



2015 IMB PIRACY, ARMED ROBBERY & MARITIME SECURITY CONFERENCE

14th SEPTEMBER 2015 (MONDAY)
SHANGRI LA HOTEL,
KUALA LUMPUR





**Piracy has existed for as long as the
oceans**

Addressing this challenge in an effective manner requires strong cooperation



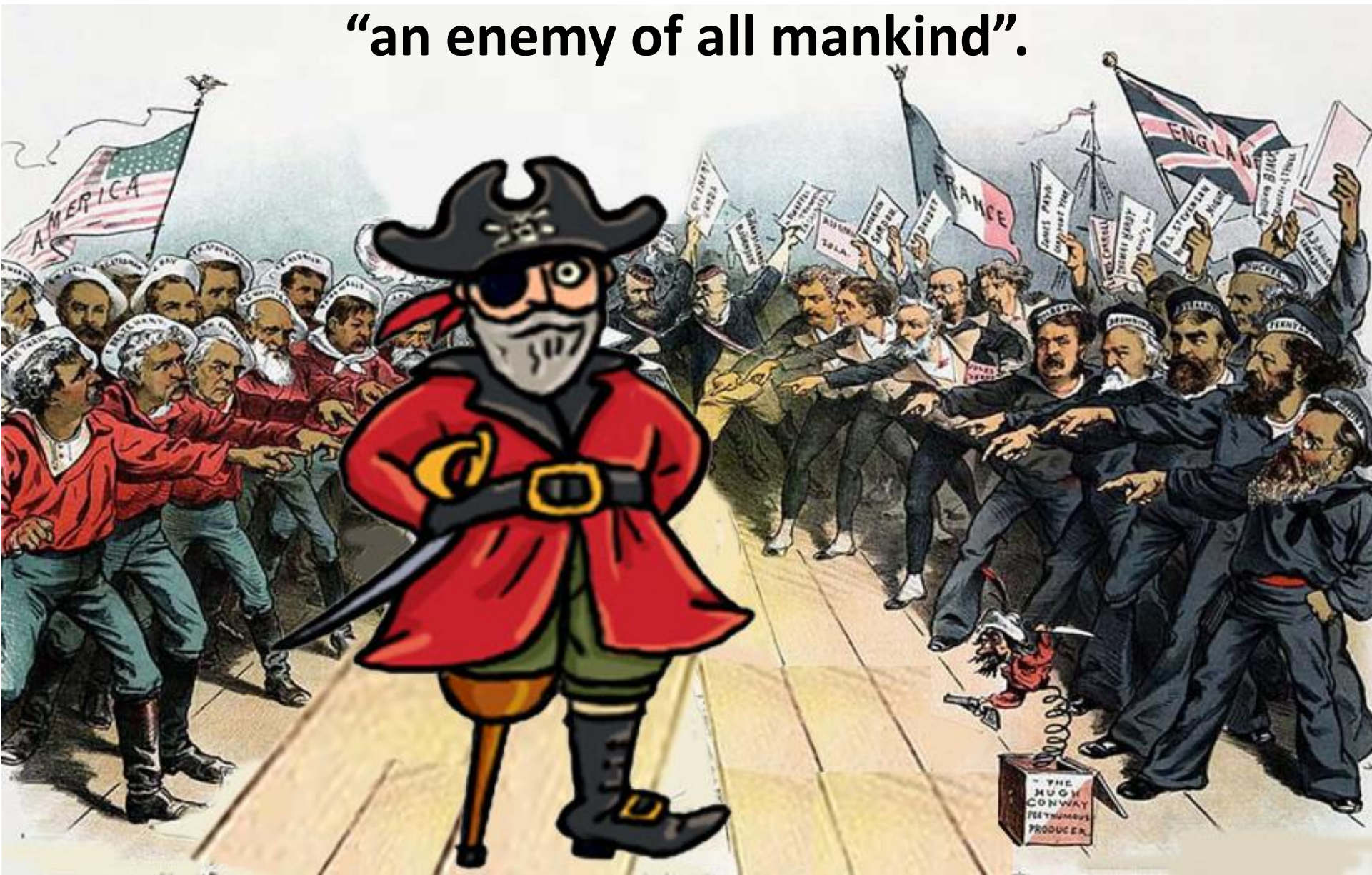
Piracy was the first unlawful act to be recognized as a crime against international law and subject to universal jurisdiction



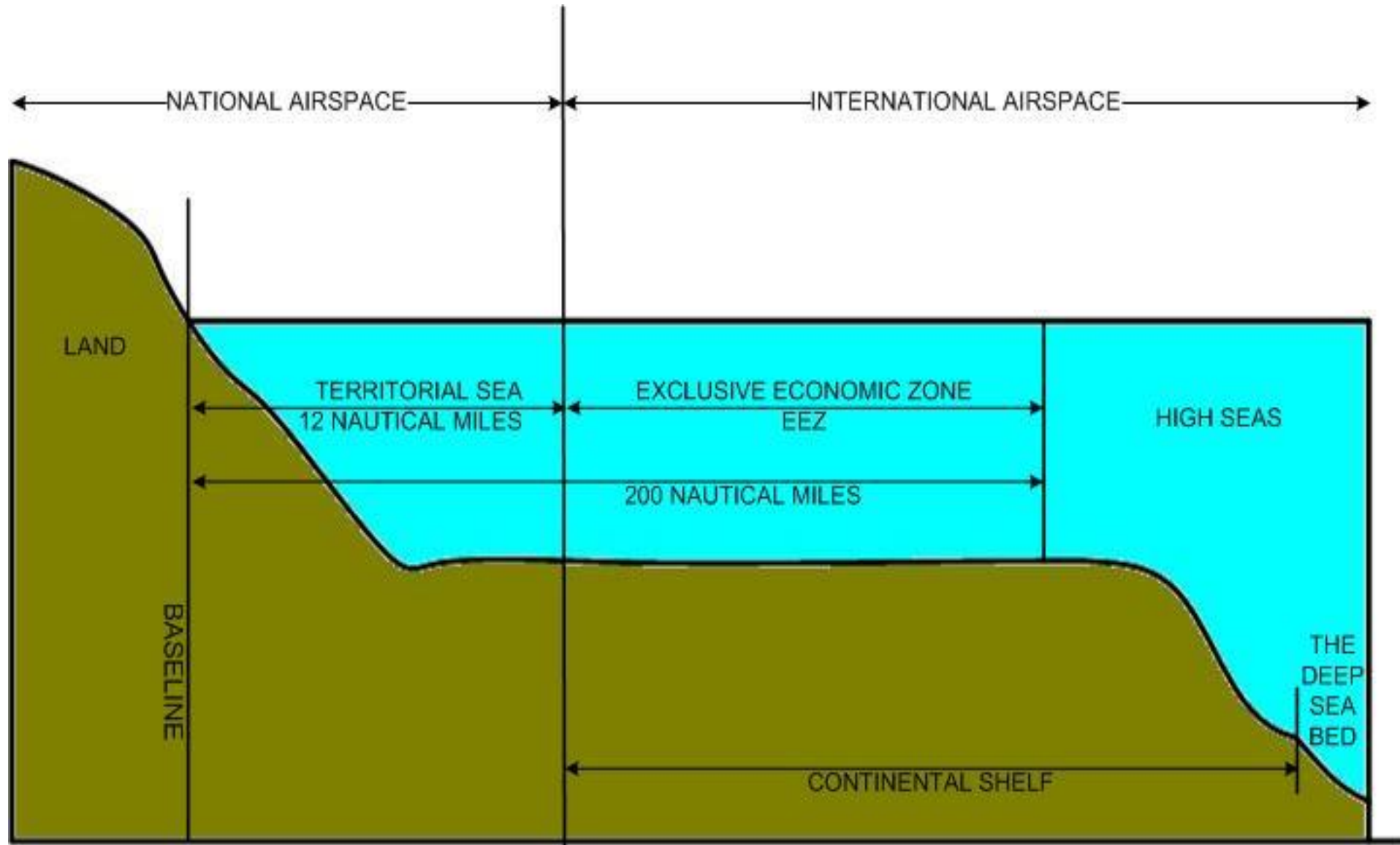
*The United Nations Convention on the Law of the Sea (UNCLOS)



A pirate is *hostis humani generis*
“an enemy of all mankind”.



Piracy committed in the territorial waters of any state does not fall within the ambit of UNCLOS



Other international conventions of relevance



UNITED NATIONS
Office on Drugs and Crime

UNITED NATIONS CONVENTION AGAINST
TRANSNATIONAL ORGANIZED CRIME
AND THE PROTOCOLS THERETO

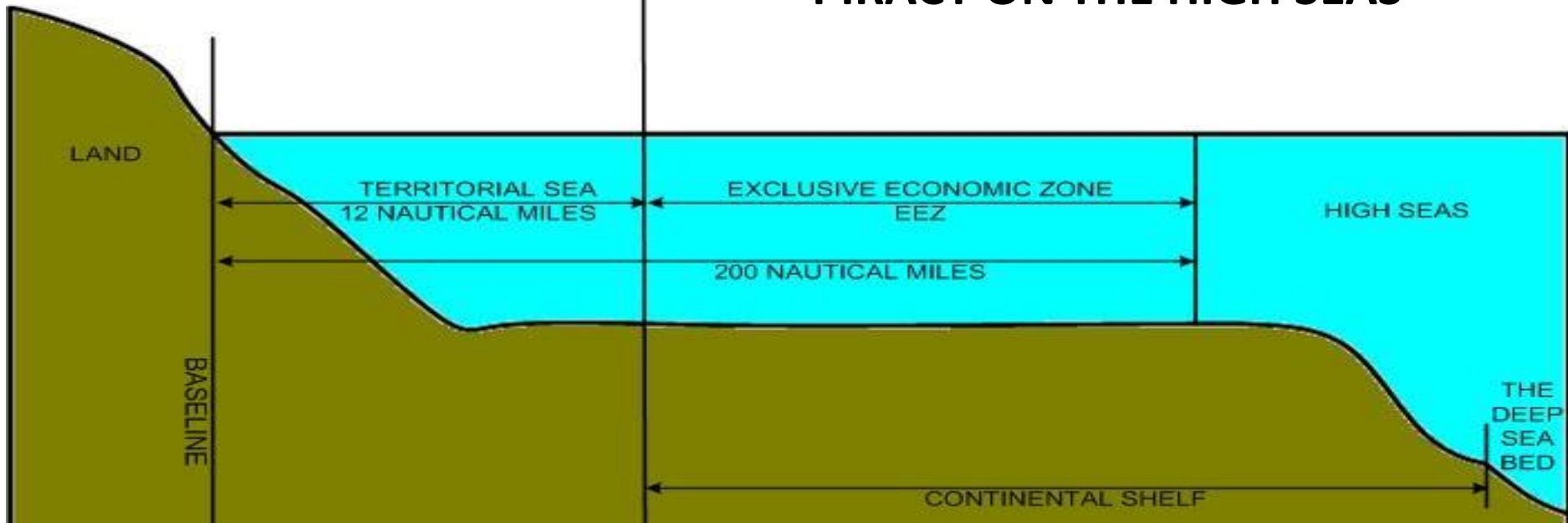
SUA Convention
2006 EDITION

IMO

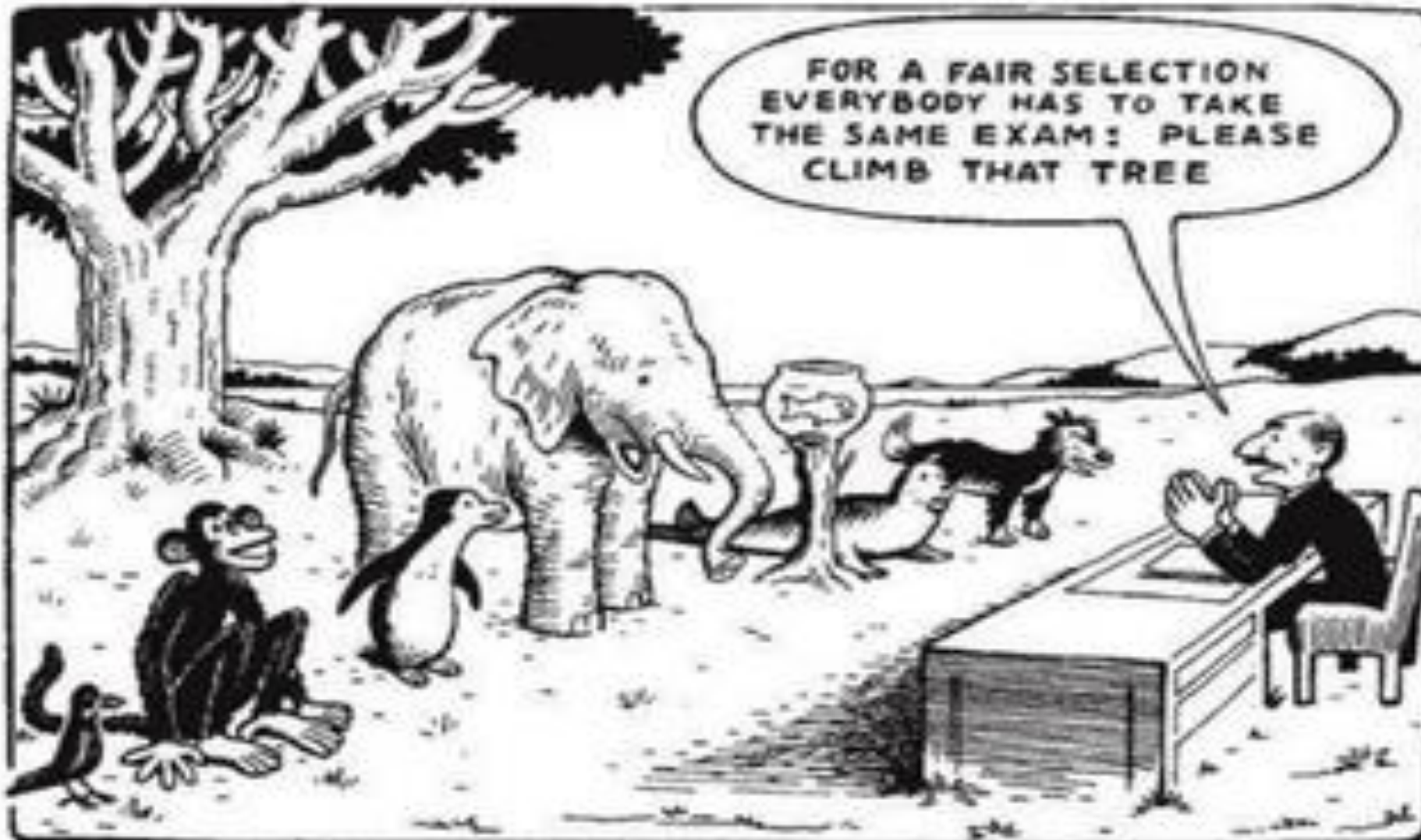
An act of piracy can therefore only occur beyond the limits of the territorial sea



← **SEA ROBBERY** | **PIRACY ON THE HIGH SEAS** →

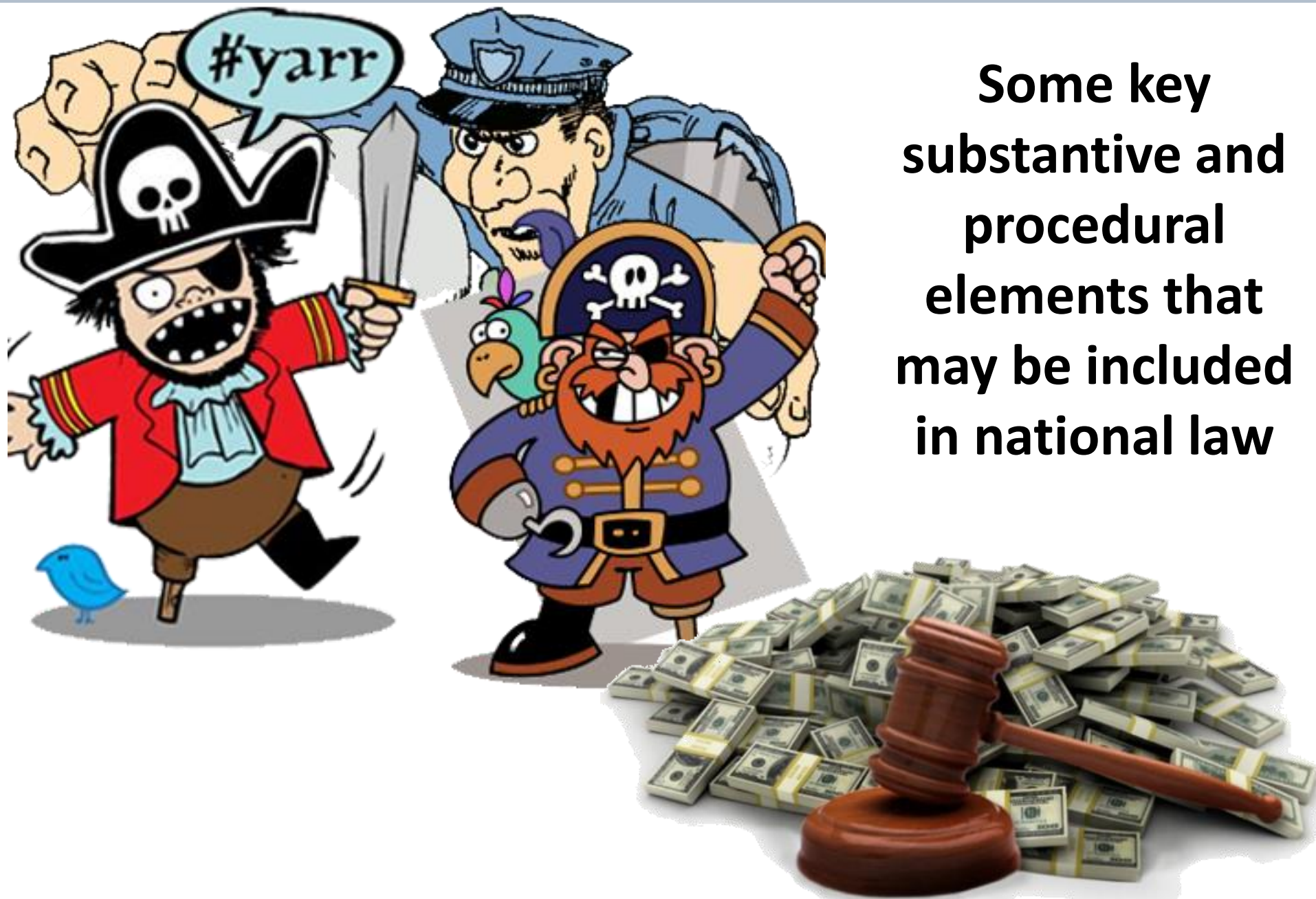


Not all states have an equal capacity to ensure maritime security within their waters.





Both UNCLOS and SUA Convention require the implementation of relevant provisions into the domestic legislation of States Parties.



Some key substantive and procedural elements that may be included in national law

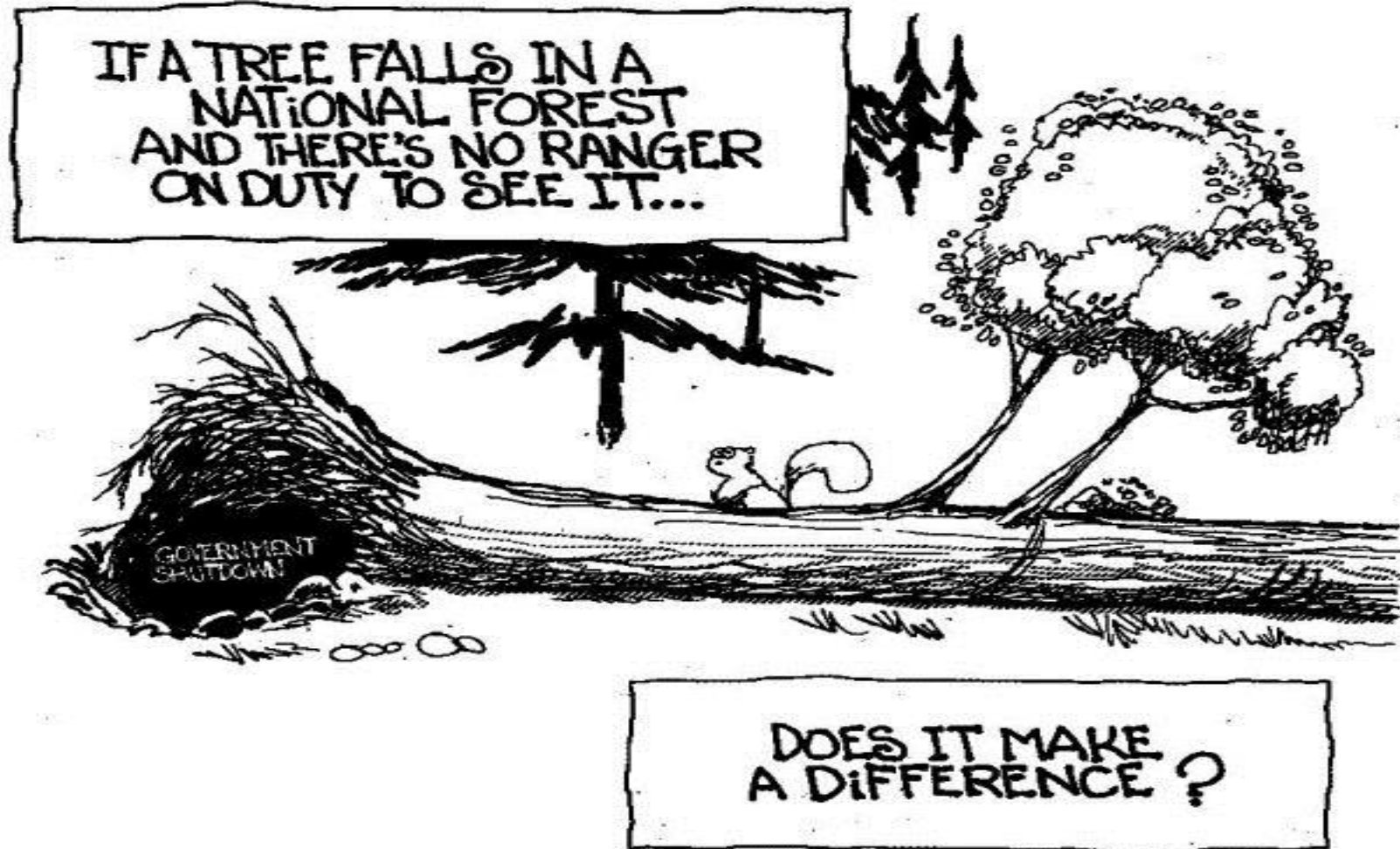
While most countries have ratified UNCLOS, few have enacted domestic laws to reflect UNCLOS provisions, resulting in few prosecutions

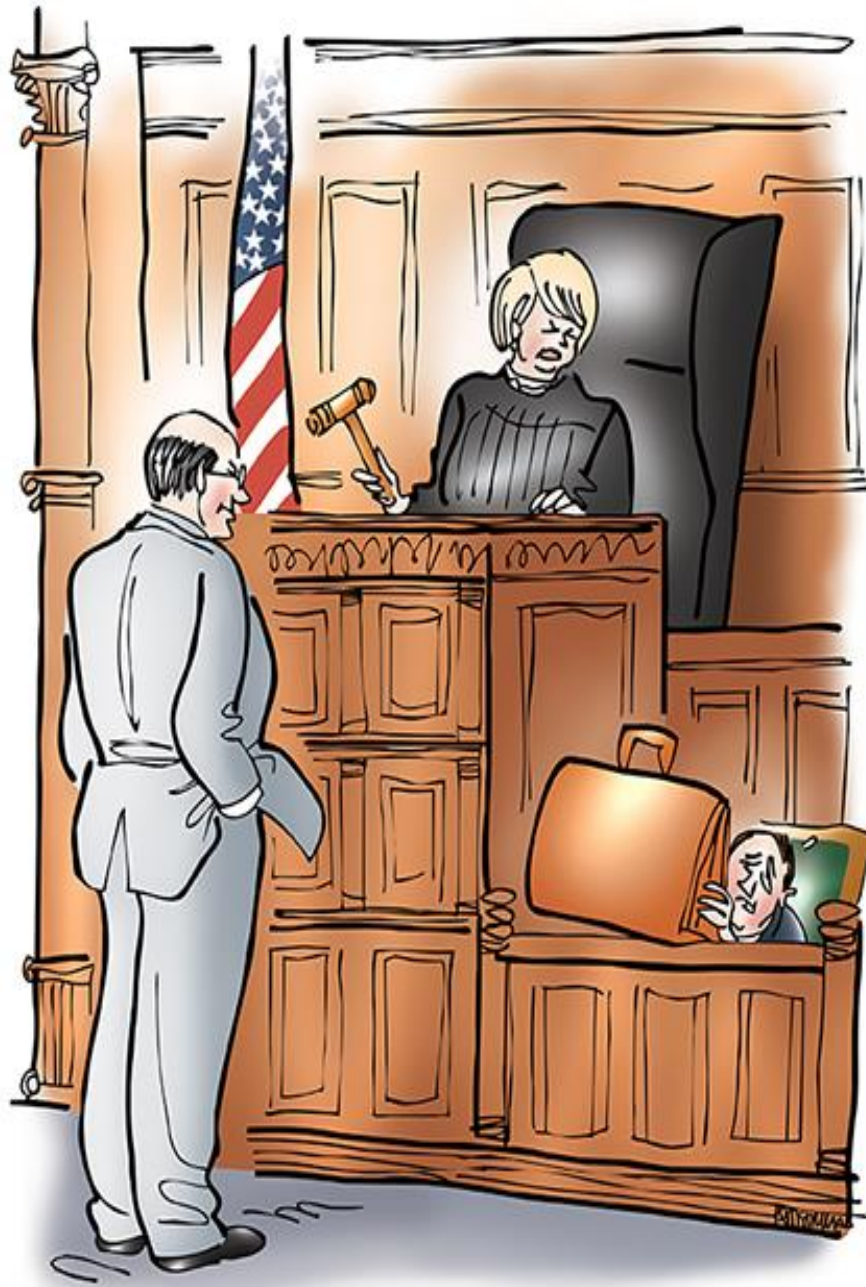


Jurisdictional voids exists allowing criminals to operate with impunity.



The lack of effective law enforcement has turned certain jurisdictions into safe spaces. Borders are used as fences to hide.





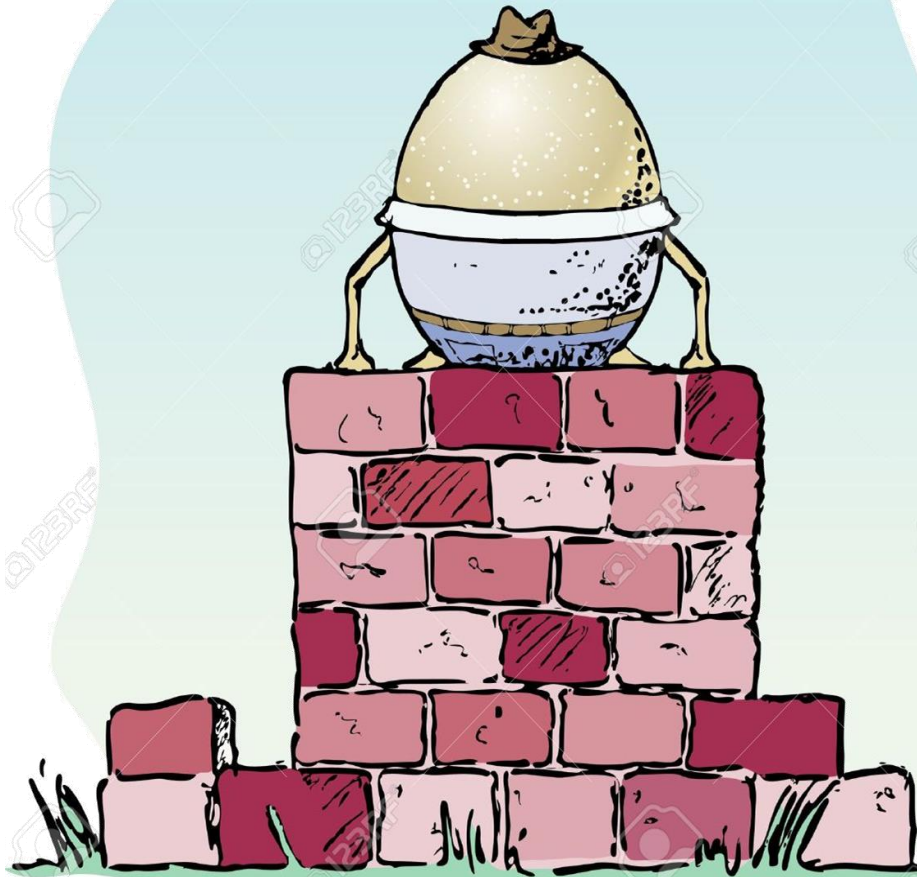
Even in cases of national jurisdiction the evidentiary burden is no small matter.



Also worth noting are the development of Best Management Practices, as well as the increasing use of armed guards and security personnel on board ships.



Although a relative decrease in piracy activity has been observed, this positive trend is still fragile and could be undermined and reversed unexpectedly.



The landscape of legal enforcement of anti-piracy provisions is unfortunately characterised by a lack of uniformity and coherence





The success of policies and strategies to combat and repress piracy rests on strengthened cooperation at all levels





The world has not fully woken up to the complexity and enormity of the global piracy threat





**Eliminate
differences
while
enhancing
cooperation
among
national legal
systems**



THANK YOU

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