

## **UN Security Council Meeting Addresses Transnational Organized Crime at Sea**

UN Security Council's 8457<sup>th</sup> meeting has been held on 5 February 2019 at the UN headquarter in New York. In the meeting the issue of transnational organized crime at high sea; piracy, robbery, human trafficking, smuggling has been addressed. In addition, the necessity to identify the root causes for the transnational organized crime at sea and the linkages between terrorism, piracy and illegal trafficking has also been highlighted.

Yuri Fedotov, The Executive Chief of the United Nations Office of Drugs and Crimes (UNODC) briefed the meeting via a video conference from the UNODC headquarters, Vienna. In his briefing, UNODC Chief highlighted that the International Maritime Crime is becoming 'increasingly sophisticated'- "The high seas are open for vessels of all countries, both coastal and landlocked, to support international trade and economic cooperation, contact among peoples and the responsible use of natural resources". He continued, "However, in recent years the freedom of navigation is being exploited by criminal groups." He told the Council that maritime crime involved vessels, cargoes, crews and illicit money flows from many regions. With its reach spanning from sea to coast guard offices, courtrooms and prisons, the Office works to curb cocaine trafficking in the Atlantic, heroin trafficking in the Indian Ocean, migrant smuggling in the Mediterranean, and piracy and armed robbery at sea in the Gulf of Guinea. "These crimes pose an immediate danger to people's lives and safety, they undermine human rights, hinder sustainable development, and as this Council has recognized, they threaten international peace and security," Mr. Fedotov stressed. "All our work at sea, where jurisdiction is complex – crime is often committed unseen and enforcement is difficult – builds on UNODC's long experience and research expertise in addressing all forms of organized crime, terrorism and corruption", stated the UNODC chief. He emphasised on the role of international cooperation and urged the UN member states to rectify and effectively implement the international legal frameworks. He further stressed on the critical role of various UN instruments including the Convention on the Law of the Sea, the Convention against Transnational Organized Crime and its protocols, the Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances and the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation. He also noted UNODC's work in supporting trials in Kenya and Seychelles, its involvement in the humane imprisonment of convicted pirates and it has recently completed first phase of the Mogadishu Prison and Court Complex, which will soon be handed over to the Federal Government of Somalia to provide a

secure environment for the trial of those suspected of maritime crime. Underlining the important collaboration between his agency and other international agencies, he commended support from the International Criminal Police Organization (INTERPOL), and the International Maritime Organization (IMO), and he urged countries to enhance technical assistance so that “criminal kingpins” are brought to justice.

Florentina Adenike-Ukonga, Executive Secretary of the Gulf of Guinea Commission, also briefing the Council, recalled that the Commission was established in 2001 to reduce and eventually eliminate transnational crimes at sea. Crime is on the rise in the Gulf, destabilizing the entire region while threatening international peace and security. Along some 9,650 miles of coastline, the area covers a wide expanse of water which no one country can successfully patrol. The Commission has become critical in identifying problems, pooling resources and encouraging member countries to secure their maritime borders.

Several AALCO (Asian-African Legal Consultative Organization) Member States (People’s Republic of China, South Africa, Sri Lanka, Japan, State of Kuwait, Senegal, and Indonesia) also addressed the Council. **South Africa’s** representative noted that transnational crimes at sea fuel conflicts in Africa, deny his country millions of dollars of revenue and contribute to the spread of small arms and light weapons, and drug and human trafficking. While welcoming progress made in regional initiatives, including through the African Union’s Decade of the African Seas and Oceans, he called for robust, coordinated approaches at the national, regional and international levels.

The representative of **Sri Lanka** said that, as an island nation strategically located in the Indian Ocean, his country recognized the unique nature of high seas which fall outside the jurisdiction of a single State. He expressed concern that the seabed is fast becoming a tangle of ungoverned seabed cables, presenting a new threat to international peace and security. “These crimes must not be allowed to fall into a zone where a legal vacuum exists,” he warned.

The representative of **Japan** drew attention to the root causes of the crimes in high seas and noted ‘poverty and lack of opportunity’ drives young people towards committing those crimes.

Calling the oceans as the treasure house of resources the representative of the **People’s Republic of China** emphasised on the collective effort of the international community. He called on the international community to actively engage in the construction, operation and maintenance of ports and other infrastructure of coastal States. He further stated that for mobilizing resources and strengthening international cooperation, relevant agencies should be open to exchanging information and assisting in criminal trials.

The representative of the **State of Kuwait** cited illegal migration at sea as among the greatest global challenges, noting that the economic recession, unemployment and poverty can foster transnational organized crime and the proliferation of terrorist groups. He mentioned that the cooperation between states and regional organizations is ‘a necessity’. He further stressed that the steps outlined in the Council resolution 2442(2018) must go hand in hand with the national measures.

The representative from **Senegal** said that marine crime is a multifaceted scourge, including terrorism, illegal migration, piracy and trafficking in weapons. He noted International efforts to ensure safe maritime space must be based on constant political will. According to Senegal, at the international level, better communication and harmonization of legal documents would help coordinate action to ensure maritime security and safety.

The representative from **Indonesia** stressed that the transnational organized crimes must be collectively addressed. He noted that criminal groups do not solely operate in countries with weak law enforcement or governance, but rather exploit the finer features of the global economy: banking, trade and communication networks among them. He advocated for a better understanding of the nature and threat of transnational organized crimes, and encouraged the Council to ask the Secretary-General for a report identifying options for enhancing cooperation. National prosecutorial and enforcement capability should be strengthened, he said, stressing the critical role of regional mechanisms as first responders to such crimes at sea, and citing the Malacca Strait Patrols by Indonesia, Malaysia and Singapore in that regard. Crimes related to fisheries entail criminal, as well as human rights aspects, he added, as many vessels committing crimes are also implicated in the forced labour of trafficked persons.