



COUNCIL
23rd extraordinary session
Agenda item 17(a)

C/ES.23/17(a)
10 November 2005
Original: ENGLISH

SUPPLEMENTARY AGENDA ITEMS

(a) Piracy and armed robbery against ships in waters off the coast of Somalia

Note by the Secretary-General

SUMMARY

<i>Executive summary:</i>	In accordance with Rule 17 of the Rules of Procedure of the Council and following consultations with the Chairman, the Secretary-General submits this document to address the issue of piracy and armed robbery against ships in waters off the coast of Somalia
<i>Action to be taken:</i>	Paragraph 9
<i>Related documents:</i>	None

Background

1 The number of reported incidents of piracy and armed robbery against ships in waters off the coast of Somalia has increased alarmingly during the current year and is becoming increasingly common (see annex 1). Most of the incidents have reportedly occurred at distances ranging up to 180 nautical miles off the Somali coast (see annex 2) and the reported information suggests a pattern of well organized and co-ordinated activities. The actual extent of the incidents is very difficult to gauge and there may have been other unreported cases.

2 During the last few months, in particular since last June, the issue has drawn global attention as a result of the hijacking of a ship carrying food aid to Somalia under the United Nations World Food Programme (WFP) with demands for the payment of ransom for the release of the ship, its crew and cargo. The vessel was held for 100 days and was eventually released on 5 October 2005.

3 During September and October 2005, a number of ships have reported failed attempts to be boarded and a number of ships have been hijacked and large sums of money have been demanded for their release. This included the hijacking, on 12 October 2005, and the release 32 hours later, of a second ship operating for the WFP.

4 On 5 November 2005, a passenger ship narrowly escaped a piracy attack when navigating in the area, en route to Mombassa.

For reasons of economy, this document is printed in a limited number. Delegates are kindly asked to bring their copies to meetings and not to request additional copies.

- 5 Reports of the United Nations Monitoring Group¹ on Somalia indicate, *inter alia*, that:
- .1 the piracy and armed robbery activities are undertaken by persons living in Somalia and that the perpetrators are trained fighters, often dressed in military fatigues, using speedboats equipped with satellite communication and global positioning systems and equipment. They are typically armed with automatic weapons, anti-tank rocket launchers (shoulder-fired) and various types of grenades; and
 - .2 the main motive behind acts of piracy in Somali waters appears to be an attempt by local administrations or individual warlords and militias, living in Somalia, to obtain large sums of money through ransom demands.

Proposed response

6 In the light of the recent events, the Secretary-General considers that there is a need for the Organization to review, from its own perspective, the current situation in the waters off the coast of Somalia and to provide the leadership expected by the maritime community. Notwithstanding the technical and regulatory character of the Organization and its role in relation to the prevention of piracy and armed robbery against ships, the Secretary-General believes that the unique, extraordinary and complex situation off the Somali coast requires an exceptional response.

7 Since the Council, at its ninety-third session, supported (C 93/D, paragraphs 17(a).2 and 17(a).3 and C 93/17(a)/1) the recommendation of the Monitoring Group on Somalia that IMO, in consultation with neighbouring States and other agencies and organizations concerned, should develop a practical coastline-monitoring programme for Somalia; and agreed to bring this recommendation to the attention of the MSC, MEPC and TCC, for consideration and action, as appropriate, the Secretary-General has been monitoring the situation and has raised the issue on a number of occasions when meeting officials from the region or others having an interest in the situation. In addition, the Secretary-General has raised the issue within the United Nations Chief Executive Board (CEB) for Co-ordination on 28 October 2005 during the Board's second regular session of the year.

8 Consequently, the Secretary-General proposes the adoption of an Assembly resolution (annex 3), the purpose of which is to raise the level of awareness of the situation; encourage flag States to provide specific instructions to their ships; and to foster co-operative arrangements in an effort to reduce the likelihood of occurrence of further incidents in the waters off the coast of Somalia. He also seeks the Assembly's authorization to bring the issue to the attention of the UN Secretary-General for him to take appropriate action, including referring the matter to the Security Council. The draft resolution also foresees the provision of technical assistance to Somalia and to the nearby coastal States in an effort to aid them in assisting the maritime community when ships make use of the waters off the coast of Somalia.

Action requested of the Council

9 The Council is invited to consider the annexed draft Assembly resolution with a view to approval and submission to the twenty-fourth session of the Assembly for adoption.

¹ Established by the Security Council of the United Nations through resolution S/Res/1519(2003) and its mandate was renewed and expanded through resolutions S/Res/1558(2004), S/Res/1587(2005) and S/Res/1630(2005).

ANNEX 1

**REPORTED PIRACY AND ARMED ROBBERY INCIDENTS AND ATTEMPTS
IN WATERS OFF THE COAST OF SOMALIA**

(1 January 2005 – 8 November 2005)

I. Summary

1 The available information indicates that, between 15 March 2005 and 8 November 2005, there have been 33 acts, or attempted acts, of piracy and armed robbery against ships out of which in at least 13 cases the targeted ships were fired upon. In 30 cases the ships involved were underway and in 3 cases the ships were anchored. In 18 cases the perpetrators failed to board the targeted ship. Out of the 15 ships which were boarded 14 were hijacked and in 13 cases the available information indicates that demands for the payment of ransom for the release of the crew and of the ship were made. Up to 7 ships may still be in the hands of the perpetrators and their future, as well as, the condition and futures of the crew remain unknown.

2 Chronologically 3 cases occurred in March 2005, 2 in April, 1 in May, 2 in June, 9 in July, 4 in August, 2 in September, 5 in October and 5 cases occurred up to 8 November 2005.

3 The ships involved were flying the flag of Algeria 1; Antigua and Barbuda 1; Bahamas 2; Cyprus 2; Germany 1; Greece 2; Italy 2; Malaysia 1; Malta 2; Liberia 1; Panama 6; Saint Kitts and Nevis 1; Saint Vincent and the Grenadines 3; Thailand 2; Gibraltar 1; Hong Kong, China 1; and 5 were under an unknown flag.

4 The types of the ships involved were: Passenger ship 1; General cargo ships 8; Container ships 2; Bulk carriers 8; Ro-ro cargo ships 5; Product tankers 2; Chemical tanker 1; Gas carrier 1; Fishing vessels 5.

II. Details of each of the reported cases

Case	Date	Time	Position	Type of ship	Gross tonnage	Status of ship
Description of events						

1¹ 15.03.2005; 13:30 UTC; 11:59.10N – 051:16.60E; General cargo; 8451; Underway

Three persons armed with guns in white hull speedboat chased and fired upon the ship. The crew raised the alarm and activated fire hoses. The ship increased speed and took evasive manoeuvres. After 30 minutes the attempt was aborted and the perpetrators fled.

2² 16.03.2005; 04:00 UTC; 12:45.35N – 051:33.18E; Fishing vessel; 225; Underway

Three persons armed with guns in a boat boarded and hijacked the ship and took all 26 members of the crew hostages. They directed the ship to proceed close to the coast of Somalia. They demanded the payment of ransom for the release of the crew and of the ship. Coalition warships in the area were alerted and rescued crew and ship. Three persons were apprehended.

¹ See MSC.4/Circ.67, annex 2.

² See MSC.4/Circ.67, annex 1.

3¹ 31.03.2005; 13:30 UTC; 00:40.50N – 048:49.10E; Ro-ro cargo ship; 5879; Underway

Six persons armed with guns and grenades in two speedboats attempted to board the ship. The ship transmitted distress calls, increased speed and took evasive manoeuvres. After two hours the attempt was aborted and the perpetrators fled.

4³ 10.04.2005; 09:50 UTC; 03:34.00N – 048:24.00E; Bulk carrier; 14009; Underway

Eight persons armed with automatic guns and grenades in two speedboats chased and fired upon the ship. The ship increased speed and took evasive manoeuvres. The master sounded whistle and transmitted distress calls. The crew closed doors, hiding in the superstructure. Two grenades hit a lifeboat which caught fire. The perpetrators continued shooting and at 10:00 UTC they boarded the ship using a portable ladder. As they could not enter the superstructure, they continued shooting at the bridge. After 1 hour and 10 minutes the attempt was aborted and the perpetrators fled. One lifeboat was completely burnt and there were bullet holes in superstructure and master's cabin window. No injuries to crew.

5³ 10.04.2005; 12:00 UTC; 00:50.00S – 047:36.00E; Gas carrier; Unknown; Underway

Persons armed with guns boarded and hijacked the ship and took the 17 members of the crew hostages. They directed and forced the ship to anchor close to coast of Somalia. They demanded the payment of ransom for the release of the crew and of the ship. The crew and the ship were released on 27.04.2005 after the payment of ransom.

6⁴ 22.05.2005; 15:00 LTC; 03:07.00N – 048:02.00E; General cargo; 2659; Underway

Persons armed with guns boarded and hijacked the ship took the members of the crew hostages. They demanded the payment of ransom for releasing the ship and the crew. The crew and the ship were released on the 02.07.2005.

7⁴ 06.06.2005; 15:35 UTC; 02:23.00N – 046:07.00E; Bulk carrier; 52,454 dwt; Underway

Three persons armed with automatic guns in a white speedboat fired upon the ship. The USS Gonzalez, which was in the area, responded to the distress calls from the master and came close to assist. The USS Gonzalez fired parachute flares and directed searchlights to illuminate the area and escorted the ship to a safer location away from the coast of Somalia. No injuries to crew. However, a number of bullet holes were found on the starboard side near the bridge.

8⁴ 26.06.2005; Not available; 04:47.60N – 048:12.00E; General cargo; 992; Underway

Persons armed with guns boarded and hijacked the ship and took all 10 members of the crew hostages. They demanded the payment of ransom for releasing the ship and the crew. The crew and the ship were released after 100 days. The ship was carrying food aid to Somalia under the United Nations World Food Programme.

³ See MSC.4/Circ.68, annex 1.

⁴ See MSC.4/Circ.71, annex 1.

9⁵ 16.07.2005; 13:25 LTC; 03:05.00N – 048:05.00E; Container ship; 6670; Underway

Four persons armed with guns in a speedboat fired upon the ship and attempted to board the ship on the starboard quarter. The ship increased speed and took evasive manoeuvres. The crew activated fire hoses and fired rocket flares. The attempt was aborted and the perpetrators fled.

10⁵ 16.07.2005; 16:00 LTC; 04:37.40N – 048:25.90E; Ro-ro cargo ship/Vehicles carrier; 7049; Underway

Four persons armed with bazooka missiles and machine guns in military fatigue in a white hull boat with black bulkwark and high powered engine fired upon the ship. No injuries to crew. However, a number of bullet holes were found.

11⁵ 17.07.2005; 18:30 LTC; 12:09.20N – 050:52.00E; Ro-ro cargo ship/Vehicles carrier; 41363; Underway

Seven persons armed with guns in two four metres long white boats fired upon the ship and attempted to board the ship from the stern. The ship increased speed and the crew activated fire hoses. After 10 minutes the attempt was aborted and the perpetrators fled. No injuries to crew or damage to the ship.

12⁵ 18.07.2005; 03:00 LTC; 12:11.00N – 050:27.00E; Container ship; 27754; Underway

Six persons armed with guns in two boats opened fire on the ship. The ship increased speed and the boats moved away. No injuries to crew or damage to the ship.

13⁵ 21.07.2005; 11:00 LTC; 03:30.00N – 049:20.00E; Ro-ro cargo ship; 30969; Underway

Six persons armed with guns in two boats attempted to board the ship. The ship increased speed and the crew mustered. The attempt was aborted and the perpetrators fled.

14⁵ 21.07.2005; 17:45 LTC; 03:38.00N – 049:30.00E; Bulk carrier; 20815; Underway

Persons armed with guns in a speedboat between eight and ten metres long with blue and white hull attempted to board the ship. The master raised the alarm and the crew mustered and activated fire hoses and fired one rocket flare. The perpetrators opened fired upon the ship with automatic guns. The master increased speed, took evasive manoeuvres and moved away from the coast of Somalia. The attempt was aborted and the perpetrators fled due to rough weather.

15⁵ 26.07.2005; 11:10 UTC; 03:09.00N – 048:47.00E; Chemical tanker; 25400; Underway

Eight persons armed with machine guns and RPG in two white hull with blue stripes speedboats approached the ship. One of the boats came within 30 metres and fired upon the ship. The crew mustered and activated fire hoses. The master increased speed, took evasive manoeuvres and proceeded away from the coast. The attempt was aborted and the perpetrators fled. No injuries to crew or damage to the ship.

⁵ See MSC.4/Circ.73, annex 2.

16⁵ 28.07.2005; 04:15 UTC; 04:08.50N – 049:49.30E; Bulk carrier; 15904; Underway

Six persons armed with guns in a white hull speedboat fired upon the ship. The crew was alerted and mustered. The attempt was aborted and the perpetrators fled.

17⁵ 29.07.2005; 14:45 LTC; 12:24.00N – 050:30.00E; Bulk carrier; 36821; Underway

Five persons armed with guns in a white hull speedboat fired upon the ship. The crew mustered, activated fire hoses and fired rocket flares. The master increased speed, took evasive manoeuvres and moved away from the coast. The attempt was aborted and the perpetrators fled. No injuries to crew.

18 16.08.2005; Not available; off Kismayo; Fishing vessel; Not available; Underway

Six persons armed with guns have reportedly hijacked an unidentified fishing vessel while fishing off the coast of Somalia south of Kismayo. A Somali journalist reported witnessing several gunmen unloading a cargo of fish, lobster and shark fins 60 km south of Kismayo, near Koyame. The journalist reported that the gunmen stated that the cargo was from a fishing vessel their colleagues are holding along with its crew members.

19 16.08.2005[‡]; Not available; Off Kismayo Port, Somalia; Fishing trawler; Anchored

The vessel was hijacked and the crew kidnapped. The perpetrators have demanded the payment of ransom for releasing the vessel and the crew. Further information is not available.*

20 16.08.2005[‡]; Not available; Off Kismayo Port, Somalia; Fishing trawler; Anchored

The vessel was hijacked and the crew kidnapped. The perpetrators have demanded the payment of ransom for releasing the vessel and the crew. Further information is not available.*

21 16.08.2005[‡]; Not available; Off Kismayo Port, Somalia; Fishing trawler; Anchored

The vessel was hijacked and the crew kidnapped. The perpetrators have demanded the payment of ransom for releasing the vessel and the crew. Further information is not available.*

22 26.09.2005; Not available; Vicinity of Mogadishu, Somalia; General cargo; 4932; Underway

Persons armed with guns boarded and hijacked the ship and took the members of the crew hostages. They demanded the payment of ransom for releasing the crew and the ship. The crew and the ship were released on 03.10.2005. It is not clear if any ransom was paid.

[‡] Some sources have reported that the incident occurred on 26.08.2005.

* It has been reported that up to 48 persons might be held hostage on the three fishing trawlers.

23⁶ 30.09.2005; 23:20 UTC; 05:05.00N – 051:05.00E; Bulk carrier; 36559; Underway

Persons in a fishing boat attacked the ship. They came within 1.7 nautical miles and the master took evasive manoeuvres. After a 2-hour chase the attempt was aborted and the perpetrators fled.

24 03.10.2005; Not available; Vicinity of Kismayu/Barawa 50 nautical miles off the coast of Somalia; General cargo; 932; Underway

Persons armed with guns hijacked the ship. The ship was carrying fuel and food supplies for the ship which was hijacked on 26 June 2005 as well as a consignment of foodstuffs for a Somali businessman. The owner of the cargo, who has reportedly been in negotiation with the hijackers, has been quoted as stating that he believes the perpetrators are going to use the ship to “attract other ships”. The ship has sailed to an unknown destination. The crew is held hostages and the perpetrators have demanded the payment of ransom for releasing the crew and the ship.

25 12.10.2005; 15:30 LTC; Marka Anchorage; 50 nautical miles south of Mogadishu, Somalia; General cargo; 992; Underway

Six persons armed with guns stormed and hijacked the ship and forced it to sail to an unknown destination. Two members of the crew managed to escape as the dockworkers were forced off the ship by the perpetrators. The ship was carrying a cargo of rice, corn and vegetable oil as part of food aid to Somalia under the United Nations World Food Programme. At the time of the incident 400 tonnes of cargo were remaining on board. The ship reportedly sailed to Barawa, Somalia and then was released on 14 October 2005.

26 18.10.2005; 12:50 UTC; 06:59.18N – 051:08.39E; Bulk carrier; 22046; Underway

Persons armed with guns in speedboats fired upon the ship. They boarded and hijacked the ship and took it to an unknown destination. They are holding the crew hostage and they have demanded the payment of ransom for releasing the crew and the ship. Further details awaited.

27 20.10.2005; 07:47 UTC; 02:13.00N – 049:44.00E; Product tanker; 17672; Underway

Persons armed with guns attacked the ship. They boarded and hijacked the ship and took it to an unknown destination. They are holding the crew hostage and they have demanded the payment of ransom for releasing the crew and the ship. Further details awaited.

28 26.10.2005; 18:10 LTC; 06:09N – 053:45E; Product tanker; 1986; Underway

Five speedboats flashed lights at the ship and chased it. One boat increased speed and came close to the ship on the port beam. The crew switched on deck lights and ship moved further away from the coast of Somalia. The attempt was aborted and the perpetrators fled.

⁶ See MSC.4/Circ.75, annex 2.

29 05.11.2005; ~ 03:25 UTC; 02:59.00N – 048:01.00E; Passenger ship; 9975; Underway

Six persons heavily armed in two boats chased the ship. They fired with rocket launchers and machine guns causing damage to the side of the ship. The master took evasive maneuvers and sailed away from the coast. It has been reported that an acoustic blast wave system was used to repel the perpetrators. The attempt was aborted and the perpetrators fled. One crew member sustained injuries to his hand.

30 05.11.2005; 12:00 – 14:00 UTC; 04:26.30N-054:14.60E; Bulk carrier; 17679; Underway

A ship underway spotted a craft drifting 16 nautical miles away from its position. When the ship came close the craft suddenly increased speed and chased the ship. The master took evasive manoeuvres, increased speed and moved away from the coast. The craft continued the chase until 14:00 UTC before moving away. The craft had one derrick and the master suspects this may be a mother ship to launch speedboats to attack ships.

31 06.11.2005; 06:48 UTC; 02:29.30N 048:28.20E; Ro-Ro cargo ship; 22131; Underway

Persons armed with rocket launchers and machine guns fired upon the ship. The master took evasive manoeuvres and increased speed to maximum. The attempt was aborted and the perpetrators fled. The bridge windows were damaged due to gun fire.

32 07.11.2005; 06:00 UTC; 04:28.00N - 048:01.00E; General cargo; 9077; Underway

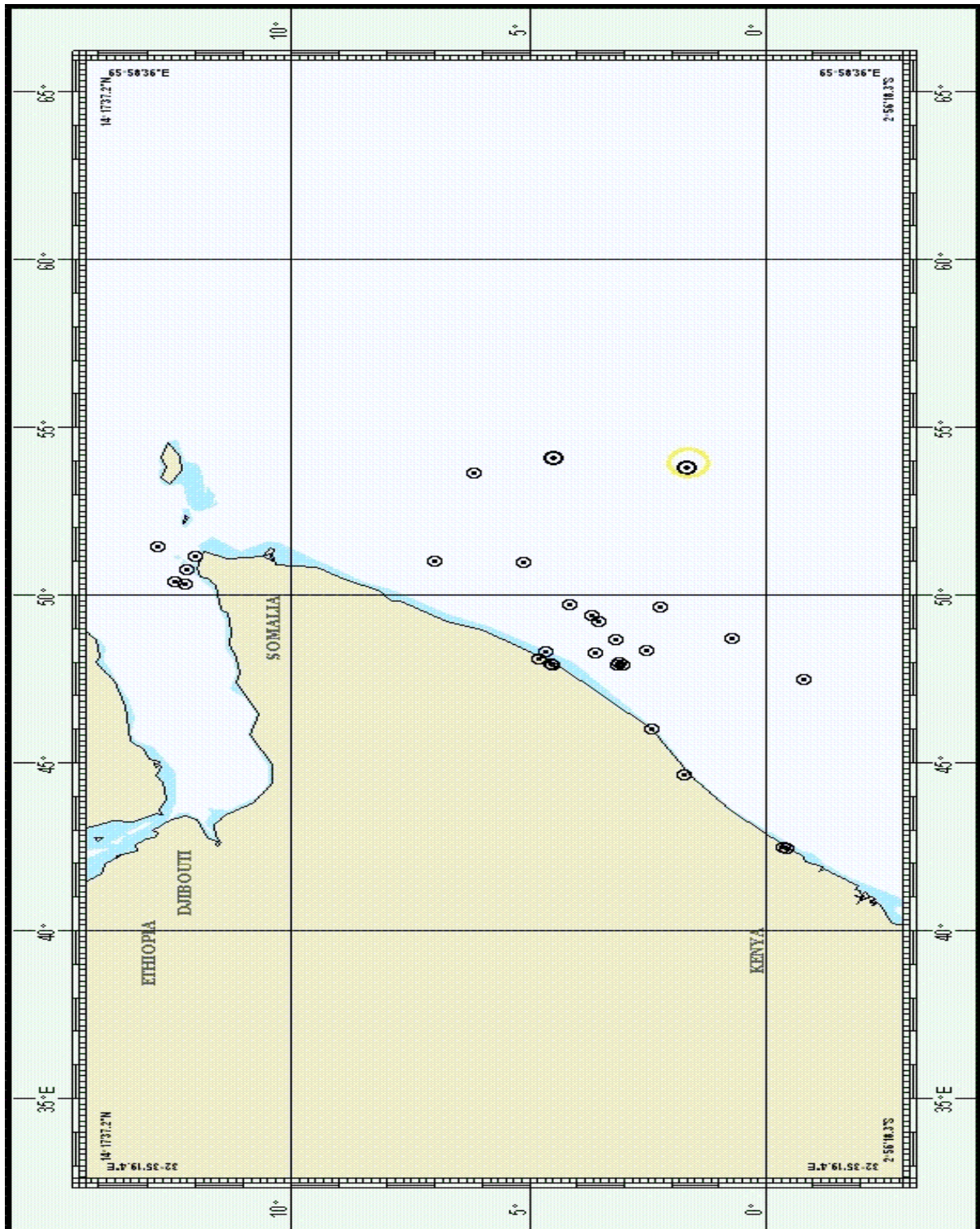
Unknown number of persons attacked the ship. They boarded and hijacked the ship and took it to an unknown destination. They are holding the crew hostage and they have demanded the payment of ransom for releasing the crew and the ship. Further details awaited.

33 08.11.2005; 09:00 LTC; 01:38.60N - 053:58.70E; General cargo; Not available, Underway

A ship underway spotted a craft drifting 15 nautical miles away from its position. The master altered course and increased speed. The craft followed the ship and launched a boat which chased the ship. After an hour and 30 minutes the attempt was aborted and the perpetrators fled. The ship resumed its course.

ANNEX 2

**MAP OF REPORTED
PIRACY AND ARMED ROBBERY INCIDENTS AND ATTEMPTS
IN WATERS OFF THE COAST OF SOMALIA**
(1 January 2005 – 8 November 2005)



(The above map is not shown as on its original scale)

ANNEX 3

DRAFT ASSEMBLY RESOLUTION

**PIRACY AND ARMED ROBBERY AGAINST SHIPS
IN WATERS OFF THE COAST OF SOMALIA**

THE ASSEMBLY,

RECALLING Article 15(j) of the Convention on the International Maritime Organization concerning the functions of the Assembly in relation to regulations and guidelines concerning maritime safety and the prevention and control of marine pollution from ships,

RECALLING ALSO article 1 of the Charter of the United Nations (the Charter), which includes among the purposes of the United Nations, the maintenance of international peace and security,

ALSO RECALLING article 100 of the United Nations Convention on the Law of the Sea, which provides for all States to co-operate to the fullest possible extent in the repression of piracy on the high seas or in any other place outside the jurisdiction of any State,

REAFFIRMING resolution A.545(13) which, *inter alia*, urges Governments to take, as a matter of highest priority, all measures necessary to prevent and suppress acts of piracy and armed robbery against ships in or adjacent to their waters, including strengthening of security measures,

REAFFIRMING ALSO resolution A.683(17), which, *inter alia*, invites all Governments to increase their efforts, as a matter of highest priority, to suppress and prevent acts of piracy and armed robbery against ships in or adjacent to their waters as well as to ensure that further and prompt action, including strengthening of security measures, is taken against pirates and armed robbers reportedly operating in their waters,

REAFFIRMING FURTHER resolution A.738(18), which, *inter alia*, urges Governments to recommend, to vessels registered under their flags, to take precautionary measures for the avoidance of such attacks and procedures to be followed, if they occur, including, in particular, the immediate reporting, to the nearest or other appropriate Rescue Co-ordination Centre and, if possible, to the coastal and the flag State concerned, of any such attacks, or, attempted attacks,

BEARING IN MIND resolution A.922(22), through which the Assembly adopted the Code of Practice for the Investigation of the Crimes of Piracy and Armed Robbery against Ships (the Code); and which, *inter alia*, urges Governments to take action, as set out in the Code, to investigate all acts of piracy and armed robbery against ships occurring in areas or on board ships under their jurisdiction; and to report to the Organization pertinent information on all investigations and prosecutions concerning these acts,

CONSIDERING that the Maritime Safety Committee has approved MSC/Circ.622/Rev.1 and MSC/Circ.623/Rev.3 containing recommendations to Governments and guidance to shipowners and ship operators, shipmasters and crews on preventing and suppressing acts of piracy and armed robbery against ships and has established a special signal for use by ships under attack or threat of attack,

NOTING that the General Assembly of the United Nations (the General Assembly), at its fifty-ninth session, by resolution A/RES/59/24 on Oceans and the law of the sea, adopted on 17 November 2004, *inter alia*:

- .1 urges all States, in co-operation with the Organization, to combat piracy and armed robbery at sea by adopting measures, including those relating to assistance with capacity-building through training of seafarers, port staff and enforcement personnel in the prevention, reporting and investigation of incidents, bringing the alleged perpetrators to justice, in accordance with international law, and by adopting national legislation, as well as providing enforcement vessels and equipment and guarding against fraudulent ship registration; and
- .2 welcomes the progress in regional co-operation in the prevention and suppression of piracy and armed robbery at sea in some geographical areas, and urges States to give urgent attention to promoting, adopting and implementing co-operation agreements, in particular at the regional level in high-risk areas,

NOTING ALSO that the General Assembly, at its sixtieth session, by resolution A/RES/60/1 on the 2005 World Summit Outcome, adopted on 16 September 2005, *inter alia*:

- .1 recognizes that the international community is facing a whole range of threats that require urgent, collective and more determined response;
- .2 also recognizes that, in accordance with the Charter, addressing such threats requires co-operation among all the principal organs of the United Nations within their respective mandates;
- .3 acknowledges the interdependent and global character of today's world and that many of today's threats recognize no national boundaries, are interlinked and must be tackled at the global, regional and national levels in accordance with the Charter and international law;
- .4 acknowledges the important role played by the United Nations in combating terrorism and also stresses the vital contribution of regional and bilateral co-operation, particularly at the practical level of law enforcement co-operation and technical exchange;
- .5 urges the international community, including the United Nations, to assist States in building national and regional capacity to combat terrorism; invites the Secretary-General of the United Nations to submit proposals to the General Assembly and the Security Council of the United Nations (the Security Council), within their respective mandates, to strengthen the capacity of the United Nations system to assist States in combating terrorism and to enhance the co-ordination of the United Nations activities in this regard; and
- .6 expresses grave concern at the negative effects on development, peace and security and human rights posed by transnational crime, including the smuggling of and trafficking in human beings, the world narcotic drug problem and the illicit trade in small arms and light weapons, and at the increasing vulnerability of States to such crime; and reaffirms the need to work collectively to combat transnational crime,

NOTING FURTHER with great concern, the increasing number of incidents of piracy and armed robbery against ships which reportedly occur in waters off the coast of Somalia, some of which have reportedly taken place up to 180 nautical miles from the nearest land,

MINDFUL OF the grave danger to life and the serious risks to navigational safety and the environment to which such incidents may give rise,

BEING PARTICULARLY CONCERNED about reports indicating that the aim of the attacks on ships sailing off the coast of Somalia is to secure ransom demands to provide the perpetrators with funds for the purchase of arms, in violation of the embargo on all delivery of weapons and military equipment to Somalia (the arms embargo on Somalia) established by the Security Council through resolution S/Res/733(1992), adopted on 23 January 1992, to enable them to continue to carry out operations which, *inter alia*, may place at risk the safety and security of maritime navigation in the area and, thus, have serious consequences on the marine environment,

BEING AWARE of the serious safety and security concerns of the shipping industry and the seafaring community as a result of the attacks against ships sailing in waters off the coast of Somalia referred to above,

BEING CONCERNED at the negative impact such attacks have on the prompt and effective delivery of food aid and of other humanitarian assistance to Somalia and the serious threat this poses to the health and well-being of the people of Somalia,

TAKING INTO ACCOUNT that the Monitoring Group¹ on Somalia, in its report² of 22 August 2005 to the Security Council, *inter alia*, indicated that the main motive behind acts of piracy in waters off the coast of Somalia appears to be an attempt by local administrations or individual warlords and militias to obtain large sums of money through ransom demands,

RECOGNIZING that the particular character of the present situation in Somalia, requires an exceptional response to safeguard the interests of the maritime community making use of the sea off the coast of Somalia,

RECOGNIZING ALSO the strategic importance of the navigational routes along the coast of Somalia for regional and global seaborne trade and the need to ensure that they remain safe at all times,

RECOGNIZING FURTHER the need for the immediate establishment of appropriate measures to protect ships sailing in waters off the coast of Somalia from piracy and armed robbery attacks,

¹ Established by the Security Council through resolution S/Res/1519(2003) and its mandate was renewed and expanded through resolutions S/Res/1558(2004), S/Res/1587(2005) and S/Res/1630(2005).

² United Nations document S/2005/625, Report of the Monitoring Group on Somalia pursuant to Security Council resolution S/Res/1587(2005), paragraph 100.

BEING ALSO AWARE that the Security Council has, through resolution S/Res/1425(2002), adopted on 22 July 2002, stipulated that the arms embargo on Somalia prohibits the direct or indirect supply to Somalia of technical advice, financial and other assistance, and training related to military activities,

HAVING CONSIDERED the advice and recommendations of the Council, at its twenty-third extraordinary session, in relation to specific measures to be taken in the light of the prevailing situation in the waters off the coast of Somalia,

- 1 CONDEMNS AND DEPLORES all acts of piracy and armed robbery against ships irrespective of where such acts have occurred or may occur;
- 2 APPEALS to all parties, which may be able to assist, to take action to ensure that:
 - .1 all acts or attempted acts of piracy and armed robbery against ships are terminated forthwith and any plans for committing such acts are abandoned; and
 - .2 any hijacked ships are immediately and unconditionally released and that no harm is caused to seafarers serving in them;
- 3 INVITES Governments to increase their efforts to prevent and suppress acts of piracy and armed robbery against ships irrespective of where such acts occur and, in particular, to co-operate with other Governments and international organizations, in the interests of safety of life at sea and environmental protection, in relation to acts occurring or likely to occur in the waters off the coast of Somalia;
- 4 STRONGLY URGES Governments to immediately:
 - .1 issue, to ships entitled to fly their flag, as necessary, specific advice and guidance on any appropriate additional precautionary measures ships may need to put in place when sailing in waters off the coast of Somalia to protect themselves from attack, which may include, *inter alia*, areas to be avoided;
 - .2 issue, to ships entitled to fly their flag, as necessary, advice and guidance on any measures or actions they may need to take when they are under attack, or threat of attack, whilst sailing in waters off the coast of Somalia;
 - .3 encourage ships entitled to fly their flag to ensure that information on attempted attacks or on committed acts of piracy or armed robbery whilst sailing in waters off the coast of Somalia is promptly conveyed to the nearby coastal States and to the nearest most appropriate Rescue Co-ordination Centre;
 - .4 provide a point of contact through which ships entitled to fly their flag may request advice or assistance when sailing in waters off the coast of Somalia and to which such ships can report any security concerns about other ships, movements or communications in the area;
 - .5 encourage ships entitled to fly their flag to implement expeditiously, for the ship's protection and for the protection of other ships in the vicinity, any measure or advice the nearby coastal States or any other State or competent authority may have provided;

- .6 establish, as necessary, plans and procedures to assist owners, managers and operators of ships entitled to fly their flag in the speedy resolution of hijacking cases occurring in the waters off the coast of Somalia;
- .7 investigate all acts or attempted acts of piracy and armed robbery against ships occurring in the waters off the coast of Somalia and to report to the Organization any pertinent information;

5 REQUESTS Governments to instruct national Rescue Co-ordination Centres or other agencies involved, on receipt of a report of an attack, to promptly initiate the transmission of relevant advice and warnings, through the International SafetyNet System or otherwise, to ships sailing in the waters off the coast of Somalia so as to warn shipping in the immediate area of the attack;

6 REQUESTS ALSO the Transitional Federal Government of Somalia to bring the present resolution to the attention of:

- .1 the Transitional Federal Assembly requesting it to initiate any actions it deems suitable to prevent and suppress acts of piracy and armed robbery against ships originating from within Somalia; and
- .2 all other parties concerned in Somalia and to strongly urge them, and seek from them, the immediate termination of all acts of piracy and armed robbery against ships sailing in waters off the coast of Somalia;

7 REQUESTS FURTHER the Secretary-General:

- .1 to transmit a copy of the present resolution to the Secretary-General of the United Nations for consideration and any further action he may deem appropriate including bringing the matter to the attention of the Security Council for consideration and action as appropriate;
- .2 to continue monitoring the situation in relation to threats to ships sailing in waters off the coast of Somalia and to report to the Council, as and when appropriate, on developments and any further actions which may be required;
- .3 to establish and maintain co-operation with the Monitoring Group on Somalia; and
- .4 to consult with interested Governments and organizations in establishing the process and means by which technical assistance can be provided to Somalia and nearby coastal States to enhance the capacity of these States to give effect to the present resolution as appropriate;

8 ALSO REQUESTS the Council to monitor the situation in relation to threats to ships sailing in waters off the coast of Somalia and to initiate any actions which it may deem necessary to ensure the protection of seafarers and ships sailing in waters off the coast of Somalia.