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## MARITIME PIRACY OFF THE SOMALI COAST

### ECSA AND ETF JOINT DECLARATION

#### **Introduction**

The European Community Shipowners' Associations (ECSA)<sup>1</sup> and the European Transport Workers' Federation (ETF)<sup>2</sup> are concerned about the sustained piracy and high-jacking attempts in an ever-growing area around the Gulf of Aden – despite important and successful international and European efforts – and the huge challenges and great risks for seafarers and shipping companies operating in that area.

Both associations wish to find appropriate solutions to eradicate maritime piracy and have therefore placed this matter high on the agenda of the Sectoral Social Dialogue Committee for Maritime Transport (SSDC), of which they are members as the recognised social partners for maritime transport.

In line with the previous joint press releases, issued respectively in October 2011<sup>3</sup> and April 2012<sup>4</sup>, ECSA and ETF have agreed to the following joint declaration on the efforts to combat maritime piracy off the Somali coast:

#### **1. ECSA/ETF welcome the extension of the EU NAVFOR/ATALANTA mandate**

ECSA and ETF welcome the Council decision of 23 March 2012 to extend the mandate of the EU counter-piracy operation "EU NAVFOR/ATALANTA" until December 2014, and to authorise its naval and air units to engage targets also on the Somali shoreline.

In the light of sustained piracy and high-jacking attacks, a military presence in the Gulf of Aden is imperative and the EU NAVFOR/ATALANTA operation has contributed successfully to the protection of seafarers and shipping companies operating in this area.

However, a successful EU NAVFOR/ATALANTA operation requires robust rules of engagement and sufficient resources. ECSA and ETF deplore the decrease in the number of vessels supplied by EU Member States to this operation and fully support the European Parliament's Resolution of 10 May 2012 calling for EU Member States to support EU NAVFOR/ATALANTA with increased naval assets.

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<sup>1</sup> ECSA is the organisation representing the interests of the national shipowners' associations of EU Member States and Norway. ECSA works through a permanent secretariat in Brussels and a Board of Directors, as well as a number of specialised committees. Its aim is to promote the interests of European shipping so that the industry can best serve European and international trade and commerce in a competitive free enterprise environment to the benefit of shippers and consumers.

<sup>2</sup> ETF is a pan-European trade union organisation which embraces transport trade unions from the European Union, the European Economic Area and Central and Eastern European countries.

<sup>3</sup> A joint ECSA/ETF press release was issued in October 2011 in the context of a Maritime Piracy Conference organised by MEPs G. Koumoutsakos and P. Van Dalen in the European Parliament.

<sup>4</sup> A joint ECSA/ETF press release was issued in April 2012 following a Maritime Piracy Conference organised jointly by the European Commission and the Danish EU Presidency.

## **2. ECSA/ETF welcome the adoption of a new European Parliament Resolution on Maritime Piracy**

ECSA and ETF welcome the adoption of a new Resolution by the European Parliament on Maritime Piracy on 10 May 2012, which clearly shows the sustained priority given to piracy by MEPs. The new Resolution addresses some key issues and concerns for ECSA and ETF, notably:

- The need to liberate the 191 seafarers currently held hostage.
- The recognition of the contribution of EU NAVFOR/ATALANTA.
- The support for the extension of the mandate of EU NAVFOR/ATALANTA in time and in geographical scope.
- The need for EU Member States to increase their contribution to EU NAVFOR/ATALANTA.
- The need to enhance coordination between the various Common Security and Defense Policy missions and between EU NAVFOR/ATALANTA, NATO and CTF 150/151.
- A call for the Council and the Commission – in collaboration with the UN and the African Union – to continue to cooperate and support Somalia's Transitional Federal Government in its fight against piracy.
- The need for shipping companies to adhere to and fully apply the 'Best Management Practices for protection against Somalia Based Piracy' (BMP-4).
- The recognition that the use of Private Armed Guards is a measure that cannot substitute a comprehensive solution to the multifaceted threat of piracy.
- The recognition that perpetrators must be brought to justice and that Somalia and the region must be helped to strengthen its capacities.

## **3. ECSA/ETF support the efforts of EEAS on capacity building in the Horn of Africa**

ECSA and ETF support the efforts of the European External Action Service (EEAS) to establish a Regional Maritime Capacity Building mission – known as "EUCAP NESTOR" – to help countries in the Horn of Africa with specific assistance, such as the creation of a master plan to combat piracy, the drafting of legislation, and nautical and logistics training.

## **4. ECSA/ETF are opposed to outlaw ransom payments to pirates**

ECSA and ETF are opposed to attempts to restrict or criminalise the payment of ransoms to pirates since this would have counter-productive effects to the detriment of seafarers and shipping companies and it would put hostages at an even greater risk. ECSA and ETF are of the view that – time being – ransom payments remain a necessary instrument to ensure a safe return of seafarers.

Instead of banning ransom payments, ECSA and ETF call for a larger focus on money laundering and financial flows to/from pirates and welcome investigations in some EU Member States in this respect. Also initiatives such as the establishment of a joint Dutch–German investigation team to target financiers and the coordination of databases to increase the understanding of national authorities of the pirate business model are very much welcomed.

Finally, ECSA and ETF would like to draw attention to the increasing occurrences of armed robbery at sea (ARAS) in West Africa and urge the international community to address the situation appropriately to avoid any escalation. Specific and tailored measures should be supported for this region as the modus operandi for ARAS is very different than that of Somali pirates.