
STATEMENT OF THE IOTC PLENARY ON PIRACY IN THE WESTERN PART OF THE IOTC AREA OF COMPETENCE – 2014

PREPARED BY: EUROPEAN UNION, 30 APRIL 2014

The Indian Ocean Tuna Commission (IOTC):

- *Recalls* its statements on piracy off the coast of Somalia.¹ Despite a significant drop in pirate attacks in 2013, piracy against humanitarian, commercial and fishing vessels in the western Indian Ocean remains a real threat.

- *Continues* to be deeply concerned by the acts of piracy which put at risk the delivery of humanitarian assistance to the population of Somalia. Piracy continues to have a serious impact on merchant shipping and legitimate fishing activities in the western part of the IOTC area of competence subject to international laws and regulations and where their activities are monitored by IOTC members in accordance with its management measures.

- *Welcomes* the adoption of United Nations Security Council Resolutions (UNSCR)² on piracy off the coast of Somalia and urges all States to continue contributing to their rapid and effective implementation. The most recent UN Security Resolution 2125 was adopted on 18 November 2013. The Security Council renewed for another year the authorizations, first agreed in 2008, for international action to fight the crimes in cooperation with the new Somali Government, whom it requested to create a national legal framework for the effort.

The implementation of these resolutions helps to ensure the protection of all fishermen from piracy, and enables them to carry out their fishing activities. Fishing is their livelihood that also generates a significant amount of economic activities in coastal countries of the Indian Ocean.

- *Expresses* its satisfaction with the ongoing efforts of organisations and states contributing to fight piracy off the coast of Somalia. It calls for the international community to devote sufficient means to fully implement the UNSC resolutions. The implementation of these resolutions along with the incorporation of self-protection measures on board the fishing vessels most exposed to piracy attacks, helps to ensure the protection of all fishermen from piracy and enables them to carry out their fishing activities.

- *Recalls* the relevant provisions included in the United Nations Convention on the Law of the Sea (UNCLOS), notably those included in its article 105, for fighting acts of piracy and calls on State parties to that Convention to take the necessary action in their national legislations to make full use of those provisions.

- *Commends* the comprehensive approach by the EU in addressing the situation both through actions such as EUNAVFOR ATALANTA recently extended to December 2016, the Maritime Security Programme which will also pave the way for more substantial and comprehensive intervention in 2014, the MASE Programme, to promote Maritime security and fight piracy in Eastern and Southern Africa and the Western Indian Ocean and the efforts undertaken by EU CAP NESTOR³. This mission aims to assist with development in the Horn of Africa and the western Indian Ocean States to provide self-sustainability for continued enhancement of maritime security, including counter-piracy, and maritime governance. EUCAP NESTOR's geographical focus is on Djibouti, Kenya, the Seychelles and Somalia. It is also deployed in Tanzania.

¹ 6 May 2008, March 2009, March 2010, March 2011, March 2012 and May 2013

² (UNSCR) 1814, 1816, 1838, 1846, 1851, 1897, 1918, 1950, 1976, 2015, 2020 and 2077

³ EU COUNCIL DECISION 2012/389/CFSP of 16 July 2012 on the European Union Mission on Regional Maritime Capacity Building in the Horn of Africa (EUCAP NESTOR)

- *Also commends* all new international initiatives to curb piracy in the western Indian Ocean.

- *Recalls* the efforts made by the International Maritime Organisation (IMO), with its robust code of conduct on piracy and armed robbery against ships for States from the western Indian Ocean and Gulf of Aden areas of 2009 – the Djibouti Code of Conduct. It urges all eligible states to sign. - *Stresses* the need to promptly report incidents of piracy and armed robbery, including attempts, thus providing timely and accurate information on the scope of the problem. Sharing relevant information with coastal States and other States potentially affected by such incidents is crucial to addressing the issue.

- *Commends*, in the context of a regional approach, the important role of the IMO in implementing the Djibouti Code of Conduct with the support of donor countries. The IOTC commends the work of the Contact Group on Piracy off the Coast of Somalia in facilitating coordination among its members.

- *Believes* that military resources to contain piracy remain necessary and have contributed to curbing attacks along the coast of Somalia and the western Indian Ocean.

- *Recognises* that recent technological developments have made ship self-reporting systems⁴ much more affordable. The value of the maritime awareness resulting from their use for maritime safety and security, including counter-piracy, has been demonstrated e.g. in recent EU projects⁵, and will continue to be demonstrated in the Indian Ocean region⁶.

The IOTC calls on the International Community

- For its support to ensure the safety of all fishing vessels and their crew in the region from acts of piracy. We encourage full implementation by flag States of the Best Management Practices as agreed by the international maritime community - vessels are encouraged to fully adopt these to help repel piracy attacks. Best management practices should continue to be applied consistently.
- For strong and concerted action on the international and political scene. The Regional Strategy on Piracy and Maritime Security and its Plan of Action adopted in Mauritius in October 2010 by 22 Countries of the region, is a major step towards a regional response to piracy. Although measures are in place to prosecute suspected pirates and to install a proper rule of law in Somalia.
- For actions that should focus on targeting financiers and coordinating databases to increase the understanding of the pirate business model. Tracking and disrupting those financial flows can break down this model.
- For Stimulating of extended usage of ship self-reporting systems and the establishment of the proper monitoring centres.

⁴ AIS – Automatic Identification System, and VMS – Vessel Monitoring System.

⁵ Pilot projects on Piracy, Maritime Awareness and Risks (PMAR) (<http://ipsc.jrc.ec.europa.eu/fileadmin/docs/JRC69765.pdf>).

⁶ PMAR project under the MASE program, coordinated by the IOC, to provide a maritime picture over the ESA/IO region during 2014.