

THE CENTRE FOR INTERNATIONAL & PUBLIC LAW,
ANU COLLEGE OF LAW
PRESENTS



PUBLIC SEMINAR

COUNTER-PIRACY OFF SOMALIA: The emerging legal framework

Dr Douglas Guilfoyle

Faculty of Laws, University College of London

Thursday 17 September 2009, 6–7.30pm

(this event will be held via IP video conference)

Minter Ellison Room & Phillipa Weeks Staff Library

ANU College of Law

Fellows Road, The Australian National University

RSVP to E: rsvp@law.anu.edu.au (by cob 14 September)

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This seminar is free and open to the public



Piracy off Somalia, on the rise since 2005, has now reached endemic proportions. While the total proportion of shipping attacked and seized for ransom in the Gulf of Aden remains low and hostage deaths few, the issue has attracted international attention. The initial response was to seek Security Council authorisation for military counter-piracy operations. With the deployment of over 24 warships under a variety of national missions and legal mandates, the legal question of what to do with a captured pirate has proved more complex than anyone first anticipated. There has been a rapid transition from a 'top-down' military or kinetic approach to the 'bottom-up' creation of a decentralised law-enforcement framework. A variety of hard and soft law mechanisms now form part of a flexible, pragmatic and still-evolving framework aimed at the effective prosecution of captured pirates. Questions not fully resolved include the scope of authority to use force against suspect pirates and the impact of human rights law on their transfer to regional States such as Kenya to face trial.

Dr Douglas Guilfoyle joined the Faculty of Laws at University College London in 2007, where he teaches public law and public international law subjects. He holds undergraduate degrees from the ANU and completed his LLM and PhD at the University of Cambridge. He has also worked as a litigation solicitor and judicial associate in Australia. His doctoral research on the high-seas law enforcement will be published in August as *Shipping Interdiction and the Law of the Sea* (Cambridge University Press). He has given talks or chaired panels on Somali piracy frequently over the last nine months and has also been invited to prepare a report for the legal issues working group of the international Contact Group on Piracy off Somalia.

The views expressed in this seminar are those of the presenter and do not necessarily represent the views of The Australian National University.

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