

**Security Council**

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Letter dated 6 November 2012 from the Permanent Representative of India to the United Nations addressed to the Secretary-General

As you are aware, during its presidency of the Security Council in the month of November 2012, India has scheduled an open debate to discuss the threat to international peace and security by acts of maritime piracy. In this context, India has prepared a concept note (see annex).

I should be grateful if the present letter and its annex were distributed as a document of the Security Council

(Signed) H. S. Puri



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International peace and security: piracy

Concept note

Maritime piracy and armed robbery at sea have become a major concern for the international community, in particular, for shipowners, seafarers, international organizations, insurance companies and Governments alike. Despite international efforts in recent years to contain this challenge, maritime piracy has remained a major problem with economic, commercial, humanitarian and security dimensions. Several of the major maritime trade routes of the world, in particular the Gulf of Aden and the Gulf of Guinea, continue to be affected by piracy, hampering international trade and commerce. In the last couple of years, the plight of seafarers taken hostage and held in captivity by pirates has also become a matter of serious concern for the international community.

There are many factors that have contributed to the problem of piracy. These include a vast area of maritime space with lax maritime regulations, the existence of organized crime syndicates, the presence of radical, politically motivated groups in the concerned region, the lack of maritime demarcation, overfishing and political instability in Somalia, to name a few.

Despite the action taken by the world's navies against piracy off the coast of Somalia, the number of pirate attacks remains alarmingly high. Several reports indicate that piracy is being developed as a successful business model by piracy networks, their financiers and supporters. Pirates are able to operate successfully in areas much beyond the coast of Somalia, exploiting security shortcomings in the maritime environment and taking benefit of the political, social and economic developments conducive to the occurrence of such attacks.

The attention of the Security Council regarding the issue of piracy has been primarily focused on developments relating to Somali pirates. Legal issues have been a key focus for the Council in relation to Somali piracy and, in particular, how to ensure the prosecution of suspected pirates and imprisonment in the case of convictions, since few countries are willing to take this on. Of late, the Security Council has also paid attention to piracy in the Gulf of Guinea. The Council has highlighted the need for international cooperation, to tackle the menace of piracy, including through capacity-building of States in the region. Given that piracy is often a transnational crime, with pirates operating across national borders, the level of cooperation between Governments, navies and law enforcement agencies has an important role to play. In this regard, it is also important to keep updating the area considered as high risk for piracy, so that the scarce resources of Governments and others used in counter-piracy measures are used more judiciously.

There is a general recognition in the Security Council that the problem of maritime piracy and armed robbery at sea cannot be tackled by military means alone; the problems on shore, ranging from underdevelopment and poverty to the presence of financiers and kingpins, also need to be addressed in a comprehensive

and holistic manner. However, the Council has dealt with the problem of piracy with a more pronounced regional perspective rather than in a wider global context.

The objective of the open debate on 19 November 2012 is to take account of the efforts that the Council has made so far in countering piracy in a holistic manner, with a special focus on the issue of seafarers being held hostage by the pirates, including their welfare, both while in captivity and after their release.

India will propose a presidential statement for the Council's consideration.
