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REMARKS

**Secretary of State Condoleezza Rice
At United Nations Security Council**

**December 16, 2008
New York, New York**

SECRETARY RICE: Thank you very much. Thank you, Mr. President. Thank you, Mr. Secretary General. And thank you very much to all my colleagues for participating in this very important Security Council session on piracy.

Obviously, we are here because the outbreak of piracy and the increasing threat to commerce, to security, and perhaps most importantly, to the principle of freedom of navigation of the seas is one that should concern every nation-state. And I do believe that the resolution that we have passed today will help us go a long way toward a coordinated response to the scourge of piracy.

We have noted that several factors have been limiting the effectiveness of our response, although a number of countries have been responding. The United States has been a part of that response, as has the EU, NATO, and a number of other countries in this chamber. But because there has been no existing mechanism for states to coordinate their actions effectively, I believe that our response has been less than the sum of its parts.

I would like to announce that the United States intends to work with partners to create a Contact Group on Somali piracy. We envision the Contact Group serving as a mechanism to share intelligence, coordinate activities, and reach out to other partners, including those in shipping and insurance industries. And we look forward to working quickly on this initiative.

A second factor limiting our response is in the impunity that the pirates enjoy. Piracy currently pays. But worse, pirates pay few costs for their criminality. Their dens in Somalia provide refuge from the naval ships in the Gulf of Aden, and as we saw with the hijacking of the Sirius Star 500 nautical miles from Mombasa, and with the recent unsuccessful attacks even further south off the Tanzanian coast, pirates are adapting to the naval presence in the Gulf of Aden by traveling farther to attack unsuspecting ships.

To make piracy costlier and more difficult to undertake, the United States, with the agreement of the Somali Transitional Federal Government, believes that the Security Council's authorization today that states may pursue pirates into their places of operation on land will have a significant impact. History has demonstrated again and again that maritime operations alone are insufficient to combating piracy.

Mr. President, we also have a problem concerning the steps that must be taken to facilitate the delivery, detention, and prosecution of captured pirates. Through international law reflected in the UN Convention on the Law of the Sea, Security Council Resolutions 1846 and 1816, and the 1988 Convention on the Suppression of Unlawful Acts Against the Safety of Maritime Navigation, SUA, the international community already has sufficient legal authority and available mechanisms to apprehend and prosecute pirates, but sometimes the political will and the coordination has not been there to do so. This problem of capacity is especially pronounced in the regional states. Their proximity to piracy makes them an obvious choice to cite prosecutions, but many lack the necessary judicial and law enforcement capacities to do so.

So we call on all states, particularly those victimized by Somali piracy, to contribute generously to building the legal capacity of regional SUA states. In the resolution, we also ask the United Nations to explore what can be done to build legal capacity in those states.

At the same time as we expect regional states to play a critical role, victim states also need to bear equal responsibility for prosecuting pirates. States who flagged hijacked vessels, whose nationals own hijacked vessels, or who have crew members on hijacked vessels, must honor their SUA obligations in relation to receiving and prosecuting suspected pirates.

Fourth, we must ask the maritime industry to promote capabilities to enhance ship self-defense. Once a hostage situation develops, the stakes in military operations increase. Consequently, an important part of counter-piracy efforts must be measured in enhancing self-defense capabilities of commercial vessels, increasing the odds of success against pirates until warships arrive.

Finally – and a number of colleagues have spoken to this – we must address the root of the piracy problem. Piracy is a symptom. It's a symptom of the instability, the poverty, the lawlessness that have plagued Somalia for the past two decades. The Djibouti peace process has achieved some political headway in the last few months. And I thank you, Secretary General, for your excellent special representative, Ambassador Ould-Abdallah. But the deteriorating security and humanitarian situation on the ground is threatening that progress and threatening it every day.

The international community must make it a priority to work with the TFG, both to stabilize its internal situation and to work with the alliance for the rehabilitation – re-liberation of Somalia, and the African Union mission in Somalia to help stabilize the country's security situation. In this regard, let me note that the United States does believe that the time has come for the United Nations to consider and authorize a peacekeeping operation. This has been requested by the AU. It has been requested by countries that are taking the brunt of the difficulty on the ground. And while the conditions may not be auspicious for peacekeeping, they will be less auspicious if chaos reigns in Somalia and we have to turn at some point to peacemaking. Prevention is the issue here.

And while the United States will do everything that it can to continue the support of AMISOM – indeed, the United States provided \$67 million for training and equipping and deploying AMISOM last year – we will continue to do that, and we will buttress our support to AMISOM. But I am afraid that the history of support for forces of this kind is not a very good one. What

happens is that we are not able to sustain the voluntary contributions, we're not able to sustain the voluntary training, we're not able to sustain the mechanisms to make certain that the work is flowing smoothly. That is why we have a peacekeeping operation in the UN, because it draws on the full resources of the member-states in a way that is not voluntary, but that is compulsory, to do the work of this Council.

And so, Mr. Secretary General, the United States will be, with other states, continuing to raise in consultations – not yet for consideration by the Council – but in consultations, the need for a peacekeeping force in accordance with the request of the African Union that we do so.

Let me just say finally that once peace and normalcy have returned to Somalia, we believe that Somalis can start down a path to real economic development. Offering the Somali people an alternative to piracy and criminality is, in the long run, the best sustainable strategy for combating piracy. As a part of this strategy, the United States believes in working with the international community to help Somali fishermen prosper by preventing illegal fishing and dumping in Somalia – Somali territorial waters.

With our meeting today and the resolution, we have sent a strong signal of commitment to combat the scourge of piracy. This current response is a good start, but we must do much more to defend freedom of navigation and trade. The shipping industry will be an important partner in those efforts. But let us make no mistake: It is governments that must lead, and we need to coordinate our efforts through a common point of contact. We need to end the impunity of Somali pirates. We need to support regional states in building capacity to prosecute pirates effectively. And we need to work to build security and stability in Somalia so that the Somali people can finally enjoy the blessings of peace and the rule of law and development.

Thank you very much.