



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR MARITIME AFFAIRS AND FISHERIES
THE DIRECTOR-GENERAL

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SPAIN

Subject: Piracy in the Indian Ocean

Ref: your letter dated 9 October 2009

Dear Sir,

Further to our exchange of letters earlier this year (May 2009) and to your recent letter of 9 October 2009, we would like to inform you that the issue of piracy attacks on the EU fishing fleet in the Indian Ocean remains high on the agenda of the European Commission and of the EU in general.

The monsoon period is now over and the spate of recent attacks has shown that the problem of piracy has not disappeared. Commissioner Borg has condemned the attack on the Spanish vessel ALAKRANA perpetrated by pirates in international waters off the coast of Somalia. He has expressed his deepest sympathy and solidarity with the crew taken hostage and their families. The Spanish Government can count on the full support of the European Commission in its efforts to solve the crisis.

Piracy and armed robbery affects vital international maritime trade and endangers the lives of the crew. In this context, it is obvious that fishing vessels are particularly exposed given the very nature of their activity.

As a result, the decision to extend Atalanta's mandate and its area of action to the Seychelles should contribute to improving protection in this area. A transfer agreement for apprehended pirates and subsequent prosecution is already in place with Kenya and work is underway (capacity building and rehabilitation of jails). Similar agreements are being finalised with other parties, including the Seychelles. The trial process can be difficult because of the complexity to bring witnesses (for the most part seamen) to Mombasa.

As you know, in order to strengthen the control of the area where fishing vessels are operating, the Spanish and French fishing industries have appointed 2 liaison officers to EU NAVFOR Atalanta HQ in Northwood (UK) which should enhance communication between both parties.

Another element in the fight against piracy is the voluntary registration of ships at the website MSCHOA, (www.mschoa.eu), established and maintained by Operation Atalanta. It continues to be the most effective way of ensuring a safe passage through the most dangerous parts, in conjunction with appropriate self protection measures taken by the crew themselves. Operation Atalanta falls under the remit of the second pillar (Common Foreign and Security Policy, CFSP) and therefore, under the responsibility of the Council.

As military action alone is not enough, the European Commission remains actively involved in the international effort to address the root causes of piracy in the region, which are largely due to the lack of law and order on land as well as in the coordination with EU military efforts in the region to fight piracy and armed robbery. Amongst other things, the Commission is in the process of carrying out a pilot project as mandated by the European Parliament. The general objective of this project will be to explore and test Community measures to enhance the secure conditions of navigation for merchant and fishing vessels faced with piracy. In order to achieve better protection of merchant and fishing vessels, the specific objective is to establish increased maritime situational awareness, by enhanced surveillance and communication, increased cooperation and better threat analysis. The project will mainly focus on the Horn of Africa/Gulf of Aden region.

Ex-fishermen forced to become pirates is a well-worn argument. Indeed, the phenomenon of piracy is not the result of *ad hoc* initiatives taken by ex-fisherman faced with illegal fishing in their waters but seems to be a result of organised crime managed by powerful people on shore, with considerable means of organisation and intervention.

It is important to consistently give the message that that vessels fish in full legality under the rules of the Indian Ocean Tuna Commission, which manages the tuna fisheries in the region, the principles of the Common Fisheries Policy and the Bilateral Fisheries Agreements the Community has in the region with third countries.

Your concerns are being addressed by the EU. It is a complex and international problem which will not be resolved overnight. However, one thing is clear, the safety of our fishermen is paramount and we in the Commission remain deeply involved in applying solutions to curb this plague.

Yours sincerely,

with my best regards



Fokion Fotiadis