

ECASBA POSITION PAPER



THE MOVEMENT OF ILLICIT GOODS AND MATERIALS

BACKGROUND:

Maritime transport and European ports are increasingly being used by organised crime to facilitate the movement of illegal, dangerous, counterfeit, and other undesirable goods and materials (illicit goods and materials) to, from, and across the European Union. Staff working in ship agencies, as well as seafarers and employees of terminals, ports and other transport modes, are therefore being directly targeted by organised crime groups to provide sensitive information and access to systems.

ECASBA POSITION:

Given the direct impact the movement of illicit goods and materials to, from, and across the European Union is having on the maritime transport chain, and the individuals working within it, all parties, (including the European Union, Member State governments, national authorities and security services, and individual companies), must work together seamlessly and with a shared commitment to effective cooperation, to disrupt the movement of such goods and materials. ECASBA therefore supports the aims and objectives of the European Port Alliance Public and Private Partnership (EPA), and pledges to support its aims and objectives.

The following issues are important for the agent:

- The EPA must deliver tangible and effective solutions to address the direct impacts on companies and individuals of the movement of illicit goods and materials, ensuring so far as possible that those companies and individuals are protected, supported and able to undertake their normal operations and activities in safety
- The EU, Member States and national authorities must work together to provide clear legal and fiscal frameworks across all relevant jurisdictions to allow for enhanced cooperation in the fight against the movement of illicit goods and materials, ensuring that companies are clear on their obligations and responsibilities and can operate with certainty and clarity. It may be necessary to amend certain EU laws, for example the General Data Protection Regulation (EU 2016/679), to allow appropriate information sharing under clearly specified conditions, in support of the fight against organised crime
- Member States and national authorities should therefore consider companies operating in the maritime transport field as committed partners in preventing the movement of illicit goods and materials. Where incidents have arisen because of employees being implicated in illegal activities, or where company systems have been compromised, authorities should approach the company in a spirit of cooperation and collaboration, recognising that the company is fully committed to resolving the issues and addressing any internal vulnerabilities that may subsequently be identified. Where those companies have taken direct and demonstrable action to prevent infiltration by organised crime, those actions should be duly accredited and acknowledged
- Companies cannot be expected to take direct action against organised crime and therefore security forces should establish direct links to support companies and provide guidance to both prevent infiltration and take supportive action should it occur

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PARTIES INVOLVED:

- ECASBA Members
- Other parties in the maritime transport chain (CLECAT, ECSA, ESC, ESPO, FEPOR, WSC)
- EU, Member States, national authorities, and law-enforcement agencies

VALIDITY:

Ongoing

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