



**Ninth Plenary Session of the
Contact Group on Piracy off the Coast of Somalia
New York, 14 July 2011**

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1 The Contact Group on Piracy off the Coast of Somalia (CGPCS) held its Ninth Plenary Session in New York on 14 July 2011, under the chairmanship of Singapore.

2 The CGPCS underlined the continued central importance of close international co-ordination to address effectively the scourge of piracy off the coast of Somalia and in the wider Indian Ocean. It welcomed significant developments in counter-piracy efforts by the UN and the international community since the Eighth CGPCS Plenary Session in March 2011. It noted, in particular:

- the sense of international outrage at the continued suffering of innocent seafarers held hostage by pirates, including continued reports of increased violence and even torture, expressed its unacceptability of such practices and its sympathy for these seafarers and their families;
- that although there has been a positive trend of fewer ships and crew being held hostage since the Eighth CGPCS Plenary Session (17 ships and 393 crew were held hostage as of 11 July 2011, compared to 26 ships and 573 hostages in March 2011), and a substantial reduction in the number of reported attacks in the Internationally Recommended Transit Corridor of the Gulf of Aden in the first half of 2011 and also in the East Arabian Sea east of 65°E, piracy continues to pose a grave threat, especially in the wider Indian Ocean, where attacks have increased although the overall rate of success has reduced, and the situation calls for continued international focus on comprehensive counter-piracy efforts and sustained contribution to them;
- the adoption of UN Security Council Resolution 1976 (2011) on legal issues related to piracy off the coast of Somalia and the Report by the UN Secretary-General on 14 June 2011 on the modalities for the establishment of specialised Somali anti-piracy courts;
- the operationalisation of three sub-regional Information Sharing Centres in Kenya, Tanzania and Yemen, facilitated by the IMO with the support of the European Union (EU) under the Djibouti Code of Conduct;
- the work in the IMO on interim guidance on the use of privately contracted armed security personnel on board merchant shipping;

- the urgent need to increase the number of prosecutions as a top priority even if more than 1,000 pirates are detained and prosecuted in 20 jurisdictions across the world;
- the UNODC's and UNDP's continued support for Somali and regional efforts to detain and prosecute suspected pirates and the strengthening of the Somali judicial system as a whole;
- the new contributions of \$1.1 million and new pledges of about \$4.6 million to the Trust Fund to Support Initiatives of States Countering Piracy off the Coast of Somalia, including the first pledges from the private sector, mainly in conjunction with the High-Level Counter-Piracy Conference hosted by the United Arab Emirates in Dubai on 19 April 2011, as well as the total contributions of \$8.2 million received by the Trust Fund since its inception in January 2010, of which \$7 million has been disbursed; and
- the progress of the "Kampala Process", a Somali counter piracy dialogue forum, which recently discussed steps for sustainable economic exploitation of the resources of the seas off Somalia as well as for law enforcement, and how best to strengthen Somali capacity to prosecute suspected pirates.

3 The CGPCS further welcomed the counter-piracy efforts undertaken by the four CGPCS Working Groups. It noted in particular:

- the continued primary importance of compliance by merchant shipping with industry-agreed self-defence measures and welcomed the latest revision of Best Management Practices;
- the support for robust action by international naval forces against pirates, and welcomed the continued strong effectiveness of military action, including the success of the coordinated patrols and convoys in the Gulf of Aden and also naval action east of 65°E in the East Arabian Sea in reducing hijacks in these areas, and the importance of action taken against mother ships, disruptions of pirate operations and continued safe escort of WFP and AMISOM convoys; it also noted the need for continued international coordination of the maritime effort with a view to optimizing effectiveness of the efforts and use of resources, particularly flag States providing Long Range Identification and Tracking information;
- the importance of ongoing work by Working Group 1 to support and coordinate capacity building in the wider region, including implementation of the Djibouti Code of Conduct and the Regional Plan of Action and the need to fill the remaining gaps;
- the agreement of the main deployers in the Gulf of Aden to coordinate with each other to de-conflict convoy schedules;
- the importance of the post-trial transfer arrangements, such as the framework concluded between the Government of the Seychelles on the one hand, and the Transitional Federal Government of Somalia and the regional administrations of Puntland and Somaliland on the other hand, and the interest in their early implementation; the importance of pre-trial transfer agreements, such as the recently concluded transfer agreement between the EU and Mauritius; the CGPCS invited other States to conclude

similar arrangements and noted the offer of assistance in this regard from the UNODC and the Working Group 2 chair;

- the need to deter piracy by supporting existing or potential new mechanisms for more effective prosecution of suspected pirates, to allow for navies operating in the region to quickly hand over apprehended pirates to competent State authorities for prosecution using, in particular, evidence collected on board naval vessels;
- as a matter of urgency, the need for the Somali authorities to adopt the legal framework to counter piracy and comply with their international commitments, and to pass the laws and regulations necessary for their implementation;
- the formation of two Intersessional Correspondence Groups, to deepen some aspects related to the use of privately contracted armed security personnel that is complementary to IMO interim guidance, and to address a framework for implementation and compliance with Best Management Practices; and
- the need for a set of coordinated media messages, being drafted by Working Group 4, to be delivered by all CGPCS partners through all national and regional channels consistent with the CGPCS Communication Strategy, and the need for tailored media messages, to be delivered to the Somali community and diaspora, that take into consideration the relevant cultural sensitivities and regional sensibilities.

The CGPCS endorsed the progress made in each of its Working Groups, and tasked them to continue their work in conformity with the conclusions of their respective chairmen.

4 The CGPCS also welcomed the counter-piracy efforts discussed at the second ad hoc meeting on the financial aspects of Somali piracy, including those of INTERPOL, EUROPOL, and UNODC. It noted in particular:

- the importance of INTERPOL's support for the creation of a global data base cataloguing all relevant information, and INTERPOL's efforts towards greater information and evidence sharing to support counter piracy law enforcement;
- UNODC's organization of an international conference on the issue of money flows linked to piracy in Nairobi, Kenya, in May 2011; and
- the need for enhancing information sharing on suspected pirate financiers and facilitators and their networks, to develop legal solutions to prosecute pirates and to dismantle their networks; the need to promote capacity building of and legislative drafting assistance to financial intelligence units and other financial law enforcement authorities in the region, the need to further understand the financial flows of piracy ransom proceeds; and the need to establish a cooperation mechanism among public prosecutors for the purpose of legal action against major pirate financiers, negotiators and organizers, taking into account recent efforts by EUROJUST to achieve this aim.

The CGPCS established Working Group 5 to focus on and coordinate efforts to disrupt the pirate enterprise ashore, under the chairmanship of Italy, and commended the initiative of and support to this effort by the Republic of Korea and many other nations and organizations.

5 The CGPCS highlighted the need to continue to resource sufficiently the international response, including the following areas: military operations to ensure an ongoing and effective military response; law enforcement and justice agencies to continue their efforts to investigate and prosecute all those engaged in piracy; a stronger commitment from the international community to ensure the necessary financial and other support for the development of prosecution and prison capacity in the region, in particular Somalia; and continued support from governments and the private sector to the Trust Fund. The CGPCS stressed the importance of owners and flag States taking responsibility to provide assistance to the crew and vessel upon its release from pirates. This should also include provision of adequate fuel, technical assistance and security teams to ensure safe passage for the released crew during the vessels' transit to safety.

6 The CGPCS noted that the on-going international efforts above, though essential, cannot on their own eradicate piracy, and agreed with the UN Secretary-General that coordinated and complementary efforts that help address the root causes on land are pivotal. This includes a comprehensive, multi-pronged approach bringing together the counter-piracy activities and the wider efforts to stabilise Somalia, promote good governance and rule of law, strengthen the TFG's institutions of security and the judiciary, and support social and economic developments. The CGPCS noted the UN Security Council's request to the UN Secretary-General to strengthen UNPOS as the UN focal point for counter-piracy, including the Kampala process, and called on him to ensure effective and high-level coordination of anti-piracy efforts at headquarters and on the ground.

7 The CGPCS welcomed Qatar as a new participant in the CGPCS and looked forward to its contributions to countering piracy. The CGPCS noted that the system design for the official CGPCS website was recently completed by the Republic of Korea and is expected to start formal operation in September 2011.

8 The Tenth Plenary Session will be held under the leadership of The Netherlands on 17 November 2011.

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