



- **What is needed for further progress ?
Views from DG Mobility and Transport
of the European Commission**

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● freedom of navigation

- freedom of maritime transport
- to load, to transport, to unload
- UNCLOS, our common ground
 - » international waters
 - » areas of transit



freedom of navigation

- Any unjustified limitation to the freedom of navigation is not tolerable.
- This is true not only in Europe but also worldwide.
- The liberty to maintain commercial exchanges is crucial



Piracy

- A crime with different patterns, where ever it takes place.
- Different to ARAS....but same goal & effects
- Article 100-107 and 110 of UNCLOS,
- Duty to cooperate in repression of piracy
- States may exercise **universal jurisdiction**
- A « huge amount of legal literature » about piracy....but still.....
- Connexions to other types of organised crime ??



Piracy, a juicy business

- News of the current success off the coasts of Somalia could well steam up new trends in other regions or reactivate “sleeping dogs”
- Why not benefit from a brilliant « business model » ?
- Complementary with other criminal activities
- Profits to be reinvested



● Preventing piracy attacks

- Certainly our main aim
- Based on pertinent EU legislation derived from the ISPS Code
- A legal framework that provides a suitable background to be applied in the time and in the space.
- Ensuring timely and correct diffusion and implementation of best practices
- Developing « awareness » and procedures.



« adapting » to the threat of piracy

- A threat that is flexible, opportunist and highly adaptive
- « Asymmetric conflict »
- Our reply should be timely & adapted to the challenge,
- In an “ideal world”, effective implementation of pertinent provisions of UNCLOS 100 – 107 and 110 should be the very minimum.
- Need for a new mentality for the response to be provided : pirates are inventive and adaptive, what about us ?



● **Reacting against piracy**

➤ **Certainly a 3 step approach :**

» **short term**

» **middle term**

» **long term**

● **Reacting against piracy**

- **short term:**

- » **certainly ATALANTA**
- » **but also SHADE**
- » **MSCHOA in the future ?**
- » **Other regions at risk**
- » **Mitigating or deterring the threat ?**
- » **“Force without law enforcement leads to nothing ”**
- » **Being adaptable to address the strategy of the pirates which is characterised by adaptability.**

● **Reacting against piracy**

● **middle term:**

- » **revert the ratio risk/reward for pirates.**
- » **Establishing tangible judicial mechanism that works and are able to effectively deter piracy as potential authors will risk more than they can gain;**
- » **Fighting against the financial assets /benefits of the pirates without “blind eyes” that may create impossible situations for the crews and the shipping industry.**
- » **Favouring regional cooperation, with the support of the international community.**

● Reacting against piracy

● long term:

- » **the EU is certainly a major player in that,**
- » **Giving the locals the possibility to live and to live honestly : rebuilding a sustainable society and State, not neglecting their culture.**
- » **To give them a chance!**



Thank you for your attention

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