

House Committee on Foreign Affairs Proposes Public Identification of Pirate-Vulnerable Ship Owners

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The Foreign Relations Authorization Act of 2012, as reported by the House Committee on Foreign Affairs in [House Report 112-223](#) dated September 23, 2011, included a newly-added Section 1109 entitled “Curtailling the Frequency of International Maritime Piracy.” In the bill, Congress would find that maritime piracy attributable to Somali pirates has been growing rapidly and represents a threat to the United States’ national security and economic well-being. Congress would go on to find, based on recent testimony by the Department of State, that approximately twenty percent of vessels operating in the area do not follow the best management practices developed by the maritime industry to defend against pirate attacks, and those vessels make up the majority of vessels that are successfully pirated. Accordingly, the bill would declare it to be the policy of the United States to publicly identify persons who disregard the best management practices, through publication of the names of those ship owners in the Federal Register, to pressure them into following the best management practices.

The bill is silent as to how the President would actually go about identifying those ship owners who are not following the best management practices. However, Section 1109 echoes comments that appeared in the Report of the Special Adviser to the Secretary General on Legal Issues Related to Piracy off the Coast of Somalia published earlier this year, which recommended establishing an international certification for compliance with the best management practices. That report also noted that the small percentage of vessels not following the best management practices account for the majority of pirated vessels, and suggested that certification could be used by insurance companies as a precondition for compensation connected with acts of piracy.

1 Min Read

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