



**TWENTIETH PLENARY SESSION of the
Contact Group on Piracy off the Coast of Somalia**

5th – 7th July 2017, Mauritius

Communiqué

“Leaving a Lasting Legacy for the Region”

- 1** The Contact Group on Piracy off the Coast of Somalia (CGPCS) held its 20th Plenary at the Intercontinental Hotels & Resorts, Balaclava, Mauritius and was co-hosted by the Indian Ocean Commission from 5th July to 7th July 2017 under the Chairmanship of the Republic of Seychelles.
- 2** In attendance were the following countries: Australia, China, Denmark, Djibouti, Greece, France, India, Italy, Japan, Kenya, Mauritius, Netherlands, Norway, Pakistan, Panama, Republic of Korea, Russia, Saudi Arabia, Seychelles, Singapore, Somalia, Spain, Sri Lanka, United Kingdom, United States of America. The Somali delegation included representatives from the Federal Government of Somalia, the Federal Member States Galmudug, Puntland, Hirshabelle, Somaliland and South West Administration.
- 3** Other organizations attending included: Cardiff University, Combined Maritime Forces (CMF), Common Market for Eastern and Southern Africa (COMESA), Danish Shipping, East African Community (EAC), Eastern Africa Standby Force (EASF), European Union (EU, EUCLAP Somalia, EU NAVFOR, and Critical Maritime Routes in the Indian Ocean (CRIMARIO)), Food and Agricultural Organization (FAO), International Chamber of Shipping (ICS), INTERPOL, International Association of Independent Tanker Owners (INTERTANKO), Intergovernmental Authority for Development (IGAD), International Seafarers’ Welfare and Assistance Network (ISWAN), Indian Ocean Commission (IOC), International Maritime Organization (IMO), James Michel Foundation (JMF), M & C Saatchi, NATO, Norwegian Shipowners Association, Oceans Beyond Piracy (OBP), Oil Companies International Marine Forum (OCIMF), One Earth Future Foundation (OEF), Salama Fikira, United Nations Secretariat (UN), United Nations Assistance Mission in Somalia (UNSOM), the United Nations Office on Drugs and Crime (UNODC) and the University of Seychelles.
- 4** Reaffirming that the CGPCS remains a vital mechanism and point of contact for the international coordination of all states, international and regional organisations and non-state actors involved in addressing piracy off the coast of Somalia in line with United Nations Security Council Resolution 1851 of 18th December 2008.

- 5 Commending the Republic of Seychelles for continuing on from 2016 its Chairmanship of the CGPCS for 2017 following the decision of the 19th Plenary Session held in Victoria, Seychelles from 31st May to 3rd June 2016.
- 6 Additionally, commending the Indian Ocean Commission for accepting to co-host the 20th Plenary in Mauritius as well as its agreement to Chair the CGPCS for the following period.
- 7 Acknowledging the Seychelles CGPCS Chair's Message aimed at consolidating and extending the achievements of the CGPCS into a "*Leaving a Lasting Legacy for the Region*".
- 8 Welcoming continued efforts by the international community to combat and deter piracy off the coast of Somalia but acknowledging that piracy remains a threat in the region.
- 9 Considering that the spike in recent incidents may imply that piracy networks retain the capability and the intent to commit acts of piracy and armed robbery at sea; and reiterating the continued need for the shipping industry to maintain Best Management Practice to mitigate the opportunity for acts of piracy to be committed.
- 10 Recognising that the CGPCS remains committed to the objective of "*zero seafarers and zero ships*" in the hands of Somali pirates, the CGPCS commends the Hostage Support Partnership (HSP) for the release of 26 seafarers last year, but remains concerned that eight Iranian seafarers from the FV Siraj remain as hostages inside Somalia in appalling conditions.
- 11 Acknowledging that piracy survivors, need post-trauma intervention and many of their families have suffered and have fallen into poverty in their absence, the CGPCS welcomes the work of International Seafarers Welfare and Assistance Network (ISWAN) and Maritime Piracy Humanitarian Response Programme (MPHRP); as well as the CGPCS Piracy Survivors Family Fund (PSFF), which provides funds for the survivors of Somali piracy, and for their families, to provide a range of support during and after captivity and recognizing the need to continue supporting these initiatives and contributions to funds.
- 12 Recognising the need for the region to enhance efforts aimed at strengthening its capacity to deter and combat piracy and other related transnational organized crimes and supporting Somalia in building its maritime policing and coast guard capacities.
- 13 Acknowledging the achievements of regional African efforts to cooperate to tackle piracy and related maritime crimes, in particular the conclusion of the negotiation of the African Union's Lomé Charter on 15th of October 2016, and the adoption of the Jeddah amendments to the Djibouti Code of Conduct on the 12th of January 2017.
- 14 Supporting the outcome of the 3rd London Somalia Conference held on 11th May 2017 and the commitment of the Federal Government and Federal Member States of Somalia to developing their maritime security capabilities.

- 15** Appreciating the continued coordinated efforts of the international community to deter and combat piracy activity through maritime surveillance, patrols, and monitoring as well as capacity building in the Western Indian Ocean region and in Somalia.
- 16** Welcoming the efforts of Federal Government of Somalia, federal member states, Somaliland and regional organisations aimed at eliminating piracy activities off the coast of Somalia, the Gulf of Aden and the wider Indian Ocean.
- 17** Appreciating Puntland and Galmudug's recent achievements against piracy activities in their Federal States in which they freed the innocent crew of ARIS 13 and Al Kausar Commercial Dhow in March and April 2017 and apprehended the alleged pirates.
- 18** Appreciating the meeting of maritime experts that Oceans Beyond Piracy (OBP) organised in the lead up to the London Somalia Conference under the co-Chairmanship of the Chair of the Contact Group to discuss the maritime piracy threat in the Gulf of Aden and the Indian Ocean.
- 19** The Contact Group appreciated the actions by the Chinese military and Indian Navy in which they freed the innocent crew of OS35.
- 20** Commending the establishment of the Regional Centre for Operational Coordination (RCOC) in Seychelles on 1st July 2017, which will operate alongside its sister centre, and appreciating the establishment of the Regional Maritime Information Fusion Centre (RMIFC) in Madagascar, in line with the 2016 Djibouti Declaration. The new centres will augment the existing Djibouti Code of Conduct information network.
- 21** Welcoming the successful convictions of pirates achieved by Belgium, Mauritius and Seychelles in the last 12 months.
- 22** The Working Group Maritime Counter Piracy and Mitigation Operations (renamed Working Group on Operations at Sea) held a meeting in the margins of the plenary to discuss the future of the working group in the light of the recent increase in piracy activity and updated the CGPCS as follows:
- a. Working Group participants discussed a proposal from the CGPCS Chair regarding the future of the Working Group (WG).
 - b. Participants agreed that considering the level of piracy activity the WG should be maintained and welcomed the proposal of Seychelles and India to take over the responsibility as Co-Chairs.
 - c. Participants debated how the WG can play a role in monitoring the situation at sea drawing on the basis of the threat assessments provided by countries, the regional and international forces/bodies and/or initiatives and the risk assessment of the shipping industry.
 - d. Participants agreed that the WG has an important role in assessing the piracy threat in the region and that its recommendations should inform the CGPCS Chair.
 - e. It was agreed that the agenda should include the items further detailed in the proposal paper, namely to remain informed on the regulation of floating armouries, to continue the promotion of information sharing and maritime situational awareness and support in the ensuring the compliance of the shipping industry with the Best Management Practices. In

addition, participants stressed the importance of exploring the relation of piracy and other maritime threats and the synergies in the response.

- f. While the CGPCS mandate is focussed on piracy, participants recognized that there are other maritime threats to industry.
- g. Meetings should be held at regular intervals and at least annually.

23 The CGPCS was informed that the Indian Ocean focused Working Group on Capacity Building, born from the 19th Plenary, had been transformed into the Regional Capacity Building Working Group that focuses on capacity building in the region outside of Somalia (RCBWG), the latter having met in the margins of the Plenary; and took note of the following:

- a. The Co-Chairmen outlined their vision for the working group. This was that the RCBWG (1) was key to the CGPCS process, identifying regional priorities and coordination of actual capacity building activities and regional responsibilities, (2) should deliver a matrix of all regional capacity building activities and improving regional communications between states, (3) attract more capacity building partners, (4) achieve a desired level of capability and deliver regional deterrence.
- b. The meeting heard a briefing from IMO in support of a proposal to add to the RCBWG those countries (some of whom are CGPCS participants) who are members of the Djibouti Code of Conduct so that there are not two regional coordination mechanisms. The RCBWG members decided that the proposal had merit and agreed that concrete proposals would be tabled at the next RCBWG meeting.
- c. The meeting heard a briefing by CRIMARIO on their projects including IORIS their Regional Information Sharing and Incident Management Network.
- d. A number of other partners briefed additional regional projects which clearly identified the need for better exchange of projects and programmes between meetings. OBP briefed on their plans for a wider African Stable Seas Maritime crime threat report as a follow on to their Annual Report on the Cost of Piracy (due for release in October).
- e. The RCBWG was briefed on regional national priorities and Kenya and Seychelles had an opportunity to brief on their national priorities and agreed to update the matrix held by the Secretariat. The Co-Chairs requested all member states to update their priorities and inform the Secretariat.

24 The CGPCS received an update from the Law Enforcement Task Force by UNODC, which was appointed as the Secretariat for the Law Enforcement Task Force (LETF) at the 19th Plenary, and took note of the following:

- a. The LETF met on 19 May 2017 in The Hague with the participation of senior investigators and prosecutors from 7 countries and 3 international organisations. The LETF meeting provided an opportunity for law enforcement agencies and prosecutors from each participating state to update the group on the status of investigations and progress since the last meeting. There were investigations by multiple jurisdictions on common targets and the LETF meeting provided a forum for information sharing between law enforcement agencies on these specific targets. The valuable use of Interpol's database of piracy suspects was highlighted when a positive identification of a suspect was made among refugees arriving in Europe from Africa.
- b. The LETF commended the excellent work of the Belgium prosecutors in successfully convicting Mohamed Abdi Hassan, a.k.a. Afwenye with a 20 year prison sentence, and his associate Mohamed Moalin-Aden a.k.a. Tiiceey with a 10 year prison sentence.

- c. The excellent work of the Piracy Intelligence Cell and the Attorney General of Seychelles to issue indictments against Mohamed Garfanji, Abdukadis Mohamed (Afwenye's son) and Mohamed Abdi Hiyir were discussed in detail at the LETF meeting.
 - d. LETF plans to meet more regularly with the support of UNODC as the Secretariat and the LETF will continue to pursue and bring to justice pirate leaders, financiers and facilitators.
- 25** The Somali Maritime Security Coordination Committee (MSCC), which had been mandated to Chair the Somali focussed Group on Capacity Building since the 19th Plenary Session, held a meeting in the margins of the plenary. It gave the CGPCS an update as follows:
- a. The CGPCS noted the significant and positive developments in Somalia since the last 19th Plenary, and the renewed commitment of the recently elected Federal Government of Somalia and particularly its focus on the delivery of the identified priorities in the SMRSS under an established timeline of implementation. It also noted that not all MSCC members were present.
 - b. The CGPCS took note of the commitments by the Federal Government of Somalia to hold National Maritime Coordination Committee (NMCC) meetings with regularity at the same time involving the federal member states.
 - c. It was also noted that the Somali-focussed group meeting chaired by the MSCC was productive and that the recently elected Federal Government of Somalia will sustain the past gains made by the MSCC and maintain it as the principal coordination mechanism with the next planned meeting to be held end of July 2017 in Kampala.
 - d. The MSCC identified that the level of the piracy threat needs to be urgently addressed through capacity building of Somalia's maritime security forces and the strengthening of maritime related institutions in the country both federal and regional to administer all relevant policies and laws successfully.
 - e. The MSCC reiterated its absolute commitment to continue with the successful partnership forged with valuable supportive partners including nations and international organizations, the MSCC recognizes the solid efforts of all partners and thanking them all for their continued support.
- 26** The Trust Fund to Support the Initiatives of States Countering Piracy off the Coast of Somalia, which met in the margins of the Plenary, updated the CGPCS as follows:
- a. The UN Trust Fund Board reviewed findings from, the recent strategic review of the Trust Fund, and deliberated on the future focus of Trust Fund project, Board members were in general agreement on the need for a moderate shift in focus that will see the Trust Fund play a more strategic and catalytic role in piracy prevention, contingent on the availability of new funding.
 - b. The UN Trust Fund Board Members approved three new projects worth a total value of US\$620,788.
- 27** Participants of the 20th CGPCS Plenary Session adopted this Communique and made the following decisions.

- 28** To achieve the objective of zero seafarers and zero ships detained by pirates, key elements remain: (1) deterrence, monitoring and surveillance at sea, (2) compliance with the Best Management Practices, (3) armed guards on board merchant vessels when required following a risk assessment and legally deployed, (4) reporting networks to establish adequate Maritime Situational Awareness, (5) a legal finish to enable arrest and prosecution of suspected pirates, and (6) the disruption of onshore pirate networks and financiers.
- 29** The CGPCS calls on the Federal Government of Somalia and the Federal Member States to use all of its influence on the clans and communities holding hostages in Somalia. CGPCS participants are requested to consider support for seafarers and their families held hostage both during captivity and after release.
- 30** The CGPCS stands ready to support the Federal Government and Federal Member States of Somalia to adhere to the commitment made at the London Somalia Conference to develop maritime security with a capable Coast Guard function and appropriate anti-piracy legislation and assist the Maritime Security Coordination Committee (MSCC) as the central mechanism for developing capability and identifying and channelling support.
- 31** Independent Deployers which played an important role in recent months to foil piracy attacks from succeeding, should be encouraged to participate in all aspects of the CGPCS; they are encouraged to consider expanding operating areas to the south that would allow for area patrols in the Somali Basin and improve maritime situational awareness and ensure maritime security; they are encouraged to work with all CGPCS participants to consider the expansion of legal finish for the suspects that they arrest.
- 32** Ownership of counter-piracy measures by the Somali people, as represented in particular by the Federal Government of Somalia, is critical since without the full support of the Somali people no lasting solution can be realised; increased maritime security will enable the development of the Blue Economy, which will simultaneously help sustain maritime security goals.
- 33** Reiterated that the solution to piracy lies onshore and that it is vital to support Somalia to develop its maritime law enforcement capabilities and counter-piracy and other maritime crime legislations without delay. The group recommends coordination between MSCC and the Legal Forum on this matter further.
- 34** The CGPCS supported the continued coordinated efforts of the international community to deter and combat piracy activity through maritime surveillance, patrols, and monitoring as well as capacity building in the Western Indian Ocean region and in Somalia.
- 35** The CGPCS supported the reconfirmation at the London Somalia Conference of the international community's commitment to deter and combat piracy off the coast of Somalia.
- 36** Reiterated the threat posed by unregulated floating armouries to maritime security and noted the paper presented by India titled "*proposed draft guidelines for floating armouries to the Maritime Safety Committee*" at IMO in June 2017 and urged IMO to take early action.

- 37** The CGPCS noted the concerns of industry regarding the threat to seafarers, ships and international trade from non-piracy actions in the Bab al Mandeb area as highlighted in the SHADE threat assessment.
- 38** Agreeing that piracy is far from being fully eradicated, the CGPCS will continue to draw upon its membership network to galvanise international and regional responses to address changing threat conditions in the region.
- 39** Reiterated its determination for all State Parties and International Agencies to share data and cooperate with Somali authorities to facilitate the arrest and prosecution of pirate kingpins, financiers and facilitators and welcomed the commitment of the Federal Government of Somalia to complete development of its legal framework and to expedite action to arrest and prosecute pirate kingpins and financiers under this framework.
- 40** The CGPCS agrees to use the Trust Fund in line with its agreed priorities to further increase regional maritime capability and support regional ownership to counter piracy off the coast of Somalia. Trust Fund reports should be accessible to all members of CGPCS.
- 41** The CGPCS needs to maintain an agile, flexible and responsive way of working in order to preserve its successes and tackle the piracy threat as it evolves.
- 42** A strategic communications plan will be established to strengthen further CGPCS's reputation and profile. The two-pronged strategic communications plan (a) ensures all CGPCS members have better access to information on risks in the area and progress on counter-piracy work; (b) promotes to the wider international community continued CGPCS commitment to countering piracy and highlighting Somali and regional successes, to contribute to deterrence of pirate action groups.
- 43** The CGPCS should be advised of relevant piracy threat and risk assessments and, when necessary, draw upon these to encourage the implementation of adequate deterrence measures.
- 44** There is a need to increase sharing of threat and risk assessments, and when considered necessary based on changing conditions and indicators; threat and risk assessments should be released to maritime stakeholders and Contact Group participants at the appropriate classification.
- 45** The plenary reiterated the importance of the Working Groups and other groups for the work of the CGPCS. It welcomed the continuation of the Working Group on Operations at Sea (former WG Maritime Counter Piracy and Mitigation Operations) and the potential role it can have in evaluating the threat and risk situation at regular intervals and advising the Chair. The plenary welcomed the new Co-Chairs of the Working Group India and Seychelles. Also, the continued efforts of the Regional Capacity Building Coordination Working Group to assist regional countries and coordinate all efforts in the region was welcomed. The importance of the work and continued efforts of the LETF was recognized. The need for the MSCC to meet regularly with all its members was also highlighted.
- 46** The CGPCS recognizes that plenaries need to serve the objective of eliminating piracy, recognizing the importance of wider work to tackle root causes.

- 47** The CGPCS also acknowledges the importance of working towards the broad objective of maritime security.
- 48** The CGPCS decides that the next plenary will take place in 2018, preferably in New York City.
- 49** The Chair may call an extraordinary plenary if the situation requires.
- 50** Future plenaries should be, if possible, held in New York City.
- 51** The Chair agrees to ensure:
- a. that countries, regional and international forces/bodies and the shipping industry are invited to provide regular threat and risks assessments, and that these are made available to the CGPCS community, as outlined in the communication strategy above;
 - b. that the list of points of contacts from the states and international and regional organizations remains up to date;
 - c. that the annual reports and updates from the working groups are submitted to the Chair and made available to the CGPCS community;
 - d. that frequent updates on counter-piracy work is provided in the form of regular CGPCS newsletters; the public CGPCS website and through social media, such as Facebook and Twitter;
 - e. that a safe and secure website is created for the CGPCS community to receive accessible information not yet intended for release to the public;
 - f. that the public CGPCS website and the archive of documents is maintained and the wider legacy of the group remains preserved;
 - g. that he/she attends key regional or international meetings on piracy to further the interests of the CGPCS;
- 52** The CGPCS agreed that future Chairs of the CGPCS should have a mandate lasting one term of no less than 2 years.
- 53** The CGPCS resolved that future Chairs should come from the region.
- 54** The CGPCS discussed and endorsed with appreciation the offer of the Indian Ocean Commission to take the Chair of the CGPCS for the years 2018 and 2019 from the 1st of January 2018.
- 55** CGPCS participants commend the Indian Ocean Commission for its commitment and welcome that it takes on this responsibility.
- 56** The CGPCS welcomed the contribution of the Chairmanship of the Seychelles and thanked them for their efforts in chairing the group for two years and organizing two plenary sessions.
- 57** The Seychelles Chairmanship will ensure a smooth and efficient handover to the incoming Chair.