

**Security Council**

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**Letter dated 31 January 2019 from the Permanent Representative of Equatorial Guinea to the United Nations addressed to the Secretary-General**

I have the honour to inform you that, during its presidency of the Security Council, in February 2019, Equatorial Guinea plans to hold an open debate on the topic “Transnational organized crime at sea as a threat to international peace and security”, to be held on 5 February.

In order to guide the debate, Equatorial Guinea has prepared a concept note (see annex).

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

*(Signed)* **Anatolio Ndong Mba**  
Ambassador

Permanent Representative of Equatorial Guinea  
to the United Nations



**Annex to the letter dated 31 January 2019 from the Permanent Representative of Equatorial Guinea to the United Nations addressed to the Secretary-General**

[Original: English]

**Concept note for the Security Council ministerial debate on the theme “Transnational organized crime at sea as a threat to international peace and security”, to be held on 5 February 2019**

**Narrative and parameters of the debate**

1. The seas and oceans represent the greatest space for international trade and have always been used for exploration purposes and to establish contact between different civilizations for the benefit of humankind. The oceans and seas hold important natural resources, hence the need for the proper regulation of them that will ensure the safety and stability required for the responsible and sustainable exploitation of natural resources in the interest of all nations. However, the many challenges associated with managing maritime spaces allows for the commission of all kinds of criminal and illegal acts. Transnational criminal groups take advantage of this situation, threatening the stability and security of both coastal and landlocked States and endangering the fundamental concept of freedom of the seas.
2. Transnational organized crime at sea, in particular piracy and armed robbery, arms and drugs trafficking, the smuggling of migrants and the trafficking in persons, are among the most serious threats to international security and global economic stability. However, emerging threats against the livelihood of vulnerable coastal communities such as illegal and unreported fishing, maritime environmental degradation and acts of violence against coastal infrastructure also must be taken into consideration as a source of concern for international security, given that their scope is not limited to certain geographical areas.
3. With the increase in the mobility of people, goods and capital, transnational organized crime at sea has evolved considerably and now uses new technologies to improve its methods and create new criminal opportunities. Unscrupulous criminal organizations also use the sea for the illegal transportation of and trafficking in people fleeing armed conflict and economic hardship. For these activities, they use vessels that are very deficient and unfit for navigation, which led to the death of more than 2,000 immigrants who were trying to cross the Mediterranean Sea in 2018. This trade has become a very lucrative business that provides huge benefits to criminals who capitalize on human drama.
4. All these criminal activities are interlinked, and, in many instances, these links are obvious. Terrorist groups such as Al-Shabaab are financed through illegal businesses, such as the charcoal trade, while the unchecked flow of weapons across the Gulf of Aden fuels terrorist activities in northern Somalia and in Yemen. The criminal operations of pirates at sea off the coast of Somalia are intrinsically linked to criminal enterprises inland.
5. In recent decades, the emergence of the Gulf of Guinea, with its geostrategic location and its natural resources (oil and gas), as an important commercial trade route and a safe outlet from sub-Saharan Africa to the Americas and Europe for the global energy market has been accompanied by a surge in transnational organized crime, making it a global hotspot for piracy and other illegal activities originating or conducted at sea. Drug trafficking through Africa, for example, has increased exponentially, with new sea routes being established for opium, heroin and cocaine from Afghanistan and the Americas. This scenario has been creating regional tensions

and a high level of instability, at endogenous and exogenous levels, that endanger the peaceful coexistence of nations in Central and West Africa.

6. The transnational nature of these and other risks and threats, as well as the vital contribution of the sea to the prosperity and security of nations, led to the creation and development of the United Nations Convention on the Law of the Sea, which, based on the distribution of competences between States, constitutes the reference that allows for the development of cooperation initiatives to facilitate the best common use of the opportunities offered by the sea in all maritime domains of the world and, perhaps, the best chance to prevent further escalation of maritime crime in major hubs such as the Mediterranean Sea, the Gulf of Aden and the Gulf of Guinea.

7. The illegal activities described in the present concept note threaten both the freedom of navigation on the oceans and the security of coastal communities inland. The efforts to combat organized transnational crime constitute one of the most important challenges faced by the international community. Organized transnational crime represents, along with terrorism, the most important non-military threat to security and international economic stability. There is a pressing need for countries to work together towards implementing global coordinated measures to guarantee freedom of the seas and maritime safety.

8. The international community, concerned with the growth of all such forms of transnational organized crime, has recognized the need to establish a robust regulatory framework in response to these challenges. Owing to the unique nature of the high seas, which fall outside the jurisdiction of single States but within the collective responsibility of all, a coordinated and comprehensive approach must be adopted to properly address the crimes that are carried out through the use of the maritime domain. This approach includes bold measures such as disrupting criminal activities at sea, rescuing and bringing to safety migrants smuggled by sea, strengthening legal frameworks regulating maritime crime, strengthening the enforcement capacity of national maritime law and its internal coordination, addressing the root causes of maritime crimes inland and working with the private sector and civil society to address maritime crime.

9. While the Security Council has remained seized of the matter of piracy throughout the years, this debate is intended to build specifically on the event hosted in June 2018 by Côte d'Ivoire, Equatorial Guinea, Ethiopia, the Netherlands and the United States of America, together with the United Nations Office on Drugs and Crime (UNODC), which introduced the first-ever Arria formula meeting of the Council to address transnational organized crime at sea as a threat to international peace and security.

### **Objectives**

10. The debate will focus on the root causes of maritime crime and provide the members of the Security Council with the opportunity to discuss how to prevent and counteract maritime crime, help to prevent conflict and maintain international peace and security by doing so. The members of the Council could consider assessing emerging threats and crimes and mechanisms to improve data collection, research and analysis to strengthen the production of evidence-based responses for crime prevention policies, conflict analysis and policy strategies. The debate will also provide an opportunity to address the need to increase legal cooperation through instruments such as the Indian Ocean Forum on Maritime Crime, regular meetings for the coordination of law enforcement and joint operations that can be suggested to improve interinstitutional strategic and operational coordination, such as the empowerment of prosecutors and constant exchanges between them through the

central authorities designated to increase the quality and quantity of the legal response to maritime crime.

11. Discussions should focus on joining forces in the efforts to combat transnational organized crime at sea, especially regarding the links between terrorism, piracy and trafficking in humans, weapons and drugs through maritime domains. The results of the cooperation carried out by the countries directly involved and the resources and operational capabilities of the international, regional and subregional organizations at the forefront of the efforts to combat these phenomena should be assessed, in particular in the Gulf of Guinea, which is widely considered to be a weak spot.

12. The following individuals will brief the debate:

- (a) Yury Fedotov, Executive Director, UNODC;
- (b) Florentina Adenike Ukonga, Executive Secretary, Gulf of Guinea Commission.

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