

# The General Assembly Topic A Primary Sources

## Maritime Piracy

*Here are the primary sources that your moderator or legal chair thought would be helpful in gaining an understanding of the topic. These are by no means all of the sources available, just sources we wanted to highlight.*

### **Source #1: United Nations Convention on the Law of the Sea Articles 100-107 & 110**

The UNCLOS' Part VII summarizes much of the basis for anti-piracy efforts that the international community undertakes. The Articles relevant to pirates, Article 100-107 and 110 start by declaring that states have a duty to cooperate to repress maritime piracy. It also provides for a definition of piracy: Piracy consists of any of the following acts:

- (a) 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, and directed: (i) on the high seas, against another ship or aircraft, or against persons or property on board such ship or aircraft; (ii) against a ship, aircraft, persons or property in a place outside the jurisdiction of any State;
- (b) any act of voluntary participation in the operation of a ship or of an aircraft with knowledge of facts making it a pirate ship or aircraft;
- (c) any act of inciting or of intentionally facilitating an act described in subparagraph (a) or (b).

Subsequent sections outline other enforcement mechanisms for maritime piracy.

[https://www.un.org/Depts/los/convention\\_agreements/texts/unclos/closindx.htm](https://www.un.org/Depts/los/convention_agreements/texts/unclos/closindx.htm)

### **Source #2: United Nations Security Council Resolution 2442**

This resolution, passed by consensus in the Security Council in November of 2018, reauthorized for 12 months the international naval forces to patrol international waters off the coast of Somalia to deter and defend against pirate attacks. The document urges Somalia to continue to improve its security situation and economy, but also for the Somali government to create a functioning coast guard and stricter anti-piracy laws. The resolution notes, importantly, that the primary responsibility for fighting pirates should be the Somali government, but it recognizes that until the Somali government can do this for itself, the international community must remain involved.

<https://www.un.org/press/en/2018/sc13566.doc.htm>

### **Source #3: ASEAN and ARF Maritime Security Dialogue**

Dating from 2007, this information paper covers a workshop on Maritime Security held by the association of Southeast Asian Nations (ASEAN). Even in 2007, piracy in Southeast Asia was an important issue that regional groups were grappling with. In particular, to combat piracy (among other maritime threats), the document recommends that ports create a security plan, focus on capacity building between the military and civilian authorities, engage in regional cooperation to defeat pirates, improve information sharing, and improve technology for maritime patrols.

[https://www.un.org/Depts/los/consultative\\_process/mar\\_sec\\_submissions/asean.pdf](https://www.un.org/Depts/los/consultative_process/mar_sec_submissions/asean.pdf)

### **Source #4: NATO counter-piracy operations**

Last updated in 2016, this page recounts the role that NATO had in the anti-piracy operations in the Gulf of Aden and the Indian Ocean off the coast of Somalia. This NATO operation ran from 2008,

from the initial surge of Somali pirate attacks, through 2016. The NATO mission was launched at the behest of the United Nations. In addition to the NATO mission, a US-led mission, the Combined Task Force 151, and the European Union's Operation Atalanta worked to suppress pirate attacks in this area. The NATO operation was ended in 2016 as there were no successful pirate attacks since 2012, so the organizers felt that the pirate threat had largely submitted.

[https://www.nato.int/cps/en/natolive/topics\\_48815.htm](https://www.nato.int/cps/en/natolive/topics_48815.htm)

**Source #5: Secretary-General's Report on Piracy off the coast of Somalia**

This report was submitted in 2015 to the Secretary-General. It provides an update on operations against Somali pirates. This report states that the number of pirate attacks off the coast of Somalia fell from 2013 to 2015, with a significant drop in the number of sailors being held hostage by the Somali pirates. For those hostages who had been released, the report notes that some crew members had been tortured and mistreated during their captivity and would require substantial care after the incident. The report also delves into the importance of building up the capacity for countries in the region to combat piracy on their own, through law enforcement workshops, information sharing, and economic development.

[http://www.securitycouncilreport.org/atf/cf/%7B65BF9F9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s\\_2015\\_776.pdf](http://www.securitycouncilreport.org/atf/cf/%7B65BF9F9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_2015_776.pdf)

**Source #6: Concept note by Equatorial Guinea about Transnational Organized Crime at Sea**

In this note, Equatorial Guinea outlines the lines along which debate about transnational organized crime at sea should occur. The note begins by outlining the economic and environmental importance of the ocean and how the ocean has become a medium for both the rapid movement of legitimate goods as well as illicit activities. The concept note concludes with by outlining that discussions on maritime piracy should be sure to address the links between terrorism, piracy, and the trafficking in humans, weapons and drugs. Importantly, Equatorial Guinea's interest in maritime piracy demonstrates that maritime piracy exists beyond the coast of Somalia and the Straits of Malacca.

[https://www.securitycouncilreport.org/atf/cf/%7B65BF9F9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s\\_2019\\_98.pdf](https://www.securitycouncilreport.org/atf/cf/%7B65BF9F9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_2019_98.pdf)