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PROTECTION OF VITAL SHIPPING LANES

Activities of the Secretariat in relation to piracy off the coast of Somalia

Note by the Secretary-General

SUMMARY

<i>Executive summary:</i>	This document supplements document C 108/14 and reports on actions taken by the Secretariat to address the piracy threat off Somalia during 2012
<i>Strategic direction:</i>	6.2
<i>High-level action:</i>	6.2.2
<i>Planned output:</i>	6.2.2.1
<i>Action to be taken:</i>	Paragraph 12
<i>Related document:</i>	C 108/14

Actions of the Secretary-General

1 The Secretary-General met the United Nations Secretary-General Ban Ki-moon on Friday, 20 January 2012, at the United Nations Headquarters in New York, and on a number of occasions subsequently, to discuss how to strengthen capacity-building for anti-piracy activities. These meetings followed the endorsement of IMO's work in this area, reiterated in November 2011 by the Security Council and the recent report of the Secretary-General (S/2011/662 of 25 October 2011), in which the United Nations Secretary-General had encouraged United Nations Member States and multinational organizations to consider how they could contribute further to address the root causes of piracy, including through developing land-based initiatives to strengthen Somali and regional maritime and law enforcement capacity.

2 Mr. Ban agreed that capacity-building in Somalia and neighbouring countries should be enhanced through cooperation between IMO and the United Nations, the United Nations specialized agencies and other relevant international organizations, founded on IMO's existing capacity-building activities under the Djibouti Code of Conduct.

3 The Secretary-General further informed Mr. Ban about plans to organize, at IMO Headquarters, and encouraged high-level participation to these events from the United Nations in:

- .1 on 14 May, a Ministerial-level meeting for the Review of the status of the Djibouti Code of Conduct, to review the progress being made towards its implementation;
- .2 on 15 May, a Conference on capacity-building to counter piracy off the coast of Somalia in which the United Nations agencies and the European Union will be invited to agree on how cooperation in capacity-building efforts can be strengthened; and
- .3 on 16 May, a high-level segment of the Maritime Safety Committee to discuss the many facets of the issue of arms on board merchant vessels, including:
 - how to regulate security guard providers;
 - innocent passage;
 - transfer of weapons;
 - how to handle and treat weapons in ports;
 - the authority of the master;
 - rules for the use of force;
 - certification for security guards and security companies; and
 - national regulation versus industry self-regulation or international regulation.

An oral report on the outcomes of these meetings will be given to the Council.

The London Conference on Somalia

4 The Secretary-General participated in the United Kingdom-hosted Conference on Somalia, which took place at Lancaster House on 23 February 2012, and was attended by 55 delegations from Somalia and the international community. The conference saw a wide-ranging examination of the many problems currently afflicting Somalia, including piracy. It also addressed issues as security, local stability, counter-terrorism, humanitarian aspects, the political process and international cooperation.

5 A comprehensive and detailed communiqué adopted by the conference called for, among other things, full implementation of the IMO-led Djibouti Code of Conduct and the adoption of an Exclusive Economic Zone. It also welcomed current work on international guidance on the use of private armed security companies.

6 Prior to the conference, on 21 February 2012, representatives from the shipping and insurance industries attending a meeting at IMO Headquarters on counter-piracy topics issued a statement in which they welcomed the continued work of IMO, among others, and called on organizations to drive forward the counter-piracy agenda and ensure effective coordination of international efforts. The outcomes of this meeting were used to inform the deliberations at the London Conference.

Implementation of the Djibouti Code of Conduct

7 A subregional high-level meeting to discuss the current status and future direction of the Djibouti Code of Conduct was held in Dar es Salaam, United Republic of Tanzania on 8 and 9 March 2012. The meeting addressed two core issues: whether the Djibouti Code of Conduct would be improved by being converted into a binding agreement; and whether the scope of the Code should be expanded to include other aspects of maritime security.

8 Following preliminary discussions on the current status and future direction of the Code, including the protection of the southern shipping lane initiative, the meeting agreed in general that the Code should, at present, remain non-binding, and that the Code should remain focused solely on countering piracy. The deliberations and outcomes of the meeting will be discussed at the above-mentioned Ministerial-level meeting on 14 May 2012.

9 The capacity-building programme under the Djibouti Code of Conduct has continued with:

- .1 a workshop on the use of the information sharing network for personnel from the three information sharing centres (Dar es Salaam, Mombasa and Sana'a) and the national focal points from the signatory States, held in Dar es Salaam, from 5 to 7 March 2012;
- .2 a "train-the-trainer" programme on maritime law-enforcement operations, conducted at the NATO Maritime Interdiction Operational Training Centre in Crete, from 26 to 30 March 2012; and
- .3 a course on Planning and conducting law-enforcement operations at sea, held in Djibouti, from 15 to 19 April 2012.

A course on "Law enforcement from the bridge of a patrol boat – best practices" is scheduled to be held in Djibouti from 20 to 24 May 2012.

10 Looking further ahead, again in the context of the Djibouti Code of Conduct, the Secretariat plans to address the protection of the southern shipping lanes through the Mozambique channel and the southern and western Indian Ocean. The main effort of the naval forces engaged in countering piracy is, quite rightly, focused on the Gulf of Aden and the Arabian Sea. As a result, ships operating in the south-western Indian Ocean and the Mozambique channel have little guarantee of protection from international naval forces against pirates. There are, however, significant existing and emerging threats to maritime security in this area. The "protection of the southern shipping lanes" initiative is aimed at delivering a sub-programme of the Djibouti Code for the development and protection of the maritime domain in the south-west Indian Ocean.

Contact Group on Piracy off the Coast of Somalia

11 The meeting of Working Group 2 (legal) was held at the IMO Headquarters on 24 April 2012. The next meeting of Working Group 1 (civil/military cooperation and technical assistance) is planned to be held at the IMO Headquarters on 12 July 2012.

Action requested of the Council

12 The Council is invited to take note of the information contained in this document and comment, as appropriate.