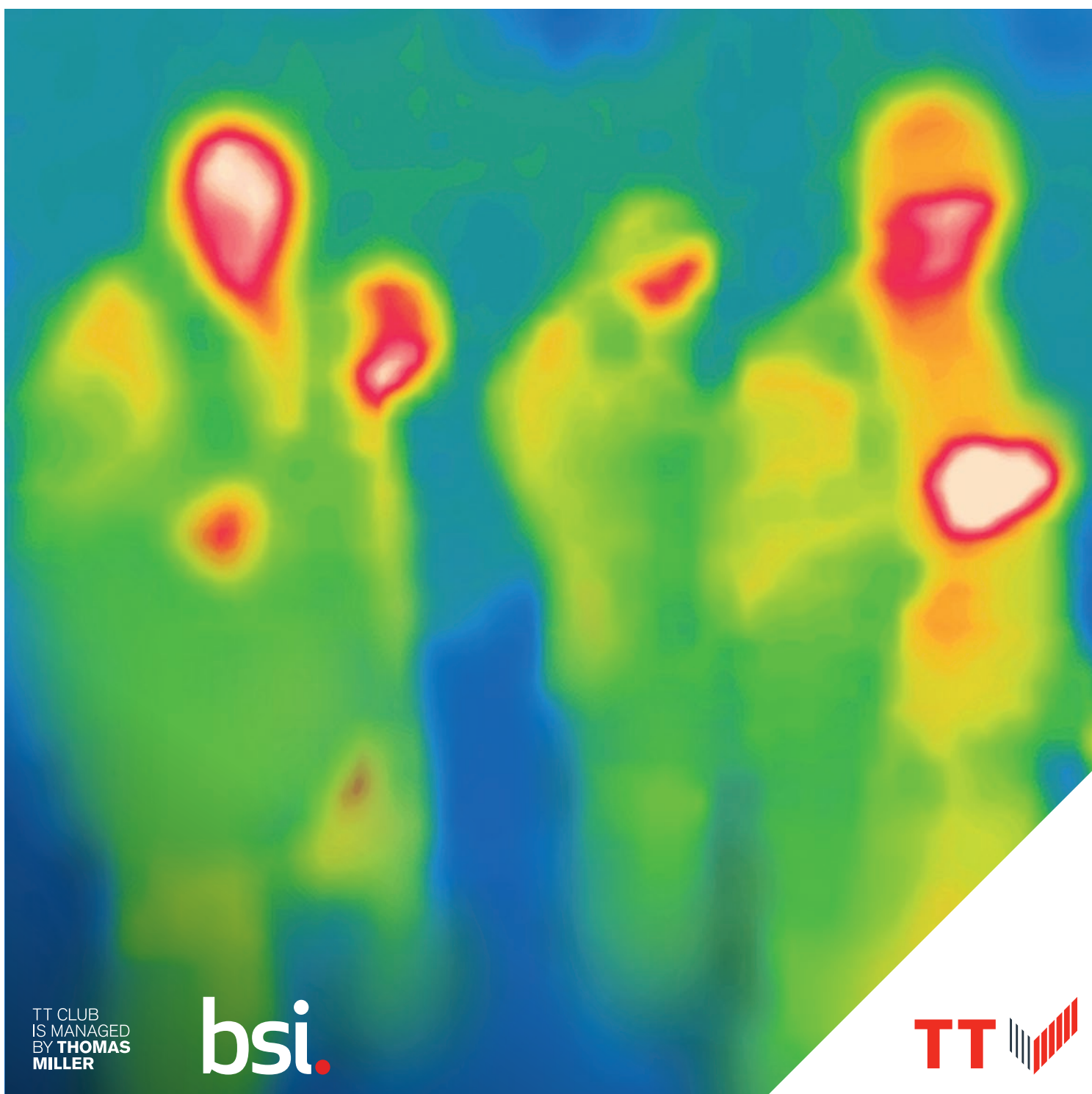


StopLoss

Clandestine migration

Mitigating safety and security risks in the global supply chain



TT CLUB
IS MANAGED
BY THOMAS
MILLER

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Acknowledgements

The information contained in this StopLoss briefing has been formulated from the TT Club's experience. However, the Club would also like to thank Thomas Miller Law for their assistance in the drafting of this briefing.

StopLoss series

StopLoss briefings are developed on a broad range of topics that give rise to recurring problems. They seek to provide a straightforward summary of an issue, essential good practice advice and, where applicable, sources of further information. The complete series and further information is available at www.ttclub.com/lossprevention and printed copies are available from the TT Club's Regional Centres.

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Introduction

The smuggling of people into the affluent countries of North America and Europe has increased in recent years as people flee civil wars or persecution in their own countries, or simply seek a better life.

All modes of transport and types of cargo transport unit (CTU) are exposed to this issue. The international clandestine migration of people has become a persistent threat to the unitised supply chain.

Criminal organisations are often the facilitators of this clandestine movement. They know that the simplest way to move people across international borders is to hide them in legitimate freight transport. In order to combat the criminal threat and the aspirations of the migrant or stowaway, all stakeholders in the supply chain need to be constantly vigilant.

Who is this for?

- Truck operators
- Rail operators
- Ship operators
- Port operators

1

Risk assessment

In this section:

- Risk exposures
- Which modes are at risk
- Cargo integrity

The risk exposures are varied in nature:

- Risk to life – both workers and migrants
- Physical damage to cargo, including soiling and contamination
- Additional freight costs
- Vehicle, equipment and cargo detention
- Fines and penalties
- Reputational damage

No mode of transport can be considered exempt from clandestine migration; all stakeholders need to evaluate regularly the effectiveness of the security arrangements in place. However, access to rail infrastructure and inland waterways is generally more restricted, controlled or simply challenging for migrants. Further, while 'curtain-sided' road trailers are the most vulnerable, in practice, no type of CTU is immune to this threat.

For those stakeholders who regularly undertake cross border freight movements, consideration should be

given to engaging with the preventative guidance governmental authorities produce. This guidance supports their activities and allows each stakeholder to implement increasingly robust defences appropriate to the threats presented.

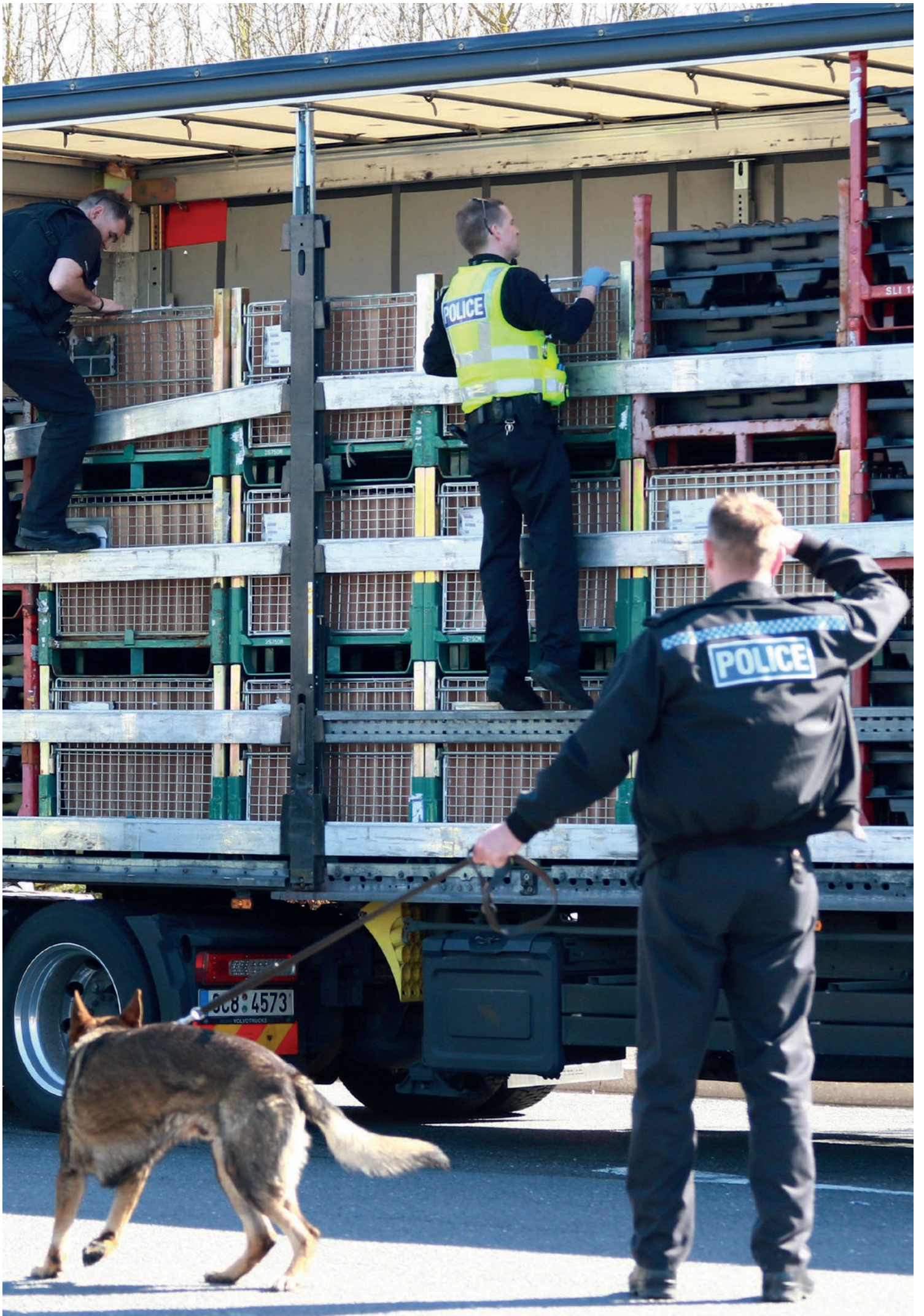
Where migrants are discovered within packed CTUs, there are frequently concerns over the condition of the cargo, which are especially sensitive when it is intended for human consumption. Compounding contamination with damage may give rise to large exposures.

It is vital in such circumstances for stakeholders in the supply chain to notify their liability insurer at the earliest opportunity and employ an independent expert to attend and inspect the cargo. There have been many cases where the cargo interests incorrectly claim that the cargo is a total loss, simply because migrants have been discovered.

Frequently however when expert 'distressed cargo' inspections are undertaken, it can be evidenced that damage and contamination is restricted to a very small proportion of the cargo.



No mode of transport can be considered exempt from clandestine migration



2

Risk mitigation in transport by road

In this section:

- Entry points
- Driver education
- Developing procedures

In view of the specific modal risk exposure, this briefing focuses on the risks involved in transport by road, identifying recommendations aimed at mitigating the safety and security risks from clandestine migration inherent in carrying out freight operations.

By its nature, road transport provides a range of relatively low-risk and easy entry points for stowaways. The risks associated with clandestine migration are therefore most prevalent where cargo is moved by road. Road vehicles use publicly accessible spaces and necessarily are stationary at various points during the intended journey.

The following three steps are fundamental in mitigating the risks:

- Provide adequate training for drivers on how to avoid becoming involved with clandestine migrants. This should involve producing written security procedures, including vehicle security checklists (such as described below);
- Deploy robust security devices to secure the vehicle, goods and cargo space. Ensure that drivers are fully briefed on their use; and
- Monitor compliance with all procedures.

“

road transport provides a range of relatively low-risk and easy entry points for stowaways

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Once a procedure has been agreed, there are numerous practical security measures that can be implemented, depending on the nature of the operations. Without seeking to be exhaustive, the following sections set out suggestions that could be used.

- If present at the time of final packing, the owner, hirer or driver of the vehicle must check it to ensure that no persons have gained entry and are concealed within
- The driver should only sign a clean packing receipt when a proper check of the consignment is possible
- After packing, ensure that the vehicle is closed and sealed with a seal appropriate for the vehicle. This should be supplied by the operator or the loading point
- Protect operational data (such as delivery destination) and restrict on a need-to-know basis
- Seals should be attached by the shipper of the goods or alternatively by the driver in the presence of the shipper. The seal number should be properly annotated on the transport papers
- Risk assess the route to be taken
- Each time the CTU is left unattended – for meals, overnight or at terminals, etc. – on return, the entire vehicle, security devices and seals should be checked for signs of tampering and a security check list should be documented
- Check any external storage compartments, tool boxes, wind deflectors and beneath the vehicle
- Deploy security equipment such as cameras which may assist in detecting activity
- Drivers may wish to use their phone/ camera equipment (where available) to make a further photographic record of the vehicle checks completed through the journey

- If there is the slightest suspicion that someone has gained access to the trailer, irrespective of the location, the driver should immediately alert the local authorities (police, customs, ferry operator, etc.)

EMEA focus

Trailers will take many forms, but 'curtain-sided' units are widely deployed in the road freight industry. While extremely practical, these units are more prone to security compromise and additional vigilance is required. Additional considerations should include:

- Before packing takes place, all existing cuts or tears in the outer shell or fabric of the trailer that exceed 25cm in length must be repaired and sealed to prevent unauthorised entry
- Check the entirety of the seal cord (TIR Cord), in particular its ends and the seal strip, to ensure that it is intact and free from cracks, and has not been cut and put back together
- In driver accompanied units, a portable listening device, such as a baby alarm, could be installed in the trailer with the control unit in the driver's cab

Constant vigilance and awareness is the only way to reduce the risks associated with clandestine migrants. Where a new driver becomes responsible for the vehicle en route to the delivery point, they should ensure that the CTU does not contain unauthorised persons and that the requirements detailed above have all been met, being sure to document the checks made.

3

Container movements

In this section:

- Visual checks
- Security seals
- Routing

Where a sealed container is loaded onto a vehicle, the owner, hirer or driver must, where possible, check to ensure that it does not contain unauthorised persons. A non-intrusive visual check should initially be made of the security seal. Is it in place, are there signs of tampering, does the seal number match the documentation? Where such checks include opening the unit, care must be taken to document the entire process, and the unit must then be resealed and made secure. These actions and the new seal number must be recorded in documentation accompanying the vehicle.

While freight containers may be harder for clandestine migrants to access from a physical perspective, generally requiring a greater level of complicity and sophistication in the criminal logistics, once there, detection can be more challenging, particularly with temperature controlled units.

Container operations are most typically 'lift on, lift off', but stakeholders need to consider the actual routing for any particular unit in order to assess the risks thoroughly. Generally, precautions that can be taken against the opportunist stowaway in freight containers are many, but often the simplest, and cheapest, have the greatest effect. There are only a few places where checks for stowaways can be made and the export terminal is the last point of checking. As such, ensuring that the export terminal has implemented appropriate security measures and carried out checks could be sufficient. However, similar assurance needs to be gained from any transshipment terminals.



4

Terminal operations

In this section:

- Effective security
- Risk assessment
- Technology solutions

Maritime, rail and road terminals are crucial nodes in the international supply chain and offer obvious opportunities for stowaways to conceal themselves in a CTU. Effective security will make the intentions of the stowaway, or their criminal assistants, much more difficult to realise. Such terminal locations need to maintain, and be able to demonstrate, robust security measures. They must ensure that perimeter fences are secure and in good condition, all gates are permanently shut or continuously guarded, and CCTV systems are monitored and stored. Lighting in terminals needs to be effective to support the operations, but can be increasingly sophisticated to be both environmentally responsible and linked to security systems (e.g. passive infrared controls triggered by movement).

Maritime terminals will typically comply with regulatory requirements to verify legitimate movements of people with formal identification. Again, technology can assist, but all stakeholders need assurance that access to any terminal facility for all staff, contractors and visitors is adequately controlled with some identification presented each time they pass the gate.

Terminal operators should seek to:

- Identify areas where people may hide close to the perimeter fence, such as bushes or adjacent buildings, and check these areas regularly. Where possible, such hiding places should be removed.

- Where empty CTUs are received, ensure thorough checks are made internally, ensuring seals are attached and recorded on completion. There have been many instances of false internal walls being built into the unit, providing a concealed compartment within which immigrants can hide. Checking the CTU with a laser tape measure quickly verifies the length of the internal load space.
- Check any storm drains that cross the terminal boundary, as they are often large enough to accommodate people.
- Bury the base of fences in the ground to stop intruders from burrowing underneath. If possible, leave an open area between the perimeter fence and the container stacks or vehicle parks so that intruders can be easily spotted.
- Check empty containers, especially if they are to be shipped empty, and seal both doors with barrier seals immediately after checking.
- Where possible, check packed containers arriving for shipment using portable carbon dioxide (CO₂) meter equipment.

Stowaways are usually desperate to get out of their own country, and have possibly paid all of their life savings to a “facilitator” to get them to another country. This facilitator does not care what happens to the stowaways once they have been paid and have “arranged” passage. Desperate people take desperate measures, so be very cautious once stowaways have been discovered – always call the relevant authorities.

5

Incident response

In this section:

- Reporting
- Approach with caution
- Communication

In the event that stowaways are discovered in transit, stakeholders should consider the following immediate steps:

- Report the incident to the relevant authorities and cooperate with them
- Do not confront the migrants
- Do not move the vehicle/CTU until an inspection has been conducted
- Once the migrants have been removed, check the condition of the cargo and CTU
- Advise your customer/cargo interests of the incident. Working openly with your customer from an early stage will assist in mitigating additional costs and manage reputational damage for all actors



6

Summary guidance

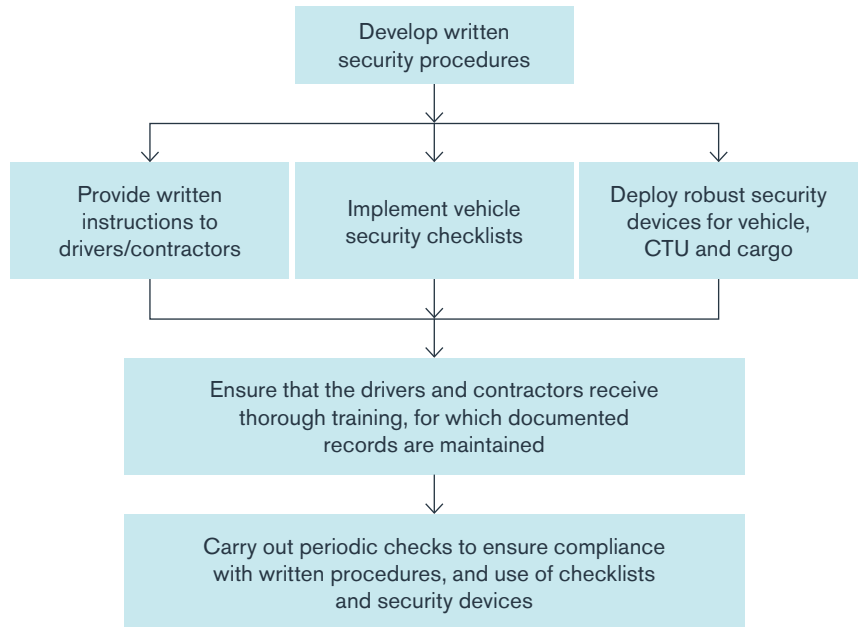
In this section:

- Remain vigilant
 - Documented processes
 - Checklists
- Drivers must remain vigilant throughout their entire journey
 - Vehicles should be checked regularly en route to ensure that they have not been entered, particularly after stops when left unattended.
 - Documentation detailing the system operated to prevent unauthorised entry must be carried with the vehicle, so that it may be produced immediately to an immigration officer on demand.
 - Use checklists rigorously. Carried with the vehicle, particularly where endorsed by an independent third party who witnessed checks, such checklists will carry greater evidential value.
 - Consider the use of photographs. A time and date stamped image could be used to evidence findings.
 - Whilst owners, hirers or drivers may contract with third parties to conduct the required checks on their behalf, they are likely to remain liable to any penalty incurred in the event of failure to have an effective system in place or to operate it properly. Due diligence in the selection of such contractors is therefore critical.

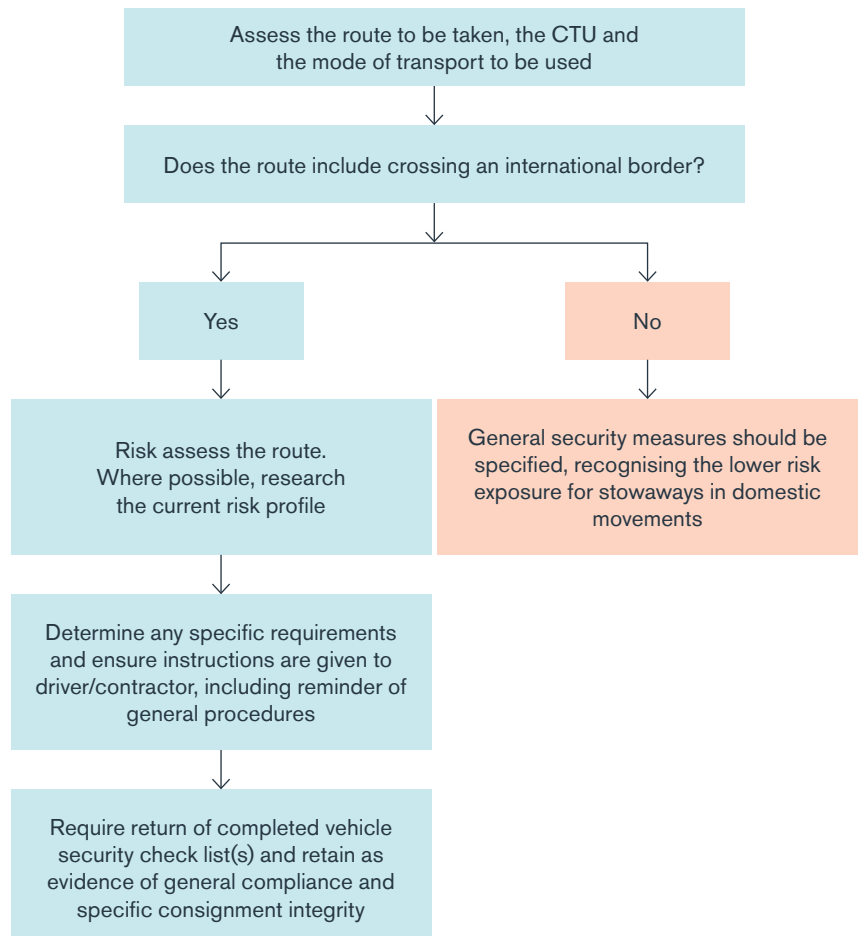


Recommended security flowcharts

1. Corporate actions



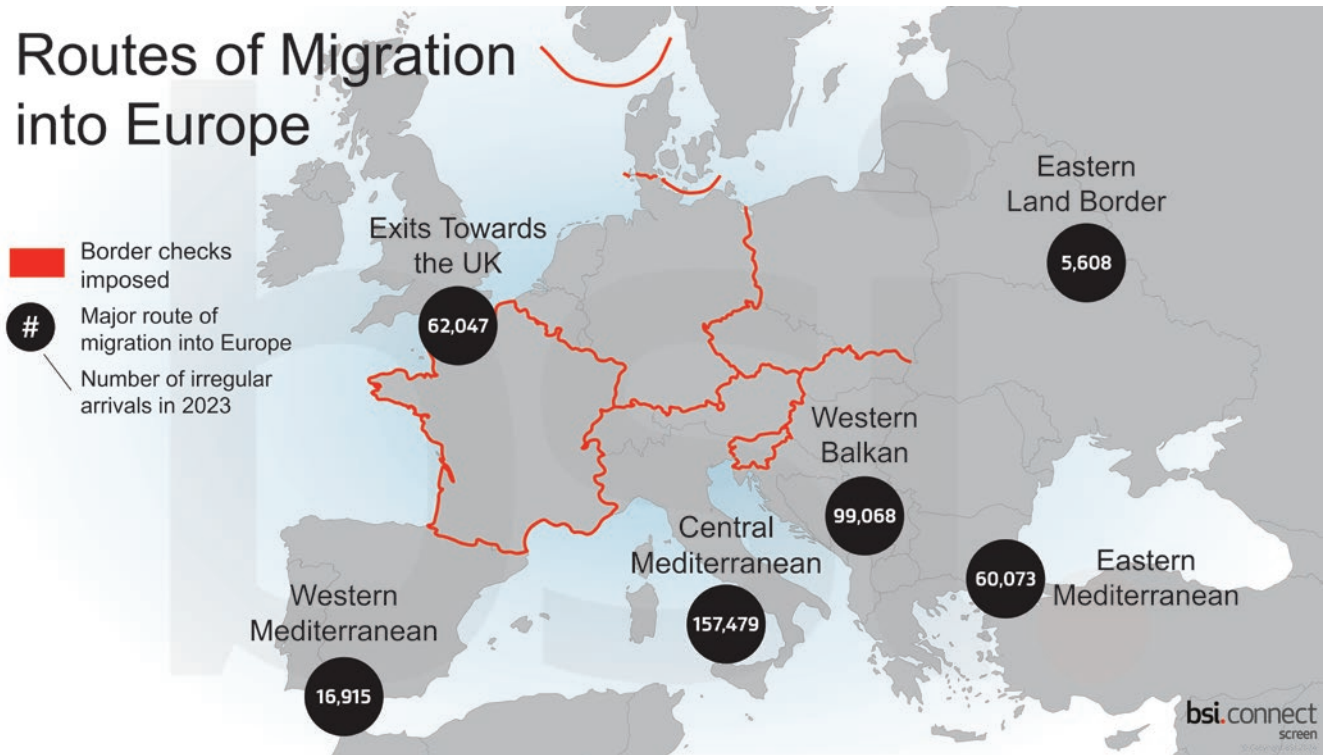
2. Operational actions



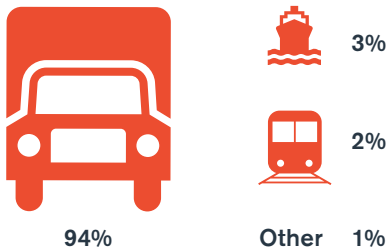


Case studies

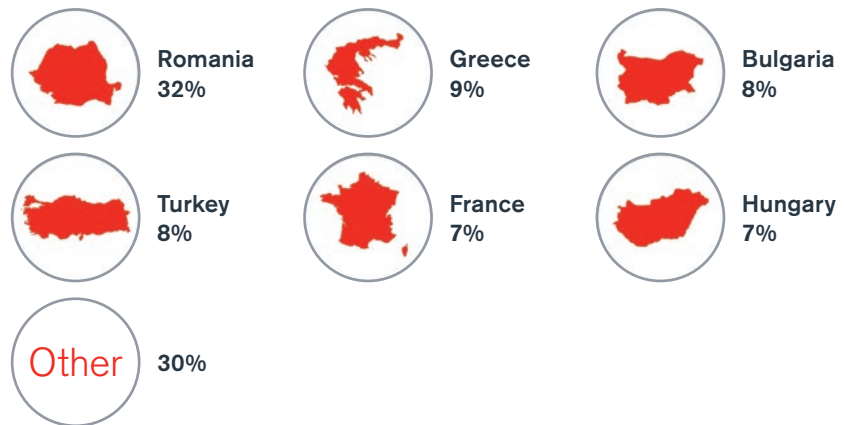
Routes of Migration into Europe



Modalities of recorded stowaway incidents



Countries of detection in recorded stowaway incidents



Facts

Thousands of freight movements are completed across Europe each day, with trucking fleets continually growing in size. This infographic developed by BSI in partnership with TT Club illustrates the known movements of migrants across Europe, highlighting the common source countries, destinations and routes taken.

At 94%, trucks are by far the most frequently used method of transporting migrants in Europe, with rail and sea accounting only for 3% and 2% respectively. Further border checks in conjunction with a greater degree of vigilance through the supply chain will assist in managing these risks.

Based on recent incident data via collaboration and partnerships with law enforcement, government, non-government, commercial partners, trade associations, open-source media reports, and input from BSI advisors and expert consultants



This infographic, developed by BSI, illustrates the known movements of migrants across Mexico attempting to reach the United States. Many of these migrants are traveling from South and Central America due in part to ongoing economic and political uncertainty. The graphic illustrates how migrants enter Mexico at the southern border before attempting to transit across the country via one of the major trade routes by freight truck or atop freight rail.



For more information

Please contact us at riskmanagement@ttclub.com
or visit us as ttclub.com

TT Club

TT Club is the established market-leading independent provider of mutual insurance and related risk management services to the international transport and logistics industry. TT Club's primary objective is to help make the industry safer and more secure. Founded in 1968, the Club has more than 1100 Members, spanning container owners and operators, ports and terminals, and logistics companies, working across maritime, road, rail, and air. TT Club is renowned for its high-quality service, in-depth industry knowledge and enduring Member loyalty. It retains more than 93% of its Members with a third of its entire membership having chosen to insure with the Club for 20 years or more.

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