



THE INTERNATIONAL CRIMINAL POLICE ORGANISATION

Study Guide

Agenda: Examining the threats posed to international maritime security by various state and non-state actors.

ANNUAL WORLD SUMMIT 2024



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Letter from the Executive Board



Dear Delegates,

According to the Secretary General of INTERPOL, Jurgen Stock, “INTERPOL is indeed the backbone of the global security architecture. Money is the lifeblood of crime and thanks to the cooperation of our member countries, we are taking it out of the criminal's hands.” With this statement in mind, we, the Executive Board of the International Criminal Police Organisation, warmly invite you to the 13th edition of the Annual World Summit, hosted annually by Jamnabai Narsee School.

Delegates, the agenda for this year will put each and every one of your debate powers to the test, pushing your analytical, research and logical reasoning skills to the next level. Our agenda for the 13th edition of AWS is one that requires unique and diplomatic solutions to international challenges in maritime security. Hence, this two-day committee will keep its delegates at the edge of their seat, striking a balance between progress and their national interests.

The purpose of this study guide is to help the delegates fully comprehend the basics and intricacies of maritime laws, threats to international maritime security, the United Nations Convention on the Law of Seas and other pre-existing programs that tackle the issue. INTERPOL is definitely one of the most exciting committees that AWS has to offer, surrounded with an atmosphere of suspense and action. As the Executive Board, we can't wait to make the 13th edition of AWS a huge success, with your help.

Letter from the Executive Board



INTERPOL is not only a global organisation but also a platform for cooperation, the delegates must enable the police to work directly with their international counterparts, even between countries which do not have diplomatic relations. We expect our delegates to tackle the roots of the issues and help create effective and sustainable, long-term solutions. We, the EB, look forward to meaningful discourse surrounding maritime laws and solutions that discuss jurisdictions of individual countries in a way that optimises the policing processes worldwide. We hope that our delegates take from this committee experience in diplomacy and problem solving that will prove invaluable hereinafter throughout their academic and professional careers.

We invite you to: Come, See and Conquer!!

Chairperson: Pia Gupta

Vice Chairperson: Hrishita Chatterjee

Moderator: Ahiri Hazarika

Rapporteur: Muskaan Chhabria

An Introduction to INTERPOL



The International Criminal Police organisation, popularly referred to as INTERPOL is an intergovernmental organisation that was established on 7 September 1923. From an initial membership of 20, the Organization gathers today law enforcement from 195 member countries united against transnational crime. The goal of the INTERPOL is to facilitate the widest possible mutual assistance between criminal police organisations for the world-wide suppression of crime.

INTERPOL's mandate includes all areas of criminal law, with a particular focus on the following crime areas: corruption, crimes against children, cybercrime, drugs, environmental crime, financial crime, firearms, fugitive investigations, maritime piracy, organised crime, pharmaceutical crime, terrorism, trafficking in human beings, trafficking in illicit goods, vehicle crimes and work of art. System of Notices:

INTERPOL Notices are international requests for cooperation or alerts allowing police in member countries to share critical crime-related information. Notices are issued by the General Secretariat at the request of a member country's INTERPOL National Central Bureau and are made available for all our member countries to consult in our Notices database.

Notices can also be issued at the request of International Criminal Tribunals and the International Criminal Court to seek persons wanted for committing crimes within their jurisdiction, notably genocide, war crimes, and crimes against humanity. They can also be issued at the request of the United Nations in relation to the implementation of sanctions imposed by the Security Council.



An Introduction to INTERPOL

TYPES OF NOTICES:

Red Notice: To seek the location and arrest of persons wanted for prosecution or to serve a sentence.

Yellow Notice: To help locate missing persons, often minors, or to help identify persons who are unable to identify themselves.

Blue Notice: To collect additional information about a person's identity, location or activities in relation to a criminal investigation.

Black Notice: To seek information on unidentified bodies.

Green Notice: To provide warning about a person's criminal activities, where the person is considered to be a possible threat to public safety.

Orange Notice: To warn of an event, a person, an object or a process representing a serious and imminent threat to public safety.

Purple Notice: To seek or provide information on modus operandi, objects, devices and concealment methods used by criminals.

INTERPOL–United Nations Security Council Special Notice: Issued for entities and individuals who are the targets of UN Security Council Sanctions Committees.



An Introduction to INTERPOL

DIFFUSIONS:

Member countries may also request cooperation from each other through another mechanism known as a 'diffusion'. Diffusions are circulated directly by a member country's National Central Bureau to all or some other member countries.

Diffusions correspond to the Notices color-coded system, so there are red, yellow, blue, black, green, purple and orange diffusions, and they must comply with INTERPOL's Constitution and the Rules on the Processing of Data.

Wanted persons (red) diffusions – those circulated to arrest, detain, or restrict the movement of a convicted or accused person – are checked for compliance by the Notices and Diffusions Task Force.

A diffusion will not be entered into in INTERPOL's database if it is of political, military, religious or racial character in violation of Article 3 of INTERPOL's Constitution

DATABASES:

INTERPOL manages a range of databases containing information related to criminals and crimes. The databases contain millions of records with information on individuals such as names and fingerprints; stolen property such as passports and vehicles; and weapons and threats such as firearms.

National police can search these databases in real time as part of their investigations. This can be done via their INTERPOL National Central Bureau, or directly at the frontline, for instance by specialised crime units and border officials.

Databases are accessed via I-24/7, the secure global police communications system. This is the technical network that links law enforcement in all member countries and enables authorised users to share sensitive and urgent police information with their counterparts around the globe.

An Introduction to the Agenda



WHAT IS MARITIME SECURITY?

A secure maritime environment is essential for the smooth flow of global trade and to maintain international peace and security. The most cost-effective way to move goods and raw materials in bulk around the world is across oceans and coastal waters. More than 90 per cent of the world's goods are transported by sea.

Maritime crimes affect the freedom of navigation and world trade and pose a threat to international security and individual safety.

INTERPOL works with local, regional and international stakeholders to reduce maritime crime globally and improve maritime governance. Its three main areas of action are facilitating the exchange of information, strengthening first responder and law enforcement capabilities, and building international and cross-sector coalitions.

THREATS TO MARITIME SECURITY:

Piracy, Kidnapping and Armed Robbery:

These are all immediate threats to merchant vessels and seafarers. Pirate groups collect millions of dollars in ransom payments every year. These payments are divided between the pirates, their leaders and those who finance them. Tracing the financial flows of ransom money after it reaches the perpetrators is one of the main challenges faced by law enforcement agencies.

Transnational Crime at Sea:

Organised crime groups traffic weapons, drugs and human beings. Maritime insecurity makes it easier for criminals to traffic weapons, drugs and human beings. Traffickers bribe or coerce port employees in order to gain access to sealed shipping containers so they can conceal illicit goods among legitimate cargo. Offshore, traffickers exploit poorly patrolled maritime routes and use local knowledge and maritime expertise to evade capture by law enforcement authorities.

An Introduction to the Agenda



As per UNCLOS:

Illicit traffic in narcotic drugs or psychotropic substances:

I. All States shall cooperate in the suppression of illicit traffic in narcotic drugs and psychotropic substances engaged in by ships on the high seas contrary to international conventions.

II. Any State which has reasonable grounds for believing that a ship flying its flag is engaged in illicit traffic in narcotic drugs or psychotropic substances may request the cooperation of other States to suppress such traffic.

Prohibition of the transport of slaves: Every State shall take effective measures to prevent and punish the transport of slaves in ships authorised to fly its flag and to prevent the unlawful use of its flag for that purpose. Any slave taking refuge on board any ship, whatever its flag, shall ipso facto (as a direct consequence, a resultant effect, of the action in question) be free.

Illegal, unreported and unregulated fishing: Illegal, unreported and unregulated (IUU) fishing is an often overlooked yet large-scale phenomenon. It damages the environment, coastal communities and their livelihoods. IUU fishing puts responsible fishermen who act in line with local fishing regulations at a disadvantage. Lack of employment opportunities can force fishermen to turn to illegal seafaring activities – such as piracy.

Crimes that span countries and jurisdictions: A single crime at sea affects several different nations. Vessels may be flagged, owned and operated by different countries and manned by multinational crews. The suspects, the navies that intercept them, and the nation willing to investigate and prosecute are also likely to be diverse. Each of these bodies will collect evidence that can be invaluable to successfully identifying suspects and prosecuting them. This makes it crucial to share information between military, law enforcement and judicial bodies in multiple countries.



Important Definitions

Non-State Actors:

Non-state actors (NSA) are entities that participate or act in international relations. They are organisations with sufficient power to influence and cause a change even though they do not belong to any established institution of a state.

Flag State:

The nationality under which a ship sails. Ships shall sail under the flag of one State only and, save in exceptional cases expressly provided for in international treaties or in this Convention, shall be subject to its exclusive jurisdiction on the high seas.

Coastal State:

The state from whose baseline or coastline the breadth of the territorial sea is measured. In the Exclusive Economic Zones coastal States have both exclusive sovereign rights and jurisdiction over natural resources and jurisdiction in relation to artificial islands, installations and structure, marine scientific research and environmental protection.

Definition of piracy:

Piracy consists of any of the following acts:

(a) any illegal acts of violence or detention, or any act of depredation (attacking or plundering), 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).



Key Concepts of Maritime Security

Maritime security has four key concepts:

Ecosystem Health: One critical aspect of maritime security is the preservation of marine ecosystems. Efforts are directed towards preventing and mitigating activities such as marine pollution and illegal fishing to maintain the ecological equilibrium of the oceans.

Global Trade and Transportation: Maritime security is intricately linked with economic development, particularly in the context of global trade. Approximately 90% of the world's trade is facilitated through maritime transportation. Protecting shipping routes and ports, along with preventing illegal trade activities, becomes imperative for ensuring a country's economic prosperity.

Order at Sea: Maritime security is linked to the maintenance of order at sea, including protection against threats such as piracy and robbery, in order to ensure national security and stability.

Human Safety: Maritime security is also directly linked to human security, especially in terms of guarding against illegal activities such as human trafficking. Ensuring safety on and off ships and guarding against potential human disasters is an important task in maintaining human security.



Blue Crimes

Transnational organised crime at sea, known as 'blue crimes' are one of the core issues on the maritime security and ocean governance agenda.

Transnational organised crime at sea has only recently been recognised as a major security issue that requires political attention. Crimes such as maritime piracy, the illicit trafficking of people, narcotics, arms or waste by the sea, and environmental crimes such as illegal fishing or pollution are increasingly important dimensions of ocean governance and the associated maritime security and law enforcement agenda.

Such crimes have different expressions across the world's maritime regions and affect human lives, political stability and economic interests in different ways, ranging from their impact on coastal communities to international shipping and even national security.

Maritime crime is receiving increasing attention at the highest levels of international policy making. The UN Security Council held its first ever debate on the issue in February 2019 under the title 'transnational organised crime at sea as a threat to international peace and security' (UN 2019). The discussion revolved around the impact of maritime crime.

While representatives agreed on the significance of such crimes for international peace and security, the meeting did not lead to an official statement or formal conclusion. One of the reasons for this absence was the significant confusion that still exists around the meaning, scope and reach of the concept including, what illicit activities it comprises, and how these can be meaningfully structured in ways that both recognise the diverse nature of maritime crime yet also provide a basis for an integrated response to it.



Treaties and Conventions

United Nations Convention on the Law of the Sea (UNCLOS):

Territorial Sea: Every State has the right to establish the breadth of its territorial sea up to a limit not exceeding 12 nautical miles, measured from baselines determined in accordance with this Convention.

Exclusive Economic Zones (EEZs): The United Nations Convention on the Law of the Sea (UNCLOS) defines an Exclusive Economic Zone (EEZ) as generally extending 200 nautical miles from shore, within which the coastal state has the right to explore and exploit, and the responsibility to conserve and manage, both living and non-living resources.

Rights of Innocent Passage: Passage is innocent so long as it is not prejudicial to the peace, good order or security of the coastal State. Such passage shall take place in conformity with this Convention and with other rules of international law.

Criminal Jurisdiction: The criminal jurisdiction of the coastal State should not be exercised on board a foreign ship passing through the territorial sea to arrest any person or to conduct any investigation in connection with any crime committed on board the ship during its passage, save only in the following cases:

- (a) if the consequences of the crime extend to the coastal State;
- (b) if the crime is of a kind to disturb the peace of the country or the good order of the territorial sea;
- (c) if the assistance of the local authorities has been requested by the master of the ship or by a diplomatic agent or consular officer of the flag State; or
- (d) if such measures are necessary for the suppression of illicit traffic in narcotic drugs or psychotropic substances.

These provisions do not curb the right of the coastal State to take any steps authorised by its laws for the purpose of an arrest or investigation on board a foreign ship passing through the territorial sea after leaving internal waters.



Treaties and Conventions

Civil Jurisdiction: Civil jurisdiction in relation to foreign ships

Through the territorial sea for the purpose of exercising civil jurisdiction in relation to a person on board the ship.

The coastal State may not levy execution against or arrest the ship for the purpose of any civil proceedings, save only in respect of obligations or liabilities assumed or incurred by the ship itself in the course or for the purpose of its voyage through the waters of the coastal State.

This is without prejudice to the right of the coastal State, in accordance with its laws, to levy execution against or to arrest, for the purpose of any civil proceedings, a foreign ship lying in the territorial sea, or passing through the territorial sea after leaving internal waters.

These provisions protect the rights of both the coastal state and foreign ships in civil issues. It permits foreign ships a wide berth for the purpose of its voyage but also ensures the clear jurisdiction of a coastal state in the case of liabilities accrued when in the waters of the coastal state.

Warships:

If any warship does not comply with the laws and regulations of the coastal State concerning passage through the territorial sea and disregards any request for compliance therewith which is made to it, the coastal State may require it to leave the territorial sea immediately.

This means that while warships are generally allowed safe passage, they must comply with international standards and the laws of the coastal state while in territorial waters.



Treaties and Conventions

The High Seas Treaty:

The High Seas Treaty, adopted by the United Nations in 2023, is a landmark agreement that fills a critical gap in international law regarding the governance of activities on the high seas. Also known as the Agreement on the Conservation and Sustainable Use of Marine Biodiversity in Areas Beyond National Jurisdiction (BBNJ), the treaty provides a much-needed framework for protecting marine biodiversity in international waters, which cover nearly two-thirds of the world's oceans.

The High Seas Treaty strengthens maritime security in several ways:

Combating Illegal, Unreported, and Unregulated (IUU) Fishing: The treaty includes provisions for establishing Marine Protected Areas (MPAs) in the high seas, which will help to crack down on IUU fishing, a major threat to marine ecosystems and economic security.

Environmental Impact Assessments: The treaty requires states to conduct environmental impact assessments before undertaking activities in the high seas that could potentially harm the marine environment. This will help to prevent pollution and other forms of environmental degradation.

Capacity Building and Technology Transfer: The treaty includes provisions for capacity building and technology transfer to developing countries, which will help them to better enforce maritime laws and regulations.

Signatories: As of May 2024, 88 countries have signed the treaty, but only four have ratified it. The treaty will enter into force 12 months after the 60th ratification.

Key Provisions: The treaty includes provisions for the establishment of MPAs, the conservation and sustainable use of marine genetic resources, environmental impact assessments, capacity building and technology transfer, and dispute settlement.

The High Seas Treaty is a significant step forward in protecting the world's oceans and ensuring a more secure maritime environment.



Stakeholders in International Maritime Security

The United Nations Convention on the Law of the Sea (UNCLOS) establishes a complex web of interactions between various stakeholders in international maritime law.

1. States Parties: Role: These are the countries that have ratified UNCLOS. They are the primary duty-bearers, responsible for upholding the Convention's provisions within their jurisdictions and on the high seas. **Explanation:** States play a critical role in implementing UNCLOS through national legislation, enforcement actions, and participation in international forums related to maritime issues. They also have the right to bring disputes to settlement mechanisms under UNCLOS.

2. International Organisations: Role: Organisations like the International Maritime Organization (IMO) and the International Seabed Authority (ISA) are established under UNCLOS with specific mandates. The IMO focuses on maritime safety, pollution prevention, and shipping regulations, while the ISA governs deep seabed mineral exploration and exploitation in areas beyond national jurisdiction. **Explanation:** These organisations develop detailed regulations and standards to supplement UNCLOS and facilitate its implementation. They also provide technical assistance and promote cooperation among states on maritime issues.

3. Flag States: Role: The country where a ship is registered. The flag state exercises authority over the ship on the high seas and is responsible for ensuring its compliance with international regulations, including those established by UNCLOS. **Explanation:** Flag states play a vital role in maintaining safety and security at sea by enforcing maritime regulations on their flagged vessels.

4. Coastal States: Role: Countries with coastlines have specific rights and responsibilities regarding their territorial sea, contiguous zone, exclusive economic zone (EEZ), and continental shelf. These zones encompass different legal regimes under UNCLOS. **Explanation:** Coastal states manage activities within their maritime zones, including resource exploration, environmental protection, and navigation. They also have the right to enforce relevant UNCLOS provisions in these areas.



Stakeholders in International Maritime Security

5. Shipping Industry:

Role: Shipowners, operators, and seafarers are crucial stakeholders in the implementation of UNCLOS. They are directly impacted by regulations on safety, pollution prevention, and labour standards established under UNCLOS and related instruments.

Explanation: The shipping industry plays a vital role in complying with maritime regulations and ensuring the smooth functioning of global trade.

6. Environmental NGOs:

Role: Non-governmental organisations with a focus on marine environmental protection advocate for the responsible use of the oceans and the implementation of UNCLOS provisions related to marine pollution prevention and conservation.

Explanation: Environmental NGOs contribute by raising awareness of maritime environmental issues and holding states and industries accountable for upholding UNCLOS' environmental provisions.

Their roles are often interconnected, and effective ocean governance requires cooperation and coordination among these diverse actors.

Maritime Laws



Human Trafficking: International Legal Framework: The United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (UN TIP Protocol) sets out a global standard for criminalising human trafficking.

Flag State Jurisdiction: The United Nations Convention on the Law of the Sea (UNCLOS) establishes the concept of flag state jurisdiction. Countries have jurisdiction over crimes committed aboard ships flying their flag, regardless of location. This allows them to investigate and prosecute human trafficking cases that occur on the high seas.

Coastal State Jurisdiction: UNCLOS also defines the rights and responsibilities of coastal states. Coastal states can take action against human trafficking within their territorial waters. This includes boarding and inspecting vessels suspected of trafficking activities.

Port State Jurisdiction: The International Maritime Organization (IMO) adopted the International Ship and Port Facility Security (ISPS) Code. This code requires port authorities to report suspected human trafficking and can detain vessels involved in such activities.

Drug Trade

UN Conventions: Several international conventions target drug trafficking at sea, including:

The 1961 Single Convention on Narcotic Drugs

The 1971 Convention on Psychotropic Substances

The 1988 United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances

Case Studies



(I) Project AGWE:

Background: Piracy and other illegal activities in the Gulf of Guinea:

The Gulf of Guinea serves as a critical hub for global trade, yet it has increasingly become a focal point for piracy, with over 400 seafarers abducted between 2019 and 2023. Pirate activities extend beyond kidnapping, encompassing the theft and illicit trade of oil products.

Moreover, the region faces challenges such as illegal fishing, counterfeit goods trafficking, drug and arms smuggling, as well as human trafficking and terrorism targeting port infrastructure. These security threats restrict socio-economic progress in coastal and landlocked nations in the area.

Addressing these issues requires collaborative efforts among regional law enforcement agencies, as emphasised by UN Security Council Resolution 2634, which underscores the importance of sharing information via INTERPOL to combat piracy and enhance maritime security.

Project AGWE enhances maritime law enforcement capabilities in five countries in the Gulf of Guinea – Benin, Côte d’Ivoire, Ghana, Nigeria and Togo – by linking first responders, investigators and prosecutors, and increasing cross-border collaboration.

Project AGWE implements various activities to bolster maritime security:

- 1. Training sessions:** Participants learn internationally recognized methodologies for investigating and prosecuting maritime piracy and other organised crimes at sea.
- 2. Mock crime scenes and trials:** INTERPOL experts create scenarios from real cases, enabling stakeholders to practise legal procedures using provided evidence.



Case Studies

3. Exchange visits, investigative meetings, and case coordination: Officials collaborate across nations, discussing cases and enhancing cooperation.

4. Investigative and analytical support: Project officers and analysts mentor local law enforcement, aiding in countering maritime crimes and terrorism.

Over 900 officials trained through 78 capacity building activities (from February 2015 to December 2023).

An example of activity inculcated to combat the issue includes the arrest of a drug trafficking kingpin. In November 2022, he was swiftly apprehended following coordinated efforts by law enforcement agencies. The Nigerian national, wanted internationally, had fled Brazil after the seizure of 4.9 tons of cocaine in October 2021.

A Red Notice was issued, leading to the suspect's identification in the Caribbean. With collaboration between various agencies including Immigration Services in Barbados and INTERPOL offices across countries, the individual was located within 48 hours of the Red Notice publication and extradited to Brazil for prosecution.

Case Studies



(II) Project MASE:

Background: Providing investigative support and capacity building in East and Southern Africa and the Indian Ocean.

Many countries on the coast of East and Southern Africa serve as a source, transit point and destination for men, women and children subjected to forced labour and sex trafficking.

Traffickers use countries with access to the Indian Ocean as transshipment points for weapons, drugs, and other illicit goods coming from Asia and the Middle East and destined for Africa and further north to Europe.

Trafficking in protected animal and plant species is also endemic in the region, while illegal, unreported and unregulated fishing is widespread.

Law enforcement authorities across the region often lack the resources to address these issues and need assistance and investment in terms of training, equipment and capacity building.

About the MASE (The Maritime Security Program) programme:

Sponsored by the European Union, the Maritime Security Programme (MASE) is made up of a number of projects to provide the resources needed to enhance maritime security in East and Southern Africa.

INTERPOL has a longstanding presence in Africa due to its network of National Central Bureaus and Regional Bureaus, and plays a critical role in implementing these projects.

Case Studies



(III) Project MAST:

Background: Strengthening law enforcement capacity in Indonesia, Malaysia, Philippines and Vietnam.

Southeast Asia is a major hub for seaborne trade. A large number of shipping companies transport goods to and from the economic powerhouses of China, Japan, Taiwan and South Korea via key choke points in Southeast Asia.

Maritime trade in the region is affected by kidnappings, hijackings and armed robbery against ships, and the illicit smuggling and trafficking of drugs, people and contraband.

About Project MAST

Targeting four beneficiary countries – Indonesia, Malaysia, Philippines and Vietnam – Project MAST is part of ongoing efforts to address major maritime threats in the region.

The project trains national law enforcement agencies in charge of port and maritime security in order to strengthen institutional capacity to combat terrorism, piracy and armed robbery, and reduce the vulnerability of ships and port facilities to security threats.

Project MAST is sponsored by the Counter Terrorism Capacity Building Program (CTCBP) of Global Affairs Canada (GAC).

Practical field exercises give trainees the opportunity to put their new knowledge into practice. For example, Operation Anchor was an INTERPOL Capacity Building Field Exercise, and the culmination of a series of training courses for first responders and investigators. It aimed to strengthen border controls and security measures, including port security in strategic locations. The objective was to locate and intercept individuals and/or groups responsible for cross-border crimes including people smuggling, human trafficking, robbery at sea, hijacking and kidnap for ransom, firearms trafficking and smuggling of illicit goods.

Case Studies



(IV) Port Security Project:

Background: Strengthening port security in countries in East and Southern Africa and Indian Ocean.

Critical infrastructure is provided by port premises. However, port facilities can be challenging to safeguard due to their immense size, complexity, and amount of handled goods.

Ports need to be protected in order to prevent supply chain disruptions and trade disruptions that could harm the world economy.

The Indian Ocean, Southern Africa, and East Africa (EA-SA-IO) regions have seen a rise in maritime-related criminal activities in recent years.

Countries in these regions continue to face incidents of drug trafficking, piracy and armed robbery, smuggling of small arms, light weapons, and endangered species, human trafficking, illegal fishing, and terrorism against port infrastructure despite international and regional efforts to improve maritime cooperation. About the Port Security Project The Port Security Project (PSP), which is sponsored by the EU and INTERPOL, aims to improve the capacity of port authorities and law enforcement organisations to prevent, detect, investigate, and address threats to port security. The nine participating nations—Angola, Comoros, Kenya, Madagascar, Mauritius, Mozambique, Namibia, Seychelles, and Tanzania—are spread over the EA-SA-IO areas.

Case Studies



The International Maritime Organisation (IMO), the United Nations Office on Drugs and Crime (UNODC), and the Indian Ocean Commission (IOC) collaborate to execute the initiative. Project Activities – In order to improve port security over the long run, INTERPOL is offering a set of sustainable tools through this project to all pertinent maritime security stakeholders in the area. In addition to strengthening law enforcement agencies' ability to respond to dangers both new and old, it will create a regional system for information sharing and the interchange of useful data. As a result, this programme offers specialised training courses, regional operating drills, cross-national visits, on-site coaching sessions, and the provision of equipment and strong technical support for equipment access to INTERPOL databases. The Port Security Project seeks to: Improve law enforcement's understanding of port security, installation surveillance, physical port infrastructure security, and checkpoint procedures for the identification of drugs and other illegal products. Gain a greater comprehension of the many worldwide approaches and practices pertaining to port security.

Become more knowledgeable about port facility safety and security measures.

Create a skilled, regional network of experts in port security.

Increase access to INTERPOL databases so that member nations can more easily get and share important data.

Boost the ability to gather, enter, process, and share important data sets that will eventually be stored in INTERPOL databases and information systems for future use by all of our member nations.



Case Studies

(V) Project WATA

Background: INTERPOL-supported regional maritime policing

The Gulf of Guinea is a vital hub for international trade. However, in recent years, this region has been labelled one of the world's major 'hotspots' for piracy. For example, pirate groups kidnapped over 350 seafarers for ransom in the Gulf of Guinea between 2019 and 2021. Additionally, pirate attacks in the region involve the stealing of petroleum, which is later processed and sold on the black market.

Other maritime crimes in the Gulf of Guinea include illegal, unreported and unregulated fishing (IUU), trafficking in counterfeit goods, drugs and arms, as well as human trafficking and people smuggling. Terrorist attacks against port infrastructure represent another key risk in the region. All of these security threats have a serious impact on the socio-economic development of both coastal and landlocked regional countries.

Regional collaboration between law enforcement agencies is essential to address these threats and ensure the security of the maritime environment. This need is recognized in United Nations Security Council Resolution (UNSCR) 2634, which urges all UN Member States "to share information with INTERPOL for use in the global piracy database through regional information sharing arrangements."

About the Project WATA

Project WATA is linked to another ongoing project, AGWE, and targets the same five countries: Benin, Côte d'Ivoire, Ghana, Nigeria and Togo. Both projects assist law enforcement agencies in tackling maritime crime.

Case Studies



The aims are to:

Promote intelligence efforts and international cooperation to combat maritime crimes and terrorist attacks;

Improve interagency cooperation between investigators and justice sector officials in complex, maritime crime cases.

As part of Project WATA, INTERPOL will provide sustainable support to all relevant maritime security stakeholders in the region in order to make a long-term difference to maritime and port security.

Activities under this project include:

Improving the crime scene management capabilities of first responders (navies): Navies play a crucial role during investigations and prosecutions as they identify different types of criminal activity and preserve the crime scene;

Strengthening security of port infrastructure. Capacity building will help target criminals who exploit maritime routes and poorly protected infrastructure and border crossings;

Updating the existing Guide for Investigating Acts of Maritime Piracy and tailoring it to the West African context. Expanding its scope to encompass all types of maritime crime and terrorism, it will then integrate it into the national Standard Operating Procedures (SOPs).

Case Studies



(VI) Project Compass

Background: Project Compass aims to enhance investigations of maritime-based crimes in the Eastern Africa, Southern Africa, and Indian Ocean (EA-SA-IO) region.

{The acronym "EA-SA-IO" stands for Eastern Africa, Southern Africa, and the Indian Ocean region.}

The project is focused on countries like Comoros, Djibouti, Kenya, Madagascar, Mauritius, Mozambique, Seychelles, Somalia, South Africa, and Tanzania. The project has three main objectives:

1. Enhancing crime scene preservation and management capabilities.
2. Improving interagency cooperation among first responders, investigators, and justice sector officials in handling complex maritime-based crime cases.
3. Strengthening regional and international cooperation to address maritime crime effectively.

Project Compass, spanning from 2020 to 2023 with a budget of USD 3.5 million, receives funding from the United States Department of State, specifically the Bureau of International Narcotics and Law Enforcement Affairs (INL). The project aims to enhance investigations of maritime-based crimes in the Eastern Africa, Southern Africa, and Indian Ocean region.

About the Project Compass

The Project will conduct various activities to support its objectives, including:

1. Training sessions introducing international methodologies for crime scene preservation and management, as well as intelligence analysis techniques to broaden the focus of investigations and prosecutions beyond frontline perpetrators to organisers and financiers on land.

Case Studies



2. Mock crime scenes and trials led by INTERPOL experts, based on real cases in the region, to allow first responders, law enforcement officials, and prosecutors to practise applying the law with provided "evidence."

3. Exchange visits and case coordination meetings where officials from beneficiary countries collaborate with counterparts from other countries, discussing cases of mutual interest or concern.

These activities aim to establish national and regional networks of experts capable of exchanging maritime-related information and conducting successful investigations and prosecutions of maritime crimes.

Timeline:

November 2022

Arrest of drug trafficking kingpin: A joint effort by law enforcement resulted in apprehending the leader of a multinational criminal group, sought globally. The Nigerian citizen had evaded capture in Brazil after authorities seized 4.9 tons of cocaine valued at hundreds of millions of dollars at Rio de Janeiro's port in October 2021.

September 2022

Investigative support and mentoring session: Reacting to particular instances of transnational organised crime in the Western Indian Ocean, a task force comprising members from two INTERPOL initiatives (Port Security Project and Project Compass) collaborated to conduct a mentoring session for Seychelles officers. During this session, the team offered investigative guidance and analytical assistance to aid in suspect identification and the revelation of additional information regarding the implicated criminal networks.

Case Studies



April 2022

Crime Scene Investigation Training in Seychelles: With assistance from the US Naval Criminal Investigative Service (NCIS) and Seychelles authorities, Project Compass organised a training session from April 25th to 29th, 2022, focused on crime scene preservation and management. Covering various subjects, the training emphasised crucial skills such as evidence preservation, maintaining chain of custody, and ensuring compliance for evidence admissibility. The course aimed to strengthen initial response capabilities and promote information exchange among countries in Eastern Africa, Southern Africa, and the Indian Ocean region.

Case Studies



VII) Red Sea Project

Background: This initiative involves coordinated efforts with organisations like INTERPOL, UNODC, and IGAD, focusing on countries like Djibouti, Ethiopia, Somalia, Sudan, and Yemen.

The Red Sea is a vital maritime route connecting Europe and Asia, facilitating global trade. However, regional instability, conflict, piracy, and organised crime pose threats to navigation and limit investment in port infrastructure and maritime commerce. To tackle these challenges, the European Union launched the Regional Programme for Maritime Security in the Red Sea Area in 2021. The program aims to enhance capacities, promote security standards, and foster regional dialogue to ensure maritime safety and support Africa's Integrated Maritime Strategy for 2050.

About the Project

What is IMO's role and work regarding the project?

Maritime and port security are crucial for global trade, personnel safety, anti-terrorism efforts, and environmental protection. The International Maritime Organization (IMO) focuses on enhancing port security and navigation safety in collaboration with regional stakeholders like Djibouti, Ethiopia, Somalia, Sudan, and Yemen.

At the operational level, IMO assists in implementing the ISPS Code for port facilities, conducts security assessments, develops security plans, provides training, and conducts drills. At the strategic level, IMO supports strengthening national legal frameworks related to maritime security, including legislation for SOLAS Chapter XI-2 and the ISPS Code.

Case Studies



Additionally, IMO promotes a "whole of government approach" to maritime security, fostering coordination between civilian and military organisations, facilitating discussions on national security strengths and weaknesses, and aiding in the development of National Maritime Security Strategies to empower member states in addressing security needs comprehensively.

(The International Ship and Port Facility Security (ISPS) Code is a set of measures developed by the International Maritime Organization (IMO) in response to the threat of terrorism in the maritime sector.

Key components of the ISPS Code include:

- 1. Ship Security Plans (SSP):** Ships are required to develop and implement security plans tailored to their specific operations and risks.
- 2. Port Facility Security Plans (PFSP):** Port facilities must develop and implement security plans that address potential security threats and vulnerabilities.

Case Studies



(VIII) The Pacific Maritime Security Project

Background: The PMSP builds on the success of the original Pacific Patrol Boat Program and will see an uninterrupted 60-year commitment of deeper-level engagement in the Pacific.

Defence is delivering capability to enhance maritime security through the Pacific Maritime Security Program (PMSP). The PMSP is a comprehensive package of capability, infrastructure, sustainment, training and coordination designed to increase national and regional maritime security for 16 nations, i.e. 15 Pacific island countries and Timor-Leste.

The PMSP represents the Australian Government's commitment for the next 30 years in the region and consists of the following components:

New Guardian-class Patrol Boats with safe and secure berthing lifetime sustainment and training in-country advisers region-wide integrated aerial surveillance enhancements to regional coordination.

Australia is delivering 22 Guardian-class Patrol Boats to 12 Pacific island nations and Timor-Leste under the PMSP, with 18 vessels already delivered to 11 partner nations.

The Guardian-class Patrol Boats are the sovereign property of individual program participant nations.

The new Guardian-class Patrol Boats represent a significant shift in capability from the Pacific Patrol Boats. In March 2021, Defence has engaged TAFE Queensland to deliver the Pacific Maritime Training Services (PMTS) program. The PMTS program provides all maritime, technical, seamanship, communications and management training courses to develop the skills and capabilities of the crews of Guardian-class Patrol Boats.



Case Studies

(IX) Yaoundé Code of Conduct:

Background: The Code's primary objective is to manage and reduce considerably the adverse impacts derived from piracy, armed robbery against ships and other illicit maritime activities, such as Illegal, unreported and unregulated (IUU) fishing.

Developed by the West Africa and Central Africa Sub-region with technical support from IMO, the Yaoundé Code of Conduct was adopted formally in Yaoundé (Cameroon), in June 2013 by Heads of State or their representatives from 25 West and Central African countries.

IMO's strategy and initiatives to enhance maritime security in West Africa are aligned to the provisions of the Yaoundé Code and helps to safeguard that the process of implementation is adequate, being cognizant of the fact that effective implementation should translate into sustainable development for the region's maritime sector.

In particular, the IMO assists Member Countries in and around the Gulf of Guinea in, among others, revising national legislation to criminalise piracy, armed robbery against ships and other illicit maritime activities; developing and coordinating relevant structures and procedures; as well as ensuring that operational, technical and logistical personnel are adequately trained.



Case Studies

X) Wildlife Trade and Corruption in Maritime Transport:

Background: Wildlife trafficking is estimated to generate more than US\$200 billion per year, making it the fourth largest illegal trade, after trafficking in counterfeit products, drugs and humans. Shipping is a popular method of illegally transporting wildlife, since it provides cost-effective opportunities for perpetrators to smuggle large volumes of animals and plants undetected. The United for Wildlife (UfW) Transport Taskforce Buckingham Declaration, is a landmark agreement to take steps to remove the vulnerabilities in transportation and customs in order to prevent IWT. UfW was created by the Royal Foundation of The Duke and Duchess of Cambridge and unites the world's leading wildlife charities to prevent critically endangered species from being wiped out.

The IMO Secretariat participates in the UfW Transport Taskforce, which is a network of private, public and third sector partners working individually and cooperatively to reveal, disrupt and prevent illegal wildlife traffic. In 2018, a Financial Taskforce was also created to address the role of financial institutions in the fight against illegal wildlife trade.

The IMO Guidelines for the prevention and suppression of the smuggling of wildlife on ships engaged in international maritime traffic are expected to serve as a tool to combat wildlife trafficking in the maritime sector and its implementation must be in accordance with international law, in particular, the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), the United Nations Convention against Transnational Organized Crime (UNTOC) and the United Nations Convention on the Law of the Sea (UNCLOS).



History of Maritime Law

Why Was Maritime Law Created?

Maritime or Admiralty Law was first documented at the time of Ancient Egypt, to fill a very real need in the civilised world. In order for trade to flourish, ships needed to be able to travel from port to port with a reasonable expectation of safety and fair trade. Differing customs led local courts and tribunals to be locally biased. Eventually, it became clear that disputes needed to be settled in a single court system.

Shipowners and captains might employ sailors from all along their trade route and would need a clear understanding of how those seamen or their families would be compensated if they were seriously injured or lost at sea. Establishing the rights and responsibilities of ports and ship owners into formal law was essential to trade between nations and city-states.

Many of the old laws persist today because most of the challenges and hazards of maritime work remain the same. These jobs were, and continue to be, dangerous ones. Maintaining a seaworthy vessel and providing maintenance and cure to workers on board have always been prime responsibilities of ship and fleet owners.

Shipowners who do not abide by the code face claims in Admiralty Courts or in other national courts that are bound by Maritime Law. These courts have jurisdiction over many aspects of the shipping and passenger cruise industries. Now, as in the past, sailors can have a legal advocate, or maritime accident lawyer, by their side when making a claim for injuries sustained at sea.

The History of International Maritime Law

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History of Maritime Law

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The History of International Maritime Law

While there were unwritten customs of maritime behaviour among the Egyptians, Greeks, and Phoenicians, the earliest formal codes were established on the island of Rhodes as early as 900 BC, and the law continues to evolve into the modern-day.

History of Maritime Law



The Rhodian Sea Laws

The origin of this set of rules for the Mediterranean Sea began forming approximately 900 BC and was well established by 300 BC, governing seafaring trade and conduct in the area. It influenced Roman law from that point until 1200 AD. The Rhodian Sea Laws established a uniform standard for the treatment of merchant ships as they moved from port to port, and it introduced the concept that disputes arising at sea must be decided by “the maritime law of the Rhodians” rather than in local courts or councils.

The Consulate Of the Sea

As the Romans made use of the Rhodian Laws, special tribunals were created to rule on disputes between vessels, ports, merchants, and seamen. Between 1000 AD and 1300 AD, three separate codes of maritime law and court systems developed in the Mediterranean. The oldest of these was “Consolato del Mare” or the Consulate of the Sea, which was centred around the Italian seaport of Barcelona, Spain.

The Consulate of the Sea sought to address all aspects of the customary laws of the sea. It defined specifics regarding ownership of ships, the responsibilities of a shipowner and captain, the “average contribution,” salvage rights, the duties of sailors, and how much they should be paid.

Early European Codes of the Sea

Two historic ships at the open sea at the sunset

From the budding laws of the sea in the Mediterranean, the early European maritime laws were further formalised by 1152 AD. These were summarised in the Black Book of the Admiralty in 1336 and were heavily influential in shaping Admiralty Law from that point on. Some of the notable legal concepts still honoured today come directly from these examples:

- The Laws of Wisby (Baltic region)
- The Laws of Hansa Towns (Germanic region)

History of Maritime Law



- The Laws of Oleron (French region)

The English System of Admiralty Law

The laws of Wisby, Hansa, and Oleron are considered the three pillars upon which British Admiralty Law was built. Keeping the fundamentals of historic sea law, the Admiralty Courts in England were challenged with the industrial revolution in the last half of the 1700s. The codes were updated for the changes that engines brought to the industry and for growing complexities in international relations as trade became more global.

Standing somewhat separate from the other English courts, the Admiralty Courts heard all nautical cases, including those of the British Colonies. The English Admiralty courts were unpopular in the new world, and they may have played a part in the American Revolution. They were charged with enforcing the Stamp Act and, as is customary under Maritime Law, those trials were without a jury. This may have led to the mention in the Declaration of Independence regarding “depriving us ... of the benefits of Trial by Jury.”

Maritime Law in America

Despite being a possible trigger for revolution, European admiralty doctrine was well established and a practical necessity for the new nation. As admiralty cases arose, they became part of American law as well. Many of the founding fathers and famous historical figures were themselves admiralty lawyers.² Even back in 1789 when the U.S. Constitution was adopted, there was the same need for a good maritime accident lawyer to protect ship owners, seafarers, and ship workers.

Admiralty or Maritime Law in the United States governs:

- Marine commerce, pollution, and navigation
- Seafaring cargo and passengers
- Marine insurance and salvage
- Arrests at sea

History of Maritime Law



- **Ship collisions**
- **Towage and liens**
- **Personal injury claims where the incident occurred at sea**
- **Maintenance and cure for injured ship workers**
- **In general, any cases where the court may need jurisdiction over maritime property**



QARMA

(Questions A Resolution Must Answer)

- Who has the final jurisdiction on crimes and conflicts in disputed territories?
- How will international governments tackle human trafficking and illegal border crossings?
- What measures will be taken to address drug trading by sea? How do landlocked countries play a role in drug trade prevention?
- Which sea routes require extensive monitoring due to their military or commercial importance?
- What mechanisms need to be put in place to prevent people whose livelihood depends on the sea from turning to crime when they are unable to sustain themselves and their families by fishing/ other coastal occupations?
- How can INTERPOL address lax law enforcement patrolling in coastal areas? How can individual countries contribute?
- What is required in terms of international cooperation to implement any successful maritime security program?



Suggested Moderated Caucus Topics

- **The role of UNCLOS when deciding intervention for high seas conflict.**
- **How can technology be used to counter drug trade at sea?**
- **How to regulate fishing and coastal industries to prevent destruction of ecosystems and loss of livelihood?**
- **Improvement of current inspection practices on board international ships.**
- **Preventing weapons dealing overseas: Strategies to tackle the distribution of weapons on land and the transport through oceans.**
- **How will we ensure international cooperation in matters of crime in the territorial sea?**
- **Protection of Human Trafficking victims transported by sea.**
- **High seas treaty and its implications for biodiversity in developing nations.**
- **The unequal and inequitable burden of sustainable maritime policing.**
- **Threat posed by terrorist organisations in international waters to trade.**
- **Piracy on the high seas and beyond EEZs.**



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