

Oldenburg Model United Nations



Committee Guide to the United Nations Special Conference

*Providing an International Framework in order
to tackle Modern Forms of Piracy*

Content Copyright © 2012 Oldenburg Model United Nations (OLMUN) Association,
All Rights reserved.

Editors

Chair of the Spc Inke Heynen eMail: spc@olmun.org	Chair of the SpC Henrik Becker eMail: spc@olmun.org	Chair of the SpC Matthias Ring eMail: spc@olmun.org
--------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------

Published by the Oldenburg Model United Nations e.V. (OLMUN 2012)

Catharina Jantos Eberescheweg 21 26133 Oldenburg Germany eMail: secgen@olmun.org	Phillip Kuck Hindenburgstraße 39 28717 Bremen Germany eMail: treasurer@olmun.org
------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------

Homepage www.olmun.org

Logo Copyright © 2012 Helge Wellmann, All Rights reserved.

Layout Copyright © 2012 Helge Wellmann, All Rights reserved.

You are allowed to download this committee guide and to copy it for educational uses. However, you are not allowed to reprint or republish it for other Model United Nations or to change it without permission of the Secretary General.

Table of contents

- Personal Introduction.....4
- About the Special Conference.....6
- What is piracy?.....6
- Background.....6
 - a) Somalia.....7
 - b) Nigeria.....8
- Current measures taken by the International Community.....9
- Approaches to solve the problem.....11
- Organisational Matters, Research and Preparation.....12
 - What you have to bring to OLMUN 2012.....12
- Contact.....13
- Sources and Reading List.....14



@ <http://www.theartofdredging.com/Pirates%20cartoon4.jpg>

Personal Introduction

Dear Delegates,

my name is Inke Heynen and honored be one of your Chairs at OLMUN 2012. I am really looking forward to a funny lobbying, fruitful debating, and an unforgettable MUN Session as a whole. I am an eleventh grader at the KGS - Rastede and in my free time I enjoy playing guitar and meet my friends.

I am really interested in current international relationships on the governmental level and other political issues, but also in English as a language. Those were the central reasons why I joined our MUN group at school. This conference will be my 5th MUN conference, but my first time as a Chair.

The main aim I wish to accomplish in the four days of participation is to pass on all the impressions and experiences I got and thus, make MUN for you a memorable experience.

I am sure to enjoy this year's OLMUN with you and excited to hear you heated debate.

Yours,

Inke Heynen



Honourable Delegates,

it is my distinct pleasure to welcome you to the Special Conference of OLMUN 2012. My name is Henrik Becker and I am looking forward to serve as your chair. Originally from a small town in Schleswig-Holstein, I am currently studying Physics at Swiss Federal Institute of Technology, Zurich. As a welcome change I do MUN and other social activities in my spare time.

Having been part of Model United Nations for several years, attending and chairing national as well as overseas conferences, OLMUN will be my tenth and probably one of the last MUN conferences.

As OLMUN 2012 approaches, I hope that you are becoming ready to engage in passionate debate, to learn about international politics and have a rewarding and fun few days.

I am looking forward to meeting you in June,

Henrik Becker



OLMUN 2012 - Committee Guide

United Nations Special Conference

Dear Delegates of the Special Conference,

My name is Matthias Ring and I am happy to welcome you to the Special Conference of OLMUN 2012 as one of your chairs. I'm 17 and currently attending the 12th grade at Altes Gymnasium Oldenburg. I hope that I will meet you in June as a freshly graduated.

I spend my freetime with rowing couple of times a week and playing the violin as well as the violoncello in the school orchestra. Also, I have been taking part in school policy for the past few years. I was school captain and part of the school board.

Simultaneously, my interest for politics in general rose as well. A friend of mine, the President of OLMUN 2011 Alex Schmidtke, suggested participating in the OLMUN and I was happy to experience an exciting week as delegate in the GA's Fourth Committee. OLMUN 2012 will be my second MUN and my first MUN chairing at all. Together with my fellow chairs we will make this year's Special Conference a memorable week!

I am excited about meeting you and having a great debate.

Yours Sincerely,

Matthias Ring



About the Special Conference

The Special Conference is free to put any issue of international politics on its agenda. Unlike UNEP or the GA committees it is therefore not limited to any frame of responsibilities. Thus, topics that have been discussed in the Special Conference vary a lot covering diverse fields of international politics such as the Millennium Development Goals, Oil-Conflicts in Africa and many more.

The issue of “Providing an international framework in order to tackle modern forms of piracy” will be on the agenda for this year’s Special Conference. As many attempts to sustainably solve the problem of piracy have failed so far, it is up to your creativity and effort to find new approaches that actually help. With every country of the United Nations sending a delegate into this committee, many different points of view and many fresh ideas will hopefully come together allowing to tackle piracy more effectively.

What is piracy?

In the *United Nations Convention on the Law of the Sea* (UNCLOS), article 101, piracy is defined as follows:

Piracy consists of any of the following acts:

- a) any illegal acts of violence or detention, or any act of depredation, committed for private ends by the crew or the passengers of a private ship or a private aircraft, and directed:
 - I. on the high seas, against another ship or aircraft, or against persons or property on board such a ship or aircraft;
 - II. against a ship, aircraft, persons or property in a place outside the jurisdiction of any State;
- b) any act of voluntary participation in the operation of a ship or of an aircraft with knowledge of facts making it a pirate ship or aircraft
- c) any act of inciting or of intentionally facilitating an act described in subparagraph (a) or (b).

Background

Over the years, pirates have always roamed across the sea aiming for gold or goods, be it in the Caribbean or in the Street of Malacca. However, nowadays, piracy has fairly nothing to do with the adventures of Captain Jack Sparrow and his colleagues anymore. Modern pirates use modern weapons and technology and operate with mother ships and speedboats. Furthermore, modern pirates are not only aiming primarily for the goods and valuables transported on the respective vessel, but they have discovered ransom payments as a good and easy source of income.



In 2011, 544 pirate attacks have been reported to the *International Maritime Organization* (IMO) and the number is increasing, seriously causing trouble for world trade. Especially at the coasts of Somalia and Nigeria, pirates have become more and more dangerous and successful over the last years.

Since 90 % of the world's cargo transport is shipped on waterways, secure waterways are essential for our globalized world.

Taking into account the different backgrounds of piracy in the two regions mentioned above, both conflicts shall now be introduced separately. Later on similarities and possible answers of the international community will be evaluated.

a) Somalia

After the fall of the Barre-Regime in 1991, Somalia has become a failed state with powerless governments and civil war all over the country, while urgent problems remain unsolved. This power vacuum also leaves the coastlines uncontrolled inviting foreign vessels to illegal fishing or dumping including toxic substances. With nearly no fish left over to be fished by the local people and an environment destroyed by toxic dumping a migration and refugee problem arises. In this tense and disillusioning situation, piracy becomes a considerable job option.

Due to the long lasting civil war, weapons like light machine guns and bazookas are easy to get. Ammunition supply is no problem either. Along with the lack of governmental control of the coastline, this makes piracy quite an easy business. Because in the beginning no one took effective action against piracy in this area, pirates could do their job undisturbed. So, they could build up contact to fences and financiers at the Persian Gulf and Europe and develop new strategies. Today, Somali pirates can operate up to a distance of 400 nm from the coastline and have professional information networks and many backers in important and useful positions.



Each year, about 20.000 vessels pass the Gulf of Aden. It is therefore one of the most important and therefore one of the most vulnerable routes of world trade. In 2010, 286 piracy-related incidents off the coast of Somalia resulted in 67 hijacked ships with 1'130 seafarers on board. Studies estimate the annual cost for world trade at about 7 billion to 12 billion US-\$. Ransom payments add up to hundreds of millions of dollars per year, creating their own economy and allowing the pirates to further professionalize their operations.

Modern Somali Pirates often put so called mother ships to use, which serve as basis of operation for their speedboats, to near cargo ships. For entering those cargo ships Pirates use kedge and Jacob's ladders.



Due to the fact that cargo ships are not allowed to carry weapons in some countries harbor the boat's crew is outright unprotected. Another advantage to pirates is the great size of the areas they assault in, as it takes some time until help appears.

Using already captured ships as mother ships, pirates get more shelter, owing to the hostages on board. No marine would destroy one of the ships with innocent people on them.

After pirates attacked a ship sailing on behalf of United Nations' World Food Program in 2008, the Security Council passed resolution 1816 (2008) in which it calls on all states that have navies operating in that area to particularly watch out for pirates and to secure the routes of the ships of the World Food Program. Resolution 1816 (2008) also allowed warships to enter Somali territorial waters to fight against piracy. Soon, many actors such as EU, NATO, China, India, Iran, Japan, Malaysia, Republic of Korea, Russian Federation, Saudi Arabia and Yemen set up several unilateral and multilateral naval missions. However, because a legal framework for proper jurisdiction was missing, it took some time until the success rate of pirates effectively decreased.

→ UN Resolution 1816 (2008)

b) Nigeria

In Nigeria, pirates tend to be more aggressive and keener in their actions compared to their Somali equivalents. Also, people have other reasons to become pirates. However, piracy in Nigeria is also a consequence of the government partially having lost control over their coastlines and territorial waters.

The USA, European and Asian countries are competing on access to Nigeria's rich oil sources. Against generous license fees Nigeria's government is happy to let oil companies flow oil, mainly on off shore plants. Due to high corruption in this country, the people affected by pollution and uncontrolled test drillings caused by the oil companies do not get their fair share of the license fees as compensation. Seeing the environment and with it their livelihood being destroyed without feeling any economical progress for themselves, people of Niger Delta arise. One of the most important movements is called "*Movement for the Emancipation of the Niger Delta*" (MEND). MEND is a militant organization not only sabotaging pipelines, but also hijacking foreign oil company employees or kidnapping foreign tankers and stealing their oil by "bunkering" (pumping the oil to one of their ships and sell it afterwards).



With an increasing number of attacks, oil flowing in the Gulf of Guinea gets more and more challenging. Unlike Somali pirates, Nigerian pirates are not only pirates but also actor in an intrastate conflict. However, the leaders of these movements are actually not less corruptive than the government they are fighting against. Still, a miserably high unemployment makes the people joining movements like MEND.

Nigerian pirates use the same weapons as their Somali equivalents. The diverse sources reach from imported weapons from Iran, facsimiles from local production and badly protected weapon storages of the Nigerian military.

While Somali pirates mainly aim for ransom payments, Nigerian pirates also have rage as one of their motives, making their actions crueler and making it more likely for them to kill hostages.

Current measures taken by the International Community

After 9/11 the United States started to fight back terrorism under mandate of the United Nations Security Council. „Operation Enduring Freedom“ started in October 2001, the subordinate operation „Operation Enduring Freedom – Horn of Africa“ in October 2002. Therefore, the Combined Maritime Forces, a 25-nation coalition, started to begin its *Maritime Security Operations* (MSO), one of which is *Combined Task Force* (CTF) 151. Operating in the Gulf of Aden CTF 151’s mission is „to actively deter, disrupt and suppress piracy in order to protect global maritime security and secure freedom of navigation for the benefit of all nations“¹.

→ *UN Resolution 1373 (2001)*

The naval forces patrol a region of 1.1 million square miles, protecting merchant vessels and acting pre-emptively, if necessary. In most of the cases, cargo ships are targeted, but from time to time marine forces are attacked as well².

The European Union has launched an operation called „European Naval Force Somalia – Operation Atalanta“. Aim of Operation Atalanta is to protect ships of the World Food Programme, which deliver food to up to 1.3 million people in Somalia, mainly children and mothers³, as well as the *African Union Mission on Somalia* (AMISOM). Moreover, Operation Atalanta was launched to fight piracy and accompany merchant vessels⁴. Around 1.500 military personnel secure the sea off the coast of Somalia along with other countries’ forces, e.g. China, India, Japan. The mandate may vary though from country to country.

→ *Council Joint Action 13989/08*

¹ <http://www.cusnc.navy.mil/cmef/151/index.html>

² http://articles.cnn.com/2010-04-01/world/navy.pirates_1_pirates-european-union-naval-force-indian-ocean?_s=PM:WORLD

³ <http://www.wfp.org/countries/somalia>

⁴ <http://www.eunavfor.eu/about-us/mission/>



To offer optimal help, various organizations and help programmes were founded. In the following some among many others are explained further:

The Maritime Security Centre – Horn of Africa monitors vessels shipping in the Gulf of Aden 24 hours a day. The centre also coordinates the accompaniment of merchant vessels by naval forces⁵.

There are several guides and handbooks to help the crew protect themselves

against piracy, such as the guide „Best Management Practices for Protection against Somalia Based Piracy“, funded by the *International Maritime Bureau* (IMB), EUNAVFOR Somalia and others.

The shipping industry is also trying to defend themselves against piracy. As part of the *International Chamber of Commerce* (ICC) the ICC *International Maritime Bureau's* (IMB) main aim is to fight maritime crime. Due to the rising number of pirate attacks, the IMB Piracy Reporting Centre in Kuala Lumpur was founded. It operates 24 hours a day and monitors all reported pirate attacks. Prior to that, there was no central point of contact for ships under attack. In addition, they release an annual and quarterly report, which describes the current situation and progress of combating piracy.

The *International Maritime Organization* (IMO) is an agency of the United Nations. Established in 1948, it deals with security and safety of shipping. Its task in fighting piracy is to enable regional cooperation. Therefore, seminars were organized to raise awareness and share information. This resulted in agreements like the „Regional Cooperation Agreement on Combating Piracy and Armed Robbery against Ships in Asia“ (2004) or the Djibouti Code of Conduct (2009).

Soon the international community began to realize that the problem of piracy is rooted in society. Most pirates operate from politically unstable regions and Third World Countries. Hence, governmental structures need to be established and more humanitarian aid needs to be provided to effectively counter piracy. The African Union plays a big role, consisting of nearly all African countries: it launched for example the „*African Union Mission in Somalia*“ (AMISOM). AMISOM trains Somali security forces, attempts to arrange governmental structures in a country which does not have an official government but several autonomic regions with authoritarian regimes, all in all to create a secure environment where humanitarian aid can be delivered. Examples for humanitarian aid could be the food deliveries by the UN World Food Programme or supply with medical drugs.

For any further information, especially regarding the actions taken by the European Union follow the link „European Union External Action's“ website about piracy:

@ <http://www.consilium.europa.eu/eeas/security-defence/eu-operations/eunavfor-somalia/factsheets?lang=en>.

⁵ <http://www.mschoa.org/on-shore/about-us>

Approaches to solve the problem

In both Somalia and Nigeria a mixture of the lack of a powerful government, pollution, unemployment and hunger gives a good hotbed for piracy. Approaches to sustainably tackle the problem of piracy therefore must include but also go far beyond naval missions on the coastlines.

First of all, it is essential to convict the masterminds of the pirates including but not limited to tracing ransom money or imposition of sanctions on the proceeds derived from hijacked vessels. However, the pirates have established a well functioning structure, which needs to be tackled in order to really get rid of the problem.

In Res. 1918 (2010), Security Council calls for implementing a better legal basis for the prosecution of pirates. According to international law (UNCLOS), the country whose navy arrests pirates in international waters is responsible to prosecute pirates. As for example European countries do not wish to have pirate trials in European Courts, this often leads to suspected pirates being released without facing any trial. Although some bilateral agreements have been arranged, a comprising international framework



for a suitable jurisdiction needs to be established. Any attempt for this framework shall bear in mind the few capabilities of the Somali state.

→ *UN Resolution 1918 (2010)*

As often people become pirates because this seems to be the best way to earn money for their family, every attempt to sustainably solve the problem of piracy needs to include the support of alternative livelihoods and the rehabilitation of coastal fisheries as an example. The delegates shall consider how the United Nations can contribute to this aspect.

Another very important issue is the establishment of functioning local security forces and good governance structures. Especially in Somalia as a failed state, governmental structures need to be set up, in order to ensure internal and external safety. The delegates shall consider possible ways the United Nations can assist building up states.

Organisational Matters, Research and Preparation

It is vital that you start your research as soon as possible so that you do not run out of time. It is, however, of utmost importance that you follow the recent developments prior to the conference. At all times, countries publish statements or reports, and sometimes even change positions.

We would also advise you to look at current probable solutions and strategies and, based on these, to create your own draft resolution, but **going even further by developing new approaches yourself**. The possible approaches of the committee guide shall give you some inspiration of things that may be discussed in committee.

Remember that the committee guide is but a mere steppingstone to help you get started on your research, and it does not provide you with everything you need. Please use the Committee Guide to get an overview into the topic, but read the given sources and United Nation's documents such as passed resolutions and reports of the Secretary General as well as the reports of the IMO yourself. Moreover, several news stories are available on the Internet.

If you do all this thoroughly you can look forward to an interesting debate!

A good way to get some first information about your country is to download the current **CIA World Fact Book**⁶. This gives you a first insight.

What you have to bring to OLMUN 2012

1. You will be required to come to OLMUN 2012 with a **draft resolution** and a **policy statement**. For instructions on how to write a resolution, please read the handbook of OLMUN 2012. Once all delegations have been distributed and we have received the final list of Special Conference delegates, you will also be sent an e-mail with some sample resolutions as well as sample policy papers. Each draft resolution should be at least one page long and concentrate on the Operative Clauses.

At this point, we also want to inform you that we expect you to send us your policy statement **prior to** the conference! Since your policy statement is supposed to serve as basis for your resolution, we require you to send it to us by **June 15th**. This will leave us enough time to get back to you with useful feedback and you will be able to adapt your resolution. Please note that delegates not meeting the deadline will be punished. The exact form of punishment has yet to be determined, but be sure that it will end in you making a fool out of yourself for the benefit of the house.

2. Before we start lobbying, you have to present your country's opinion to the house by means of reading out your policy statement. Please be aware that all P5 members (The UK, the USA, Russia, China and France) are required to read out theirs! Your policy statements should be concise (not more than 150 words) and shortly outline the major points of your resolution. This is supposed to simplify the lobbying process.

⁶ <https://www.cia.gov/library/publications/download/>

3. Be familiar with the **Rules of Procedure**! Of course we will give you a short overview at the beginning of the first committee session, but this does not make it unnecessary to be prepared.
4. Most importantly: Bring yourself and all your enthusiasm to OLMUN! Bring your willingness to debate and compromise, and be eager to participate even if OLMUN 2012 is your first MUN conference. Do not be shy or intolerant but diplomatic and open-minded, and we will be looking forward to one of the best OLMUN conferences with great results whose memory shall never fade!

Contact

If you have any questions concerning our committee's topic, your country's policies, how to conduct your research, procedural matters, how to write the resolution or any other issue, please feel free to contact us via spc@olmun.org. We would also volunteer to correct your resolutions according to style and content to the best of our abilities. You can also find useful information on procedural questions in the OLMUN Handbook, which can be found on www.olmun.org.

We are looking forward with vivid anticipation to another interesting and fruitful MUN experience with all of you from June 26th to June 29th.

Yours sincerely,

Inke, Henrik and Matthias

Sources and Reading List

Federal Agency for Civic Education's website about piracy:

@ <http://www.bpb.de/apuz/31793/piraterie-vor-den-afrikanischen-kuesten-und-ihre-ursachen?p=all>

Combined Maritime Forces:

@ <http://www.cusnc.navy.mil/cmfmf/151/index.html>

CNN-article about piracy:

@ http://articles.cnn.com/2010-04-01/world/navy.pirates_1_pirates-european-union-naval-force-indian-ocean?s=PM:WORLD

World Food Programme Somalia:

@ <http://www.wfp.org/countries/somalia>

EU NAVFOR Somalia:

@ <http://www.eunavfor.eu/about-us/mission/>

Maritime Security Centre – Horn of Africa:

@ <http://www.mschoa.org/on-shore/about-us>

European Union External Action:

@ <http://www.consilium.europa.eu/eeas/security-defence/eu-operations/eunavfor-somalia/factsheets?lang=en>

Jurisdiction for pirates:

@ http://www.danielearchibugi.org/downloads/papers/piracy_jurisdiction.pdf