

**U.S. Statement to the 101st Session of the International Maritime Organization
Council, London, November 10-14, 2008**

We remain deeply concerned about incidents of piracy and armed robbery at sea off of Somalia and their impact on commercial shipping, the safety of seafarers, and the delivery of critical humanitarian assistance to Somalia.

We recognize that the situation in Somalia is complex and naval forces alone cannot prevent or solve the problem of piracy and armed robbery at sea. A comprehensive solution that relies on participation from private industry, from international organizations such as the IMO, and from governments has the best chance of being effective and sustainable.

The United States has been working with other countries and stakeholders to effectively implement United Nations Security Council Resolutions 1816 and 1838. We are once again sponsoring, along with our partners, a resolution to be adopted later this month to renew the authorities provided in Resolution 1816.

We are also coordinating with industry and Member States on ways to refine the Maritime Safety Committee (MSC) Circulars to better effect the prevention and suppression of piracy and armed robbery against ships. We welcome the participation of the maritime industry in fully integrating operational recommendations to minimize the vulnerability to acts of piracy, and further the integration of appropriate passive and active shipboard measures to prevent pirates from boarding vessels. Working together and in balance, we can significantly enhance security.

We will continue to support the IMO's work to conclude a sub-regional Memorandum of Understanding on piracy and armed robbery at sea and to promote greater cooperation in the prevention, interdiction, prosecution and punishment of those responsible for these heinous acts.

We welcome recent developments within the North Atlantic Treaty organization and the European Union to deploy resources to the Horn of Africa that are intended to escort World Food Program charter vessels and protect merchant shipping. We look forward to supporting an expanded role of the African Union in the fight against piracy.

We note with concern the recent decision of a cruise ship company to sail with a full complement of crew and passengers into the Gulf of Aden from the Red Sea with the expectation that naval forces would be available to provide continuous escort for this slow-moving sailing yacht's cruise to Oman. Sufficient naval forces are in fact not available to provide such escort on a routine basis. The company intends to make a similar cruise in the spring of next year. Such decisions put the safety of innocent passengers and crew at substantial risk and deserve an appropriately serious response by this organization.

We note that any solution to the problem of piracy and armed robbery at sea must include a commitment by the international community to take custody of and effectively prosecute pirates and armed robbers. IMO Member States have an excellent tool to do so in the 1988 Suppression of Unlawful Acts (SUA) Convention. We urge Member States to become party to SUA and call on all SUA parties to implement their obligations by, among other things, accepting persons delivered to them pursuant to Article 8 of the Convention, to extradite alleged offenders or submit such cases to the competent authorities for prosecution as set out in Article 10, and to assist in connection with

criminal proceedings as required by Article 12 of the Convention. To this end, we encourage Member States to review their regulatory and legislative frameworks to determine whether the appropriate authorities are in place and, where lacking, to enact them.

The United States is committed to working internationally, including with like-minded member states of the IMO and through the appropriate structures at the IMO, to find those solutions. The United States is committed to working internationally with all stakeholders in the fight against piracy off of Somalia. Unfortunately, we cannot agree at this time with a proposal for a UN naval force. We would note that while a military component is one element to combat piracy off the coast of Somalia, the shipping industry can do more to protect itself against actions of piracy and armed robbery at sea while they transit the Gulf of Aden and coast of Somalia. Finally, a key element vital to the success of any military effort is laying the groundwork for effective disposition of captured suspects. If there is no effective mechanism for the delivery of consequences, additional military elements may only serve to exacerbate the problem. There is an immediate need to support the military component already present by working with member states to develop the ability to prosecute and detain piracy suspect. Again, we appreciate the continued commitment of the Secretary General and the Secretariat in this fight and we look forward to the Secretary General's participation in the Security Council's deliberations next week.