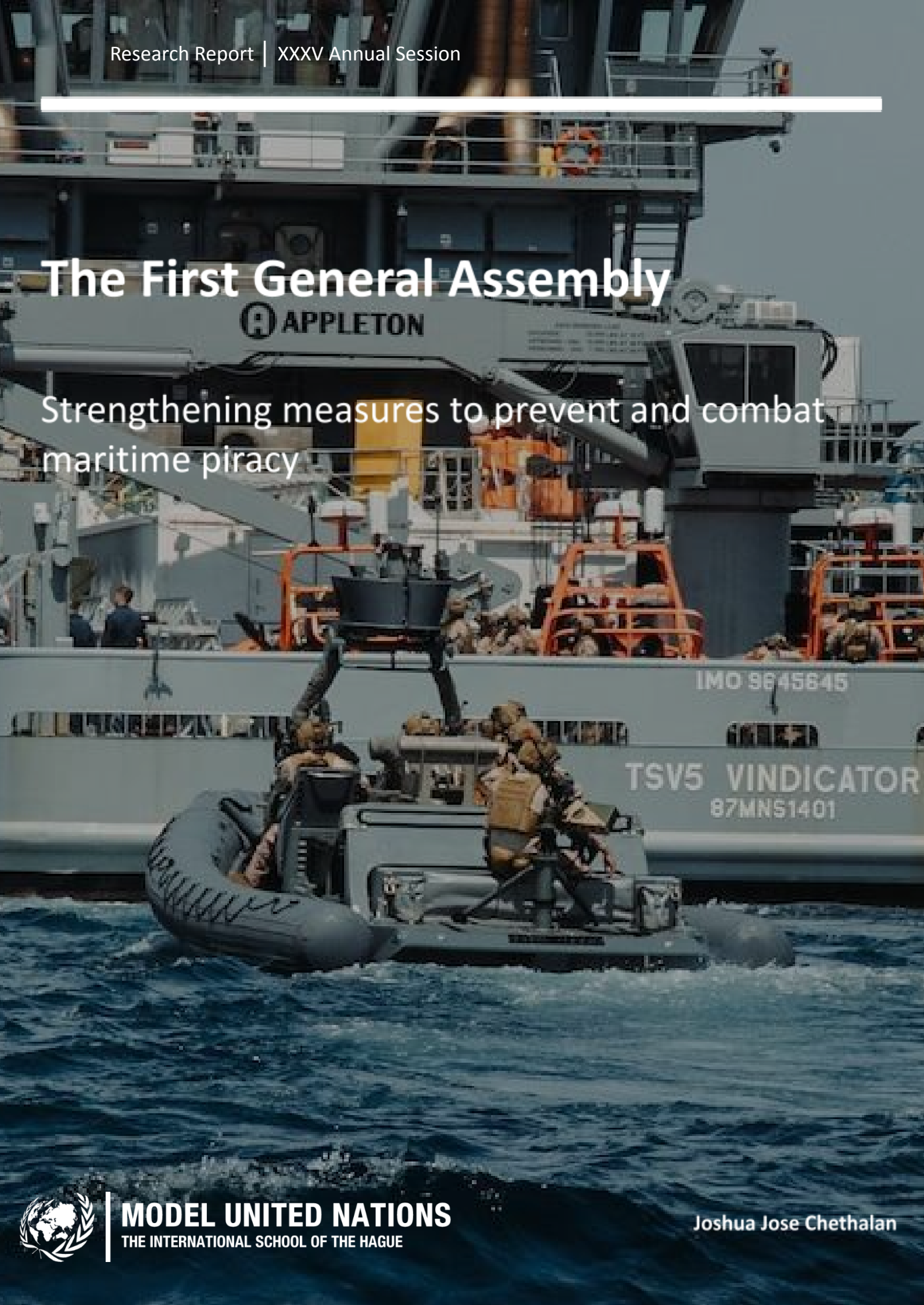
The First General Assembly

Strengthening measures to prevent and combat maritime piracy



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Introduction

Over the last thirty years maritime piracy has resulted in almost 13,000 attacks on active cargo vessels (“Modern Day pirates: Attack Numbers and Types”)…Maritime piracy has been a significant problem and threat to global trade and maritime security. It has officially been defined as any illegal act of robbery and violence at sea, a practice that has existed ever since sea trade has begun (“Maritime Piracy: EBSCO”). While historically associated with isolated incidents that only occur in specific parts of the world, the problem of maritime piracy still remains a problem globally. With modern piracy becoming a transnational concern affecting multiple areas from the South China sea to the Gulf of Guinea (Kaushik).

In recent years, the international community has made significant efforts to address this growing problem of maritime privacy through reinforced naval patrols and international legal frameworks. However with international waters often having a grey area when it comes to multiple laws, incidents of privacy continue to occur often driven by factors such as political instability and weak maritime governance in coastal states. Modern piracy has evolved beyond the stereotypical idea of “opportunistic attacks” but now involves much more organized criminal networks not only equipped with physical weapons but with digital weapons along with it. These attacks not only endanger the lives of crew members but also have repercussions, disrupting international supply chains.

The root causes of maritime piracy are often driven by a variety of factors mainly including ideas surrounding poverty and political instability with many people falling towards the lure of money. According to Pottengal Mukundan, the director of the International Maritime Bureau “Most piracy today is rooted in poverty and lack of opportunity. Addressing these underlying issues is key to combating piracy in the long term” (Cleaner Seas)

Maritime piracy is a serious threat to the safety of cargo, ships and crews, which can cause enormous loss for major stakeholders related to the shipment. According to the International Maritime Bureau (IMB), piracy causes a loss of about 25 Billion USD a year in global economic losses due to theft, ransom, increased insurance costs etc. (Xiaoxing Gong a, et al). As global dependence on maritime trade continues to grow, addressing the threat of piracy remains a vital concern for the international community.

Definition of Key Terms

Maritime Piracy

Any illegal acts of violence or detention or any act of depredation, committed for private ends by the crew or the passengers of a private ship or a private aircraft directed on the high seas against another ship, or against persons or property on board such ship. Any act of voluntary participation in the operation of a ship or of an aircraft with knowledge of facts making it a piracy ship. (“Piracy and armed robbery against ships”)

High Seas

The official definition of the high seas states that these are areas of the ocean that are not controlled by any country (“The High Seas Definition | Cambridge English Dictionary.”). The word is technical jargon to describe international waters that ignore specific nations law and only follow the law mandated by the International maritime organization.

Exclusive Economic Zone

An exclusive economic zone or EEZ stands for an area of the ocean that generally extends over 200 nautical miles beyond a nation's territorial sea within which a coastal nation has jurisdiction over both living and non living resources. (“What is the “EEZ”?”). Within the EEZ the coastal state has jurisdiction over activities like marine scientific research and protection of marine environment.

Territorial Waters

Each coastal state may claim a territorial sea that extends seward up to 12 nautical miles from its baselines. The coastal state exercises sovereignty over its territorial sea along with airspace above it and the seabed and subsoil beneath it. (“Maritime Zones and Boundaries | National Oceanic and Atmospheric Administration.”)

Maritime Domain Awareness

Maritime domain awareness or MDA is the effective understanding of anything associated with the maritime domain that could impact security, safety, the economy or the marine environment. With three major components including; Maritime situational awareness, Maritime threat awareness and Maritime response awareness. (“Maritime Domain Awareness”)

Pirates

Pirates are individuals or groups of people who attack and rob ships at sea, often for personal gain and engage in illegal acts of violence or theft against vessels and their crews.

Flag State

A flag state is a country where a company registers its commercial and merchant ships. The name for the term flag state comes from ships registering with a specific nation and then flying that flag to represent their registration with that country. For example any ships registered with the U.S will fly the U.S flag. (Nikki)

Port state

A port state is a nation that allows Port state Control at its ports. The PSC is responsible for inspecting ships that dock in their harbor to ensure they are up to international codes. Port state control officers can check any ship at their port (Nikki)

General Overview

With Maritime piracy becoming a concerning issue ever since the medieval times, it is important to come up with modern solutions. Before going more in depth about the future of the problem it is important to understand the past and further the historical context of maritime piracy.

Historical context

Maritime piracy is one of the oldest forms of crime with recorded instances in history, dating all the way back to ancient civilizations such as the Greeks, Romans and the Egyptians. In the western world, the golden age of pirates or piracy was considered to be during the period from the 1680s to

the 1720s. Especially during this period pirate activity was quite common, with thousands of ships in the Atlantic and beyond slowly becoming prey to this group of nomads at sea (Royal Museum Greenwich). History has its set of famous pirates including world renown Blackbeard or using his real name “Edward Teach”, who have stolen an unimaginable amount of goods from the sea. He was infamous for attacking European colonial shipping routes, at the time the maritime powers increased naval patrols and fortified ports to combat and could be considered one of the first very simple steps to combating maritime piracy.

By the 19th century significant improvements had occurred with naval technology, along with major expansions to specific colonial empires like the British rule in India. This meant more loot moving in ship routes throughout the world. The suppression of piracy eventually became a recognized obligation that countries began attempting to solve with one of the first Formal conventions about the issue occurring in late 20th century the United Nations convention on the law of the sea. Which further provided a legal definition of piracy and outlined states responsibilities towards resolving this growing problem.

Despite the efforts, piracy never disappeared entirely, with a great surge in piracy occurring especially in areas of Somalia and Nigeria. In modern times it has re-emerged in areas marked by political instability, poverty and weak maritime law enforcement. Notably, piracy off the coast of Somalia escalated rapidly in the late 2000s. This resurgence prompted renewed international concern and more comprehensive counter piracy initiatives setting the stage for ongoing efforts to address maritime security challenges.

Current Challenges

With technology developing so does piracy, With the nature of piracy incidents evolving from high seas hijackings to include a broader range of threats including armed robbery at anchorages, siphoning of cargo and even cyber attacks targeting navigational systems. This rapid change in behavior and methodology have now created a need for new solutions to be formed and to take a different approach to combating the growing problem of piracy. Kidnapping for ransom still remains a prevalent tactic in the Gulf of Guinea, posing significant risks to crew safety and further requiring the need of specialized response strategies.

Another significant problem that has become of concern is the Evolving of geographical strategies. While piracy in the coast of Somalia has decreased it is further resurfacing in other areas

of the world including the East China sea and the Gulf of Guinea. The Gulf of Guinea has become a concerning issue with incidents involving boarding and theft of cash indicating a potential return to more aggressive tactics. This is also supported with the additional issue that Piracy has a larger economic impact, with certain situations impacting the economic stability of Entire countries.

Major Parties Involved

Somalia

Somalia has been a hub for piracy ever since the late 90's, with piracy reaching all time highs in Somalia, it serves as a clear cut example on how to combat piracy. With major UN resolutions often surrounding the problem of piracy in Somalia the internal conflicts and large drug problems have not only been a problem related to maritime piracy but also towards the UNODC. Somalia serves as a major player when addressing problems with piracy with the most development in combating this threat.

Nigeria

With new hotspots for piracy arising on the daily, the Gulf of Guinea have proven to be one of the most concerning. With most organised piracy occurring in the Gulf of Guinea in the Niger Delta region, the UN has produced multiple resolutions to address this concern. Nigeria's navy plays an especially important role with major power in security operations along with major collaborations with neighbouring countries to combat maritime piracy in the area.

United States of America (USA)

While the USA is not a major hotspot when it comes to piracy, the US has had significant involvement with international reforms towards combating piracy. With major involvement in CTF 151 the US has played a key role in addressing piracy off the coast of Somalia.

India

With large amounts of illegal piracy acts occurring in the Indian ocean, India plays a great role in combating the problem and has been heavily involved in multiple counter piracy operations to safeguard vital shaping routes and national economic interests. The Indian Navy independently patrols and escorts missions in high risk areas to ensure maritime safety.

International Maritime Organization (IMO)

The IMO is the United Nations specialized agency with responsibility for the safety and security of shipping and the prevention of marine and atmospheric pollution by Ships. (“Introduction to IMO”) While the IMO’s major aim is towards the SDG goals, the organization also plays an important role in addressing the growing problem of marine piracy. It is often used as an instrument to form key conventions related to key anti-piracy efforts including the Djibouti Code of conduct for marine safety.

European union Naval force (EU NAVFOR)

The EU NAVFOR aims to keep watch over areas off the Somali coast, including Somalia's territorial and internal waters in which there are dangers to maritime activities in particular to maritime traffic. Along with a major task of deterring, preventing and repressing acts of piracy and armed robbery at sea. (“Mission”). The EU NAVFOR aims to protect areas such as the Gulf of Aden, Somali Basin, The Red Sea, Gulf of Suez and the Gulf of Aqaba and plays a pivotal role in combating modern day piracy.

Combined Maritime Forces (CMF)

The combined Maritime Forces is a multinational maritime partnership that upholds the international Rules based order by countering illicit non state actors on the high seas and promoting security, stability and prosperity across 3.2 million square miles of international waters. The CMF has 5 major combined task forces including CTF 151 which aims specifically to combat piracy by utilizing counter piracy techniques. (“About CMF”)

Timeline of Key Events

While key events related to Maritime piracy have developed throughout history, very few are globally recognized changes.

Date	Description of event
1982	

	The adoption of the United Nations Convention on the Law of the Sea (UNCLOS). Providing the stepping stones towards a clear comprehensive legal definition of piracy under international law ("United Nations Convention on the law of the sea")
2008	**UNSC adopted resolution 1816.** Which authorizes international naval forces to enter Somali territorial waters to combat mass piracy.
2008	**Establishment of EU NAVFOR.** Aims to contribute towards the deterrence,prevention and repression of acts of piracy and armed robbery off the Somali coast. ("Mission")
2009	Establishment of CTF 151 with specific piracy mission based mandates. ("CTF 151: Counter-Piracy")
2011	**Peak Somali Piracy Incidents**. Reporting over 237 attacks globally mainly concentrated in the Indian Ocean
2014	**Gulf of Guinea, the new piracy hotspot.** Increase in piracy related Incidents in the Gulf of Guinea, making it the world's most dangerous piracy hotspot.
2020	Global Piracy incidents reach 333 reported attacks with the majority occurring in the Gulf of Guinea.

UN involvement, Relevant Resolutions, Treaties and Events

There have been multiple resolutions related to piracy but there are 4 major UN resolutions that have been passed and discussed related to Maritime piracy.

- Resolution 1816, 2 June 2008 (S/RES/1816)

The resolution discuss the concerning problem of piracy that occurs off the coast of Somalia, urging states to utilize military vessels off the coast of Somalia

- Resolution 1846, 2 December 2008 (S/RES/1846)

This resolution was adopted as an extension to resolution 1816, addressing more concerns related to Somali piracy

- Resolution 1918, 27 April 2010 (S/RES/1918)

The resolution aims to ensure better processes for ensuring prosecution and imprisonment of persons responsible for piracy off the coast of Somalia.

- Resolution 2634, 31 May 2022 (S/RES/2634)

With Guinea becoming a hotspot for piracy, the resolution aims to address the UNSC's concern regarding piracy and ways to combat it.

Delegates are highly encouraged to read at least one of the past resolutions, to understand the international approach to combating Maritime piracy.

While there have been a large number of significant resolution, one significant convention has altered the past when it comes to Maritime Piracy

United nations convention on the laws of the sea

The UNCLOS lays down a comprehensive regime of law and order in the world's oceans and seas establishing rules governing all uses of the oceans and their resources. It embodies in one instrument traditional rules for the uses of the oceans and at the same time introduces new legal concepts and regimes and addresses new concerns. ("United Nations Convention on the laws of the sea")

Possible Solutions

Enhancing Naval Cooperation

By further promoting coordination between regional naval forces through joint ventures and information sharing techniques. Countries can further improve their maritime security in High risk areas. Further supporting regional coalitions and task forces that can reinforce safety especially in areas like the gulf of Guinea

Reiterating the UNCLOS

While the UNCLOS is a fundamental convention, over time Piracy has changed. With new threats and issues coming as technology develops over the years it is important to develop a new set

of comprehensive anti-piracy legislation in line with international law. Emphasising the difference present in modern Piracy.

Improving MDA

Improving Maritime domain awareness and further investing in modern technology like surveillance, coastal radar systems and real-time information sharing platforms can further enhance the detention of pirate activity. Especially in regional centers for maritime coordination , these facilities must be supported to strengthen early warning and rapid response capabilities.

Fostering International and Regional Agreements

Promoting the adoption and implementation of regional codes of conducts and further connecting it to international agreements can reinforce a joint approach towards combating piracy. Adopting cooperation frameworks such as the Djibouti Code of Conduct and the Yaounde Code of conduct to further strengthen collective maritime security arrangements.

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