



Resolution 2125 (2013)**Adopted by the Security Council at its 7061st meeting, on
18 November 2013**

The Security Council,

Recalling its previous resolutions concerning the situation in Somalia, especially resolutions [1814 \(2008\)](#), [1816 \(2008\)](#), [1838 \(2008\)](#), [1844 \(2008\)](#), [1846 \(2008\)](#), [1851 \(2008\)](#), [1897 \(2009\)](#), [1918 \(2010\)](#), [1950 \(2010\)](#), [1976 \(2011\)](#), [2015 \(2011\)](#), [2020 \(2011\)](#) and [2077 \(2012\)](#), as well as the Statement of its President ([S/PRST/2010/16](#)) of 25 August 2010 and ([S/PRST/2012/24](#)) of 19 November 2012,

Welcoming the report of the Secretary-General ([S/2013/623](#)), as requested by resolution [2077 \(2012\)](#), on the implementation of that resolution and on the situation with respect to piracy and armed robbery at sea off the coast of Somalia,

Reaffirming its respect for the sovereignty, territorial integrity, political independence and unity of Somalia, including Somalia's sovereign rights in accordance with international law, with respect to offshore natural resources, including fisheries,

While welcoming the significant decrease in reported incidents of piracy off the coast of Somalia, which are at the lowest level since 2006, *continuing* to be gravely concerned by the on-going threat that piracy and armed robbery at sea pose to the prompt, safe, and effective delivery of humanitarian aid to Somalia and the region, to the safety of seafarers and other persons, to international navigation and the safety of commercial maritime routes, and to other vulnerable ships, including fishing activities in conformity with international law, and also gravely concerned by the extended range of the piracy threat into the western Indian Ocean and adjacent sea areas and increased pirate capacities,

Expressing concern about the reported involvement of children in piracy off the coast of Somalia,

Recognizing that the on-going instability in Somalia contributes to the problem of piracy and armed robbery at sea off the coast of Somalia, and stressing the need to continue the comprehensive response by the international community to repress piracy and armed robbery at sea and tackle its underlying causes, *recognizing* the need to undertake long-term and sustainable efforts to repress piracy and the need to create adequate economic opportunities for the citizens of Somalia,



Recognizing the need to investigate and prosecute not only suspects captured at sea, but also anyone who incites or intentionally facilitates piracy operations, including key figures of criminal networks involved in piracy who plan, organize, facilitate, or illicitly finance or profit from such attacks, and *reiterating its concern* over persons suspected of piracy having been released without facing justice, *reaffirming* that the failure to prosecute persons responsible for acts of piracy and armed robbery at sea off the coast of Somalia undermines anti-piracy efforts,

Noting the report of the Secretary-General (S/2013/623), particularly Section IX on “Allegations of illegal fishing and illegal dumping, including of toxic substances, off the coast of Somalia”,

Further reaffirming that international law, as reflected in the United Nations Convention on the Law of the Sea of 10 December 1982 (“The Convention”), sets out the legal framework applicable to activities in the ocean, including countering piracy and armed robbery at sea,

Underlining the primary responsibility of the Somali authorities in the fight against piracy and armed robbery at sea off the coast of Somalia; *noting* the several requests from Somali authorities for international assistance to counter piracy off its coast, including the letter of 12 November 2013, from the Permanent Representative of Somalia to the United Nations expressing the appreciation of Somali authorities to the Security Council for its assistance, expressing their willingness to consider working with other States and regional organizations to combat piracy and armed robbery at sea off the coast of Somalia, and requesting that the provisions of resolution 2077 (2012) be renewed for an additional twelve months,

Encouraging implementation of the Somali Maritime Resource and Security Strategy, which was endorsed by the President of the Federal Government of Somalia and participating states at the 14th Plenary of the Contact Group on Piracy off the Coast of Somalia (CGPCS) in New York on 1 May 2013; at the International Somalia Conference in London on 7 May 2013, and at the European Union’s “New Deal for Somalia” Conference in Brussels on 16 September 2013,

Recognizing the work of the CGPCS to facilitate the prosecution of suspected pirates and, in accordance with international law, to establish an on-going network and mechanism for sharing information and evidence between investigators and prosecutors, *welcoming* the development of the Capacity Building Coordination Group under Working Group 1 of the CGPCS, and *welcoming* the work by Working Group 5 of the CGPCS to disrupt illicit financial flows linked to piracy,

Welcoming the financing provided by the Trust Fund to Support Initiatives of States Combating Piracy off the Coast of Somalia (the Trust Fund) to strengthen regional ability to prosecute suspected pirates and imprison those convicted in accordance with applicable international human rights law, *noting* with appreciation the assistance provided by the United Nations Office of Drugs and Crime (UNODC) Counter-Piracy Programme, and *being determined* to continue efforts to ensure that pirates are held accountable,

Commending the efforts of the European Union operation ATALANTA, North Atlantic Treaty Organization Operation Ocean Shield, Combined Maritime Forces’ Combined Task Force 151 commanded by Pakistan and the United Kingdom, as well as United States ships assigned to Combined Task Force 151 and NATO Task Force 508, the counter-piracy activities of the African Union onshore in Somalia and

the naval activities of the Southern Africa Development Community, and other States acting in a national capacity in cooperation with Somali authorities and each other, to suppress piracy and to protect vulnerable ships transiting through the waters off the coast of Somalia, and *welcoming* the Shared Awareness and Deconfliction Initiative (SHADE) and the efforts of individual countries, including China, India, Indonesia, Japan, Republic of Korea, Malaysia, Pakistan, and the Russian Federation, which have deployed naval counter-piracy missions in the region, as stated in the Secretary-General's report (S/2013/623),

Noting the efforts of flag States for taking measures to permit vessels sailing under their flag transiting the High Risk Area (HRA) to embark vessel protection detachments and privately contracted armed security personnel (PCASP), and *encouraging* States to regulate such activities in accordance with applicable international law and permit charters to favour arrangements that make use of such measures,

Noting the request of some Member States on the need to review the boundaries of the HRA on an objective and transparent basis, taking into account actual incidents of piracy, and *noting* that the HRA is set and defined by the insurance and maritime industry,

Welcoming the capacity-building efforts in the region made by the International Maritime Organization-(IMO)-funded Djibouti Code of Conduct, the Trust Fund and the European Union's activities under EUCAP Nestor, which is working with the Federal Government of Somalia to strengthen its criminal justice system, and *recognizing* the need for all engaged international and regional organizations to coordinate and cooperate fully,

Supporting the development of a coastal police force, *noting with appreciation* the efforts made by the IMO and the shipping industry to develop and update guidance, best management practices, and recommendations to assist ships to prevent and suppress piracy attacks off the coast of Somalia, including in the Gulf of Aden, and the Indian Ocean area, and *recognizing* the work of the IMO and the CGPCS in this regard, *noting* the efforts of the International Organization for Standardization, which has developed industry standards of training and certification for Private Maritime Security Companies when providing privately contracted armed security personnel on board ships in high-risk areas, and *further welcoming* the European Union's EUCAP Nestor, which is working to develop the sea-going maritime security capacities of Somalia, Djibouti, Kenya, Seychelles and Tanzania,

Noting with concern that the continuing limited capacity and domestic legislation to facilitate the custody and prosecution of suspected pirates after their capture has hindered more robust international action against the pirates off the coast of Somalia, too often has led to pirates being released without facing justice, regardless of whether there is sufficient evidence to support prosecution, and *reiterating* that, consistent with the provisions of "The Convention" concerning the repression of piracy, the 1988 Convention for the Suppression of Unlawful Acts Against the Safety of Maritime Navigation ("SUA Convention") provides for parties to create criminal offences, establish jurisdiction, and accept delivery of persons responsible for or suspected of seizing or exercising control over a ship by force or threat thereof or any other form of intimidation,

Underlining the importance of continuing to enhance the collection, preservation and transmission to competent authorities of evidence of acts of piracy and armed robbery at sea off the coast of Somalia, and *welcoming* the on-going work of the IMO, INTERPOL, and industry groups to develop guidance to seafarers on preservation of crime scenes following acts of piracy, and noting the importance for the successful prosecution of acts of piracy of enabling seafarers to give evidence in criminal proceedings,

Further recognizing that pirate networks continue to rely on kidnapping and hostage-taking, and that these activities help generate funding to purchase weapons, gain recruits, and continue their operational activities, thereby jeopardizing the safety and security of civilians and restricting the flow of free commerce, and *welcoming* international efforts to collect and share information to disrupt the pirate enterprise, as exemplified by INTERPOL's Global Database on Maritime Piracy, and *taking note of* the on-going efforts of the Regional Fusion and Law Enforcement Centre for Safety and Security at Sea (formerly the Regional Anti Piracy Prosecution and Intelligence Coordination Centre), hosted by Seychelles to combat piracy,

Reaffirming international condemnation of acts of kidnapping and hostage-taking, including offences contained within the International Convention against the Taking of Hostages, *strongly condemning* the continuing practice of hostage-taking by pirates operating off the coast of Somalia, *expressing serious concern* at the inhuman conditions hostages face in captivity, *recognizing* the adverse impact on their families, *calling for* the immediate release of all hostages, and *noting* the importance of cooperation between Member States on the issue of hostage-taking and the prosecution of suspected pirates for taking hostages,

Commending Kenya, Mauritius, Seychelles and Tanzania for their efforts to prosecute suspected pirates in their national courts, and *noting* with appreciation the assistance provided by the UNODC Counter-Piracy Programme, the Trust Fund and other international organizations and donors, in coordination with the CGPCS, to support Kenya, Mauritius, Seychelles, Tanzania, Somalia, and other States in the region with their efforts to prosecute, or incarcerate in a third State after prosecution elsewhere, pirates, including facilitators and financiers ashore, consistent with applicable international human rights law, and emphasizing the need for States and international organizations to further enhance international efforts in this regard,

Welcoming the readiness of the national and regional administrations of Somalia to cooperate with each other and with States who have prosecuted suspected pirates with a view to enabling convicted pirates to be repatriated back to Somalia under suitable prisoner transfer arrangements, consistent with applicable international law, including international human rights law, and *acknowledging* the return from Seychelles to Somalia of convicted prisoners willing and eligible to serve their sentences in Somalia,

Recalling the reports of the Secretary-General on the modalities for the establishment of specialized Somali anti-piracy courts (S/2011/360 and S/2012/50), prepared pursuant to paragraph 26 of resolution 1976 (2011) and paragraph 16 of resolution 2015 (2011),

Stressing the need for States to consider possible methods to assist the seafarers who are victims of pirates, and *welcoming* in this regard the Trust Fund's

establishment in November 2012 of the “Hostage Support Programme” to provide support to hostages during their release and return home, as well as to their families throughout the hostage situation,

Recognizing the progress made by the CGPCS and UNODC in the use of public information tools to raise awareness of the dangers of piracy, highlight the best practices to eradicate this criminal phenomenon, and inform the public of the dangers posed by piracy,

Further noting with appreciation the on-going efforts by UNODC to support efforts to enhance Somalia’s maritime security and law enforcement capacities, also noting efforts by UNODC and UNDP and the funding provided by the Trust Fund, the European Union, the United Kingdom, the United States, and other donors to develop regional judicial and law enforcement capacity to investigate, arrest, and prosecute suspected pirates and to incarcerate convicted pirates consistent with applicable international human rights law,

Bearing in mind the Djibouti Code of Conduct concerning the Repression of Piracy and Armed Robbery against Ships in the Western Indian Ocean and the Gulf of Aden, *noting* the operations of information-sharing centres in Yemen, Kenya and Tanzania and the regional maritime training centre in Djibouti, and *recognizing* the efforts of signatory States to develop the appropriate regulatory and legislative frameworks to combat piracy, enhance their capacity to patrol the waters of the region, interdict suspect vessels, and prosecute suspected pirates,

Emphasizing that peace and stability within Somalia, the strengthening of State institutions, economic and social development and respect for human rights and the rule of law are necessary to create the conditions for a durable eradication of piracy and armed robbery at sea off the coast of Somalia, and *further emphasizing* that Somalia’s long-term security rests with the effective development by Somali authorities of the Somali National Security Forces,

Noting with appreciation recent high-level events on Somalia which have generated substantial pledges of support, and underlining the importance of delivering on any support pledged at these events,

Taking note with appreciation the intention expressed by the Indian Ocean Rim Association at the thirteenth meeting of its Council of Ministers to bolster maritime security and safety, including through the upcoming Indian Ocean Dialogue in India, which will explore concrete options to enhance counter-piracy cooperation, including through improved maritime information-sharing arrangements and stronger national legal capacity and laws, and *encouraging* the Indian Ocean Rim Association to pursue efforts that are complementary to and coordinated with the on-going work of the CGPCS,

Noting that the joint counter-piracy efforts of the international community and private sector have resulted in a sharp decline in pirate attacks as well as hijackings since 2011 and *emphasizing* that without further action, the significant progress made in reducing the number of successful pirate attacks is reversible,

Determining that the incidents of piracy and armed robbery at sea off the coast of Somalia are an important factor exacerbating the situation in Somalia, which continues to constitute a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Reiterates* that it condemns and deplores all acts of piracy and armed robbery at sea off the coast of Somalia;

2. *Recognizes* that the on-going instability in Somalia is one of the underlying causes of the problem of piracy and contributes to the problem of piracy and armed robbery at sea off the coast of Somalia, while piracy, in turn, exacerbates instability by introducing large amounts of illicit cash that fuels additional crime and corruption in Somalia;

3. *Stresses* the need for a comprehensive response to repress piracy and tackle its underlying causes by the international community;

4. *Underlines* the primary responsibility of Somali authorities in the fight against piracy and armed robbery at sea off the coast of Somalia, and requests the Somali authorities, with assistance from the Secretary-General and relevant United Nations entities, to pass a complete set of anti-piracy laws without further delay, and *urges* Somalia to continue efforts, with the support of the international community, to adopt an exclusive economic zone in accordance with “The Convention”;

5. *Recognizes* the need to continue investigating and prosecuting those who plan, organize or illicitly finance or profit from pirate attacks off the coast of Somalia, including key figures of criminal networks involved in piracy, *urges* States, working in conjunction with relevant international organizations, to adopt legislation to facilitate prosecution of suspected pirates off the coast of Somalia;

6. *Calls upon* the Somali authorities to interdict, and upon interdiction to investigate and prosecute pirates and to patrol the territorial waters off the coast of Somalia to suppress acts of piracy and armed robbery at sea;

7. *Calls upon* the Somali authorities to make all efforts to bring to justice those who are using Somali territory to plan, facilitate, or undertake criminal acts of piracy and armed robbery at sea and *calls upon* Member States to assist Somalia, at the request of Somali authorities and with notification to the Secretary-General, to strengthen maritime capacity in Somalia, including regional authorities and *stresses* that any measures undertaken pursuant to this paragraph shall be consistent with applicable international law, in particular international human rights law;

8. *Calls upon* States to cooperate also, as appropriate, on the issue of hostage taking, and the prosecution of suspected pirates for taking hostages;

9. *Recognizes* the need for States, international and regional organizations, and other appropriate partners to exchange evidence and information for anti-piracy law enforcement purposes with a view to ensuring effective prosecution of suspected, and imprisonment of convicted, pirates and with a view to the arrest and prosecution of key figures of criminal networks involved in piracy who plan, organize, facilitate, or illicitly finance and profit from piracy operations, and keeps under review the possibility of applying targeted sanctions against individuals or entities that plan, organize, facilitate, or illicitly finance or profit from piracy operations if they meet the listing criteria set out in paragraph 8, resolution [1844 \(2008\)](#); and *calls upon* all States to cooperate fully with the Somalia and Eritrea Monitoring Group including on information-sharing regarding possible violations of the arms embargo or charcoal ban;

10. *Renews* its call upon States and regional organizations that have the capacity to do so, to take part in the fight against piracy and armed robbery at sea

off the coast of Somalia, in particular, consistent with this resolution and international law, by deploying naval vessels, arms, military aircraft, by providing basing and logistical support for counter-piracy forces, and by seizing and disposing of boats, vessels, arms, and other related equipment used in the commission of piracy and armed robbery at sea off the coast of Somalia, or for which there are reasonable grounds for suspecting such use;

11. *Commends the work* of the CGPCS to facilitate coordination in order to deter acts of piracy and armed robbery at sea off the coast of Somalia, in cooperation with the IMO, flag States, and Somali authorities and *urges* States and international organizations to continue to support these efforts;

12. *Encourages* Member States to continue to cooperate with Somali authorities in the fight against piracy and armed robbery at sea, notes the primary role of Somali authorities in the fight against piracy and armed robbery at sea off the coast of Somalia, and *decides* that for a further period of twelve months from the date of this resolution to renew the authorizations as set out in paragraph 10 of resolution 1846 (2008) and paragraph 6 of resolution 1851 (2008), as renewed by paragraph 7 of resolution 1897 (2009), paragraph 7 of resolution 1950 (2010), paragraph 9 of resolution 2020 (2011), and paragraph 12 of resolution 2077 (2012) granted to States and regional organizations cooperating with Somali authorities in the fight against piracy and armed robbery at sea off the coast of Somalia, for which advance notification has been provided by Somali authorities to the Secretary-General;

13. *Affirms* that the authorizations renewed in this resolution apply only with respect to the situation in Somalia and shall not affect the rights or obligations or responsibilities of Member States under international law, including any rights or obligations, under “The Convention”, with respect to any other situation, and underscores in particular that this resolution shall not be considered as establishing customary international law; and *affirms further* that such authorizations have been renewed only following the receipt of the 12 November 2013 letter conveying the consent of Somali authorities;

14. *Decides* that the arms embargo on Somalia imposed by paragraph 5 of resolution 733 (1992) and further elaborated upon by paragraphs 1 and 2 of resolution 1425 (2002) and modified by paragraphs 33 to 38 of resolution 2093 does not apply to supplies of weapons and military equipment or the provision of assistance destined for the sole use of Member States, international, regional and subregional organizations undertaking measures in accordance with paragraph 12 above;

15. *Requests* that cooperating States take appropriate steps to ensure that the activities they undertake pursuant to the authorizations in paragraph 12 do not have the practical effect of denying or impairing the right of innocent passage to the ships of any third State;

16. *Calls upon* all States, and in particular flag, port, and coastal States, States of the nationality of victims, and perpetrators of piracy and armed robbery, and other States with relevant jurisdiction under international law and national legislation, to cooperate in determining jurisdiction, and in the investigation and prosecution of all persons responsible for acts of piracy and armed robbery off the coast of Somalia, including anyone who incites or facilitates an act of piracy,

consistent with applicable international law including international human rights law to ensure that all pirates handed over to judicial authorities are subject to a judicial process, and to render assistance by, among other actions, providing disposition and logistics assistance with respect to persons under their jurisdiction and control, such as victims and witnesses and persons detained as a result of operations conducted under this resolution;

17. *Calls upon* all States to criminalize piracy under their domestic law and to favourably consider the prosecution of suspected, and imprisonment of those convicted, pirates apprehended off the coast of Somalia, and their facilitators and financiers ashore, consistent with applicable international law, including international human rights law;

18. *Reiterates* its decision to continue its consideration of the establishment of specialized anti-piracy courts in Somalia and other States in the region with substantial international participation and/or support, as set forth in resolution [2015 \(2011\)](#), and the importance of such courts having jurisdiction over not only suspects captured at sea, but also anyone who incites or intentionally facilitates piracy operations, including key figures of criminal networks involved in piracy who plan, organize, facilitate, or illicitly finance or profit from such attack, and *encourages* the CGPCS to continue its discussions in this regard;

19. *Welcomes*, in this context, the UNODC Counter-Piracy Programme's continued work with authorities in Somalia and in neighbouring States to ensure that individuals suspected of piracy are prosecuted and those convicted are imprisoned in a manner consistent with international law, including international human rights law;

20. *Urges* all States to take appropriate actions under their existing domestic law to prevent the illicit financing of acts of piracy and the laundering of its proceeds;

21. *Urges* States, in cooperation with INTERPOL and Europol, to further investigate international criminal networks involved in piracy off the coast of Somalia, including those responsible for illicit financing and facilitation;

22. *Commends* INTERPOL for operationalizing a global piracy database that consolidates information about piracy off the coast of Somalia and facilitates the development of actionable analysis for law enforcement, and *urges* all States to share such information with INTERPOL for use in the database, through appropriate channels;

23. *Commends* the contributions of the Trust Fund and the IMO-funded Djibouti Code of Conduct and *urges* both state and non-State actors affected by piracy, most notably the international shipping community, to contribute to them;

24. *Urges* States parties to "The Convention" and the SUA Convention to implement fully their relevant obligations under these conventions and customary international law and to cooperate with the UNODC, IMO, and other States and other international organizations to build judicial capacity for the successful prosecution of persons suspected of piracy and armed robbery at sea off the coast of Somalia;

25. *Acknowledges* the recommendations and guidance provided by the IMO on preventing and suppressing piracy and armed robbery at sea; and *urges* States, in

collaboration with the shipping and insurance industries, and the IMO, to continue to develop and implement avoidance, evasion, and defensive best practices and advisories to take when under attack or when sailing in the waters off the coast of Somalia, and further urges States to make their citizens and vessels available for forensic investigation as appropriate at the first suitable port of call immediately following an act or attempted act of piracy or armed robbery at sea or release from captivity;

26. *Encourages* flag States and port States to further consider the development of safety and security measures on board vessels, including, where applicable, developing regulations for the use of PCASP on board ships, aimed at preventing and suppressing piracy off the coast of Somalia, through a consultative process, including through the IMO and ISO;

27. *Invites* the IMO to continue its contributions to the prevention and suppression of acts of piracy and armed robbery against ships in coordination, in particular, with the UNODC, the World Food Program (WFP), the shipping industry, and all other parties concerned, and *recognizes* the IMO's role concerning privately contracted armed security personnel on board ships in high-risk areas;

28. *Notes* the importance of securing the safe delivery of WFP assistance by sea, welcomes the on-going work by the WFP, EU operation ATALANTA and flag States with regard to Vessel Protection Detachments on WFP vessels;

29. *Requests* States and regional organizations cooperating with Somali authorities to inform the Security Council and the Secretary-General in nine months of the progress of actions undertaken in the exercise of the authorizations provided in paragraph 12 above and further requests all States contributing through the CGPCS to the fight against piracy off the coast of Somalia, including Somalia and other States in the region, to report by the same deadline on their efforts to establish jurisdiction and cooperation in the investigation and prosecution of piracy;

30. *Requests* the Secretary-General to report to the Security Council within 11 months of the adoption of this resolution on the implementation of this resolution and on the situation with respect to piracy and armed robbery at sea off the coast of Somalia;

31. *Expresses its intention* to review the situation and consider, as appropriate, renewing the authorizations provided in paragraph 12 above for additional periods upon the request of Somali authority;

32. *Decides* to remain seized of the matter.