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DIRECTORATE-GENERAL FOR ENERGY AND TRANSPORT

Director-General

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Mr T. Abrahamsson  
Vice Chairman  
ECSA  
Rue Ducale 45  
1000 Brussels

Mr J. Lusted  
Chairman, Maritime Sectoral  
Dialogue Committee  
ETWF  
Rue du Midi 165  
1000 Brussels

Dear Sirs,

I have well received your correspondence with reference 454/01 concerning piracy, armed robbery and the treatment of persons rescued at sea, and would like to reiterate that these issues are indeed of the deepest concern to the Commission.

Like you suggest, my services have on several occasions and instances, together with the services of the Directorate-General for Justice and Home Affairs, raised the issues in the fora you indicate, and will continue to do so.

I will expect that the established and regular co-operation with my services will continue aiming at the development of concrete proposals for resolving these issues at international and European level.

Yours sincerely,



François LAMOUREUX

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SF 10.710

14/01/2002

Dear Mr Lamoureux,

### **PIRACY AND ARMED ROBBERY**

In November 1999 we wrote to Commissioners de Palacio, Patten and Lamy on the issue of piracy and armed robbery and you were good enough to reply on their behalf. We were greatly heartened by the understanding of this problem that clearly exists within the Commission.

However, the number of acts of piracy and armed robbery against ships continues to increase dramatically. During 2000, the figure rose to 471 worldwide, an increase of more than 50% over the equivalent figure for 1999. These incidents involving the use of guns, tear gas and knives represent those officially reported to IMO and it is certain that many more will have gone unrecorded. This is an average of more than nine recorded attacks each week – many of which involved ships owned or registered within the EU, or crewed by EU seafarers. In recent months we have even had ships seized by armed attackers, with their crews murdered or set adrift in lifeboats.

This situation presents a growing threat to the safe and efficient movement of world trade, 95% of which goes by sea. It should be totally unacceptable to the world community that civilian seafarers engaged in peaceful world trade are exposed to such risks.

There is a growing acceptance that organised international crime syndicates are becoming involved in this phenomenon. Only recently a conference in Kuala Lumpur was warned that the attacks could undermine that region's economic development. In addition, there is a growing risk that a major catastrophe - involving wide scale pollution and/or loss of life - will be caused by such an attack. Many ships have been attacked while carrying volatile or dangerous cargoes. In a significant number of cases all the crew have been held at gunpoint or incapacitated, leaving no one at the controls in congested waterways.

This situation was considered at a recent meeting of the EU Sectoral Dialogue Committee for Maritime Transport. The social partners concluded that it is now more important than ever before that the EU takes a proactive lead to combat these problems. This is of course now set against the tragic events of 11 September, in relation to which the Commission is actively considering the possible EU initiatives in the area of maritime security in consultation with the industry.

It is with this background that as the officers of that Committee, we were instructed to request again that the Commission prioritise the issue of piracy and armed attacks on shipping when taking part in international or regional discussions on trade, in particular when negotiations on trade contracts are taking place with countries where the greatest number of attacks occur. These are Indonesia, Brazil, Indonesia, the Indian Sub-Continent, the Philippines and certain West African countries.

A major opportunity to highlight the importance attached to this issue by the EU has arisen in relation to an initiative taken by the United Nations Secretariat to begin an open ended informal Consultative Process on Oceans and Law of the Sea (UNICPOLOS) to consider the issue of armed piracy. We would strongly urge the EU to devote every effort to ensure that the matter receives appropriate priority and maximum support in these United Nations discussions.

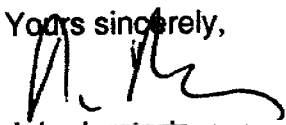
### THE TAMPA

The social partners also discussed the "Tampa" incident. In August the cargo liner vessel "Tampa" was prevented by Australian authorities to set 438 persons, rescued at sea, on shore at the closest port. The social partners agree on the urgent need for clear international regulations on the obligations of ships, flags and port states in relation to persons rescued at sea. The social partners welcome IMO Assembly Resolution of November 2001 instigating a "Review of Safety Measures and Procedures for the Treatment of Persons Rescued at Sea".

It is in this regard that the social partners request the Commission, in cooperation with Member States, to give priority to and support for the work in IMO to secure that,

- survivors of distress incidents at sea, regardless of nationality or status, are provided assistance and treated in accordance with relevant international agreements and long-standing humanitarian maritime traditions and,
- ships which have retrieved persons in distress at sea are able to deliver the survivors to a place of safety.

Yours sincerely,

  
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Vice Chairman

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