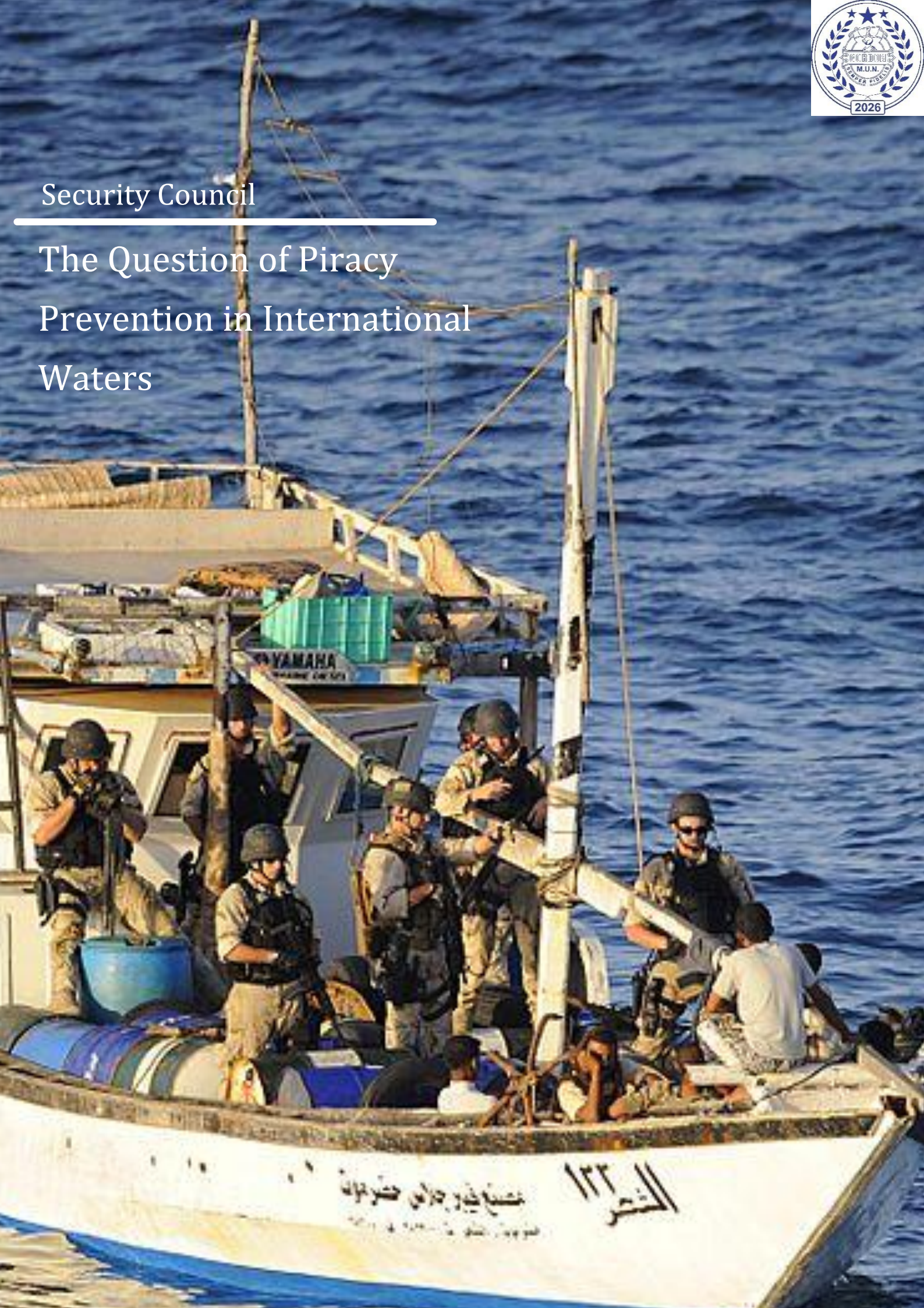
Security Council

The Question of Piracy Prevention in International Waters



Committee: **Security Council**

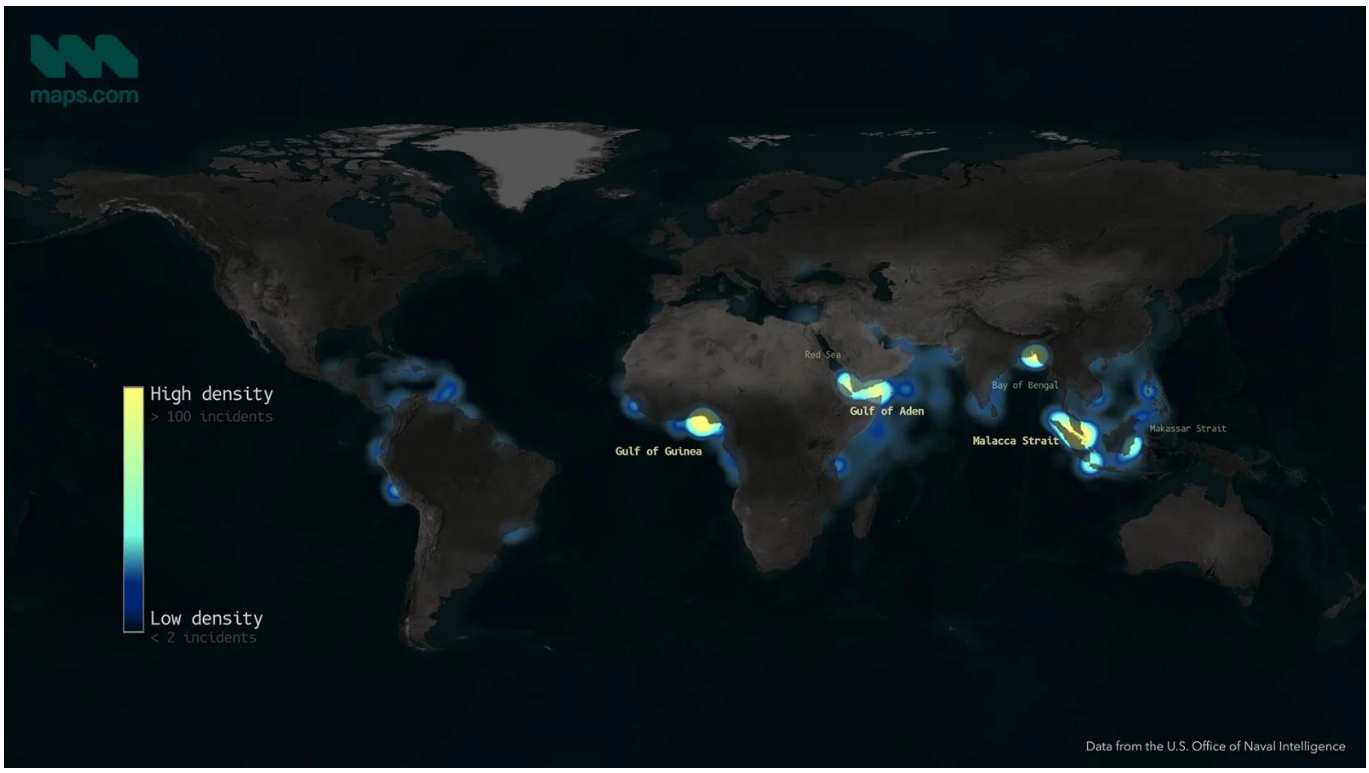
Topic: **The Question of Piracy Prevention in International Waters**

Chair: **Ella Mathews and Eloise Tindale**

Summary

Piracy is still a pressing issue in the world today, especially in areas such as the Arabian sea, the Gulf of Guinea, the Gulf of Aden and the Indian ocean. Known to cause global ramifications such as an increase in the cost of shipments to largely impacted areas, the theft of goods results in **humanitarian aid** being unable to be delivered, shipping routes being disrupted, and international trade be under threat. Piracy greatly pressurizes maritime security through its endangerment of the security of commerce and navigation, as well as its endangerment to the welfare of seafarers. For example, seafarers have been known to be greatly harmed, taken hostage, or even be killed due to piracy attacks. The illegal act of piracy can also cause financial losses from major companies and organisations, as well as shipowners, resulting in increased cost of products to consumers and producers.

<u>Piracy hotspots around the world:</u>



Previous attempts to counter Piracy:

The 1958 and 1960 UNCLOS I and II:

These were the first two UN conference to define the laws of the sea. They were held in Geneva, and they led to the creation of several treaties, including the convention of the high seas, which gave piracy a proper definition and stated that no nation could have ownership over international waters.

The 1982 UNCLOS III:

This convention was held due to the UN acknowledging developments since the previous **UNCLOS's** resulting in a need for a new convention on the law of the sea. The convention resulted in the official formation of a legal framework to combat Piracy and armed robbery at sea, as well as other ocean activities. The main articles enacting this were articles 100 to 107. Article 110 was also key in stating that "[a]ll States shall cooperate to the fullest possible extent in the repression of piracy on the high seas or in any other place outside the jurisdiction of any State." Article 101 outlined the acts of which piracy consists of.

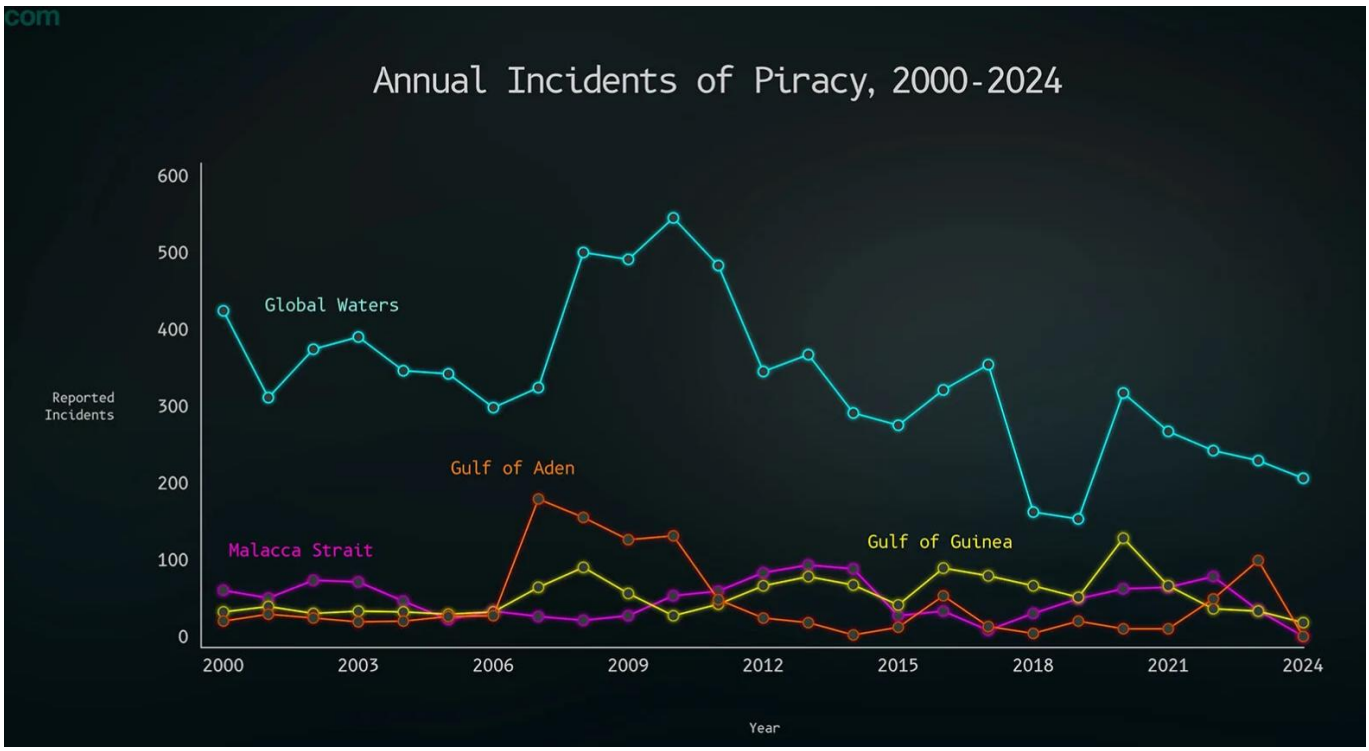
Resolution A.1025(26):

This was adopted on the 2nd of December 2009, on the **IMO's** Code of Practice for the Investigation of the Crimes of Piracy and Armed Robbery Against Ships. It stated the acts of which armed robbery against ships consisted of. This was put in place to aid governments investigations into all acts of piracy and armed robbery against ships under their jurisdiction.

IMO piracy reports:

Since 1982, the **IMO** have been issuing incident reports on piracy and armed robbery against ships. The reports aim to collect data to share with governments to get a clearer picture of where and how piracy is happening today, and how it can be prevented. Examples of data included in the reports are the position, date, and time of incidents, actions taken by the crew

and authorities, if it was a cargo shipment, and harm to the crew among other things. This is sent out globally every month, and a larger report is published every year.



The Regional Cooperation Agreement on Combatting Piracy and Armed Robbery against ships in Asia (ReCAAP):

This was concluded by 16 Asian nations in November of 2004 and was implemented in September of 2006. It created the **RECAAP ISC** which helped the sharing of piracy and armed robbery related information among governments. The goal of this was to promote more regional cooperation among states to prevent piracy in their waters.

Djibouti Code of Conduct:

The **DCoC** concerning the Repression of Piracy and Armed Robbery against Ships in the Western Indian Ocean and the Gulf of Aden is a regional agreement that was adopted by Djibouti and states in the region at a meeting held by the IMO in January of 2009. The signatories committed to sharing information relevant to piracy, properly persecuting those who commit acts of piracy, **interdicting** ships suspected to be engaging in acts of piracy, and protecting the welfare of seafarers affected. This was implemented with the aim of promoting

regional cooperation to combat the issue of piracy in the region of the west coast of Africa, especially Somalia.

MoU:

This was developed by the **MOWCA** and IMO in July of 2008, in West and Central Africa. It was signed by 15 Coastal states in the region and aims to prompt regional cooperation in the domain of maritime activities to protect human life put at risk from piracy and enforce laws against piracy.

Warnings to ships and resolution MSC.324(89):

For the past years, ships that navigate areas prone to piracy have been urged to remain vigilant, as the threat of piracy is still looming and The IMO's **MSC** has highlighted self-protection as the most appropriate deterrent to acts of piracy. Warnings have been given to ships navigating off the coast of Somalia in particular, where the Piracy situation is increasingly fragile. Resolution MSC.324(89) on the Implementation of Best Management Practice Guidance was adopted in May 2011 by the MSC. It states the need for merchant shipping to take all possible measures to protect themselves against pirate attacks. It asks that the ship master receives updated information about piracy before sailing through the **HRA**. It also urges ships to register with the **MSCHOA** and report to the **UKMTO.**

Maritime cyber risk management approach:

The IMO has aimed to raise awareness across the maritime industry on how to combat the risks of ship's onboard information and technology systems being hacked by promoting a Maritime cyber risk management approach. The end goal of this is to make shipping more secure and more operationally resilient to cyber risks, which can cause harm to the safety and security of ships, ports and marine facilities.

SUA Treaties:

These were created by the IMO in 1988 and were revised in 2005. The **SUA Treaties** were made to provide a global framework to ensure action is taken against those who have committed illegal acts against ships (specific acts are listed in the treaties).

CTF 151:

This was established in 2009 as a direct response to rising piracy attacks, operating under an umbrella of the CMF. Its role is to deter and supress piracy and illegal activities such as human trafficking, particularly off Somalia's coast and other areas of the Gulf of Aden. It trains regional partners in maritime security, enhancing their ability to respond to threats. It also collaborates with shipping industries and regional centres to promote timely reporting of suspected piracy.

Definition of Key Terms:

IMO- International Maritime Organisation (a UN specialized agency responsible for regulating international shipping, setting global standards for safety, security, and environmental performance, and preventing marine pollution from ships).

Piracy- The practice of attacking and robbing ships at sea.

Hostage-taking- The unlawful act of seizing or holding a person as security for the fulfilment of a condition.

Humanitarian aid- Emergency assistance providing life-saving support to people suffering from crises like natural disasters or conflicts, aiming to save lives, alleviate suffering, and maintain human dignity. Examples of aid to be sent are food, healthcare and clean water.

UNCLOS- The United Nations Convention on the Law Of the Seas

RECAAP- The Regional Cooperation Agreement on Combatting Piracy and Armed Robbery against ships in Asia

ISC- Information Sharing Centre

Interdicting- Prohibiting or forbidding something, or to intercept and prevent the movement of a prohibited commodity or person.

DCoC- Djibouti code of conduct

MOWCA- Maritime Organization of West and Central Africa

MoU- Memorandum of Understanding on the establishment a sub-regional integrated Coast Guard Function Network

MSC- Maritime Safety Committee

HRA- High Risk Area

MSCHOA- Maritime Security Centre Horn of Africa

UKMTO- United Kingdom Maritime Trade Operations

SUA treaties- Suppression of Unlawful Acts treaties

CTF 151- Combined Task Force 15q

CMF- Combined Maritime Forces

Major Countries / Organisations Involved

United states- Initiated CTF 151 and actively contributes to maritime security.

European Union and members (France, Germany, Spain, UK)- Activated Operation Atlanta, allowing humanitarian aid to reach Somalia, and deterring Pirates off the Horn of Africa and in the Indian Ocean.

United Kingdom- Contributes ships to CTF 151 and leads Operation Atlanta.

China, Russia, India, Japan and South Korea- Deploy their own navel assets to patrol critical areas such as the Indian Ocean.

Somalia- Remains a hotspot for piracy with the situation becoming increasingly fragile. Aided with multinational efforts such as CTF 151, DCoC, and Operation Atlanta.

Southeast Asia (Malacca/ Singapore Straits)- Countries collaborate here (e.g. Malaysia, Indonesia, Singapore), focusing mainly on Armed Robbery via the RECAAP for information sharing.

IMO- Have made multiple attempts over the years to diminish piracy

MOWCA- Aided the development of the MoU

Timeline of events

1958 and 1960- UNCLOS I and II

1982- First IMO piracy report published

1988- SUA treaties created

10th December 1982- UNCLOS III

November of 2004- RECAAP concluded

2005- SUA Treaties revised

September of 2006- RECAAP implemented

July 2008- MoU

2008- Operation Atlanta established

January of 2009- DCoC

2009- CTF 151 established

2nd of December 2009- Resolution A.1025(26)

May of 2011- Resolution MSC.324(89)