
Discussion Document on Smuggling of Goods and Human Smuggling in the Caribbean: The Role of the Fisheries Sector¹

1. Background

This discussion document is based on the sixth webinar in a series of Blue Justice Forum webinars facilitated by the Blue Justice Initiative Secretariat in conjunction with the UNDP Blue Resilience project.

The theme for the webinar was the ‘**Smuggling of Goods and Human Smuggling in the Caribbean: The Role of the Fisheries Sector**’.

The webinar was presented by Commander Judy-Ann Neil, Commanding Officer at the Directorate of Training and Doctrine, Jamaica Defence Force, and Ms. Sarika Maharaj, Interim Coordinator-Fisheries Inspectorate at the Fisheries Division of the Ministry of Agriculture, Land and Fisheries of the Government of the Republic of Trinidad and Tobago. A total of 35 participants joined the webinar from 17 countries (Austria, Canada, France, Germany, Greenland, Guyana, Indonesia, Ireland, Jamaica, Maldives, Norway, South Africa, Sweden, Tanzania, Trinidad and Tobago, United Kingdom, and the United States). The webinar was moderated by Emma Witbooi of the Blue Resilience project.

2. Topic in Focus

Smuggling of Goods and Human Smuggling in the Caribbean: The Role of the Fisheries Sector - Ms. Sarika Maharaj, Interim Coordinator-Fisheries Inspectorate at the Fisheries Division of the Ministry of Agriculture, Land and Fisheries of the Government of the Republic of Trinidad and Tobago.

1. Smuggling is the practice of secretly and illegally taking goods or people into or out of a country, especially as a way of earning money.
2. Human/migrant smuggling is the procurement, in order to obtain, directly or indirectly, a financial or other material benefit, of the illegal entry of a person into a state party of which the person is not a national.
3. Human trafficking is the recruitment, transportation, transfer, harboring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of

¹ The webinar was held on 8 October, 15:00 CET.

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.

4. A wide variety of cargo is smuggled in the south of the Caribbean, ranging from drugs, guns and ammunition to wildlife, domestic animals, fuel and other essentials such as food and pharmaceuticals; or a mixture thereof.
5. The Caribbean islands function as transit countries between source regions (Central America, South America and West Africa) and the major destinations for drugs (USA and Europe), persons (TTO, USA and Canada) and fish and fish products (Europe and East Asia).
6. Recent good-smuggling trends in Trinidad and Tobago (TTO) include:
 - Increased smuggling between Saint Vincent and the Grenadines (SVG): marijuana from SVG to TTO for the local market; cocaine and arms from South America, via TTO to SVG
 - Illegal shipments of marijuana arriving from Jamaica though TTO legal ports of entry and from Venezuela along the northern coast of TTO
 - Increased cocaine smuggling from South America, via Venezuela, across Gulf of Paria, landing in Western, Northern and Southern and South-Western coastlines of TTO for transshipment to destinations including US. Virgin Islands, St. Vincent, St Lucia, Barbados, Jamaica and the United Kingdom
 - Smuggled goods for consumption (e.g. goats, wild pigs, cheese) supply migrant community in TTO
 - Recorded increase of active involvement of women in drug smuggling
7. Related maritime law enforcement trends:
 - Traffickers increasingly use larger cargo vessels for big drug shipments
 - Pirogues remain key in human trafficking and smuggling but less so for narcotics
8. Smuggling of humans in the south Caribbean is a lucrative business with an annual turnover of USD 10 billion (2017). An estimated 80,000 – 120,000 persons are trafficked or smuggled through the Caribbean annually (2019 CARICOM Report on Human Trafficking). Venezuela, Haiti, the Dominican Republic, Nicaragua and TTO are the epicenters of human trafficking. Venezuela is the main source country of trafficking victims to TTO, Canada and USA.
9. **Recent trends in the smuggling of humans in TTO** include:
 - An influx of Venezuelan and Colombian migrants in local brothels
 - Concentration of undocumented Latin American migrants on south and south west of TTO
 - Persons also smuggled from other island states
 - Women increasingly observed as being involved in smuggling and trafficking (e.g. facilitating recruitment, cross-border transport, housing and trafficking of persons).
10. The role of sex prostitution:
 - Sex may be a way for migrants to cover initial cost of their journey, sometimes willingly but most often not.
 - Additional costs of housing, food, clothes, and medicine result in the women become indebted.
 - The impact of Covid-19 restrictions on the local tourist industry, such as less work available in restaurants and recreational establishments, render migrants, young women and children increasingly vulnerable to being coerced into the sex trade and prostitution to pay their debts.

- Frequently young women and children from Venezuela and Columbia are forced into sex prostitution
 - It has been reported that raids on brothels were triggered by owners so women are deported, making room for a fresh batch
11. **Criminal brokers:** play a central role as intermediaries in illicit supply chains in TTO. They reduce mistrust between criminal groups and facilitate connections to build, protect and reconfigure criminal networks, including transnationally and ensure a constant flow of drug and/or human trafficking.
12. **Involvement of TOC networks in human smuggling and trafficking in TTO:**
- Mainly Asian, Trinidadian and Venezuelan gangs, less often Colombian and Mexican gangs.
 - Generate profit from abduction, transport, housing, sex prostitution and resale of persons.
13. **Involvement of TOC networks in the fisheries sector:**
- Fisheries crime: fraud (vessel registration to disguise beneficial owners); tampering of markings on vessels; spoofing of Automatic Identification System (AIS) or going dark (turning off vessel tracking devices); forced labour on fishing vessels (male migrants becoming victims of trafficking) and IUU
 - Crimes associated with fisheries: fishing vessels illegally transport goods, migrants and victims of human trafficking; fishing fleet and licences to claim a legitimate source of income to launder money obtained from smuggling.
14. **Fishing and Coastal Communities** play various roles in relation to these criminal activities, including in: transporting goods and persons via sea from one jurisdiction to another; facilitating landing and safe passage from the landing site; involvement in handover to of goods or persons for local distribution or transit; and involved in local distribution.
15. Push factors (drivers) of community involvement include: the inherently risky nature of fishing, declining fish stocks and reduced income, and threats by gangs.
16. Pull factors of community involvement include: sense of low risk, minimal investment, easy rewards, leverage of existing resources such as vessels and knowledge, ease of mix of legal and illegal and legal income.
17. **Impacts of organized crime in the fisheries sector:**
- Reduced contribution to national fisheries development and increased food insecurity.
 - Criminals are opportunistic - use of FVs in crimes associated with fishing is an indicator of willingness to commit fisheries crimes
 - Loss of opportunity for legitimate fishers; loss of revenue for states, including diversion of funds for fisheries conservation and management to enforcement; and undermining of fisheries management measures and management of stocks.
 - Contribution to violent and unsafe seas: decrease in maritime security and impediment to Blue Economy
 - Increased violent crime in coastal communities, spread of Covid-19 due to illegal entrants, and tragic incidents where local fishers are attacked, left to die and their vessels are stolen.
18. **Recommendations in TTO and regionally:**
- Increased national, regional and international **collaboration:** specifically on intelligence-led prosecution and contribution via regional mechanisms; inter-agency MOUs and implementation of FAO Port State Measures Agreement (PSMA) and contributing to relevant data sources to inform policy, legislation and enforcement

- Use of legislation towards increased **prosecution**: to combat goods smuggling, in light of lack of specific laws, engage existing legislation on customs, immigration, illicit drugs, and port activities. For anti-human trafficking/smuggling: utilize dedicated national laws. For fisheries crime and crimes associated with fishing: use existing fisheries legislation towards e.g. increased forfeiture and disposal and refusal to grant fishing licenses; and shipping legislation (to e.g. deny port entry, remove vessels for registry and extend liability to all beneficial owners). Review and reform laws where needed, particularly to be in line with UNTOC and its Protocols. It is especially important that legislation is flexible enough to respond effectively to the constantly evolving nature transnational organized crime.

Trafficking and IUU Fishing in Jamaica - Cdr. Judy-Ann Neil, Commanding Officer at the Directorate of Training and Doctrine, Jamaica Defence Force.

1. Transnational crime is a growing concern for both developing and developed countries. Globalization has bolstered the trade of both legal and illegal commodities worldwide. The geostrategic location of Jamaica makes it a transshipment point for both licit and illicit goods
2. Illegal, Unreported and Unregulated (IUU) fishing is one of the main threats to fisheries resources in the Caribbean. It poses a threat to Jamaican ecological systems, food and economic security, and is a major factor for the economic vulnerability for local fishers.
3. In Jamaica, IUU fishing is primarily committed by domestic artisanal fishers who operate near the shore and oftentimes 'overlook' the need for a license. The greatest impact IUU fishing, however, is from foreign industrial fishers, based on the size of their vessels and crews, as well all the volume of fisheries resources they harvest illegally. They target high value species such as queen conch, lobster and sea cucumbers.
4. As a result of the increase in IUU fishing, fishing is no longer perceived as a lucrative job in Jamaica, and some of the vulnerable fishers are targeted by criminal networks to engage in transnational crime.
5. **Five main dimensions of trafficking** can be identified: economic; geographic; globalization; technology and 'other' factors, particularly gang culture.
6. In Jamaica, the economic dimension of trafficking is partly rooted in economic disparity as in the 1960s, approximately 20% of society generated 61% of national income in addition to high rates of unemployment, particularly amongst the youth. Thus, drugs and arms trafficking present a lucrative option for economically vulnerable persons in society.
7. The geographic dimension of trafficking can be attributed to Jamaica's geo-strategic location between the supply countries for narcotics and the demand countries in North America and Europe.
8. Globalization has transformed the way the world trades goods and services and has, similarly, facilitated the trafficking of illicit goods. The growth of the legitimate import/export market in Jamaica in the 1980s saw a corresponding expansion of the movement of illicit goods, with traffickers utilizing established means and routes for moving legitimate cargoes.
9. Commencing in the late 2000s, traffickers leverage the use of technology to their advantage. This includes the use of encrypted emails, smartphones, and voice over internet protocol (VoIP) to communicate and coordinate their operations. Drugs and arms traffickers also employ GPS to rendezvous at pre-arranged coordinates at sea to exchange contraband.

10. There appears to be a symbiotic relationship between trafficking in Jamaica and the growth of gangs on the island. With over 268 gangs in the country, gang members engage in a wide range of illegal activities, including drugs and arms trafficking, in order to fund their criminal enterprise. Further, there is a lucrative guns-for-drugs trade between Jamaica and Haiti wherein marijuana from Jamaica is bartered for illegal arms and ammunition from Haiti; this illicit trade is done primarily by fishing canoes. Under this neo-bartering system, 1000-2000 lbs of compressed marijuana is exchanged for 10-15 types of assorted arms (including revolvers, pistols and rifles) and ammunition. There have also been instances where illegal migrants from Haiti enter Jamaica via these fishing canoes.
11. Overall, the current trafficking trends in Jamaica indicate that marijuana is typically trafficked from Jamaica to Costa Rica, Honduras and Nicaragua in exchange for cocaine and weapons; to the Bahamas and Cayman Islands, in exchange for illicit cash (US dollars), and to Haiti for weapons and ammunition. A typical Jamaican-Central American modus operandi involves traffickers, equipped with GPS, cell phones and local cell phones, landing directly on Jamaican shores to off-load cocaine and weapons (20-50ks of cocaine and weapons per shipment), returning, some days later, with marijuana (1000-2000 lbs), completing the round trip in 18-30 hours.
12. In fact, the evidence suggests that the routes used by foreign fishing vessels flagged to Honduras, Costa Rica, Nicaragua and Dominican Republic to engage in large-scale illegal fishing are the same routes utilized by maritime arms and drug traffickers.
13. In this way, IUU fishing may be regarded as the 'gateway' to broader transnational organized criminal activities, particularly drugs and arms trafficking in Jamaica.
14. Additional indicators underscoring this link, include the increased involvement of some fishing communities in criminal activities due to reduced livelihood options as a result of dwindling fish stocks and the reduction in the value of fish, coupled with an increase in the number of fishers and fishing vessels at sea. International competition from imported seafood, lack of deterrence (insufficiently severe penalties) and inadequate Monitoring, Control and Surveillance (MCS) and maritime law enforcement (MLE) operations, unwittingly foster an environment where some fishers and vessel operators are increasingly lured into drugs and arms trafficking.
15. **Short-term recommendations** to address these challenges include: acceding to and ratification of the PSMA by the Jamaican government; diversification of training programmes for fishers and vulnerable youth towards creating alternative livelihood options in light of them being an increasingly target for recruitment by criminal operators; increasing MCS & MLE operations on maritime trafficking routes, and heightened public awareness of the adverse impacts of IUU fishing and associated transnational organized crime on local communities.
16. **Long-term recommendations** include the introduction of stricter fines and penalties for the criminal actors involved and mandatory forfeiture of vessels engaging in large-scale IUU fishing. At a regional level, increased cooperation is needed to deter illegal fishing and associated organized crime.

In sum:

1. Dwindling fish stocks, reduced income and general socio-economic conditions in the region have rendered vulnerable coastal communities in the Caribbean more susceptible to

involvement in transnational organized crime. Women are increasingly observed as being involved in the smuggling of drugs and in human trafficking.

2. A wide variety of cargo is smuggled in the Caribbean, including drugs, guns and ammunition, wildlife, domestic animals, fuel and other essentials such as food and pharmaceuticals. The Caribbean islands function as transit countries between source regions (Central America, South America and West Africa) and the major destinations (USA, Europe, Canada and East Asia). One exception is TTO as a destination market for human trafficking victims forced into the sex prostitution.
3. In Jamaica, IUU fishing is one of the main threats to fisheries resources. It poses a threat to ecological systems, food security and economic security. Increased IUU fishing has rendered fishing being perceived as not being a viable income, which further facilitates vulnerable fishers and boat operators to engage in transnational crimes.
4. National, regional and international collaboration is critical to addressing the issue of goods smuggling, human smuggling and trafficking of illicit goods in the region. Locally, a diversification of training programmes for fishers and vulnerable youth might contribute to deterring involvement of such in organized crime. At a policy level, stricter fines and penalties for the criminal actors are recommended as preventative and deterrent measures.

General discussion

Discussion themes included:

- Regional collaboration on information sharing, routine reporting, observations and prosecution
- Law enforcement actions to prevent the smuggling of goods and humans in the region
- Methods and channels to hinder money laundering from THB, IUU, drugs and arms trafficking in the Caribbean