

Confederation of European ShipsMasters' Association

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On 13 March 2021

To Mrs Adina VALEAN
EU Commissioner for Transport

Subject : Protection against piracy and armed robbery in the Gulf of Guinea – Shipmaster's position

Dear Madam

As you are certainly aware in the Gulf of Guinea off West Africa the problem of piracy increases rapidly. This causes a serious maritime security threat to the merchant shipping and consequently to the lines of communications and International trade between our continents. The EU, as the second largest exporter and the third largest importer in the world, is highly dependent of maritime transport. Some 40% of the world tonnage is controlled by European ship owners and a vast majority of ships trading in the Gulf of Guinea sails to and from EU ports.

CESMA represents the shipmaster's associations from EU member states and is represented in several EU-programmes. From that position, CESMA would like to ask your attention for the increasing problem of maritime crimes, such as piracy, armed robbery and hijacking of seafarers in West Africa and in particular in the Gulf of Guinea.

While the shipmaster is primary responsible for the protection of ship, cargo and crew against above mentioned threats, his/her legal position concerns CESMA. As advised in the "*Best Management Practice West Africa*", the shipmaster is more or less limited to the passive measures. Most coastal states do not permit active measures such as private armed guards or naval escorts. Consequently, a multiplicity of international, national, and local legislations applies in the various maritime zones, which causes an impossible position of the shipmaster in his role of defending his/her ship, cargo and crew against piracy versus the limited legal options.

CESMA is well aware of all the good EU initiatives in the West Africa region, such as Coordinated Maritime Presence (CMP) and the Maritime Area of Interest Coordination Cell (MAICC). However, because of the rapidly increasing maritime security threat, CESMA wants to urge you to emphasize a more prominent role for the EU in the Gulf of Guinea.

In concrete terms, CESMA would urge you to use your influence for the establishment of, inter alia:

1. A High Risk Area (HRA);
2. Navy-patrolled international transit corridors;
3. An EU Naval Force (like *Operation Atalanta*)
4. Guarded anchorages;
5. Regulation and coordination of private armed guards.

These suggestions will enable the shipmaster to ensure a safe and legitimate protection of his/her ship, cargo and crew against the increasing maritime security threat in West Africa.

CESMA will invite its members to address their respective state with these suggestions and to endorse the EU initiatives and measures in this area. Additionally, CESMA will address the International Federation of Shipmaster's Association (IFSMA) about this matter in order for IFSMA to use its Special Consultative Status in the IMO to promulgate the requested measures, as well as the current EU initiatives and measures.

CESMA will always be ready to discuss this matter and, if deemed necessary, to assist in the procedure that will solve the above-mentioned important issue.

CESMA remain at Your disposal to discuss the matter and, if deemed necessary, to assist in the procedure that will solve the above-mentioned important issue.

Respectfull regards

Capt ; H. ARDILLON
CESMA President