

SEMINAR
PIRACY AND ARMED ROBBERY AGAINST SHIPPING:
To Prevent, Deter, Protect and Fight against an ACTUAL Threat
21 JANUARY 2009

Closing Address

Speech by Commissioner Joe Borg at the seminar on piracy and armed robbery against shipping - "Combating Piracy: Strength in Unity"

Mr Chairman, Colleagues, Ladies and Gentlemen,

I would like to congratulate my colleague, Vice-President Tajani and his Services for organising this timely event.

Piracy is indeed one of the most worrying phenomena facing us today. This was brought home to us in no uncertain terms in Vice President Tajani's presentation this morning. More than that, he demonstrated that what we are dealing with is both well-organised and dangerous. Today's pirates constitute a serious threat not only for those at the front line: seafarers, fishermen and shipping companies, but also for the international community at large, due to the repercussions they have on world trade and international security.

We also heard about the costs that result from piracy. These additional costs are generally passed on and, in most cases, find their way into the prices that we pay for our goods.

So, while piracy may seem, to some, like a remote action happening on the other side of the world, it actually affects us all.

As we have heard today, some estimates put the cost of piracy at tens of millions of euro, in 2008 alone.

Fortunately, the international community has understood the urgency of the situation and has already begun to react. All of us, I am sure, agree that we must make combating this modern-day scourge a priority. And to do this effectively, I believe we must make full use of the international legal order that we have in place.

As noted earlier today, the relevant resolutions passed by the UN Security Council provide the international community with the means to provide a robust response to piracy. Furthermore, the United Nations Convention on the Law of the Sea (UNCLOS) represents one of the main tools that will help the international community to do this. In this respect, the Resolution on the Law of the Sea passed by the UN General Assembly last year is particularly helpful.

This resolution calls on states to co-operate to address threats to maritime safety and security, including piracy, through bilateral and multilateral instruments. It also calls for mechanisms aimed at monitoring, preventing and responding to such threats. It emphasises the importance of reporting attacks promptly to ensure accurate information on the scope of piracy and armed robbery at sea.

The General Assembly also called upon states to take appropriate steps to facilitate the apprehension and prosecution of suspected pirates. To do so, will require, in many cases, the ratification of the relevant international instruments. It also urged States to adopt capacity-building and other measures and to work with the International Maritime Organisation with a view to actively combating piracy.

We fully support this approach and all international efforts involving the International Maritime Organisation, the United Nations, civil and military entities and others, aimed at helping coastal States address the problem of piracy. It is for this reason that we support actions - such as the IMO regional conferences and the Conference on piracy off the Somali coast co-organised by the UN and the Kenyan government in Nairobi in December - that have been highlighted today.

The IMO is also to be applauded for its ongoing work to update several of its instruments on piracy, some of which were mentioned in earlier contributions.

Initiatives which enable crews to be better prepared to deal with possible pirate attacks and which heighten security for shipping, deserve support. Moreover, we welcome the fact that the IMO-led regional seminar for the Western Indian Ocean, Gulf of Aden and Red Sea areas, which will convene in Djibouti in a few days' time, will be considering a Memorandum of Understanding on regional co-operation to boost maritime security and to fight piracy.

The Contact Group on Piracy off the Coast of Somalia which met last week to discuss the implementation of UN Resolution 1851 is a further example of laudable international efforts to tackle piracy worldwide.

Eradicating piracy calls for coordination among the international community and the close involvement of regional actors. If we can do this intelligently it will mean that we can avoid unnecessary duplication and we can better channel resources to ensure that countries in the region are capable of mounting effective counter-piracy activities.

The Commission is encouraged by the promising results which regional co-operation can deliver.

One such example is to be found in the Straits of Malacca, one of the world's vital maritime passages. Close ties of cooperation among governments in the region have led to the establishment, in Singapore, of a regional Information Sharing Centre under the ReCAAP Agreement. In addition, a programme to train coastguards has been launched. This initiative remains very much region-driven and has already begun to make headway in combating acts of piracy. It goes without saying that it is a model worth considering for other regions blighted by piracy.

The European Union is committed to doing all it can to play its part in deterring and stamping out acts of piracy. We firmly believe that the road to enhanced maritime security lies in an integrated approach. This should translate into effective and permanent civilian/military co-operation, coupled with cross-sectoral co-ordination at civilian level. We have, in fact, already started to do this. The cross-service and co-ordinated response to the piracy crisis which we in the Commission have adopted from the very start, has thus far proven to be very productive. Furthermore, the co-operation between the relevant Commission services involved, the Council Secretariat and the military structures, has been commendable.

It most certainly reflects the need for a multi-faceted approach to contain and fight piracy.

The EU's first-ever naval operation – the EU NAVFOR Atalanta – is a good example of how this multi-faceted approach has taken concrete shape.

The Commission also envisages setting-up a programme that will run from 2009 to 2011, which is to be funded from the Instrument for Stability, and which will deal with security issues in some critical maritime routes. This, too, should assist in suppressing the efforts of pirates.

Earlier, I mentioned that working across sectors was an important aspect of any drive to bolster maritime security.

I have seen this happen first hand in the European Union's Integrated Maritime Policy – this new approach to the governance of maritime affairs seeks to provide the framework for cross-sectoral co-operation in order to ensure better policy-making. One area in which we are seeking to make this work is in surveillance.

Maritime surveillance is key to preventing unlawful activities at sea. I firmly believe that co-operation between security, safety and border control authorities working in the maritime domain, which aims at sharing information and at co-ordinating activities will increase our surveillance exponentially. It will also hopefully raise awareness of the many links that already exist between different sectors and will lead to a secure information-exchange network amongst national authorities. We are not planning to re-invent the wheel, we seek merely to enhance what already exists by building upon the systems in existence and tapping the vast experience already available in different Member States.

I am aware that any integrated surveillance network will only be as effective as its component parts and we are therefore working to involve as many different players as possible. The Commission chairs a Member States Experts Group to keep Member States abreast of ongoing surveillance initiatives that are being developed on a sectoral basis. Furthermore, a number of Community agencies are already in place to deal with surveillance issues. And pilot projects with an impact on surveillance in the Mediterranean and elsewhere are in the pipeline.

Early last year we launched a project with the European Space Agency to investigate the feasibility of picking up from space the signals that ships emit to identify themselves. Usually these signals can only be detected from within 35 nautical miles. This project is currently ongoing. Its ultimate objective is, however, to help European authorities and navies to build

up what will amount to a global picture of merchant traffic. Tests are now underway in the Horn of Africa.

In providing understanding and, better still, the ability to manage issues in the maritime domain which could impact on security, safety, trade or the environment, maritime surveillance could very well play a pivotal role in combating piracy.

Ladies and Gentlemen, While I have spent the past few minutes outlining some actions that we believe could help to combat piracy, I think it fair to say that, really and truly, an end to piracy will only be brought about if the rule of law is restored and, more fundamentally, if the underlying causes of piracy are effectively tackled.

As underlined in Vice President Tajani's presentation this morning, in the case of Somalia, any action on piracy off the country's coast must be accompanied by a long-term strategy to bring peace and stability to Somalia and its people. The lawlessness which now prevails in Somalia constitutes a serious threat to regional stability and to international peace and security. Diplomatic activity, potentially also involving neighbouring countries, must be pursued.

And, the Commission is committed to help Somalia onto the path that leads to peace, democracy and development.

Assuming governance is improved, we could envisage different forms of aid to provide much-needed income. With appropriate stability conditions and the support of the entire donor community, one could consider, for instance, helping Somalia join the Indian Ocean Tuna Commission (IOTC). This would oblige it to adopt standards to ensure better governance of fishing in its EEZ. Some have even asked if we could envisage a Fisheries Partnership Agreement with Somalia. While I would like my answer to be more positive, I must say that there are simply too many pre-requisites that are currently missing in terms of stability and administrative capacity. Should these change then the conditions could be created to engage in a Fisheries Partnership Agreement with Somalia.

Ladies and Gentlemen,

Piracy is not a new phenomenon. But, what we have witnessed over 2008 shows us, that piracy is raising its ugly head once again. I am confident, however, that just as piracy was fought so many years ago, we have the tools we need to do the same again now.

In concluding I would like to think that you have found this seminar useful.

I am convinced that events such as this have a role to play in helping forge the basis for strong and concerted international efforts to ensure that piracy becomes a thing of the past.

Let us hope that the ideas which have come to the fore today will translate into action tomorrow.

Thank you.