

Resolution A.1044(27) Adopted on 30 November 2011
(Agenda item 9)
PIRACY¹ AND ARMED ROBBERY AGAINST SHIPS²
IN WATERS OFF THE COAST OF SOMALIA



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ASSEMBLY
27th session
Agenda item 9

A 27/Res.1044
20 December 2011
Original: ENGLISH

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**PIRACY¹ AND ARMED ROBBERY AGAINST SHIPS²
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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, which includes, among the purposes of the United Nations, the maintenance of international peace and security,

¹ "Piracy" is defined in article 101 of the United Nations Convention on the Law of the Sea 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 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)."

² "Armed robbery against ships" is defined in the Code of Practice for the Investigation of Crimes of Piracy and Armed Robbery Against Ships (resolution A.1025(26), Annex, paragraph 2.2), as follows:

"Armed robbery against ships means any of the following acts:

- .1 any illegal act of violence or detention or any act of depredation, or threat thereof, other than an act of "piracy", committed for private ends and directed against a ship or against persons or property on board such ship, within a State's internal waters, archipelagic waters and territorial sea;
- .2 any act of inciting or of intentionally facilitating an act described above."

ALSO RECALLING article 100 of the United Nations Convention on the Law of the Sea ("UNCLOS"), which requires all States to cooperate 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,

RECALLING FURTHER article 105 of UNCLOS, which, inter alia, provides that, on the high seas or in any other place outside the jurisdiction of any State, every State may seize a pirate ship or aircraft, or a ship or aircraft taken by piracy and under the control of pirates, and arrest the persons and seize the property on board,

BEARING IN MIND article 110 of UNCLOS which, inter alia, allows warships, military aircraft, or other duly authorized ships or aircraft clearly marked and identifiable as being on government service to board any ship, other than a ship entitled to complete immunity in accordance with article 95 and article 96 of UNCLOS, when there are reasonable grounds for suspecting that the ship is, inter alia, engaged in piracy,

EXPRESSING appreciation to the Council for its decision to adopt "Piracy – Orchestrating the response" as the theme for World Maritime Day 2011, on the basis of which an action plan has been devised, in cooperation with industry and seafarer representative organizations, aiming at the Organization not only playing its part and intensifying its efforts to meet the challenges of eradicating the scourge of piracy but, more importantly, to orchestrate an effective international response, by:

- (a) increasing pressure at the political level to secure the release of all hostages being held by pirates,
- (b) reviewing and improving the IMO guidelines to Administrations and seafarers and promoting compliance with industry best management practices and the recommended preventive, evasive and defensive measures that ships should follow,
- (c) promoting greater levels of support from, and coordination with, navies,
- (d) promoting anti-piracy coordination and cooperation procedures between and among States, regions, organizations and industry,
- (e) assisting States to build capacity in piracy-infested regions of the world to deter, interdict and bring to justice those who commit acts of piracy and armed robbery against ships,
- (f) providing care, during the post-traumatic period, for those attacked or hijacked by pirates and for their families,

REAFFIRMING:

- (a) resolution A.545(13) on *Measures to prevent acts of piracy and armed robbery against ships*, adopted on 17 November 1983,
- (b) resolution A.683(17) on *Prevention and suppression of acts of piracy and armed robbery against ships*, adopted on 6 November 1991,

- (c) resolution A.738(18) on *Measures to prevent and suppress piracy and armed robbery against ships*, adopted on 4 November 1993,
- (d) resolution A.923(22) on *Measures to prevent the registration of "phantom" ships*, adopted on 29 November 2001,

BEARING IN MIND resolution A.1026(26) on *Piracy and armed robbery against ships in waters off the coast of Somalia*, through which the Assembly has recommended a number of actions to be taken by Governments, the Transitional Federal Government of Somalia, the Council, the Maritime Safety Committee and the Secretary-General, with a view to bringing the situation under control,

NOTING WITH APPRECIATION the actions taken to that effect by the Security Council of the United Nations ("the Security Council") and, in particular, the adoption, under the provisions of chapter VII of the Charter of the United Nations, of Security Council resolutions 1918 (2010), 1950 (2010), 1976 (2011), 2015 (2011) and 2020 (2011) in relation to piracy and armed robbery in waters off the coast of Somalia,

NOTING that the General Assembly of the United Nations, by resolution A/RES/65/37A on *Oceans and the law of the sea*, has recommended a number of actions to be taken by each State and also through cooperation, coordination and collaboration at a bilateral, regional or global level with a view to repressing piracy and armed robbery against ships, in particular in waters off the coast of Somalia, and that, *inter alia*, it has urged States to implement the related provisions of UNCLOS and resolution A.1026(26) and the Assembly to "consider adopting a resolution on commitments to best management practices to avoid, deter or delay acts of piracy",

RECALLING that, pursuant to resolution A.1002(25) on *Piracy and armed robbery against ships in waters off the coast of Somalia*³, Governments in the region have concluded, in cooperation with the Organization, the Code of Conduct Concerning the Repression of Piracy and Armed Robbery against Ships in the Western Indian Ocean and the Gulf of Aden (the "Djibouti Code of Conduct"), which has so far been signed by 18 States,

FURTHER BEARING IN MIND resolution A.1025(26), through which the Assembly adopted the Code of Practice for the Investigation of the Crimes of Piracy and Armed Robbery against Ships ("the Code"), 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,

RECALLING WITH APPRECIATION the action taken by the Maritime Safety Committee, at its eighty-sixth session, in approving revised recommendations to Governments⁴ and guidance to shipowners and ship operators, shipmasters and crews⁵ on preventing and suppressing acts of piracy and armed robbery against ships,

NOTING ALSO WITH APPRECIATION that the Maritime Safety Committee, at its eighty-seventh, eighty-eighth and eighty-ninth sessions, in response to resolution A.1026(26) and relevant discussions at the Security Council and in the light of developments, has:

³ Revoked and replaced by resolution A.1025(26).

⁴ Refer to MSC.1/Circ.1333 on Recommendations to Governments for preventing and suppressing piracy and armed robbery against ships, as it may be revised.

⁵ Refer to MSC.1/Circ.1334 on Guidance to shipowners and ship operators, shipmasters and crews on preventing and suppressing acts of piracy and armed robbery against ships, as it may be revised.

- (a) approved the establishment⁶ of a distribution facility for the provision of LRIT information to security forces operating in the waters of the Gulf of Aden and the western Indian Ocean to aid their work in the repression of piracy and armed robbery against ships; interim recommendations for flag States⁷, shipowners, ship operators and shipmasters⁸ regarding the use of privately contracted armed security personnel (PCASP) on board ships in the High Risk Area; the *Guidelines to assist in the investigation of the crimes of piracy and armed robbery against ships*⁹; interim recommendations¹⁰ for port and coastal States regarding the use of PCASP,
- (b) disseminated guidance to Company Security Officers¹¹ on preparations for the contingency of hijack by pirates and the specific advice¹² developed by the industry in the form of best management practices,
- (c) adopted resolution MSC.305(87) on *Guidelines on operational procedures for the promulgation of maritime safety information concerning acts of piracy and piracy countermeasure operations*,
- (d) adopted resolution MSC.324(89) on *Implementation of best management practice guidance*,

NOTING WITH SATISFACTION the actions taken, since its last session, by the Facilitation Committee, the Technical Co-operation Committee, the Council and the Secretary-General aiming at preventing and suppressing acts of piracy and armed robbery in the waters off the coast of Somalia, including in the Gulf of Aden and the western Indian Ocean area,

NOTING ALSO the Legal Committee's agreement on the need for all States to have in place a comprehensive legal regime to prosecute pirates, consistent with international law; its identification of key elements of international instruments which may be used to assist States in developing or reviewing national legislation; and its review of the options presented by the Special Advisor on Piracy to the United Nations Secretary-General for prosecuting persons responsible for acts of piracy and armed robbery at sea,

⁶ Refer to resolution MSC.298(87) on Establishment of a distribution facility for the provision of LRIT information to security forces operating in the waters of the Gulf of Aden and the western Indian Ocean to aid their work in the repression of piracy and armed robbery against ships.

⁷ MSC.1/Circ.1405/Rev.1 on Revised interim guidance to shipowners, ship operators and shipmasters on the use of privately contracted armed security personnel on board ships in the High Risk Area, as it may be revised.

⁸ Refer to MSC.1/Circ.1406/Rev.1 on Revised interim recommendations for flag States regarding the use of privately contracted armed security personnel (PCASP) on board ships in the High Risk Area, as it may be revised.

⁹ Refer to MSC.1/Circ.1404 on Guidelines to assist in the investigation of crimes of piracy and armed robbery against ships, as it may be revised.

¹⁰ Refer to MSC.1/Circ.1408 on Interim recommendations for port and coastal States regarding the use of privately contracted armed security personnel on board ships in the High Risk Area, as it may be revised.

¹¹ Refer to MSC.1/Circ.1390 on Guidance for Company Security Officers – Preparation of a company and crew for the contingency of hijack by pirates in the Western Indian Ocean and the Gulf of Aden, as it may be revised.

¹² Refer to MSC.1/Circ.1339 on Piracy and armed robbery against ships in waters off the coast of Somalia – Best Management Practices for Protection against Somalia Based Piracy or BMP4 developed by the industry, as it may be revised.

FURTHER NOTING developments that have taken place since its last session and the contribution made by various entities to repress piracy off the coast of Somalia, including in the Gulf of Aden and the western Indian Ocean area,

NOTING that the Security Council, in resolution 2002(2011), inter alia, reaffirms the arms embargo on Somalia imposed by resolution 733(1992) ; demands that all parties ensure full, safe and unhindered access for the timely delivery of humanitarian aid to persons in need of assistance across Somalia; calls upon the Transitional Federal Government of Somalia to consider banning all trade by large merchant vessels with Al-Shabaab controlled ports; and re-establishes the Monitoring Group¹³ for a period of 12 months from the date of the resolution,

NOTING WITH GREAT CONCERN that incidents of piracy and armed robbery against ships continue to occur in waters off the coast of Somalia, some of which have reportedly taken place more than 1,700 nautical miles from the pirates' home bases,

FURTHER NOTING that the increased geographical spread of pirate attacks in the Indian Ocean necessitates Governments providing additional naval vessels, maritime patrol and reconnaissance aircraft and other surveillance assets, operating bases and logistic support,

MINDFUL OF the grave danger to life and the serious risks to navigational safety and the environment that attacks by pirates may cause,

BEING CONCERNED at the serious impact on safety and security, in particular on the seafaring community and the shipping industry, that attacks against ships sailing in waters off the coast of Somalia may have,

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

RECOGNIZING that the particular character of the present situation in Somalia requires a well coordinated response in order to safeguard human life and protect the shipping making use of the waters off the coast of Somalia,

RECOGNIZING ALSO the strategic importance of the shipping routes along the coast of both sides of the Horn of Africa for regional and international seaborne trade and the need to ensure that they remain safe at all times,

ENDORSING the position of the Maritime Safety Committee that seafarers should not carry firearms and that the carriage of armed personnel on board ships for enhancing their protection should be left to flag States to decide, once a thorough risk assessment exercise has been carried out and following consultations with the shipowners concerned,

REITERATING its full respect for the sovereignty, sovereign rights, jurisdiction and territorial integrity of Somalia and the relevant provisions of international law, in particular UNCLOS,

¹³ The Monitoring Group on Somalia established by the Security Council through resolution 1519 (2003) and its mandate was renewed, expanded and extended through resolutions 1558 (2004), 1587 (2005), 1630 (2005), 1676 (2006), 1724 (2006), 1766 (2007), 1772 (2007), 1801 (2008), 1811 (2008), 1844 (2008), 1853 (2008), 1862 (2009), 1907 (2009), 1916 (2010) and 1972 (2011).

HAVING CONSIDERED, in the light of the situation prevailing in the waters off the coast of Somalia, the recommendations of the Council at its twenty-sixth extraordinary session,

1. CONDEMNS AND DEPLORES all acts of piracy and armed robbery against ships, irrespective of where such acts have occurred or may occur;
2. EXPRESSES deep sympathy for the loss of seafarers while in captivity; for their plight while held hostage in appalling conditions, often for long periods of time; and to their families;
3. APPEALS to all parties that may be able to assist to take action, within the provisions of international law, to ensure that:
 - (a) all acts or attempted acts of piracy and armed robbery against ships are terminated forthwith and any plans for committing such acts are also forthwith abandoned;
 - (b) any hijacked ships, seafarers serving on them and any other persons on board such ships are immediately and unconditionally released and that no harm is caused to them;
4. EXPRESSES deep appreciation to Governments, acting individually or collectively, for dispatching naval vessels and military aircraft to the Gulf of Aden and waters off the coast of Somalia to assist in the prevention and suppression of attacks by pirates on merchant ships and for bearing the considerable cost of such deployment;
5. RECOGNIZES with appreciation the efforts of the Transitional Federal Government of Somalia, as supported by regional bodies and States including the Intergovernmental Authority on Development, the African Union Mission in Somalia (AMISOM) (Burundi and Uganda) and Kenya, among others, to eliminate piracy on a sustainable basis;
6. EXPRESSES ALSO deep appreciation for:
 - (a) the work of naval vessels and other military assets made available by Governments to repress piracy and armed robbery against ships in the Gulf of Aden, the Arabian Sea and the western Indian Ocean; and to escort ships carrying humanitarian aid to Somalia;
 - (b) the efforts of all those who have responded to calls from, or have rendered assistance to, ships under attack in waters off the coast of Somalia;
 - (c) the work done by operational centres established in the region and beyond in warning shipping and other concerned parties about incidents occurring in waters off the coast of Somalia;
 - (d) the efforts made by the shipping industry to develop guidance to assist ships to avoid, deter, delay and respond to piracy attacks off the coast of Somalia, including the Gulf of Aden, Arabian Sea and Indian Ocean area, in particular best management practices; and for the reports submitted to the Organization in relation to this issue;
 - (e) the efforts of those who have contributed towards resolving cases involving ships that had been hijacked and seafarers who had been held hostage;

- (f) the financial contributions made to the IMO Djibouti Code of Conduct Trust Fund, the in-kind contributions made to further the implementation of the Djibouti Code of Conduct and the work done by the Secretary-General and the Secretariat towards the implementation of the provisions of the Code;
- (g) the arrangements made by States in the western Indian Ocean area for receiving and prosecuting alleged pirates captured by naval ships operating therein or for providing support facilities to naval vessels and other military assets – in particular the efforts made by Djibouti, Kenya, Mauritius, Seychelles and Yemen;
- (h) the work of the Contact Group on Piracy off the Coast of Somalia and its Working Groups assuring a mechanism to provide a common point of contact between and among States and regional and international organizations on aspects of combating piracy, in conformity with the provisions of Security Council resolutions 1851 (2008), 1897 (2009), 1918 (2010), 1950 (2010), 1976 (2011) and 2020 (2011);
- (i) the work of the Secretary-General and the Secretariat to implement the Action Plan to promote the 2011 World Maritime Day theme: "Piracy – Orchestrating the response";

7. STRONGLY URGES Governments to intensify their efforts to prevent and suppress, within the provisions of international law, acts of piracy including acts to incite or facilitate an act of piracy or armed robbery against ships irrespective of where such acts occur and, in particular, to cooperate with other Governments and international organizations in the interests of the rule of law, safety of life at sea and environmental protection, in relation to acts of piracy occurring or likely to occur in the waters off the coast of Somalia, including the Gulf of Aden and the western Indian Ocean area, as well as investigate and prosecute those who illicitly finance, plan, organize, or unlawfully profit from pirate attacks off the coast of Somalia, including the Gulf of Aden and the western Indian Ocean area;

8. ALSO STRONGLY URGES Governments which have not already done so to promptly:

- (a) do everything in their power to ensure that ships entitled to fly their flag comply with the preventive, evasive and defensive measures detailed in the best management practice guidance and to ensure, as a minimum, that:
 - (i) shipmasters receive updated piracy-related information before and during sailing through the waters off the coast of Somalia, including the Gulf of Aden and the western Indian Ocean area;
 - (ii) ships register with the Maritime Security Centre Horn of Africa (MSCHOA) and report to United Kingdom Maritime Trade Operations (UKMTO) in Dubai;
 - (iii) ships navigating through the Gulf of Aden follow the Internationally Recommended Transit Corridor¹⁴, as well as any relevant advice and guidance provided by competent entities;

¹⁴ Refer to SN.1/Circ.281 on Piracy and Armed Robbery against Ships in Waters Off the Coast of Somalia – Information on Internationally Recommended Transit Corridor (IRTC) for Ships transiting the Gulf of Aden, as it may be revised.

- (iv) ships carrying PCASP promptly advise MSCHOA when registering their intention to transit the waters off the coast of Somalia, including the Gulf of Aden and the western Indian Ocean area;
- (b) issue, taking into account the recommendations and guidance¹⁵ developed by the Organization and the industry¹⁶, to ships entitled to fly their flag, as necessary, specific advice and guidance on any appropriate additional precautionary measures that ships may need to put in place when sailing in waters off the coast of Somalia to protect themselves from attack, such as not sailing through waters off the coast of Somalia, including the Gulf of Aden and the western Indian Ocean area;
- (c) decide, taking into account the interim recommendations and guidance¹⁷ developed by the Organization, as a matter of national policy, whether ships entitled to fly their flag should be authorized to carry privately contracted armed security personnel and, if so, under what conditions;
- (d) in their capacity as port or coastal States, if applicable and taking into account the recommendations and guidance¹⁸ developed by the Organization, promulgate their national policy on the embarkation, disembarkation and carriage of privately contracted armed security personnel and of the firearms, ammunition and security-related equipment to be used by such security personnel on board ships; to make known such policies and procedures to the shipping industry, the providers of privately contracted armed security personnel and all Member Governments in order to enable flag States to act accordingly; and to provide relevant information to the Organization¹⁹;
- (e) issue, taking into account the recommendations and guidance developed by the Organization²⁰ and the industry²¹, to ships entitled to fly their flag, as necessary, advice and guidance on any measures or actions they may need to take when under attack, or threat of attack, while sailing in waters off the coast of Somalia, including the Gulf of Aden and the western Indian Ocean area;
- (f) encourage ships entitled to fly their flag to ensure that information²² on attempted attacks or on acts of piracy or armed robbery committed while sailing in waters off the coast of Somalia is promptly conveyed to UKMTO in Dubai and to the flag State, the nearby coastal States, the nearest most

¹⁵ Refer to MSC.1/Circ.1333 and MSC.1/Circ.1334, and SN.1/Circ.281, as they may be revised.

¹⁶ Refer to MSC.1/Circ.1339, as it may be revised.

¹⁷ Refer to MSC.1/Circ.1405/Rev.1 on Revised interim guidance to shipowners, ship operators, and shipmasters on the use of privately contracted armed security personnel on board ships in the High Risk Area and MSC.1/Circ.1406/Rev.1 on Revised interim recommendations for flag States regarding the use of privately contracted armed security personnel on board ships in the High Risk Area, as they may be revised.

¹⁸ Refer to MSC.1/Circ.1408 on Interim recommendations for port and coastal States regarding the use of privately contracted armed security personnel on board ships in the High Risk Area, as it may be revised.

¹⁹ Refer to MSC/FAL.1/Circ.2 on Questionnaire on information on port and coastal State requirements related to privately contracted armed security personnel on board ships.

²⁰ Refer to MSC.1/Circ.1333 and MSC.1/Circ.1334 and SN.1/Circ.281, as they may be revised.

²¹ Refer to MSC.1/Circ.1339, as it may be revised.

²² Refer to appendix 5 of the annex to MSC.1/Circ.1334 and to annex D to the annex to MSC.1/Circ.1339, as they may be revised.

appropriate rescue coordination centre and/or information-sharing centre, and the security forces which operate naval and other military assets in the area;

- (g) provide the Organization with information²³ on any attempted attacks or acts of piracy or armed robbery committed against ships entitled to fly their flag while sailing in waters off the coast of Somalia, including the Gulf of Aden and the western Indian Ocean area, to enable the Secretariat to take appropriate action in the circumstances;
- (h) 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, including advice or guidance provided by warships or other naval or military assets which may be operating in the area;
- (i) 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, including the Gulf of Aden and the western Indian Ocean area;
- (j) establish, as necessary, plans and procedures for putting in place measures or taking appropriate actions with a view to ensuring that any attacked or hijacked ship entitled to fly their flag, and its shipboard personnel, continue to be fit for purpose and work on board, respectively, or issue, to ships entitled to fly their flag, as necessary, advice and guidance on any measures or actions they may need to take to this end;
- (k) encourage owners and operators of ships entitled to fly their flag to consider fully the provision of post-traumatic care both for seafarers attacked or held hostage by pirates and for their families, and in so doing take into account recommendations and good practice guidance produced by the Organization and industry and welfare organizations;
- (l) establish, as necessary and when requested, plans and procedures to keep substantially interested States informed, as appropriate, about welfare measures for seafarers in captivity on ships entitled to fly their flag, measures being taken for the early release of such seafarers and the status of payment of their wages;
- (m) investigate²⁴ all acts or attempted acts of piracy and armed robbery occurring in the waters off the coast of Somalia, including the Gulf of Aden and the western Indian Ocean area, against ships entitled to fly their flag or, if applicable, with the consent of other States having jurisdiction; collect related evidence when the shipboard personnel involved in such cases are nationals, citizens or residents; and report to the Organization any pertinent information and make available any related evidence to those investigating such cases;

²³ Refer to appendix 5 of the annex to MSC.1/Circ.1333 and appendix 6 of the annex to MSC.1/Circ.1334, as they may be revised.

²⁴ Refer to resolution A.1025(26) on the Code of Practice for the Investigation of Crimes of Piracy and Armed Robbery Against Ships and MSC.1/Circ.1404 on Guidelines to assist in the investigation of the crimes of piracy and armed robbery against ships, as they may be revised.

- (n) take all necessary legislative, judicial and law-enforcement action so as to be able, subject to national law, to receive, prosecute or extradite any pirates or suspected pirates including those who illicitly finance, plan, organize, or unlawfully profit from pirate attacks off the coast of Somalia, including the Gulf of Aden and the western Indian Ocean area, as well as armed robbers captured by naval vessels or military aircraft, or other ships or aircraft clearly marked and identifiable as being on government service;
- (o) assist, individually or in cooperation with, among others, UNODC and INTERPOL, Somalia and other States of the region in strengthening their counter-piracy law enforcement capacities, including implementation of anti-money-laundering laws, the establishment of financial investigation units and the strengthening of forensic capacities, as tools against international criminal networks involved in piracy;
- (p) support the investigation and prosecution of those who illicitly finance, plan, organize or unlawfully profit from pirate attacks off the coast of Somalia;
- (q) conclude, with respect to ships entitled to fly their flag employed by the World Food Programme for the delivery of humanitarian aid to Somalia, where such ships are to be escorted by naval vessels or military aircraft, or with respect to other ships or aircraft clearly marked and identifiable as being on government service, taking into account operative paragraph 9(f), any necessary agreements with the State(s) concerned;

9. REQUESTS Governments to instruct national rescue coordination centres, information-sharing centres or other agencies involved, on receipt of a report of an attack, to promptly initiate the transmission²⁵ of relevant advice and warnings (through the World-Wide Navigation Warning Service; the International SafetyNet Service; or any other appropriate means) to ships sailing in the waters off the coast of Somalia, including the Gulf of Aden and the western Indian Ocean area, so as to warn shipping in the immediate area of the attack;

10. REITERATES its request to the Transitional Federal Government of Somalia to:

- (a) take any action it deems necessary in the circumstances to prevent and suppress acts of piracy and armed robbery against ships originating from its country's territory and thus deprive them of the possibility of using its coastline as a safe haven from which to launch their operations;
- (b) take appropriate action to ensure that all ships seized by pirates and armed robbers and brought into waters within its territory are released promptly and that ships sailing off its country's coasts do not henceforth become victims of acts of piracy or armed robbery;
- (c) take appropriate action to disrupt any financing, planning or organizing of, or unlawfully profiting from, pirate operations off its country's coasts;
- (d) take appropriate action to ensure the unconditional delivery of food and water supplies to ships seized by pirates and armed robbers and brought into waters within its territory, as well as the unconditional delivery of humanitarian and medical aid to the shipboard personnel;

²⁵ Resolution MSC.305(87) on Guidelines on Operational Procedures for the promulgation of Maritime Safety Information concerning acts of Piracy and Piracy countermeasure operations.

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- (e) advise the Security Council that it continues to consent to naval vessels or military aircraft, or other ships or aircraft clearly marked and identifiable as being on government service, entering its territorial sea to engage in operations against pirates or suspected pirates and armed robbers;
 - (f) advise the Security Council of its readiness to continue to conclude, taking into account operative paragraph 7(q), any necessary agreements so as to enable naval vessels or military aircraft, or other ships or aircraft clearly marked and identifiable as being on government service, to escort ships employed by the World Food Programme to deliver humanitarian aid to Somalia or leaving Somali ports having discharged their cargo;
 - (g) promote, for those Somalis seeking to make their living from working at sea, legitimate maritime careers and make use of the available assistance in this respect;
11. CALLS UPON Governments of the region that are signatories to the Djibouti Code of Conduct to progress and complete the implementation of the provisions of the Code as soon as possible and STRONGLY URGES those which have not yet signed the Code to do so as soon as possible;
12. CALLS UPON all other Governments, in cooperation with the Organization and as may be requested by Governments of the region, to assist these efforts and to consider making financial contributions to the IMO Djibouti Code of Conduct Trust Fund;
13. INVITES Governments capable of doing so to strengthen cooperation at the Security Council and, wherever feasible and appropriate, to expedite the peaceful resolution of the conflict in Somalia;
14. REQUESTS the Secretary-General to:
- (a) 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; and to express to him, and through him to the Security Council, the gratitude and appreciation of the Organization for the actions he and the Security Council have taken on this issue to date;
 - (b) continue monitoring the situation in relation to threats to ships sailing in waters off the coast of Somalia, including the Gulf of Aden and the western Indian Ocean area, and report to the Council, the Maritime Safety Committee, the Legal Committee, the Technical Co-operation Committee and the Facilitation Committee, as and when appropriate, on developments and any further actions which may be required;
 - (c) continue cooperating with the Monitoring Group on Somalia;
 - (d) continue to consult with interested Governments and organizations in establishing a process and means by which technical assistance can be provided for Somalia and nearby coastal States to enhance their capacity to give effect to the present resolution, as appropriate;

- (e) continue the efforts of the Organization to orchestrate an effective response to acts and attempted acts of piracy, in particular in waters off the coast of Somalia, including by promoting cooperation, coordination and avoidance of duplication of efforts among the States and organizations that provide or seek to provide assistance to the States in the region, so as to enable them individually and collectively to engage actively in the repression of piracy and armed robbery against ships;
- (f) continue the efforts of the Organization to assist States which have signed or contemplate signing the Djibouti Code of Conduct in ensuring, as soon as possible, the complete and effective implementation of the provisions of the Code;
- (g) undertake, as and when necessary, any other actions which would promote the implementation of the provisions of this resolution or would be conducive to the efforts of those seeking to implement its provisions;

15. REQUESTS the Maritime Safety Committee to review the provisions of this resolution as well as any salient provisions of related resolutions which have been or may be adopted by the Security Council in this respect and to develop, where and when necessary, guidance and recommendations so as to enable Member Governments and the shipping industry to implement its provisions, taking into account current and emerging trends and practices;

16. REQUESTS FURTHER the Legal Committee, the Technical Co-operation Committee and the Facilitation Committee to assist, as appropriate, the Maritime Safety Committee in pursuing the objectives of this resolution;

17. REQUESTS ALSO the Council to continue to monitor the situation in relation to threats to ships sailing in waters off the coast of Somalia, including the Gulf of Aden and the western Indian Ocean area; and to initiate any actions which it may deem necessary, including coordinating the work of the competent Committees of the Organization in order to ensure the protection of seafarers and ships sailing in waters off the coast of Somalia, including the Gulf of Aden and the western Indian Ocean area, and in order to ensure appropriate cooperation with other organizations and entities tasked with relevant activities;

18. REQUESTS FINALLY the Council, while paying particular attention to the situation in waters off the coast of Somalia, including the Gulf of Aden and the western Indian Ocean area, to continue monitoring developments in relation to acts and attempted acts of piracy and armed robbery against ships elsewhere in the world and to initiate any actions which it may deem necessary;

19. REVOKES resolution A.1026(26).

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(Agenda item 9)
PIRACY¹ AND ARMED ROBBERY AGAINST SHIPS²
IN WATERS OFF THE COAST OF SOMALIA