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## 22<sup>nd</sup> PLENARY SESSION of the CONTACT GROUP ON PIRACY OFF THE COAST OF SOMALIA

### Final Communiqué

20<sup>th</sup> June 2019

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1. The Contact Group on Piracy off the Coast of Somalia (CGPCS) held its 22<sup>nd</sup> Plenary session in Balaclava, Republic of Mauritius, on 20<sup>th</sup> June 2019. CGPCS Trust Fund Board, Working Group Operations at Sea, Regional Capacity Building Working Group and other related Groups (Maritime Security Coordination Committee, Virtual Legal Forum, Law Enforcement Task Force, Maritime Security Index) met on 18<sup>th</sup> and 19<sup>th</sup> June 2019. This Plenary session was chaired by the Republic of Mauritius in the name of the Indian Ocean Commission that was designated to the chairmanship of the CGPCS during the 20<sup>th</sup> Plenary Session in July 2017 in Mauritius.
2. In attendance were the following countries : Australia, China, Denmark, Egypt, France, Germany, Greece, India, Italy, Japan, Kenya, Madagascar, Mauritius, Netherlands, Norway, Pakistan, Panama, Portugal, Qatar, Russia, Saudi Arabia, Seychelles, South Korea, Spain, Sri Lanka, Sweden, Tanzania, Turkey, United Arab Emirates, United Kingdom, United States and representatives from Somaliland.
3. Other organisations attending included: Combined Military Forces (CMF), European Union (EU NAVFOR, EU CRIMARIO), Common Market for Eastern and Southern Africa (COMESA), East African Community (EAC), Food and Agricultural Organisation (FAO), Intergovernmental Authority for Development (IGAD), International Maritime Organisation (IMO), African Development Bank (AfDB), International Seafarers Welfare and Assistance Network (ISWAN), INTERPOL, Indian Ocean Commission (IOC), NATO, United Nations Office against Drugs and Crime (UNODC), United Nations Department for Political and Peacebuilding Affairs and Peace Operations (DPPA-DPO), UN Assistance Mission in Somalia (UNSOM), Regional Coordination of Operations Centre (RCOC), Regional Maritime Information Fusion Centre (RMIFC), One Earth Foundation (OEF), MNG Maritime Ltd, Danish Shipping, University of Copenhagen, Aalborg University, Oxford University.
4. The Mentor Minister, Minister of Defense and Minister for Rodrigues of the Republic of Mauritius, the Minister of Foreign Affairs, Regional Integration and International Trade of the Republic of Mauritius and Chair of the CGPCS , the Secretary of State of the Republic of Seychelles as former Chair of the CGPCS and Chair of the IOC Council of Ministers, and the Secretary General of the Indian Ocean Commission delivered addresses at the opening ceremony in which they stressed on the strengthening of



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regional action and improved coordination to effectively combat piracy off the Coast of Somalia, as piracy is contained but not eradicated.

5. Recalling the UN Security Council Resolution 1851 of 18<sup>th</sup> December 2008 that set up the CGPCS as a most necessary mechanism for dialogue, exchanges and coordination of all States, International and Regional Organisations and Non-State Actors involved in addressing piracy off the coast of Somalia.
6. Welcoming continued efforts by the International Community to combat and deter piracy off the coast of Somalia.
7. Acknowledging the CGPCS Chair's vision to build on acquis and achievements of the CGPCS and to strengthen partnerships to deter piracy in Western Indian Ocean in the long term and reiterating the maintenance of the theme of the Chair as « Leaving a long-lasting legacy for the region ».
8. Taking note that the 2019 Ministerial Conference on Maritime Security in Western Indian Ocean commended the role of the CGPCS as a relevant and needed dialogue platform.

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9. CGPCS Members called for an increased commitment of regional States in the GPCPS and for ownership of activities related to fight against piracy and related threats and crimes.
10. The Plenary reiterated the need for a stronger coordination of maritime security initiatives in particular within the Contact Group community.
11. The Plenary called upon the strict observance of Transfer Agreement and expressed its strong opposition in premature release of convicted pirates as it was the case in September 2018.
12. The Plenary called for shared responsibility when it comes to accepting and prosecuting pirates in the region as this should be considered as a shared burden.
13. The Plenary welcomed progress in the establishment of a regional architecture of maritime security with the operationalisation of Regional Centres.
14. The Plenary called to maintain efforts to support viable institutional building in Somalia and sustainable stability in the region.
15. The Plenary called upon the EUNAVFOR, the CMF and independent deployers to maintain their presence off the coast of Somalia to prevent resurgence of piracy and



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related crimes and called upon the European Union to extend the mandate of EUNAVFOR Atalanta beyond its current mandate.

16. The Plenary thanked the Ministry of Foreign Affairs of Denmark, Danish Shipping and the University of Copenhagen for hosting the Friends of the Chair Strategic Meeting last May in Copenhagen.

### **State of Maritime Piracy**

17. The Plenary expressed its deep concerns for recent incidents and attacks in the Gulf of Oman.
18. CGPCS Members thanked EUNAVFOR and CMF for their updates on Maritime Threat and Counter Piracy. The Plenary acknowledged that piracy is suppressed but not eliminated. It also acknowledged that piracy will remain below 2013 levels and that solving causes of piracy has to take place ashore.
19. The Plenary took note of the 2018's State of Maritime Piracy Report by One Earth Future Foundation (Stable Seas Programme) that indicated that there was no hijacking reported in the Western Indian Ocean even if 9 incidents of attempted piracy and armed robbery of vessels were recorded. The containing of the threat is a result of efforts (i) on land by International Agencies, coastal communities and Maritime Authorities preventing safe haven from pirate groups and (ii) at sea by the implementation of Best Management Practices by crews and onboard security teams and the efforts of EUNAVFOR and CMF and other navies.
20. Nonetheless, the Members of the CGPCS noted that pirates' capabilities remain so that there is a need for sustained efforts.

### **Future of the CGPCS**

21. The Plenary thank the University of Copenhagen for its contribution in preparing a strategic review on the Future of the CGPCS.
22. Participants agreed on the need to ensure that the CGPCS remains an agile mechanism and that more efforts are required to ensure a holistic approach for the region, better coordination, increased efficiency and that the CGPCS is embedded in a long-term strategy for the region.
23. CGPCS Members agreed that an annual Plenary of the CGPCS should be maintained. This should include a threat briefing, a general exchange on the piracy situation and briefings from other regional maritime security mechanisms to ensure synergies.
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24. CGPCS Members agreed that future plenaries could be concluded by a joint press declaration, rather than a communique to ensure that more time is available for substantial discussions.
  25. The Plenary highlighted that fragmentation is now a major problem. More attention is required to ensure adequate coordination of different responses to maritime crimes in the region thus bringing coherence, avoiding duplication and overlaps and achieving synergies.
  26. In the same vein, CGPCS Members agreed on the possibility to organize next plenaries in the framework of a Maritime Security Week that could include other regional maritime security mechanisms meeting or conference. CGPCS Members encouraged the Chair to invite the UNODC GMCP to make a proposal for such a meeting format.
  27. Should a matter arise which cannot be sufficiently dealt with in the Plenary, Members are invited to propose to the Chair to convene an ad-hoc technical subgroup dedicated to particular issues.

#### **United Nations Counter Piracy Trust Fund**

28. The Plenary reiterated its support to UN Counter Piracy Trust Fund to support initiatives of States countering piracy off the coast of Somalia and noted the added value of the Trust Fund projects in promoting maritime security in the region. The Plenary took note of the Trust Fund intention to continue the Trust Fund as well as the Board's acknowledgment recommendation of the UN to set an end date for the Trust Fund, as per basic practice for multi-partner Trust Funds. They further noticed that the Trust Fund will continue to receive contributions in 2019 and called for renewed and sustained contributions to avoid closure of the Trust Fund by 31 December 2021. The Plenary took note of the recommendation to this end date if the Trust Fund continues to not meet the UN Development Group threshold requirements of 2 million USD in yearly contribution by end of 2019 and there is no commitment from donors to meet the threshold in 2020. The Plenary acknowledged the importance of exploring other funding mechanisms given the important political purpose of the Trust Fund in countering piracy off the coast of Somalia, including with respect to the regional prosecution centres.
  29. The Plenary agreed to the proposal by the US to establish a Steering Committee to look into a strategic plan for the CGPCS, including the Trust Fund, and requested Member State to take the lead.
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### **Working Groups and Associated Groups**

#### ➤ **Working Group on Operations at Sea**

30. Taking note of the deliberations of the Working Group on Operations at Sea (WGOPS), the Plenary:
- a. Agreed on the need for proper harmonized regulatory framework for Floating Armouries at sea.
  - b. Recognized the importance for the vessels to continue their operations at sea under the Best Management Practices (BMP5).
  - c. Took note of the reduction of the High-Risk Area (HRA) since May 2019.
  - d. Called for deeper consultation with relevant Stakeholders, including representatives of the shipping industry, in case of further revision of HRA.
  - e. Agreed that a technical group meets on an ad hoc basis for follow-up action.
  - f. Noted that Members of CGPCS are welcomed to participate as observer in SHADE Meetings.
31. The CGPCS commended the Republic of Seychelles, the Republic of India and the United Arab Emirates for co-chairing the WGOPS and the Republic of Sri Lanka for its support as secretariat and noted that the Working Group will be closed as from now.

#### ➤ **Regional Capacity Building Working Group**

32. The Plenary took note of highlights of the Regional Capacity Building Working Group (RCBWG) meeting co-chaired by the Republic of Kenya and COMESA as followed:
- a. The work carried out by the RCBWG as well as the vision of the Chairperson and areas of support to the members as well as the role of the RCBWG focal points ;
  - b. The capacity building efforts undertaken by Madagascar and Kenya, including for Madagascar the efforts made towards completing its National Maritime Strategy; and for Kenya, efforts towards drafting a law towards requiring inter-agency collaboration to reduce fragmentation in decision making, the setting up of a multi-agency National Maritime Information Sharing Centre.
33. The Plenary agreed on the recommendation of the RCBWG in line of the 2019 May Copenhagen Friends of the Chair Meeting to transfer its activities to the Djibouti Code



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of Conduct (DCOC) which has a wider membership that includes all the members of the RCBWG then avoiding overlaps and duplication of efforts.

34. The CGPCS Members encouraged the RCBWG to work closely with the DCOC mechanism in coordinating capacity building activities including completing the capacity building matrix ahead of the next meeting scheduled for October 2019.
35. The Plenary called upon the DCOC to mobilise additional resources to ensure that its meetings and trainings are held in the key languages of the members to ensure that no member is left behind.
36. There is a need to continue to encourage efforts to strengthen the resilience of Member States against money laundering and thus the CGPCS could regularly be appraised to these efforts; as well as internationally mandated organisations such as FATF, FSRBs and Egmont Group could be encouraged to participate in future CGPCS meetings.

➤ **Virtual Legal Forum**

37. The Plenary noted that the Director of UNODC Global Maritime Programme and the Chief of Staff of the EUNAVFOR highlighted that the threat of piracy had been suppressed.
38. The Plenary took note of themes discussed in the Virtual Legal Forum (VLF) meeting that include floating armouries, Private Military Security Companies, the Montreux Document as well as the enhancement of the linkage of its work with academia.
39. In respect of floating armouries, the Plenary took note of following matters raised by the VLF:
  - a. flags of convenience being used for floating armouries and lack of enforcement capabilities of flag states to regulate floating armouries;
  - b. enforceability of laws and regulations applicable to floating armouries;
  - c. whether any floating armoury operator had been prosecuted for breach of any regulations applicable to it; and,
  - d. whether the floating armoury operators' business model may be threatened by the fact that piracy was suppressed and the impact of this suppression on the viability of the business.
40. The CGPCS members welcomed the proposal of VLF Co-Chairs (Mauritius and Portugal), UNODC and other appropriate stakeholders to coordinate to have a



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comprehensive approach to legal matters related with piracy within the broader scope of maritime security in the Indian Ocean.

➤ **Law Enforcement Task Force and Maritime Security Coordination Committee**

41. The Law Enforcement Task Force (LETF) and the Maritime Security Coordination Committee (MSCC) should continue their important work independently from the CGPCS platform. However, the Plenary stressed on the need to maintain a strong link with these technical groups in order to get updates on activities on ground.
42. The Plenary noted that LETF encouraged CGPCS Members to find possible nexus between pirates' leaders and terrorists or organized crime groups. In this regard, the Plenary noted that UNDOC, as secretariat of LETF, got approval of the UN Counter Piracy Trust Fund to explore this further.
43. The Plenary welcomed the continuous logistical support of the UNODC to initiatives related to law enforcement.
44. The Plenary called for appropriate support to the MSCC.
45. The Plenary agreed that MSCC shall strengthen the process to improve coordination and address effectively the root causes of piracy. To this end, the Plenary shall have a comprehensive and result-oriented picture of the activities for capacity building.
46. The Plenary noted the fisheries livelihood work undertaken by FAO in Somalia under the Coastal Communities Against Piracy (CCAP) project funded by EU through the MASE Programme and raised some concern with regard to future funding and continuity of the project.

**Shipping Industry**

47. The Plenary noted the participation of the Shipping Industry in the Friends of the Chair Meeting in Copenhagen last May and encouraged the industry stakeholders to actively participate in future Plenary sessions of the CGPCS.
48. CGPCS Members agreed to ensure an effective and active participation of the Shipping Industry to improve the dialogue within the platform.

**Seafarers**



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49. CGPCS Plenary indicated that it remains committed to “zero ships – zero hostages” and noted that 4 Seafarers from the FV Siraj remain held in captivity by Somali pirates since March 2015, and therefore indicated its support for the efforts of the Hostage Support Partnership to obtain their release.
  50. The Plenary resolved on the importance to give more attention to seafarers that are at the forefront of maritime insecurity. CGPCS Members called for an enhanced sharing of experiences and lessons learnt from seafarers and former hostages for advocacy purposes in collaboration of ISWAN and other relevant organisations.

### **Other Decisions**

51. CGPCS Members agreed to enhance the exchange of information among them and with the secretariat to improve internal communication, commitment, synergies and visibility.
  52. CGPCS Members agreed to contribute to communication activities since it is a shared responsibility in particular for the sake of information sharing among members. The legacy of the CGPCS needs to be secured including via the web presence and archive of the CGPCS, the results of the Lessons Learned Project, as well as of the Legal Forum in the frame of a long-term solution. The Chair is encouraged to discuss this option with relevant regional body such as the Regional Maritime Information Fusion Center (RMIFC) in Madagascar.
  53. The CGPCS discussed and endorsed with appreciation the offer of the Republic of Kenya to take over the Chair of the CGPCS.
  54. CGPCS participants commended the Republic of Kenya to take over the Chairmanship of the CGPCS for two years as from 1<sup>st</sup> January 2020. CGPCS Members noted the offer made by the IOC to provide secretarial support to the Chair of the Contact Group.
  55. Mauritius/IOC Chairmanship will ensure a smooth and efficient handover to the incoming Chair.
  56. The CGPCS welcomed the contribution of the Chairmanship of the Republic of Mauritius in the name of the Indian Ocean Commission and thanked them for their efforts in chairing the Group.
  57. The Members of the CGPCS thank the Republic of Mauritius and the Indian Ocean Commission for the organisation of the 22<sup>nd</sup> Plenary session back to back to the 2019 Ministerial Conference on Maritime Security in the Western Indian Ocean.
  58. The next Plenary session shall take place in the region.
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**CONTACT GROUP**  
**ON PIRACY OFF THE COAST OF SOMALIA**

مجموعة الاتصال الخاصة بالقرصنة قبالة السواحل الصومالية • Groupe de contact sur la piraterie au large de la Somalie  
Grupo de Contacto sobre la Piratería frente a costas de Somalia • 打击索马里海域海盗联络组  
Контактная группа по борьбе с пиратством у берегов Сомали

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**Adopted by the Plenary session of the  
CGPCS on 20th June 2019 in Balaclava,  
Republic of Mauritius.**