Mrs. Celina Realuyo, Professor of the William J. Perry Center for Hemispheric Defense Studies, National Defense University: in her speech concerning transnational crime, especially drug trafficking and the use of cyberspace to commit crimes, she stated four recommendations to combat drug trafficking. These recommendations are related to expanding the role of security forces (armed forces and police) and monitoring and anticipating changes in the modus operandi of transnational criminal organizations. It also seeks to strengthen the government's presence in marginalized communities with social services, especially to cover the root causes and enabling factors of the drug trafficking crime and emphasize the fight against money laundering and implement asset forfeiture, to prevent money from drug trafficking from being injected back into the illegal economy.

Following Mrs. Realuyo's overall transnational organized crime, Professor Mariano Bartolomé from the Inter-American Defense College put forward a four-branch comprehensive strategy consisting of going beyond the mere use of police, security and military forces to attack the tip of the iceberg of transnational organized crime (TOC) and then attack the facilitating factors. Furthermore, he implied that a comprehensive fight against TOC requires the involvement of the private sector, particularly in countries where security rests in private hands and that it is an effort that must be made at federal, regional and local levels. And finally, he suggests promoting the adoption of comprehensive and sustainable strategies to combat organized crime by the States, beyond the use of military and police force.

Next, the Chief Executive of the Center of High Studies of Defense and Security of Senegal, Brigadier General Mbaye Cisse, claimed that action is to be taken along four main pillars: asking the southern countries to form an operational, political alliance to defend their interests against transnational organized crime and strengthening cooperation and coordination between states as well as with international partners such as the navies of other countries. Additionally, to build stronger relations between the navies of Latin America and the Caribbean with those of Africa by conducting naval exercises to develop operational convergence and promote a global and multi-stakeholder approach in Latin America and the Caribbean between UNODC, UNOWAS, DPA, DPKO and INTERPOL similar to the WACI initiative, previously developed in Africa, to work in synergy. On the same path, professor Matt Houngnikpo, maritime safety and security expert at the University of Benin, proposed the creation of a working or research group with three main tasks or missions: to proceed to a systematic categorization of transnational organized crime at sea, to analyse specific measures such as "l'écran bleu" to find synergies between the responses in the fight against crime and to identify and appoint specialized researchers to create a more robust research network.

Concerning border control, Mr. Lisandro Ganuza, Expert Consultant in Free Trade Zones UNODC and director of the World Free Trade Zone Organization Argentina, recommended incorporating the function of compliance officer in free trade zones to establish a better link between the security sector and companies. Subsequently, Mr. Severino Mejía, security and defence projects and programs coordinator from the Ministry of Security of Panama, argued that it is necessary to join efforts among intelligence agencies to interrupt the logistical chain of drug trafficking in transit through Panama with North American and European countries as the final destination. On the same subject, Mr. Luis Morales, head of security for the Pacific and Caribbean from SANOFI, proposed the creation of a laboratory for suspicious products called the Central Anti-Smuggling Laboratory (LCAC) in connection with an existing one in France, with the purpose of combating the smuggling of pharmaceuticals, which, although it does not have much weight in the region, has been gaining ground, especially in treatments for Covid-19 virus and weight loss. To conclude the discussion on the port issue, Mr. Piotr Stryszowskil, Senior analyst of UNODC, brought forth a recommendation that provides FTZs with some indications on how to operate in order not to be misused in international treatment by criminals,

Eduardo Pastrana, Professor, Pontificia Universidad Javeriana, Colombia.
SALMA Dialogue for P&S on Maritime Security Conference, Panama, 2023

complemented with a certification scheme to implement best practices. He also proposed a strong collaboration between public and private sectors and emphasized the need to closely examine existing "know-your-customer" provisions and to look at best practices related to proactive cooperation between these actors and enforcement authorities.

Following the course of the conference, proposals emerged around human trafficking and military collaboration. Thus, Professor Miloud Loukili from Université Mohammed V in Morocco gave a speech on the current situation of human trafficking in Northern Africa. And as conclusion, he suggested the creation of a Latin American and African observatory to monitor the behaviour of the trafficking persons. As for military collaboration, Professor Phillip Potter from the Center for National Security Policy of the University of Virginia encouraged a continuous collaboration with extra-regional powers (UK, US, France) to transform naval capabilities and to improve interoperability towards mitigating emerging/changing security challenges within the regional maritime domain.

Secondly, the discussion led to a series of recommendations from the working groups in all areas. The first recommendation concerns a multisector and multidimensional mapping of the state of implementation of existing strategies, public policies and laws in Africa, Latin America and the Caribbean to elaborate a joint recommendation to international and regional organizations and summits of presidents in both continents. The second proposal states the priority to create a reference working group: a group of proposals focused on policymakers so that they can do lobbying work in their countries of origin to implement the measures discussed at this conference. The third recommendation is related to creating a strategy to fight drug trafficking more focused on the demand of drugs (consumer) rather than on their supply (dealers). Lastly, the working groups suggested to integrally define the logistics chain such as ports, free trade zones and related companies to combat illicit trade, piracy and money laundering through workshops on promoting the use of best practices in logistics chains in trade relations between Africa, Europe and Latin America.

Following the document thread, in the working groups of the second conference, more political issues were addressed than in the first conference. These issues were the lack of coordinated intergovernmental projects to address drug trafficking and the illegal transfer of goods and illicit trade, environmental degradation and coastal populations' poor quality of life, as well as missed opportunities for international cooperation to strengthen maritime security.

As a result of the second conference, the experts agreed on proposed comprehensive solutions to address the obstacles originating from illegal fishing. One of the recommendations is meeting the 30% mandate for protecting marine areas in national waters, seeking to extend it to the high sea, as per the recently adopted Marine Biodiversity Agreement by the United Nations.[177] In response to this agreement, the participants made the following recommendations:

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177   United Nations (2023).

Dr. Gerhard Wahlers, Deputy Secretary General and Director of the European and International Cooperation, Konrad-Adenauer-Stiftung, Germany.
H.E. Martina Klumpp, Ambassador of the Federal Republic of Germany to Panama.
Peter Beyer MdB, CDU/CSU Group, German Bundestag, Germany.
H.E Mauricio Barquero, Ambassador of the Republic of Colombia to Panama.
SALMA Dialogue for P&S on Maritime Security Conference, Panama, 2023

- Make an offshore inventory of strategic resources and ecosystems that can be presented regionally to be protected by the United Nations protection systems.

- Develop joint environmental protection agreements and bring them into dialogue with those already in place in the Caribbean and West Africa.

- Seek mechanisms for the navies of the countries involved and maritime police to interact and have some joint patrolling. These bilateral and multilateral agreements can be made to implement common control and surveillance.

In addition, the emergence of extra-regional powers in the region has reinforced the crisis of multilateralism, which several experts present at the conference argued. This is evidenced by the national sovereignties and nationalisms present, especially in South America, which prevent the creation of joint solutions. This, in turn, shows the ideological fractures in the national policies of each country, shaped by the government in power and which often do not coincide with those of their neighbours, which hinders the implementation of joint policies due to decisionmakers' lack of political will . The former argument is exemplified by the generalized crisis of political legitimacy in the region, the need for coordination in efforts and low efficiency in the investment of resources in policies, programs and projects.[178]

Thus, as the conference participants stated, the Latin American region is going through a crisis of multilateralism, which must be addressed by establishing multilateral organizations strong enough to face the threats. For this reason, involving agents of the international system and cooperating agencies, regional organizations such as the OAS, SICA, MERCOSUR and the UN is a priority. Likewise, the United States as the primary consumer of drugs, through its national agencies such as the DEA, plays a crucial role not only because of its economic and political capacity but also because of its proximity to the regions. In response to this problem, the panellists agreed that multilateral governance structures need to be created to coordinate common ground. Policies with governance must be drafted between States (so they are State policy as such and not a government policy).[179]

Lastly, the activity discussed the problem of missed opportunities for international cooperation to strengthen maritime security, which, in turn, led to the difficulty of cooperating with supranational mechanisms and systems. Just like the problem of the lack of governmental projects, this is also caused by national sovereignties and nationalisms that prevent the creation of joint solutions. Another cause is the fact that the current cooperation is not necessarily visible on national agendas and the corruption that comes into play in the absence of political decisions. To find a solution to this problem, the recommendation is to articulate both Latin American and African experiences to share progress in international cooperation and exchange good practices and lessons learned. The proposals between Latin America and Africa will be discussed in more detail in one of the following sections.

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178   Vargas, V. (2023).
179   Konrad Adenauer Stiftung & Salma Dialogue (2023). Conference II.

In terms of the established groups, the workgroup on organized crime, trafficking in persons and piracy gave the most significant contribution and focused on six different approaches:

A) FOCUSED ON THE APPROACH: Governments cannot reduce the fight against organized crime to crime prevention and repression, law enforcement and the preservation of public order. Multiple state agencies (health, education, foreign affairs, economy, labour, among others) need to participate actively in this effort, in addition to those directly linked to the areas of security and justice.

B) FOCUSED ON FORWARD-LOOKING SCENARIOS: This consists of the fight against organized crime contemplating the modernization and adaptation of existing regulatory frameworks, in order to generate resilience by civil society organizations and increased international cooperation (in bi-and multilateral modes) in this area. (KAS-ADELA).

C) FOCUSED ON PRIVATE SECTOR: This consists of involving the private sector in the fight against organized crime and for it to contribute its multiple resources (human, technical and economic) to this effort. It should emphasize that the private sector's commitment is fundamental in contexts marked by limited state capacities, which are common in the region.

D) FOCUSED ON A VERTICAL INTEGRATION OF EFFORTS: These efforts must be coordinated, combined and articulated in political organization at federal, provincial and municipal level. The various political dignities of the governments involved in this scheme should not be an excuse for its unfeasibility.

E) FOCUSED ON THE FIGHT AGAINST CRIMINALITY: This approach stresses that official efforts against crime, with the characteristics concerning active participation of multiple state agencies, involvement of the private sphere and vertical integration of different levels of political organization, should pay special attention to neutralizing those factors that act as facilitators of corruption, impunity and state weakness.

F) FOCUSED ON SUSTAINABILITY OVER TIME: This consists of making efforts against organized crime sustainable over time, transforming this fight into a State issue that cannot condition the electoral calendars or results.

George Maund, Coronel, Defense Attaché, British Embassy in Bogota.
SALMA Dialogue for P&S on Maritime Security Conference, Cartagena, 2022

SALMA Dialogue for P&S on Maritime Security Conference, Panama, 2023

Interregional Proposals And Actions

To start building a regional security policy focused on maritime security, a network platform is required to attracts actors at all levels to combat all previously mentioned threats, in which the countries of the region with more progress in this area help and encourage others by strengthening the human and institutional capacity of state agencies. The actors involved should be the armed forces, especially the navy; the academy to serve as a research centre to understand the movement of naval flows in the waters mentioned above; the parliament to promote laws that cover and punish crimes typified under threats to maritime security such as contemporary piracy and also governmental organizations should be called upon to be present in the border areas to establish control and deter criminals from exercising their activities. In the same line, KAS should behave as and become the partner par excellence of Latin American countries in the planning, developing and execution of their security policy, specifically focused on combating transnational organized crime. The role of KAS as a regional bridge is crucial thanks to the local and supra-regional connections that this foundation can share with the States of the region to achieve a networked security system capable of generating confidence, stability and security in the area.

Another point to be addressed is the development of informative sessions of experts, public officials, armed and police forces and academia who know the subject and have participated in previous activities and who can share their experience and information to develop preventive action to counteract the advance and execution of criminal activities in Latin American territory. Following the development of the current threats in the region it becomes evident that there is no exact way to combat these threats. It is therefore essential to put in place programs and policies to attack them from all areas, including the social and economic spheres, to counteract the influence of root causes on the development of the crimes and to prevent an environment conducive to these activities. It is also necessary to attack from the military sphere to establish border protection both on land and at sea and thus be able to exercise more presence in and control over critical ports. A policy focusing on government entities is also required in order to combat corruption and the lack of government tools. Hence a comprehensive response to these threats should include a non-military focus strategy, as the threats do not come from state actors but from non-state actors and they are transnational in nature and behave asymmetrically.

H.E. Martina Klumpp, Ambassador of the Federal Republic of Germany to Panama.
Winfried Weck, Director KAS ADELA, Germany.
Amina Magouri, Executive Director, SALMA Dialogue, Tunisia.
Dr. Gerhard Wahlers, Deputy Secretary General and Director of the European and International Cooperation, KAS, Germany.
Peter Beyer MdB, CDU/CSU Group, German Bundestag, Germany.
SALMA Dialogue for P&S on Maritime Security Conference, Panama, 2023

Proposals Between LatAm And Europe

In the course of the conference, it became imperative to emphasize intra-regional cooperation, more specifically, between Latin America and the Caribbean and the continents of Europe and Africa. This is because these continents are closely linked to the development of some illicit activities originating in or destined for Latin America. Consequently, it is essential to develop joint-action policies to mitigate the effects of drug trafficking, human trafficking, illegal migration and smuggling, which use routes traced in the South Atlantic and the Caribbean Sea and affect all the regions concerned. To begin, a series of proposals for action and policy implementation between Latin America, the Caribbean and Europe will be outlined.

The European Union's efforts in the region are worth highlighting, especially because its policies are aimed at consumers rather than at suppliers. Europe's anti-drug policy in Latin America consists of three fundamental pillars. The first is about attacking the demand for drugs in its territory, since this is the most critical point as Europe is the second largest consumer of drugs in the world, after the United States.[180] Its policies have an approach called shared responsibility. This concept recognizes the "northern responsibility with respect to demand, production of precursor chemicals, money laundering and production of synthetic drugs."[181] This concept is critical because it highlights Europe's interest in mitigating the problem from another aspect. It recognizes its citizens as consumers and seeks to attack the problem through awareness, prevention, treatment and public campaigns. Likewise, Europe acknowledges that the fight against drug trafficking is not to be fought from its inception, i.e., in the Andean countries, only, but that that also the receiving and consuming countries, such as the main ports located in Europe described above, are to be addressed. Europe has developed drug-use reduction programs, which include early detection, intervention, social and physical rehabilitation and reintegration into civilian life of those affected by this scourge. Secondly, EU drug policies focus on drug supply reduction, mainly to prevent and disrupt the cycle of drug trafficking through "judicial and law enforcement cooperation, intelligence, interdiction, confiscation of criminal assets, investigations and border management."[182] This is to be achieved by interrupting the drug trafficking process cycles, dismantling criminal groups, disrupting the market in European territory and increasing surveillance and intelligence at air and seaports to comprehensively attack this threat. On the same path, the EU has taken measures at maritime ports consisting of "improved customs risk analysis of containers and cargo, profiling, intelligence sharing and effective cooperation across and between the competent EU agencies." However, during the Covid-19 pandemic, states could not adequately monitor ports and therefore the flow of drugs to the old continent continued without any problem, thus strengthening the criminal actors.

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180   European Monitoring Centre for Drugs and Addiction & EUROPOL. (2022).
181   Stambøl, E. (2016).
182   European Monitoring Centre for Drugs and Addiction & EUROPOL. (2022).

To reach these goals, the European Union needs to cooperate with the regions of origin of the drug, cocaine specifically, which are Latin America and the Caribbean, in order to attack the heart of the problem. Therefore, it is necessary to start by attacking the root causes that lead to this activity being carried out. Although it is not easy to intervene in the idiosyncrasy of a region, measures and programs can be developed to deal with problems such as poverty, rural development, economic development and good governance. To achieve these goals, it is necessary to invest in programs aimed at the civilian population, political institutions, police forces and non-governmental organizations to develop their knowledge to solve the problem.

Apart from the United States, Europe has become the partner par excellence for the LAC region in terms of investment. In the last decades, the EU has developed myriad programs destined to combat the drug trafficking flow from LAC to Europe. The European Commission website mentions the following programs designed to combat drug trafficking: First, the Latin American and European Union Programme of Cooperation in anti-drug policies (COPOLAD), developed to strengthen bi-regional cooperation on the concept, implementation, monitoring and evaluation of policies in action against drugs at the national, subregional and bi-regional levels, with a contribution of 6 million euros. Second, *Programa Antidrogas ilicitas de la CAN* (PRADICAN), focused on the Andean Community (Bolivia, Colombia, Ecuador and Peru). The regions in question created this program to contribute to the implementation of the Andean Plan for the Fight against Illicit Drugs and Related Crimes, to strengthen national drug observatories and link them up in a network and to facilitate a dialogue between governments and civil society on the drug problem with an investment of 2.55 million euros. Third, the support to CARICOM capacity building for law enforcement agencies, with a contribution of 400,000 euros. It aims to reduce the supply of drugs by improving the capacities of law enforcement officers through training in areas such as management/leadership, investigative skills, forensic awareness, financial and intelligence issues, human rights and weapons. Fourth is the EU-LAC Intelligence Sharing Working Group, to which the EU contributed 514,405 euros, directed to increase the effectiveness of countries in LAC in combating drug trafficking and other organized crime by expanding the exchange of operational intelligence between these countries and EU members. Fifth, the Law Enforcement and Intelligence Cooperation against Cocaine Trafficking from Latin America to West Africa (CO-LAC-AO), whose objective was to obtain a significant reduction in the amount of cocaine destined for or transiting Africa and its territorial and international waters, through improved interdiction capacity of the participating countries, with a contribution of 800,000 euros.[183] Lastly, there is the most important program in terms of investment and capacity, the Cocaine Route Programme involving countries in Latin America, the Caribbean and West Africa, with a contribution of 22 million euros. This program aims to enhance the capacity for international cooperation of law enforcement and judicial service of beneficiary countries to contribute to the fight against transnational criminal networks while fully respecting human rights.[184]

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183   European Commission. (2007).
184   For further information, visit the European Commission website.

In relation to drugs, the EU has developed the European Union Early Warning Systems on NPs, "This system supports national and EU level preparedness and responses to NPs by collecting, assessing and disseminating information on emerging substances based on forensic and toxicology reports."[185] The European Union can share the format of this system so that it can be implemented appropriately in Latin America, since the currently existing Early Warning System for the Americas only serves the states of Argentina, Chile, Colombia and Uruguay. Thus, the EU can help implement a broader system that includes all the states in the regions concerned to prevent drug shipments from reaching their destinations and arrest and prosecute the people involved in the crime.[186]

As far as organized crime is concerned, it is necessary to establish and deepen links with executors of the El PAcCTO program (Europe Latin America Program for Assistance against Transnational Organized Crime), an "international cooperation program financed by the European Union that seeks to contribute to security and justice in Latin America by supporting the fight against transnational organized crime."[187] This program is key to establishing it as a starting point for other programs that can be developed in other crucial regions. It provides technical assistance, exchange of experiences and best practices between Latin American and European Union states.[188] Establishing links with this region is essential because it suffers the consequences of organized crime in Latin America; for example, human trafficking networks operating in Latin America tend to target the United States and Europe. Secondly, the Caribbean region is crucial because it is Latin America's immediate neighbour, which is why it suffers the full brunt of criminal activities that originate in Latin American countries, mainly because criminals use the Caribbean region's maritime routes to transit and commit their crimes without being detected. Therefore, developing a program like the one established with the European Union to contain criminals from Latin American and Caribbean countries is a priority.

Another way to promote cooperation between the European Union and Latin America is using an already established space, such as the EU-CELAC summits, which were held in 1999 for the first time. These summits bring together representatives of the European Parliament, the Parlatino, the Andean Parliament, the Central American Parliament, the countries of the European Union, the Rio Group and the Community of Latin American and Caribbean States (CELAC).[189]

The last summit was held in June 2023 in Belgium and a joint declaration was published. This document is of utmost importance since it sets out the roadmap to be followed in the bilateral and multilateral agenda of the States involved. The most critical points of the declaration include point 5, stating "We look forward to the signature of the partnership agreement between the Organization of African, Caribbean and Pacific States and the European Union and its Member States and the implementation of the regional protocol, which will further strengthen relations between the Caribbean and the EU."[190] It also expresses the need to "consolidate and strengthen EU-CELAC cooperation initiatives around citizen security and social justice, such as EU-LAC partnership on Justice and Security, by combatting organized crime

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185   United Nations Office on Drugs and Crime (UNODC). (2020).
186   European Commission. (2007).
187   El PAcCTO. What is EL PAcCTO?
188   Ibid.
189   Council of the European Union (2023).
190   Ibid.

 in all its forms, as well as corruption and money laundering, including through capacity building." And finally, the parties involved express their mutual interest in sustaining high-level engagement between regions and decide to organize these summits every two years to follow up on previously established roadmaps.

As for the relationship between the European Union and the LAC region, the EU-CELAC summits serve as the means for the El PAcCTO meetings and the high-level meetings of coordination and cooperation mechanisms in security to take place. In addition to dealing with drugs, these summits have also discussed previously mentioned issues such as irregular and illegal migration, drugs, illicit trafficking of goods and human trafficking. Focusing on maritime matters, the States participating in the EU-CELAC summit have expressed their concern about ocean pollution and the threat to biodiversity and have requested the implementation of the High Seas Treaty by the corresponding States.[191] Despite dealing with crimes committed both on land and at sea, this summit has yet to discuss the concept of maritime security as such. This may represent an opportunity for both CELAC and EU states to take advantage of the existing space to discuss this increasingly relevant issue.

At interregional level joint programs need to be developed with the European and African regions. Firstly, it is required to establish information sessions with the European Union so that representatives from that region can share their experiences derived from the Migration, Development and Human Rights program, which the European Union has been implementing because of the constant migratory flows into its territory by citizens from Eastern Europe, Asia, Africa and Latin America. In addition, the regions should develop reciprocal assistance programs to deal with Latin American citizens migrating to Europe, especially to Spanish and Italian territories.

On another note, in combatting piracy the European Union has vast experience participating in and developing operations against piracy, especially in the Horn of Africa. In 2008, the European Union "launched Operation Atalanta (EU NAVFOR) as a collective initiative of its Member States to fight Somali piracy at source."[192] Through its participation in this operation, the European Union acquired knowledge and best practices in maritime security while working with military and non-military stakeholders to ensure the freedom of navigation of ships in the Horn of Africa.

This participation underlines the benefits Latin America and the Caribbean can obtain by allying with a strategic player such as Europe to combat a somewhat unknown issue in the region like piracy. This is where the European ally can contribute to executing a security policy focused on piracy by sharing best practices and knowledge acquired in past operations. Likewise, since its naval forces are trained to combat this type of threat, naval exercises can be developed to teach the navies of the Latin American and Caribbean regions to face this new threat. This interaction can be achieved through exchanging experience and good practices, sharing ideas and information about piracy acts and providing technical capacity to navies and coastguards to maintain peace and security within maritime borders. On

191   Council of the European Union (2023).
192   European Union External Action. (2021).

the same path, to counter the expansion of piracy in the region, it is essential to create a common radio station for navies to receive real-time information about possible attacks in the maritime domain to prevent or act against them on time. This, in turn, fosters cooperation not only between countries but also among navies, armies, marines and air forces, as they need to share this type of information to be able to act quickly.

The implementation of these programs shows that transnational organized crime-focused policies between these regions should focus on the political and economic support of the European continent since it has the most resources in both areas. On the one hand, Europe has a powerful and capable regional organization. The European Union has been in place for 29 years and has functioned well as a means of regional, economic and political integration. The union seeks to maintain the stability and security of the continent and, hence, manages all issues concerning its national and citizen security. Topics such as health, climate change, environment, social justice, employment, foreign trade, foreign policy and security, values and rights, the rule of law and security, migration, education, culture and sports are handled.[193] On the other hand, the EU has developed a security organization focused on providing security to member countries in the North Atlantic. Ergo, NATO can provide cooperation in intelligence, training and development of exercises to Latin American countries willing to provide security in the South Atlantic. This experience can be shared through workshops, conferences and training exercises, especially with security forces, to provide adequate protection to the South Atlantic, as NATO does in the North Atlantic. Aside from the political and economic support, it is paramount to create joint task forces among the relevant law enforcement agencies, namely, Interpol, Ameripol and Europol. These task forces should be established to strengthen cooperation between regions in terms of prosecution, develop an updated and accurate legal framework and enhance maritime domain awareness. All of this can be achieved by implementing a shared databank of intelligence on transnational drug cartels and developing training and technical assistance like training programs for law enforcement personnel in FTZs.

Within the framework of the second conference, the subject of the alliance's maritime strategy in the South and Central Atlantic was also developed as NATO's role and responsibilities. NATO's approach to the Central and South Atlantic is intended to ensure the financing of the countries' needs; militarily, it is seen as the bridge between Europe and North America. From this perspective, the maritime domain is considered essential to the peacekeeping alliance. Partnering with strategic actors is vital through consultation and cooperation for knowledge sharing. Of the regions concerned, NATO is currently working with Morocco, for example, as a partner in dialogue with North Africa, on capacity building in crisis management.

With Latin America, NATO has worked with Colombia, as the only global partner in the region, on issues of cooperation in cyber security, peace efforts and maritime security. This partnership is important since it allows the exchange of information and best practices while developing joint military and intelligence exercises, which can be replicated with

193   European Commission (2021).

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other regional actors. NATO's link with Colombia and Morocco envisages the possibility of collaborative efforts to establish a south-south military alliance to address lines of action with the international community for operations against piracy, drug trafficking, terrorism and human trafficking in the Central and South Atlantic.

From this point derives another of the recommendations established by the working group, which is that both Colombia and Morocco should lead a regional or interregional initiative or policy through which to develop the concepts and tools obtained thanks to their exchange of knowledge and experiences as a result of their relationship with NATO as allies.

Creating a NATO-like initiative between Latin America and Africa is utopian, given the regions' circumstances. However, trying to create an initiative based on the knowledge provided by NATO is not a far-fetched idea; conversely, it helps to delimit and delineate the edges by which a future security strategy should be governed. From military point of view, it is ideal to bring together the navies of the countries bordering the Atlantic and thus define with precision the threats that afflict them and give them better treatment. From political point of view, the lack of political consensus and ideological affinity would still represent an obstacle.

Small fishing boat at sea
Retrieved from https://www.pexels.com/es-es/foto/mar-gente-agua-oceano-10541727/

Proposals Between Africa And Latin America

In the case of Africa, the situation is slightly different because there has been no rapprochement between the two regions. Despite being similar regions in terms of the socioeconomic factors from which their populations suffer, in terms of cultural ties and being separated by the South Atlantic Ocean only, these continents have been distant and absent from the policies of the other adjacent region. Due to the lack of intra-regional commitment, presence on the other side and relations, criminals have taken advantage of this absence of inter-regional cooperation and institutions to carry out their crimes. As previously mentioned, the last ten years have seen an advance in the African route from Latin America and the Caribbean to Europe, with Africa as a transshipment port for drugs to reach the old continent. The route from Africa to Latin America is used increasingly too and Latin America has become a springboard region for African nationals incurring illegal migration seeking to cross the Atlantic to reach the United States of America. This situation needs a policy focused on south-south migration (Latin America, the Caribbean and Africa), focused on the ports of entry that are most in need of attention, such as Ecuador, which has visa exemptions for several African countries, and Brazil. The latter is the main port of entry to Latin America due to its diplomatic proximity to Africa, established over the years by the initiative of the South Atlantic Peace and Cooperation Zone. The presence of African migrants in transshipment states of the region, such as Colombia and Panama (Darien Gap), Ecuador, Mexico, Chile, Argentina, Costa Rica, Cuba and Mexico, pose challenges to the stability of the countries at domestic level due to these people's precarious conditions. Here, the participation of Brazil as a regional power and as a bridge to consolidate diplomatic and economic relations between these regions is gaining momentum due to its regional relevance. A policy joining efforts from both sides to combat trafficking in persons and illegal migration should focus on law enforcement framework, intelligence and information gathering and sharing, training of border officials and strengthening of border control, social services to adequately assist migrants and developing training for personnel in charge of the migrants.

The African continent is lightyears ahead of the LAC region in terms of combatting piracy, as it has suffered from this blight for much longer in the Horn of Africa and the Gulf of Guinea. For these reasons, Africa has spent more time analysing and creating instruments and organizations to combat piracy in that territory. NATO and allied navies deployed Operation Ocean Shield[194] to combat piracy in the Horn of Africa, which severely affects the security of the littoral states and their citizens. This operation is relevant because African countries such as Somalia and Seychelles were involved as well as one Latin American country, Colombia, and they all contributed with experiences, ideas and information to share with other navies. The Gulf of Guinea has shown increased piracy cases in recent years. However,

194   North Atlantic Transnational Organization (2016).

it has been more difficult for the states to combat piracy, as it is different from the one in the Horn of Africa. In the Gulf of Guinea, piracy occurs by kidnapping and ransom, which makes it more difficult to prevent, control and eliminate. Likewise, maritime security in the Gulf of Guinea is conditioned by a diversity of maritime crimes, including piracy, drug trafficking and illegal migration.

In the face of this growing concern, priority issues were identified for action, such as highlighting the crisis facing the international system due to the threat of authoritarianism, recognizing that democratic principles and values must prevail and acknowledging that both Latin America and Africa are under the sway of threats like piracy, illegal fishing, illicit trafficking and human trafficking, and therefore require joint, simultaneous and similar actions to address them. This is where Brazil, as a particular case in the region, comes to the forefront since it has excellent military capabilities and can serve as a bridge for a possible exercise of south-south cooperation. This country has significant naval power and is identified as a transition system through the acquired platforms that have been evolving, all within different degrees of industrial capabilities for the future.

To support this argument, it is necessary to mention and explain the multilateral relationship that Brazil has had with West Africa, strengthened through the development of international forums and operations such as ZOPACAS and GUINEX. Thus, the "Zona de Paz y Cooperación del Atlántico Sur" (ZOPACAS) or Zone of Peace and Cooperation of the South Atlantic, which is an international security forum established by resolution 41/11 of 1986 of the United Nations Assembly for the purpose of "establishing an area of peace and cooperation, laid the conditions that prevented the economic and political relations in the region from being affected by East-West tensions and rivalries."[195] 24 countries from both regions are part of this forum, including countries located along the coasts bordering the South Atlantic Ocean like "Angola, Argentina, Benin, Brazil, Cameroon, Cape Verde, Congo, Côte d'Ivoire, the Democratic Republic of Congo, Equatorial Guinea, Gabon, Gambia, Ghana, Guinea, Guinea-Bissau, Liberia, Namibia, Nigeria, São Tomé and Príncipe, Senegal, Sierra Leone, South Africa, Togo and Uruguay."[196] Recently, the scope of the forum has been widened, as Latin American countries have decided to give it a broader focus and thus diversify its field of action by trying other activities such as "exploration and mapping of the seabed and oceanographic research, cooperation on environmental issues, protection and conservation of the marine environment and living resources, and marine scientific research.[197]

There is also the GUINEX operation, a military operation led by Brazil on the Gulf of Guinea during two editions. The main objective of this operation is "to increase maritime security and interoperability with the region's navies and coast guards, through at-sea and in-port exercises[198] ". Apart from Brazil, the exercise is carried out by the countries located along the coast of the Gulf of Africa, as well as the participation of international powers such as the United States, France and the United Kingdom. In this way, the aim "is to exchange knowledge and techniques between the countries involved to increase capacity, strengthening tactics, procedures and techniques for the benefit of maritime security; in addition to increasing mutual trust between countries".[199]

195   Brazilian Technical Cooperation.
196   Ibid.
197   Ministry of Foreign Affairs of Argentina (2021).
198   Oliveira, N (2022).
199   Ibid.

The forum and the military exercise are clear examples of successful models of intra-regional cooperation that unite two regions with similar problems working to conserve the maritime space they share. In turn, this initiative is a clear example of Brazil's leadership, not only because it is the only country in the continental Latin American region to share a language with some African countries but also because of its political, military and economic capacity to lead the forum and maintain it over the years. As with other initiatives, the other countries bordering the Atlantic Ocean could develop similar platforms to share their points of view and best practices.

Following this thread, it seeks to consolidate the development of its capabilities to maintain its maritime security through imitating the ZOPACAS format in South America as well as the South American Integration Project; in a context of polarization in the region, this initiative may return with greater intensity, as well as UNASUR and the South American Defence Council. The integration agenda contains infrastructure connectivity for integrating the two oceans through highways and railroads. The return of South American integration will be seen soon with several initiatives. The challenge of trilateral cooperation is to identify visions for the evolution of the international system from the promotion of regional development.

From the conferences it was inferred that successful models should be replicated. Despite the obstacles this subject represents, the Community of West African States (ECOWAS), jointly with the Gulf of Guinea Commission (GGC) and the Community of Central African States (ECCAS), have developed the Maritime Security Architecture in the Gulf of Guinea, best known as the Yaoundé Architecture.[200] According to Brigadier General Mbaye Cisse, "it is an initiative from the countries of West and Central Africa to unify efforts to create a common regional strategy to control the maritime domain."[201] The Yaoundé Architecture is so called because it is made up of three fundamental mechanisms/pillars for its functioning: "the Yaoundé Code of Conduct, the Heads of States Declaration and the Memorandum of Understanding between regional organizations."[202] These instruments establish the roadmap to be followed to address the threats in the area. In addition to helping to reinforce the "key values of the architecture, which are capacity building, joint operations, information sharing and coordination across the naval forces of the region are vital in keeping maritime law and order."[203] The code of conduct, agreed upon and established by all member countries, sets the standard of behaviour concerning preventing and repressing Piracy, Armed Robbery against Ships, and Illegal Maritime Activities in West and Central Africa. In addition to the fundamental pillars, Yaoundé Architecture established maritime operations centres in each of its signatory countries to facilitate the collection of information about maritime safety or maritime incidents in each country. This, in turn, is supported by dividing the Gulf of Guinea region into five zones, each of which has a multinational maritime operations centre in charge of gathering and sharing information provided by the national centres and, thus, developing a more assertive regional strategy. This mechanism was created to develop a regional framework to counter piracy and robbery at sea by prioritizing information-sharing and operational coordination. This initiative represents a major step forward in the fight against piracy, as the member

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200   Interregional Coordination Centre (ICC).
201   Konrad Adenauer Stiftung & Salma Dialogue. (2022).
202   Interregional Coordination Centre (ICC).
203   Gulf of Guinea Interregional Network (2022).

states have agreed to create three maritime centres to monitor and control the continent's maritime space. There are the Regional Maritime Security Center for Central Africa (CRESMAC), the Interregional Coordination Center (ICC) and the Regional Maritime Security Center for West Africa (CRESMAO). As the evidence shows, Africa is a leader in developing maritime centres to exercise control in its waters. The navies of the Gulf of Guinea, affected by piracy, drug trafficking and illegal migration in the South Atlantic Ocean, can help the navies of the LAC region by sharing ideas and knowledge on the creation of such centres. Sharing their best practices and experiences concerning the creation, development and maintenance of such centres becomes key to the relations between both regions and could mean a step forward in protecting the maritime space that binds them. It is therefore imperative that navies in the LAC region try to copy or build on the best practices of their African counterparts, which were adequate to combat piracy, even though the kind of piracy present in the regions differs in its actions. The African navies can provide technical, professional and instrumental capacity to the navies in Latin America and the Caribbean, so they could jointly develop training exercises to combat piracy as well as education programs and capacity building. This can be done through workshops, seminars and symposiums that encourage and promote interaction between the two regions and serve as a bridge for the development of new interregional institutions to combat scourges jointly and to reach operational convergence. On the same path, the Yaoundé Summit, where the architecture was agreed upon, led to the creation of three mechanisms: The Yaoundé Code of Conduct, the Heads of States Declaration and the Memorandum of Understanding between regional organizations. This demonstrates the institutional capacity of African countries, as they have created and established different mechanisms to deal with the threats that afflict them.

Another relevant area of cooperation between the two parties is the creation of international information sharing centres. These centres are established in all the countries in the West African region to "facilitate a coordinated, effective and timely information flow among the signatories."[204] Likewise, these types of mechanisms are developed to collect and analyse the information conveyed by the states in real time, so they can prepare reports and statistics to share among the partners. This type of initiative is very positive for the Latin American and the Caribbean region since today there is no unified information system in place, which is considered necessary for countries to act together to share and facilitate information. At the same time, these centres foster a secure operation of port facilities and ships as there will be an increase in their vigilance and control due to timing alerts and requests for information or assistance from the relevant stakeholders.

The African experience highlights the need for the Latin American region to take advantage of this information and try to recreate or simulate a similar system. This results from the advances in international cooperation which highlights the exchange of good practices and lessons learned[205] to achieve a successful joint regional policy. Therefore, it is necessary to "create pragmatic, evidence-based proposals that are objective in terms of their goals as well as their evaluation, monitoring and follow-up."[206] In addition, the need for a zonal division like in Africa, and the development of a Maritime Operations Centre for each existing region is underlined. This is seen from the perspective of the current criminal diversity in Latin America. In other words, the illegal activities in the Southern Cone are not necessarily the same as those in the Caribbean or the countries

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204   Interregional Coordination Centre (ICC).
205   Vargas, V. (2023)
206   Ibid.

of Central and Northern South America and therefore require specialized centres to integrate, share and combat the problems from the Regional Operations Centre.

For this experience to be replicated on the Latin American side, state actors like the United States and the European Union, who act as cooperating agents and financial sources, must be involved. Also needed is the accompaniment of African countries (Cameroon, Senegal, Ivory Coast, Nigeria) that have a voice in Yaoundé Architecture and are willing to expose their successful experiences and provide a roadmap to establish Latin American architecture. Finally, it is necessary to involve non-state actors such as KAS ADELA and SALMA Dialogue, which provide spaces for consultation and dialogue to encourage and facilitate discussions between actors with the capacity for action and to open the space for specialized people to meet, discuss and take all kinds of information and knowledge back to their respective countries to apply them. The aim is to strengthen ties between regions, discuss common problems to find common answers and create synergies between the various stakeholders to develop policies.

In conclusion, the Latin American and Caribbean region is afflicted by state instability, corruption, high rates of poverty and unemployment, which makes it more prone to suffer the consequences from the previously described crimes such
as drug trafficking, smuggling of goods, illegal migration, human trafficking, illegal fishing and piracy. Although some crimes have more impact than others and therefore need to be addressed more severely, it is evident that the region needs to raise Maritime Domain Awareness (MDA), understood as "an essential tool in maritime security used for law enforcement and incident management. It is essential for countering piracy, monitoring illicit traffic activities, rescuing ships and containing oil spills,"[207] bearing in mind that transnational organized crime in the region takes advantage of the lack of control in the Atlantic Ocean in order to develop a regional and interregional security policy to protect the countries and deter criminals active in the Atlantic Ocean.

For this reason, a regional maritime security policy requires the interaction of all levels, i.e., the political, social, economic and security levels nationally and globally. This interaction would provide access to economic, political and personnel resources to confront the threats of the new world that afflict the region. This can be achieved through harmonized trade agreements and policies, deeper and effective cooperation in terms of intelligence and information and political andsocial consensus among the stakeholders.

Similarly, this policy requires the development of border-security strategies based on cooperation between security forces and governments of the countries in the region to implement surveillance and control mechanisms like inspection of containers, ports and incoming goods. Therefore, not only should port security be reinforced, as this covers some crimes such as drug trafficking and smuggling, but also a migration policy at the national, regional and interregional levels should bedeveloped to establish temporary employment programs for migrants and, this way, combat illegal migration and human trafficking at the same time. This, in turn, leads to a change in the law enforcement and legal framework of Latin American and Caribbean countries, which must focus on training personnel and enacting laws that toughen penalties for criminals and help protect borders to reduce violence in port cities and increase state capacity and legitimacy.

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207   Pejsova, E. (2019).

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SALMA Dialogue for P&S on Maritime Security Conference, Cartagena, 2022

About the Organizations

Konrad Adenauer Stiftung (KAS), RP ADELA

KAS is a German political foundation with more than 110 offices worldwide dedicated to promoting liberal democracy, social market economy, the rule of law, transatlantic relations, and the European unification process. Its regional programme "Alliances for Democracy and Development with Latin America" (ADELA) based in Panama City aims to enhance the cooperation between Latin America, Europe, and other global regions. It serves as a platform for dialogue among key actors in politics, economics, and the security sector, including professionals from academia, business associations, civil society, and representatives from international and regional organizations. The project focuses on security and multilateralism, international trade and commerce, the Agenda 2030, and innovation.

SALMA Dialogue

SALMA Dialogue, "Strategic Alliances: Latin America Meeting Africa", is an international program launched in 2018 and based in Tunisia. Its mission is to create positive dynamics between the countries of Africa and Latin America, to stimulate South-South and Triangular Cooperation (SSTrC) and to create efficient spaces for discussion between governments, leaders and experts from LATAM, Africa, Europe and North America.

SALMA Dialogue program aims to design, to implement and to lead multilateral strategies and policies between the participating countries through regional and bilateral concrete actions. SALMA Dialogue includes more than fifty countries and counts more than 200 participants. Four dialogues have been set up since the program establishment: Economic Cooperation, Peace and Security, Gender Equality, and Health Innovation.

Crime Stoppers

The organization is an anonymous citizen information gathering program that was created in 1976 in the United States. To date, the program is implemented in cities in the United States, Canada, Europe, the Caribbean, Central America, Australia, and Africa, generating a global community that solves a crime every 14 minutes in some part of the world. Crime Stoppers is not a reactive program like 911, is an international platform that facilitates anonymous, reliable, and secure citizen participation. The program receives information that citizens have about criminal acts in their community and transforms them into a valuable tool for the PNC, contributing to the capture of criminals with warrants, the opening of new investigations or the complement of data for intelligence and investigation teams.

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