INTERPOL

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1. Welcome Letter

Honorable Delegates,

We believe that the Model United Nations has given the majority of participants the possibility of acquiring knowledge related to international issues that we tend to ignore. Places like these allow human beings to be aware of how to behave in complex situations of daily life, and what solutions are the most appropriate to carry them out.

For this reason, we Ana Sofía Duque Vanegas and Pablo Restrepo Diaz, in the third edition of this internal simulation, have designed through the Committee of The International Criminal Police Organization (INTERPOL), an agenda in which we hope that you as delegates show yourself to be objective and diplomatic when facing the established problems and the needs of the other delegations.

We, as part of the presidential chair, will be at your disposal at every moment to resolve doubts and accompany you in the preparation process when it seems necessary. In this way, we hope that the INTERPOL commission will be an experience that will help delegates grow as persons and foster their skills during the debate.

Finally, we invite you to look at this model as an opportunity; beyond being an academic activity, we want it to be an experience to plan the way in which would like to change the living conditions of many people today, making more than just seeing.

Sincerely,

Ana Sofía Duque Vanegas   Pablo Restrepo Diaz
President   President
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2.   Introduction to the Committee

2.1.   Historical Background.

The International Criminal Police Organization, created in 1914 when police and lawyers from 24 countries first got together in Monaco at the first International Criminal Police Congress (14 to 18 April 1914), to discuss identification techniques and catching fugitives. For more than 100 years, police across the globe have been cooperating to prevent and fight crime.

After the First World War, the idea of an international police body was revived by Johannes Schober, President of the Vienna Police. The International Criminal Police Commission was established in September 1923, with headquarters in Vienna.

The 4th General Assembly in Amsterdam adopted a Resolution that each member country should establish a central point of contact within its police structure; this was the forerunner of today's National Central Bureau. These specialized departments were established to deal with criminal records, currency counterfeiting and passport forgery. In 1932, new statutes were established creating the role of Secretary General. The first Secretary General was Austrian Police Commissioner Oskar Dressler.

Belgium led the rebuilding of the Organization after the Second World War with a democratic process to elect the Executive Committee. The Headquarters moved to Paris, France. In 1947, the system of color-coded notices was created, and it expanded over the years to cover other alerts. Nowadays, the Red Notice for wanted persons remains a key tool for international security.

While some of the basic crimes remain unchanged over the years (Eg. murder, robbery) other crimes have followed technological, economic and sociological developments in our world (such as cybercrime and people smuggling).

Additionally ,the very first initiatives to discuss extradition procedures, identification techniques and record keeping are still at the heart of the role of the international police up until today. Locating fugitives remains a core activity, biometrics have replaced paper fingerprints, and databases contain millions of global records of criminal data.

The committee began as the International Criminal Police Commission, created in 1923, and became the International Criminal Police Organization-INTERPOL in 1956.

2.2. Functions and Powers.

Interpol has a broad area of intervention helping countries to fights the following crimes:

- Corruption

- Counterfeit Currency And Documents

- Crimes Against Children

- Cultural Heritage Crime

- Cybercrime

- Drug Trafficking

- Environmental Crime

- Financial Crime

- Firearms Trafficking

- Human Trafficking

- Illicit Goods

- Maritime Crime

- Organized Crime

- People Smuggling

- Terrorism

- Vehicle Crime

- War Crimes

The Interpol works to achieve Seven Global Policing Goals as security challenges increasingly threaten sustainable development. These Goals were created to address a range of issues related to crime and security. The Interpol Global Policing goals are expected to be

achieved by 2030 jointly with the United Nations Sustainable Development Goals, due to its capabilities and the power it holds as well as being the oldest international law enforcement police organization in the world. The Seven Interpol Global Policing goals consist on:

- Counter the threat of terrorism

- Promote border integrity worldwide

- Protect vulnerable communities

- Secure cyberspace for people and businesses

- Promote global integrity

- Curb illicit markets

- Support environmental security and sustainability

The International Criminal Police Organization does not work like common law-enforcement agencies and state forces. The International Criminal Police Organization works as an administrator and source to member countries giving database assistance. INTERPOL's analysis systems are a tool to fight international crimes. The Interpol works under each member's existing laws, and in the spirit of the "Universal Declaration of Human Rights"- as stated in its constitution. Therefore, under the Interpol's Constitution article 3 declares that "it is strictly forbidden to undertake any intervention or activities of a political, military, religious or racial character." (ICPO-INTERPOL, 1956, p. 3) Therefore the Interpol must remain politically neutral.

The databases of the Interpol are a network that offers to member countries information about all the areas of intervention of the organization's working 24/7/365. These databases hold information about organized crime networks, firearms trafficking, stolen property (art, vehicles, vessels), travel and official documents (counterfeit and documents), forensics, and individuals. The main database and the most important in the organization is The Notices system.

The Notices work under the colored notice system of the Interpol, that are alerts of fugitives, allowing members to share crime-related information. In most cases the notices are private, but in some cases they are published to request help from the public. The color notifications are:

Red Notice:

To seek the location and arrest of a person wanted by a legal jurisdiction or an international tribunal seeking his/her extradition.

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 crime.

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 groups and individuals who are the targets of UN Security Council Sanctions Committees. (INTERPOL, 2022)

2.3.   References

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https://www.interpol.int/Who-we-are/What-is-INTERPOL#:~:text=This%20expertise%20supports%20national%20efforts,different%20activities%20alongside%20member%20countries

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3.   Topic A: Piracy and Maritime Crimes in the Gulf of Aden and Indian Ocean

3.1.   Introduction to the Topic:

According to the legal information institute of the US, piracy is defined as: "The crimes such as robbery, kidnapping, or similar violent and destructive activities on the high seas. The trial and punishment of such pirates may be under international law, or under the laws of the particular nation where the pirate has been captured."(Legal Information Institute, 2020) The United Nations Convention on the Law of the Sea (UNCLOS) Article 101 defines piracy as: "any illegal acts of violence or detention, or any act of depredation, committed for private ends by the crew of the passengers of a private ship or a private aircraft. . . on the high seas against another ship or aircraft and any act of voluntary participation"(UNCLOS,27/09/01)

Maritime piracy affects major shipping lanes and endangers the lives of seafarers from all over the world. As the most cost-effective way to move goods and materials, maritime shipping represents 90% of the world's goods transportation. Maritime crimes affect the freedom of navigation and world trade, and pose a threat to international security and individual safety.

Criminal activity perpetrated at sea is often directed at vessels or maritime structures, but it also includes the transportation of illicit substances or trafficking in persons by organized transnational criminal networks. In its violent forms, it is a constant menace to the security of navigation and to the physical integrity and life of seamen.

In West and Central Africa, and particularly in the Gulf of Guinea and Arden (home to some of the biggest offshore oil fields in the world), maritime crime involves the hijacking of petrochemical tankers, and attacks on other oil and petroleum storage and transportation platforms. The number of pirate attacks in the Gulf of Guinea increases each year.

Assessments and fact-finding missions conducted by the United Nations Office for Drugs and Crime (UNODC) in the region determined that no State bordering the Gulf of Guinea or Arden possesses the necessary combination of jurisdictional provisions, offense-creating legislation, and judicial capacity needed to undertake prosecutions against piracy.

Incidents of armed robbery against ships take place closer to shore and at anchorages worldwide. Such incidents can turn violent and result in injury and trauma to crew members.

Current statistics show that the primary hotspots for maritime piracy are occurring in the waters off the Horn of Africa, Southeast Asia, South America, the Caribbean, and the Gulf of Guinea.

According to the World Bank, ransoms paid to Somali pirates in the period 2005–2012 were US $ 339–413 million. The financial gain remains the main motivation of the Somali pirates fleeing extreme poverty, unemployment and despair. In a report submitted to the UN Secretary-General by his special adviser, Jack Lang, it is stated that "the assessment of the threat reveals a serious situation" (Security Council 2010). The seriousness of the situation addressed in this report has clearly demonstrated the importance of the destabilizing impact of piracy on Somalia, the countries of the region, and on international maritime trade as well.
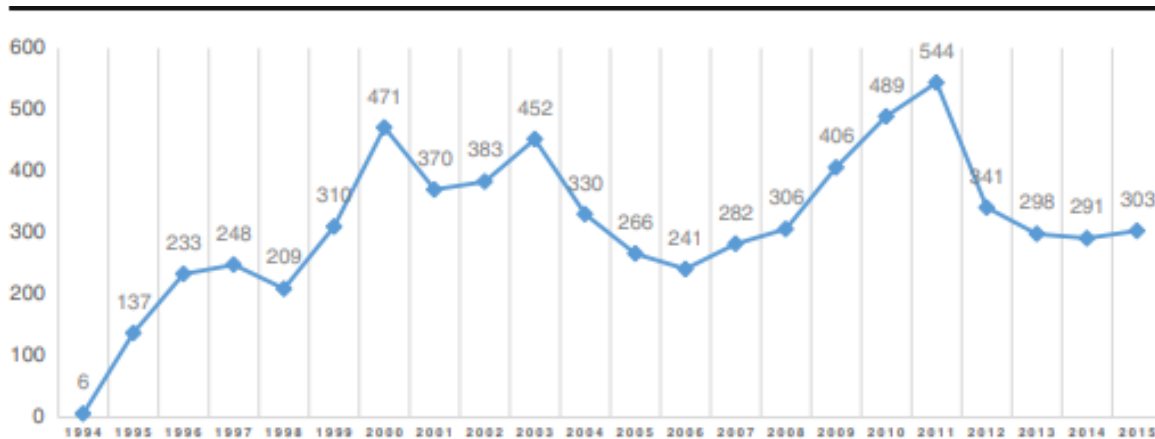
Fig. 1 Evolution of acts of sea piracy in the world (1994–2015). The above graph has been compiled from data contained in monthly and annual reports on piracy and armed robbery against ships issued by the IMO
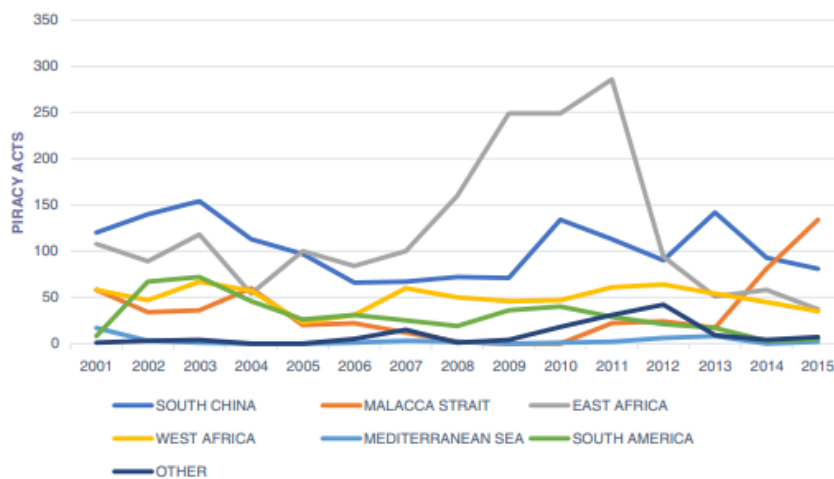

Fig. 2 Evolution of piracy by regions in the world (2001–2015). Chart created from the data contained in the monthly and annual report of acts of piracy and armed robbery against ships published by the IMO

3.2.   Historical Background:

Piracy is an activity that has been present throughout human history. Since the beginning of maritime commerce, the act of stealing goods has been a crucial activity in international relations, and it has affected the security in most seas. There has been recorded data that in ancient Greece, and through the mediterranean sea, there were attacks on cargo ships with the purpose of either stealing goods or kidnapping the sailors. Even though globalization has made a huge impact in reducing the attacks since the last centuries, there are zones and routes that due to the high amount of commerce and instability are targets to these types of crimes.

3.2.1.   Political, social and environmental instability in Somalia

The restart of the illegal maritime activity in Somalia, and the fact that this large territory of the Horn of Africa has been devastated by the civil war since 1991, following the fall of

the president, has led to substantial political instability and the disappearance of the State in large parts of the territory. Repeated attempts by the international community to restore a stable government have not been successful. Successive to that, aggravating circumstances for Somalis living largely on agriculture and livestock may include the 1991–1992 severe drought, which deprived the population of food. These various crises, with polymorphic social consequences, are the ideal breeding ground for the development of piracy. In the midst of the country's anarchy since 1991, it appears to be a lucrative activity and, for some, a privileged (safe and profitable) way to improve their lives.

Thanks to the acceleration of economic globalization, international maritime transport increased. According to the United Nations Conference on Trade and Development (UNCTAD), the volume of maritime transportation between 1996 and 2015 increased from 2.6 billion tons to 10 billion tons, making over 80% of the world trade by sea. In this same period of time there were 6,916 acts of piracy. The increase of sea traffic favored the rising of piracy in the region, and with the lack of government response, the high power illegal militia hold on the region, people started resorting to piracy as a way of wealth redistribution and source of income for living.

3.3.   Current Situation

3.3.1.   Gulf of Arden:

With the longest coastline in the African continent, and a position adjacent to some of the world's busiest shipping routes, Somalia's maritime space is set to be a strong drive in the country's social and economic development. The Government of Somalia (FGS) is concerned over the lack of capacity to manage the maritime space effectively, whose vulnerability has been highlighted by piracy. Today, piracy is still seen by many as a dormant threat rather than a fully repressed one. While the presence of international navies off the Horn of Africa has greatly contributed to repressing it, it has had little impact on other aspects of maritime security. Somalia continues to have a reputation as the launching point for terrorism, piracy, people trafficking and smuggling operations, which obstructs efforts to commercialize Somali marine resources and hinder effective stabilization.

When the attacks began in the 90's, they have been studied according to three factors: An unstable political environment, a social environment marked by chaos and desolation and an ecological environment degraded by overexploitation of maritime resources. According to

data from the International Maritime Organization (IMO) and the International Maritime Bureau (IBM), there have been international studies in the socio-ethnic matters emphasizing the cost of piracy and the regional factors that lead to the high rate of piracy in the Indian Ocean.

According to investigations done by Oceans Beyond Piracy (OBP), organization that researches and reports on piracy activities around the world, a holding of a ship can last from 6 to 12 months on average, implying the negotiations between the pirates and interlocutors, as they take advantage of the existent power void and the geographical location of the coastlines and villages. Regarding the investigations, information was gathered by officials of the INTERPOL about networks of piracy in villages in the Somali coast, from where there are coordinated attacks made by people living on these areas, who are responsible for the planning and execution of attacks.

Fig. 3 Somali pirates villages **Source:** Compilation based on the UN cartographic data

3.3.2.   Strait of Malacca and Indian Sea:

Stretching from the westernmost corner of Malaysia, to the tip of Indonesia's Bintan Island, the Malacca and Singapore straits serve as global shipping superhighways. Each year, more than 120,000 ships traverse these waterways, accounting for a third of the world's marine commerce. Between 70% and 80% of all the oil imported by China and Japan transits the straits.

Southeast Asia was the location of 41% of the world's pirate attacks between 1995 and 2013. The West Indian Ocean, which includes Somalia, accounted for just 28%, and the West African coast only 18%. During those years, 136 seafarers were killed in Southeast Asian waters as a result of piracy — that's twice the number in the Horn of Africa.

According to a 2010 study by the One Earth Future Foundation, piracy drains between $7 to $12 billion dollars from the international economy each year. The Asian share of that represents buccaneering on a lavish scale, and it is becoming more ambitious. In recent months, well-armed and organized criminal groups have focused their efforts on the oil tankers that exit the narrow Malacca and Singapore straits and venture into the South China Sea. Here, the territory is vast, law enforcement's resources are stretched, and the potential profits are immense.

While the majority of attacks are opportunistic — 80% of total incidents worldwide occur against anchored ships, with thieves looting equipment, crew members' belongings and any cash found aboard, the attacks this spring have featured large-scale, sophisticated strikes on vessels at sea. This requires military coordination and meticulous planning.
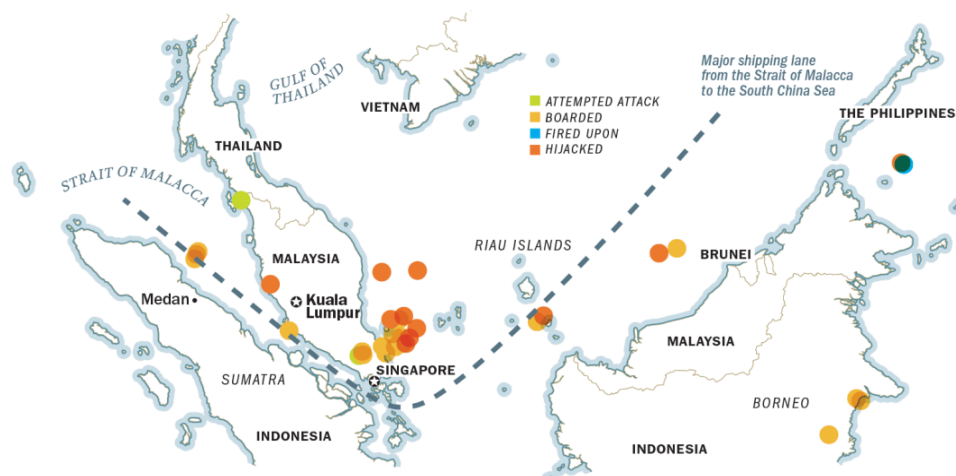
(Figure 4: traffic and piracy attacks attempt in the malacca strait)

It is relevant to emphasize that the attacks are usually perpetuated in the exclusive economic zones of the countries following the United Nations Convention on the Law of the Sea (UNCLOS). For that reason, the direct intervention of the external armies implies a logistical challenge regarding politics, therefore, the deployment of troops must be done along the National Central Bureaus (NCB's) of the affected countries taking into account the laws that affect these important areas of high traffic.

3.4. Previous Strategies on the Matter

A multiform response has been gradually put in place to eradicate maritime piracy in the Gulf of Aden and the Indian Ocean. It began to take shape in 2007 at the scenes of the United Nations, precisely in the Security Council, which adopted consecutively several resolutions. To combat maritime piracy in Somalia, the Security Council of the United Nations adopted 15 resolutions between 2008 and 2015. Consequently, there is a significant gap between the proven beginnings of Somali piracy around 1994 and the United Nations response, more than thirteen years later.

- The first resolution (1814), adopted on 15 May 2008, calls on Member States to protect ships carrying humanitarian aid to Somalia. According to this resolution: "The United Nations Security Council reiterates its support for the contribution made by some States to protect the World Food Program maritime convoys, calls upon States and regional organizations, in close coordination with each other and as notified in advance to the Secretary-General, and at the request of the TFG, to take action to protect shipping involved with the transportation and delivery of humanitarian aid to Somalia and United Nations-authorized activities"[1]. This Resolution only focuses on the protection of the humanitarian aid, therefore it includes that no direct action can be taken to avoid and prevent the attack of these groups or establish a zone of action to combat the situation by the military of the countries, lacking the needed enforcement of the law that the national Somali police can't make.

- The second resolution (1816), adopted on June 2nd 2008, authorizes foreign naval forces to enter for a period of six months to Somali territorial waters to damp down on acts of piracy from the date of its adoption, and in agreement with the Somali

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[1] Hamza, F. R. (2018, 9 Abril). Maritime trade and piracy in the Gulf of Aden and the Indian Ocean (1994–2017). SpringerLink. https://link.springer.com/article/10.1007/s12198-018-0190-4?error=cookies_not_supported&code=4238ead0-19cd-4b0e-afec-f9ed7712ef86

authorities. The military action that follows is described as one of the most important to eradicate piracy in the world.

The first Operation conducted was *Atalanta*, made by the European Union, launched in November 2008, was the first maritime operation organized by the European Security and Defense Policy (CSDP).

The latter operation allows the European Union to have an operational capability using military and civilian means for conflict prevention and international crisis management. The European Union is the first organization to react militarily, as piracy hovers over 95% of its foreign trade with Asia and the Middle East, and about 30% of its energy supply. In 2008 EU members adopted a resolution at the council, and they responded to the problem of maritime piracy through a comprehensive approach to Somalia called European Union Naval Force Somalia-Operation *Atalanta*.
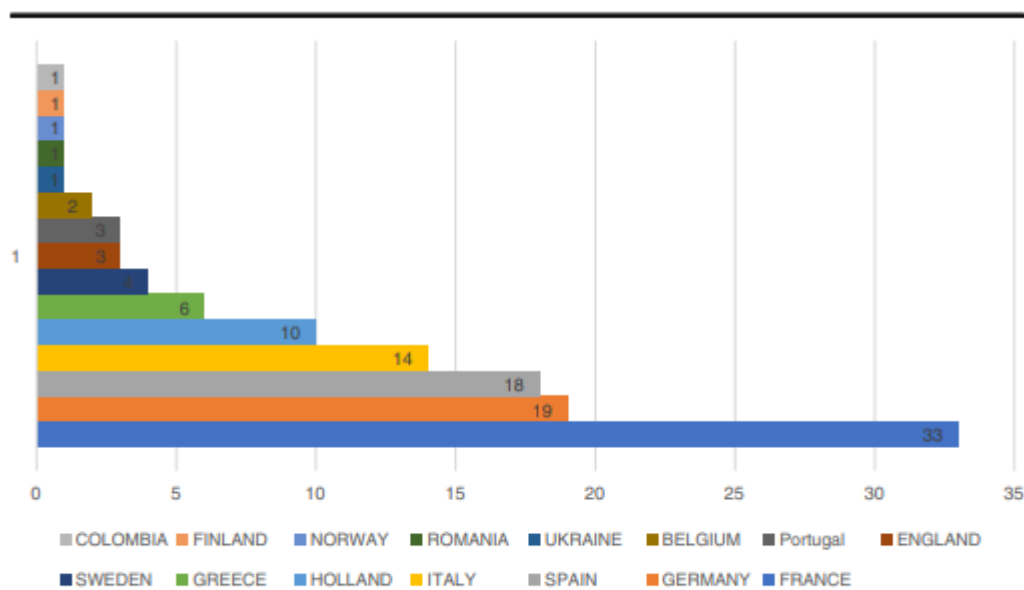

Fig. 8 Contributing countries to operation Atalanta in number of vessels (2008–2017) **Source:** Compilation based on data from operation Atlanta (EU NAVFOR)

- The second international action is a NATO mission with *Operation Ocean Shield*, which begins on 17 August 2009, replacing the previous operation (*Allied Protector*). The third joint mission was Operation Combined Task Force 151 (*CTF-151*) led by the United States of America starting in January 2009. In addition to these coalition-led missions, there are a number of unilateral missions led by China, India, Pakistan, Russia, Saudi Arabia, South Korea, Iran, Japan, and many others.

- Other strategies have been done to reduce the attacks in the region, such as the establishment of a safezone corridor (The International Recommended Transit Corridor), far from the coastline in conjunction with the Horn of Africa Marine Security Center that safeguards this zone.

Fig. 10 Internationally Recommended Transit Corridor Map **Source:** Compilation based on data from the circular SN.1/Circ.281 of IMO

- It has been taken into consideration to involve the private sector in the security of the vessels by providing privately contracted armed security personnel (PCASP). These are services offered by private security companies in return for remuneration. The services of men-at-arms on ships are used to protect the ship against possible threats, have been authorized by parliaments in some countries.

Regardless of all the investments made and the direct actions of the governments, there has been a decrease in the piracy in the zone. However, piracy t hasn't been eradicated, mainly because the problem has only been treated in small zones and international waters 200 miles from the shore, and the national police and INTERPOL haven't intervened on land where the root of the problem can be found. The criminal organizations still work freely on land, and their main leaders still make plans and recruit people for the hijacking of ships and selling on the black market. As the Interpol works freely through the world without most of

the limitations of political affairs, the committee has to decide what should be done to completely eradicate the problem, not only in Somalia, but also in other areas.

3.5. *Recommendations from the chair*

The chair recommends that through the directives and collective work you are able to act directly into the source of the problem on piracy analyzing the roots and instability of the regions over how to solve or decrease further the attacks, creating security and stability overseas by creating a response action plan in order to be more effective at the response time of the teams, promoting the cooperation among nations. Analyzing the previous attacks acts among new ones.

3.6. *Guiding questions*

1. Regarding the direct intervention of the INTERPOL, should the security operations in Somalia be approached only in the maritime aspect, or should the organizations be intervened directly (according to your delegation)?

2. <u>To what extent has your country contributed to the resolutions and UN measures, in the resolutions of the Security Council and the UN General Assembly?</u>

3. How can the NCB of Somalia increase its capacity and cooperation in national and international waters, despite the lack of resources and political instability?

4. Has your country intervened militarily or given supplies to the intervention of NATO and the EU?

5. What are the social and political implications of the intervention of the INTERPOL in Somali territory?

6. What strategies can be applied in zones where there is little knowledge of operations such as the Malacca Strait in order to guarantee security at relevant commercial zones?

3.7. *Support links*

- Importance of the Strait of Malacca to world trade:
  https://www.youtube.com/watch?v=BDlRWyPoONc&ab_channel=MilitaryTV

- Piracy in the Malacca Strait:
  https://www.youtube.com/watch?v=TgGn1wCQFbg&ab_channel=CrimsonCompassInternationalLimited
- Piracy in the Gulf of Aden:
  https://www.youtube.com/watch?v=tKyQtsn_Heo&ab_channel=MilitaryTV
- Legal approach in the fight against pirates in ships:
  https://www.youtube.com/watch?v=7_lFHE-NPkk&ab_channel=Niel
- UNCLOS:
  https://www.un.org/depts/los/convention_agreements/texts/unclos/unclos_e.pdf

3.8. Glossary

1. **Piracy:** The act of attacking ships in order to steal from them.

2. **Maritime security:** Umbrella term used to classify issues in the maritime domain that are often related to national security, marine environment, economic development, and human security.

3. **International sea trade:** Act of buying or selling goods between two or more countries through international waters.

4. **Gulf of Aden:** deepwater basin that forms a natural sea link between the Red Sea and the Arabian Sea.

5. **Protection costs:** All legal fees, costs and expenses reasonably incurred by Licensor in the performance of the Protection Activities.

6. **Malacca Strait:** narrow stretch of water, (930 km in length), between the Malay Peninsula (Peninsular Malaysia) and the Indonesian island of Sumatra.

7. **EEZ's:** According to the United Nations Convention on the Law of Sea. Exclusive Economic Zones are areas situated in a 200 nautical mile limit form the territorial sea, in which countries are the only available to exploit natural resources.

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4.   List of Countries:

I.   Democratic Republic of Congo

II.   Dominion of Canada

III.   Federal Democratic Republic of Ethiopia

IV.   Federal Republic of Germany

V.   Federal Republic of Somalia

VI.   Federative Republic of Brazil

VII.   French Republic

VIII.   Kingdom of Spain

IX.   People's Republic of China

X.   Republic of Botswana