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Monday, 19 November 2012, 3 p.m.

New York

President: Mr. Hardeep Singh Puri (India)

Members:

Azerbaijan	Mr. Huseynli
China	Mr. Yang Zhiyu
Colombia	Mr. Alzate
France	Mrs. Le Fraper du Hellen
Germany	Mr. Eick
Guatemala	Ms. Bolaños Pérez
Morocco	Mr. Iziraren
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Portugal	Mr. Teresa
Russian Federation	Mr. Panin
South Africa	Mr. Milubi
Togo	Mr. M'Beou
United Kingdom of Great Britain and Northern Ireland	Mr. McKell
United States of America	Mr. Lord

Agenda

Maintenance of international peace and security

Piracy

Letter dated 6 November 2012 from the Permanent Representative of India to the United Nations addressed to the Secretary-General (S/2012/814)

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The meeting resumed at 3.05 p.m.

The President: Under rule 37 of the Council's provisional rules of procedure, I invite the representatives of Denmark, Nigeria and Seychelles to participate in this meeting.

I wish to remind all speakers to limit their statements to no more than four minutes, in order to enable the Council to carry out its work expeditiously.

I now give the floor to the representative of Brazil.

Mrs. Dunlop (Brazil): I thank you, Mr. President, for organizing this debate on this important topic. We are also grateful to the Deputy Secretary-General for his briefing.

Piracy is a complex phenomenon. The international response must deal with its various aspects in a comprehensive and integrated manner, starting with its root causes on land, where the problem truly lies. Among such causes, one stands out as requiring serious and constant attention on the part of the international community. That is the socioeconomic exclusion that tends to drive many — especially young people — to a lifetime of crime offshore. If we are to be effective in our individual and collective efforts to fight piracy and armed robbery at sea, we must help affected countries to address economic hardship and the lack of employment opportunities. That means that any successful and long-lasting anti-piracy strategy must not limit itself to improving security and promoting the rule of law. To do so would risk treating the symptoms of the problem and not the its key causes. That would be to the detriment of all involved, in particular the societies affected.

Such an expanded approach is a practical and relevant application of the understanding expressed by the Security Council on several occasions regarding the relationship between security and development, which, as stated in S/PRST/2011/4, are closely interlinked, mutually supportive and key to attaining sustainable peace.

Although the Council has no competence on development issues per se, it should not lose sight of those critical interlinkages between security and development as it discusses peace and security in piracy-affected regions. When it does address issues related to threats to international peace and security arising from piracy, it must also bear in mind the fact that international law, as reflected in the United

Nations Convention on the Law of the Sea, provides for the legal framework applicable to combating piracy and armed robbery at sea, as well as other ocean activities. The Council's actions must be fully consistent with that framework.

We are encouraged by the fact that the overall number of pirate attacks, and particularly that of successful ones, off the coast of Somalia has decreased. That indicates the importance of the combined naval actions in the region, of capacity-building initiatives in neighbouring Member States and the relevance of the discussions held in the context of the Contact Group on Piracy off the Coast of Somalia, as well as at the International Maritime Organization.

We support those discussions in both forums as part of a necessary exchange of views that can lead to the enhancement of regulation and guidelines for ships, including with respect to the sensitive issue of privately contracted armed security personnel.

The many recent positive political developments in Somalia, which give us reason for optimism, will strengthen Government control over areas still under the influence of piracy. Moreover, it is important that, as Government institutions begin to operate more effectively, the international community rally behind efforts to improve socioeconomic conditions for the Somali people. Alternative livelihoods are the best way to steer Somali youth away from the dangerous dead end of pirate recruitment.

In the same vein, we welcome the preparatory steps taken by the Economic Community of Central African States, the Economic Community of West African States and the Gulf of Guinea Commission towards the convening of a summit of Gulf of Guinea States to adopt a regional anti-piracy strategy.

We recall the emphasis given in Security Council resolution 2039 (2012) to the importance of building on existing national, regional and extraregional initiatives to enhance maritime safety and security in the Gulf of Guinea. We therefore invite Member States to ensure that the fight against piracy and armed robbery at sea in the Gulf of Guinea are in line with and support the objectives and the spirit of the Zone of Peace and Cooperation of the South Atlantic. In that context, we underline the leadership role that States of the region should play and the benefits of regional coordination of efforts to counter the threat of piracy and armed robbery at sea.

Brazil has been paying increasing attention to the international security implications of piracy in the Gulf and started to discuss possible modalities for cooperation, especially in naval capacity-building.

We should not overlook the plight of pirate hostages. Brazil deems it important that, in addition to seafarers taking the necessary precautions to avoid capture, measures be taken to try to reduce the harm inflicted upon the victims. In particular, we view the efforts by the United Nations Office on Drugs and Crime and the United Nations Political Office for Somalia to develop assistance programmes for released hostages as a positive initiative.

To be fully successful, international, regional and national strategies to combat piracy and armed robbery at sea must integrate deterrence, security, the rule of law and socioeconomic development. Brazil will continue to support initiatives to combat piracy that are comprehensive in scope and fully attentive not only to the needs of the international community but also to the populations of the countries and regions affected by the problem.

The President: I now give the floor to Mr. Vrailas.

Mr. Vrailas: I wish at the outset to extend warm thanks to India for having taken this very important initiative and to Deputy Secretary-General Eliasson for his presentation.

The acceding country Croatia; the candidate countries the former Yugoslav Republic of Macedonia, Montenegro, Iceland and Serbia; the country of the Stabilization and Association Process and potential candidate Bosnia and Herzegovina; as well as Ukraine, the Republic of Moldova and Georgia align themselves with this statement.

The European Union (EU) remains fully committed to the fight against piracy. It is not acceptable that criminal gangs are continuing to take international shipping lanes hostage and bring suffering to seafarers and their families.

However, we see positive signs. Somali piracy is at its lowest levels since 2008, and the progress noted in the second half of 2011 has continued in 2012. For the first time, the number of disruptions by naval forces and other military units is higher than the number of attacks. The efforts of the European Union Naval Force's Operation Atalanta and others are commendable, as is

the cooperation with other partners in full adherence to the principles of international law.

Nevertheless, despite the recent success achieved in the fight against piracy, we believe that this is not the time for complacency. Key capabilities of criminal networks remain, and current trends can easily be reversed. We should exploit this moment of opportunity and further reinvigorate our counter-piracy efforts in a twin approach, at sea and on land.

The EU has launched EUCAP Nestor, a new regional maritime capacity-building mission which aims to strengthen the capacity of States in Somalia and the Indian Ocean to govern their territorial waters effectively and to reinforce their ability to fight maritime crime. The mission complements other programmes in the region.

We fully agree with the Secretary-General's observations and see the need to increase support to programmes and initiatives that will limit the ability of groups of pirates to operate from land while maintaining the pressure at sea. Key to this will be the ability of the Somali Government to regain control of its territory, to which the EU is contributing in a variety of ways, including by providing training to the Somali defence forces.

We look forward to close cooperation with the new Somali Government in ending the culture of impunity. The international community should increase its efforts to build law-enforcement and justice capacity in Somalia, and assist in promoting the growth of economic opportunities. Piracy networks can operate only if they are given the necessary space on land, and we need to provide incentives to communities to deprive them of that possibility.

Efforts need to continue to pursue piracy network leaders, financiers and instigators and to track and disrupt financial flows. Their "risk/reward" ratio needs to increase, and the underlying business model needs to be broken.

The EU is actively supporting INTERPOL in its work to improve the evidence base and capacities of the countries in the region to investigate crimes of piracy. EU member States, supported by the European Police Office, are also active in investigations and in prosecution efforts.

The effectiveness of international efforts to counter piracy depends also on full respect for the applicable

international law and the flag State jurisdiction in international waters.

We remain deeply concerned by a specific case of disregard of basic principles of international law concerning the status of military personnel in action duty as vessel-protection detachments in an official counter-piracy mission, and the flag State jurisdiction in international waters.

Finally, allow me to re-emphasize that the EU is convinced that only the establishment of the rule of law and economic development will undermine the breeding ground for organized crime in Somalia.

Although there are differences in methodology—pirates in the Gulf of Guinea focus more on cargo than on hostage-taking—the destabilizing and detrimental effects on the fishing, trade and development activities of the local population are similar. Through the Critical Maritime Routes programme, the European Union is supporting countries in the Gulf of Guinea in their efforts to establish regional maritime security mechanisms, share information and coordinate law enforcement.

In conclusion, none of the actions described can solve piracy on its own. There is no silver bullet. The European Union supports an integrated approach. Continued containment and deterrence by naval forces, appropriate measures to provide protection to merchant shipping, actions to end impunity, building regional capacities and forging solutions on land all need to come together. The key issues here are timing, sequencing and coordination.

The President: I now give the floor to the representative of Denmark.

Mr. Staur (Denmark): First, Denmark would like to thank India as the current President of the Security Council for focusing our collective attention on the global challenge of piracy. We value the good cooperation that we have with India in the Contact Group on Piracy off the Coast of Somalia. We share the view that piracy is a global problem that not only threatens the global economy, but also causes great human suffering for those seafarers who are exposed to that threat.

One of the worst affected areas is the waters off the coast of Somalia coast in the Gulf of Aden and the Indian Ocean. Through determined international action

and concerted efforts we have succeeded in suppressing piracy in that region.

I am pleased that the Secretary-General in his report (S/2012/783) puts emphasis on the active engagement of the national and regional administrations of Somalia. For the first time in 20 years, there is a central Government in place in Mogadishu. We have a unique chance to establish a drive for Somali ownership in the fight against piracy. We urge the new Government in Mogadishu to work with its neighbours in order to prepare a comprehensive regional counter-piracy framework and to adopt the necessary domestic legislation. A long-term solution is only viable with a Somalia that can itself eventually deal with the challenges posed by the threat. Capacity-building is central to that end.

Another key element of our efforts to curb piracy has been to identify legal solutions to guide States and organizations. Denmark is chairing Working Group 2 under the Contact Group on Piracy off the Coast of Somalia, which, over the past four years, has been dealing with all legal aspects of countering piracy in that region. In the 12 meetings so far, legal experts from 55 States and organizations have exchanged information on current legal challenges, including investigation, detention, prosecution, transfer and incarceration, as well as the legal framework for private armed guards. Significant progress has been made in that field. Almost 1,200 suspected pirates have either been prosecuted or are awaiting prosecution in 21 countries worldwide. We will continue to pursue all feasible ways to ensure that pirates get prosecuted and to support national prosecutions in the region.

In the longer perspective, Somali pirates should be prosecuted in Somalia. That will require that the necessary legal structures and capacities are in place, which will need a long and consolidated effort. In the meantime, international law already today includes the necessary legal provisions for States and organizations to counter piracy off the coast of Somalia, including with regard to piracy leaders, financiers and organizers operating ashore.

Currently, one of the key challenges is prison capacity. States of the region, especially Kenya and Seychelles, are making a truly remarkable effort to prosecute piracy suspects. However, their prison capacities are limited, and that has now become an obstacle to further prosecution.

The Legal Working Group has been working hard to address the problem by creating a so-called Piracy Prisoner Transfer Programme, by which Somali pirates convicted in other States are transferred for incarceration in Somalia. In line with the observations by the Secretary-General, the transfer of convicted pirates to Somalia is crucial to the strengthening of counter-piracy efforts. That is why the United Nations Office on Drugs and Crime (UNODC), Working Group 2 and other actors are working intensively with the relevant Somali authorities to implement that concept. As a result, the first post-trial transfers of 17 convicted pirates took place from Seychelles to Somaliland in March. We see that as a very positive and significant development. I am therefore pleased to report that the post-trial Transfer Programme is in constant development and refinement, in conformity with the recommendations contained in the report of the Secretary-General.

Denmark highly commends the active role that UNODC and its counter-piracy programme have played in that regard. As Chair of the Legal Working Group, we look forward to continuing our close collaboration with UNODC. We call for all States to support those important activities.

Despite our success so far in many different areas, this is no time to rest on our laurels or for complacency. Pirates are still out there. Should our attention fade, should Governments turn their attention elsewhere or should the vigilance of seafarers and the shipping companies wane, pirates will quickly be back out in their skiffs. Piracy is a global challenge. There are pirates operating in the South China Sea and the Malacca Strait. Countries in that region have come together and taken comprehensive action in various fields to eliminate piracy there. We also see increased activity in the Gulf of Guinea, which affects a number of countries in West Africa as well as the international community. The Security Council has expressed its deep concern about piracy and armed robbery at sea in the Gulf of Guinea, urging States of the region to act to counter the scourge at the national and regional levels.

In conclusion, the responses to piracy vary from region to region but have one thing in common, that is, close cooperation among States. To overcome the challenges posed by piracy, we need to work together on legal issues, on the ground, on building capacity and on finding ways to reduce the risks to seafarers. We need to work together in all those areas where global,

regional and national efforts must come together to counter the threat of piracy.

The President: I now give the floor to the representative of Argentina.

Mr. Estreme (Argentina) (*spoke in Spanish*): Argentina thanks the Indian presidency of the Security Council for having convened this open debate on the maintenance of international peace and security and on the sensitive issue of piracy in particular. We also appreciate the submission of the concept note (S/2012/814, annex).

Piracy and armed robbery at sea off the coast of Somalia are the serious symptoms of a situation that threatens international peace and security and that have called for the attention of the international community and of the Security Council for several years. Recently, piracy and armed robbery at sea off the Gulf of Guinea have aroused concern. The Council has issued various calls for cooperation with countries of the region.

Piracy is a serious illegal act that affects the safety of navigation. The United Nations Convention on the Law of the Sea codified customary international law regarding the repression of piracy. Articles 100 to 107 of the Convention contain the relevant international law on the repression of piracy. "Armed robbery at sea" is not an expression found in the Convention. It consists of acts of violence against ships at sea within the territorial sea of a State. It is therefore a crime not subject to the laws applicable to piracy, but to the exclusive criminal jurisdiction of the coastal State in its territorial sea.

Piracy is an illegal act where the basis for repressive action against it stems from the United Nations Convention on the Law of the Sea. But it is not a matter that should, as such, be addressed by the Security Council. That does not mean that the Council cannot, in a specific situation such as Somalia, take measures. In the Somali case, the Council has adopted measures on piracy and armed robbery at sea off the coast of that country because they are simply one of several symptoms of a complex situation that has been characterized by the Security Council as a threat to international peace and security.

Therefore, actions authorized by the Security Council have a clear legal framework. The Council has reiterated in all its resolutions on the subject the provision from resolution 1816 (2008) that the authorization granted by the Council is applicable only to the situation in Somalia and applies to the

repression of piracy and armed robbery at sea off the coast of Somalia. Such authorization shall not affect the rights and obligations of States under international law, including the United Nations Convention on the Law of the Sea, in other situations and shall not constitute a precedent for international customary law. The authorization was granted only after the consent of the Transitional Federal Government of Somalia.

In the case of the Gulf of Guinea, the Security Council has addressed piracy and armed robbery at sea from the standpoint of the involvement of regional organizations, such as the Economic Community of West African States, the Economic Community of Central African States and the Commission of the Gulf of Guinea, without qualifying the situation as a threat to international peace and security.

It is undeniable that acts of piracy and armed robbery at sea constitute a threat to the safety of navigation. But that does not mean that, as such, they constitute threats to international peace and security under the terms of Article 39 of the Charter, nor are they a global phenomenon with the same reach and seriousness in all regions. Unless the Council adopts specific measures under Chapter VII, action by States that participate in the repression of piracy and by specialized agencies of the United Nations and regional organizations must conform to international law in force, including the United Nations Convention on the Law of the Sea.

In the case of Somalia, it being a Chapter VII situation, States must respect the terms of the authorization granted by the Security Council. One aspect of that requirement to respect the terms of the Council's authorization is that such authorization is granted to States. An incipient trend, which is partly inspired by the shipping industry and which is of great concern, consists of favouring the carrying of weapons on board private ships. Another aspect is that although one of the shared concerns is the way in which the prevailing situation off the coast of Somalia affects the sustainability of marine living resources, in particular fisheries, the authorization given by the Council does not include the repression of illicit acts different from piracy and armed robbery at sea.

The situation in Somalia goes well beyond piracy and armed robbery at sea, and even though it is a serious phenomenon, action by the United Nations should not be limited to it. We commend the efforts by countries in the region, by other countries and by

the United Nations to cooperate with Somalia in the prosecution of responsible parties. But the underlying causes of piracy and armed robbery at sea in Somalia have to be addressed with the support and cooperation of the international community. Capacity-building is crucial, including for allowing Somalia to benefit from the exploitation of the natural resources of its maritime areas.

With regard to the Gulf of Guinea, we commend the involvement of the relevant regional organizations and we urge the United Nations to continue to support those efforts.

In conclusion, Argentina supports cooperation by the United Nations with States affected by piracy and armed robbery at sea. However, we would like to underscore that unless a situation is qualified as a threat to international peace and security under Article 39 of the Charter and the Council decides to take action under Chapter VII, a situation of piracy and armed robbery at sea is not a matter that falls within the primary competence of the Security Council. All actions and any cooperative initiative must conform to the rules of the 1982 United Nations Convention on the Law of the Sea.

The President: I now give the floor to the representative of Saudi Arabia.

Mr. Al-Mouallimi (Saudi Arabia) (*spoke in Arabic*): At the outset, Mr. President, I would like to congratulate you on your assumption of the presidency of the Security Council for this month. We wish you every success and hope that your leadership of the Council's work will show the necessary vitality, dynamics and ability of the Council to respond to events affecting international peace and security.

Since the onset of the newly emerging phenomenon of piracy, especially off the coast of Somalia, Saudi Arabia was one of the first countries affected owing to its geographical location and economic and political status. Our commercial ships and oil tankers fell under a direct threat. Some of them were exposed to repeated attacks, robberies and kidnapping. My country therefore welcomed the adoption of resolution 1851 (2008), which led to the establishment of the Contact Group on Piracy off the Coast of Somalia. The Kingdom of Saudi Arabia has supported the Group and participated in its meetings, its working groups and its Trust Fund.

The Kingdom of Saudi Arabia notes with satisfaction the latest decrease in piracy off the coast of

Somalia. However, we realize that the threat still exists and that there is an urgent need to support Somalia's new Government and help it to assert control over the various parts of the country, including supporting it in addressing the root causes of piracy off its coast and on the seas. In that regard, we continue to cooperate with the international community as it seeks to find a permanent framework that legalizes the use of contractual security personnel. That goal is achievable if we commit ourselves to transparency and full respect for the sovereignty of each State and the laws that regulate its regional waters.

I cannot conclude my statement without addressing the air, sea and land piracy carried out by Israel against the Palestinian people in Gaza. I wonder what the minimum number of Palestinian victims needs to be before the Security Council is moved to shoulder its responsibilities and seek to stop the Israeli killing machine. How can you, Mr. President, and members of the Council turn a blind eye to the wounded babies and children or ignore the screams of women and the groans of the elderly who at this very moment are being subjected to bombardment with Israeli missiles and rockets? How can anyone hold the victim responsible for its own killing and ignore the deadly years-long blockade imposed by Israel on the Gaza Strip? Is it not time for the Council to order the cessation of violence, wherever it takes place and whatever its origin, and end the occupation and to lift the sea blockade in order to give the Palestinian people an opportunity to lead their lives freely, independently and in dignity, like the rest of humankind?

The President: I now give the floor to the representative of Australia.

Ms. King (Australia): Thank you, Mr. President, for convening today's important debate. Australia very much welcomes your initiative, Sir, to address piracy in a holistic, integrated manner.

Maritime security is vital to the trade that underpins economic growth. The global economic costs of piracy are staggering. The cost of Somali piracy, for example, in the past year alone is estimated to have reached several billion dollars. Maritime security and oceanic governance are particularly important to the blue economy, on which island nations rely for their livelihoods. Piracy has significant social costs, and the victims that suffer most acutely are often the least visible: crew members held for ransom, dependent

families and the families of jailed pirates. Piracy is also generally linked to other transnational criminal activity.

Nearly 90 per cent of global piracy attacks in the past year took place in three regions — the Gulf of Guinea, the Horn of Africa and South-East Asia. While the situation in each region is very different, there are parallels and lessons to be learned across them.

Piracy in the Gulf of Guinea — primarily associated with the offshore oil and gas industry — needs to be addressed urgently to avoid escalation. Australia commends the Economic Community of Central African States (ECCAS) and Economic Community of West African States (ECOWAS) for their progress on comprehensive regional counter-piracy strategies, and we welcome the proposed summit of ECCAS and ECOWAS Heads of State and Government next year. We encourage the development of a regional maritime information-sharing mechanism.

Australia is pleased to support efforts to address piracy in the Gulf of Guinea, including through an expert position in the United Nations Office on Drugs and Crime, support for an ECOWAS integrated maritime strategy and a maritime security workshop to be held in Ghana next year.

Turning to the Horn of Africa, where piracy has taken the form of hijacking and holding ships and crews for ransom, we echo others' comments in welcoming progress. But as others have also said, such gains can be easily reversed. Ultimately, addressing piracy in the region will depend on stability and on economic opportunity, including in coastal communities. It is vital that we support the new Somali Government in consolidating recent gains. We also encourage the Government to move forward with its declaration of Somalia's exclusive economic zone, in order to clarify the legal basis for the protection of its natural resources. Australia, as an Indian Ocean country, has been engaged for some time in efforts to address Somali piracy, including through our contribution to the Combined Maritime Forces and support aimed at enhancing the capacity of judicial systems in countries in the region.

Piracy has declined in recent years in South-East Asia, in large part thanks to strong and effective cooperation among the States of the region. The main problem is now opportunistic theft from ships in port.

Australia has been engaged in efforts to draw together lessons from across the regions I have mentioned, including through a conference in July in Australia and a follow-up seminar held in October here in New York, which we were very pleased to co-host with the Permanent Mission of Benin. Key lessons to emerge — and my written statement contains more detail — include the facts that strengthening national capacities to counter piracy is a critical first step; effective action at sea begins on land; international cooperation is essential to handle a cross-national problem; strengthening information sharing is vital; developing workable legal frameworks to prosecute pirates is critical; promoting best-practice security in the international shipping industry is a sound investment; and, finally, we must do more to assist captured seafarers and their families.

As a global community, we cannot address this scourge in the long term without tackling its root causes, including the lack of economic opportunity, employment and effective policing. Piracy is an issue that demonstrates the value and necessity of international cooperation. Australia will continue to play its part in that important endeavour.

The President: I now give the floor to the representative of Egypt.

Mr. Mahmoud (Egypt) (*spoke in Arabic*): At the outset, I would like to express our appreciation to the Indian presidency of the Council for organizing this debate on the important issue of the “Maintenance of international peace and security: piracy”, as well as to thank the Deputy Secretary-General for his valuable contribution.

We would like to align ourselves with the statement to be made later by the representative of the Islamic Republic of Iran on behalf of the Non-Aligned Movement.

There is no doubt that the grave threat posed by acts of piracy and armed robbery at sea to the major maritime routes of the world — particularly in the Gulf of Aden, off the coast of Somalia, in the Gulf of Guinea and in the western Indian Ocean, as well as the hostage-taking associated with such acts — causes serious security, economic and humanitarian repercussions that demand that the international community redouble its efforts to combat those acts, especially by addressing their root causes.

In that regard, Egypt stresses the importance of sharing lessons learned and best practices in combating piracy, taking into account their different political and security considerations, as well as the various operating methods adopted by piracy networks from one region to another. In that context — whereas piracy networks operating in the Gulf of Aden and off the coast of Somalia exploited the absence of State authority in Somalia for two decades so as to make that country a base from which to launch attacks, hijack ships and take seafarers hostage for ransom — acts of piracy and armed robbery in the Gulf of Guinea are focused on seizing cargo aboard vessels transiting the area. The different objectives and operating methods of criminal piracy networks therefore clearly demand different approaches to suppressing them.

Nevertheless, the key factors for success in combating acts of piracy, wherever they occur, include helping to build national counter-piracy capacities; enhancing cooperation and information-sharing at the regional level; promoting the maritime industry’s commitment to following best practices in high-risk areas; and fighting impunity by ensuring that suspected pirates and their leaders and financiers are prosecuted, as well as by dismantling the illicit funding and financial flows related to piracy.

While acts of piracy and armed robbery at sea pose threats to international trade and international peace and security in general, such acts have a more profound impact on African countries, as they affect stability, economic growth and development in Africa. In that respect, Egypt welcomes the steps taken by the States of the Gulf of Guinea to suppress acts of piracy, including by conducting joint patrols. Egypt emphasizes the importance of developing a regional anti-piracy strategy, as outlined in resolution 2039 (2012), and calls for enhancing the international community’s assistance in building national and regional maritime capabilities.

Among other things, piracy and armed robbery off the coast of Somalia are the result of the absence of State authority and the lack of development that prevailed in that country for two decades. Despite the success of the international community’s efforts to reduce the number of successful attacks, maritime piracy cannot be eliminated by military means alone; those must be part of a comprehensive strategy aimed at addressing the root causes of piracy in all its political, security, economic and humanitarian dimensions.

In that context, Egypt — as a member of the Contact Group on Piracy off the Coast of Somalia and the Contact Group's Trust Fund Board, as well as through its chairmanship of the Contact Group's Working Group 4 — has always stressed the importance of a comprehensive approach on the part of the international community in addressing piracy off the coast of Somalia, one that builds on the progress made in Somalia's security and political situation by providing more resources to support development and reconstruction in order to create job opportunities for Somali youth and thereby end the risk of becoming involved in piracy networks.

Egypt is confident that the new political regime in Somalia, under the leadership of President Hassan Sheikh Mahmoud, will lead to further positive developments in strengthening stability and development in the country. Egypt reiterates its commitment to supporting the Somali Government, including through capacity-building in the fields of education and health, as well as by training security forces, the army and the coast guard.

Egypt reaffirms that the United Nations Convention on the Law of the Sea defines the legal framework for combating piracy. We would also like to underscore the importance of all States upholding their obligations and responsibilities under the Convention with regard to the prosecution of suspected pirates. Egypt attaches great importance to the proper definition of the high risk area, where the risk of piracy abounds, and emphasizes that the definition should be based on clear and well-defined criteria, so that the resources allocated for counter-piracy measures can be more effectively used by focusing on the areas where actual incidents of piracy take place.

Finally, Egypt emphasizes the importance of establishing regulations for the deployment of privately contracted armed security personnel on commercial ships. Putting in place such regulations should be done through an open consultative process, with the participation of all parties, particularly the International Maritime Organization.

As the representative of Saudi Arabia said a few moments ago, my delegation also finds it difficult to understand why the Council is discussing an issue such as piracy while it remains silent with regard to acts similar to piracy that are being perpetrated by the Israeli occupation authorities through the blockade of the

Gaza Strip, as well as with regard to the repercussions of the humanitarian situation there due to the military operations that have been conducted there over the past few days.

The President: I now give the floor to the representative of Luxembourg.

Ms. Lucas (Luxembourg) (*spoke in French*): I would first like to thank you, Mr. President, for organizing this important debate on piracy, which is a useful complement to the debates focused on specific regions that the Council has previously organized on this issue. I would also like to thank the Deputy Secretary-General for his briefing.

I associate myself with the statement made earlier by the observer of the European Union.

The determined efforts made for several years now to combat piracy off the coast of Somalia are beginning to bear fruit. In that connection, the deployment of international maritime patrols and the implementation of best management practices have allowed for a reduction in the number of attacks and a decrease in their success rate. While such success is undoubtedly good news, we must remain vigilant and committed, as more than half of all the attacks recorded worldwide in 2012 occurred in the Gulf of Aden, the Red Sea or off the coast of Somalia.

Luxembourg actively contributes to European missions in support of the implementation of the relevant Security Council resolutions, notably through the provision of surveillance and reconnaissance aircraft to Operation Atalanta and a contribution to the training mission for Somali security forces. We are also considering a contribution to the new regional maritime capacity-building mission — EUCAP Nestor — which, in cooperation with Kenya, Djibouti, Seychelles, Somalia and the United Republic of Tanzania, aims to strengthen the capacity of the States of the Horn of Africa to govern their territorial waters effectively and to ensure maritime security.

While there has been a reduction in acts of piracy off the eastern shores of the African continent, the Gulf of Guinea has become a new high-risk zone. During the year 2012, the number of attacks in that area, which stretches from Nigeria past Togo to Benin, has risen. During this year, two ships flying the flag of Luxembourg were also attacked. I welcome the efforts by the countries of the region with a view to adopting

a regional anti-piracy strategy in collaboration with the African Union.

Piracy in the Gulf of Guinea, armed robbery at sea and the rise of related illicit activities affect the stability and security of the entire region of West Africa. They also threaten the socioeconomic development of the countries of the region. My country has for many years implemented an active development cooperation policy that is aimed, among other things, at giving economic opportunities to coastal populations, especially young people. We intend to continue with such efforts, which we also consider as a contribution to the fight against the insecurity that currently prevails in the region.

Initially, in order to respond urgently, the international community adopted strategies to address the effects of piracy, notably through military means. Although, as I have just mentioned, such strategies have allowed for a reduction in the number of attacks and a decrease in their success rate, they have not been able to halt the phenomenon in a sustainable manner. I therefore welcome the emphasis put by the Indian presidency of the Security Council in its concept note (S/2012/814, annex) on the need for a holistic approach to maritime safety that also tackles the root causes of piracy.

In order to tackle the continuing threat, the United Nations, the international community as a whole and all the coastal States in areas affected by piracy should adopt a global strategy that addresses the root causes, including socioeconomic causes, so as to guarantee stability at sea and to resolve the problems on land in a sustainable manner. As the Secretary-General underlined in his recent report (S/2012/783), such an approach must combine various elements: deterrence at sea, the strengthening of institutions that guarantee the rule of law, the establishment of an adequate legal framework, the development of the maritime capacities of coastal States and support for the creation of decent jobs and the implementation of development projects on land. As a matter of priority, coastal States in the areas affected by piracy must be at the centre of efforts. No lasting progress can be made without the full involvement of the authorities of the countries concerned.

Luxembourg will continue to support the countries affected by the scourge of piracy by promoting and implementing a holistic approach that brings together the political and security dimensions, development cooperation and humanitarian assistance.

The President: I now give the floor to the representative of Estonia.

Mr. Kolga (Estonia): I should like to thank you, Mr. President, for convening this meeting. I would also like to thank Deputy Secretary-General Eliasson for the statement he made today.

Estonia aligns itself with the statement delivered by the observer of the European Union and would like to make the following additional remarks.

Piracy is a major threat to commercial shipping, with an immense cost to the global economy. Besides the economic loss and implications for regional and global security, it also entails huge human costs for seafarers and their families. Drawing from our own experience, seafarers of any nationality are at risk of being taken hostage. Piracy affects us all and it should be tackled in a joint international effort. In that regard, we commend the Security Council's work on piracy-related issues, in particular concerning piracy off the coast of Somalia. It is important to bear in mind that acts of piracy and armed robbery are increasingly prevalent elsewhere, in particular in the Gulf of Guinea. We therefore welcome the attempt to take up the situation in an integrated manner.

Estonia is actively contributing to the fight against piracy off the coast of Somalia by participating in the European Union (EU) anti-piracy operation EU NAVFOR-Operation Atalanta, which was launched in 2008. In cooperation with France and Germany, our vessel-protection detachment team has embarked and escorted several World Food Programme (WFP) vessels delivering humanitarian aid to Somalia, as well as vessels providing equipment and supplies to the African Union Mission in Somalia (AMISOM). Together with French troops, the Estonian vessel protection detachment team has also been involved in the training of AMISOM forces, with the aim of helping them to develop their own vessel-protection capabilities. We have already decided to continue our contribution at least until the end of the current mandate.

Our active participation in the fight against piracy off the coast of Somalia has given us an understanding of the complexity of the challenges and problems related to piracy. One such challenge is the legal basis for allowing the deployment of vessel-protection detachment teams on board vulnerable ships. We urge all nations whose ships sail in waters affected by piracy to bear their responsibility for ships and crews under

their flags by signing flag-State declarations in order to enable the teams to board vessels and provide effective protection and deterrence against pirate attacks.

The role of the shipping industry in protecting ships and seafarers cannot be underestimated. Compliance with the Best Management Practices adopted by the International Maritime Organization should be promoted whenever possible. Arrangements for the use of privately contracted armed security personnel on ships also deserve further attention.

The military presence in the Horn of Africa region, through Operation Atalanta and other coalitions and nations involved, has contributed to a significant reduction in the number of piracy attacks in 2012 — to the lowest level since 2008. That demonstrates the effectiveness of joint international efforts and cooperation.

In spite of that relative success, it is clear that a military response alone is not enough and more must be done on land. In order to address the root causes of piracy, a comprehensive, integrated approach is needed. Somalia is a good example of different aspects that need to be addressed. Among other things, the political process, the security situation, the rule of law, good governance, human rights and the economic, social and humanitarian situations should be tackled.

One of the key elements in the fight against piracy is the establishment of the rule of law and ending impunity. Estonia would like to highlight three aspects. First, States should review their relevant legislation in order to be able to prosecute international crimes like piracy. Secondly, in order to ensure that criminal proceedings take place in full conformity with international human rights standards, it is vital to make sure that there is sufficient evidence gathering. States should tackle effectively any legal, technical or training-related issues that have arisen. Thirdly, a great deal of work has been done by the relevant participants, including the United Nations Office on Drugs and Crime, the United Nations Development Programme and regional actors, in order to increase regional capacity to prosecute possible criminals. Efforts made in all three aspects by all States and organizations should be recognized and appreciated.

The President: I now give the floor to the representative of Italy.

Mr. Ragolini (Italy): I wish to thank the Indian presidency for convening this timely open debate

on piracy, as well as to thank the Deputy Secretary-General for his valuable participation.

Italy fully aligns with the statement delivered by the delegation of the European Union. I would like to make a few remarks in my national capacity.

Maritime piracy is a deadly threat to the lives of all men and women working at sea. It is a threat to the maritime industry and to international trade and has a destabilizing effect on global security. As an international crime, maritime piracy should be countered through a multi-dimensional approach focused on prevention, diplomacy, deterrence and security, as well as on addressing its root causes.

International efforts to protect shipping lanes and fight piracy can be effective only if all nations cooperate in good faith, according to the established rules of the international customary law and United Nations conventions.

Currently, two Italian marines are being detained by a Member State on charges of murdering two fishermen, while they were carrying out antipiracy activities in their capacity as part of a vessel protection detachment on board an Italian oil tanker navigating in international waters.

The freedom of navigation will be a meaningless concept if the exclusive jurisdiction of a flag State in international waters is not guaranteed. Counter-piracy operations cannot exist if States do not respect the functional immunity of vessel protection detachments.

Any erosion of the sending State's exclusive jurisdiction over servicemen on official duty would jeopardize the status of our agents in international missions. The Security Council can expect no less from each Member State, especially from those that aim to have a decisive influence on the rules of global governance.

Italy's longstanding experience in combating transnational organized crime clearly indicates that, to be successful, one has to follow the money trail and hit the crime leaders — not only their foot soldiers — in what is dearest to them, namely, their earnings from crime. Bearing that in mind, Italy chairs Working Group 5 of the Contact Group on Piracy off the Coast of Somalia, which focuses on illicit financial flows connected to maritime piracy. We are actively engaged in developing guidelines and promoting concrete measures to disrupt land-based criminal networks operating at sea. We

therefore expect the Security Council to send a clear message to States and to the private sector to strengthen their international cooperation, in particular in sharing evidence, information and intelligence.

In full compliance with international law and the ensuing obligations, every State should make a full-fledged commitment to raising awareness on piracy and develop appropriate measures aimed both at keeping seas safe and at protecting seafarers and ship owners. An essential step in that regard is for a country's national legislation to recognize maritime piracy as a serious crime, including under the United Nations Convention against Transnational Organized Crime when applicable.

The decrease in the total number of attacks and hijackings in 2012 is a success story that has to be consolidated by enhancing protection and deterrence at sea, capacity-building in law enforcement, the judiciary and maritime security sectors in Somalia and in the region as well as socioeconomic development.

Along with broader compliance with the Best Management Practices of the International Maritime Organization, the key factor of the current success in curbing pirate attacks is the increased cooperation between naval forces and the maritime industry, primarily through the use of armed protection in the form of military or private personnel on board.

The Italian Parliament authorized the use of embarked armed anti-piracy protection only in high-risk area international waters and solely on board of Italian-flagged vessels, as part of counter-piracy measures in fulfilment of every State's obligation as established by the United Nations Convention on the Law of the Sea and the relevant Security Council resolutions. In fact, no ship embarking with a vessel protection detachment or privately contracted security personnel has ever been hijacked.

With regard to privately contracted armed security personnel and vessel protection detachments, the latter is the preferred option in our new anti-piracy law. Private guards are permitted only if the Ministry of Defence has not granted a ship owner military protection. There is a need for more comprehensive and standardized regulations for deploying private security personnel deployment, as well as for a common understanding of the relevant legal basis. Italy is actively contributing to that process. Moreover, vessel protection detachments enjoy a comparative advantage, not only in terms of

specific training experience and having clear rules of engagement but also as formidable force multipliers in employing warships in specific operations with greater efficiency, thereby enhancing the fight against piracy.

The President: I now give the floor to the representative of the Republic of Korea.

Mr. Shin Dong Ik (Republic of Korea): At the outset, I would like to thank you, Mr. President, for organizing today's open debate on piracy. I also welcome the the presidential statement (S/PRST/2012/24), which appropriately emphasizes a holistic and comprehensive approach in addressing piracy.

My delegation is deeply concerned about piracy threatening the maritime security of the world's major trade routes, in particular around the Gulf of Aden and the Gulf of Guinea. My delegation is of the view that piracy can be effectively tackled by addressing its underlying causes on land. Piracy can be rooted out when domestic Governments regain full control over their territories and provide their people with sufficient economic opportunity.

In that sense, my delegation welcomes the recent launch of the new Somali Government. Progress on Somalia's political situation should pave the way for a successful solution to piracy. In overcoming instability and the lack of governance in Somalia, my delegation believes that capacity-building for Somalia's judicial system based on a mid- and long-term perspective is critical to prosecuting and imprisoning persons responsible for acts of piracy and armed robbery at sea off the coast of Somalia.

Various concerted efforts by the international community are required in combating piracy, which is, by its nature, a transnational issue. My delegation highly commends the tireless efforts of the international community in combating piracy and thereby ensuring the safety of shipping lanes.

The Republic of Korea has actively joined the coordinated international efforts to combat Somali piracy. The Republic of Korea took over the command of Combined Task Force 151 for the period of June to September. By participating in the Combined Maritime Forces operations, we have strengthened ties with other counter-piracy naval forces and operations in the Gulf of Aden and Somali basin, as well as developed communication and collaboration within the merchant shipping community. We are currently in the last stage

of the National Assembly's approval process for a one-year extension of the deployment.

The Republic of Korea has also actively participated in the work of the Contact Group on Piracy off the Coast of Somalia. Since March, Korea has chaired Working Group 3, which deals with self-protection measures against piracy. Korea, as chair, intends to assist participants in their efforts to improve seafarers' welfare and prevent piracy by facilitating the use of privately contracted armed security personnel on board and implementing best management practices, which will be discussed at the Working Group 3 meeting to be held in Seoul in February.

The Republic of Korea established the official website of the Contact Group in October 2011, and has operated it jointly since then with the sponsorship of the United Kingdom and the United States. The website provides a forum for intersessional discussions among Contact Group participants and for enhancing public awareness.

With regard to capacity-building, the Republic of Korea has financially supported Somalia and its neighbouring countries, especially through International Maritime Organization and other United Nations programmes. In addition, at the Contact Group's tenth plenary session, held in November 2011, the Republic of Korea was chosen to serve during 2013 as a board member of the Trust Fund to Support Initiatives of States Countering Piracy off the Coast of Somalia, in order to ensure effective use of the Fund.

With the Republic of Korea being one of the world's largest flag states, my delegation would like to take this opportunity to renew its commitment to maritime security and full engagement in international anti-piracy activities. I firmly believe we can together address the issue by rallying the firm and resolute commitment of the international community.

The President: I now give the floor to the representative of Japan.

Mr. Nishida (Japan): Piracy has been a long-standing issue for sovereign States over the centuries and has become a major threat, along with other outstanding issues such as transnational organized crime and terrorism. Maritime security in particular is threatened by piracy and has become of vital concern for the world economy, since economic and commercial activities rely on the safe passage of commercial

vessels. Ransoms derived from the kidnapping of seafarers and vessels serve as resources to fuel even more transnational crime. Thus it is imperative that the Security Council address this important issue today in a regional and global context.

While a number of pirate activities occur in various parts of the world, piracy off the coast of Somalia remains the most imminent threat to the international community. Somalia's piracy attacks total more than 200 cases per year, constituting more than 50 per cent of all pirate activities in the last three years.

We have been addressing this issue since 2008. Our experience illustrates the fact that a holistic and multifaceted approach is effective and is necessary in tackling this complex issue. Japan believes that the following measures in particular are mutually reinforcing and should be further strengthened.

First, Japan emphasizes the need for concerted efforts by the international community to counter and prevent pirate attacks at sea. Japan is proud to have taken part, together with partners, in the concerted naval operations from the beginning of such operations in April 2009 by various measures, including the deployment of two destroyers and two patrol aircraft in the Gulf of Aden. This year, the number of pirate attacks is decreasing in the region, but it should be noted that attacks by pirates are spreading out to the entire Indian Ocean region. We need to expeditiously address this new phenomenon.

Secondly, the enhancement of coastal countries' maritime security is crucial to complementing the above-mentioned operations. Since most countries do not have sufficient capacity, support by the international community is vital. In this regard, Japan would like to share its anti-piracy experiences in Asia, which have taken place in the framework of the Regional Cooperation Agreement on Combating Piracy and Armed Robbery against Ships in Asia (ReCAAP). Japan fostered the ReCAAP mechanism as the first legal framework to tackle the problem of piracy in the East Asian region, combined with information-sharing and operational cooperation functions. That framework contributed to a dramatic decrease in piracy incidents from 242 in 2000 to 45 in 2009.

Japan finds this regional approach useful for implementing anti-piracy activities off the coast of Somalia and in the Gulf of Aden. In this respect, Japan proactively supports implementation of the Djibouti

Code of Conduct to help establish a similar mechanism, composed of three information-sharing centres — in Kenya, Yemen and Tanzania — and a training centre in Djibouti, through contributions amounting to approximately \$15 million through the International Maritime Organization.

Thirdly, we cannot forget the legal aspect of counter-piracy measures, including the apprehension, prosecution and imprisonment of pirates. We have explored several options and have now reached a common understanding that strengthening the Somali judicial system as a whole, with international assistance, is the best option. It is all the more encouraging that the new Somali Government has been formed and is ready to deal with these outstanding challenges. The international community should continue its assistance to enhancing the legal enforcement capacity of Somalia and its neighbouring countries. Japan commends the role played by the United Nations and has contributed a total of \$3.5 million to the Trust Fund to Support Initiatives of States Countering Piracy off the Coast of Somalia.

Finally, Japan commends the pivotal role played by the Contact Group on Piracy off the Coast of Somalia and its working groups and has proactively participated in the Group since its inception. Japan chaired its fourth plenary meeting, held in September 2009. While we acknowledge the importance of that Group as an information-sharing and policy coordination mechanism, much improvement is necessary to enhance the effectiveness of its working methods. Japan welcomes the adoption of proposals by the United States, including for a one-year term for the chairman. Japan does expect more active involvement by the Secretariat in this regard, particularly by the Department of Political Affairs, given the fact that the nexus between the sea and piracy, on the one hand, and land and peacebuilding, on the other, as well as the enhanced need for regional cooperation, are the remaining challenges ahead of us.

The President: I now give the floor to the representative of Ukraine.

Mr. Sergeyev (Ukraine): On behalf of the delegation of Ukraine, I would like to thank India's presidency for convening an open debate on such a relevant and pressing issue as maritime piracy.

While aligning itself with the statement made earlier by the European Union, my delegation would like to make a statement in its national capacity.

Maritime security and law enforcement at sea are indispensable factors for maintaining not only regional but also international peace and security. Therefore the problem of piracy and armed robbery at sea requires a most coherent and complex response. In this light, Ukraine is pleased that the Security Council is deliberating for the first time on piracy and armed robbery at sea across the regions. Such an integrated and comprehensive approach will enable us to better deal with this scourge by making full use of the successful experiences thus far at the regional level and by exploring ways of sharing knowledge on anti-piracy measures from South-East Asia, the waters off the coast of Somalia and in the Gulf of Aden. Those lessons can be applied for the prevention of maritime piracy and armed robbery in other potentially vulnerable areas.

We commend the recent gains made by the international community in fighting piracy. In the waters off the coast of Somalia, our collective measures have resulted in a sharp decline in pirate attacks and hijackings, compared to last year. However, according to the most recent report of the Secretary-General on this matter (S/2012/783), the current trend of decline is fully dependent on the naval presence in the region, the implementation of International Maritime Organization's guidance and best management practices and the prosecution of pirates. Ukraine fully support the Secretary-Generals' concern that this initial success could always easily be reversed until the root causes of piracy — namely, instability, lawlessness and lack of effective governance in Somalia — are properly addressed.

It should be noted that one of the first steps towards framing a comprehensive approach to addressing the root causes of piracy was made during the first-ever General Assembly thematic debate on the issue at an informal plenary meeting in May 2010 on the initiative of Ukraine. We look forward to further efforts to that end in the framework of the United Nations, including the Security Council.

As to the emerging challenges of attacks against merchant ships at sea in the Gulf of Guinea, Ukraine shares the Security Council's deep concern about the threat they are posing to international navigation and especially to the safety of seafarers. We encourage

States in the region and regional organizations to enhance their efforts to ensure maritime safety and security in the Gulf of Guinea, including through developing a legal framework for the prevention and repression of piracy and armed robbery at sea, as well as prosecution of persons engaging in those crimes. We believe that the successful naval and judicial capacity-building measures applied in other regions should be taken into due account with respect to the situation in the Gulf of Guinea.

We must admit that the fight against impunity for Somali pirates has brought tangible results, with, to date, 1,186 individuals prosecuted or awaiting prosecution in 21 States. Much success has been achieved in addressing piracy and bringing to justice its perpetrators and facilitators in the Asian region. In general, a lot of useful recommendations have been developed with respect to law enforcement, evidence collection, judicial aspects, post-trial transfers and imprisonment of convicted pirates.

Ukraine is of the view that those tools merit being systemized for their better domestic application by Member States. That is why my delegation came up with the idea of elaborating, within the United Nations, model counter-piracy legislation, which would facilitate the apprehension and prosecution by Member States of those engaged in piracy and armed robbery. Ukraine believes that such models would help us efficiently apply on the national level existing international law as reflected in the 1982 United Nations Convention on the Law of the Sea. We encourage our fellow delegates to actively discuss this idea at the General Assembly consultations on the law of the sea currently under way.

Ukraine is greatly affected by the threat of piracy and armed robbery against ships, as some 38,000 Ukrainian nationals are commercial seafarers currently employed in the world shipping industry. Being highly concerned with their welfare, Ukraine welcomes the current efforts to develop guidance to address care for seafarers who have suffered from pirate attacks or hostage situations. We urge flag States and ship owners to do their utmost to ensure the security of crew members.

As one of the major States of seafarers' origin, Ukraine has continuously supported international efforts to secure the safety of maritime shipping. Most recently, the Government of Ukraine decided to join Operation Ocean Shield. A flagship of the Ukrainian

naval forces, the frigate *Hetman Sahaidachny*, with a deck helicopter and a special forces group on board, is currently preparing to head for the waters off the Horn of Africa to patrol areas of pirates' activities as a part of Operation Ocean Shield.

Ukraine commends the United Nations and its competent agencies for their active role and engagement in countering maritime piracy and remains committed to the international efforts to curb that threat.

The President: I give the floor to the representative of Lithuania.

Ms. Murmokaitė (Lithuania): Allow me to begin, Mr. President, by thanking you for convening this debate on the efforts to suppress piracy, to which my country attaches great importance.

The impact of piracy extends far beyond economic and commercial dimensions, as it undermines security and good order at sea and threatens State and regional stability. That, along with its wide geography, calls for an integrated, multidimensional approach to combating piracy.

The experience of countering piracy in Somalia and in the Gulf of Guinea points to a number of critical elements, as referred to in relevant Security Council resolutions, such as cooperation, implementation and a comprehensive approach. Complementarity and interaction in global, regional and national counter-piracy efforts are essential. In particular, maritime security mechanisms, law enforcement coordination and intelligence-sharing merit continued support by the United Nations and regional organizations. Successful examples are the adoption of the Djibouti Code of Conduct concerning the Repression of Piracy and Armed Robbery against Ships in the Western Indian Ocean and the Gulf of Aden, operational coordination among the States of the Gulf of Guinea, and implementation of the Regional Cooperation Agreement on Combating Piracy and Armed Robbery against Ships in Asia.

Lithuania is participating in the work of the Contact Group on Piracy off the Coast of Somalia, which involves more than 60 States and organizations. The Group's mandate is limited to Somalia, but its work has been instrumental in improving the overall understanding of the phenomenon of piracy and ways to counter it. Some of its accomplishments, especially in complex legal matters, may well be used as a reference source in other situations.

Bringing to justice those responsible for acts of piracy is a cornerstone of the whole framework of anti-piracy efforts. We note the continuing gap between the obligations of Member States and their implementation. Lithuania believes that increased support is required for programmes and initiatives that would speed up the criminalization of piracy, prosecution and imprisonment and would impede the ability of pirates to operate from land and at sea. Furthermore, countering piracy requires concerted efforts to prosecute its financiers and organizers.

Lithuania supports counter-piracy efforts that integrate deterrence by naval forces, strengthening the rule of law, building regional and national capabilities, providing for economic development and coordinating law enforcement. At the national level, the Lithuanian Parliament is to adopt amendments to the Criminal Code that will address piracy in a comprehensive manner and will establish the universal jurisdiction over such crimes.

Besides current participation in the European Union naval Operation Atalanta, mandated by the Security Council, and a national element in the Operational Headquarters in the United Kingdom, Lithuania intends in the second half of 2013 to deploy off the coast of Somalia an autonomous vessel protection detachment, mandated to provide protection to World Food Programme vessels delivering food aid to displaced persons in Somalia.

Finally, I wish to briefly refer to the issue of hostages, raised in the Indian presidency's concept note (S/2012/814,annex). Like many others countries, Lithuania had to deal with the situation,when in 2009 and 2010 its ships were hijacked in the Gulf of Guinea. We need to pay more attention to the situation of hostages and to sharing relevant best practices and lessons learned.

The President: I now give the floor to the representative of the Islamic Republic of Iran.

Mr. Khazaee (Islamic Republic of Iran): I have the honour to address the Security Council today, on behalf of the Non-Aligned Movement, about the threats to international peace and security by acts of maritime piracy.

At the outset, I would like to thank India, President for the month of November, for proposing that the issue of piracy be on the Security Council programme of

work this month and for arranging to convene today's open debate.

The Non-Aligned Movement (NAM) notes with appreciation the efforts of the Council in mitigating the threats emanating from maritime piracy. At the same time, NAM remains concerned about the frequency of pirates' attacks, which threaten safety and security at sea. Despite international efforts in recent years to curtail the threat, 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 past 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.

At the Sixteenth Summit Conference of Heads of State and Government of the Movement of Non-Aligned Countries, held in Tehran, Islamic Republic of Iran, from 26 to 31 August 2012, the Heads of State or Government of the Non-Aligned Movement expressed their concern at the continuing acts of piracy and armed robbery off the coast of Somalia and the Gulf of Aden, and condemned those acts, which hamper the delivery of humanitarian aid and pose a threat to commercial maritime and international navigation in the region. In that context, they commended the efforts of the Transitional Federal Government of Somalia and the international community to fight piracy, while reiterating the need to address the underlying causes of piracy on the mainland.

Furthermore, the NAM Heads of State or Government welcomed the adoption of resolution 1816 (2008) and stressed that the resolution should be implemented in a manner fully consistent with international law, including the United Nations Convention on the Law of the Sea. They also welcomed the serious efforts made by NAM countries, and other countries that have deployed their naval vessels in the territorial waters of Somalia and the Gulf of Aden, to assist in countering acts of piracy and armed robbery. They further welcomed the establishment of the Contact Group on Piracy off the Coast of Somalia, which held its first meeting in New York on 14 January 2009, and urged the Contact Group on Piracy to continue strengthening its work, with the participation of all interested States, in the context of

countering piracy and armed robbery in the sea off the coastal region of Somalia.

The NAM Summit meeting also emphasized the need to focus attention on the illicit financial flows associated with piracy, with a view to disrupting the financing and planning of piracy attacks.

The NAM Summit welcomed the outcomes of the high-level public-private counter-piracy Conference convened under the title “Global Challenge, Regional Responses: Forging a Common Approach to Maritime Piracy”, held on 18 and 19 April 2011, in Dubai, United Arab Emirates, with the aim of bringing together concerned parties from Governments, the private sector and non-governmental organizations in partnership so as to combat maritime piracy. It also welcomed the outcomes of the pledging conference, co-chaired by the United Nations and the United Arab Emirates and held on 19 April 2011, in support of the Trust Fund to Support Initiatives of States Countering Piracy off the Coast of Somalia, established by the United Nations Secretary-General.

With regard to acts of piracy and armed robbery at sea in the Gulf of Guinea, the NAM Summit expressed its deep concern about the situation and welcomed resolution 2039 (2012). NAM affirmed its support for the efforts made by the States of the region and subregional organizations to hold a summit with the participation of all States of the region of the Gulf of Guinea in order to consider a comprehensive response to this threat in the region, and also supported the request made to the Secretary-General to support convening this summit.

The Movement remains resolved to continue assisting the efforts of the international community in its quest to mobilize international efforts to tackle the menace of piracy, including through capacity-building of the 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. At the United Nations level, the issue of piracy requires a strong inter-agency approach that not only addresses the law-enforcement and judiciary aspects of the problem, but also formulates solutions aimed at addressing its underlying causes.

I shall now speak in my national capacity.

The Islamic Republic of Iran welcomes the actions taken at the international level aimed at strengthening

and assisting the countries affected by piracy and improving their counter-piracy measures. We also welcome the authorization by the Security Council of measures to counter this crime and particularly armed robbery off the coast of Somalia and in the Gulf of Aden.

After the hijacking of some Iranian ships by pirates off the coast of Somalia and the Gulf of Aden, Iran entrusted its navy with the mission of protecting commercial fleets under the Iranian flag or under Iranian ownership, as well as other ships in need of rescue operations and requesting help from the Iranian navy, in accordance with Security Council resolutions that authorize Member States to send their warships to the Gulf of Aden and coastal waters of Somalia to fight against the pirates. These operations, in line with the general fight against piracy, have been carried out through active cooperation on the part of the countries in the region. The Islamic Republic of Iran’s navy has helped and assisted ships in need of escort or in danger of being overtaken by pirates, which amounts to more than 100 cases. The latest such case was in April 2012, during which an Iranian and a Chinese ship were rescued and the attempt to hijack those ships was thwarted.

We have carried out naval manoeuvres in order to better familiarize our seafarers with situations involving piracy. Iran participated in international and regional meetings and workshops on piracy, including the Djibouti meeting, the London Conference on Piracy and Somalia, and the subregional meetings held in Dubai, and has been active in the exchange of information and the sharing of reports on piracy with other countries and the relevant international bodies.

The rapid geographical spread of maritime piracy and the complexity of the issue necessitate a deep and more comprehensive look at the various facets of the problem in order that a collective and more coordinated response may be devised. We hope that this open debate will provide Member States with a better look at the needs at the international level in connection with mitigating the threat of piracy and sharing experiences for the purpose of improving the international response aimed at curbing acts of piracy.

The President: I now give the floor to the representative of Malaysia.

Mr. Haniff (Malaysia): I wish to take this opportunity to congratulate India on its presidency of

the Council for the month of November. I wish also to align Malaysia with the statement just delivered by the Permanent Representative of Iran on behalf of the Non-Aligned Movement.

Malaysia is of the view that this debate is timely indeed, as it allows all Member States the opportunity to address an issue that has plagued most of them. In that connection, I wish to reiterate Malaysia's support for the Council's efforts in addressing piracy as a global threat. In this debate, my delegation would like to highlight some of our concerns on the threat of piracy, in particular in the context of the situation off the Coast of Somalia and the Gulf of Guinea.

On the problem of piracy off the coast of Somalia, Malaysia welcomes the report of the Secretary-General (S/2012/783). We are heartened to note that there has been a sharp decline in the number of pirate attacks and hijackings so far this year as compared with 2011. The sharp reduction in the number of attacks and hijackings confirms that the international community is certainly on the right path in our common goal to effectively overcome that threat.

Nevertheless, we could not agree more that piracy continues to pose a serious threat not only to seafarers, but also to international trade. In that regard, Malaysia believes that we need to be cautious so as not to be complacent in the success that we have enjoyed in combating piracy. We must continue to have mechanisms for naval enforcement, an improved implementation of the International Maritime Organization guidance and industry-developed best management practices for Protection against Somali-based Piracy, better application of self-protection measures, the prosecution of suspected pirates and the imprisonment of convicted pirates.

For its part, Malaysia has been involved in the global effort to combat piracy off the coast of Somalia. Since 3 September 2008, the Royal Malaysian Navy has sent five warships to the Gulf of Aden, in stages, to provide a precautionary escort to Malaysian ships while traversing the Gulf of Aden. In the course of escorting Malaysian ships, the Royal Malaysian Navy has also assisted foreign flagged ships by providing safe passage for seafarers and those vessels. In that connection, we commend the role of the Contact Group on Piracy off the Coast of Somalia in facilitating discussions and the coordination of actions among Member States and organizations to suppress piracy off the coast of

Somalia. As a trading nation, Malaysia will continue to follow the work of the Contact Group closely.

As members may be aware, two ships belonging to the Malaysian International Shipping Corporation — the *MT Bunga Melati Dua* and the *MT Bunga Melati Lima* — one Malaysian-flagged tugboat and one Malaysian-flagged cargo ship, the *MV Albedo*, were captured by pirates off the coast of Somalia and in the Gulf of Aden from 2008 to 2010. The *MV Albedo* is still under the control of the pirates. Malaysia also arrested six Somali pirates who tried to hijack a Malaysian vessel in the Gulf of Aden in January 2011. Those six pirates have been dealt with within the framework of the Malaysian legal system.

Malaysia has been actively ensuring that our maritime zones, which include the Straits of Malacca, are safe and secure for international navigation. The relevant authorities and enforcement agencies, which include the Royal Malaysian Navy, the Malaysian Maritime Enforcement Agency, the Royal Malaysian Police and the Marine Department, are constantly undertaking enforcement of the relevant regulations, direct protection and surveillance of Malaysia's maritime areas.

It is evident that the overall improvement of maritime security in the Straits of Malacca is a reflection of close cooperation among the littoral States. A comprehensive arrangement for maritime security in the Straits of Malacca was achieved through the Malacca Straits Coordinated Patrols in 2004 among Malaysia, Indonesia and Singapore. In that connection, I am happy to inform the Council that the incidents of armed robbery in the Straits of Malacca have dropped drastically, from a high of nine in 2011 to only one so far in 2012.

Malaysia will continue to support the call for strengthened international efforts against piracy in the concerned areas. It is our hope to see a more vigilant and forward-looking mechanism in place to address such security threats. Having said that, we believe that regional and international cooperation should not impinge on the sovereignty and territorial integrity of affected States in any aspect. Malaysia also welcomes capacity-building cooperation, as well as the exchange and sharing of information and intelligence on the issue of piracy. For Malaysia, such regional cooperation takes place in the frameworks of the Malacca Straits Sea Patrol and the Eyes in the Sky air patrols.

I would like to assure the Council that Malaysia will continue to support any effort to ensure the safety and security of international maritime waters. We look forward to enhanced efforts to be called for by the Council in strengthening the international mechanism to combat piracy at the regional and global levels.

Before concluding, I also wish to call on the Security Council to act on the urgent issue of Israel's attack on Gaza and to take appropriate action as soon as possible. In that regard, I wish to inform the Council that the Malaysian Parliament is going to adopt a motion to condemn the attacks and to request the Security Council to intervene in order to prevent further civilian casualties and provide necessary humanitarian assistance. The motion will be submitted to the President of the Council and the Secretary-General in due course.

The President: I now give the floor to the representative of the United Republic of Tanzania.

Mr. Manongi (United Republic of Tanzania): We thank the Government of India for initiating this important debate under its presidency of the Council. We also thank the Deputy Secretary-General for his presentation this morning.

The United Republic of Tanzania, like other East African coastal States, has been and continues to be directly affected by the spectre of maritime piracy and armed robbery at sea. The incidents that have taken place to date off the coast of Somalia, the Gulf of Aden and other areas of the Indian Ocean have disrupted trade and commerce, inhibited the smooth delivery of humanitarian aid to Somalia, endangered the safety of seafarers and other persons, and raised maritime insurance premiums and thus the price of goods being shipped by sea to markets in our region.

It is therefore pertinent that we collectively continue to pursue a comprehensive solution to this problem, focusing on deterrence, security, the rule of law and development.

The United Republic of Tanzania has taken several judicial and security measures domestically to address the piracy menace. In May 2010, the Parliament of Tanzania enacted amendments to the Penal Code and the Merchant Shipping Act, giving our national courts jurisdiction over offences committed by any person on the high seas. The amendments also gave piracy a broader definition, as provided for under the United

Nations Convention on the Law of the Sea. With these enactments in place, the courts have been able to prosecute suspected pirates captured within and beyond Tanzania's territorial waters. Likewise, the Tanzania People's Defence Forces have carried out operations both singly and jointly with regional and international partners. These partnerships have proven crucial in the fight against piracy.

As we have said in this Chamber before, Tanzania and other countries of Africa have entered into agreements to receive and prosecute in national courts pirates captured off the coast of Somalia. These arrangements are complementary to prosecution by the Somali courts themselves. While discharging this important historical duty of holding these culprits to account, we would also like to see a predictable and sustainable international funding mechanism to assist us in these endeavours. International cooperation and assistance in this area are pivotal to sustaining our collective efforts against piracy.

We are pleased with the initial efforts of the international community, organizations, individual States and groups of States in suppressing piracy and building capacities for countries of our region and Africa. In particular, we commend the continued leadership of the Contact Group on Piracy off the Coast of Somalia in facilitating the discussion and coordination of actions among States and organizations. The Trust Fund established by the Contact Group is quite instrumental in ensuring that justice is administered to suspected pirates, masterminds and profiteers. We encourage States that are in a position to do so to contribute to the Trust Fund.

We are optimistic that piracy in general and Somali piracy in particular can be eliminated. The recent statistics on piracy in that area are very promising. The political milestones in Somalia this year also point to a brighter future for the country and spell doom for pirates, pirate masterminds and their financiers. Piracy must be uprooted from its sources and prevented from resurfacing anywhere in the world. We should discourage catch-and-release situations, which are sending the wrong signals to the culprits.

We also commend the work of the African Union Mission in Somalia (AMISOM), the European Union, NATO and other partners that are carrying out anti-piracy operations, together, as well as the Somali forces, for contributing to the reduction of piracy in

Somalia. Similarly, we commend the United Nations Political Office for Somalia, under the leadership of our compatriot Ambassador Augustine Mahiga, for a job well done. We believe that the incorporation of a maritime component into AMISOM's mandate would further strengthen those efforts.

Despite our optimism, we are concerned that the defeated elements of Al-Shabaab have moved from the coast to the hinterlands, as far as eastern Democratic Republic of the Congo, forging alliances with notorious armed groups that are engaged in a protracted conflict in that area. We call on the Security Council to monitor that new phenomenon, in cooperation with the regional players such as the International Conference on the Great Lakes Region.

Finally, we call for the full implementation of resolutions 1976 (2011) and 2020 (2011) and other relevant resolutions pertaining to the prevention of illegal fishing and illegal dumping, including of toxic substances, on Somali territorial waters and beyond. We encourage Somalia to proclaim its exclusive economic zone in accordance with the relevant provisions of the United Nations Convention on the Law of the Sea.

The President: I now give the floor to the representative of Thailand.

Mr. Sinhaseni (Thailand): First of all, I wish to express our sincere appreciation to the Security Council and particularly to India, the President of the Council for the month of November, for convening today's important open debate on the maintenance of international peace and security, specifically on the issue of piracy. My delegation aligns itself with the statement delivered by the representative of the Islamic Republic of Iran on behalf of the Non-Aligned Movement.

The rise of maritime piracy over the past several years is partly due to its being a low-cost, low-risk yet high-profit venture that can provide a quick road to riches for the perpetrators. The key to deterring piracy is therefore to make the costs and risks of engaging in piracy so high that it is no longer viable as a business.

Thailand, like many countries, has had its vessels attacked and hijacked and their crewmen held hostage. We have therefore joined the international efforts to fight piracy off the coast of Somalia. Thailand dispatched Royal Thai Navy counter-piracy task units in 2010 and 2011 to join the anti-piracy operation in

Somalia under the banner of the Combined Maritime Forces (CMF) in support of related Security Council resolutions. Our previous commander of the Royal Thai Navy Counter-Piracy Task Force was also appointed Commander of Combined Task Force 151, one of the three task forces under the CMF. We are considering participating in such anti-piracy patrols continuously, with our third counter-piracy task unit participating once again in the latter half of 2012.

Apart from a military response, the disruption of the illicit financial flows of piracy syndicates and their networks is another effective measure to counter maritime piracy. The intra — and interregional exchange of information and intelligence in that regard will significantly contribute to anti-piracy activities.

The prosecution of those suspected of acts of piracy is no less important. However, different countries have different legal systems, law enforcement capacities and other constraints that influence the way they deal with the issue of piracy and crimes at sea. Therefore, Thailand encourages Member countries that have put pirates on trial to share information, experiences and best practices on related aspects of their judicial sector development.

Our fight against piracy off the coast of Somalia will not achieve real victory unless its root causes are addressed. Thailand shares the view that piracy in the Gulf of Aden and off the coast of Somalia is deeply rooted in decades-long instability in the country. The situation needs to be addressed in a holistic and sustainable manner. Thailand is a development partner of several African countries. We are more than ready to cooperate with Somalia in human resource development and capacity-building in such fields as agriculture and fisheries, public health, income generation and law enforcement.

Apart from participating in deterrence activities off the coast of Somalia, Thailand, as a coastal State of the Straits of Malacca, has actively participated in the Malacca Straits Coordinated Patrols and the air patrol known as Eyes in the Sky. Both operations have contributed significantly to the improvement of overall maritime safety and security in the area. Thailand also plays an active role in the Regional Cooperation Agreement on Combating Piracy and Armed Robbery against Ships in Asia (ReCAAP) and the Maritime Forum of the Association of Southeast Asian Nations. We also support more information sharing and

cooperation between ReCAAP and the three piracy information-sharing centres in Africa, established under the Djibouti Code of Conduct, as suggested by the International Maritime Organization.

For all our efforts, the welfare and safety of shipping and seafarers, the security of navigation and the stability of global commerce are still at risk due to piracy. Thailand remains committed to cooperating actively with the international community to stamp out maritime piracy.

The President: I now give the floor to the representative of Israel.

Ms. Schonmann (Israel): At the outset, allow me to express my delegation's appreciation to you, Mr. President, for convening today's important debate and to the Deputy Secretary-General for his presentation this morning.

Maritime piracy and armed robbery at sea have been issues of global concern for centuries. In this age of globalization, maritime trade offers countries unprecedented opportunities for growth. Indeed, 90 per cent of the world's commerce is conducted through the oceans, and piracy poses a profound threat to that trade. Moreover, maritime commerce is conducted by seafarers, and we must be mindful of the human dimension of piracy and the constant threat to their lives and well-being.

Israel is not immune to those threats; 99 per cent of our trade is conducted through maritime passageways. The sea is our lifeline. Our shipping companies have faced attempts by pirates to hijack our ships in the past, and freedom of navigation is therefore of vital interest to Israel.

Piracy is born on shore and perpetrated at sea. That connection is especially clear in areas where safe havens are in close proximity to the shipping lanes where pirates prey and in places where the rule of law is weak or dormant. As long as organized crime syndicates, financiers and supporters can sustain piracy as a lucrative business enterprise, they will find seas in which to sail. As long as underdevelopment and political instability on land persist, transnational criminal enterprises will enjoy an endless supply of labour. In order to effectively combat piracy, those core issues must be addressed in a comprehensive and holistic manner, as also suggested in the concept paper circulated for today's debate (S/2012/814, annex).

Piracy raises many acute challenges for the international community, which range from securing maritime safety and addressing the plight of the victims of piracy to ensuring that proper law enforcement and judicial mechanisms are in place. The rise in pirate attacks in recent years has also prompted questions relating to the hiring of private security personnel and their rules of engagement.

Of vital interest to all is ensuring free use of the high seas in accordance with customary international principles such as freedom of navigation, innocent passage and transit passage. What originated as individual responses by States has now become a concerted global effort undertaken to the growing threat of piracy. Israel commends the multilayered, multi-stakeholder approach inspired by resolution 1816 (2008), and recognizes that it has resulted in a significant drop in pirate activity off the coast of Somalia. We note, however, that while the attention of the Security Council has been primarily focused on Somali pirates, and more recently on the Gulf of Guinea, there has been an increase in the incidence of piracy in other areas, including the South China Sea, the Indian Ocean, West Africa, South America and the Caribbean.

Israel's domestic legislation explicitly criminalizes acts of piracy as offences punishable by 20 years of imprisonment. Our legislation also fully implements the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation and its Protocol relating to fixed maritime platforms on the continental shelf, which provide effective tools for combating piracy. Our legislation also prohibits the laundering of funds obtained through or derived from piracy. The importance of well-functioning judicial and law enforcement mechanisms must not be understated. Without proper investigations, indictments, trials and penalties for the convicted, interception will surely be in vain. The recent report of the Secretary-General on specialized anti-piracy courts (S/2012/50) has shown that strengthening national jurisdictions and enhancing their capacities are important steps towards a sustainable long-term solution, and we welcome that approach.

In line with the relevant Security Council resolutions, Israel works in collaboration with local shipping industries and continues to develop and implement best practices for prevention, precautionary measures and defence against attacks. The relevant Israeli authorities stay in close contact with local

crews whenever violent incidents occur on the high seas, advise them on measures to take in emergency situations, and ensure that ships flying the Israeli flag request assistance in the event of an emergency.

In addition to piracy, numerous transnational criminal acts are carried out on the high seas, such as smuggling and trafficking in weapons, narcotics and people, as well as terrorism. Today those threats are converging, as we see piracy increasingly being used as a platform for carrying out other criminal activities. In particular, we cannot help noticing the striking resemblance between the threat of piracy and the threat of terrorism. Both represent overarching threats that affect the international community as a whole; both draw on similar weaknesses in the socioeconomic fabric of societies; and both take advantage of a lack of orderly governance and gaps in legal frameworks.

A coordinated international response should be based on identifying positive elements at the regional level and adapting them to the global effort. It requires the creation of broad multilateral coalitions and adequate legal standards, mechanisms and capacities. Those who seek to address the global threat of piracy successfully should study those parallels. In that exercise, drawing on the lessons learned in countering terrorism may prove to be a valuable tool in the fight against piracy.

International and regional cooperation is key to addressing piracy, including through State capacity-building. Continued cooperation among all stakeholders, including through information-sharing, prompt reporting, responding to real-time maritime incidents, and providing assistance to developing countries, is critical to ensuring an effective response. In that regard, we note the important roles played by the Contact Group on Piracy off the Coast of Somalia and the International Maritime Organization, which regularly publishes guidelines to assist in the investigation of piracy crimes and armed robbery. Israel will continue to play an active role in the global fight against piracy and maritime terrorism, and welcomes this opportunity to exchange ideas in order to address the problem more effectively.

As I come to the end of my statement, I must add that it is most unfortunate, yet not surprising, that certain delegations, which clearly have nothing to contribute to this professional-level debate on piracy, have chosen to hijack it by linking Israel to an unrelated

discussion. I do not intend to be dragged into pointless trading of accusations or to waste the Council's limited time. Let me just briefly say that we did not seek the conflict in Gaza; in fact, we did everything we could to avoid it. We have one objective, namely, to target and destroy the terrorist infrastructure of Hamas, which fires rockets from civilian population centres into Israeli communities, day after day. That is Israel's right and duty. No nation would allow such attacks against its civilians, and no nation should defend an internationally recognized terrorist organization that is targeting Israeli civilians as we speak.

The President: I now give the floor to the representative of Viet Nam.

Mr. Le Hoai Trung (Viet Nam): I would like to begin by expressing our appreciation for your timely initiative in holding this open debate about piracy as a threat to international peace and security. Viet Nam associates itself with the statement made by the representative of Iran on behalf of the Non-Aligned Movement.

Piracy has been posing persistent challenges to maritime transport, and thereby to security and stability in many regions, for hundreds of years. It has, however, developed a more aggressive dimension in recent years and has in fact become a threat to global security, to States' socioeconomic development, to international transactions and navigation, and to the safety and well-being of seafarers.

Viet Nam itself is a victim of piracy. Combating piracy is now an important focus for both the public and private sectors, and for States as well as regional and international organizations. Concrete facts and figures underline the necessity of a global and comprehensive approach to dealing with piracy, as we are all aware. According to the International Maritime Organization, in 2011, the number of acts of piracy and armed robbery against ships that occurred or were attempted was 544, up 81.3 per cent from 2008, when the Council addressed the issue of piracy in a substantive manner for the first time. Piracy is also a matter of serious concern in the South China Sea.

Faced with such a threat to international peace and security, the international community, including the Security Council, has taken action and has achieved positive initial results. We commend the work of the Contact Group on Piracy off the Coast of Somalia, the trust fund, the relevant and related United Nations

bodies, Member States and regional organizations. In our view, there are a number of factors to which that initial success can be attributed: first, the political will of local and related international partners; secondly, improved coordination and capacity-building among national and regional contact points; and thirdly, the application of specific technical guidance and standards for transport management, self-protection measures and situational awareness.

We should also pay adequate attention to the root causes of piracy offshore, including sufficient and fair access to education, job opportunities and individual development. Respect for local concerns and compliance with international law, including mandates provided by the Security Council, are also important for our common success. In order to fight that global threat, those lessons should be further shared within cross-regional mechanisms for wider practical application.

In South-East Asia, Viet Nam has actively contributed to regional efforts against piracy, including technical cooperation between the Association of Southeast Asian Nations (ASEAN) and eight other countries within the framework of the Regional Cooperation Agreement on Combating Piracy and Armed Robbery against Ships in Asia, through its information-sharing centre. Last October, ASEAN held its third Maritime Forum and first Expanded Maritime Forum with other countries participating in the East Asia summit framework, in which maritime security, including piracy, was comprehensively addressed. Viet Nam's legal system, including its law of the sea, provides for the criminalization of piracy. Our coordination of national anti-piracy activities was streamlined through a decision of the Prime Minister, issued in January 2008, on the basis of which Viet Nam authorities, including its maritime police, are participating in regional mechanisms. Viet Nam's navy has also taken part in joint anti-piracy exercises with our international partners in recent years. We look forward to closer cooperation with international partners in our common goal of fighting piracy.

The President: I now give the floor to the representative of Singapore.

Mr. Neo (Singapore): We thank you, Mr. President, for convening this open debate on the important issue of the threat posed to international peace and security by acts of maritime piracy. We also thank the Deputy Secretary-General for his briefing.

The security of the world's sea lines of communication is the responsibility of all stakeholders, including coastal States, user States and the shipping industry. Piracy is a transnational problem, and the tactics of pirates evolve over time. The international maritime community has a better chance of tackling piracy successfully if we do so collectively.

Against this backdrop, Singapore remains a strong supporter of international efforts against piracy. We contribute to the development of the guidelines of the International Maritime Organization (IMO) that help Governments and industry to deter, prevent and suppress piracy. Singapore also supports international counter-piracy naval operations in the Gulf of Aden. Over the past four years, Singapore has sent more than 700 sailors, soldiers and airmen over the deployment of four Task Groups and one maritime patrol aircraft detachment to Combined Task Force 151. We have also taken command of the Combined Task Force twice over the same period. Singapore also participates in discussions at the Contact Group on Piracy off the Coast of Somalia and chaired the ninth plenary session of the Contact Group in July 2011.

The latest reports from the IMO show a sharp decline in pirate attacks and hijackings in 2012 as compared to 2011. The report of the Secretary-General (S/2012/783) attributes this to actions by naval forces, both at sea and on shore, to disrupt pirate operations; improved implementation of the IMO guidance and industry-developed Best Management Practices for Protection against Somali-based Piracy; and greater self-protection measures by merchant ships. This underscores that positive results can be achieved when the international community comes together. Nevertheless, piracy off the coast of Somalia remains a serious threat to the safety and freedom of international navigation.

Singapore notes with concern the resurgence of piracy off the opposite coast of Africa, particularly in the Gulf of Guinea. This year, there were two reports of Singapore-flagged ships there being boarded by unknown personnel. Fortunately, neither incident lasted long and no one was hurt. We commend the countries of the region for their anti-piracy efforts and for bringing the situation to the Security Council's attention in 2011. Singapore also thanks Nigeria for its proactive efforts to protect merchant shipping in the Gulf of Guinea.

Singapore cannot overemphasize the paramount importance of maritime security cooperation in combating piracy and safeguarding international sea lines of communication. In this regard, regional initiatives and mechanisms have proven effective in tackling piracy and armed robbery. Singapore, Malaysia and Indonesia — the littoral States of the Straits of Malacca and Singapore — launched trilateral maritime patrols to combat the increase in piracy in 2004. We also embarked on broader maritime security cooperation initiatives with other countries within and outside Asia.

The Regional Cooperation Agreement on Combating Piracy and Armed Robbery against Ships in Asia (ReCAAP) is one example of such maritime security cooperation. ReCAAP is a regional Government-to-Government agreement to promote and enhance cooperation against piracy and armed robbery in Asia. ReCAAP entered into force in November 2006 and currently has 18 contracting parties, including China, India, Japan and the United Kingdom. The ReCAAP Information Sharing Centre (ISC) in Singapore facilitates the swift exchange of information, which allows member countries to improve their incident response and analysis of piracy statistics. The ReCAAP ISC also conducts research on piracy trends, helps to improve awareness of the piracy situation, and encourages best practices among Governments and shipping communities. This has led to a significant reduction in the incidence, severity and economic impact of piracy in Asia.

Similar information-sharing centres, modeled on the ReCAAP ISC, have been set up in Yemen, Kenya and Tanzania under the IMO's Djibouti Code of Conduct concerning the Repression of Piracy and Armed Robbery against Ships in the Western Indian Ocean and the Gulf of Aden. The ReCAAP ISC, in cooperation with the IMO, has conducted two workshops in Singapore to aid Djibouti Code countries in the building of anti-piracy information-sharing capacity. The ReCAAP ISC will conduct a third workshop in Tokyo, Japan, in early December.

Singapore remains committed to international efforts to combat piracy. For a small, open-trading nation like Singapore, maritime security cooperation is critical to safeguarding the international sea lines of communication that underpin the survival of our country and our continued economic prosperity.

The President: I now give the floor to the representative of Panama.

Mr. Thalassinós (Panama) (*spoke in Spanish*): I wish to thank your delegation, Sir, for having organized this open debate of the Security Council on an issue of such importance to the global maritime community and for international security. Panama expresses its great concern at the growing insecurity that piracy continues to cause along navigation routes. We note with satisfaction the work that has been carried out by the Security Council over the past few years, but we see it as only the beginning of the development of more effective policies and measures to contain and eradicate this scourge.

Panama affirms that effectively combating piracy requires an adequate legal framework. In that regard, we acknowledge the framework set out by the 1982 United Nations Convention on the Law of the Sea, which addresses the crime of piracy in its articles 100 to 107, which are consistent with Panamanian legislation.

To reduce the risks of piracy, it will be important to develop and implement best management practices — that is, the application of self-protection measures for ships — aimed at optimizing safety in navigation, contributing to the reduction of pirate attacks through an information system and coordination of movements with military forces in the area, and the application of self-protection measures developed to help ships fight off such attacks. The implementation in our country of a long-range identification and tracking system has become a very useful instrument for countering the scourge, as it has allowed for real-time monitoring of ships in high-risk zones that are not showing any movement, enabling us to communicate immediately with seafarers and air and naval forces.

I am pleased to inform the Council that the Panamanian Maritime Authority adopted resolution No. 106-13-DGMM on 8 March 2012, which established an accreditation procedure for security companies offering armed personnel services on board Panamanian-registered ships, based on the guidelines issued by the Organization to ensure that security company personnel have the necessary qualifications and certification.

As one of the leading flag States of the world, we believe that the decision to use force and firearms on board falls exclusively to captains and seafarers, who must at all time maintain total control of the vessel. We therefore suggest that this matter be regulated

separately, with clear international guidelines that would allow countries to establish the necessary parameters to regulate the use of force and weapons on board, and to ensure that there is appropriate coordination with security companies.

My country urges all States to combine efforts and work together to combat piracy, to which ships sailing under the Panamanian flag have fallen victim; to strengthen the necessary international cooperation; and to enhance the financial and technical assistance needed to resolve the insecurity that currently affects all ships passing through high-risk waters and threatens maritime trade in general.

The President: I now give the floor to the representative of the United Arab Emirates.

Mr. Al-Jarman (United Arab Emirates) (*spoke in Arabic*): The United Arab Emirates expresses its deep satisfaction with the recent decrease in acts of piracy as a result of the coordinated efforts of the international community to combat the phenomenon. Combating piracy and fighting impunity are indeed important, and we appreciate the leading role that the Security Council is playing, especially by encouraging efforts to close security gaps in the maritime areas most affected through naval counter-piracy operations, legal procedures to detain and try pirates and multilateral cooperation, in particular among concerned Governments.

The phenomenon of piracy has a great negative impact on national economies and on the shipping and insurance industries. It also impedes the delivery of humanitarian assistance, thereby exacerbating human suffering. Those impacts necessitate coordination and the engagement of the Security Council to face the phenomenon. We must not only enhance military, judicial and legal procedures but also make fundamental changes in the security and stability conditions on land. Moreover, we need to address the root causes of piracy, such as civil conflicts and humanitarian crises in the coastal countries, which make for vulnerable security situations that encourage acts of piracy.

As with the successes in international efforts in Somalia, we must help affected countries manage their internal crises, demarcate their maritime borders, defend their exclusive economic zones, re-energize their national economies and build their national capacities.

The United Arab Emirates has taken all necessary legislative steps to reject and criminalize acts of

piracy, smuggling, kidnapping and money-laundering. Organized crime has also been eager to increase its operations in the region. Our national efforts to combat piracy and armed robbery at sea include the adoption of a comprehensive national strategy that focuses on several important factors, such as participation in military operations to combat piracy and international commitment to track, detain and try pirates and to suppress their financiers and cut off their resources, in accordance with international law.

The United Arab Emirates has been active in regional and international arrangements to strengthen the international response. It chaired the eleventh session of the Contact Group on Piracy off the Coast of Somalia and participated actively in the London Conference on Piracy and Somalia and the counter-piracy conference in Perth, Australia, along with several other activities to strengthen international efforts to combat piracy. We organized the first and second high-level conferences in Dubai on a regional response to piracy in order to coordinate the regional response with international efforts to combat piracy and to strengthen public-private partnerships. That initiative has raised \$2 million for the Trust Fund to Support Initiatives of States Countering Piracy off the Coast of Somalia. There are also initiatives to improve judicial systems to try pirates detained in various countries, especially in Somalia, Kenya and Seychelles.

The United Arab Emirates has also increased its direct financial, development and humanitarian assistance to several countries where piracy is flourishing, notably Somalia, so as to enable them to achieve economic recovery. We provide financing for projects to contain unemployment and to provide decent work for young people so as to dissuade them from engaging in piracy. Following the end of the transitional period in Somalia in August, those initiatives included assisting the Government by providing ships, stations and other necessary equipment, as well as funds so that their national forces, especially the coast guard, could develop their capacities to fight piracy off their coast.

In conclusion, while we think that piracy constitutes a great threat to regional and international peace and security, we also look forward to strengthening partnerships in international efforts to totally eradicate it. We hope that our deliberations today will advance the vital role that the Security Council plays in strengthening the comprehensive international strategy to combat piracy.

The President: I now give the floor to the representative of New Zealand.

Mr. McLay (New Zealand): The threat posed by maritime piracy is as old as maritime commerce. Indeed, it is as old as civilization. The earliest histories from ancient Egypt, around 1300 BCE, talk of the difficulties caused by stateless pirates. For millennia, piracy has been a profitable — if illegal and dangerous — occupation in settings beyond the effective rule of law, jeopardizing trade and the lives of legitimate seafarers. It also fuels crime on land, such as slavery and the drug trade. Sadly, one of New Zealand's most distinguished sons, the yachtsman Sir Peter Blake, died at the hands of pirates.

In today's world, maritime piracy is a significant challenge in places as far apart as the Gulfs of Aden and Guinea, the Straits of Malacca and the South American coast. The estimated cost to the shipping industry and Governments is around \$7 billion each year. Today's debate is therefore a very timely opportunity to reflect on what we have learned about effective ways to prevent and combat the modern version of this ancient scourge, and about the further action that is still required of the international community.

In some parts of the world, efforts to tackle international piracy are starting to bear fruit. We welcome in particular the significant drop in reported piracy off the coast of Somalia and elsewhere over the past year. The International Maritime Bureau reported 219 cases of pirates trying to board vessels in 2010 and 236 in 2011, but this year just 71. Successful seizures are down from 49 in 2010 to 28 in 2011 and only 13 this year. That results from robust international efforts and shows what can be achieved with a comprehensive, adequately resourced regional strategy involving all affected parties within the region and beyond.

Let us be blunt. Those results also show that pirates do not want to die in a firefight. They seek easy pickings and will be deterred only by force, by the rule of law and by building societies that give better opportunities than those offered by crime. In that regard, we particularly commend the efforts of the Contact Group on Piracy off the Coast of Somalia.

New Zealand is a small, maritime trading nation. For us, free and secure navigation is of fundamental importance, and so we have been willing to play a role in counter-piracy activities. Last year, off the coast of Somalia, New Zealand contributed the Force

Commander and other staff officers to Combined Task Force 151, and, more recently, provided key personnel to assist Combined Task Force 150's counter-terrorism and security efforts.

But even though we are definitely going in the right direction, and recent gains notwithstanding, it is clear that the task of ending piracy off Somalia is far from complete and that sustained international effort is still required to counter this international menace and assist its victims. For example, despite the reduced incidence of attacks, many captured crews are still being held for ransom, including many, I believe, from your country, Mr. President.

Moreover, we have yet to tackle seriously the challenges outlined in the Secretary-General's report (S/2012/783) on accountability for piracy, particularly by establishing specialized anti-piracy courts in Somalia and neighbouring countries. The detention, prosecution and imprisonment of pirates in the absence of an effective national judicial system all raise complex legal and jurisdictional issues, although we should not forget what we have already agreed under the United Nations Convention on the Law of the Sea, which provides a very solid foundation on which to build.

We commend countries such as Kenya, Yemen, India, Tanzania, Seychelles and others that have already assumed heavy burdens on this, and those others that have offered assistance. We echo Tanzania's call for a sustainable solution to this legal dilemma, both for Somalia and for future, similar situations.

Somalia's example contrasts starkly with that of the Gulf of Guinea, where piracy incidents have increased exponentially over the past year. So far, piracy in that region has attracted less attention and has been less disruptive to shipping than it has been in the Gulf of Aden. Even so, we hope that the same level of international solidarity and support shown to Somalia and its neighbours can be extended to the Gulf of Guinea before that situation worsens any further. We must all stand ready to respond vigorously to piracy wherever it occurs and whenever assistance is sought by affected countries. There is no alternative. Piracy thrives whenever the will and the means to prevent it wavers.

The experience of Somalia also makes clear that security solutions alone are not sufficient to solve this multidimensional problem. Indeed, even 2,000 years ago, when Pompey swept the Mediterranean clean of

pirates, it was recognized that the ultimate solution lay in providing better alternative sources of income and other forms of employment. Piracy cannot be tackled effectively, much less prevented, without due consideration of the factors that give birth to it and feed it.

There is no doubt that, in Somalia, two decades without a functioning State; two decades without any effective rule of law; and more than two decades of ruthless, often illegal exploitation of its resources by external actors all helped lead former Somali fishermen to lives of piracy. The international community has much to learn from its long neglect of the Somali crisis, and that same international community must know that conditions conducive to piracy will remain until peace, security and the rule of law have been restored and Somalis are given the opportunity for genuine, domestically based social and economic development.

New Zealand welcomes recent international initiatives, such as the ongoing efforts of the African Union, through the African Union Mission in Somalia (AMISOM), to support Somali partners in re-establishing effective sovereignty in Somalia. We call on the Council and on international partners to effectively support those efforts, including by assisting AMISOM to more effectively control Somalia's coastal waters and building the longer-term capacity of Somali authorities to police those waters themselves.

The past decade has revealed both the grave threat piracy continues to pose in today's globalized world and how it can be countered through concerted regional and international action. But there is still much more that can and must be done to counter piracy wherever it occurs and to address the conditions on which it thrives. New Zealand stands ready to continue to play its part in all of that.

The President: I now give the floor to the representative of Bangladesh.

Mr. Rahman (Bangladesh): At the outset, let me join others in thanking you, Mr. President, and your delegation for organizing today's open debate. The concept note circulated by your delegation (S/2012/814, annex) is much appreciated. I would also like to thank Deputy Secretary-General Jan Eliasson for his comprehensive presentation this morning.

We are deeply concerned at the continued incidents of maritime piracy and armed robbery at sea, which

have detrimental effects on shipowners, seafarers, international organizations, insurance companies and Governments alike. Despite improvements in recent years, piracy — with its economic, commercial, humanitarian and security dimensions — continues to pose a serious threat. We are particularly concerned about the plight of seafarers taken hostage and held in captivity by pirates in the Gulf of Aden and along the Somali coast. Some of our nationals working for shipping companies of different countries have fallen victim. I cannot overemphasize the agony of the captives and how anxious their family members are for their release.

We are pleased to note that the number of piracy incidents along the Somali Coast has significantly decreased. This has been made possible by heightened vigilance and cooperation on the participation of the international community. However, a lot more remains to be achieved in order to bring that figure down to zero.

We must seek a comprehensive solution to the problem for the sake of safe maritime trade, freedom of navigation and the protection of maritime resources. It is necessary to forge an international coalition with the full participation of the countries of the region and the involvement of the United Nations. We are encouraged by the initiatives undertaken by the Contact Group on Piracy off the Coast of Somalia. The United Nations Convention on the Law of the Sea, in particular in its articles 100, 101 and 105, sets out the legal framework applicable for countering piracy and armed robbery at sea.

Yet we know that the complexities of international maritime law make it difficult to prosecute pirates once they are caught. We have to find ways to tackle this, even if it requires the adoption of additional legal norms consistent with the United Nations Convention on the Law of the Sea. Our goal should be to support efforts to identify, arrest and prosecute pirates, trace and seize ransom monies and destroy criminal networks. At the same time, we need to pay attention to the predicament of the hostages, including their well-being, both while in captivity and after their release. We are happy to know that a hostage support programme has been adopted by the United Nations Office on Drugs and Crime with the assistance of other international partners.

We recognize, like many others in this Chamber, that the challenges of maritime piracy cannot be met

with military means alone. The problems on shore, such as underdevelopment and poverty, must also be addressed in order to fight piracy effectively and comprehensively. We have to undertake a two-pronged approach — building the capacity of the country or countries of the region, on the one hand, and dealing with its root causes, on the other. As we endeavour to establish sustainable peace, effective governance, the rule of law and a security apparatus, we have to think about offering the people lawful attention to the subject of piracy and banditry.

The political and security situation is improving as the new Somali Government strengthens its foothold. We need to capitalize on this positive development. Donors must deliver on their financial assistance commitments to support capacity-building for the Somali authorities in combating piracy.

In conclusion, I would like to reiterate the importance of international cooperation to tackling the menace of piracy. The long-term effort must be targeted at addressing its root causes, such as underdevelopment and the lack of opportunities for the Somali people. Only through concerted and committed efforts, regional and international, will we be able to achieve a sustainable solution to this scourge, be it in the Gulf of Aden or elsewhere.

The President: I now give the floor to the representative of Indonesia.

Mr. Khan (Indonesia): I wish to thank you, Mr. President, for having convened this open debate. This is a timely opportunity for all of us to stand together to combat acts of piracy, which continue to run rampant, affecting more Member States and posing a huge threat to regional peace and stability and to international navigation and shipping.

Indonesia aligns itself with the statement delivered by the representative of Iran on behalf of the Non-Aligned Movement.

Allow me also to express my appreciation to the Secretary-General, His Excellency Mr. Ban Ki-moon, for his report (S/2012/783) dated 22 October 2012 pursuant to resolution 2020 (2011) on the issue of piracy off the coast of Somalia.

Throughout history, Indonesia, as an archipelagic State, has faced challenges of maritime security, including piracy and armed robbery at sea. We have

thus always condemned and deplored all acts of piracy on the high seas.

In Southeast Asia, Indonesia and its neighbouring States have long dealt with this issue in the Straits of Malacca and Singapore. The region therefore worked on various bilateral, trilateral and regional initiatives that successfully helped the littoral States to significantly lower the number of piracy and armed robbery incidents in the region.

Indonesia remains of the view that the 1982 United Nations Convention on the Law of the Sea should serve as the primary legal framework applicable to combating piracy and armed robbery at sea. With that in mind, allow me to address the issue of piracy in the Gulf of Guinea and in the waters off the coast of Somalia.

Over the past year, the Council has made the issue of piracy in the Gulf of Guinea a part of its concern. This is apparent from the latest two resolutions — 2018 (2011) and 2039 (2012) — in which the Council highlighted the need for international cooperation so as to tackle the menace of piracy, including through the capacity-building of States in the region.

Indonesia welcomes that initiative and underlines the need for the international community to provide the necessary assistance to the littoral countries in advancing their monitoring and prevention capacity as well as their judicial capacity.

We are keen to hear about the progress made in overcoming this problem, in the context of the United Nations role in the Gulf of Guinea, from the United Nations Office in West Africa and the United Nations Regional Office for Central Africa, through the report of the Secretary-General.

Turning to the issue of piracy and armed robbery in the waters off the coast of Somalia, Indonesia shares the serious concern about the rate of occurrence. Even though the Secretary-General indicated in his report that there had been a decline in the number of attacks and hijackings this year, it is alarming that as many as 224 seafarers and 17 vessels were being held hostage as at September 2012. Without question, the instability in that country is a key contributor to the increase in the number of such attacks and is one of the root causes that should be addressed immediately.

We share the view that the continuing political instability and the economic problems in Somalia are the first issues that must be addressed. Indonesia has

noted that with the deepening of international efforts to combat piracy off the Somali coast, the issue of the prosecution and trial of pirates is becoming more and more challenging. In that sense, Indonesia supports resolution 2020 (2011), which provides the required legal framework for assisting Somalia in fighting piracy and armed robbery.

Furthermore, we need to protect the welfare of seafarers being held hostage by the pirates. To that extent, we welcome the discussions being held in the working groups of the Contact Group on Piracy off the Coast of Somalia, as the main forum for discussing the issue of piracy off the coast of Somalia, which is reviewing the conventions and draft guidance concerning seafarers. We also welcome the joint efforts made by the United Nations Office on Drugs and Crime and the United Nations Political Office for Somalia to develop a programme of immediate assistance and care for released hostages.

The economic losses resulting from piracy are indeed very large; however, the loss of human life as a result of such horrendous acts is incalculable. Realizing this, Indonesia emphasizes the urgent need to prosecute the culprits as well as those who illicitly finance, plan, organize or unlawfully profit from pirate attacks. We also see a need to criminalize piracy, as defined by the United Nations Convention on the Law of the Sea, in national law, as well as to continue close partnerships and cooperation between State and non-State actors.

Finally, Indonesia would like to urge all members of the international community not to lose sight of the significance and seriousness of the challenge of piracy and armed robbery at sea, because all nations and peoples, and both the public and the private sectors, are the losers wherever and whenever such acts take place. We must unite our efforts and work together and with great determination to ensure that we triumph over this problem.

The President: I now give the floor to the representative of Norway.

Ms. Mørch Smith (Norway): Maritime security has received increased attention since pirates from Somalia started threatening the lives and safety of seafarers and undermining world trade in 2007 and 2008. The recent decrease in the number of hijackings in the western Indian Ocean reflects the successful international cooperation in addressing this problem.

An important factor in this success story is the Contact Group on Piracy off the Coast of Somalia. I would like to take this opportunity to congratulate India on its current chairmanship of the Contact Group. The simple and non-bureaucratic way of organizing work, and the way countries with very different resources and challenges have cooperated in the Contact Group, could provide a model for tackling other security problems in future. The way in which we have shared burdens in our efforts to ensure that pirates are prosecuted is one aspect of this successful cooperation. We would like to commend the countries in the region that have stepped up to do their share. They have been excellent partners.

Norway is co-financing the United Nations prison project in Puntland. We look forward to seeing the rapid completion of that project, which will mean that Somalia's neighbours can transfer convicted pirates for imprisonment there. Norway will also deploy a frigate to the anti-pirate Operation Ocean Shield for six months, from the end of May.

Another key to success has been cooperation with the shipping industry and its implementation of best management practices.

We must continue our joint efforts so that this particular brand of crime can be brought to an end. Our priority is to see that the rule of law is implemented throughout Somalia. We are now seeing a new beginning in the country, which we hope will be an important step towards ensuring the rule of law.

Parallel to that, international efforts to arrest and prosecute organizers of and investors in piracy must continue. We must also prevent the laundering of ransom money. Norway would like to take this opportunity to underline that it is morally and legally unacceptable to play with human lives in order to extort ransom payments the way pirates in Somalia do.

Although we can be pleased with our progress in combating piracy in the western Indian Ocean, we are concerned about the increased number of armed robberies and acts of piracy in the Gulf of Guinea. Piracy also continues to be a problem in Southeast Asia. The international cooperation in Southeast Asia is functioning well, and Norway is engaged in that work. The regional cooperation in Western Africa still needs to mature. It is our hope that the countries in the region will give the issue of armed robbery and piracy the priority it deserves and that joint action will follow.

The President: I now give the floor to the representative of Somalia.

Mr. Duale (Somalia): I wish at the outset to thank you, Mr. President, for having convened this timely debate on piracy in Somalia and in the Gulf of Guinea. I would also like to thank Mr. Jan Eliasson for this morning's briefing, and to thank you, Mr. President, for the enlightening concept paper you provided (S/2012/814, annex), which more or less sums up what has been discussed today, namely, that piracy is not only a maritime issue but has causes originating on land that must also be dealt with.

Before going further, I wish to convey, on behalf of my country, our heartfelt and sincere sympathy to those seafarers who are still being held in captivity by pirates, as well as to their families. We hope that they will soon be released. As was said this morning, it is very important that they be supported while still in captivity as well as afterwards.

With regard to the concerns and actions of those affected in the region, I believe that Tanzania's statement gave an idea of what has been and could be done.

I am very glad that almost all of the Security Council members, and most of those who spoke today, expressed the need for immediate action in order to attempt to achieve a comprehensive solution and effective intervention in the fight against piracy. We commend those efforts and the presidential statement (S/PRST/2012/24), which we support. That said, I am duty-bound to mention the fact that while we thank all the organizations and countries that are dealing with pirates at sea now, and that have expended much effort in doing so, we must take some action onshore concerning the requests made by the Intergovernmental Authority on Development and the African Union for the marine component of the African Union Mission in Somalia, which I think should be given serious consideration, until such time, of course, that the Somali marine police are able to take over such action.

I would like to thank you once again, Mr. President, for convening this important meeting, which will be followed in December by a meeting of the Contact Group on Piracy off the Coast of Somalia and of the Trust Fund. We very much hope that this will highlight the possibilities for more positive action.

The President: I now give the floor to the representative of Nigeria.

Mr. Sarki (Nigeria): Let me join previous speakers in congratulating you, Mr. President, on your assumption of the presidency of the Council for the month of November. I would also like to thank you for your initiative in organizing this important debate on piracy, as well as for the concept note (S/2012/813, annex) that provided direction to our discussion today. And I thank Deputy Secretary-General Jan Eliasson for his introductory remarks. We commend your delegation, Mr. President, for organizing this meeting, which for the first time aims to address piracy as a global security threat by taking an integrated look at the situation across regions.

We align ourselves with the statement delivered by the representative of the Islamic Republic of Iran on behalf of the Non-Aligned Movement. We also wish to thank the Singapore delegation for acknowledging Nigeria's efforts to ensure security in the Gulf of Guinea. We resolve to do more.

Nigeria supports the presidential statement adopted this morning (S/PRST/2012/24), and we wish to take this opportunity to present our perspectives on this topical issue.

Piracy in Nigerian territorial waters and adjacent sea lanes has become prevalent in the past 15 years due to an upsurge in oil bunkering and hijacking on the high seas. The security challenges that Nigeria faces in its maritime zone include criminal activity within its harbours, piracy on the high seas, robbery along coastlines, illegal fishing activities, the dumping of toxic wastes, and so forth.

The upsurge in piracy in the Gulf of Guinea has made it imperative that we pay greater attention to our collective security. The phenomenon has attained disturbing proportions and is adversely affecting international maritime activities, with serious implications for international trade, fishing and other socioeconomic activities, especially through the danger it poses to the lives and security of seafarers. Besides compounding the security problems in the region, acts of piracy in the Gulf of Guinea continue to seriously threaten maritime navigation and the stability and security of coastal countries and beyond. The cost of piracy in stolen goods, huge security outlays and high insurance premiums has been estimated at \$2 billion. That has also affected shipping in the region. Sharp

decreases have been experienced in the number of ships docking at regional ports. In one country alone, it is estimated that port activity fell by more than 70 per cent due to pirates' illicit activities.

Several factors have contributed to the rise in the incidence of piracy in the Gulf of Guinea, of which some important ones, in our view, are weak institutions, uncoordinated regional responses, unfettered access to small arms and light weapons, and a lack of prosecution mechanisms. In particular, the lack of synergy and coordination among Gulf of Guinea States on maritime security mechanisms has created a vacuum that is being exploited by criminal elements.

Nigeria has spared no effort in working with bilateral and multilateral partners to chart a course that truly addresses the challenges of piracy and ways to meet the objectives of this debate. We are implementing our cooperative agreement with the Republic of Benin in order to tackle piracy in a spirit of collective security. That is now beginning to yield positive results and will no doubt have to be reinforced with a wider effort to develop a collective regional counter-piracy strategy.

The Security Council is also supportive of our subregional efforts, and has backed the convening of a summit of Heads of State of the Gulf of Guinea to discuss a regional response. To that end, a conference of the Economic Community of Central African States (ECCAS) and the Economic Community of West African States (ECOWAS) on maritime safety and security was held in Cotonou from 27 to 29 March. The outcome was two draft documents, a memorandum of understanding and an ECCAS-ECOWAS collaborative engagement mechanism on maritime safety and security in the Gulf of Guinea. Those documents are being studied in various capitals with a view to convening a summit of the Heads of State of the two regions. The legal framework will assist in the verification and arrest of vessels suspected of being engaged in piracy, information exchange, combined operations and cross-maritime-boundary pursuit.

We therefore call upon the international community to support ongoing regional efforts. We acknowledge and appreciate the contribution and assistance of international partners that have so far played a significant role in strengthening regional capacity to confront the menace.

At the national level, we are seeking to strengthen our collaborative efforts. We have also taken steps to improve our domestic capacity to counter piracy. The Nigerian Navy and the Nigerian Maritime Administration and Safety Agency (NIMASA) have achieved tremendous success in efforts to rid Nigerian maritime space of piracy and illegal offshore activities. Those two bodies have now embarked on the process to acquire radar installations to provide total radar coverage to all shipping activities in the Nigerian maritime environment. That would enable the Navy and NIMASA to effectively monitor shipping and the activities of pirates. Joint maritime patrols with the navies of neighbouring countries will continue to be undertaken to safeguard the sea lanes and check all illegal activities.

Finally, it is clear that piracy has become an international challenge that requires concerted and enhanced international action. It is imperative for all actors, particularly the United Nations, to deepen their engagement in order to guarantee our common security. Our discussions today have indeed set the tone and outlined the objectives for international engagement. This will be attained only when decisive steps are taken to confront the challenges posed by piracy. We therefore wish to join in the call made by the delegation of New Zealand that the same priority be accorded to the Gulf of Guinea region that the international community has given to the situation off the coast of Somalia.

The President: I shall now make a further statement in my national capacity.

With reference to the statements made by two delegations that mentioned a specific case, I would like to state that the issue concerns two security personnel who fired without provocation on two unarmed fishermen and killed them. The case is sub judice and is being dealt with in accordance with the due process of law. This is also in consonance with international law.

I now resume my functions as President of the Security Council.

There are no more names inscribed on the list of speakers. The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 6.05 p.m.