

# UNTOC

**United Nations Convention  
Against Transnational  
Organized Crime**

**Committee:** United Nations Convention Against Transnational Organized Crime (UNTOC)

**Topic:** Maritime crime and piracy in the Gulf of Aden

**Written by:** Alfredo Garzon, Maximo Galvan and Bárbara Martínez

## I. Committee Background

The United Nations Convention against Transnational Organized Crime (UNTOC) was adopted by the General Assembly on November 15th, 2000, in Palermo, Italy. UNTOC's protocol aims at preventing and combating the smuggling of migrants by land, sea and air, fighting against organized crime and trafficking persons, especially women and children. The widespread trafficking and violence with illicit drugs was a rapidly growing problem. Soon, the UN realized it needed a strong body to combat illicit drug activity. As a result, the United Nations Office of Drugs and Crimes (UNODC) was established in 1977 by merging with The United Nations Convention against Transnational Organized Crime (UNTOC). UNTOC is formed by 147 signatories and 190 parties according to its statistics from July of 2018. The convention is further supplemented by three protocols which target specific areas, and those protocols include the Protocol to Prevent, Suppress and Punishing trafficking in Persons; especially women and children; the Protocol against the Smuggling of Migrants by Land, Sea, and Air; and finally, the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, their Parts, Components, and Ammunitions (UNTOC, 2020). The members of the committee include observers and participants. Aside from the state parties, which are actual participants, there are a number of observers which include the signatories and non-signatories, the United Nations secretariat, international organizations, and non-governmental organizations. The UNTOC regional program currently has a strong focus on the Sustainable Development Goal number 3: Good Health and Well Being. The committee's work on

drugs and health care is linked to the target 3.5 of SDG 3 which clearly states: “Strengthen the prevention and treatment of substance abuse, including narcotic drug abuse and harmful use of alcohol”. UNTOC assists many states by meeting these prevention and repression activities against drug trafficking (SDGs, UNODC, 2020).

## II. Topic Information

### A) History of the Topic

According to the RAND Corporation, maritime piracy is “the plundering, hijacking, or detention of a ship in international waters” (RAND Corporation, 2020). Maritime piracy has occurred for hundreds of years. It is primarily caused by poor social conditions such as high unemployment and widespread poverty, as well as weak governance (Bruno, ThoughtCo, 2019). The Gulf of Aden is a deepwater gulf with Yemen to its north, the Arabian Sea to the east, Djibouti to the west, and Somaliland and Somalia to the south (Encyclopedia.com, 2019). It is an essential part of the petroleum industry because it facilitates the shipment of oil produced in the Persian Gulf. The Gulf of Aden “is part of the important Suez Canal shipping route between the Mediterranean Sea and the Arabian Sea in the Indian Ocean, with 21,000 ships crossing it annually (Kennedy, Associated Press, 2008).

Piracy in the Gulf of Aden began in the early 1990s as a consequence of the Somali Civil War. The civil war resulted in the collapse of a central government in Somalia and fighting between various clans and warlords. Without a government in power, Somalia’s resource-rich territorial waters were left undefended. As a result, foreign fishing boats began large scale illegal fishing operations and ships began

dumping industrial waste along the country's coast (McConnell, Agence France-Presse, 2012). The once-lucrative fishing industry began to decline and this left many Somalis unemployed and in extreme poverty. Taking matters into their own hands, former fishermen began to use weapons to take over foreign fishing vessels until their owners paid a ransom. Seeing the profitability in hijacking fishing vessels, pirate groups formed and began targeting merchant vessels and cruise ships (Adow, Al Jazeera, 2017). Hundreds of ships have been hijacked in the Gulf of Aden since the early 1990s. According to Oceans Beyond Piracy, piracy within the region has prevented or slowed down trade costing countries and companies operating in the region between US\$6.6 to US\$6.9 billion a year (Oceans Beyond Piracy, 2012).

In order to address the issue of piracy in the Gulf of Aden, the Combined Task Force 150, a multinational coalition task force, was established by 33 countries including Australia, Canada, France, Germany, Japan, Pakistan, the United Kingdom and the United States. Since 2008, these countries have patrolled the Gulf of Aden and lowered the number of piracy incidents involving commercial ships. However, early 2020 saw a rise in global maritime piracy, including in the Gulf of Aden. The Conversation attributes the spike in incidents to "weak governments embroiled in political violence, widespread economic hardship and easy access to weapons" (Prins, The Conversation, 2020). For example, the ongoing Yemeni Civil War has caused regional instability and reduced the number of foreign naval vessels in the area. Famine, drought and disease due to the conflict have also been attributed to the increase in hijacking incidents since more and more people are looking for different ways to survive (Saul, Reuters, 2017).

## B) Current Issues

**Australia:** In 2009, Australia joined the Combined Task Force 150 in order to combat piracy in the Gulf of Aden. In the same year, the country's government published guidelines for commercial shipping operating within the region. The guidelines included joining a database of the ships operating in the region, the preparation of an emergency communication plan and practicing emergency drills prior to departing Australia (Government of Australia, 2009). As of 2020, an Australia registered vessel has not been hijacked in the Gulf of Aden. However, the country continues to warn its citizens against non-essential travel within the region and for all of its vessels to remain vigilant (Coordination Marée Noire, 2020).

**Canada:** The Canadian Navy has been patrolling the Gulf of Aden since 2008. The country's approach to stopping piracy has been labelled as "unconventional" by The Star. According to the newspaper, the Canadian Navy has used a "handmade stop sign, written in Somali and affixed to its helicopter's machine gun, to warn legitimate fishermen and make ransom-hungry pirates think twice." The country's ships have also primarily focused on acting as escorts for slow-moving United Nations aid vessels delivering food and medicine to famine-hit regions such as Somalia and Yemen. The Canadian government has warned Canadian vessels and citizens to avoid all non-essential travel within the Gulf of Aden. Similarly to Australia, it has also issued a series of guidelines for its ships to follow prior to, during and after operating in the area (Woods, The Star, 2009).

**France:** The French Navy started operations in the Gulf of Aden in 2007. Originally, it provided protection to the World Food Programme (WFP) ships transporting aid to Somalia. However, it has since expanded its operations to combat piracy through

participation in the North Atlantic Treaty Organization's (NATO) Operation Ocean Shield and the Combined Task Force 150. France has also recognized that piracy cannot only be addressed at sea. So, it established the Contact Group on Piracy off the Coast of Somalia which focuses on a "comprehensive sea and land-based approach to combating piracy, which takes into account incidents at sea as well as the root causes on land" (Diplomatie, 2020).

**Pakistan:** Pakistan has been actively combating piracy in the Gulf of Aden since 2004. Since then, it has participated in several coalitions and groups established to address the issue such as Combined Task Force 150. Pakistan has commanded the group eleven times, more than any other member state. Furthermore, due to its experience in the region, the Pakistani Navy has taken a lead role in training other partner navies operating in the region. It is also a key member of the United Nations' Contact Group on Piracy off the Coast of Somalia, which was established in 2009 to "facilitate the discussion and coordination of actions among states and organizations to suppress Somali piracy." Many of the group's guidelines, reviews and recommendations have been drafted with Pakistan's help and guidance (Humayun, Lessons From Piracy, 2014).

### C) UN Action

On December 16th, 2008, the United Nations Security Council (UNSC) unanimously adopted Resolution 1851 which stated that UN member states could undertake all necessary measures to prevent those in Somali territory from planning, facilitating or undertaking acts of piracy. Furthermore, the UNSC urged UN member states "to actively participate in defeating piracy and armed robbery off Somalia's coast by deploying naval vessels and military aircraft, and through seizure and disposition of boats and arms used in the commission of those crimes" (Security

Council Report, 2008). The resolution was followed by the creation of the Contact Group on Piracy off the Coast of Somalia on January 14th, 2009. Some of the working group's achievements include facilitating the operational coordination of an international naval effort from more than 30 countries, establishing a list of guidelines for merchant ships and crews can take in order to avoid, deter, delay, and counter pirate attacks, and strengthening the capacity of Somalia and other countries in the region to combat piracy through the UN Trust Fund Supporting Initiatives of States Countering Piracy off the Coast of Somalia (U.S. Department of State, 2011).

### III. Essential Questions

1. What is maritime piracy?
2. Where is the Gulf of Aden? Why is it important to the world's economy?
3. What are the main causes of maritime piracy?
4. Has your country been impacted by maritime piracy? If so, how?
5. Is your nation involved in the international effort to combat maritime piracy? If so, how?
6. How has the political situation in Somalia and the conflict in Yemen contributed to piracy in the Gulf of Aden?

### IV. Quorum

- Afghanistan
- Brazil

- Canada
- China
- France
- India
- Indonesia
- Iran
- Mexico
- Pakistan
- Russia
- Saudi Arabia
- South Africa
- Syria
- Turkey
- United Kingdom
- United States

## V. Resources

Adow, Mohammed. "Somali fishermen complain about illegal vessels." Al Jazeera. Al Jazeera Media Network, 2017. Web. 02 Jun. 2020. <<https://www.aljazeera.com/video/news/2017/05/somali-fishermen-complain-illegal-vessels-170525183533330.html>>.

"Australian Shipping Counter Piracy and Armed Robbery at Sea Advisory Guidelines." Government of Australia. Government of Australia, 2009. Web. 02 Jun. 2020. <<https://www.homeaffairs.gov.au/transport-security/files/asc-piracy-armed-robbery-sea-guidelines.pdf>>.

Bruno, Paul. "What Is the Cause of Sea Piracy?" ThoughtCo. ThoughtCo, 2019. Web. 02 Jun. 2020. <<https://www.thoughtco.com/causes-of-sea-piracy-2293171#:~:text=The%20main%20reasons%20for%20piracy,in%20supporting%20a%20criminal%20enterprise.>>>.

"Contact Group on Piracy off the Coast of Somalia Launches New Website." U.S. State Department. U.S. State Department, 2011. Web. 02 Jun. 2020. <<https://2009-2017.state.gov/r/pa/prs/ps/2011/10/175125.htm>>.

"Gulf of Aden." Encyclopedia.com. Columbia University Press, 2020. Web. 02 Jun. 2020. <<https://www.encyclopedia.com/reference/encyclopedias-almanacs-transcripts-and-maps/aden-gulf>>.

Humayun, Asaf. "Countering the Somali Piracy: Pakistan's Perspective." Lessons From Piracy. Lessons From Piracy, 2014. Web. 02 Jun. 2020. <<http://www.lessonsfrompiracy.net/files/2014/11/Countering-Somali-Piracy.pdf>>.

Kennedy, Elizabeth A. "Pirates fire on US cruise ship in hijack attempt." Associated Press. Associated Press, 2008. Web. 02 Jun. 2020. <[https://web.archive.org/web/20081204080826/http://news.yahoo.com/s/ap/20081202/ap\\_on\\_re\\_af/piracy](https://web.archive.org/web/20081204080826/http://news.yahoo.com/s/ap/20081202/ap_on_re_af/piracy)>.

"List of ships attacked by Somalian pirates." Coordination Marée Noire. Coordination Marée Noire, 2020. Web. 02 Jun. 2020. <<http://coordination-maree-noire.eu/spip.php?article9780&lang=en>>.

"Maritime Piracy." RAND Corporation. RAND Corporation, 2020. Web. 02 Jun. 2020. <<https://www.rand.org/topics/maritime-piracy.html#:~:text=Maritime%20piracy%E2%80%94the%20plundering%2C%20hijacking,a%20challenge%20to%20international%20law.>>.

McConnell, Tristan. "Somali pirates' rise linked to illegal fishing and toxic dumping." Agence France-Presse. Agence France-Presse, 16 Mar. 2012. Web. 02 Jun. 2020. <<https://www.pri.org/stories/2012-03-16/somali-pirates-rise-linked-illegal-fishing-and-toxic-dumping>>.

"Piracy on the high seas." Diplomatie. Government of France, 2020. Web. 02 Jun. 2020. <<https://www.diplomatie.gouv.fr/en/french-foreign-policy/security-disarmament-and-non-proliferation/fight-against-organized-criminality/piracy-on-the-high-seas/>>.

Prins, Brandon. "Global sea piracy ticks upward, and the coronavirus may make it worse." The Conversation. The Conversation, 2020. Web. 02 Jun. 2020. <<https://theconversation.com/global-sea-piracy-ticks-upward-and-the-coronavirus-may-make-it-worse-137586>>.

"Resolution 1851 (2008)." Security Council Report. Security Council Report, 2008. Web. 02 Jun. 2020. <<https://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/Somalia%20S%20RES%201851.pdf>>.

Saul, Jonathan. "Yemen war adds to rising fears for ships in Horn of Africa." Reuters. Reuters, 2017. Web. 02 Jun. 2020.

<["THE ECONOMIC COST OF SOMALI PIRACY, 2012." Oceans Beyond Piracy. Oceans Beyond Piracy, 2012. Web. 02 Jun. 2020. <\[http://oceansbeyondpiracy.org/sites/default/files/attachments/View%20Full%20Report\\\_3.pdf\]\(http://oceansbeyondpiracy.org/sites/default/files/attachments/View%20Full%20Report\_3.pdf\)>.](https://www.reuters.com/article/us-yemen-shipping-somalia/yemen-war-adds-to-rising-fears-for-ships-in-horn-of-africa-idUSKBN1851L3#:~:text=LONDON%20(Reuters)%20%2D%20Yemen's%20worsening,weaponry%20to%20carry%20out%20attacks.>.</a></p></div><div data-bbox=)

"United Nations Convention against Transnational Organized Crime and the Protocols Thereto." United Nations Office on Drugs and Crime (UNODC). United Nations, 2020. Web. 14 Feb. 2020. <<https://www.unodc.org/unodc/en/organized-crime/intro/UNTOC.html>>.

Woods, Allan. "Canada makes waves battling Somali pirates." The Star. Toronto Star Newspapers Ltd., 2009. Web. 02 Jun. 2020. <[https://www.thestar.com/news/canada/2009/04/18/canada\\_makes\\_waves\\_battling\\_somali\\_pirates.html](https://www.thestar.com/news/canada/2009/04/18/canada_makes_waves_battling_somali_pirates.html)>.