



# Security Council

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## The situation with respect to piracy and armed robbery at sea off the coast of Somalia

### Report of the Secretary-General

#### I. Introduction

1. The present report is submitted pursuant to paragraph 29 of Security Council resolution [2500 \(2019\)](#), in which the Council requested me to report within 11 months on the implementation of the resolution and on the situation with respect to piracy and armed robbery at sea off the coast of Somalia.

2. The report covers the period from 1 November 2019 to 31 October 2020 and highlights major developments since my previous report ([S/2019/867](#)). It is based on information provided by the United Nations system, including the United Nations Assistance Mission in Somalia (UNOSOM), the International Maritime Organization (IMO), the United Nations Office on Drugs and Crime (UNODC) and the Food and Agriculture Organization of the United Nations (FAO), as well as Member States and regional organizations, including the Intergovernmental Authority on Development (IGAD), the European Union Capacity-Building Mission in Somalia, the European Union Naval Force (EU NAVFOR), the Indian Ocean Commission and the North Atlantic Treaty Organization (NATO).

#### II. Main developments, trends and considerations regarding piracy off the coast of Somalia

3. Efforts of the international community to combat piracy were impacted by the coronavirus disease (COVID-19) pandemic. International coordination meetings, such as the annual plenary session of the Contact Group on Piracy off the Coast of Somalia, were postponed. The global demand for goods significantly decreased, which further reduced the volumes of cargoes shipped across the western Indian Ocean. As supply chains were interrupted, tanker traffic increased owing to increased demand for storage capacity.

4. Nevertheless, concerted efforts to combat piracy off the coast of Somalia continued, thanks to the Federal Government of Somalia and the international community, including the Contact Group; individual Member States (see annex I); and international naval forces, such as EU NAVFOR Somalia Operation Atalanta and the Combined Maritime Forces.



5. For the first time, there were no incidents of piracy off the coast of Somalia during the reporting period (see annex II). However, suspicious approaches towards merchant vessels in the region were observed by some partners, indicating that the progress made on combating piracy off the coast of Somalia remains fragile and reversible.

6. In their industry releasable threat assessment<sup>1</sup> of 1 September 2020, the Combined Maritime Forces and EU NAVFOR Somalia concluded that piracy off the coast of Somalia continues to be largely suppressed owing to the combined efforts of naval forces and the continued implementation of *Best Management Practices*.<sup>2</sup> They also indicated that there is a low risk of piracy attacks as pirate action groups<sup>3</sup> have diversified their activities, although they retain the capability to launch attacks.

### III. Development of counter-piracy efforts in Somalia

#### A. National legal and policy frameworks

7. The Somali Maritime Administration Department received support from IMO, UNSOM, the European Union Capacity-Building Mission in Somalia and UNODC on strategic, legislative and technical guidance and training on legal maritime compliance, ship registration and safety certification, crew certification and safe manning. The European Union Capacity-Building Mission in Somalia also supported the establishment of a Maritime Rescue Coordination Centre. The four entities also delivered an induction training course in Djibouti for newly recruited staff of the Department from 19 to 23 January 2020. The Department is expected to attain initial operational capability in the first half of 2021.

8. On 16 March 2020, the Federal Government of Somalia acceded to the International Conventions for the Safety of Life at Sea and the International Convention for the Prevention of Pollution from Ships, following technical assistance by IMO. The European Union Capacity-Building Mission in Somalia is currently supporting the incorporation of these conventions into national law.

9. During the reporting period, the European Union Capacity-Building Mission in Somalia supported the Puntland Ministry of Justice, Religious Affairs and Rehabilitation in revising the Puntland Anti-Piracy Law to ensure that it meets international standards. The revised draft law includes provisions that permit prosecutions for the planning of acts of piracy and offer protection for witnesses.

10. The Somali Maritime Administration Department supported the Ministry of Ports and Marine Transport in the development and translation of a revised shipping code for Somalia, aimed at ensuring compliance with international maritime frameworks, including the United Nations Convention on the Law of the Sea. On 9 March 2020, the draft code was approved by the Ministry and is currently awaiting submission to Parliament.

11. The pensions and gratuities bill was passed by the House of the People on 30 December 2019 and by the Senate on 20 January 2020. It is currently awaiting

<sup>1</sup> Written by the Combined Maritime Forces and EU NAVFOR Somalia to inform risk management decision-making for merchant and large commercial fishing shipping operators that are transiting through the Red Sea, the Gulf of Aden and the western Indian Ocean.

<sup>2</sup> BIMCO and others, *Best Management Practices to Deter Piracy and Enhance Maritime Security in the Red Sea, Gulf of Aden, Indian Ocean and Arabian Sea*, 5th edition (Livingston, Edinburgh, Scotland, United Kingdom, Witherby Publishing Group, Ltd., 2018).

<sup>3</sup> A pirate action group is a group organized by its members to conduct acts of piracy and robbery at sea, usually within a specific geographic maritime area.

signature by the President, Mohamed Abdullahi Mohamed Farmaajo. The bill provides the legislative framework relating to the rightsizing of the security services in support of the national security architecture agreement and is expected to enhance the operational effectiveness of the Somali maritime forces, in support of the restructuring of the country's armed forces and security services.

12. On 12 August 2020, the Acting Prime Minister, Mahdi Mohammed Gulaid, assigned the responsibilities for the National Maritime Coordination Committee of the Federal Government of Somalia to the Office of the Presidential Special Envoy for the Horn of Africa, Red Sea and Gulf of Aden. On 3 September 2020, the Office convened a meeting at the technical level with officials from the Federal Government to initiate a mapping process of all maritime activities, including international support.

13. The Federal Government of Somalia, under an amended memorandum of understanding with the Chinese Overseas Fishing Association, issued 31 licences to Chinese longline vessels after completing due diligence checks, thereby granting them permission to fish in exclusive economic zone of Somalia beyond the 24-nautical-mile coastal zone reserved for Somali fishers. Regarding vessels flying the Somali flag, the Ministry of Fisheries and Marine Resources agreed to issue fishing licences only to those vessels registered by the Ministry of Ports and Marine Transport.

14. Illegal, unreported and unregulated fishing continues off the coast of Somalia. To combat this practice, the Federal Government of Somalia continued to collaborate with the Indian Ocean Tuna Commission, the FISH-i Africa task force and international partners through the Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing. FAO continued to provide technical support to the Ministry of Fisheries and Marine Resources in its monitoring of vessels. EU NAVFOR Somalia and the European Commission Directorate-General for Maritime Affairs and Fisheries continued to share quarterly sightings and analyses of fishing vessels off the Somali coast with the Indian Ocean Tuna Commission for onward transmission to concerned States, including the Federal Government of Somalia. At the end of 2019 the establishment of a task force on illegal, unreported and unregulated fishing, as proposed by the European Union Capacity-Building Mission in Somalia, was agreed by the Ministry of Fisheries and Marine Resources. The European Union Capacity-Building Mission has drafted the terms of reference of the task force, which await official approval.

## **B. Capacity-building**

15. During 2020, eight federal line ministries developed a comprehensive action plan to empower women in the maritime sector, following the launch of the "Women in the Maritime Sector" initiative in September 2019. A workshop and a second consultative conference for women in the maritime sector, initially scheduled for 24 and 25 March 2020, were postponed to November 2020 owing to the COVID-19 pandemic.

16. UNSOM, UNODC and the European Union Capacity-Building Mission in Somalia supported capacity-building initiatives aimed at training and equipping maritime police units at the federal and state levels. The support included the delivery of training and mentoring programmes to enhance the operational capability of the maritime police units in several major Somali ports.

17. The UNODC Global Maritime Crime Programme continued to monitor regional developments related to piracy and transnational organized crime and assisted the Federal Government of Somalia, the federal member states and "Somaliland" in

equipping maritime law enforcement authorities to counter such threats. Activities addressed the need to ensure that the maritime law enforcement units in those ports maintain an adequate level of maritime skills, while progressively acquiring law enforcement capacities to effectively patrol and police the waters. Various equipment and maritime assets were provided to increase the operational readiness of the units, including: seamanship refresher; visit, board, search and seizure training; marine engineering and maintenance; communication; and maritime domain awareness.

18. The European Union Capacity-Building Mission in Somalia provided capacity-building activities on national legal frameworks and policy development to Somali counterparts in Mogadishu, Garoowe and Hargeysa. It also delivered training and equipment to Somali counterparts at the federal and state levels, as well as specialized training and equipment to Puntland authorities to support the revision of the Anti-Piracy Law.

19. During the reporting period, the European Union Capacity-Building Mission in Somalia continued to provide support to increase the maritime skills capacity of the “Somaliland” coastguard. Several training courses were conducted on search and rescue, navigation, communication and seamanship. The support has enabled the coastguard to perform maritime operations and has enhanced their ability to counter piracy and other maritime criminal activity. The coastguard has now reached initial operational capability and is able to conduct basic search and rescue and fishery protection operations.

20. The European Union Capacity-Building Mission in Somalia also supported the participation of the Mogadishu Maritime Police Unit and the Boosaaso Port Maritime Police Unit in the United States Africa Command Exercise Cutlass Express. The exercise included a force integration training in Mogadishu, harmonizing and improving the capacities of these units. The European Union Capacity-Building Mission in Somalia also provided training equipment to the Mogadishu maritime police unit, namely a training facility for developing maritime tactical boarding and search skills.

21. IGAD, as the main entity responsible for the coordination of the cross-regional Programme to Promote Regional Maritime Security in the Eastern and Southern Africa and Indian Ocean Region, funded by the European Union, organized the 10th mandatory meeting of the Programme’s technical steering committee, in a virtual format, on 23 June 2020. Owing to the COVID-19 pandemic, participants endorsed an 18-month extension of the Programme.

### **C. Community issues**

22. During the reporting period, FAO continued to collaborate with the ministries of fisheries and marine resources at the federal and state levels to implement the Coastal Communities against Piracy project. The project is funded by the European Union and is aimed at developing the artisanal fisheries sector to create employment opportunities for otherwise unemployed youth in coastal areas. FAO also received funding commitments from the European Union and the Multi-Partner Trust Fund Office to expand its activities in the fisheries sector in Somalia, in partnership with the United Nations Industrial Development Organization and the International Labour Organization.

## **IV. International cooperation**

### **A. Contact Group on Piracy off the Coast of Somalia**

23. On 1 January 2020, Kenya assumed the Chairmanship of the Contact Group on Piracy off the Coast of Somalia for the period from 2020 to 2022. On 27 February 2020, Mauritius handed over the chairmanship at a ceremony in Flic en Flac, Mauritius, organized by the Indian Ocean Commission as secretariat of the Contact Group.

24. The work of the Contact Group was severely restrained in 2020 owing to the COVID-19 pandemic. In a communiqué issued on 28 July, the Chair of the Contact Group called on the international community to adapt to the new situation and continuously step up efforts to deter piracy and its root causes. The Chair further reiterated the need to ensure that the established mechanism for the arrest, prosecution, detention and transfer of pirates is reinforced and called for individual and collective action to prevent any attempt that might hinder its proper functioning.

25. During the reporting period, the Chair of the Contact Group also initiated the process of selecting a new Board of the trust fund to support initiatives of States countering piracy off the coast of Somalia.

26. On 23 September, the Chair of the Contact Group organized a virtual meeting of the Friends of the Contact Group Chair, with participants from over 50 countries, as well as regional and international organizations, to update participants on maritime threats and activities off the coast of Somalia and finalize the terms of reference for the strategic planning steering group, which will develop a strategic plan on future priorities of the Contact Group and explore the possibility of establishing a financial mechanism to replace the trust fund to support initiatives of States countering piracy off the coast of Somalia. Participants also planned the next Contact Group plenary session, which has been postponed to December 2020 owing to the COVID-19 pandemic.

### **B. United Nations trust fund to support initiatives of States countering piracy off the coast of Somalia**

27. During the reporting period, the trust fund continued to support projects in the areas of capacity-building, regional prosecution, maritime law enforcement and maritime governance. However, the implementation of projects was delayed owing to the COVID-19 pandemic.

28. On 14 January 2020, the trust fund secretariat announced that the trust fund had not met the United Nations Sustainable Development Group yearly benchmark contribution threshold level for multi-partner trust funds in 2019. In accordance with the agreement reached among Board members on 19 June 2019, the trust fund will therefore close on 31 December 2021.

29. Based on the contributions received by the trust fund in 2019, Board members approved funding for two projects to support maritime law enforcement and regional prosecution efforts. Since 31 December 2012, the trust fund has received a total of \$15,224,488 from 18 donors. As at 31 August 2020, the balance of the trust fund was \$93,072.

30. Owing to the COVID-19 pandemic, no meeting of the Board of the trust fund was held during the reporting period. The next Board meeting will take place in the margins of the annual plenary session of the Contact Group on Piracy off the Coast of Somalia.

## V. Strategic maritime security activities

### A. International capacity-building

31. With the support of IMO, States in the western Indian Ocean and the Gulf of Aden continue to build capacity to counter piracy and other illicit activities that threaten safety and security of navigation in the region, in support of the Djibouti Code of Conduct and its 2017 Jeddah Amendment.

32. In order to enhance maritime domain awareness in the region, signatory States to the Jeddah Amendment have prioritized the establishment of a national maritime information-sharing centre in all participating States. The centres will play a key role in the regional information-sharing network, alongside the Regional Maritime Information Fusion Centre in Madagascar and the Regional Coordination Operations Centre in Seychelles.

33. On 13 and 14 November 2019 in Mombasa, Kenya, IMO held a high-level regional meeting on capacity-building coordination for enhanced maritime security in the West Indian Ocean and Gulf of Aden. Participating States agreed to establish a Djibouti Code of Conduct governance framework, consisting of a steering committee and working groups on information sharing and capacity-building coordination. The working group on capacity-building coordination will continue the work of the Indian Ocean regional capacity-building working group, which was transferred from the Contact Group to the Djibouti Code of Conduct in November 2019 (see [S/2019/867](#), para. 30).

34. IMO facilitated two regional courses and three conferences in support of the implementation of the Djibouti Code of Conduct. A total number of 91 courses provided to date by IMO have benefited over 1,731 trainees from the region.

35. Through the European Union Programme to Promote Regional Maritime Security in the Eastern and Southern Africa and Indian Ocean Region, the Indian Ocean Commission supported the regional information-sharing and coordination centres in Madagascar and Seychelles, as well as the national centres of the signatory States to the two regional agreements for the exchange and sharing of maritime information and for the coordination of joint actions at sea (see [S/2019/867](#), para. 33). The Indian Ocean Commission also supported signatory States to the two regional agreements by reviewing national structures and systems in support of the operationalization of the regional information-sharing and coordination centre.

36. The Division for Ocean Affairs and the Law of the Sea of the United Nations Office of Legal Affairs began the implementation of a capacity-building programme aimed at assisting the Federal Government of Somalia with developing an effective legal framework for ocean governance in conformity with the United Nations Convention on the Law of the Sea. The programme, funded by the trust fund and delivered with support from UNSOM, will provide training on the law of the sea to law enforcement officials and on the international legal framework for ocean governance to legislators and technical officials. The implementation of the project has been delayed owing to the COVID-19 pandemic.

37. Under the Indian Ocean Forum on Maritime Crime, the UNODC Global Maritime Crime Programme is supporting a maritime disruption network, together with the Federal Government of Somalia and the federal member states. The aim of the network is to ensure the implementation of the Somalia sanctions regime under Security Council resolution [2498 \(2019\)](#) and it brings together Member States, the Combined Maritime Forces and EU NAVFOR Somalia to provide a coordinated, threat-informed mechanism that can disrupt illicit maritime flows in the region.

## B. Naval activities off the coast of Somalia

38. During the reporting period, EU NAVFOR Somalia and the Combined Maritime Forces maintained their presence off the coast of Somalia. Individual Member States, including China, India, Japan, the Republic of Korea and the Russian Federation, operated as independent deployers, protecting and escorting commercial vessels through the Gulf of Aden in coordination with EU NAVFOR Somalia and the Combined Maritime Forces. Other States, such as the Islamic Republic of Iran, also contributed to the fight against piracy by deploying naval fleets to the region on a national basis.

39. EU NAVFOR Somalia, through Operation Atalanta, continued to deter, prevent and repress piracy off the coast of Somalia by protecting and escorting vessels vulnerable to piracy attacks, including vessels of the World Food Programme. Spain, Italy and Germany continued to provide seagoing assets and maritime patrol and reconnaissance aircraft while other States, including the Republic of Korea (as an independent deployer), France and the Netherlands contributed with warships for bespoke operations or while in transit. Overall, 16 Member States of the European Union and 3 non-Member States of the European Union contribute to Operation Atalanta. As a secondary task, EU NAVFOR Somalia continued to support other actors in the area, including the European Union Capacity-Building Mission in Somalia and UNODC.

40. Operationally, EU NAVFOR Somalia remained one of the main counter-piracy actors operating off the central coast of Somalia, providing a visible deterrence and conducting focused operations in areas where criminal networks associated with piracy are present. The operation provided a platform for European Union instruments and United Nations agencies to promote development programmes within inaccessible communities.

41. Through the Maritime Security Centre-Horn of Africa, EU NAVFOR Somalia also continued to facilitate the scheduling of the convoys conducted by independent deployers in the Internationally Recommended Transit Corridor. The Centre remains integral to Operation Atalanta, providing regional maritime domain awareness, and receives voluntary registration details of transiting vessels, as recommended in the fifth version of *Best Management Practices*, together with United Kingdom Maritime Trade Operations.

42. On 16 July 2020, the European Union agreed to extend the mandate of Operation Atalanta until 31 December 2022.

43. The Combined Maritime Forces, a multinational naval partnership comprising 33 Member States, continued to conduct counter-piracy operations in the Red Sea, the Gulf of Aden, the Arabian Sea, the Somali Basin and the Northern Indian Ocean through Combined Task Force 151.

44. In the reporting period, Task Force 151 comprised surface ships provided by Japan and the Republic of Korea, with additional ships provided by the United States, the United Kingdom of Great Britain and Northern Ireland, Pakistan and others. These surface units were further supported by maritime patrol and reconnaissance aircraft from Japan, the United States and Pakistan. The Republic of Korea, Kuwait, Japan and Turkey provided the leadership teams for Task Force 151 on a rotational basis. The Combined Maritime Forces continued to work closely with EU NAVFOR Somalia and also collaborated with the Contact Group on Piracy off the Coast of Somalia, the Maritime Security Centre-Horn of Africa and United Kingdom Maritime Trade Operations, as well as regional naval operations centres and rescue coordination centres.

45. While focusing on counter-piracy operations, the Combined Maritime Forces and EU NAVFOR Somalia continued to provide threat assessments and incident-related threat bulletins to the global shipping industry and successfully collaborated on wider maritime incidents in the Gulf of Aden, such as stranded and missing vessels, suspicious approaches and maritime safety incidents.

46. NATO retained maritime situational awareness off the coast of Somalia and monitored the situation with respect to piracy, including through the NATO Shipping Centre in the United Kingdom. NATO continued its collaboration with relevant counter-piracy stakeholders and remained active in counter-piracy forums, such as the Contact Group on Piracy off the Coast of Somalia.

47. Owing to the COVID-19 pandemic, the forty-sixth Shared Awareness and Deconfliction conference, scheduled for 27 and 28 May 2020, was cancelled. Instead, all counter-piracy military operations and industry stakeholders provided a written update of their activities, which was published on the conference website. The next Shared Awareness and Deconfliction conference will be hosted virtually by the Combined Maritime Forces in Bahrain on 3 and 4 November 2020.

48. The five suspected pirates apprehended by EU NAVFOR Somalia on 23 April 2019 are currently on trial in Seychelles. To date, 171 pirates have been transferred, of whom 145 were convicted and imprisoned further to arrests made by EU NAVFOR Somalia.

## **VI. International legal and judicial issues, including human rights considerations**

### **A. Legal frameworks and cooperation**

49. In line with the cooperation framework signed on 15 June 2018, the United Nations Department of Political and Peacebuilding Affairs and the Indian Ocean Commission continued discussions on activities to help build the capacity of the Commission to promote and consolidate peace and security in the region. The Council of Ministers of the Commission met on 6 March 2020 in Seychelles and adopted the Moroni Declaration, in which it called for a reinforced mandate and institutional reform of the Commission. Work has started in support of the Moroni Declaration; however, implementation of the reforms has been delayed due to the COVID-19 pandemic.

50. During the reporting period, the IGAD Task Force on the Red Sea and the Gulf of Aden developed a road map and held seven national consultations in IGAD Member States to further the implementation of the resolution of the forty-sixth ordinary session of the IGAD Council of Ministers.

51. On 6 October, the Human Rights Council adopted resolution [45/16](#), in which it renewed the mandate of the open-ended intergovernmental working group to elaborate the content of an international regulatory framework on the regulation, monitoring and oversight of the activities of private military and security companies for a period of three years. Under the new mandate, the working group will continue to elaborate the content of an international regulatory framework, without prejudging the nature thereof, to protect human rights and ensure accountability for violations and abuses relating to the activities of private military and private security companies. The second session of the open-ended intergovernmental working group, scheduled for 11 to 15 May 2020, was postponed owing to the COVID-19 pandemic.



## **B. Hostage release and support efforts**

52. On 18 August 2020, the three remaining hostages from the crew of the *Siraj*, held by the pirate group “Karani”, were released and repatriated, as a result of the efforts of the Islamic Republic of Iran and the Hostage Support Partnership. The crew members were the last remaining hostages of Somali pirates and had been held hostage since 22 March 2015. The crew member of the *Siraj* who was released on 14 September 2019 has since been provided with rehabilitation support by the International Seafarers’ Welfare and Assistance Network, an international charity based in the United Kingdom. The Network also administers the Piracy Survivor Family Fund of the Contact Group, which aided the families of the three crew members while they were in captivity and will assist the crew members with rehabilitation support following their release.

53. On 15 September 2020, the Chair of the Contact Group issued a communiqué concerning the release of the three hostages, recognizing the support by the Hostage Support Partnership and the International Seafarers’ Welfare and Assistance Network.

## **C. Cooperation on piracy-related prosecutions**

54. On 16 June 2020, the UNODC Global Maritime Crime Programme held a meeting of the Law Enforcement Task Force, in its capacity as its secretariat. Member States with active piracy prosecutions and an interest in counter-piracy efforts participated in the meeting, alongside the International Criminal Police Organization (INTERPOL) and EU NAVFOR Somalia. The meeting highlighted the increased involvement of piracy kingpins in transnational organized crime, including movement of weapons and illicit goods, which is in violation of the Somalia sanctions regime.

55. The work conducted by the UNODC Global Maritime Crime Programme for the Law Enforcement Task Force indicates that the geographic area where pirate action groups might attack and hijack vessels has been considerably reduced. The number of pirate action groups and funding for their operations have also been reduced. It is believed that the four pirate action groups in Somalia have funding, equipment and safe areas from which they could launch piracy operations.

56. In November 2019, in collaboration with EU NAVFOR Somalia, UNODC conducted an assessment in Kenya, Mauritius, Seychelles and Tanzania, to look at the readiness and capacity in those States to accept and prosecute suspected pirates. The assessment showed that the willingness and capacity to achieve the legal finish still exists in these States, even though it has diminished to some extent.

57. Since the beginning of the Global Maritime Crime Programme in 2009, UNODC has repatriated a total of 184 piracy prisoners from Kenya, Mauritius and Seychelles. There are five suspected pirates in detention awaiting trial in Seychelles and one convicted piracy prisoner who will be repatriated to Somalia upon completion of his sentence in Seychelles. As a result of these repatriation efforts, there are currently no piracy prisoners in Kenyan or Mauritian prisons. The UNODC Global Maritime Crime Programme continues to support States in the region in their efforts to conduct fair trials of suspected pirates and ensure that prison conditions are in line with international human rights standards.

58. On 7 September 2020, the Attorney-General of Seychelles decided to press charges against the five suspected pirates apprehended by EU NAVFOR Somalia and transferred to Seychelles for prosecution in April 2019. The public hearings of the trial were held in September 2020 and an outcome is pending.

59. On 25 July 2020, the Puntland Parliament decided to cancel the memorandum of understanding between Puntland and Seychelles concerning the transfer of persons convicted of acts of piracy. A technical committee was then established to proceed with the release of the remaining 25 pirates held in Puntland. On 18 August 2020, the Chair of the Contact Group released a communiqué expressing deep concern regarding the decision, calling on the Federal Government of Somalia not to commit to their early release and strongly condemning any action against the collective efforts of the Contact Group members. In parallel, efforts were made by the international community, including UNODC, arresting States and other relevant stakeholders to avoid any early release, and as at 29 October 2020, no early releases have been made.

## VII. Observations

60. Since my previous report, there have been no piracy attacks off the coast of Somalia. Even as the world has been focusing on tackling the COVID-19 pandemic, the mitigation measures in place to combat piracy and armed robbery at sea off the coast of Somalia have remained effective, thanks to the Federal Government of Somalia, the shipping industry and the international community, including the Security Council, military and naval forces and the Contact Group on Piracy off the Coast of Somalia.

61. The release of the three remaining crew members of the *Siraj* and their return home is an important milestone. I commend the work of the Hostage Support Partnership, which led to the release of these final remaining hostages of Somali piracy, and the support to the hostages and their families provided by the International Seafarers' Welfare and Assistance Network. I thank those Governments and organizations which supported and cooperated with these efforts and reiterate my call to all partners to contribute to the Piracy Survivor Family Fund, which plays a vital role for survivors of Somali piracy and their families.

62. Despite the absence of attacks and the concerted international efforts, pirate action groups remain active and ready to resume attacks if conditions become favourable. The diversification of activities of these groups points not only to the potential reversibility of counterpiracy gains achieved over the past decade, but also to the need to address the root causes and drivers of piracy. I reiterate my call for the Federal Government of Somalia and international partners to continue their efforts to address these, such as by creating alternative livelihoods, tackling insecurity, addressing weak governance structures and suppressing illegal, unreported and unregulated fishing.

63. I commend the efforts of the Federal Government of Somalia to work alongside national and international stakeholders in building awareness and development of policies and legal frameworks that will facilitate and strengthen maritime security, commerce and state jurisdiction. I encourage the initiative of the Federal Government of Somalia to revitalize the National Maritime Coordination Committee, which will allow Somali maritime stakeholders at both the federal and state levels to articulate collective objectives towards the development of a sustainable maritime sector. I further welcome the revision by the Federal Government of Somalia and the federal member states of legal frameworks relevant to piracy and maritime security and their work on incorporating international maritime obligations into national regulations. These are important for Somalia to effectively counter piracy and abide by its international obligations.

64. I also commend the Federal Government of Somalia and its federal member states for their work, supported by international partners, to empower women in the maritime sector.

65. I welcome efforts by international partners to enhance the capacity of States in the region to effectively prosecute suspected pirates and control their waters. I commend the work of regional capacity-building initiatives, such as the Djibouti Code of Conduct, and encourage Member States to continue their close coordination in furtherance of the repression of piracy and armed robbery against ships in the region and above all, to find long-term, sustainable solutions to address maritime security threats.

66. I thank the Government of Kenya for its leadership as Chair of the Contact Group on Piracy off the Coast of Somalia, and the Indian Ocean Commission for its supporting role as secretariat of the Contact Group. I further commend international partners for their contributions to the trust fund to support initiatives of States countering piracy off the coast of Somalia and encourage continued financial support to counter piracy mechanisms following the closure of the trust fund on 31 December 2021.

67. I encourage the Federal Government of Somalia, its federal member states and the international community, including the Contact Group on Piracy off the Coast of Somalia and international naval forces, to continue their collaboration on combating piracy off the coast of Somalia.

## Annex I

### **Contributions of Member States, observers, non-governmental organizations and the private sector to countering piracy off the coast of Somalia**

1. The following statements have been provided by Member States in response to the relevant operative paragraphs of Security Council resolution [2500 \(2019\)](#):
2. As a Member State of the European Union, Belgium implements Council resolution [2500 \(2019\)](#) by taking part in the European Union Naval Force (EU NAVFOR) anti-piracy Operation Atalanta. Belgium currently deploys three soldiers to Operation headquarters (three non-commissioned officers: two watchkeepers and one naval cooperation and guidance for shipping (Sonic)).
3. The focal areas of Denmark for countering piracy in and around the Horn of Africa include efforts to maintain and strengthen local and regional maritime security capacities; support for governance institutions and efforts to address the socioeconomic root causes of piracy. In the reporting period, Denmark has been particularly engaged with capacity-building of the maritime police in Mogadishu and Boosaaso, as well as the “Somaliland” Coast Guard. Through its national peace and stabilization programme, Denmark is also contributing to capacity-building of the Kenya Navy. The aim of the programme is to increase the operational capacity and maritime awareness of the Navy. Part of the programme is aimed at enhancing the interagency cooperation between Kenyan maritime agencies where the international Combined Maritime Forces play a key role. In addition, Denmark has deployed staff officers to the Combined Maritime Forces to support maritime security efforts in the region. Finally, Denmark continues to work closely with the international community in and around the Horn of Africa and has since 2012 been a main contributor to the United Nations Office on Drugs and Crime (UNODC) on efforts to strengthen the exercise of government authority at sea. Denmark has also actively collaborated research and analysis efforts in relation to the UNODC mandate under Council resolution [2498 \(2019\)](#), primarily in relation to disruption of maritime smuggling routes. Furthermore, Denmark has supported the establishment, maintenance and monitoring of prisons holding convicted pirates in Somalia.
4. The activities undertaken by France off the coast of Somalia are mainly within the European framework. France is one of the main contributors to EU NAVFOR Somalia Operation Atalanta. The Operation’s Maritime Security Centre-Horn of Africa, which is the first point of contact for the various maritime actors (in particular the shipping industry), is co-located with the Maritime Information Cooperation and Awareness Centre in Brest, France. In addition to addressing piracy, which remains its core mandate, the Operation also cooperates with and transmits information on other security issues to the International Criminal Police Organization (INTERPOL) and the European Union Agency for Law Enforcement Cooperation (Europol). France regularly provides naval air assets in direct or associated support to the Operation. The base and the French troops stationed in Djibouti also provide essential logistical support to the Operation. Onshore, the European Union is contributing to the capacity-building efforts of the States of the Horn of Africa, with a view to addressing the root causes of piracy and eradicating piracy networks. France has no personnel deployed to the European Union Training Mission in Somalia and three deployed to the European Union Capacity Building Mission in Somalia. A strategic review of the European Union Training Mission, the European Union Capacity-Building Mission and Operation Atalanta is ongoing. At the regional level, the European Union is contributing to building a maritime security architecture in the western Indian Ocean through the following programmes: Programme to Promote Regional Maritime

Security, with a budget of 42 million euros, covering the period 2013–2020; Port Security and Safety of Navigation in Eastern and Southern Africa and the Indian Ocean, with a budget of 28 million euros, covering the period 2019–2024; the European Union Critical Maritime Routes Indian Ocean I project, with a budget of 5.5 million euros, covering the period 2015–2019, implemented by Expertise France, the French public agency for international technical assistance; the Critical Maritime Routes Indian Ocean II project, with a budget of 7.5 million euros, covering the period 2020–2023, also implemented by Expertise France. The security architecture was strengthened by the establishment, in 2018, of the Regional Maritime Information Fusion Centre in Madagascar and, in 2016, of the Regional Coordination Operations Centre in Seychelles. France has had liaison officers based at these two centres since their establishment. In addition, since 2013, the Programme to Promote Regional Maritime Security and the Critical Maritime Routes Indian Ocean programmes have been contributing their expertise in order to strengthen the capacity of officials in countries bordering the Indian Ocean to combat illicit maritime activities, in particular piracy, and are developing a regional maritime information-sharing system, the Indian Ocean Regional Information Sharing and Incident Management web platform. At the national level, France plays an active role in supporting maritime security off the coast of Somalia. France, a State with a border in the Indian Ocean and a member of the Indian Ocean Commission, continues to advocate for regional ownership of maritime security issues. In this regard, France supports the implementation of the Indian Ocean Commission regional maritime security strategy and the Djibouti Code of Conduct.

5. The Coast Guard Department of Georgia, as a result of the limited resources and competences, is unable to enforce specific measures in order to combat piracy on the coasts of Somalia. However, it is noteworthy that relevant offices of the Coast Guard Department are systematically sharing information about the suspected vessels with the maritime agencies of partner States and international organizations, namely, Allied Maritime Command (MARCOM) and the North Atlantic Treaty Organization (NATO) Shipping Centre. In addition, according to the materials provided by the Ministry of Defence of Georgia, the Ministry as a leading authority in the field of export control system is the entity which licenses military production. While deciding on concrete issues, it considers mandatory requirements established by Council resolutions with regard to arms embargoes and sanctions. Thus, positive decisions are not made and permission on the export and transit of military production is not given if an embargo applies to the country of final destination. Therefore, there have been no permission on the export and transit of military production issued in this regard since 1 November 2019.

6. Since the beginning of EU NAVFOR Somalia Operation Atalanta, Germany has been committed to the security of the sea lines off the Somali coast and is a reliable provider of troops for the European Union naval and naval air forces. At present, a maritime patrol aircraft with a technical-logistic group is provided twice a year for three months during the inter-monsoon phases of Operation Atalanta. The diving pressure chamber deployed in Djibouti is a reliable medical contribution by Germany to the East African region. In addition, Germany is providing staff to the operational headquarters in Rota, Spain, including the Deputy Commander, in the first half of 2020.

7. The Islamic Republic of Iran has dispatched five navy fleets to the Horn of Africa and the Gulf of Aden on a rotating basis. Those fleets comprised of 10 combat and logistical ships. The navy fleets have escorted more than 80 ships or tankers in the region, providing for their safe passage. Moreover, they have provided necessary assistance to the endangered fishermen and seafarers operating in the area. Of those ships and tankers escorted by the Iranian Navy, five were attacked by pirates. Those

attacks were repelled by the Iranian security forces, and the ships continued their route without harm. Iranian armed forces continued to support two companies through provision of equipment and training. Those companies have hitherto provided services for the escorts of 163 ships. Efforts have been made for the release of seafarers captured by Somali pirates, including three Iranians who were released in August 2020.

8. Italy has been one of the main force providers of EU NAVFOR Operation Atalanta since its inception and currently provides two naval units and two helicopters for eight months a year, with a total of 407 personnel units. During the eight months of operational deployment, Italy has tactical command of EU NAVFOR for one rotation per year (four months), providing the Force Commander with a core staff and related flagship, while in the remaining four-month period providing one fleet unit and staff elements at the Force Headquarters. In addition, Italy provides staff at the operational headquarters in Rota, Spain, including the Deputy Commander. In this context, Italy provides local maritime capacity-building activities and key leader engagement activities to local authorities, regional navies and other maritime actors relevant to the maritime security of the area of operation, (i.e., the Navy and Coast Guard of Djibouti, the Navy and Air Force of Seychelles and the Mogadishu Police). Italy has also been a member of the United Nations trust fund to support initiatives of States countering piracy off the coast of Somalia for 2018–2020 and advocated for a more efficient use of financial resources available, by identifying possible alternative instruments to replace the now underfunded trust fund. On land, Italian commitment to security in the region is conveyed through our participation to European Union missions in Somalia: the European Union Capacity-Building Mission in Somalia – focused on strengthening maritime security capacity and the capabilities of Somali authorities in autonomously countering piracy, through strategic-level advising and specialized training – and the European Union Training Mission in Somalia, focused on Somali Security Forces training, for which Italy is among the main contributors in terms of personnel and resources and has provided the Commanding Officer since 2014. Furthermore, Italy works to keep the attention of the European Union focused on an overall strengthening of the European involvement in the region. At the bilateral level, Italy – only insofar as security is concerned – provides training courses for the Somali Police Force with the support of the Italian military base in Djibouti. Italy stands by regional organizations in their action aimed at maintaining maritime security in the area and supports the implementation of the maritime security strategy of the African Union, as well as that of the Intergovernmental Authority on Development (IGAD), as co-president of the IGAD Partners Forum.

9. Since 2009, Japan has been conducting counter-piracy operations, without interruption, by deploying Maritime Self-Defense Force destroyers (with coastguard officers on board) and P-3C patrol aircraft to the Gulf of Aden. As part of its efforts towards deterrence and suppression of piracy off the coast of Somalia, Japan took command of Combined Task Force 151 from February to June 2020. With a view to promoting stability in Somalia, Japan has provided approximately \$20 million in financial assistance for improvement of the humanitarian and security situations in Somalia from November 2019 until March 2020, which makes the total amount of Japanese assistance for Somalia \$500 million since 2007.

10. In implementing Council resolution [2500 \(2019\)](#) the Republic of Lithuania supports the international efforts in the fight against piracy and armed robbery at sea off the coast of Somalia. Lithuanian Armed Forces maintain a permanent contribution to EU NAVFOR Operation Atalanta by providing a staff officer to the operational headquarters in Rota, Spain. Furthermore, on a rotational basis, Lithuanian Armed Forces deploy an autonomous vessel protection detachment (12 servicemen), with the fifth rotational detachment serving on board the World Food Programme ship from

August to December 2019. Additionally, from August 2019 to January 2020, two Lithuanian servicemen were assigned to the National Support Element in Djibouti.

11. Even prior to Council resolution [2500 \(2019\)](#), the Philippines had disseminated advisories to concerned stakeholders in order to make them aware of the issuances from the International Maritime Organization and other organizations pertaining to piracy and armed robbery against ships in the Gulf of Aden or enhanced risk areas. The updated version of *Best Management Practices to Deter Piracy and Enhance Maritime Security in the Red Sea, Gulf of Aden, Indian Ocean and Arabian Sea* was also disseminated to the concerned overseas shipping companies to assist their ships in avoiding, deterring or delaying possible piracy attacks in the high-risk area. Philippines overseas shipping companies are required to report to the Maritime Industry Authority in advance if their ships would pass through the Gulf of Aden or any high-risk area. The Authority will thereafter promptly relay the information, via email, to United Kingdom Maritime Trade Operations-Dubai for its action. The Authority allows the Naval Coalition Forces in the Gulf of Aden/Enhanced Risk Area to board the Philippines-registered ship should there be a need for a rescue operation. Another effort of the Authority involves the granting of approvals for Philippines overseas shipping companies to hire privately contracted armed security personnel, as supernumeraries, on board Philippines registered ships engaged in international voyages. Meanwhile, the Office for Transportation Security of the Department of Transportation ensures that the maritime security risk assessment reports of international passenger and cargo vessels are properly assessed, the security measures are not being neglected and the contingencies of security plans are well implemented. While no Filipino seafarer has been subjected to a piracy attack recently in the Gulf of Aden or the Horn of Africa, the Philippines recognizes the need to support various international initiatives for the prevention of piracy and for the safe release of any seafarer caught in harm's way. This involves information-sharing among the 33 members of the Combined Maritime Forces, in which the Philippines has been duly represented since 2010.

12. Portugal has contributed actively to a set of missions and operations in the context of various international organizations, namely the United Nations, the European Union and NATO, recognizing that stability and security can be achieved only through complementary international efforts. In this context, Portugal once again assumed the command of the EU NAVFOR Atalanta mission in Somalia in the period from December 2019 to March 2020. After the end of its command, Portugal has maintained its participation, continuing its uninterrupted presence in the Atalanta mission since 2008. Within this context of complementarity, Portugal has also participated since 2010 in the European Union Training Mission in Somalia, whose mandate includes a set of instruments of institutional capacity-building in cooperation with international and regional organizations in the region. During 2019, Portugal also started to provide support to the European Union Capacity-Building Mission in Somalia, addressing maritime security and law enforcement issues.

13. During the period from 1 November 2019 to the present, the Russian Navy made three visits to the Horn of Africa region in order to ensure the safety of Russian maritime navigation and to combat piracy and armed robbery in that marine area. During the period from 1 November to the present, the State-financed Maritime Security Service, which comes under the Federal Agency for Maritime and River Transport, has participated in the efforts to counter Somali pirates, including in the formation of two convoys of merchant ships and their escort by Russian Navy ships in pirate areas off the coast of Somalia and in the Gulf of Aden. In addition, the Federal Agency for Maritime and River Transport has carried out the following activities: sharing of information at least twice a day on the conditions in the high-risk area with vessels registered under the Russian flag crossing the Gulf of Aden;

monitoring of the situation in the waters off the coast of Somalia and notification of stakeholders; consultations with foreign shipping companies and ships' captains regarding the formation of Russian convoys; regular contact with major anti-piracy centres, including the Maritime Security Centre-Horn of Africa (which operates under EU NAVFOR Somalia Operation Atalanta) and United Kingdom Maritime Trade Operations; and dissemination to interested Russian companies of the existing recommendations of IMO, the Federal Agency for Maritime and River Transport and the Russian Navy on countering piracy off the Somali coast, including the fifth version of *Best Management Practices*.

14. Since May 2009, Sweden has sent five naval units to Operation Atalanta, the European Union maritime operation in the Gulf of Aden, off the Somali coast, which protects vulnerable shipping and deters, prevents and represses piracy and armed robbery at sea in the region. In autumn 2017, Sweden provided a fifth contingent consisting of a naval boarding force and two fast assault craft to the Operation. In July 2019, Sweden increased its personnel contribution to Operation Atalanta headquarters in Rota, Spain, from two staff officers to three. Currently, Sweden does not intend to increase its personnel or contribution. Sweden, with the engagement of the European Union Capacity-Building Mission in Somalia, has also played an important part in the development of the "Somaliland" Coast Guard, owing to two donations of maritime training courses in 2018 and 2019. During the second training course in 2019, 23 men and 2 women from the "Somaliland" coastguard completed a five-week "Swedish boat project" training course in Berbera, led by Swedish coastguard experts and advisers from the European Union Capacity-Building Mission in Somalia. The focus of the course was on effective search and rescue operations, seamanship, boat handling and Global Positioning System (GPS) navigation, as well as engine repair and mechanics. A third training course is on hold owing to the COVID-19 situation. The goal of this last planned training is to update previously trained participants and further develop their skills.

15. Ukraine has concentrated its efforts in the fight against piracy and armed robbery of ships in the waters off the coast of Somalia first and foremost in the context of its membership in IMO. In this context, Ukraine supported, sponsored and produced a number of initiatives aimed at fighting and eradicating piracy and armed robbery in this particular area and worldwide. Acts of piracy are criminalized (as a separate, specific crime) in the Criminal Code of Ukraine. Article 446 of the Code provides for punishment of piracy and imprisonment of up to 15 years with confiscation of property belonging to a person convicted as guilty of committing an act of piracy. Moreover, while upholding the 1982 United Nations Convention on the Law of the Sea and making it part of its national legislation, Ukraine recognized universal jurisdiction for piracy, in line with the relevant provisions of the Convention. In its capacity as a maritime labour producing country, Ukraine pays specific attention to providing adequate maritime education and training to prospective and active seafarers to counter the threat of piracy and armed robbery against ships under the provisions of the IMO instruments, primarily the 1978 International Convention on Standards of Training, Certification and Watchkeeping for Seafarers (and the Seafarers' Training, Certification and Watchkeeping Code. To this end, Ukraine has carefully revised and amended its national legislation. In particular, according to the Requirements for Equipment Intended for Training and Testing of Knowledge of Crew Members and Ship's Crew on Ship Protection, approved by Order No. 491, issued by the Ministry of Infrastructure of Ukraine on 7 October 2014, registered by the Ministry of Justice of Ukraine on 24 October 2014 with register number 1336/26113, the training of seafarers to enable them to perform duties related to the protection of ships from the threat of piracy and armed robbery should be carried out in compliance with the requirements of regulations VI/5 and VI/6 of the amended International Convention



on Standards of Training, Certification and Watchkeeping for Seafarers and by sections A-VI/5, A-VI/6, B-VI/5 and B-VI/6 of its Code, chapter XI-2 of the International Convention for the Safety of Life at Sea, the International Ship and Port Facility Code and relevant national requirements. The Standard of Higher Education for qualification 271 “River and sea transport” for the first (bachelor’s) level of higher education, approved and implemented by Order No. 1239 of the Ministry of Education and Science of Ukraine on 13 November 2018, provides that, in developing special (professional) competencies, educational programmes must ensure compliance with the requirements of the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers. These provisions are applicable to mandatory minimum training and safety training requirements for all seafarers in accordance with the corresponding provisions of the Convention and its Code.

## Annex II

### Map of incidents of piracy, 2017–2020



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