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## International Law Commission

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## Prevention and repression of piracy and armed robbery at sea

### Titles and texts of draft articles 1 to 3 provisionally adopted by the Drafting Committee

#### Article 1

##### Scope

The present draft articles apply to the prevention and repression of piracy and armed robbery at sea.

#### Article 2

##### Definition of piracy

1. Piracy consists of any of the following acts:
  - (a) any illegal act of violence or detention, or any act of depredation, committed for private ends by the crew or the passengers of a private ship or a private aircraft, and directed:
    - (i) on the high seas, against another ship or aircraft, or against persons or property on board such ship or aircraft;
    - (ii) against a ship, aircraft, persons or property in a place outside the jurisdiction of any State;
  - (b) any act of voluntary participation in the operation of a ship or of an aircraft with knowledge of facts making it a pirate ship or aircraft;
  - (c) any act of inciting or of intentionally facilitating an act described in subparagraph a) or b).
2. Paragraph 1 shall be read in conjunction with the provisions of article 58, paragraph 2, of the United Nations Convention on the Law of the Sea.

#### Article 3

##### Definition of armed robbery at sea

Armed robbery at sea consists of any of the following acts:

- (a) any illegal act of violence or detention or any act of depredation, or threat thereof, other than an act of piracy, committed for private ends and directed against a ship or against persons or property on board such a ship, within a State's internal waters, archipelagic waters and territorial sea;



(b) any act of inciting or of intentionally facilitating an act described in subparagraph a).

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