



Drug crime in the Port of Rotterdam: about the phenomenon and its approach

PUBLIC VERSION

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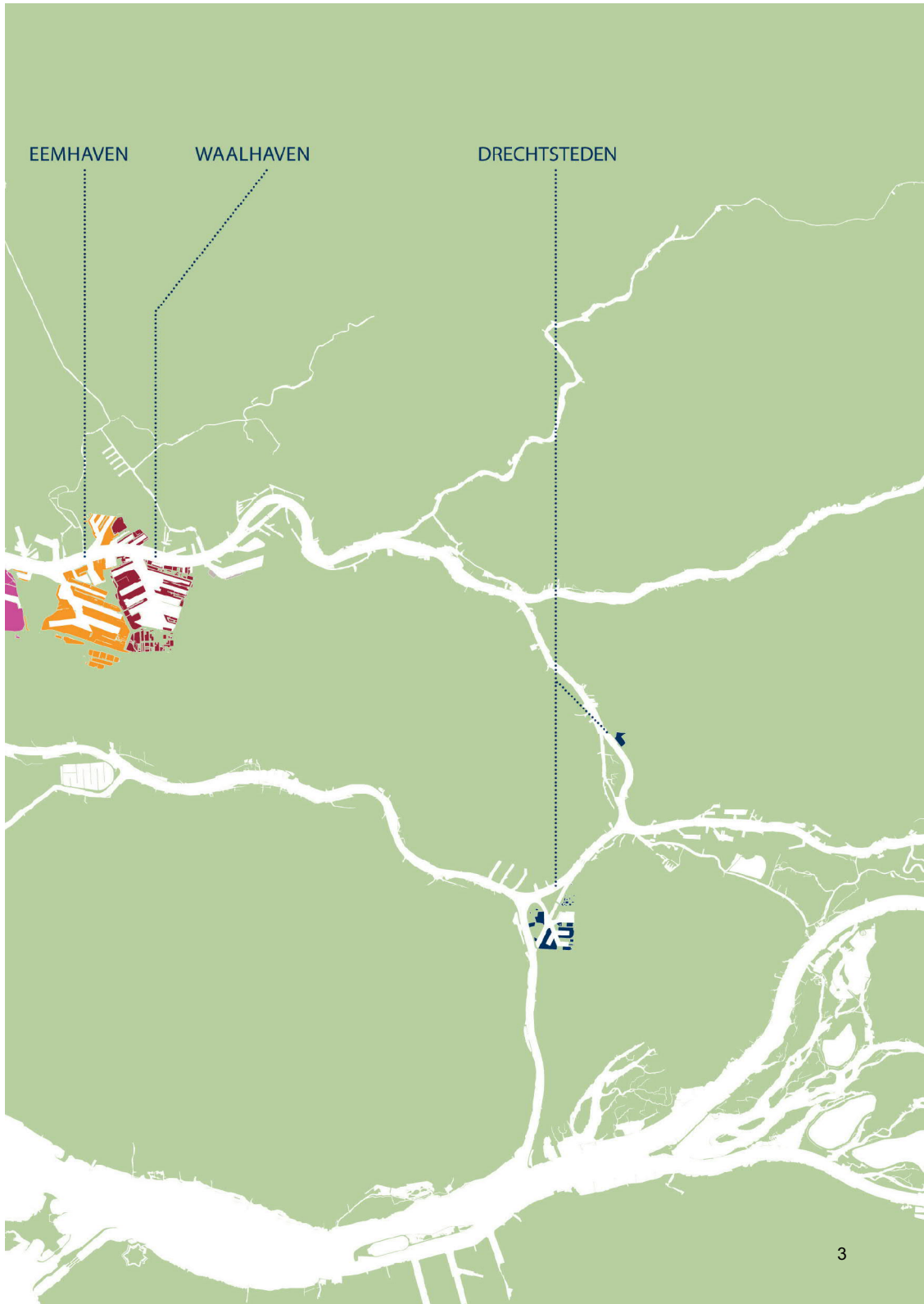




Photo: Gerhard van Roon, Kunst en Vliegwerk

Introduction

Rotterdam, May 2019

This public version is an adaptation of the research report *Drugscriminaliteit in de Rotterdamse haven: aard en aanpak van het fenomeen*, written by R.H.J.M. Staring, L.C.J. Bisschop, R.A. Roks, E.G. Brein and H.G. van de Bunt.

The report was written on behalf of Driehoek Plus (City of Rotterdam, Police, Public Prosecutor and Customs Rotterdam).

The study was supervised by a committee led by Prof. Dr. H. Nelen, Professor of Criminology at the University of Maastricht. The supervisory committee consisted of a delegation from Customs, City of Rotterdam/Department of Public Safety, Social Affairs and Employment Inspectorate, Port of Rotterdam Authority, Public Prosecutor's Office, Police, Fiscal Intelligence and Investigation Service (FIOD) and the Rotterdam Regional Information and Expertise Centre (RIEC).

This public version is a lay summary which follows the structure and layout of the report. The full report is available digitally and provides a complete picture of the findings.

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“Organised crime can only be successfully combated by an organised government that cooperates effectively and successfully with private parties.”

Foreword

The economic importance and success of the Port of Rotterdam are vast and comprehensive. The excellent facilities and natural advantages of the port complex are unfortunately also abused by criminals. In particular, the port is a logistics hub for the transit of drugs. Rotterdam is not unique in this.

Despite all the efforts and resources of governments and private actors, many logistics hubs of comparable size are confronted with this problem. These dismaying observations were recently substantiated by sizeable drug confiscations and incidental corruption cases in the Port of Rotterdam. Precisely these facts gave the impetus for the Rotterdam Driehoek Plus (police, Public Prosecutor's office, the City of Rotterdam, Customs) to commission the comprehensive study that you are reading about. From the outset, the Minister of Justice and Security emphasised the national importance of an integral analysis of drug crime in the Port of Rotterdam.

In this study, researchers from Erasmus University Rotterdam offer a thorough analysis of the phenomenon of drug crime in the Port of Rotterdam. They provide a full picture of the phenomenon in all its complexity. They extensively studied which structures, processes and systems are used and abused by drug criminals, including their suppliers and facilitators; which risks and vulnerabilities are relevant; how public enforcement, supervision and investigation can be organised and improved; how internal supervision and enforcement by private organisations play a role in drug crime and what improvements can be made in this regard. I am grateful to Erasmus University Rotterdam and the cooperating partners for the unique and illuminating picture that they present in this report.

The study leads me to the following main conclusions: the intensive, decades-long cooperation between public and private parties that has made the Port of Rotterdam one of the most successful ports in the world is also one of the keys to success in the approach to drug crime. Organised crime can only be successfully combated by an organised government that cooperates effectively and successfully with private parties.

Ahmed Aboutaleb
Mayor of Rotterdam



1. Drug crime in the Port of Rotterdam

Research questions and methodology

The Port of Rotterdam occupies an important economic position globally. As the largest port in Europe, Rotterdam is known as the gateway to Europe and the rest of the world. The quality of the port facilities and the efficiency in handling goods ensure a strong competitive position.

However, its key position in the storage and handling of the continuous and massive flow of goods as well as its modern infrastructure also make the Port of Rotterdam attractive for criminal activities. Rotterdam inadvertently became an important transit port for drugs, in particular for cocaine, because there are numerous possibilities for smugglers to take advantage of the cargo flows. More and more stakeholders are aware that – in order to be competitive - the port must also be a secure place, in both a physical and social sense. That is why there is a strong focus on security and resilience, including by means of digital technologies. A side effect of this is that cybercrime can pose a serious threat. In addition, security measures can be at odds with the economic objectives of private companies in particular, while also affecting the efficiency of the port as a whole. To achieve optimal conditions, there is a balance to be struck.

Research questions, methodology and data sources

This scientific study describes and explains the drivers and dynamics of drug crime in the port. In addition, it portrays the reactions of the government agencies and the business community which together shape the port. The research question is: what is the nature and extent of drug crime and the role of the transport and logistics sector in this form of crime in the Port of Rotterdam? Six sub-questions arise from this central question.

Research questions:

- What is the nature and scale of drug crime in the Port of Rotterdam?
- How is the port infrastructure used for drug trafficking?
- What are the risks and vulnerabilities of the port regarding drug trafficking?
- How is the surveillance, enforcement and investigation of drug trafficking carried out in the Port of Rotterdam?
- How effective is this surveillance, enforcement and investigation in view of the vulnerabilities?
- What improvements are possible?

To arrive at a sound answer to these questions, various research methods were applied, and several data sources were used.

Research methods and data sources:

- Literature review and document analysis: scientific and grey literature, press releases, government reports on the transport and logistics sector in the port. Added to this was statistical information from police sources, regional crime analyses, etc.
- Interviews and focus groups: individual interviews with employees of public services, private companies, industry associations and interest groups. Three focus groups were set up with practical experts. Many of the interviews took place in the Netherlands, and some in Antwerp and Hamburg.
- Analysis of police files: study of ten completed police investigations, selected based on a wide range of methods (modus operandi) and partnerships in the trafficking of cocaine.
- Crime script analysis: analysis of the modus operandi of drug trafficking with a focus on the successive actions in the logistics process.
- Sector scan: investigation of the wider environment, social context and economic conditions within which drug crime occurs.

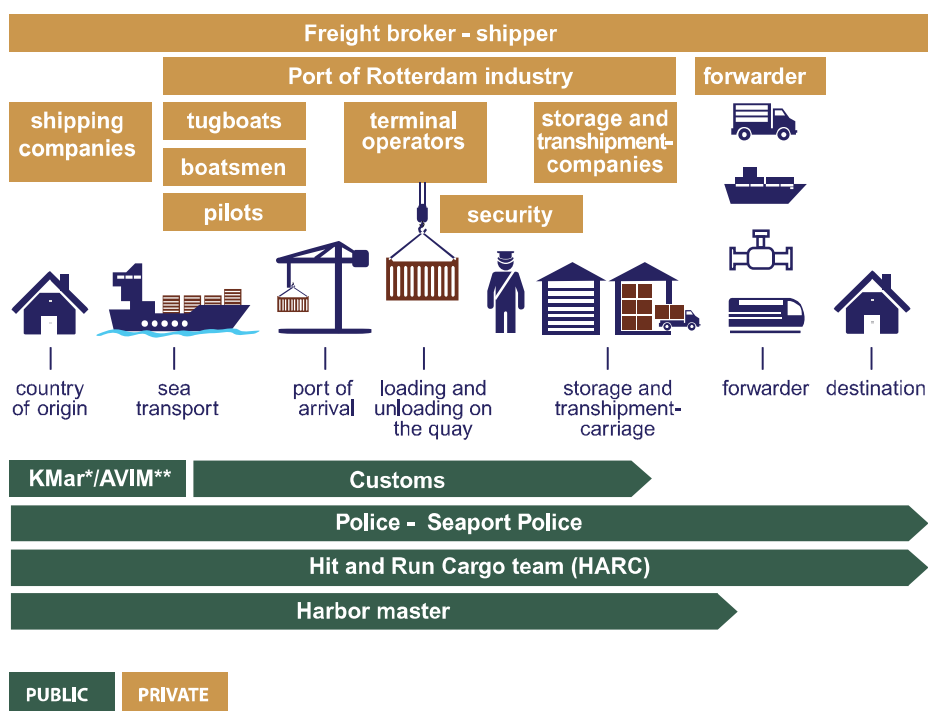
2. Public and private organisations

Actors and processes in the Port of Rotterdam

The Port of Rotterdam is one of the largest logistics gateways to Europe. The area covers more than 12,500 hectares and around 180,000 people work in the port every day. They work for private companies and for government agencies.

Briefly summarised, the logistics process consists of mooring ships, loading and unloading and transferring goods to terminals, and work at the terminals such as handling and forwarding goods. Due to the extent, dynamics and diversity of people and goods, the challenges in terms of security and crime are complex and varied.

Overview of actors in the process



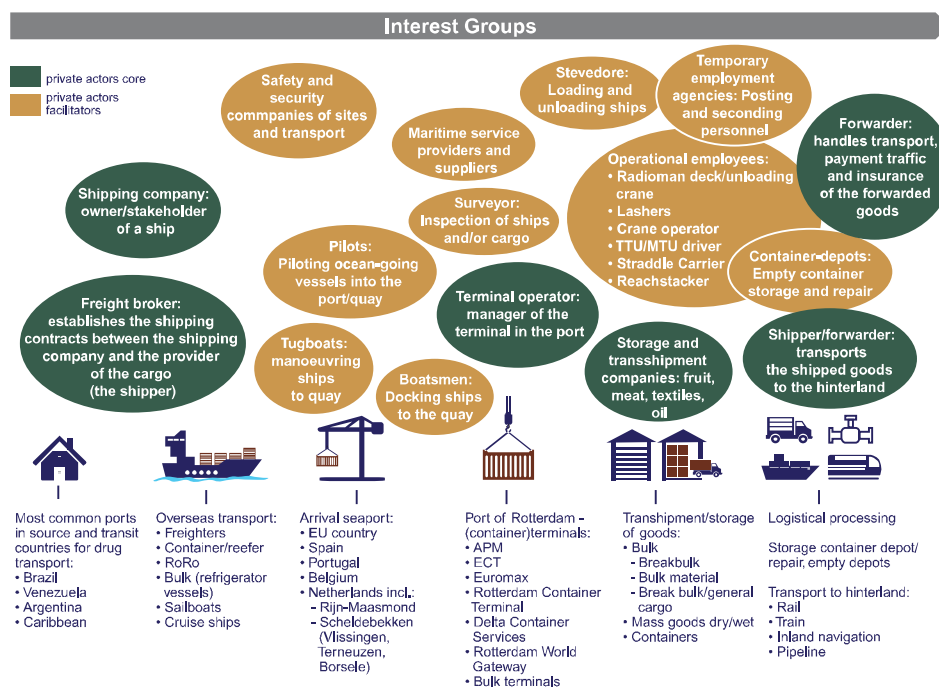
*) The Royal Netherlands Marechaussee safeguards the security of the state

**) Aliens Identification and Human Trafficking Division

The business community in the port

A diversity of companies is active in the port. Rotterdam is strongly connected by means of global technological developments and is known as one of the most digitalized ports in Europe. The focus lies on efficiency and security. Within the 'private actors', a distinction can be made in terms of functionality. Some of the organisations, such as shipping companies and terminal operators, are directly involved in logistics. Others, such as warehouses and stevedores, facilitate the process.

Overview of private actors



As owners of seagoing vessels, the shipping company is an important actor. Shipping companies specialize in specific types of cargo: containers, bulk goods or mass goods. They usually outsource the crewing of the ship. Goods are transported at the request of the shipper, who hires a carrier for transport and a forwarder for facilitation and paperwork. When the cargo arrives, the terminals handle its unloading and the storage of the goods. Terminals handle the (automated) processing of the cargo by loading and unloading (ocean-going) vessels and temporarily storing goods. This is the first place where the goods - and therefore also any smuggled goods - go ashore. Terminals

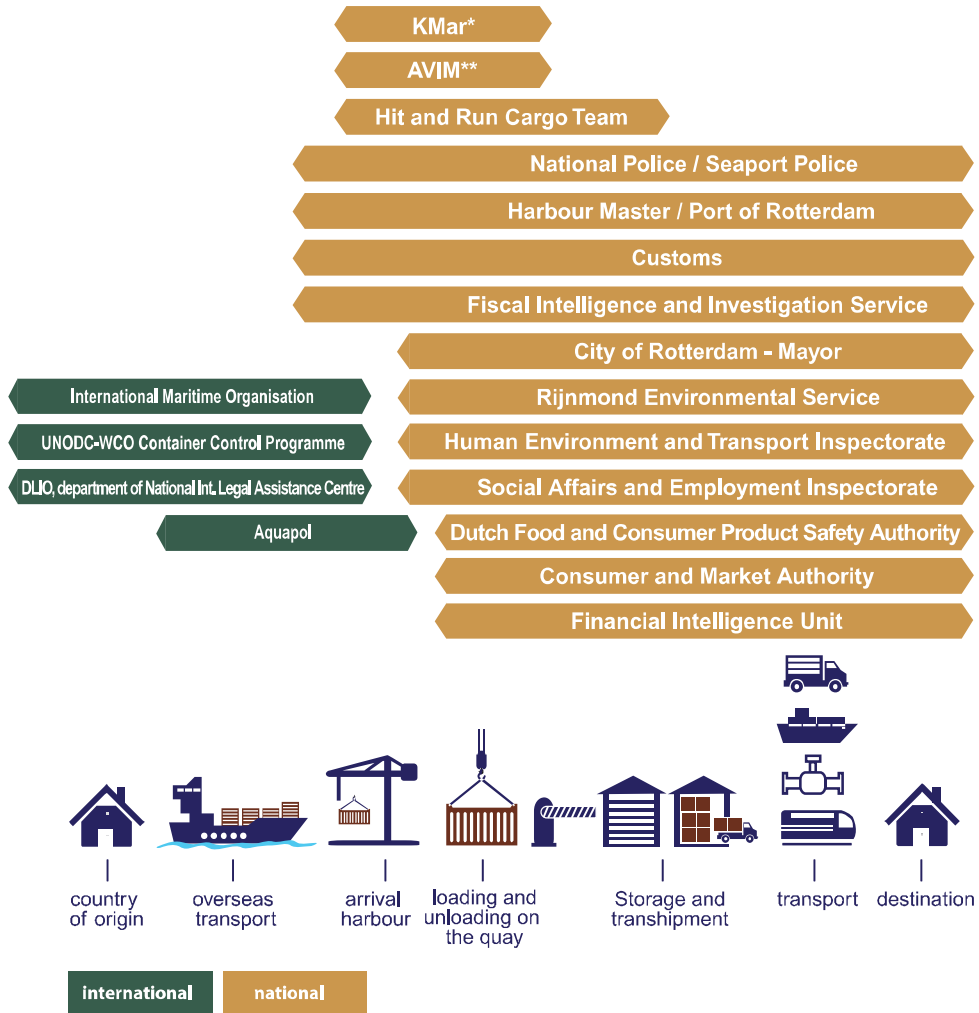
specialise in specific types of goods: containers, dry bulk (such as grain or iron ore), wet bulk (such as crude oil) and break bulk (general cargo). Transshipment companies, storage companies and carriers are also central parties in the logistics process. Forwarders and brokers have a role in facilitation and administration.

Incoming ocean-going vessels are brought in by pilot vessels and accompanied by towing services for berthing and unberthing. Boatmen (roeiers) handle the securing of large ships to the quays. Various operational employees are involved in loading, such as crane drivers and lashers. Once containers are released by Customs, they are transported to the recipient. The goods can also be unloaded from the containers, after which empty containers are taken to container depots (empty depots) for repair or storage. Other facilitators include companies that provide maritime expertise or services, security guards, (temporary) personnel, financial services (such as banks and insurers) and other service agencies, such as technical inspection agencies and private detectives conducting investigations for insurance companies. The Port of Rotterdam Authority, which has been privatised since 2004, plays a crucial role, because it is responsible for the development, management and exploitation of the terminals and the port's industrial complex. Moreover, the public branch of the Port Authority, called Harbour Master Division is responsible for the safe, smooth, sustainable and secure handling of shipping. Another important player is the Deltalinqs business association, which represents the interests of logistics, port and industrial companies and works on innovation, security and market accessibility.

Government agencies

The port area houses business parks, port facilities and all kinds of connections, but no residential areas. Although the port is geographically demarked, crime control and prevention demands an integrated and cross-border approach to security. Its supervision encompasses not just the traditional services of Seaport Police, Customs, Public Prosecutor's Office (OM) and the Fiscal Intelligence and Investigation Service (FIOD), but also other public and private organisations. After all, supervision of the logistics chain also requires the involvement of agencies in the field of transport, the environment and the like. The 'public actors' can be divided into two groups. The first involves port-specific services, such as Customs, the police and the Harbour Master. They are directly responsible for goods and persons sailing into the port. Then there are services with indirect responsibilities for infrastructure, port companies and employees.

Overview of private actors



*) The Royal Netherlands Marechaussee safeguards the security of the state

**) Aliens Identification and Human Trafficking Division

Based on Article 172 of the Gemeentewet (Municipalities Act), the Mayor of Rotterdam is charged with maintaining public order. The Harbour Master is responsible for safe navigation. This body focuses on scheduling and admitting ships, inspection, enforcement and control in the field of the environment and site security. The core task of Customs is to counter goods smuggling and collect import duties.

Customs inspects the cargo based on risk profiles. Most cargo is transported in containers, but bulk and mass goods are also transhipped in the Port of Rotterdam. Of the 7.5 million containers that pass through the port annually, 40,000 are inspected with an X-ray scanner and 6,500 are actually opened. Since 2018, there has been a central control point on the Tweede Maasvlakte, which several controlling bodies use. Customs works together with the Seaport Police, FIOD and the Public Prosecutor in the HARC team (in full: Hit and Run Cargo Team, composed of investigators and a permanent public prosecutor), specialising in investigations into drug trafficking and criminal networks. The HARC team has the legal means and authority to intervene if drugs are discovered. The (Seaport) Police are an important actor in the port because they are responsible for nautical surveillance, environmental enforcement, combating crime, border surveillance and handling incidents on the water.

Supervisors with more indirect responsibilities in the port include the Rijnmond Environmental Service (DCMR), the Human Environment and Transport Inspectorate (ILT) and the Social Affairs and Employment Inspectorate (ISZW). The organisations - whether or not port-specific - meet in various forums. The Regional Information and Expertise Centres (RIEC), the Rotterdam Rijnmond Security Region (VRR), the Haventafel (port table) and the Mainportoverleg are examples. In such programmes as Integere Haven (port with integrity), public and private actors work together to promote port integrity and security. The Platform Crime Control Rotterdam-Rijnmond and the Information Sharing Centre are other examples of public-private cooperation. Also important is the 'eyes and ears' agreement that the Seaport Police have concluded with the boatmen.

Vulnerabilities to drug crime are influenced by such factors as policy and legislation at a supranational and European level. As a consequence of EU regulations, the trade between EU countries is subject to fewer controls (free movement of goods and services). The resulting lower chance of being caught during drug transports, according to respondents, applies equally when it comes to trade with countries outside the EU. This is because, due to the massive size of the port, it is never possible to inspect all cargo for smuggling. *Just-in-time management* is necessary for rapid, economically efficient handling of goods. And this is at odds with the interests of surveillance.



***“We often catch the drug pickers,
and that’s it. I don’t do major,
long-term investigations about
criminal partnerships.”***

3. Nature, scale and social organisation

Cocaine and smuggling networks

A scientific study from 1996 showed that drug trafficking in the Port of Rotterdam consisted chiefly of marijuana, hashish and cocaine. Today, Rotterdam is seen primarily as the European centre of the import of cocaine, together with Antwerp and the Iberian Peninsula.

This is demonstrated by the amount of smuggled drugs and the fact that the Rotterdam police regularly track down drug criminals from abroad. It is plausible that a large proportion of the cocaine is destined for transit to other European countries.

Origin and scope

The cocaine that is destined for the Netherlands and Europe seems to come mainly from Ecuador, Peru and Venezuela, with other Latin American countries acting as transit hubs. It is virtually impossible to accurately assess the total quantity of drugs produced and smuggled worldwide, particularly because there is little consensus about the global production of cocaine. According to an estimate by the United Nations Office on Drugs and Crime, this level reached a record high of 1.4 million kilograms in 2016, with Colombia, Peru and Bolivia as the largest producers. Around the year 2000, some 160,000 kilos of cocaine were exported to Europe every year, a quarter of this to Rotterdam. However, reliable data are lacking. According to one respondent, there is hardly any competition between the drug networks and the cocaine has an undiminished high sales price; market factors that may indicate a large supply of the drug.

Most drug seizures in Rotterdam are attributable to Customs and the HARC team. The quantity of drugs seized varies greatly: in the years 2015 to 2018, 4,656, 13,312, 5,264 and 18,947 kilos of cocaine were consecutively discovered in the port. This fluctuation can have various causes, such as changes in supervision, in smuggling methods or in registration. In addition, smugglers sometimes divert to the port of Antwerp, and 'outliers' can be related to the seizure of one or a few large parties. For this reason, investigative services often attach more value to the frequency of confiscations. A blind spot is the export of drugs. There are indications that drugs produced in the Netherlands leave our country via the Port of Rotterdam. Law enforcement agencies focus much less on export.

The social organisation of drug crime

For many people, drug networks evoke associations of criminal enterprises organised along ethnic lines and cartels with a pyramidal, hierarchical structure. Far more than these Mafia-type organisations, organisations with a small core and informal, flexible structures are active in the Netherlands. The general picture is that of ethnically heterogeneous networks, varying in occupation and well embedded in the port.

Ten police investigation cases

The authors of the study report came to their findings based on interviews with a large number of professionals in the Port of Rotterdam. They also paid field visits to the Ports of Rotterdam, Antwerp and Hamburg. The study of ten police investigations from the period 2013-2017 was also of great significance. It demonstrated how multifaceted smuggling cases can be. Aspects of port crime that emerged in the study included dumping drugs at sea, circumventing inspections, theft of cargo, 'switching' of containers and corrupt employees providing information to criminals. In addition to illustrating the broad range of smuggling methods, investigations yield information in four areas:

- the (inter) national character of networks and activities
- the roles and specialisms within the networks
- the embeddedness of these partnerships
- undermining and the role of violence

When drugs arrive in Rotterdam, they have already been on quite the journey: production in the (mostly Latin American) source country, placement on a ship and a sea voyage. Law enforcement agencies operate locally and drugs usually only get in their crosshairs when these have reached the Port of Rotterdam. Cooperation with 'South America' is time and labour intensive. Unfortunately, these agencies have a fragmented view of the smuggling. Because of their mandates and their lack of capacity, they focus on dealing with operational matters and not on continued investigations. As a respondent from Customs indicates: 'We focus on the inspection of goods. If we find drugs, we hand them over to the HARC team.' The HARC employee, in turn, says: 'We often catch the drug pickers' and that's it. I don't do major, long-term investigations about the criminal organisations.' The result is that, in particular, criminals from the last link in the smuggling process come into the spotlight. Further investigation of underlying networks is in the hands of the

Regional Investigation Service, the National Investigation Service and the National Police Unit. According to the respondents, such continued investigation frequently does not happen, so that the 'higher segment', that is to say the organisers and financiers of drug transports, stay out of the picture.

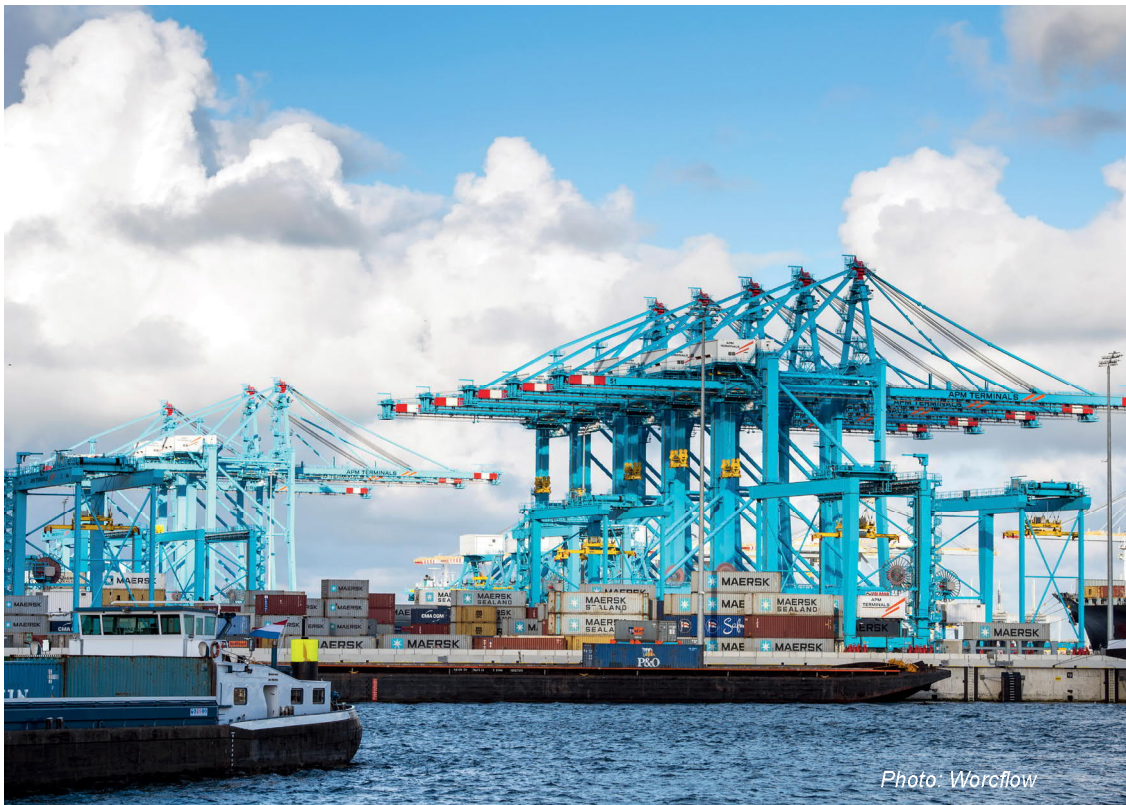
Criminal networks are described by respondents as well-organised logistics companies, with departments such as security, transport and development. Though they can certainly be compared with legal enterprises, smuggling networks are more fluid in composition. Indeed, one can speak of a sort of 'Yellow Pages', where you can select and call someone to handle a criminal job. In terms of roles and task areas, there are managers, specialists, facilitators and executors. A specialist, for example, might be a diver who secures drugs dumped at sea, a facilitator a corrupt port employee who lends his access card to criminals or provides them with information about inspections. Executors are mainly the 'drug pickers', in other words the people who take the drugs from the container, the cargo or ship, and secure them.

Social embeddedness

Partnerships do not develop along ethnic lines, or if they do this is only to a small extent. What ties members is mainly financial gain and competences, just like in the legal business community. In criminal organisations trust is key, even more than in the upperworld. There is no clear answer to the question how members get to know each other, but friendships, family ties and locations play a role. The studied police files show that suspects may have met, for example, in a bar in Rotterdam South (social setting). But the business setting in the port itself - with its flow of goods, employment opportunities and infrastructure and with this the chance of successful criminal activities - brought suspects into contact with each other.

A major difference from the legal sector is the use of violence. Conflicts over (intercepted) cocaine have led to assassinations and other excessive violence, with the 'Mocro Mafia' as the most recent example. But this is not commonplace. Criminals are generally aware of the disadvantages, such as unwanted attention from the police and the deterrence of (potential) business partners. Some respondents use the word 'undermining' in relation to violence: 'Undermining is mainly in the interface between the upper- and the underworld, as well as in its invisibility. Shootings that occur in Zuid (the southern part of Rotterdam) are often drug-related.' Undermining is a term that is used and implemented in various ways in the realm of security. A common idea is that in undermining crime

(ondermijning), society is systematically compromised by criminal activities, formal (rule of law) and/or informal (reputable relationships). Some respondents therefore see 'undermining' as an indicator for setting (political) priorities in terms of security policy.



4. The logistics process of drug trafficking

Smuggling scripts and bottlenecks

Criminals are inventive and agile in their smuggling methods. Unlike law enforcement agencies, they function outside of a legal framework and have few capacity problems. So they are usually one step ahead. As one of the respondents says: 'When the security of terminals became too tight, smugglers started dumping drugs at sea.' Nonetheless, it is a complex challenge to successfully organise drug trafficking.

Expertise and resources are needed, in addition to effective use of infrastructure, in particular transport. Sometimes criminals handle the entire smuggling process, or they control the company where the cargo is delivered. In most cases, however, the drugs hitch a ride with existing (bona fide) transports. When the smuggled goods arrive at the port, there are two clear bottlenecks: getting through inspection and removing and securing the drugs.

Crime script analysis

To gain a complete view of and discover patterns within the various smuggling methods, the researchers did a so-called 'crime script analysis'. With this research method, the focus is not on the backgrounds or motivations of individuals or organisations, but on the successive actions of perpetrators. This paints a picture of the different phases of the crime (in this case cocaine smuggling) and thus of the decisions that criminals must make at each stage. It can offer supervisory services the opportunity to map out intervention options.

Three smuggling scripts: container, cargo and ship script

Based on the logistics process of cocaine smuggling, the many smuggling methods can be clustered in three smuggling scripts: the container script, the cargo script and the ship script. This maps out the smuggling process and offers insight into intervention moments and locations: where and when can law enforcement agencies intervene? In addition, scripts make clear what knowledge and expertise the criminals need in the source and transit countries to make smuggling possible.

In the container script, the drugs are hidden in the container; not among the goods, but for example in the floor, the ceiling or in the cooling system of the container. The smuggled goods are built into the structure of the container. This requires technical knowledge of the container and insight into the transport process. The drugs must be collected in Rotterdam, which also takes some time. In other scenarios within this script, the drugs are added later in the smuggling process and, for example, placed in sports bags behind the door. Drugs are also moved to safe containers (switch scenario). This usually involves the cooperation of a corrupt employee in the source country, who places the drugs and provides new container seals.

In the cargo script, the drugs are hidden between or 'under' the cargo. Fruit and frozen fish in particular lend themselves to this. The contraband can also be hidden in bulk goods (so no containers are used), such as asphalt and aluminium. In other cases, the drugs are sent to private individuals (who are often involved in the smuggling), such as household contents from Surinam or the Antilles. In the third scenario, the drugs are 'processed or 'absorbed', for example dissolved in liquid which is part of the regular cargo. This requires specific knowledge of chemistry.

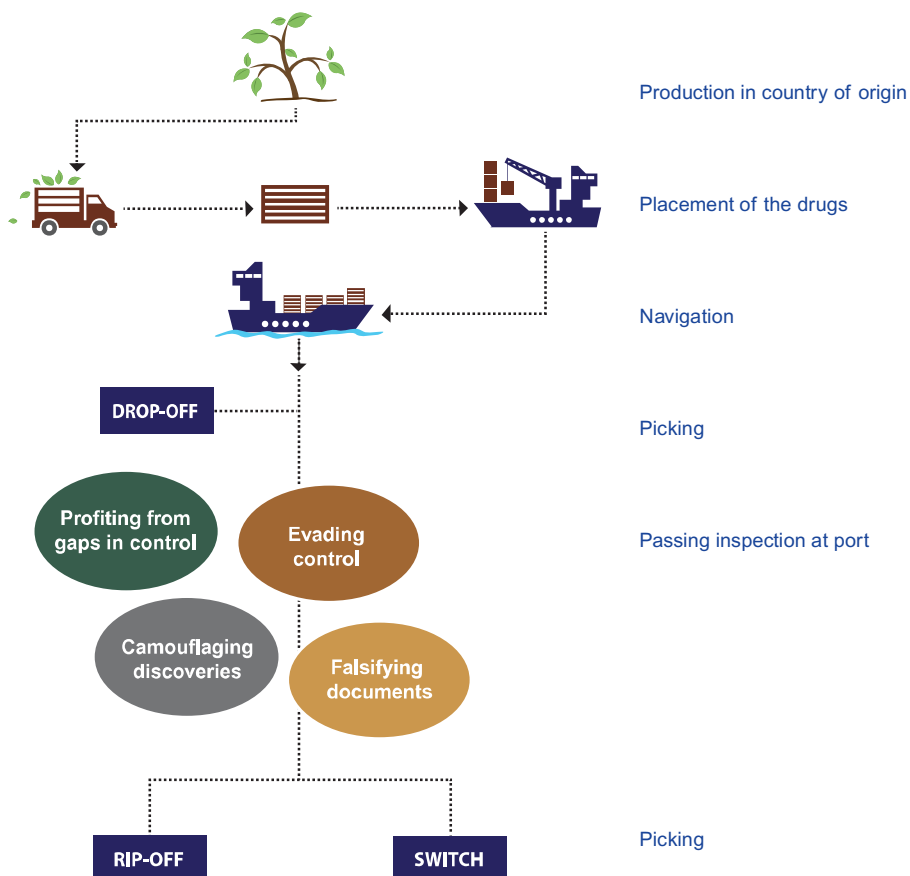
In the ship script, drugs are hidden on the ship (for example in the hold or the vent pipe) or on the outside of the ship. Drugs on the ship can be secured via the dropping scenario, where the contraband is thrown overboard before the ship has reached the port. In the run down scenario, the drugs are removed as soon as the ship is moored. Drugs 'on the ship' are removed in the port without the smugglers actually boarding the ship. In one of the dossiers studied, it appeared that suspects had searched the internet before transport for Latin American ports with coal or ore tankers. However, the cargo does not really matter. What is essential is access to the ship in the source country, some knowledge of the ship and cooperation on board.

Bottlenecks: passing surveillance and securing the drugs

When drug transports arrive at the port, there are two possible 'bottlenecks' for smugglers. The first bottleneck is passing the locations of surveillance. Criminal organisations depend on non-traceable hiding places and/or corrupt port employees, who help circumvent inspection. Overall, three methods can be distinguished:

- Using flaws in control systems. In the container script, fruit transports are frequently chosen. Because of the perishable product, rapid processing is required, which can be at the expense of inspection. In general, economic interest and security are in conflict in the port. Documents, such as Customs declarations, can also be forged.
- Circumventing inspections. This can be achieved by, among other things, bribing port personnel who, for example, ensure that a specific cargo is not checked, or that the drugs are moved to a 'safe' (already inspected) container. Controls can also be circumvented by moving the drugs overboard before entering the port.
- Bribing government employees to camouflage discoveries.

Smuggling process



In general, there are three ways for the 'drug pickers' to secure the drugs. In the rip-off method, the drugs are removed from the container. In the switch scenario, the contraband is transferred from the yet to be inspected container to a container of which it is known it will not be inspected, or which has already been inspected. In these cases, there is help from a corrupt port employee, by taking out the drugs, providing access to the port area or moving the container to a safe place. The third option is the drop-off method. Here, the drugs are secured before the port is entered, for example by being dumped at sea. The packages are put overboard by ship's crew and picked up by small boats or fished out of the water.



“When the security of terminals became too strict, smugglers started dumping the drugs at sea.”

5. City ports and the Maasvlakte

Vulnerable locations in the port

The crime script analysis provided insight into the logistics process of smuggling. In addition, it is important to know why the Port of Rotterdam is the widely used scene of drug crime. Studying the social context of smuggling offers scientific insight into the problems and possible areas for improvement

The vulnerabilities of the infrastructure

Why is the port so favourable for smuggling? The same qualities that the port offers for legal activities are used for illegal ones; the geographic location, the economic efficiency and the excellent infrastructure make the port popular with criminals, too. *The Gateway to Europe* has a unique position in volume trading and the combination between transshipment and industry. 'The elephant in the room, the largest logistics hub,' says one of the interviewees. Unlike heroin, cocaine is mainly transported by sea. Rotterdam is the first port of call for many shipping lines from Latin America. Transoceanic drug trafficking lines have emerged from this. The two segments of the Port of Rotterdam - the city ports and the Maasvlakte - each have their own vulnerabilities.

Over the centuries, Rotterdam has developed from a small medieval fortified city to the metropolis of today. The growth of the city is inextricably linked to the development of the city ports, which took shape in the Industrial Revolution, such as the Waal port and the Entrepot port. Thanks to the deep channel, large ocean-going ships can unload their cargo almost inside the city. The city ports thus offer direct access to Rotterdam and the hinterland. Terminals where fruit and vegetable containers are located are vulnerable locations to collect drugs. Certain measures are taken, partly under political pressure, such as the introduction of access passes. A certain company decided to take security measures on its own initiative ('... which cost a fortune', says one respondent). Some industrial sites and also empty depots, where empty containers are stored, are less heavily protected and therefore also suitable locations for removing drugs. It is also not always clear where the responsibility for security lies; with the government or with companies.

In addition, some of the respondents at the law enforcement agencies point out the vulnerabilities of the neighbourhoods adjacent to the city port. There are various companies, specifically in the car industry, that are described as 'shady'. Not far from the city ports are several (sometimes vacant) companies or locations that are not directly related to cocaine imports, but which do have to do with drug crime in general and in particular money laundering.

With almost 40 km², the Maasvlakte accommodates the lion's share of the Port of Rotterdam. And the terminals are much larger than those in the city ports. As far as the Maasvlakte is concerned, it is mainly its vastness and remote location that makes the area attractive to smugglers. There are also good road connections with 'civilisation'. Container terminals and empty depots are also popular places on the Maasvlakte to collect drugs. To do this, the criminal must have access to the location, as well as to information: where is 'my' container? The high degree of automation of the business processes on Maasvlakte 2 means that fewer unauthorised persons are present on their site, but also makes the companies susceptible to hacking or other forms of cybercrime.

Access to sites and information

The container terminals are often mega-companies where many people are legitimately present; from technicians to freight forwarders and from truck drivers to port authorities. Many of them - including non-permanent employees - have an access pass. But this system is vulnerable. Employees are regularly offered money to lend out their cards. They can be offered thousands of euros, according to one respondent. In addition, government officials - who drive onto the site with a recognisable car - need not always identify themselves. And in other cars, sometimes not all the passengers are checked. Access to the sites by water is considered a blind spot. The companies and law enforcement agencies do not know much about these access routes.

Getting the drugs out requires some familiarity with the port site. But above all, the smuggler must know where to find the container with his drugs on the gigantic port site. This proves relatively easy; the digital systems in which information about the location and cargo of containers is stored are not always well protected. Sometimes dozens of employees in the logistics process - many more than strictly necessary - have access to the information. Many of them have already been approached by

criminals. There are cases in which corrupt employees not only provided information about the position of a container, but also provided the criminals with advice on how to circumvent inspections. Leaking this information probably causes more harm than tips on individual containers.

Sometimes port employees are not even needed: a number of companies inform the customer via the track & trace system - at any time and in great detail - where his cargo can be found. Here, once again, we see the paradox of economy and security. The same systems that offer efficiency are vulnerable when it comes to *safety and security*. It also becomes clear that optimum security is always an interplay of technology and people. The latter are perhaps the most precarious link.

Measures focused on security

Because of its magnitude, the *Port of Rotterdam* can never be completely secured, but improvements are possible. There are companies that work with biometric access cards, for example based on fingerprint recognition. This makes it impossible to enter the port area with someone else's pass. Disadvantages are the high costs and the fact that an employee can still perform actions for the criminal, such as removing drugs from a container. An option is to link access passes to work schedules; then the employee does not have 24/7 access. An additional problem is that many employees enter the site by car. Checking for 'hitchhikers' - for example in the boot - is time-consuming.

Work is also being done on logging (following up and recording) movements. The computer continuously keeps track of what the employees are doing, where they are and where the containers are located. However, this does not prevent the transfer of information to criminals. To reduce the chance of this, the transparency of information systems must be reconsidered, so that fewer people have access. In the words of a respondent: 'Why do I, as security guard, have to know where the container is?' One of the dossiers examined revealed the vulnerability of relatively easily accessible information. Here, a corrupt Customs officer provided criminals with information about weak points in the control and surveillance system. Partly based on this, Customs recently took several measures including separation of tasks between those who determine which inspections take place and those who carry them out.

Administrative and private law instruments

Administrative law and private law can be used as a third measure against drug crime. An example of administrative law is closing an industrial site if smuggled goods are found (restoring order and public safety). This is only possible under specific conditions. One of the respondents notes that tougher action is often taken if drugs are found in a home. Nonetheless, there are cases in which administrative instruments were or could be used. If, for example, drugs were found at a fruit company, this could result in the premises being closed. It would, however, then have to be demonstrated that the company consciously cooperated. It is being studied to what extent issuing an area ban, so that pickers could no longer get away with a small fine, is among the options. This would be used, for example, in Waalhaven, which has already been classified as a safety risk area due to previous gun violence. This would make it possible for the police to do preventive searches.

As manager and developer of the port, the Port of Rotterdam Authority is responsible for assigning a large part of the sites. Before a new company is given the right to establish itself, it is subjected, in cooperation with the police and the municipality, to the integrity check 'Know your customer'. This pilot was started in 2018 in Waalhaven and Eem port. Whereas in the past a reliable financial position was sufficient, these days the potential customer is screened more broadly, including on possible criminal antecedents of the managers. 'Know your customer' is considered a success and will be rolled out across the entire port. Companies are also monitored by the Port Authority after their establishment, in cooperation with the Seaport Police.



Photo: Worcflow



“You can’t open every box of bananas and then every banana inside, though the drugs can be in there, too.”

6. Vulnerable sectors in the port

Sectors that are vulnerable to drug crime

Criminals take advantage of gaps in transport and supervision. Their focus is on lines from Latin America and on certain goods, companies and sectors that offer more opportunities for drug trafficking. Fruit lines, the transport sector and some other services are vulnerable to drug crime for various reasons. In addition, facilitators can play a role, such as notaries or brokers.

Regardless of the sector, characteristics can be distilled that may make a company attractive to criminals, such as a poor financial situation or little attention to security. Public and private actors have already taken various measures to contain the risks.

Fruit lines, transport sector and textile trade

Exotic fruit is a popular 'cover cargo' for drug trafficking. Like Antwerp, Rotterdam is an important transfer location for fruit. This commodity often comes from the same countries where the cocaine is produced or is in transit. In addition to the fact that fruit - which is transported partly in containers and partly via pallets in refrigerated vessels - offers a good hiding place, it demands efficiency: perishable goods require swift customs clearance. As one of the respondents says: 'You can't open every box of bananas and then every banana inside, though the drugs can be in there, too.' History shows that usually an employee of the fruit company (without the knowledge of management or colleagues) is involved in the smuggling and that the criminals have extensively investigated which lines they can abuse. Other indicators are the relatively high number of reports of burglaries at fruit companies and that importers sometimes the cargo to be a few kilos lighter than the 'bill of lading' (shipping document) indicates.

Firstly, it is the market structure that makes the transport sector vulnerable to smuggling. It is an industry with only a few major actors; shipping companies that control the entire logistics chain, from ship to terminal to further transport. In addition, the market is characterised by loose relationships between trading partners and obscure prices; in short, there is little stability. The fast line to the hinterland is a risk factor as well. Respondents point out that there is little monitoring of inland shipping and trains when it comes to possible involvement in crime. One of the dossiers

showed that road transport can also be vulnerable. As a planner at a transport company, a suspect had passed on the numbers and pin codes of containers to smugglers.

The vulnerabilities of some sectors are hardly documented in scientific or other sources. Nonetheless, a few of our respondents indicate that they have observed activities that indicate irregularities. Other vulnerable sectors are suspected to include shipments of household goods from the Antilles and meat, scrap, coal and textiles import. Respondents point to the rag trade, where hardly any regular business activities seem to be carried out. These enterprises may facilitate the smuggling of hashish from North African countries. Past studies have also shown a growing role for these countries as a transit port for cocaine.

Companies and crime

Legal businesses can be the victims of drug crime because smugglers use their cargo to hide drugs. Companies can also consciously cooperate in illegal activities or even be established for smuggling purposes. A possible - but inconclusive - indicator for criminal infiltration is the financial health of a company. Small companies in a competitive and unstable market, such as the transport sector, have low income security. They may be sensitive to criminal contacts or infiltration. For law enforcement agencies, pricing, related to investments and operating costs, is an important indicator of potentially illegal activities. 'A young transport company that drives below the market price but has a nice fleet of vehicles might be involved,' one respondent gives as an example. Sometimes other 'illogical' financial factors seem to be a more important indication of criminal involvement than the financial health of the company itself.

However, being able to determine what is illogical requires extensive knowledge of the specific (sub) markets; knowledge that is not always present. The degree to which the business organisation (administration, personnel, legal) is in order can also be an indication. In industry, maintenance and transport, some forty percent of employees work on a temporary basis, and external specialists are also hired, such as surveyors. Few of these flexible employees are subjected to thorough screening for integrity. According to various respondents, this is problematic. As one of them says: 'You have inflow, through-flow and outflow. People often focus on screening employees beforehand, but a person can also become susceptible to temptation once they are already employed.' Screening during the employment contract can therefore be useful, and

attention should also be paid to follow-up after dismissal or departure (of a possibly corrupt employee). Sometimes corruption is kept under cover for fear of damage to reputation in private and public organisations.

For years, some private and public actors in the port had a culture of tolerance. People often looked the other way when observing suspicious activities, as well as if they saw unscrupulous behaviour by a colleague such as lending out a pass. Companies were more inclined to take action in the event of financial disadvantage (such as theft of their cargo), but less so in the case of crime of which they were not victims (such as drug trafficking). But the culture of turning a blind eye is gradually shifting to the idea of common responsibility for a safe and secure port. In addition to political pressure and fear of damage to reputation, this lies in the realisation that crime can also put employees at risk. Real openness does not yet exist, because this could lead to a compromised image. But one notes an unmistakable trend.

The massive nature of trade makes complete monitoring of the flow of goods impossible. Before a ship enters the port, Customs has already determined, based on a risk analysis, which inspections will be carried out. Along with the country of origin, the type of goods is an important factor, if possible linked to information about the company. But this method is not watertight. A ship from a safer country can also transport drugs that may or may not have been placed in a transit country. In addition, fraud with risk analyses must be prevented. This is done via digital 'alarm bells' and a separation of tasks between the person who determines the nature of the inspection and the one who carries it out. But information remains vulnerable. If an employee shares risk profiles with criminals, they can adjust their behaviour accordingly. For this reason, Customs also carries out inspections based on random sampling. Respondents point to two gaps in this context: a lack of cooperation with source countries and the fact that investigation is almost exclusively focused on import. The export of Dutch drugs has no priority.

Private responsibility

The private sector is increasingly aware of the importance of a secure port. More companies are seeing security as an integral part of policy, even if they have not yet been confronted with crime. This leads them to invest in (expensive) tracking systems and training courses on integrity. In addition, better systems of self-regulation and meta-regulation are being used. The awarding of certificates of reliability is becoming stricter and more attention is paid to personnel policy. Whereas at Schiphol

(Amsterdam Airport), employees with crucial jobs undergo AIVD (intelligence service) screening, in the port usually a VOG (Certificate of Good Conduct) is considered enough. And as mentioned earlier, often there is no periodic screening of people already employed; however, you can also become susceptible to offers from smugglers later during your employment. Finally, too little attention is currently paid to employees suspected of assisting criminals. Usually, other companies are not informed of the employees' temporary or definitive departure, meaning that they can work elsewhere in the port. Government organisations, too, sometimes keep this information under wraps. Progress in the fight against drug crime will depend partly on the possibilities of sharing information and the willingness to do so. In addition, security must form an integral part of business processes and corporate culture. This is the so-called *security by design*, whereby security is no longer an afterthought.

Incorruptible port

The role of the business community is essential. Reports about people climbing over fences, shady businesses, people appearing on sites at illogical times, etc., come from them. So it is important to broaden an awareness of collective responsibility. This goes beyond the behaviour of individual employees. Organisations must establish a culture in which their employees are safe - and possibly rewarded - if they report improper behaviour. In the words of an interviewed employee: 'You can also be critical with respect to your customers. Of course, you can work for just anyone, but sometimes you can also say: 'No, that's a line I won't cross!'. Of course, managers should set a good example. The Integere Haven programme has been providing a link between the public and private sectors since 2013. This partnership between the municipality, the Public Prosecutor's Office, the police, Customs, Deltalinqs (the business association in the port) and the Port Authority encourages professional behaviour in the port.



Photo: Claire Droppert

7. Cooperation in the approach to drug crime

Opportunities for public and private partnerships

Whereas for a long time, security was primarily a matter for criminal justice agencies, nowadays people recognise the importance of an integrated security policy. Administrative and criminal justice agencies as well as the private sector take joint responsibility. In addition to reacting to incidents, a proactive approach to crime is the focus.

Prevention, control and follow-up also play a role. Optimal cooperation between parties requires better information exchange, coordination of tasks and understanding of each other's vision and objectives.

One government

The view that undermining, as a criminal and social problem, requires a structural approach is widely supported. Both the Rutte III cabinet coalition agreement and the Future Agenda on Undermining (2017) have laid down this idea of 'one government'. But this is easier said than done. Government agencies in the port have different tasks, for example focused on investigation or financial information. This complicates coordination and fragments enforcement. Over the last twenty years, good progress has been made in the cooperation between government agencies. An example of this in the port is the HARC team and a more general example is the Regional Expertise and Information Centre (RIEC), in which information of various kinds (fiscal, economic, etc.) is exchanged. The RIEC is still at the start of further cooperation in the port. A limitation is that - based on privacy legislation - information *may* not always be shared. It is also sometimes unclear whether there is a legal restriction on the exchange of information. A prerequisite for successful cooperation is that all relevant parties are involved.

Mentality

'Investigation only follows once we have found something. The suspect is less relevant to us when we are in the control phase.' These words from a respondent who works at Customs illustrate the difference in core tasks, but also a difference in *mentality*. This refers to the values and perspectives of employees. What is the vision in terms of security? And when does undermining exist? When there is serious crime, corruption of port employees, or is disruption of society through violence a condition?

The perception between public and private parties, but also between or within government bodies, is sometimes very different. This can have consequences, for example, for the follow-through after observations (whether to report suspicious acts). Respondents expressed concern about a bit of administrative blindness to certain forms of undermining crime. In the context of drug crime in the Port of Rotterdam, as well, they felt that there is too little awareness among some actors about how the government can be undermined by drug crime. In their eyes, little was done with reports about the piggybacking of drugs on the legal logistics process, in other words in the legal economy. Varying mentalities are not in themselves an obstacle to successful cooperation if the parties are aware of each other's vision and focus.

Public cooperation

Partly due to their different focuses and authorities, law enforcement agencies also differ in terms of objectives. For example, whereas one institute focuses on 'quick blows' (such as 'sweeping' for drugs), the other thinks more of the 'long haul', for example collecting strategic information about a criminal organisation to gain insight into undermining. Every organisation has its own targets, method of evaluation and success indicators. Then there are differences in method: whereas one supervisory body focuses strongly on technology, the other relies more on the *Fingerspitzengefuehl* of humans.

In addition, there are barriers to sharing information. Though the General Data Protection Regulation (GDPR) sets restrictions, it does not prohibit all exchange of information. Further exploration of the legal possibilities is often worthwhile. Respondents also pointed to a lack of willingness to share information or case studies, particularly by the police and Customs. Finally, linking databases, including with the inspection services, would provide information. A significant difference between the company's investments (Chamber of Commerce database) and the director's tax payment (Tax Authorities database) can be an indicator of criminal behaviour. The supervision of integral cooperation lies formally with the Mayor, and the daily practice with the HARC team, Customs and the Seaport Police. Bottlenecks mentioned by public authorities are the often-cumbersome organisational structure (with periodic reorganisations), a lack of capacity and a dearth of legal resources and sometimes of personnel quality. Factors that are much less of a concern for most criminal organisations.

Upstream disruption

To gain a better view of drug trafficking, more international cooperation would be useful. Progress is visible, but the geographical focus still remains - partly because of limited capacity - mainly locally, at the Port of Rotterdam. Canada, the United States and the United Kingdom have invested much more in cooperation with the countries where drugs are produced: so-called upstream disruption. Incidentally, the efforts of Latin American governments against drug trafficking are sometimes underestimated. However, according to various respondents, the crux is rather in the Netherlands, where according to them too little is done with information from the source countries. This often has procedural causes. As one respondent indicates: 'Just let me speak directly with the Seaport Police. But that must be done through ninety channels, so sometimes the ship has already sailed!' Others believe that political will is lacking.

Private and public-private cooperation

For private organisations, surveillance is not the core business, apart from private security personnel. Nonetheless, there are companies in the port that consider security a priority and seek cooperation in this - amongst themselves or with government agencies. Here they must often overcome a certain hesitation. There can be fear of compromised reputation (keeping bad news quiet) or of sharing information with the competitor, but also simply a shortage of time. Companies are increasingly realising that they share in the responsibility for a safe port. However, the companies responsible for the vulnerable empty depots are not yet discussing this among themselves. Some shipping companies are also not very willing in this regard; container terminals are often much more cooperative. Pressure can, however, indeed be exerted, for example if fruit retailers choose not to buy products from specific locations.

One of the respondents says: 'Under the motto "we work, you supervise", there was a wall between companies and government agencies before 1980'. In 2019, there was growing awareness that a safe port is everyone's concern, and that cooperation is a prerequisite for success. The Integere Haven programme focuses on this. The employees of companies represent a unique potential for supervision; because of their number and the many signals they pick up during their work. They are the eyes and ears of the port, sometimes recognising that something is wrong faster than Customs does. In addition, thanks to their expertise, companies are often more innovative.

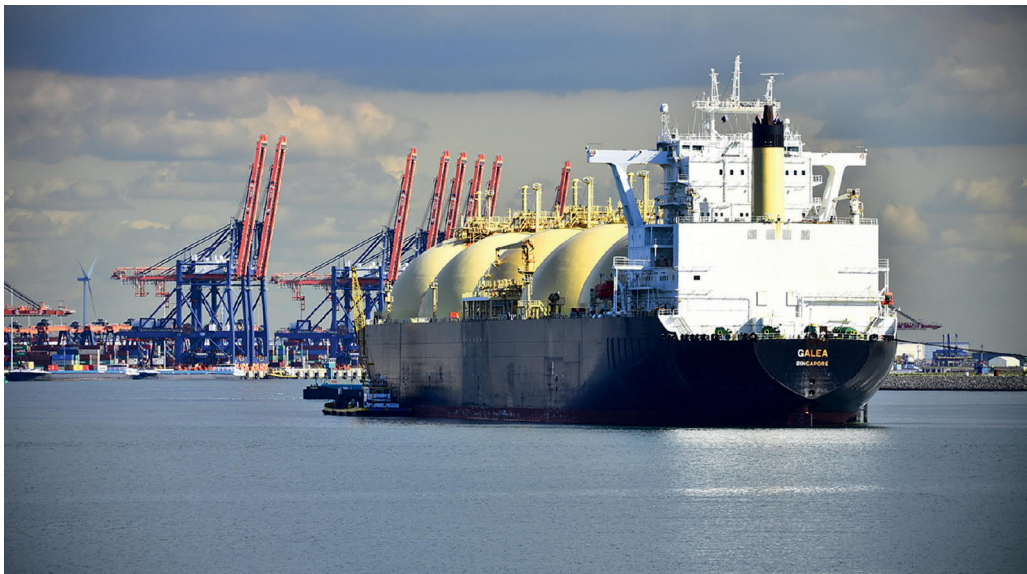
The Integere Haven programme is a public-private partnership. The programme comprises three cornerstones: improving the security of port sites, promoting ethical behaviour and better screening employees are the topics that it addresses. The objective for the future is to focus on case studies and improve the position in terms of information. A number of companies now participate in working groups within the programme. Possibly, screening personnel and maintaining a good security policy may in the future be conditions for the use of the port site, in the same way environmental and economic concerns are.

In Antwerp, the Antwerp Port Authority was important in engaging private parties. In the Netherlands, the government could perhaps take an even more active role. But a fruitful cooperation will not arise without effort. Mutual trust is essential and will have to grow. Formally, the directing role in the port lies with the mayor. Respondents observe that the current mayor clearly takes the lead in tackling undermining in the port, but they also point to the importance of structurally embedding this approach in the public domain. In daily practice, cooperation is steered by the HARC team, Customs and the Seaport Police. Companies prefer this because the lines are shorter. It is a good thing that the government increasingly sees companies as equal partners and does not excessively favour top-down management.

As is the case between the various government agencies, there are differences in mentalities between public and private parties. Whereas, for example, the government 'scores' with the arrest of a corrupt port employee, this will more likely cause harm to the company in question. That explains the frequent hesitation when it comes to reporting observations. Consideration must be taken of the sensitivities of companies on this point.

The option of reporting anonymously can stimulate willingness to report. This also applies to creating a better information infrastructure and giving good feedback when reporting (alleged) crime. The question arises is where the responsibility of the terminal and the carrier ends and that of the government commences, including financially. A more intensive role in supervision for companies requires investment. In addition to time spent, equipment such as surveillance cameras or more secure systems may have to be purchased. Such measures as stricter control at the gate can also come at the cost of efficiency. It is important that not only companies but also government agencies make these investments for their personnel and sites.

A few respondents are positive about the open dialogue and shared objectives. Well-functioning partnerships have also been realised. For example, the Seaport Police concluded an agreement with the boatmen, who as an organisation are permanently (24/7) in the port and make their way to locations that often remain out of sight. The *Information Sharing Centre* is also a good example: the security managers of the Rotterdam container terminals have been holding periodic joint consultations for the last five years. Experiences at the operational level are discussed in the presence of Customs and the Seaport Police. Respondents feel that the strength of the Information Sharing Centre lies in its small scale and recognition of the common objective. 'It is a small group of people who seem to be cast in the same mould. This is where the strength and trust lie', says one of them.



8. Recommendations

Reference points for a further approach

The study ‘Drug crime in the Port of Rotterdam: about the phenomenon and its approach’ by the Criminology department of Erasmus School of Law (EUR) provides a broad and in-depth picture of the smuggling of drugs in the largest port in Europe.

Based on their findings, criminologists have arrived at six reference points for supervision, enforcement and investigation. With the annotation of legal feasibility and desirability, these offer reference points for making the Port of Rotterdam less vulnerable to drug trafficking.

Reference points for a further approach

1 Focus on vulnerable locations and sectors

Certain locations in the city ports and on the Maasvlakte, as well as some sectors (such as fruit and transport), appear to be particularly attractive for drug trafficking. It could be explored how administrative and private law instruments can be used to combat this. Administrative measures can include closing a building if a company does not follow the rules, or a more intensive approach to money laundering. For this to succeed, the Municipality of Rotterdam must work closely with other (security) partners, whereby it is essential that information can be shared, for example within the cooperation structure of the Regional Information and Expertise Centre (RIEC). The latter also applies to the use of private law resources. This may involve more stringent personnel policy, whereby existing employees are also periodically screened. Awareness training on drug crime could be intensified.

2 Invest in technology and in people

The port is increasingly secured by means of digital technology. This is a good thing, but the critical human factor in this scenario must also be considered. Simultaneous and combined use of technology and people can counteract the mechanical nature and predictability of technology and optimally exploit the knowledge and intuition of humans. An example involving people and technology is linking (biometric) access passes to work schedules. In addition, investments can be made in the digital separation of tasks, whereby information is less broadly accessible, and in the

logging of employee actions. Finally, determining which containers should be inspected should be based on more than an automated risk analysis alone. Because after all, this information may have been passed on to smugglers. Spontaneous inspections such as have now been introduced based on the knowledge and experience of employees increase the risk of spotting crime.

3 As a government, facilitate awareness with companies

Despite the conflict between economic interests and security, a cultural shift seems to be occurring. Under the influence of political, administrative and social pressure, the business community is becoming increasingly aware of the importance of a safe and secure port and of its shared responsibility for this. This consciousness can be facilitated through training, application of the 'train the trainer' principle and the efforts of sector organisations and trade associations. It is also advisable to provide feedback on law enforcement investigations outcomes to companies that have reported incidents. The government, as well, can play a role in advising on operational management, personnel policy and other ways in which companies can fight drug crime.

4 Invest in the systematic and sustainable use of already implemented measures and their enforcement

It is recommended that the knowledge and expertise of the various parties be collected at a central location. The Regional Information and Expertise Centre (RIEC) as an existing knowledge centre would be suitable for this. With this knowledge, which must be constantly fed and increased from the various stakeholders, the various facets of drug trafficking and the related forms of crime will be better understood. In a think tank with private and public parties, this knowledge can be transformed into innovative and practicable measures. Here it can be advised that independently operating academics with expertise in the areas of (organised) drug crime critically reflect on the development of knowledge and ideas.

5 Invest in the sustainable use of information and better insights into the global nature of criminal networks

The attention of government agencies is primarily focused locally. It would be good to gain more insight into the various facets of the logistics process. When it comes to drugs, after all, the Port of Rotterdam is frequently a transit point between

source countries and destination countries. The municipality could invest in systematic knowledge about such issues as smuggling methods, partnerships and the underlying monetary flows. The export of drugs also deserves more attention. In addition to legal exploration of the possibilities for sharing such information, this also requires a cultural shift within the organisations concerned.

6 *Explore the possibilities of enforced support versus facilitated support*

Cooperation between the government and the business community could be achieved via two (maximum) scenarios. In the first, more repressive variant, standards are set for companies in terms of their business processes and security measures. If they fail to comply with these, they can be confronted with administrative measures such as a fine or even closure of the site or company. A second scenario is cooperation based on the idea of 'positive security'. Here, the expertise of public and private parties is brought together in a setting of equality and encouragement. The Information Sharing Centre and the Integere Haven programme are good examples of this. Additionally, in the future, the Port Authority could play a greater role in promoting the security and integrity of companies in the Port of Rotterdam.



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