

CONTACT GROUP

ON PIRACY OFF THE COAST OF SOMALIA

The Contact Group on Piracy off the Coast of Somalia (CGPSC) was created on January 14, 2009 pursuant to UN Security Council Resolution 1851. This voluntary ad hoc international forum brings together those stakeholders affected by Somali piracy: countries from the region, Western Europe, Middle East, Asia and the Americas, industry, seafarer's organisations and NGOs. The Contact Group coordinates political, military, and non-governmental efforts to tackle piracy off the coast of Somalia, ensure that pirates are brought to justice, and support regional states to develop sustainable maritime security capabilities.

Message From The Chairman

Dear Friends and Colleagues of the CGPCS,

Some weeks ago the CGPCS Presidency hosted the dedicated meeting on the possible revision of the High Risk Area. For that purpose we had the pleasure of welcoming in Brussels many CGPCS stakeholders from the region, representatives from the shipping industry and international organisations. I believe that the outcome of that meeting was constructive. I remain committed to find a way forward that is in the interest of all CGPCS Stakeholders.

This May Newsletter has a focus on maritime and legal capacity building with extensive news from the UNODC's Maritime Crime Program and the activities of the EUCAP Nestor mission. I am impressed by the broad range of activities undertaken through both the MCP and the EU mission. As CGPCS Chairman I wish to extend my gratitude to the colleagues in the MCP and EUCAP Nestor as they make such an important contribution to the sustainability of all of our efforts in countering Somali piracy. Through efforts like these we ensure that the positive trend downwards (zero successful pirate attacks since 2012), is sustained and not reversed.

Please note that the 18th Plenary Session will be held on Wednesday 8 July 2015 at the UN Head Quarters in New York; the Working Groups and the Trust Fund Board will meet on 7 July and a side event is being planned for Thursday 9 July. The Agenda for the Plenary and additional information on WG meetings will follow shortly.

I wish you well and look forward meeting you soon.

Yours,

Maciej POPOWSKI

Full Engagement in Somalia for EUCAP Nestor





Developing the maritime security capacity of countries in the region is key to providing a long term solution to the piracy issue, potentially reducing reliance on the international community and promoting self-determination.

A live satellite world map published this year by the IBM Piracy reporting centre shows flags revealing areas of current activities of pirates around the World. Yellow flags indicate attempted attacks; orange, boarded; blue, fired upon; red, hijacked; purple, suspicious vessel. There are currently no flags on this map near the Horn of Africa (HoA). Yet, only few years ago Somalia was considered one of the world's hottest of hot spots for this criminal activity.

EUCAP Nestor is an EU civilian mission under the Common Security and Defence Policy (CSDP) launched in 2012 to assist countries in the Horn of Africa and the Western Indian Ocean in strengthening their maritime security capacity. This activity complements the effective work at sea of Operation Atalanta and adds to the commitment ashore of the other EU "sister mission" EUTM Somalia. This is done through training, advising and mentoring support in three functional areas: Legal, Maritime and Police. Consequently the mission works to develop legal frameworks for law enforcement and security, to reinforce coast guard functions, support the judiciary and assist in the development of a coastal police. When needed, in line with the EU "train and equip" policy, EUCAP Nestor provides light equipment the donation of which is always linked to training activity.

Three years after its launch, the mission has achieved a significant

PIRACY STATISTICS		CURRENT NUMBER
	HOSTAGES HELD BY PIRATES	26
	VESSELS HELD BY PIRATES	It is believed that all vessels held by pirates have become defunct, have run aground and do not possess any oceangoing capacity

Source: International Maritime Bureau

degree of success in capacity building in the Seychelles and Djibouti related to the fight against Piracy. This has resulted in a significant reduction in Maritime Crime. However, the Mission's primary focus is on Somalia, the perceived hub of piracy activity, which has to date been problematic. Nestor's ability to operate in Somalia including its regions has been enhanced in recent months with the establishment of two Field Offices in Mogadishu and Hargeisa. This commitment will increase in the coming months which will see an additional commitment of resources.

To date the Mission has conducted Training and Mentoring activities for Somali personnel from a variety of institutions but most of this activity has taken place outside of Somalia. That will change.

As part of its mandate, EUCAP Nestor also promotes regional cooperation on maritime security and coordinates capacity building activities with international partners.

Legal

In January a workshop dedicated to drafting a Somali coast guard law was organized in Mogadishu, gathering key decision makers within the Federal Government of Somalia (FGS), some of the regions and international actors. Once complete this will be a major step forward in addressing key regulatory questions related to coast guard functions at federal level. Follow up activities have led to the first draft law for Somali Coast Guard (CG), produced on April 1st at the third meeting of the CG law drafting committee in Djibouti. Facilitated by the Mission, the technical issues pertaining to the initial draft were discussed and solved by the representatives of the Federal Government of Somalia (FGS) and the Regions. The aim was to present the draft to different stakeholders for discussions and include potential revisions before commencing the legislative process by submitting it to the Parliament.

The Mission's legal specialists have also been running a series of workshops and training activities for the region's prosecutors. These have included looking into investigations, the judicial process and evidence gathering. The workshops will culminate in a 'mock piracy trial', in the near future, utilising existing case law and a real court room and judges.

Maritime

The Mission recently organized a Maritime Security Workshop where representatives of Maritime entities from the Federal Government of Somalia (FGS) as well as various Somali regions took part to identify increased opportunities for improving synergies and cooperation. This took the form of examining other organizational structures such as the Djiboutian Coast Guard in order to identify 'Best Practice'.

The Mission has run a number of training courses for the Coast Guards of the FGS and the regions, in order to give them a solid foundation of skills to draw upon when commencing their career in the various coast guard organisations. These courses which have to date been held in Djibouti, utilizing many security actors to provide facilities and instructors. This training has led to a previously impossible level of cooperation and understanding between personnel from across Somalia. In future it is envisaged that courses of this nature will be held in Somalia in order to promote Somali 'ownership' of the training.

The FGS Coast Guard has also been given training to enhance their medical skills improving their capacity at the Mogadishu Military Hospital with a dedicated Medical Training course on First Aid and advanced First Aid.



Offloading EUCAP Nestor vehicles from EUNAVOFR Vessel in Mogadishu

In Somaliland a structured review of the Somaliland Coast Guard - SLCG - facilitated by the mission was endorsed by the Ministry of Interior and Force Structure Review. This is essential for the modernization and transition process of this institution and is a milestone towards achieving Limited Initial Operational Capability for the SLCG by end 2016. Within this framework EUCAP Nestor organized a workshop on 'Change Management', an activity attended by predominantly junior personnel of the Coast Guard, aimed, at introducing much needed changes in the structure and organization of the SLCG.

Police

Within the framework of the New Deal Somali Compact and in coordination with partners in the Police Working Group, the Mission's police advisors continue to assist the Somali Police Force (SPF) in



Offloading EUCAP Nestor vehicles from EUNAVOFR Vessel in Mogadishu

enhancing their maritime security capability. The Mission's capacity building support is directed at improving crime investigation techniques and other core police functions. A key aim is to further SPF's capability to deal with organized crime, which includes Piracy.

Nestor is currently engaged in the training of police and judicial staff in the area of leadership and human rights through courses held in Mogadishu and Puntland. Engagement with international partners on delivery of the Rule of Law Programme for the SPF is ongoing, as well as the planning for provision of training for the Bosaso Port Police.

EUCAP Nestor experts, in consultation with UNDP, are developing a process involving local communities in Somaliland in crime prevention

This comprehensive engagement in Somalia takes place inspite of the unclear constitutional provisions of regional versus federal authority in maritime security matters. This is one of the many challenges the mission faces. Opening a forum for discussion, negotiation and confidence building is, in this context, of great importance.

The Mission is engaging in these activities against the backdrop of the current security instability in some areas as a result of the continued security threat in the region. However, ensuring security on land and subsequent stabilization remains crucial for both Somalia and the international community.

Somali Authorities have made progress towards in the development of a self-sustained capability in Maritime Security and Rule of Law, but the ability of this Country to effectively fight piracy “from crime to court” is still to be achieved.

If no effective capacity building succeeds in removing the root causes of Piracy, as well as of the renewed forms of organized crime which reshape

the pirates activities (people trafficking, arms, drugs), no one will be able to say that Piracy is eradicated in East Africa, even if on today's world maps on maritime crime Piracy does not seem to be the issue it once was.

EUCAP Nestor would have fulfilled its mandate once, like other Countries in the Region – Seychelles are one example – Somalia reaches a level of maritime security that allows responding to acts of Piracy, as well as other organized crime and terrorism effectively in alignment with international norms.

Until then the risk for Somalia to emerge again in the live satellite world maps of IBM Piracy reporting remains. Therefore the Mission has ‘Work to Do’!



Indian Ocean

UNODC launched the first Technical Meeting of the Indian Ocean



Forum on Maritime Crime (IOFMC) on Trafficking in Persons and Smuggling of Migrants on 16-18 March in Djibouti. The meeting was co-hosted with the Government of the Republic of Djibouti and was attended by Senior Law Enforcement

and Prosecution Experts from Australia, Federal Democratic Republic of Ethiopia, Republic of Djibouti, Republic of Uganda, Republic of Yemen, UAE, Democratic Socialist Republic of Sri Lanka, Republic of India, United Republic of Tanzania, Republic of Kenya, and Somalia (Puntland). Discussions between the participants led to recommendations which called for the establishment of a Prosecutors' and Law Enforcement Networks respectively, which would provide a regional network among Indian Ocean states to promote cooperation and response to maritime crime issues between the source, transit and destination countries at the operational level, as well as a platform for dialogue at the strategic level. The Technical Meeting on Heroin Trafficking will take place in Seychelles on 30-31 March.

In Kenya, UNODC delivered two basic identification and investigations training on countering trafficking in persons on 16-27 March. The training was delivered to civil society partners and law enforcement officials including investigators, prosecutors, probation and immigration officers of Kenya. The training initiated the creation of a National Referral

Mechanism on trafficking in persons for Kenya, which is to be delivered in the third quarter of this year.

In Seychelles, the judgment on the Torm Kansas was delivered on 13 March. The nine accused have been convicted of three counts of piracy. UNODC provided support to the trial through interpretation services and medical examinations conducted to assess the age of the defendants. As a result, one of the accused was assessed to be under the age of 18 and, as a juvenile, was sentenced to a term of imprisonment of three years. The remaining eight accused have been sentenced to a term of imprisonment of 14 years.

In Mauritius, the new District Court and Piracy Court building was officially opened on 23 March by the Chief Justice of Mauritius, the Honorable Mr Keshoe Parsad Matadeen and the British High Commissioner, His Excellency Mr Jonathan Drew. UNODC, being the chief implementer of this project, along with UNOPS, has partnered with the Government of Mauritius since its engagement on anti-piracy issues in the region. The contribution of this court, in partnership with the UK Government, is another example of the strong cooperation between multiple stakeholders in the fight against piracy.

Horn of Africa

In Bosasso and Berbera, UNODC has postponed planned training in favour of supporting the Coastguard and Port Police in dealing with the influx of people fleeing the fighting in Yemen. So far, more than 1,000 people have arrived in each location. The majority are Somali returnees, but there is also a substantial amount of Yemenis, a few Ethiopians, and other nationalities.



Horn of Africa



The inter-ministerial drafting team responsible for developing a new legislation in Ethiopia on human trafficking and migrant smuggling kicked off its first training and drafting work session, facilitated by UNODC, on 23 March in Adama, Ethiopia.

The team is made up of representatives of the Ministries of Justice, Labour and Social Affairs, Women, Children and Youth Affairs, and the Federal Police Commission of Ethiopia. During the weeklong session, UNODC trained the drafting team on key concepts and definitions and the contents of the Trafficking in Persons and Smuggling of Migrants Protocols, presented the most significant trends and analysed the main gaps in the existing legislation. In the second half of the week, the team started to work on the legislation with UNODC support. It is estimated that in 2014, more than 90.000 migrants mainly from Ethiopia and Somalia were smuggled into Yemen, many of them suffered serious human rights violations, physical, sexual violence and torture during their journey or became victims of trafficking. The legislation once adopted will further increase Ethiopia's capacity to fight traffickers and smugglers and dismantle organised crime groups in the region. The project is supported by the EU and US State Department.

In Mogadishu, MCP Marine Mentors have been working to repair the only boats currently used by the Maritime Police Unit (MPU). The boat has a cooling system failure and the Mentors are assessing the situation. UNODC is in the process of procuring two new boats for the MPU. The order for these was signed off and the boat builder has been notified.

Detention and Transfer

UNODC conducted a 4-days training event that started on 23 March in Addis Ababa, Ethiopia, as part of the Somaliland Developing Managers Programme. The introductory course was delivered by a UNODC prison mentor and attended by 12 University Graduates intending to work for the Somaliland Custodial Corps. The event was opened by the Minister of Justice (Somaliland) and Acting Ambassador to Somaliland (Addis Ababa). The training touched upon various topics including prison mentorship and coordination support roles, UN minimum standards for prisoners, UNODC prison leaders and basic needs for prisoners manuals. It also encouraged discussions on opportunities for improving custodial management, reforming the custodial system and enhancing knowledge sharing and communication amongst staff. Furthermore, all students received laptops to enable access to resource material and avail for daily briefing to the course coordinator.

Source: Maritime Crime Programme Update: 27 March 2015

Indian Ocean

UNODC is supporting, jointly with the British High Commission, the introduction of Active Case Management in the Criminal Justice System in Kenya. This initiative which has the full support of the Chief Justice, will radically improve efficiency, reduce adjournments, reduce backlogs and shorten waiting times. UNODC organised and facilitated awareness and training events between 30th March and 1 April for the judiciary and stakeholders in Mombasa, one of the three pilot areas in Kenya. The events were very successful and gained the support and backing of the judiciary and advocates to adopt this much needed change in managing cases. Additional awareness and training events are planned later in Nairobi and Naivasha, the other two pilot sites.

In Seychelles, UNODC held the first Technical Level Meeting on Heroin Trafficking in the Maritime Domain under the newly established Indian Ocean Forum on Maritime Crime (IOFMC) from 30 March – 1 April at the Savoy Hotel. The meeting was attended by high ranking officers from drug enforcement agencies and state prosecutors from Australia, Bangladesh, Comoros, Iran, Kenya, Madagascar, Maldives, Mauritius, Mozambique, Pakistan, Seychelles, South Africa, Sri Lanka, Tanzania, UAE and Uganda, representing 16 countries, and 4 observer members from Combined Maritime Force (CMF), Regional Narcotics Inter-Agency Fusion Centre (RNIFC), Gulf Cooperation Council – CICC (GCC-CICCD), and the European Union (EU). The deliberations focused attention on the

southern maritime route for heroin trafficking and measures to counter the emerging threat. The meeting proposed practical and actionable recommendations that support enhanced cooperation among IOFMC member states to counter narcotics trafficking in the Indian Ocean region.

The opening ceremony of the new Supreme Court Annex building in Seychelles was held on 9 April. The new court building was an infrastructure project by UNODC in support of maritime piracy trials in Seychelles and was funded by the United Kingdom, The Netherlands and the Trust Fund of the Contact Group on Piracy off the Coast of Somalia. The new building has two fully furnished courtrooms for the use of the Supreme Court, in particular for the conduct of maritime crime related trials. The court building also has two judge's chambers, library, transcription rooms and an admin area. The opening ceremony was attended by the Vice-President of Seychelles, Acting Chief Justice of Seychelles, UNODC Regional Representative for Eastern Africa, the British High Commissioner, several government Ministers, Speaker of the National Assembly and other senior officials.



Indian Ocean

Pursuant to a request by the Seychelles government, UNODC conducted an assessment of the Police Academy and training curriculum in January 2015. Following this assessment, several key recommendations were presented to improve recruit training and in-service training which were endorsed by the government for implementation. UNODC has engaged a Police training expert to develop a new curriculum for recruit training and a compressed training course for mid-rank intake officers.

Horn of Africa

The past week has seen a dramatic increase in the numbers of Yemenis fleeing from the growing conflict across the country to Somalia. The Coastguard in Berbera and the Port Police in Bosasso are assisting the people making their way across the Red Sea/Gulf of Aden, by providing the means to escort, ensuring security of the vessels while entering the port, and providing any rescue response in case of a need for search and rescue within their capability. On 8th April, a boat carrying around 200 refugees aboard from Yemen arrived at the Berbera port. They were escorted into the port by the Coastguard, which also assisted in providing security while the people were disembarked and processed. Task Forces have also been set up in both locations by a number of UN agencies and humanitarian organisations to help organise a coordinated response to the crisis. UNODC is part of these Task Forces due to the critical part which has to be played by the Port Police and Coastguard in ensuring safety and security of the people arriving by boat. UNODC will seek to ensure that the maritime law enforcement authorities in both locations are capable and ready to respond to incidents of maritime rescue, security matters, and other maritime law enforcement issues, which may arise out of the influx of persons fleeing the conflict. A coordination and planning meeting has been scheduled with the command of the Somaliland Coastguard to draft a plan of action to address the issues that may arise out of the crisis.



Commanders of the Somaliland Coastguard provided a tour of the Coastguard Base in Berbera this week to the donors to the Maritime Crime Programme (Horn of Africa). They were also given a tour of the spare part storage

facility, the Garage area where vehicles are being serviced, and the newly established Computer Lab. The visitors were then taken to the jetty to see repairs made on the pontoon and witness a display by the Coastguard of their patrol boats manoeuvring skills.

In Mogadishu, Mentors have spent this week on advanced first aid training for first responders. This will enable the Mentors to be able to assist with any medical emergency during training. The Mentors are set to go to Bosasso next week to help train the Port Police and provide support in dealing with incoming boats from Yemen.

Detention and Transfer

The International Monitoring Committee (IMC), a UNODC-convened group comprised of representatives from donor States and States transferring piracy prisoners, made its visit to Hargeisa, Garowe and Mandera prisons from 7 – 9 April. The Committee, upon inspecting the prison conditions, concluded that the prisons visited were secure, clean and well managed. In Hargeisa, the IMC presented 500 prison uniforms for staff after touring the prison. In Garowe, the IMC witnessed the finals of the football tournament between prisoners and locals from the community. In Mandera, the IMC witnessed activities in the prison and opened two additional prisoner blocks.

Following the Dynamic security training conducted at Shimo La Tewa prison in Mombasa, it was reported in the local media that staff within the prison had identified concerns relating to possible radicalisation issues. In response, UNODC has deployed a prison security expert on 9th April to Shimo La Tewa to follow up on the Dynamic security training, support the Head of Security in reviewing information that has been received, and to structure strategic objectives in order to manage the situation more effectively.

West Africa

As part of a US-funded Rule of Law Programme implementation in the Gulf of Guinea, UNODC has conducted a legal assessment on piracy and armed robbery in Togo and conducted a follow on mission as part of assisting counterparts in developing a legal reform in tackling maritime crime.

Global

On 24 - 26 March, the Global Maritime Crime Programme, in partnership with the Global Programme against the Smuggling of Migrants, conducted a pilot workshop in Panama on migrant smuggling by sea for Mexico, Central America and the Caribbean region, involving 38 front line officers, criminal justice officers and policy makers. The workshop, funded by INL, responded to its main objectives and participants' expectations, such as the exchange of good practices and the identification of challenges to efficiently respond to migrant smuggling at national and regional levels.



Source: Maritime Crime Programme Update: 09 April 2015

Indian Ocean

The Appeal Court in Seychelles quashed the convictions of two Somali men previously convicted on charges of maritime piracy. They had originally been tried with two other men after being apprehended by a Danish naval vessel. The Appeal Court quashed the convictions on the basis of inconsistencies in the witness statements and concerns regarding the identification of the suspects. UNODC is making arrangements for the repatriation of the two men back to Somalia.

UNODC conducted a Trafficking in Persons and Smuggling of Migrants (TiP/SoM) assessment on the capacity of Comoros to identify, investigate and prosecute TiP/SoM offences, as well as deliver protection and assistance to victims.

The Maritime Crime Programme organized a high level event on “Heroin Trafficking on the High Seas in the Indian Ocean” at the 13th United Nations Congress on Crime Prevention and Criminal Justice in Doha, Qatar. The panel, which included Mr. Yuri Fedotov, Executive Director (UNODC), deliberated the rapid growth of heroin trafficking through the southern maritime route from the Makran Coast and intelligence led detections made on the high seas by the Combined Maritime Forces, as well as the constraints to law enforcement on the high seas and a legal finish to drug interdictions. UNODC’s Indian Ocean Forum on Maritime Crime (IOFMC) was welcomed as an essential mechanism to develop regional cooperation and information sharing among states to counter maritime crime.

Horn of Africa

In Bosasso and Berbera, UNODC has postponed planned training in favour of supporting the Coastguard and Port Police in dealing with the influx of people fleeing the fighting in Yemen. So far, more than 1,000 people have arrived in each location. The majority are Somali returnees, but there is also a substantial amount of Yemenis, a few Ethiopians, and other nationalities. All staff in Berbera and Bosasso have, however, been on lock down following the attack on the UN in Garowe on 20 April.



Detention and Transfer

Twenty-six prison officers in Sri Lanka completed Module 1 of the Dynamic security training conducted by UNODC. The aim of the course was to provide the prison service of Sri Lanka with tools and knowledge to improve the safety and security of both prisoners and prison staff, in line with the Global Maritime Crime Programme goals and objectives for the Indian Ocean. Upon course completion, the Ministry of Justice of Sri Lanka thanked UNODC and requested for continued and enhanced support.



Hostage Support Programme

UNODC conducted a follow-up visit to two former hostages and their families, who were repatriated by UNODC to Sri Lanka. The former hostages had spent 3.5 years in captivity before being released. While they strive to rebuild their lives with just the little support they have received, one of them has managed to get a job onboard a ship, while the other awaits funds to undergo a medical procedure in order to be eligible for work at sea.

Wildlife and Forestry Crime

Thirty-seven judges and senior magistrates from Zanzibar and all regions of Tanzania mainland were trained in the practical application of national anti-money laundering and asset forfeiture legislation in a workshop held in Zanzibar. Through the use of a fictional scenario the training gave the opportunity to follow the various stages of a money laundering investigation, leading to an application to freeze the assets of the suspects identified and participate in confiscation and forfeiture hearings, giving the judges the opportunity to consider prosecution and defence arguments and adjudicate on the various issues.

Atlantic

UNODC conducted an assessment mission in Ghana and Sao Tomé & Príncipe mapping the capability and capacity of the of the Maritime Law Enforcement in responding to the threat of maritime crime. Based on the assessment findings programming in these countries will be developed.

Source: Maritime Crime Programme Update: 24 April 2015

www.lessonsfrompiracy.net
