

INSTITUT DE DROIT INTERNATIONAL
Session de Naples – 2009

NAPLES DECLARATION
10 September 2009

NAPLES DECLARATION ON PIRACY

The Institute of International Law,

Deeply concerned by the increase of acts of piracy and of other acts of violence which endanger the safety of international navigation and trade and put at risk the life and freedom of seafarers;

Acknowledging that existing international law on piracy, as reflected in the 1982 UN Convention on the Law of the Sea, which is restricted to proscribing acts of violence committed for private ends on the high seas and undertaken by one ship against another, does not fully cover all acts of violence endangering the safety of international navigation;

Noting the lack of capability of some coastal States to comply with their responsibility to ensure safety of navigation in the territorial sea and to take effective steps, within their territory, including internal waters, to prevent acts of piracy and other acts of violence at sea and activities connected with such acts;

Welcomes UN Security Council Resolution 1816 (2008) and others broadening and adapting, as regards the most serious current situation and without prejudice to general international law, the scope of the existing international rules on piracy to include, in particular, acts against vessels committed in the territorial sea;

Expresses its concern over the reluctance of States to exercise their jurisdiction under the UN Convention on the Law of the Sea to prosecute pirates and perpetrators of other acts of violence at sea and to implement the 1988 Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation and the 1979 UN Convention against the Taking of Hostages;

Expresses its concern over the lack of uniformity and sometimes the inadequacy of domestic policies and laws concerning pirates and perpetrators of other acts of violence at sea when found within their jurisdiction;

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Calls upon States, with full regard to the human rights of the victims and of the other persons involved, to implement the relevant resolutions of the UN Security Council, and, in particular:

- (a) to adopt or develop effective domestic laws and procedures to prevent and suppress piracy and other acts of violence at sea,
 - (b) to adopt cooperative arrangements to deal with piracy and other acts of violence at sea, including the preparation and deployment of effective naval responses and assistance to coastal States that lack the capability to fight piracy and other acts of violence at sea and to prosecute the perpetrators thereof.
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