

THE MARITIME ANALYSIS AND OPERATIONS CENTER (NARCOTICS) IN LISBON – A BACKGROUND PAPER ON THE FOUNDATION AND SUCCESSSES OF THE EU’S PRIME LAW ENFORCEMENT BODY FOR THE PREVENTION OF TRANSATLANTIC NARCOTIC DRUG SMUGGLING

Narcotic drugs are smuggled from the Americas to Europe and many parts of the World. While opium, cannabis, hashish or other drugs are mainly coming out of Asia or Africa and are channelled and smuggled to Europe mostly on a land passage (or very short maritime routes), cocaine is mostly produced in Columbia, Peru and Bolivia but also other South and middle American countries and is trafficked to North America and Europe and other parts of this globe by help of smuggling on airplanes and maritime smuggling pathways. The European War on Drugs concerning cocaine and the transatlantic smuggling pathway is depending on the interception of this maritime smuggling pathway since large quantities are shipped on the sea way and only smaller quantities are trafficked by aircrafts. The smuggling techniques are varying as are the common and joint law enforcement strategies.

This background paper describes the Maritime Analysis and Operations Center (Narcotics) of the European Union that has been founded by seven EU member states in 2007 and which is an EU law enforcement unit that aims at intercepting the drug smuggling in the Atlantic Ocean. It is run by the Portuguese Government in Lisbon, co-financed by the EU and is co-operating with law enforcement units in the USA, South America and Africa as well as INTERPOL and EUROPOL.

The paper starts with the original wording of the MAOC (N) self-description and its mission statement. It focusses on the international cooperation of the MAOC (N): Success stories and seizures of the last two years 2020/2021 are listed and shortcomings and possible future co-operations are discussed.

Furthermore it discusses limitations and omissions of the MAOC (N). Finally it concludes that more EU member states should contribute actively in the management and operations of the MAOC (N).

Key words: International Customs Law, Illicit Trade, Smuggling, Illicit Drugs; War on Drug, Law Enforcement, INTERPOL, EUROPOL, European Commission, Co-operation, Capacity Building.

JEL Classification: F 53, K 33, K 42.

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1. Introduction

The transatlantic drug smuggling from America to Europe and Africa is traditionally of great importance because of the cocaine cultivation in South America and because of the current cocaine production peak of even greater importance for the security and customs authorities, since the smuggling and distribution with Sailboats, motor yachts, fishing or merchant ships (in cavities or outboard), with self-propelled semi-submersible vehicles or drug torpedoes is rising to an all time high. A little-known transnational anti-smuggling unit based in Lisbon/Portugal actively analyzes and combats maritime smuggling – the Maritime Analysis and Operations Center (Narcotics), which is presented in this background paper.

Little is known about the MAOC (N) in the media and even in expert customs circles.¹

2. Foundation of the Maritime and Operations Center (Narcotics) (MAOC-N)

This section investigates the foundation and scope of the MAOC (N) by help of the original wording of the MAOC (N)-homepage:

¹ Entries in two encyclopaedias exist: <https://en.wikipedia.org> and <https://wirtschaftslexikon.gabler.de>.

“The Maritime Analysis and Operations Center – Narcotics (MAOC (N)) based in Lisbon is an initiative of 6 EU member states (France, Ireland, Italy, Spain, the Netherlands and Portugal) as well as Great Britain and is supported by the International Security Fund co-financed by the European Union. The center provides a forum for multilateral cooperation to combat illicit drug trafficking by sea and air. Although the center has been in operation since April 2007, it was officially opened in Lisbon on September 30, 2007 following the signing of an international agreement by the ministers of each partner country.

The MAOC (N) is a European law enforcement unit with military support that coordinates maritime and air transport intelligence, resources and trained personnel to respond to the threat of illicit drug trafficking by sea and air. The headquarters are operated by liaison officers [so-called. Country Liaison Officers (CLOs)] who represent the police, customs, military and maritime authorities of the participating European nations, as well as a permanent observer from the United States through the Drug Enforcement Administration, the Lisbon Country Office and the Joint Inter-Agency Task Force South.

The European Commission, EUROPOL, the United Nations Office on Drugs and Crime (UNODC), the European Center for Drug and Drug Addiction (EMCDDA), the European External Action Service (EEAS), the European Defense Agency (EDA), EUROJUST and FRONTEX are all observers of the MAOC (N). The success of MAOC (N) can be attributed to other factors besides the information provided, such as the working model (liaison officers work together with full transparency and equality) as well as the civil-military liaison and cooperation with West African countries. The MAOC (N) model, labor practices and operations are conducted in a format that aims to minimize bureaucracy while maximizing operational activity.”²

3. Mission statement of MACO (N)

What is the MOAC (N) way of operating? Its mission statement has been published on the MAOC (N)-internet site, highlights its way of action and is printed here:

“The mission of MAOC (N) is to support Europe’s fight against drug trafficking in the maritime areas of the Atlantic and Mediterranean. How do we want to achieve this?

Ensure we are visible, relevant and credible by:

- Bringing together and responding to actionable information and instructions from multinational law enforcement agencies
- Conflict resolution, development and support of coordinated interventions
- Support of investigations and maritime surveillance
- Improving our knowledge and understanding of the maritime sector, identifying development opportunities
- Share more information and work together to fill intelligence gaps
- Build effective partnerships with relevant stakeholders to create a hostile environment to combat drug trafficking
- Innovation – search for better solutions for new and future challenges.”³

4. Global collaboration

The MAOC (N) co-operates with the member states of the EU-27, the UK and countries in Africa, North, Central and South America. And that is a necessary and very successful strategy of combating international drug trafficking.

The MAOC (N) transparently explains on the Internet how it was founded and how it is financed. The successes are obvious (see Section 5).

It is interesting, however, that only six of the 27 EU member states are working openly together with the help of the MAOC (N) in the fight against narcotics smuggling (criticism and call for in-depth cooperation, see Section 6).

5. MACO (N) successes

From 2007 to the end of August 2021 the MAOC (N) supported the coordination and seizure of over 231 tons of cocaine and over 643 tons of cannabis.⁴

² MAOC (N) – description of its history, tasks and successes see URL: <https://maoc.eu>, in particular here “Who we are”, see <https://maoc.eu/who-we-are/>.

³ MACO (N) – Our Mission Statement, see URL: <https://maoc.eu/our-mission>.

⁴ MAOC-N, URL: <https://maoc.eu/who-we-are/>.

List of individual seizures in the years 2020/2021 (going back chronologically):⁵

11/29/2021 Spanish authorities seize 4.7 tons of cannabis resin with the support of MAOC-N.

11/09/2021 MAOC-N supports Senegalese cocaine seizure off West Africa.

10/19/2021 MAOC-N supports Portuguese seizure of 5.2 tons of cocaine.

10/16/2021 2500 kg of cocaine seized by the Spanish authorities with the support of MAOC-N.

10/08/2021 MAOC (N) supports the seizure of 1,100 kg of cocaine in the English channel.

09/30/2021 Brazilian authorities confiscate cannabis cargo from Fernando de Noronha. 09/29/2021

The British Minister for Europe and America in the Foreign, Commonwealth & Development Office visits MAOC-N.

09/27/2021 MAOC-N supports Spanish seizure of 1.2 tons of cocaine from stateless yachts. 09/24/2021

French customs confiscate over 4 tons of cannabis in the Mediterranean. 09/13/2021 MAOC-N supports the seizure of 2.3 tons of cocaine in the UK.

09/06/2021 MAOC-N supports the seizure of cannabis off Sardinia.

08/10/2021 MAOC-N supports the seizure of 20,000 kg of cannabis off the Canary Islands.

07/30/2021 MAOC-N supports the Spanish seizure of 15,000 kg of cannabis in the Strait of Gibraltar.

07/27/2021 MAOC-N supports the Spanish seizure of 1000 kg of cocaine.

07/09/2021 The Prime Minister of Cape Verde visits MAOC-N.

07/01/2021 MAOC-N supports the seizure of 8,400 kg hashish off the Senegalese coast. 06/25/2021 Italian authorities, with the support of MAOC-N, seize 6000 kg of hashish. 06/25/2021 MAOC-N supports the seizure of 1 ton of cocaine as part of a British and Spanish operation.

06/21/2021 Brazilian authorities, with the support of MAOC-N, intercept a sailing ship loaded with hashish.

06/07/2021 MAOC-N supports the Spanish seizure of over 22 tons of hashish off the Canary Islands.

05/02/2021 MAOC-N supports the Spanish seizure of over 7 tons of hashish.

04/20/2021 The French Navy intercepts a sailing ship with 210 kg of cocaine in the Caribbean.

04/09/2021 EU Commissioner Ylva Johansson in Lisbon: Visit of the Maritime Analysis and Operation Center (Narcotics).

03/30/2021 Over 18,000 kg of cannabis were confiscated by the Spanish authorities off the Canary Islands with the support of MAOC-N.

03/23/2021 French authorities, with the support of MAOC-N, seize 6 tons of cocaine in the Gulf of Guinea.

02/24/2021 MAOC-N supports the seizure of 3 tons of cocaine by the Spanish authorities.

02/16/2021 MAOC-N supports the seizure of Brazilian cocaine in front of Recife [Brazil].

02/14/2021 MAOC-N supports the seizure of 100 kg of cocaine by the Portuguese authorities.

01/28/2021 MAOC-N supports the seizure of 4.2 tons of cocaine in the Caribbean by a French frigate stationed in Martinique.

01/04/2021 MAOC-N supports the Spanish seizure of 18 tons of hashish.

11/11/2020 Utilizing behavioral analysis to prevent cross-border crime – WindWard webinar.

10/26/2020 340 kg of cocaine seized by the Dutch authorities.

10/23/2020 1200 kg of cocaine confiscated in Las Palmas, hidden in a load of corn.

10/01/2020 Over 30 tons of hashish were confiscated during a major Spanish operation in the Atlantic.

09/14/2020 1 ton of cocaine intercepted by Spanish authorities on board a sailing ship. Spanish authorities seized 1,200 kg of cocaine from a sailing ship destined for Galicia.

08/24/2020 MAOC-N supports the Portuguese seizure of 326 kg of cocaine in Madeira.

06/19/2020 MAOC-N participated in a multinational anti-drug operation led by the Colombian Navy – Orion V.

05/06/2020 MAOC-N supports the seizure of 500 kg of cocaine in Hamburg, Germany.

04/30/2020 International cooperation leads to the seizure of a large load of hashish off the coast of Senegal.

04/30/2020 400 kg of cocaine for Europe confiscated in Trinidad and Tobago.

04/29/2020 Over 4 tons of cocaine seized by the Spanish authorities in the Atlantic Ocean.

04/06/2020 4000 kg of cannabis confiscated during a Spanish operation in the Mediterranean Sea.

⁵ A list of MAOC-N supported seizures and links to detailed press releases about each case are available under the URL: <https://maoc.eu/news-maoc/>.

04/02/2020 The Spanish authorities seized more than 2500 kg of cocaine in Galicia.

03/06/2020 Over 5000 kg of cocaine were confiscated by the Dutch authorities in Aruba.

02/10/2020 411 kg of cocaine were confiscated in a joint operation by the Ivory Coast and the French Navy.

01/30/2020 Sailing ship loaded with 1820 kg of cocaine intercepted by Portuguese authorities.

01/20/2020 MAOC-N supports the Portuguese seizure of 3500 kg of hashish.

01/20/2020 Sailing ship on its way to the Canary Islands with 1500 kg of coca-in intercepted.

6. Call for participation from Belgium, Denmark, Germany, Finland and Sweden (plus Malta)

It is surprising that only six of the EU-27 member states work openly with the MAOC (N). Major seafaring nations in the North do not officially cooperate, but regularly receive important information: Belgium, Denmark, Germany, Finland and Sweden (in alphabetical order). One of the five largest economies in the world – Germany – officially only has observer status and should in future actively participate in the MAOC (N) and provide personnel and organizational support. In order to make the EU war on drugs a success story, it is of the utmost importance to cooperate on all missions, in particular on irregular sea warfare and drug smuggling at sea, its detection and interception and the funding of such analysis and law enforcement operations. Malta should also be asked to cooperate in order to contribute its experience as a hotspot between Africa and Europe. In addition, a deeper cooperation of the MAOC (N) with Croatia, Greece and Cyprus is urgently advisable and desirable.⁶

7. Summary and Evaluation

The major problem with transatlantic drug smuggling is the voyage in international waters with unclear national responsibilities. Thanks to its international cooperation, the MAOC (N) approach is particularly suitable for countering organized crime. The success model of the MAOC (N) is characterized by close European cooperation and collaboration of various stakeholders (responsible authorities), who put the common success in the foreground. The MAOC (N) is hardly known to the general public and customs circles in Germany (in the international press, however, the MAOC-N appears regularly in the reporting and there is also an English Wikipedia entry).

In 2007, this intergovernmental analysis and operations unit based in Lisbon was founded by (then) seven EU member states with the aim of merging customs administrations with air and naval forces, the national police authorities (EUROPOL and INTERPOL), coast guards and secret services to combat drug smuggling across the Atlantic by sea off Africa, Europe and South and Central America – it represents the most important law enforcement unit of the EU to combat transatlantic maritime narcotic drugs smuggling.

The Brexit at the end of December 2020 made a lot of intelligence and administrative cooperation more complicated in Europe – including the security cooperation. Fortunately, the UK continues to work successfully side by side with the six partnering EU countries in the MAOC (N). Germany has (only) an observer status.

One is inclined to ask why Germany, Belgium, Denmark, Finland and Sweden do not play a more active role in the MAOC (N) in the transatlantic fight against drug smuggling. As soon as the drugs reach the EU mainland, distribution in the entire internal market is ensured from the point of view of the drug cartels due to the open borders.

INTERPOL and the UNODC, as well as US security services and the military in Brazil, Colombia and other South African countries, work with the MAOC (N) to stop drug deliveries.

The European Commission, EUROPOL, the European Center for Drugs and Drug Addiction (EMCDDA), the European External Action Service (EEAS), the European Defense Agency (EDA), EUROJUST and the European border protection agency FRONTEX have observer status.

Perhaps the most outstanding seizure, which was successfully coordinated with the participation and leadership of the MAOC-N, was the seizure of the first transatlantic drug submarine with cocaine from South America, which sailed across the Atlantic and was picked up off the Spanish coast, in November 2019 with its cargo of 3.8 tons of cocaine (a first proven case) – but that was a topic of two other background papers.⁷

⁶ Weerth, What is the Maritime Analysis and Operations Center of the EU? EU's Answer on the War on drugs, Center for Customs Law and Customs Research, 2020, DOI: 10.13140/RG.2.2.10465.53606.

⁷ Weerth, 2020a, Weerth, 2020b.

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МОРСЬКИЙ ОПЕРАТИВНО-АНАЛІТИЧНИЙ ЦЕНТР З БОРОТЬБИ З НАРКОТИКАМИ У ЛІСАБОНІ – ДОВІДКОВИЙ ДОКУМЕНТ ПРО ЗАСНУВАННЯ ТА УСПІХИ ГОЛОВНОГО ПРАВООХОРОННОГО ОРГАНУ ЄС ІЗ ЗАПОБІГАННЯ ТРАНСАТЛАНТИЧНІЙ КОНТРАБАНДИ НАРКОТИКІВ

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Наркотичні засоби контрабандою переправляються з Америки до Європи та багатьох частин світу. У той час як опіум, марихуана, гашиш та інші наркотики в основному надходять з Азії чи Африки та переправляються та контрабандною вивозяться до Європи здебільшого сухопутним шляхом (або дуже короткими морськими шляхами), кокаїн переважно виробляється в Колумбії, Перу та Болівії, а також в інших країнах Південної та Середньої Америки та переправляються до Північної Америки, Європи та інших частин земної кулі за допомогою контрабанди в літаках та морських контрабандних шляхах. Європейська Війна з Наркотиками відносно кокаїну та трансатлантичного шляху контрабанди залежить від перехоплення цього шляху, оскільки великі обсяги перевозяться морем, а літаками перевозяться лише менші кількості. Методи реалізації контрабанди відрізняються, як і загальні та спільні стратегії правоохоронних органів.

Ця інформаційна стаття присвячена діяльності Морського оперативного-аналітичного центру з боротьби з наркотиками у Європейському Союзі, який був заснований сімома державами-членами ЄС у 2007 році та є правоохоронним підрозділом ЄС, метою якого є перехоплення контрабанди наркотиків в Атлантичному океані. Він керується португальським урядом у Лісабоні, співфінансується ЄС і співпрацює з правоохоронними підрозділами США, Південної Америки та Африки, а також з Інтерполом та Європолом.

Стаття починається з формулювання початкового самоопису MAOC (N) та його місії та зосереджена на міжнародному співробітництві MAOC (N): перераховано історії успіху та конфіскації за останні два роки 2020/2021, а також обговорено недоліки та можливе майбутнє співробітництво. Крім того, у ній обговорюються обмеження та упущення MAOC (N). Так, автор робить висновок, що більше держав-членів ЄС повинні активно брати участь в управлінні та діяльності MAOC (N).

Ключові слова: міжнародне митне право, незаконна торгівля, контрабанда, заборонені наркотики; Війна з наркотиками, правоохоронні органи, Інтерпол, Європол, Європейська комісія, співробітництво, розбудова потенціалу