

Iowa High School Model United Nations
Disarmament Committee
Piracy in International Waters
Author: Christopher Phalen (shib2242@uni.edu)

Background

The issue of piracy in international waters causing harm to merchant and civilian ships has a very long history, beginning shortly after vessels were invented that could handle long ocean voyages far from shore. Although acts of piracy have been relatively low in the recent past, a new upsurge of pirating activity has caused trouble for many countries, most evident by the situation in the Gulf of Aden off of the shore of Somalia.

Small bands of pirates travelling in small speed boats have been attacking primarily merchant ships, and have been highly successful. Although piracy has proved a very lucrative business for the pirates, it has proved very costly in life, cargo goods, and trade commerce for countries doing business in one of the busiest trade ports in the world today.

These pirates use speed as their greatest weapon. They come alongside merchant ships and use grappling hooks to climb aboard. Immediately upon boarding, pirates hijack the vessel and hold the crew members and passengers hostage. These groups of pirates are heavily armed with automatic weapons that are easily acquired on the mainland.

These pirates have two general means of making money off of these situations. The first is stealing cargo from the hijacked vessel and leaving quickly in their boats before any aid can make it to help the members trapped aboard the ship. Secondly, it is common for the pirates to hold the ship and crew hostage in demand for an extremely high ransom. Most, if not all of these ships that are being attacked and held hostage are ill-equipped to protect themselves in the event of an attack. In the current situation in the Gulf of Aden, over 60 ships have been attacked by pirates, and around 30 of those have been hijacked and held for ransom. Around a dozen of these ships are still held by pirates. This has cost countries millions of dollars, and the peace and security of over 200 crewmen. Most recently has been the hijacking of the Ukrainian cargo ship, the MV Faina. This vessel was carrying Soviet made tanks, guns, and ammunition. This poses a great security risk to the region. The pirates are holding the ship for a 20 million dollar ransom.

This is not only causing a cost to the individual ships that are affected in these attacks. The pirating in the Gulf of Aden is beginning to affect the overall trade in the region because many shipping companies fear an attack and now refuse to do business in the area. These pirate attacks are also causing a large loss of life. This is not limited to the hijacked ships. Many of the vessels attacked are transporting humanitarian aid in the form of food and other supplies, people living in the region surrounding the Gulf of Aden will never receive these supplies, because the cargo is stolen by these pirates and sold for cash, or redistributed to different areas. This aspect alone negatively effects close to 3 million people. As you can see, piracy in international waters is a major problem than must be dealt with immediately, with the least loss of life and trade possible.

What Has Been Done/Past U.N. Actions

In the preamble of the United Nations Convention on the Law of the Sea, Part VII, Section 1., Articles 100-107 specifically define piracy, and give the grounds for which it can be combated. This includes giving all nations the right and duty to cooperate in the repression of

piracy. This is one of the most basic actions the UN has taken to control, and ultimately eliminate piracy in international waters.

In June of 2008, the UN passed Resolution 1838, which “calls upon all states interested in the security of maritime activities to take part actively in the fight against piracy on the high seas off the coast of Somalia, in particular by deploying naval vessels and military aircraft”. This resolution, which was originally presented by France, asked states “to use the necessary means, in conformity with international law...for the repression of acts of piracy”. Since the passing of Resolution 1838, several European Union countries, as well as the United States have put naval vessels in place in the Gulf of Aden to help patrol the situation. Russia is currently making plans to send assistance to the area.

Currently, the European Union is collecting a unit of naval ships to send to the region. These ships will be used as a deterrent to pirating activities. They will also serve as escorts to merchant vessels traveling in the region. Canada has been providing escort to ships carrying food aid to Somalia, however, soon its tour of duty will end, and no countries are volunteering to take its place.

Possible Solutions

Although the UN and UN-related forces are beginning to take action toward solving the problem of piracy in international waters, there is much work left to be done. Many avenues may be useful in reaching the UN’s goal. Many blame the piracy issue on a lack of stability and control in the mainland of Somalia itself. Perhaps then, one possibility is to give support to the mainland countries through military, economic, and humanitarian aid. With this help, the mainland country can begin to strengthen its own economy and start providing secure protection to its ports and the surrounding regional waters. This can also be done through educational programs as well as programs to locate and eradicate certain persons or groups profiting from piracy.

Also, by strengthening the mainland country itself, the amount of humanitarian aid needed will decrease. This will lead to a decrease in number of ships travelling through the area carrying food and other supplies. With less vessels requiring escort, military vessels can concentrate their aim at protecting ships carrying armaments and other potential security risks. This may begin to cut down on pirating activities.

The UN can organize a more solidified schedule of military escorts for merchant ships from member nations with strong navies. This may also help to deter piracy. These escorts should be provided only for an amount of time deemed sufficient for the mainland country to take over the escort process.

Questions to Consider

1. How can the United Nations effectively eliminate piracy in international waters?
 - a. What methods have worked in the past?
 - i. Educational programs?
 - ii. Sanctions against mainland countries supporting, (or not resisting) piracy?
 - b. Would giving aid to countries in order to strengthen a country’s mainland government with an aim to exert more national force against piracy lower the amount of piracy in troubled regions?
2. What effect is international piracy having on weapons trade and transportation?

3. What other issues might be related to piracy, and can any measures used to stop them be adapted to face the piracy problem?
 - a. Can piracy be considered an act of terrorism?
4. How are international human rights being affected by piracy in international waters?
5. What effect is international piracy having on the economy of the nations under pirate harassment, and how is that affecting the world economy?
6. How is piracy in international waters affecting efforts of the United Nations to better the international community?
 - a. Example: Food/Humanitarian relief is often not getting to the countries it has been sent for because the ships carrying this aid are being stopped, raided, and held for ransom by pirates rather than getting to the intended country safely.
7. What countries/regions are being affected by international piracy?
 - a. Remember to consider not only countries directly affected by piracy in the surrounding waters, but also indirect effects on other countries (trade partners etc.).
8. Where are the "hotspots" that are especially prone to piracy?
 - a. Why is this so?
 - b. What can be done to fix this problem?
9. Are there any countries who are aiding in international piracy?
10. Who stands to benefit from piracy in international waters?

Consulted/Recommended Sources

"Attacking the pirates may be too costly." Daily Nation. 8 Oct. 2008. Daily Nation. 14 Oct. 2008 <<http://www.nation.co.ke/oped/editorial/-/440804/478538/-/qkutjiz/-/>>.

"International League of Human Rights." International League of Human Rights. 2007. International League of Human Rights. 14 Oct. 2008 <<http://www.ilhr.org/>>.

Lederer, Edith M. "UN calls for action to fight pirates of Somalia." The Associated Press. 9 Oct. 2008. The Associated Press. 14 Oct. 2008 <http://ap.google.com/article/aleqm5jttfhr_lriarmv9t8ydoupmq56ogd93ls6og4>.

"NATO to target Somalia's pirates." BBC News. 9 Oct. 2008. British Broadcasting Corporation. 14 Oct. 2008 <<http://news.bbc.co.uk/1/hi/world/africa/7661927.stm>>.

"NATO's assistance to the African Union in Somalia." North Atlantic Treaty Organization. 2 Apr. 2008. North Atlantic Treaty Organization. 14 Oct. 2008 <<http://www.nato.int/issues/au-somalia/index.html>>.

"Part VII: High Seas: Section 1. General Provisions." Preamble To The United Nations Convention On The Law Of The Sea. 2007. The United Nations. 14 Oct. 2008 <http://www.un.org/depts/los/convention_agreements/texts/unclos/part7.htm>.

Petrie, Donald. "Pirates of Today." Sag Harbor Chamber of Commerce. 14 Oct. 2008 <<http://www.sagharborchamber.com/pirates/today.htm>>.

"Press Conference By Under-Secretary General For Humanitarian Affairs And Emergency Relief Coordinator John Holmes On Food Crisis In Horn Of Africa." United Nations

- Press Conference. 19 Sept. 2008. The United Nations. 14 Oct. 2008
<http://www.un.org/news/briefings/docs/2008/080919_holmes.doc.htm>.
- Shiundu, Alphonse, and Dominic Waballa. "Arms ship: UN okays commando attack." Daily Nation. 8 Oct. 2008. Daily Nation. 14 Oct. 2008 <<http://www.nation.co.ke/news/-/1056/478576/-/tky03b/-/>>.
- "Somalia sanctions force against pirates." The Moscow News. 3 Oct. 2008. The Moscow News. 14 Oct. 2008 <<http://www.mnweekly.ru/news/20081003/55349707.html>>.
- "Somalia." The World Factbook. 9 Oct. 2008. Central Intelligence Agency. 14 Oct. 2008
<<https://www.cia.gov/library/publications/the-world-factbook/geos/so.html>>.
- Stares, Justing. "EU to launch naval escorts in Gulf of Aden." Piracy & Security. 6 Oct. 2008. Lloyd's List - The Leading Maritime & Transport News Portal. 14 Oct. 2008
<<http://www.lloydslist.com/ll/news/viewarticle.htm?articleid=20017577798>>.
- "UN backs Somalia." The Press Association. 9 Oct. 2008. The Press Association. 14 Oct. 2008
<<http://ukpress.google.com/article/aleqm5jwkfr1-q5fod7wc7avgfd5s4u72a>>.
- "UN calls for action against Somali pirates." The Times of India. 8 Oct. 2008. The Times of India. 14 Oct. 2008
<http://timesofindia.indiatimes.com/world/act_against_somali_pirates_urges_un/articleshow/3572732.cms>.
- "UN issues worldwide call to battle piracy in Somalia." ABS CBN News. 8 Oct. 2008. ABS CBN News. 14 Oct. 2008 <<http://www.abs-cbnnews.com/pinoy-migration/10/08/08/un-issues-worldwide-call-battle-piracy-somalia>>.
- "UN Security Council Adopts New Somalia Piracy Resolution." Nasdaq. 7 Oct. 2008. Dow Jones - The Wall Street Journal. 14 Oct. 2008
<<http://www.nasdaq.com/aspcontent/newsstory.aspx?cpath=20081007%5cacqdjon200810071048dowjonesdjonline000489.htm&&mypage=newsheadlines&title=un%20security%20council%20adopts%20new%20somalia%20piracy%20resolution>>.
- "UN to take action against Somalia pirates." Merinews. 10 Oct. 2008. Merinews. 14 Oct. 2008
<<http://www.merineews.com/catfull.jsp?articleid=144040>>.
- Varner, Bill. "UN Council Asks Larger Effort to Fight Somali Pirates." Bloomberg. 14 Oct. 2008. Bloomberg. 14 Oct. 2008
<<http://www.bloomberg.com/apps/news?pid=20601116&sid=aflqjrzuqdoq&refer=africa>>.
- "Welcome to the United Nations." The United Nations. 2000-2008. The United Nations. 14 Oct. 2008 <<http://www.un.org/english>>.