



# Pat-MedMUNC III Security Council

---

## *Piracy and the Laws of the High Seas*

Piracy is a very pressing issue that has the potential to harm every nation. In 1982, as part of the United Nations Convention of the Laws of the Sea (UNCLOS) piracy is defined (in article 101) as:

(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).

Nowadays, attacks against ships aren't just confined to the high seas, but also take place most often on territorial seas and in ports. They also pose serious threats to seafarers and to the shipping industry in addition to civilians and national security. In 2008, losses from ransoms alone reached tens of millions of dollars.

Organized actions by national navies have all but eradicated piracy in their national waters, However, piracy still flourishes in unstable regions such as Somalia and other developing nations with small, untrained or inexistent naval forces such as Nigeria. Modern pirates have grown more sophisticated, using speedboats, GPS tracking devices and automatic weapons to capture primarily crewed cargo ships. After their capture, their crew and cargo can be ransomed for large amounts of money. A majority of this money funds regional and international terrorist organizations.

With water covering three-fourths of the Earth's surface, maritime piracy and security has led to the creation of the International Maritime Organization (IMO) and other such groups. The goal of this

community is to ensure the execution of existing international regulations to improve safety on the high seas.

Piracy is still an existing problem for areas like the Malacca strait, between Indonesia and Malaysia. Although piracy has a strong presence in Southeast Asia, the rate of piracy off the coast of Somalia and Gulf of Aden has escalated in recent years. Piracy in the Gulf of Aden has strategic importance because roughly twelve percent of the total volume of oil transported by sea passes through this gulf. Piracy directly threatens the lives of seafarers, obstructs the flow of humanitarian aid to Somalia and is detrimental to the economic welfare of many Somalian civilians.

On December 2nd, 2008, the United Nations Security Council adopted Resolution 1846 to address the current situation of piracy in Somalia's territorial waters. The resolution was sponsored by the United States and France, and states that for the next 12 months, state and regional organizations will cooperate with the Somali Transitional Federal Government (TFG) and therefore can enter Somalia's territorial waters to use "all necessary means" "for the purposes of repressing acts of piracy and armed robbery at sea."

### *Points to Consider*

- Does the Definition of piracy need updating?
- Should humanitarian aid be provided to nations suffering from piracy?
- Who has the right to determine when a country's territorial waters should be open to other countries military forces?
- What is the best method of patrolling waters with high piracy and should the UN create a maritime peacekeeping force?
- How should terrorist groups benefiting from piracy be addressed?
- Should crew members of cargo ships and cruise liners entering other nations for trade be allowed to carry arms?