



# UNODC

## COMBATING MARITIME CRIME

Sehwa Ryu and  
Michelle Lee

# TABLE OF CONTENTS

- I. List of Participating Countries
- II. Status Quo
- III. Description of the issue
  - a. Goals
  - b. UN involvement
  - c. Details of this issue
  - d. Past Attempts and limitations
- IV. Questions a resolution must answer
- V. Suggested sources of research
- VI. Appendix

# LIST OF PARTICIPATING COUNTRIES

Brazil	Saudi Arabia
Canada	Sierra Leone
Central African Republic	Somalia
Chile	Thailand
China	United Kingdom
Cuba	United States of America
Egypt	Vietnam
Ethiopia	Yemen
France	
Germany	
Guatemala	
India	
Iran	
Italy	
Japan	
Kenya	
Mexico	
Nigeria	
Pakistan	
Qatar	
Republic of Korea	
Russia	

## Committee description

UNODC is a committee that was a result of the union between the UN drug control program and the Center for International Crime Prevention in 1997. This committee is present to aid member countries with their issues regarding crime, illegal drug use and terrorism. The UNODC deals with numerous issues including corruption, organized crime, crime prevention, drug trafficking, criminal justice, money laundering, maritime crime and piracy.

## Current Issue

The issue that the committee will be discussing is piracy which is a major form of Maritime crime. Maritime crime is a significant threat to international trade, seafarers and regional stability. Because the majority of global trade occurs in the sea, maritime crime is highly influential to the economic effects of the world.

Maritime piracy has evolved over the centuries and continues to remain as an obstacle to international law. Piracy, which is a form of maritime crime is a basic and fundamental concern for all navies and organizations that struggle for maritime security. Despite the fact that piracy is a significant and imminent issue to be solved, which is posing huge threat to maritime safety, there has been relatively few research and academic works analyzing the cases of modern piracy. In this session, delegates will come up with resolutions that could suppress piracy in the region of Horn of Africa in terms of policy, operational decisions and various strategies.



## Goals

The support provided by the UNODC is targeted towards the police, public prosecutors, judiciary and the prisons within the region, thus promising that the arrest, prosecution and consequent imprisonment of pirates are consistent with universally accepted norms and standards pertaining to human rights and criminal justice.

## UN Involvement

Many programmes have been initiated and are practiced in UNODC throughout the East African Region including the Maritime Crime Programme (MCP) Trust Fund Project, the Trust Fund Project Phase 2, the EU programme to promote Regional Security, and the Piracy Prisoner Transfer programme (PPT).

Maritime Crime Programme (MCP)(03/25/2013 - 12/31/2016)

The UNODC Counter-Piracy Programme (CPP) launched in May 2009, seeks to enhance the institutional capacity of the criminal justice system of countries in the Eastern African region prosecuting piracy. As UNODC's Counter Piracy Programme developed into the Maritime Crime Programme (MCP), this work to support piracy prosecutions has continued. The Programme operates at UNODC's Regional Office for Eastern Africa (ROEA) in Nairobi, Kenya. While the Programme was initially Kenya specific, it has seen a significant increase in funding, among others through the European Union, coupled with increasing international attention on piracy. As a result, extensive project activities have been implemented in Kenya, the Seychelles and Somalia (Somaliland and Puntland), as well as Mauritius and Tanzania.

Programme for the Horn of Africa (HoA)(09/07/2010 - 12/31/2014)

MCP for the Horn of Africa (HoA) has continued implementing a range of maritime capacity development in the regions, Horn of Africa and the Indian Ocean. A vital element of the HoA program's achievements in 2014 is the deployment of six dedicated maritime mentors embedded in local maritime law enforcement agencies, providing useful hands-on training and technical assistance. While piracy rates have decreased, a unstable and weak governance and the lack of criminal justice in the Horn of Africa have continued along with other maritime and transnational threats that had increased. These include trafficking in persons, the smuggling of migrants, illegal fishing and the smuggling of weapons, drugs and charcoal, all of which relates to organized criminal networks and are facilitated across the maritime domain.

## Trust Fund project(05/23/2014 - 12/31/2015)

This composed of two projects approved by the Trust Fund of the Contact Group on Piracy off the Coast of Somalia (CGPCS): “Support to Law Enforcement in Somalia (Galmudug)” and: “Support to Maritime Law Enforcement in Somalia.” With these projects, UNODC will deliver assistance to give maritime law enforcement authorities in Somalia (South Central, Puntland, Somaliland and Galmudug) to increase the capacity to exercise some control over their territorial seas. Activities have been focused on developing competency in maintenance and engineering, mariner and policing skills and communications through equipment arrangement, training and educating among others. The activities outlined in this project have been identified as necessities by Somali authorities under the Kampala Process in Nairobi in June 2013 as well as on visits to various regions in the Horn of Africa. These activities also fall within the framework of the Somali Maritime Resource and Security Strategy (SMRSS). They will be endorsed with bilaterally-funded activities under the ongoing programming under the UNODC Maritime Crime Programme in the Horn of Africa.

## Trust Fund Project Phase 2

This project contributes to the overall objective of the MCP (Indian Oceans/ Horn of Africa): to improve the proficiency of the criminal justice systems of the mentioned regions and to carry out effective maritime law enforcements within a sound law framework.

Specific goals include:

1. Supporting Kenya Prisons to improve conditions where convicted Somali pirates are held to ensure secure imprisonment.
2. Support Maritime Law Enforcement in Somalia to provide a reasonable strategic foundation for coordinated operations in Somalia
3. Support Piracy Trials Programme with UNDP.
4. Support Prisoner Transfer Flights and repatriation flights to help lessen the prison capacity, to ensure that convicted prisoners serve their sentences in their country of origin and to guarantee the safe return of unconvicted suspects

## Piracy Prisoner Transfer Programme (PPTP)(01/01/2012 - 12/31/2015)

The Piracy Prisoner Transfer Programme (PPTP) falls under the overall UNODC Maritime Crime Programme and was authorized in the Report of the Special Advisor to the UNSG on Legal Aspects related to Piracy off the Coast of Somalia. The PPTP delivers supplemental infrastructure and capacity to the prison services in Somaliland and Puntland to allow the return of pirates convicted overseas to secure and humane detention facilities in the Somali regions. In addition to facilitating prisoner transfers, it has also

invested immensely in improving prison facilities and amenities, and hard core training and mentorship for correctional administrators. The PPTP has also implemented vocational training, education and recreational initiatives in the facilities in order to promote detainee well being and rehabilitation.

## Indian Ocean Program

Various involvement of UN:

Contact group on piracy off the coast of Somalia: The group facilitates discussion of action among organizations to fight piracy off the coast of Somalia.

UN sub-working group on maritime piracy: With the aim of sharing information, exchanging ideas and ensuring collaboration on the issue of counter-piracy, 16 entities come together, which includes the International Maritime Organization, INTERPOL, UN office of Drugs and Crime and the Monitoring Group of Somalia.

Shared Awareness and Deconfliction (SHADE) initiative: With collaboration of INTERPOL, the European Union, NATO, Combined Maritime forces and several countries, this group builds military efforts against piracy.

Kampala Process: With the involvement of INTERPOL, the UN and the EU, aims to facilitate political dialogue in the fight against piracy.

Djibouti Code of Conduct: Treaty among East African countries on their ways to coordinate their responses to maritime piracy.(INTERPOL, 2014)

## Details of the Issue

Major Parties involved:

INTERPOL

The INTERPOL has focused on three main aspects in terms of countering maritime piracy:

### Building regional capabilities

Most of execution for maritime piracy are done in Asian or African countries. INTERPOL aims to promote capabilities of police investigation units on a regional level. By providing specialized training and abundant equipments, INTERPOL looks forward to increasing the likelihood of successful prosecutions in the future.

### Improving evidence collection

INTERPOL advises, trains and equips the member countries around the world in order to improve the quality and quantity of data collected. Also, being aware of the unique difficulties for collecting evidences that maritime environment poses, INTERPOL makes sure the data collected is properly preserved and analysed.

In addition, INTERPOL will be able to analyse piracy networks easier due to the creation of a Global Database on Maritime Piracy. This will allow member countries to easily identify and arrest individuals involved in maritime piracy.

### Facilitating data exchange

Sharing information between military, law enforcement and judicial bodies in member countries is very crucial. A single piracy might affect several different nations, so the data needs to be easily shared within nations. Global police communications system, known as 1-24/7, and INTERPOL's system of Notices are key to the sharing of data and the detention of suspected pirates.

## Past attempts and its limitations

Private and National navies

Organizing private navies and deploying national naval forces around areas where piracy is prevalent has been successful to a certain extent. An example could be the Convoy Escort program, initiated by Jardine Lloyd Thompson Group P.L.C., its main office in London. When created in late 2010, a spokesman argued that "as far as we are aware, there aren't any aggressive solutions". The profits gained from donations are given to the International Trust Fund off the coast of Somalia to deter existing problems through more aggressive prosecutions of pirates and by improving the overall condition of the country prone to the influence of piracy; and are managed by the UNODC.



## Details of the Issue

Resolution 1851 created by the Contact Group on Piracy off the Coast of Somalia (CGPCS) in 2009, emphasized increasing the awareness and the public information of piracy and addressed military and operational coordination.

The International Maritime organization (IMO) conference “agreed that piracy cannot be solved by military means alone and reiterated the importance of supporting local communities to tackle the basic causes of piracy and improving effective use of Somali coastal waters through regional maritime capacity-building measures.”

The government of Somalia and various shipping industries have made efforts to deter piracy in the Somalia coast but have failed to address the instability of the country and the present system that harbors the reasons for the flourishing of piracy.

Djibouti Code of Conduct(2009):

1. The arrest and prosecution of people who are suspected of or have committed acts of piracy and crimes against ships both intentionally or not
2. The guaranteed rescue of ships, people, and property subjected to such piracy actions and the proper treatment of the victims of such violence
3. Enforces authorized officials both national and international to offer patrol ships, aircraft or other means of transportation

## Questions to Consider

1. How should the international community address the rising level of piracy occurring in the Horn of Africa?
2. Should the UN cooperate with the European Union and NATO naval initiatives in the region? If so, how or in what way?
3. Should there be a new international maritime force that prosecutes piracy in the region? If so, how?
4. What is the root cause of piracy? How can the UN resolve the root causes of piracy?
5. How should the UN handle the economic consequences of global piracy? Which organizations are capable of supporting this?
6. How should the UN deal with the legal and jurisdictional issues regarding the status of captured pirates? How, where, and by whom should captured pirates be tried? What should be the legal status of pirates?

# DESCRIPTION OF THE ISSUE

## Resources for further reserach

EU's fight against maritime crime: [http://eeas.europa.eu/piracy/index\\_en.htm](http://eeas.europa.eu/piracy/index_en.htm)  
<http://aa.com.tr/en/economy/eu-announces-77-million-in-aid-for-horn-of-africa-/508307>

UNHCR's fight against maritime crime in Horn of Africa:  
<http://www.unhcr.org/569e3b19530.html>

UNODC's fight agains maritime crime and piracy in Horn of Africa:  
<http://thenationonlineng.net/unodc-train-prosecutors-of-maritime-drug-crimes/>

Illegal fishing in Somali seas:  
<http://www.theguardian.com/world/2015/oct/31/somalia-fishing-flotillas-pirates-comeback>

Programs & Past attempts regarding the maritime crime in Horn of Africa  
<https://www.unodc.org/unodc/en/piracy/horn-of-africa-division.html>

Decreasing incidents of attacks of Somali pirates:  
<http://www.economist.com/blogs/economist-explains/2013/05/economist-explains-11>

Current Issues of maritime crime  
<https://www.shephardmedia.com/news/imps-news/maritime-crime-rates-tread-water/>

The financial aspect of piracy:  
<http://www.economist.com/blogs/baobab/2013/11/somalia>

# APPENDIX

“Maritime Piracy.” UNODC. N.p., n.d. Web.  
<https://www.unodc.org/easternafrika/en/piracy/index.html>

“9 Types of Maritime Crimes.” Marine Insight. N.p., 07 Sept. 2011. Web. 05 Sept. 2015.  
<http://www.marineinsight.com/misc/marine-safety/9-types-of-maritime-crimes/>

United Nations Office On Drugs And Crime. UNODC (n.d.): n. pag. Web.  
[https://www.unodc.org/documents/easternafrika//MCP\\_Brochure\\_December\\_2014\\_wv\\_6\\_1.pdf](https://www.unodc.org/documents/easternafrika//MCP_Brochure_December_2014_wv_6_1.pdf)

“Maritime Piracy.” INTERPOL. N.p., n.d. Web.  
<http://www.interpol.int/Crime-areas/Maritime-piracy/International-involvement>

“Ongoing Projects of Maritime Crime.” UNODC. N.p., n.d. Web.  
<https://www.unodc.org/easternafrika/en/ongoing-projects/maritime-crime-programme.html>

<http://www.msm.nl/resources/uploads/2014/02/MSM-WP2013-15.pdf>  
[1] <http://news.bbc.co.uk/2/hi/africa/7650415.stm>

“Combating Maritime Piracy.” Council on Foreign Relations. Council on Foreign Relations, 23 Mar. 2012. Web. 05 Sept. 2015.  
<http://www.cfr.org/piracy/combating-maritime-piracy/p18376>

“International Maritime Bureau.” International Chamber of Commerce. N.p., n.d. Web.  
<http://www.iccwbo.org/products-and-services/fighting-commercial-crime/international-maritime-bureau/>

“Djibouti Code of Conduct DCoC //.” DCoC. N.p., n.d. Web. 05 Sept. 2015.  
<http://www.imo.org/en/OurWork/Security/PIU/Pages/DCoC.aspx>