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Strategic Analysis of Transnational Maritime Security Issues other than Terrorism

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UNODC Global Maritime Crime Programme (GMCP)





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**UNITED NATIONS CONVENTION AGAINST
TRANSNATIONAL ORGANIZED CRIME
AND THE PROTOCOLS THERETO**



Introduction to the Organized Crime Convention

- Full title: *United Nations Convention against Transnational Organized Crime*
- Entered into force on 29 September 2003
- 191 Parties
- Purpose of the Convention 'is to promote cooperation and combat transnational organized crime effectively' (Article 1)

Three elements of Article 3 UNTOC

The offence:

- Is an offence established in accordance with articles 5, 6, 8 and 23 of the Convention;
- Is an offence established in accordance with the **Protocols** to the Convention (see common art. 1 to the Protocols); or
- **Amounts to serious crime**; and

The offence is **transnational** in nature; and

The offence involves an **organized criminal group**



Offences under the Organized Crime Convention

- **Article 5**

Participation in an organized criminal group

- **Article 6**

Laundrying proceeds of crime

- **Article 8**

Corruption

- **Article 23**

Obstruction of justice

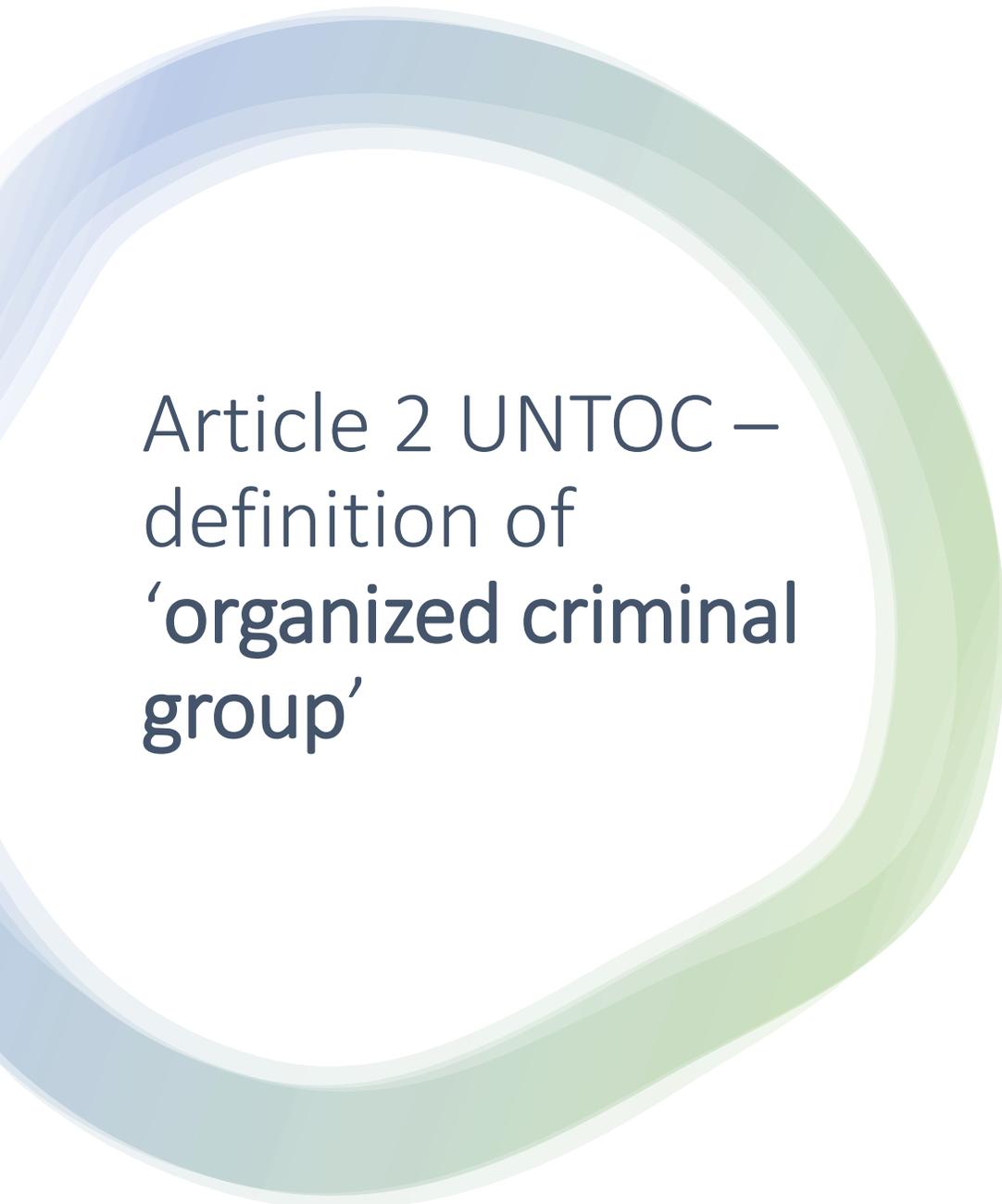


Definition of
“serious crime”



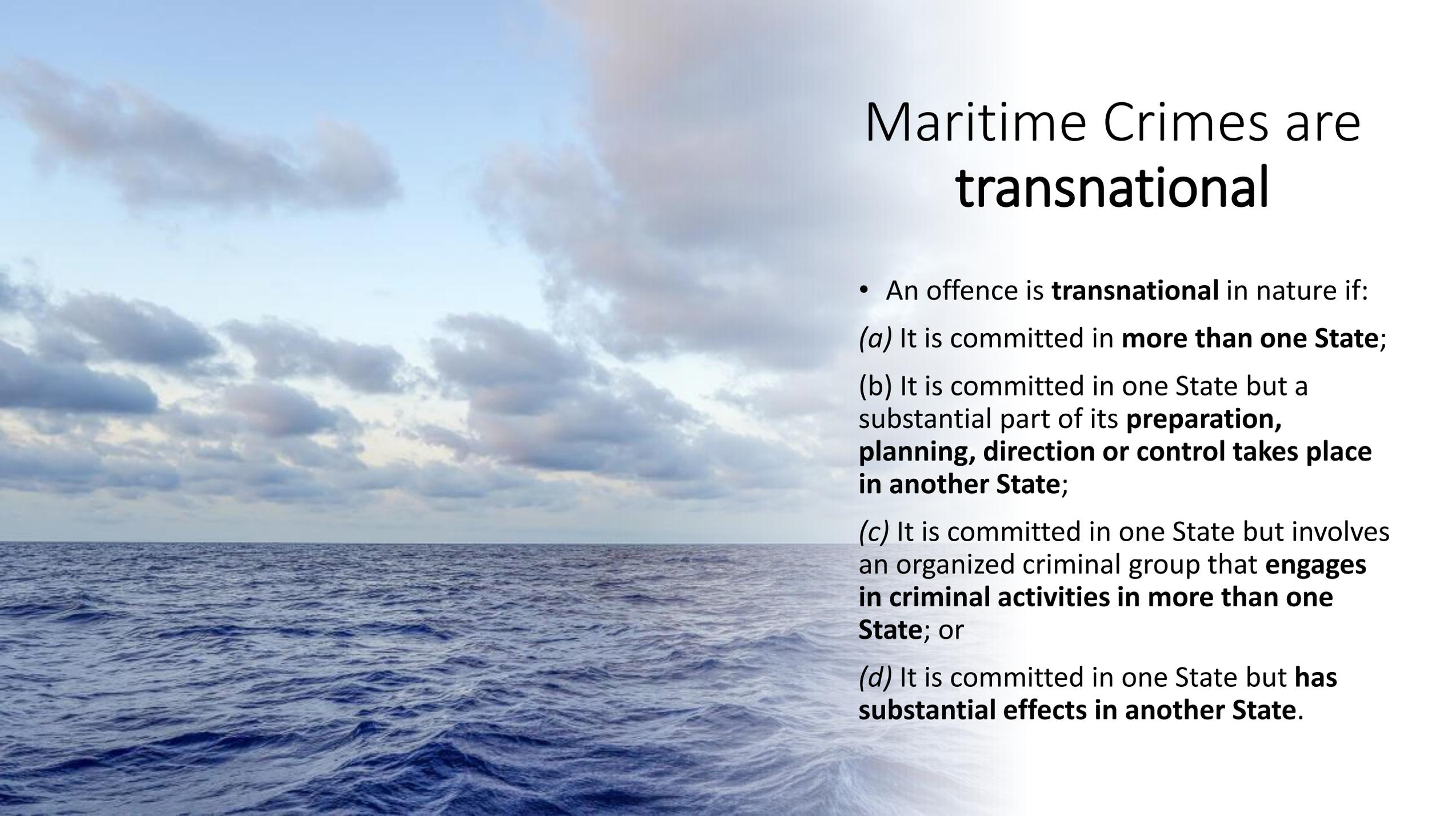
Article 2 UNTOC - Use of terms

*(b) “**Serious crime**” shall mean conduct constituting an **offence punishable by a maximum deprivation of liberty of at least four years or a more serious penalty;***



Article 2 UNTOC –
definition of
'organized criminal
group'

1. A structured group of **three or more persons** existing for a period of time
2. **Acting in concert**
3. With the aim of committing one or more:
 - Serious crimes; or
 - Offences established in accordance with the Convention
4. In order to **obtain a financial or other material benefit**
 - Either directly or indirectly



Maritime Crimes are transnational

- An offence is **transnational** in nature if:
 - (a) It is committed in **more than one State**;
 - (b) It is committed in one State but a substantial part of its **preparation, planning, direction or control takes place in another State**;
 - (c) It is committed in one State but involves an organized criminal group that **engages in criminal activities in more than one State**; or
 - (d) It is committed in one State but **has substantial effects in another State**.



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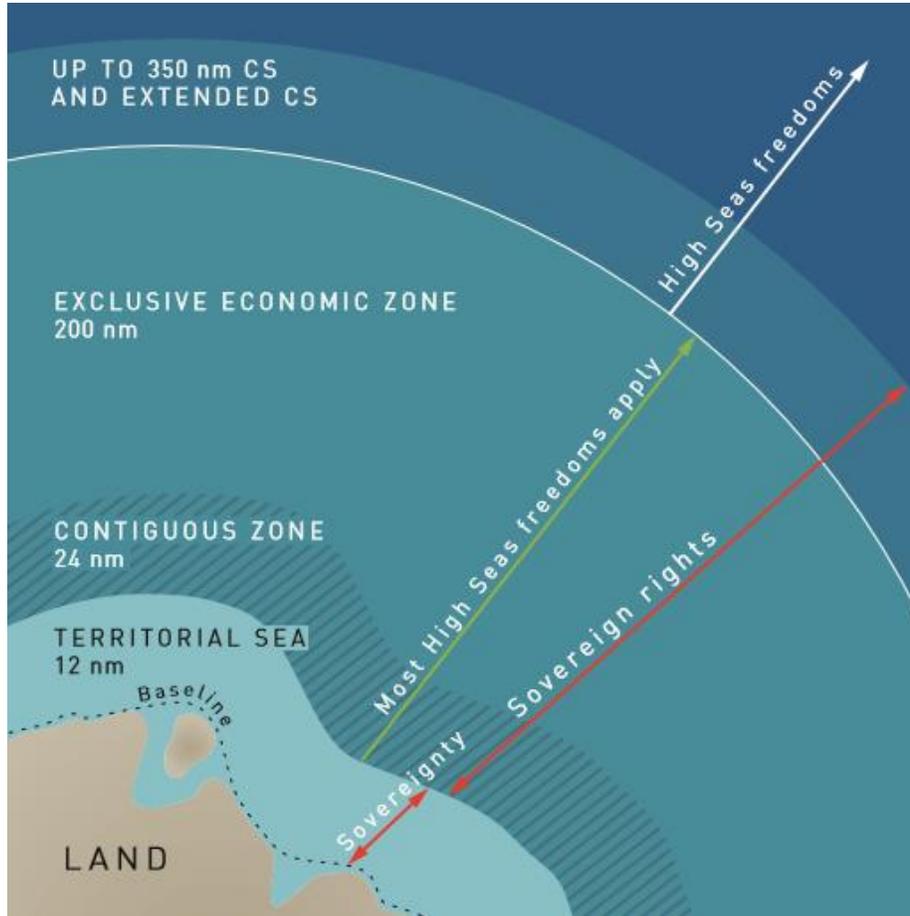
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Maritime Security Threats for Sri Lanka and the Eastern Indian Ocean

- **Drug trafficking at sea**
- **Smuggling of Migrants by sea**
- **Trafficking in Persons at sea**
- **Piracy & Armed robbery at sea**
- **Marine Pollution**
- **Crimes in the fisheries sector including illegal fishing**





International Law Applicable at Sea

- Both treaty and customary international law apply to the conduct of States at sea.
- Currently, the key treaty on the law of the sea is the **1982 UN Convention on the Law of the Sea (UNCLOS)**
- States not parties to the UNCLOS, such as USA, are bound by customary law, reflected by and large in UNCLOS.
- Many other treaties and customary rules of international law that apply to conduct at sea, including in relation to law enforcement at sea
 - SUA Convention and its Protocol, Vienna Convention 1988



THE LAW OF THE SEA

Flag State Jurisdiction (Art 92 & 94 UNCLOS)

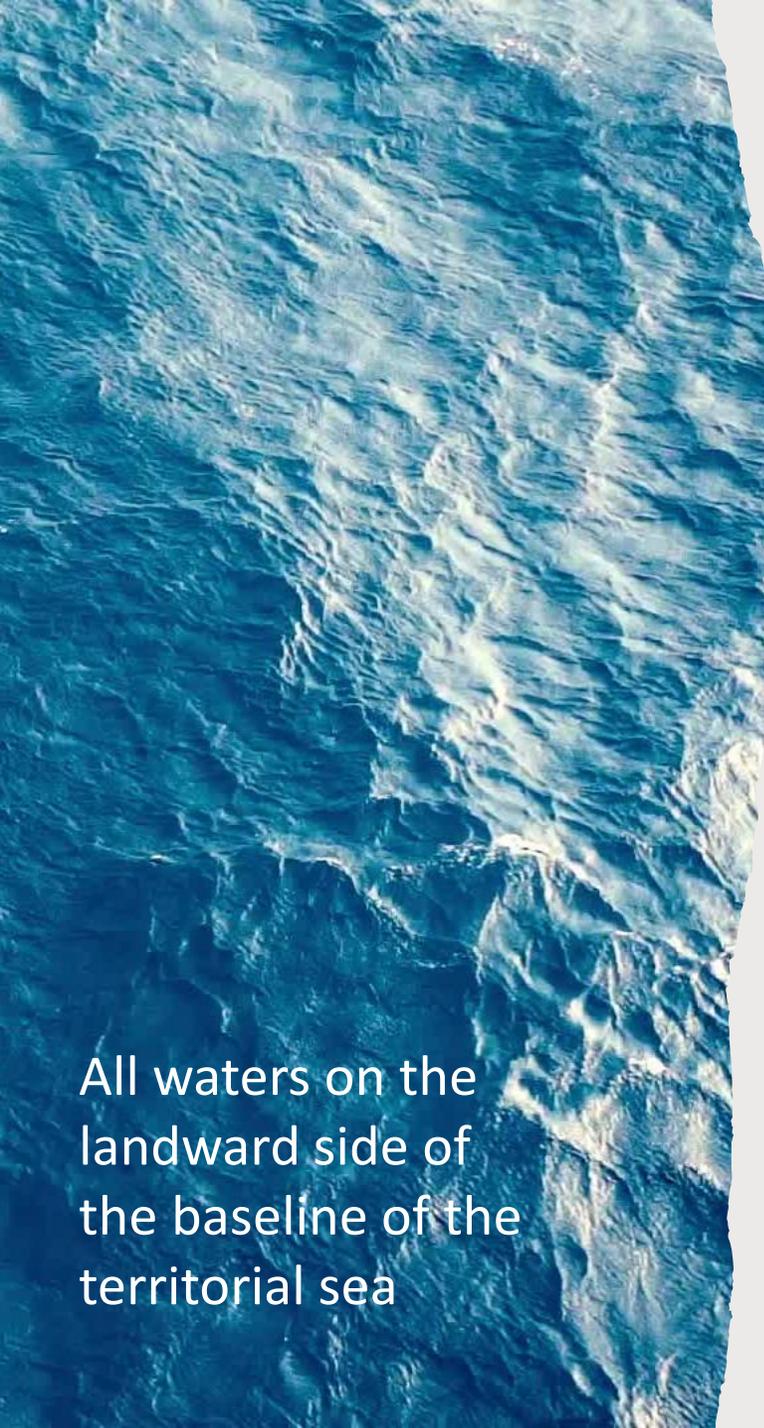
Flag State has **primary** jurisdiction over its vessels

Applies to crimes on board that vessel

Applies to vessel & crew

Applies on high seas & other maritime zones,
depending on the zone & the crime

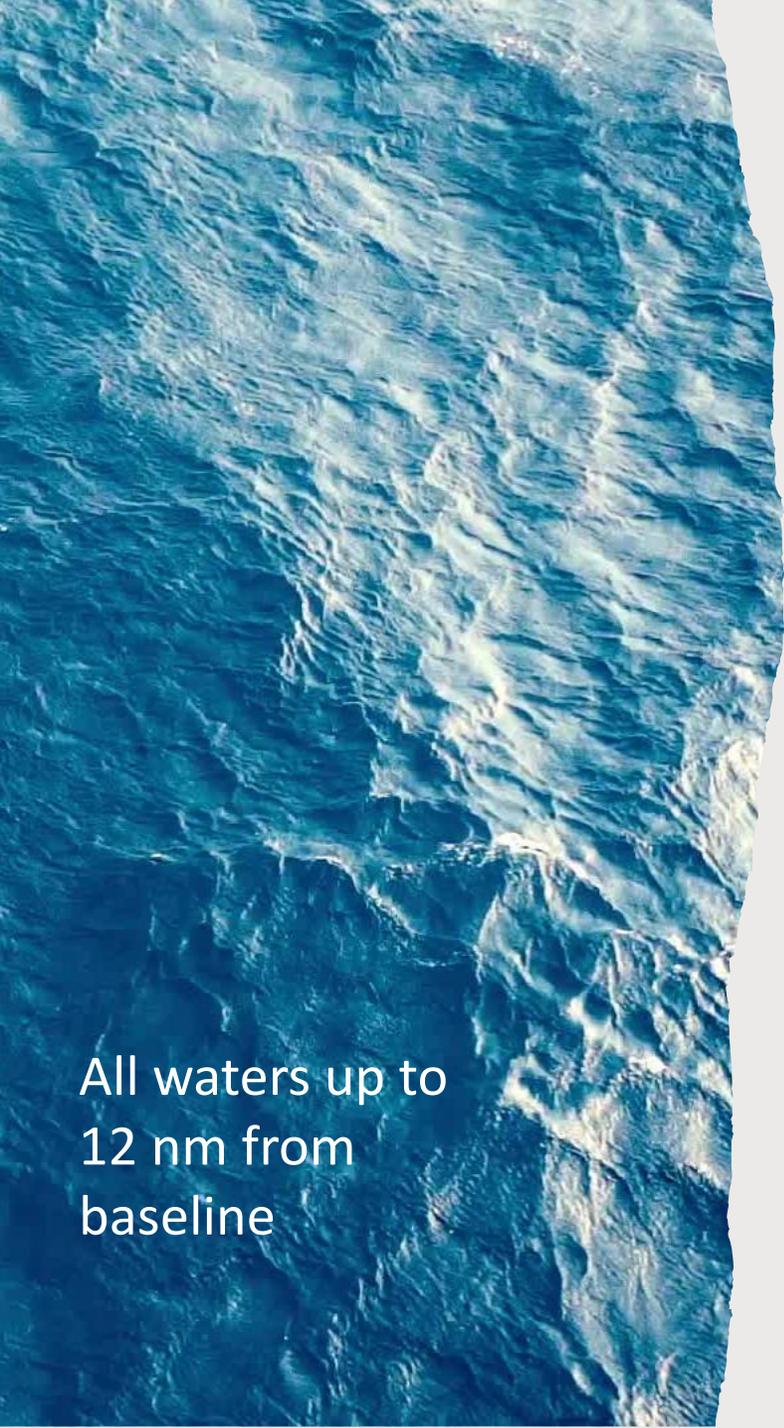
Allows Flag State to: Board, search, arrest, prosecute
BUT there are exceptions

An aerial photograph of the ocean, showing deep blue water with white-capped waves. The image is partially obscured by a white, torn-edge border on the right side.

Internal Waters Jurisdiction UNCLOS Art.8

- **Coastal State Jurisdiction** applies as if offence committed on land
- Applies to all maritime crimes in internal waters
- **Allows Coastal State to:** board, search, arrest, prosecute

All waters on the landward side of the baseline of the territorial sea



Territorial Sea Jurisdiction UNCLOS Art. 2- 4 & 27

Innocent Passage

Coastal State's Criminal Jurisdiction applies if:

1. The consequences of the crime extend to the CS
2. Crime disturbs peace of the CS or the good order of the territorial sea
3. Assistance is requested by vessel
4. Necessary for suppressing **drug trafficking**

Allows Coastal State to: Board, search, arrest, prosecute

All waters up to
12 nm from
baseline

Contiguous Zone Jurisdiction UNCLOS Art.33

States must have claimed this zone

Law enforcement jurisdiction to **PREVENT** or **PUNISH** violations of **FISC** laws: **Fiscal / Immigration/ Sanitary / Customs**

Prevent: Allows Coastal State Jurisdiction to board & caution only

Punish: Allows: Coastal State jurisdiction to board, search, seize, arrest, prosecute



12 nm adjacent to territorial sea, not further than 24 nm from baseline

EEZ Jurisdiction

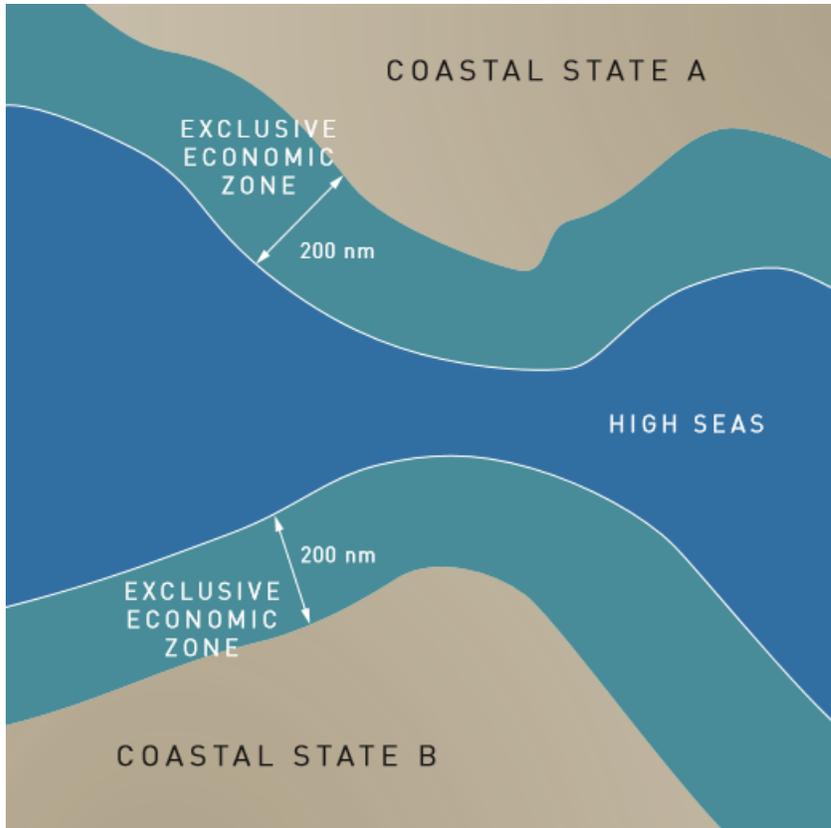
UNCLOS Art. 56 & 57

State must have claimed this zone

Jurisdiction only over: Resource crimes (UNCLOS Article 73) such as IUU fishing

Allows Coastal State Jurisdiction to Board, search, arrest, prosecute

Must notify Flag State of action taken



Max. 200 nm
from baseline of
territorial sea

High Seas Jurisdiction

Flag State Jurisdiction applies (UNCLOS Article 94)

Allows: Board, search, arrest, prosecute

EXCEPTIONS to Flag State Jurisdiction on the High Seas

1. Article 110: **Right of Visit**
2. Article 111: **Hot pursuit**
3. Article 98: **Duty to render assistance**
4. **Bilateral or multilateral agreements**

Example: pre-authorization to board each other's vessels if reasonably suspected of trafficking drugs

5. **Security Council Resolutions**
6. **Constructive Presence**

(a) *Exclusive economic zone.* Articles 58 and 86 apply components of article 87 (i.e. the high seas freedoms that do not contradict the exclusive economic zone regime) and articles 88-115 (including provisions on matters such as piracy, the duty to render assistance, the right of visit and the right of hot pursuit) to the exclusive economic zone, albeit with the added requirement of "due regard" for the rights and obligations of coastal States in the exclusive economic zone; and

(b) *Contiguous zone.* There is no specific cross-referral of the high seas regime and its definitions, obligations and powers back into the contiguous zone, but this is because—for the purposes of high seas rights and obligations—the contiguous zone is simply a part of the exclusive economic zone, albeit one in which the additional FISC rights of the coastal State also apply.

Art 110 (1): Right of Visit

Foreign Flags Ships may be **boarded to verify Flag** if reasonably suspected of being:

- a. Engaged in **piracy**
- b. Engaged in **slave trade**
- c. Engaged in **unauthorized broadcasting**
- d. Vessel is without nationality/**stateless**
- e. Although disguising it, the vessel is of the **same flag as the Boarding State**



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Maritime Security Threats for Sri Lanka and the Eastern Indian Ocean

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DRUG TRAFFICKING AT SEA





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Situational analysis

- South Asia situated in the close vicinity of the two major origins of drug production in Asia: the Golden Triangle and the Golden Crescent
- Increased use of **Southern Route** from Iran / Pakistan crossing down to the Indian Ocean
- Rise in drug seizures due to the growing use of the southern route. In the Indian Ocean, **over 340 maritime seizures** were made from 2012 to 2021





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Situational analysis

The world drug report 2022 has identified Sri Lanka to be one of the **destinations** of Methamphetamine originating in Afghanistan.

It is also believed that Sri Lanka is **evolving into a transit hub** for drug traffickers across the region and currently, UNODC study is being carried out into this concern



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R	E	P	O	R	T



#WorldDrugReport





	2021	2022
Cannabis	50,412 (45.8%)	53,579 (35%)
Heroin	44,239 (40.2%)	69,688 (45.5%)
Methamphetamine * In 2020: 2,387	13,720 (12%)	22,631 (14.7%)
Total	110,031	152,979

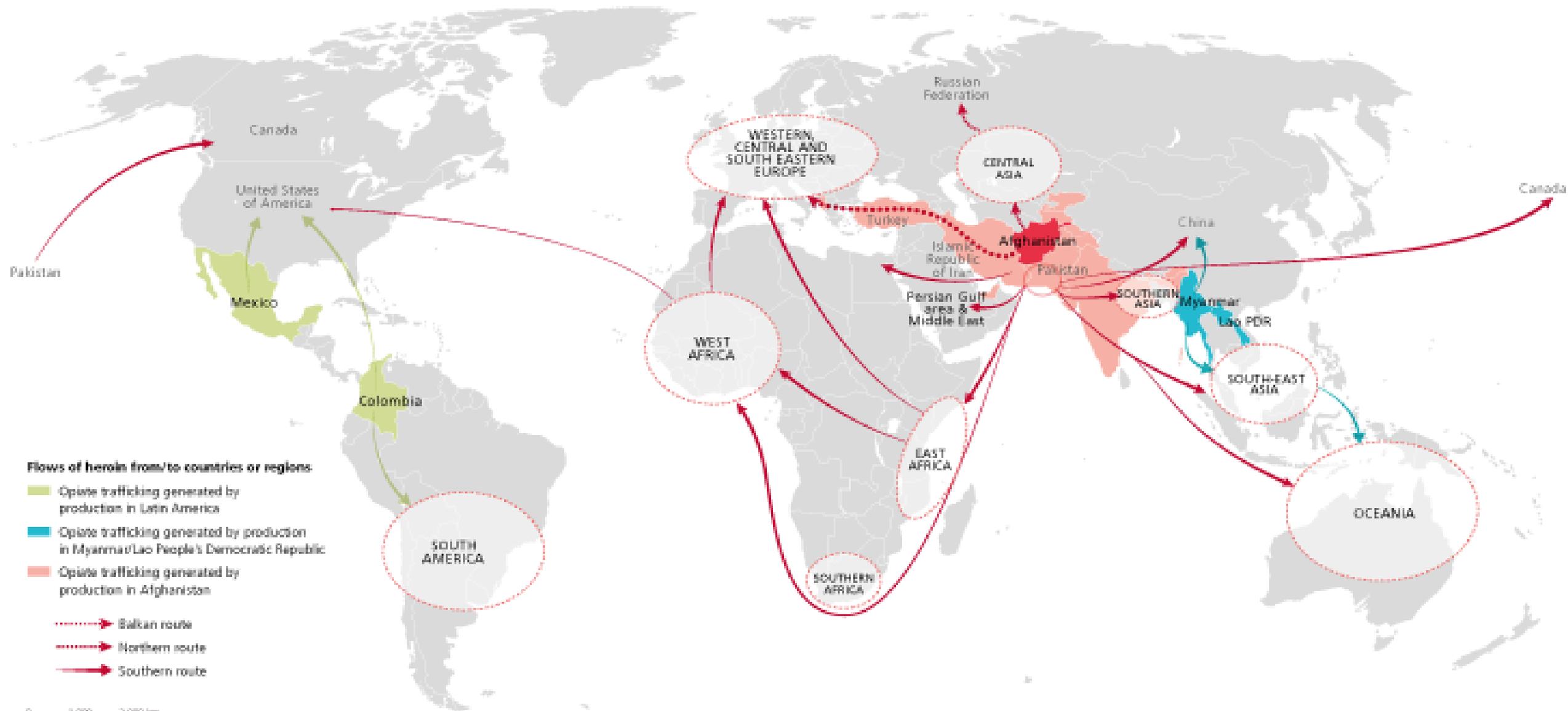
Most of the drug seizures and drug related arrests have been reported from Colombo and Kaluthara districts in the Western Province





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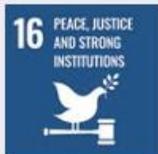


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309,257 kg of Drugs Seized at Sea (as of December 2021)

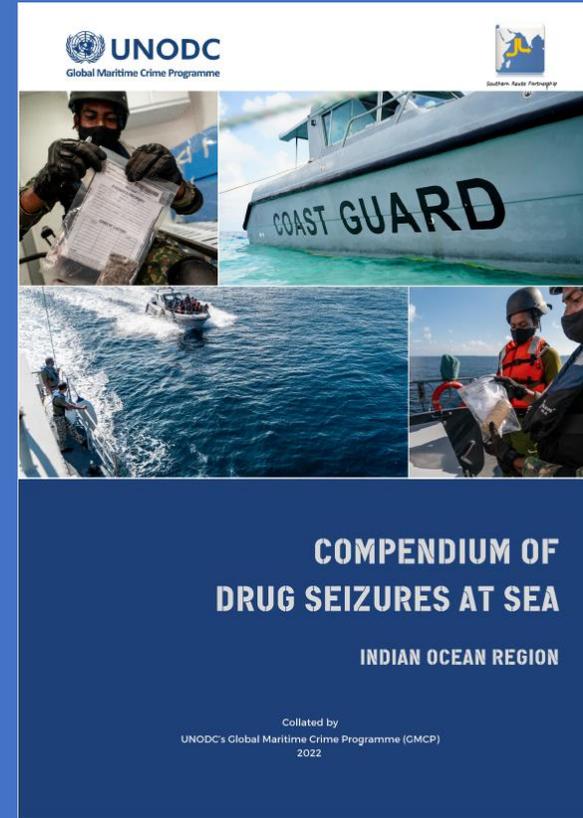
Year	Heroin	Hashish	Methamphetamine
2012	182.0	816.0	N/A
2013	2,043.6	7,742.0	24.0
2014	3,440.6	18,232.8	N/A
2015	2,611.5	N/A	N/A
2016	1,527.0	1,020.0	N/A
2017	5,691.1	9,605.5	4.9
2018	15,425.6	65,943.5	9.0
2019	8,941.0	58,434.4	1,994.0
2020	2,113.95	23,416.91	2,299.91
2021	10,912.01	60,460.14	6,364.94
TOTAL	52,888.58	245,671.25	10,696.83





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*Compendium of
Drug Seizures at
Sea
Indian Ocean
Region
UNODC GMCP
2022*

*Detailed
information,
including:*

- *Type*
- *Number of seizures*
- *Quantities seized*
- *Location*
- *Packaging and drug stamps*





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Applicable legal framework

- **UNCLOS Article 108** “States must cooperate in suppressing drug trafficking on the high seas (§ 1), and the flag State may, to this end, request the cooperation of other States in suppressing such illicit trafficking (§ 2)”
- **Vienna Convention against Illicit Traffic in Narcotic Drugs (1988) Article 17** institutes a procedure enabling the Arresting State to request authorisation from the Flag State who must respond “without delay”.





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Criminal Jurisdiction

- **Within the Territorial Sea: Art 27 UNCLOS**
- **Contiguous Zone: Art 33 UNCLOS but Prevent or Punish?**
 - **If Prevent: board and caution**
 - **If Punish: board, search, seize, arrest and prosecute**
- **EEZ & High Sea: Art 17 Vienna Convention requires consent from the flag State to board, search, arrest and prosecute**
- **Ships without Nationality: Right to board and Search. For right to arrest and prosecute outside of territorial sea, refer to national legislation**



SMUGGLING OF MIGRANTS BY SEA





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Situational analysis

- Sri Lanka's strategic island geography renders maritime routes favourable for the SOM
- Notable trend to reach Australia, Reunion Island, Middle Eastern countries, European countries, and Canada
- Inherent dangers faced by migrants transported in unseaworthy boats, including the risk of vessel capsizing, drowning, and exposure to harsh conditions during the perilous journey





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Summary of Smuggling Activities via Sea 2009-2022

	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2021	2022	Total
Total Number of Vessels detected	09	02	02	58	13	03	02	03	01	02	02	01	18	116
Total Number of Passengers arrested	241	47	70	2707	1039	120	73	26	26	103	60	84	851	5447
Total Number of Crew members arrested	12	06	07	177	57	7	08	16	06	07	11	07	49	370
Total Number of Facilitators arrested	35	19	12	99	61	14	24	11	06	04	03	01	51	340

The Criminal Investigation Department (CID) has reported significant statistics, with over 1,015 Sri Lankans arrested in 2022 for illegally leaving the country and the identification of more than 116 vessels used for migrant smuggling between 2009 and 2022





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Applicable legal framework

- **Protocol against the Smuggling of Migrants by Land, Sea and Air (States parties 129)**

Definition by the Article 3(3)

... the procurement, in order to obtain, directly or indirectly, a **financial or other material benefit**, of the **illegal entry of a person into a State Party** of which the person is not a national or a permanent resident

Criminalisation: 1) the **Act of Smuggling of Migrants**; 2) **Producing and processing of fraudulent travel or identity documents**; 3) **Enabling illegal stay** when committed intentionally to obtain financial or other material benefit



Non Criminalization of Smuggled Migrants

Protection risks	Evidentiary risks	Prevention risks
Where smuggled migrants simply arrested and deported, protection obligations to migrants go unfulfilled as persons in need of protection and assistance (including VOT) may not be identified	Cases cannot be made against migrant smugglers, where potential witnesses are simply arrested and deported, and cannot support investigations and prosecution of criminals	Smuggling is not disrupted, but fuelled by constant supply of migrants available for re-smuggling, resulting in increased profits and reduced prosecutorial risk for smugglers

“Migrants who are the objects of smuggling offences are not liable to criminal prosecution under the Protocol for being the object of such conduct” (Article 5, Smuggling Protocol)



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Criminal Jurisdiction

- **Within the Territorial Sea:** Art 27 UNCLOS, Yes when the consequences of the SOM extend to the Coastal State
- **Contiguous Zone:** Art 33 UNCLOS but Prevent or Punish?
 - If Prevent: board and caution the smuggler coming in
 - If Punish: board, search, seize, arrest and prosecute the smuggler going out
- **EEZ & High Sea:** No jurisdiction apart from the **Ships without Nationality** → Right to board and Search. For right to arrest and prosecute outside of territorial sea, refer to national legislation



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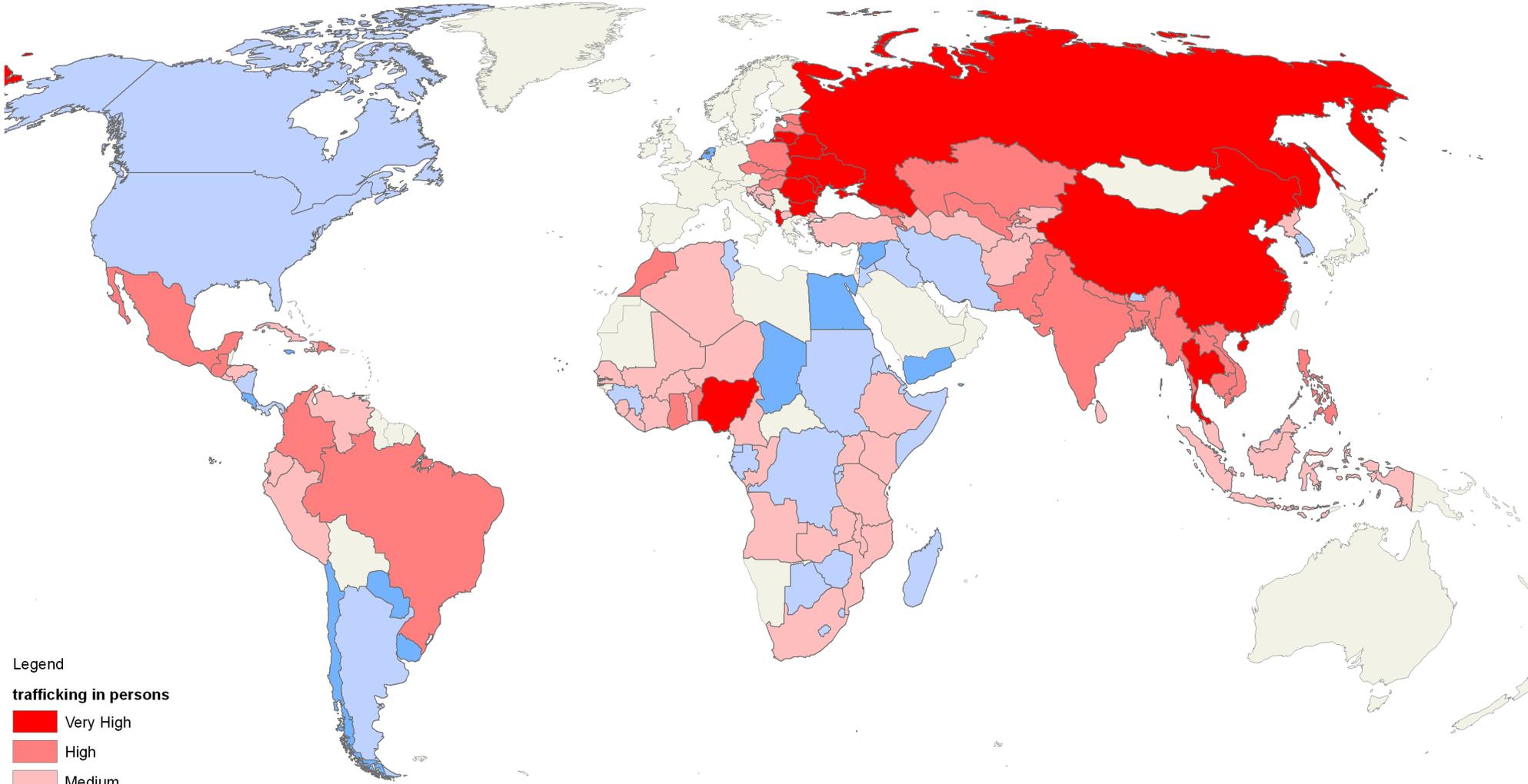
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TRAFFICKING OF PERSONS AT SEA



Global map of origin countries of trafficking in persons



Legend

trafficking in persons

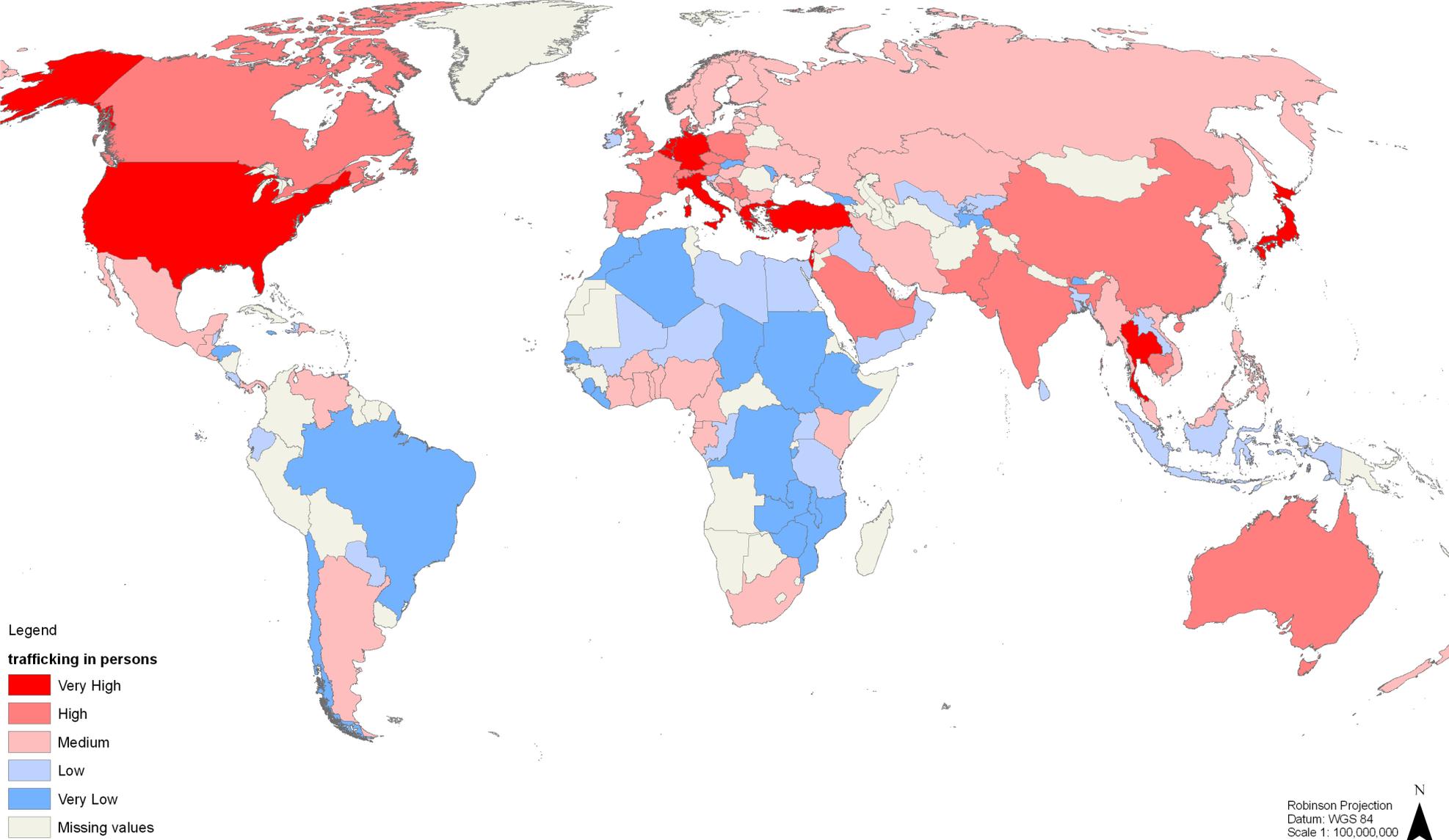
- Very High
- High
- Medium
- Low
- Very Low
- Missing values

Robinson Projection
Datum: WGS 84
Scale 1: 100,000,000



Source: Human Trafficking database (2006)

Global map of destination countries of trafficking in persons



Source: Human Trafficking Database (2006)



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Applicable legal framework

- **Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (States parties 147)**

Definition by the Article 3(3)

“The recruitment, transportation, transfer, harboring or receipt of persons, by **means** of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the **purpose** of exploitation”



ELEMENTS OF THE CRIME

Trafficking in Persons Protocol

Three elements (Article 3)

1. **Act:** Recruitment, transportation, transfer, harbouring or receipt of persons
2. **Means (for adults, not children):** Threat or use of force or other forms of coercion, abduction, fraud, deception, abuse of power or of a position of vulnerability of or the giving or receiving of payments or benefits to achieve the consent of a person having control over another person
3. **Purpose:** Exploitation (including but not limited to the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs)

Smuggling of Migrants Protocol

Two elements (Article 3)

1. Act:
 - The procurement of illegal entry of a person
 - Into a State of which that person is not a national or resident
2. Purpose:
 - To obtain, directly or indirectly, a financial or other material benefit

Element	Smuggling	Trafficking
Type of crime	Crime against State!	Crime against person – victim!
Why do we fight?	To protect sovereignty of the state (human rights violation might occur, but are not an element of the crime)	To protect a person against human rights violations
Nature of crime & relationship	Commercial; relationship between smuggler and migrant ends after illegal border crossing achieved and fee paid	Exploitative; relationship between trafficker and victim continues in order to maximize economic or other gains from exploitations
Rationale	Organized movement of persons for profit	Organized recruitment/movement and exploitation of the victim for profit
Border crossing	Illegal border crossing is a defining element	Purpose of exploitation is the defining element; border crossing can happen
Consent	Migrant's consent to illegal border crossing	Either no consent or initial consent made irrelevant because of use of force, coercion etc. at any stage of the process

PIRACY



IMB PIRACY REPORT JANUARY - DECEMBER 2022



Number of Incidents reported:



- ATTEMPTED
- FIRED UPON
- BOARDED
- HIJACKED

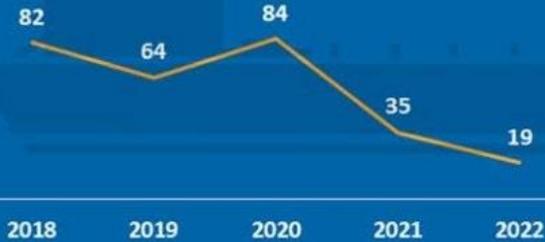
Impact on crew:

- ASSAULTED
- THREATENED
- HOSTAGE
- KIDNAPPED



Gulf of Guinea

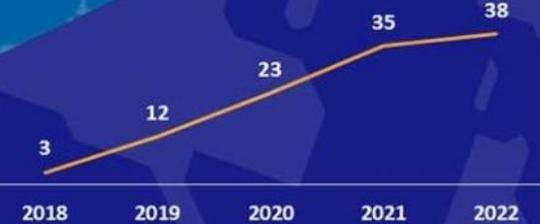
Total number of reported incidents comparison:



95%
OF VESSELS ATTACKED
WERE BOARDED

The IMB Piracy Reporting Centre commends the efforts of the coastal authorities of the Gulf of Guinea and encourages the regional cooperations to continue their engagement with all best efforts to sustain maritime security in the region.

Singapore Straits Reported incidents



Callao Anchorage

Welcomed decline in reported incidents.



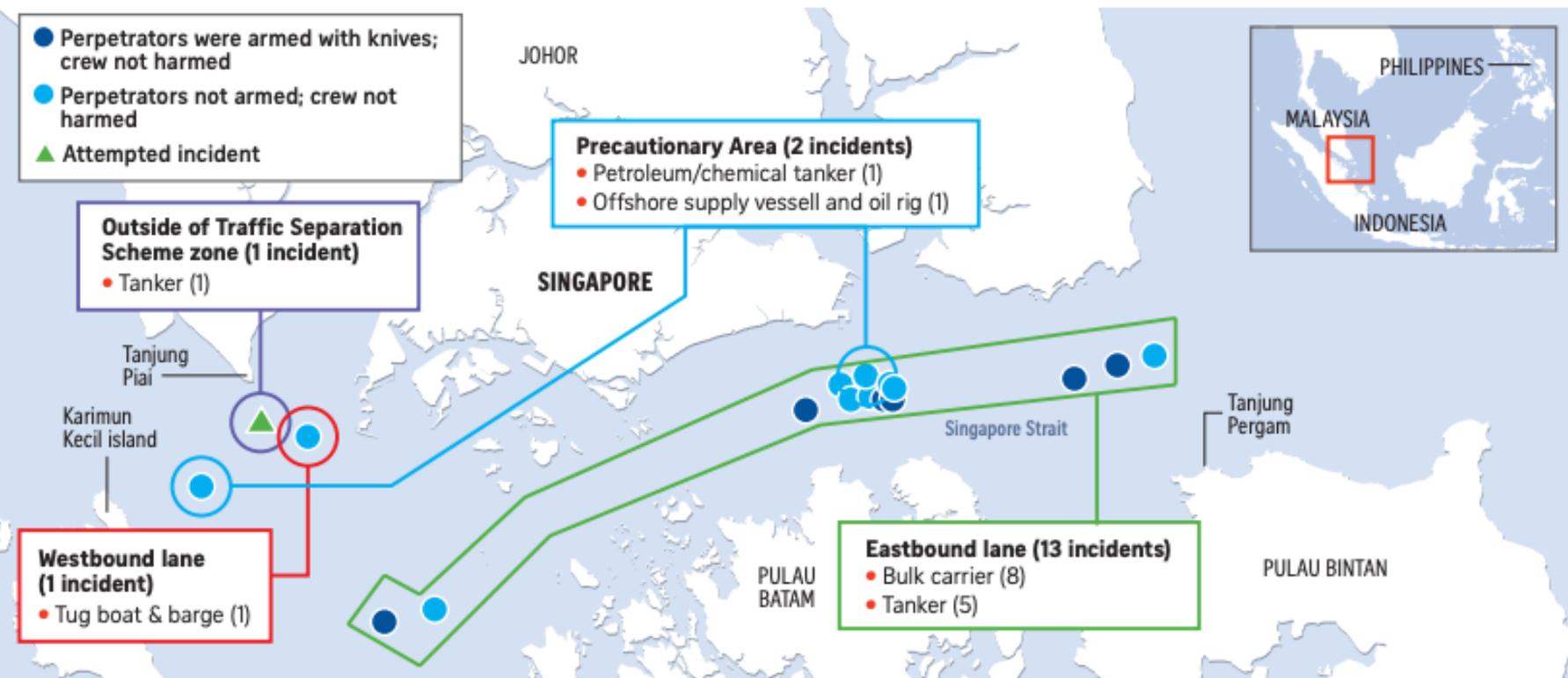
Perpetrators successfully boarded all 38 vessels. Four crew taken hostage and two threatened. Weapons reported in 19 incidents.

Weapons reported in five incidents.

@IMB_Piracy
#IMBpiracy



Piracy on the rise in the Singapore Strait



Southeast Asian waters, especially the Singapore Straits, witnessed a significant number of these incidents, accounting for approximately half of the recorded cases





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Applicable legal framework

UNCLOS Article 101: Definition of the Acts of Piracy

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 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).





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Criminal Jurisdiction

- **Within the Territorial Sea:** Art 27 UNCLOS as piracy disturbs peace of the Coastal State or the good order of the territorial sea
- **Contiguous Zone & EEZ & High Sea:** Article 105 of UNCLOS grants states universal jurisdiction to seize and arrest a ship under the control of pirates, as well as arrest the persons on board and seize any property found on the ship



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MARINE POLLUTION





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Definition

Definition of Marine Pollution (UNCLOS)

“Pollution of the marine environment means the introduction by man, **directly or indirectly**, of substances or energy into the marine environment, including estuaries, which **results or is likely to result** in such deleterious effects as **harm to living resources and marine life, hazards to human health, hindrance to marine activities**, including fishing and other legitimate uses of the sea, **impairment of quality for use of sea water and reduction of amenities**”

Definition of Marine Pollution (MARPOL)

“Discharge from a ship, through escape, disposal, spilling, leaking, pumping, emitting or emptying, of harmful substances which are liable to create hazards to human health, to harm living resources and marine life, to damage amenities or to interfere with other legitimate uses of the sea ”





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Source of Marine Pollution

Land-based and Sea-based activities are causing marine pollution (UNCLOS Art 194 & 196):

- The release of toxic, harmful or noxious substances;
- Pollution from vessels;
- Pollution from installations and devices used in exploration or exploitation of the natural resources of the seabed and subsoil or other installations or devices;
- The intentional or accidental introduction of species, alien or new, to a particular part of the marine environment, which may cause significant and harmful changes thereto.





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Applicable legal framework

UNCLOS

Coastal States shall adopt laws and regulations to prevent, reduce and control pollution of the marine environment:

- from land-based sources (art. 207 UNCLOS);
- from seabed activities subject to their jurisdiction and from artificial islands, installations and structures under their jurisdiction (art. 208 UNCLOS);
- by dumping (art. 210 UNCLOS);
- from vessels which might cause pollution of the marine environment, including the coastline, and pollution damage to the related interests of coastal States (art. 211 UNCLOS).





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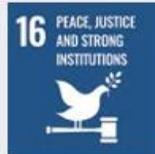
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Enforcement Jurisdiction

- Within the Territorial Sea:**

Art 19 UNCLOS - Any act of wilful and serious pollution contrary to UNCLOS constitutes a violation of the right of innocent passage (Art 19 UNCLOS) and triggers the right of the coastal State to take the necessary steps to prevent it (Art 25 UNCLOS).

If consequences of a violation of environmental laws (e.g. discharge or oil spill), criminal jurisdiction can be triggered (Art 27 UNCLOS)





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Enforcement Jurisdiction

- **Contiguous Zone & EEZ: Art 220 UNCLOS**

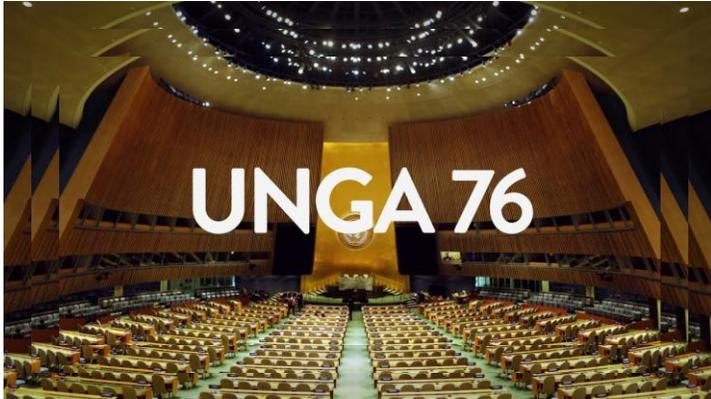
Only detention of the vessel + monetary penalties beyond the territorial sea (art. 230 UNCLOS), **without imprisonment** from Coastal State (art. 73 UNCLOS)

- **High Seas: flag State jurisdiction**

But, intervention by the coastal state in case of an accident involving a vessel flying the foreign flag is recognized in the event of a serious threat, even though the pollution damage has not yet been caused to the coastal state. Only to prevent, mitigate or eliminate serious and imminent dangers



Can we apply UNTOC for criminal jurisdiction?



Resolution UNGA 76/185

"Calls upon Member States to make crimes that affect the environment, in appropriate cases, **serious crimes, as defined in article 2, subparagraph (b), of the Organized Crime Convention, in accordance with their national legislation [...]"**

"Also requests the United Nations Office on Drugs and Crime, within its mandate, to further enhance and expand its cooperation and coordination with [...] the secretariat of the **Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal [...] in supporting Member States, upon request, in their efforts to effectively prevent and combat crimes that affect the environment"**



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Paragraph 87 of the Kyoto Declaration

Adopt effective measures to prevent and combat crimes that affect the environment, such as illicit trafficking in wildlife, in timber, in hazardous wastes and other wastes and in precious metals, stones and other minerals, as well as, inter alia, poaching, by making the best possible use of relevant international instruments and by strengthening legislation, international cooperation, capacity-building, criminal justice responses and law enforcement efforts aimed at dealing with transnational organized crime, corruption and money-laundering linked to such crimes, and illicit financial flows derived from such crimes, while acknowledging the need to deprive criminals of proceeds of crime'



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KYOTO DECLARATION

ON ADVANCING CRIME PREVENTION, CRIMINAL JUSTICE
AND THE RULE OF LAW: TOWARDS THE ACHIEVEMENT OF THE
2030 AGENDA FOR SUSTAINABLE DEVELOPMENT

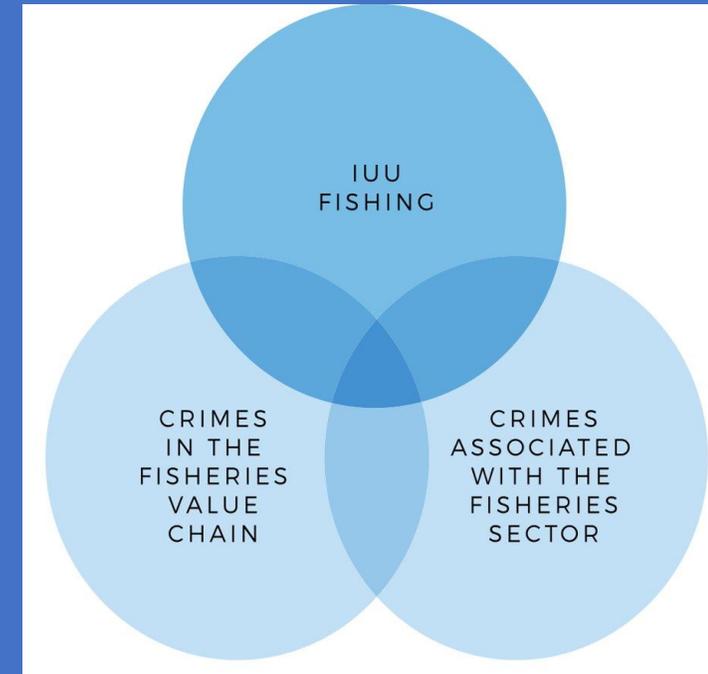


CRIMES IN THE FISHERIES SECTOR





- **Illegal, unreported, and unregulated (IUU) fishing** threatens the sustainability of its marine resources and coastal communities.
- **Crimes within fishing sector** involve the utilization of fishing vessels, facilities, and operations for various criminal activities, including drug trafficking.
- In the fisheries sector, crimes can extend beyond illegal fishing activities and encompass various **offenses within the fisheries value chain**. These crimes involve the trade, ownership structures, financial services, and other associated aspects of the fishing sector.





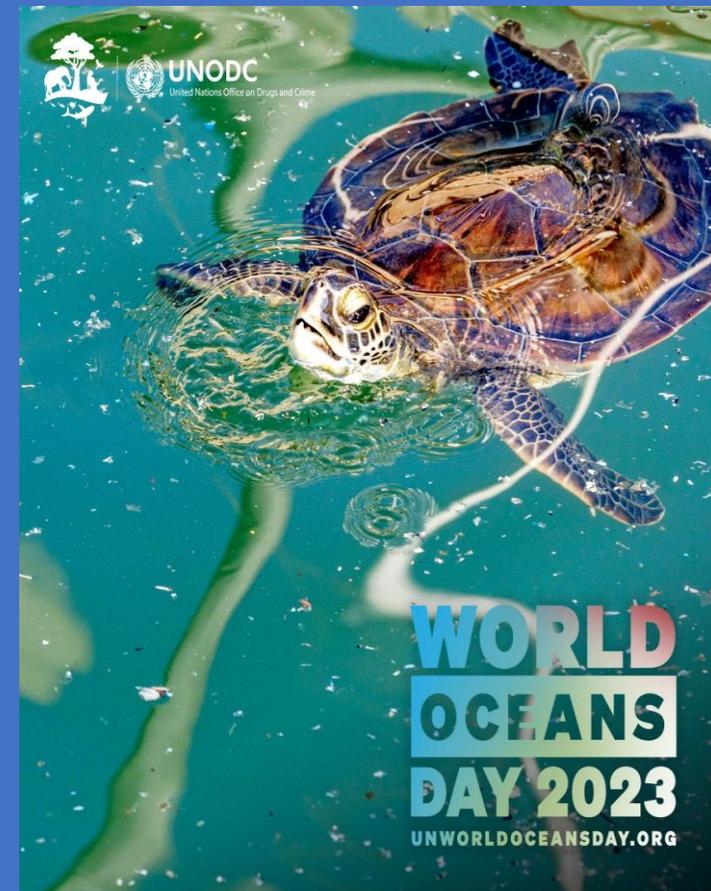
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Applicable legal framework

UNCLOS (Art 61 -)

- Specifies the prerogatives of the coastal State in the EEZ, notably concerning the conservation and management of fish stocks.
- It is up to the coastal State to set the admissible catch volume (ACV) by species in its EEZ.
- Determines its own capacity to exploit fishery resources. And, if this is less than the admissible volume of catches, it must then authorize third-party states to exploit the 1) remainder 2) fishing agreements
- In the EEZ, typical violations include **fishing without a license**, **fishing outside authorized zones**, catching fish with **nets** with mesh sizes smaller than the minimum required, and catching **unauthorized species**. These infringements are generally covered (along with penalties) by the domestic law of the State, since criminal law falls within the domestic jurisdiction of each State.





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Enforcement Jurisdiction

- **Within the Territorial Sea: Art 27 UNCLOS**

Art 19 UNCLOS - Any fishing activities constitutes a violation of the right of innocent passage (Art 19 UNCLOS) and triggers the right of the coastal State to take the necessary steps to prevent it (Art 25 UNCLOS). If consequences of national laws, criminal jurisdiction can be triggered (Art 27 UNCLOS)

- **Contiguous Zone & EEZ: Art 73 UNCLOS**

Coastal State penalties for violation of fisheries law and regulations in the EEZ may not include imprisonment or any other form of corporal punishment





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Enforcement Jurisdiction

- **High Seas: freedom of fishing (Art 87)**

But, international and regional conventions have proliferated to regulate fishing on the high seas to protect particular species (whales, salmon, tuna etc.), to prohibit or limit certain fishing techniques (e.g. driftnets), or to combat IUU fishing.

New high sea treaty?

Freedom of fishing on the high seas is becoming more theoretical than practical!



An underwater photograph featuring a diver in the upper left and a large sea turtle swimming towards the right. The background shows a coral reef and a school of small fish. The text 'REGIONAL COOPERATION' is overlaid in white, sans-serif font across the center of the image.

REGIONAL COOPERATION



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Support and engagement with regional orgs - **IORA**

Support implementation of all objectives

IORA WGMSS Workplan 2022-2026

- 1) Objective 1: Collaborative framework (MOU on prosecution)
- 2) Objective 2: Integrated policy approach & capacity building (regional maritime exercises, VBSS, MDA, regional MLE dialogues, training on different maritime crime type)
- 3) Objective 3: Coordinated regional vision to address existing and emerging maritime threats (addressing legal barriers through assessment and training)





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Support and engagement with regional orgs - **IORA**

Model MoU
to suppress
illicit maritime
activities

- 1) Enhance sharing of **information**
- 2) Expedite the procedure of **boarding requests**
- 3) Implement a comprehensive **shiprider mechanism**





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Support and engagement with regional orgs – **BIMSTEC**

Draft MOU between BIMSTEC and UNODC

- 1) Support the ratification process and implementation of BIMSTEC Convention on Mutual Legal Assistance in Criminal Matters
- 2) Support the implementation of BIMSTEC Convention on Cooperation in Combating International Terrorism, TOC and Illicit Drug Trafficking, 2021
- 3) Support BIMSTEC Security and Connectivity Sectors and its sub-sectors incl. Counter-terrorism, Transnational Crime, Disaster Management, as well as its JWGs
- 4) Support BIMSTEC Expert Group on Maritime Security and Safety established in 2022





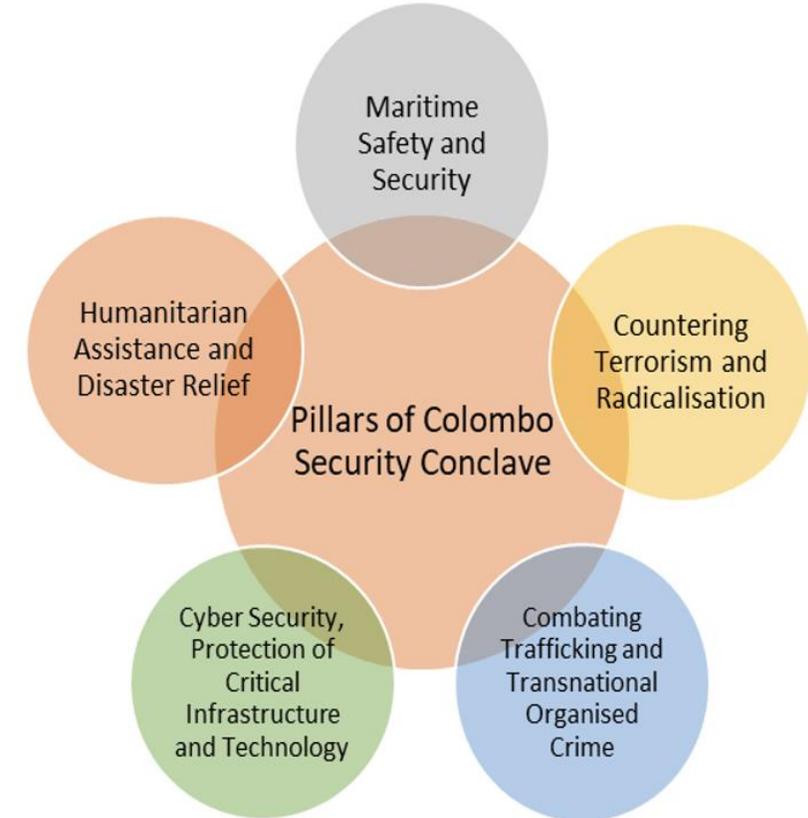
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Support and engagement with regional orgs – CSC

Support **Colombo Security Conclave Focused Operation** through GMCP's Integrated Training Package for legal finish

- Collaborate on MDA (e.g. IORIS / IFC-IOR/ RMIFC/RCOC) to exercise the use of information for increased level of detection / interdiction
- Collaborate on mock Crime Scene Investigation at sea towards the increased level of evidence accepted at courts
- Collaborate on simulated trials based on the prop materials collected during the exercise





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UNODC GMCP Proposed Actions



13 CLIMATE ACTION



14 LIFE BELOW WATER



15 LIFE ON LAND



16 PEACE, JUSTICE AND STRONG INSTITUTIONS



17 PARTNERSHIPS FOR THE GOALS





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GMCP's work on regional capacity building

LEGISLATION



- ✓ Conduct legislative gap assessments on maritime crime (incl. ratification process, UNCLOS maritime zones, traditional and emerging maritime crimes, and human rights risks and mitigation)
- ✓ Develop a tool such as legislative guide to advise Member States to make protection of the environment more effective by taking criminal law measures against environmental crimes (fisheries crime, marine pollution etc.)

DETECTION / INTERDICTION



- ✓ Improve MDA and patrolling through technology satellite imagery, UAVs, coastal surveillance sensors and machine learning technology
- ✓ Build training facilities (e.g. Ship in a Box) and provide Vessel Visit Board Search and Seizure (VBSS) for maritime law enforcement personnel by empowering joint patrols (or embarkment of officers from relevant agencies)
- ✓ Deliver cross agency training through tabletop exercises using case studies based on previous incidents and responses, considering how the case was handled, what legal instruments were applied, and which agencies were involved





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INVESTIGATION

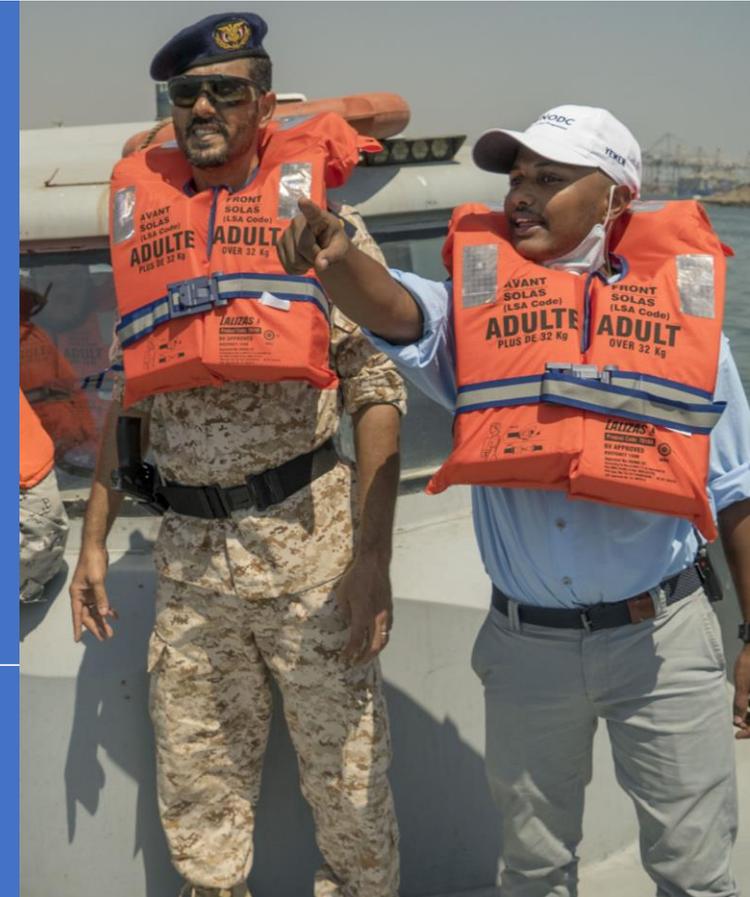
- ✓ Deliver crime scene investigation (CSI) training on vessel, and evidence collection and handling courses to respect the chain of custody. Provision of equipment such as drug and precursor testing kits
- ✓ Conduct operational studies to better inform Member States on the routes and modus operandi of organised criminal groups involved in maritime crime
- ✓ Organise Maritime Law Enforcement forum and dialogues (e.g. Southern Route Partnership)

PROSECUTION

- ✓ Facilitate simulated trials to test legal frameworks, evidence admissible in court, case preparations, court proceedings and knowledge on fisheries crimes
- ✓ Training prosecutors on the Law of the Sea, advocacy skills and other prosecutorial tactics
- ✓ Organise Prosecutors Network Forum

REGIONAL COOPERATION

- ✓ Support the existing maritime regional exercises (e.g. CARAT, SLINEX, CORPAT, DOSTI) by adding MDA, CSI and simulated trial components to achieve legal finish
- ✓ Support and coordinate our work with the regional organisations and IFCs (IORA, BIMSTEC, CSC, IFC-IOR, RMIFC/RCOC etc)





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**THANK
YOU!**



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