

08 January 2024

National Focal Points of Mozambique
and the United Arab Emirates,

National Focal Points of signatory States
to the Djibouti Code of Conduct/Jeddah
Amendment:

Dear National Focal Points,

**REQUEST FOR ASSISTANCE IN GAINING UNITED NATIONS SECURITY COUNCIL
SUPPORT TO ADDRESS THREATS TO INTERNATIONAL SHIPPING IN THE RED SEA AND
GULF OF ADEN AREA.**

As you are aware, the current situation in the Red Sea and the Gulf of Aden, where merchant ships and innocent seafarers have been attacked using anti-ship missiles, waterborne improvised explosive devices (WBIED), unmanned aerial vehicles (UAV), laid mines, and boarded by teams operating from helicopters and small boats, represents an unacceptable assault on the freedom of navigation enshrined in the United Nations Convention on the Law of the Sea.

The Red Sea and the Gulf of Aden form one of the most critical international maritime corridors, with over 2000 ships transiting every month. Any disruption to global trade using this route will have widespread and potentially disastrous effects on the global economy, with knock on effects to the already fragile economies in the western Indian Ocean region. Following the attacks, some global shipping lines have elected to reroute their vessels via the Cape, with attendant increases in costs, greenhouse gas emissions and disruption to the supply chain that is already heavily focused on “just-in-time” deliveries. The threat to the region’s fragile ecosystems arising from damage to ships is also a major concern. Furthermore, piracy activity, which had been suppressed for the last few years, is now showing signs of a resurgence.

The Djibouti Code of Conduct concerning the Repression of Piracy and Armed Robbery against ships in the Western Indian Ocean and the Gulf of Aden was adopted in 2009 and signed by 20 States from the region. The Jeddah Amendment to the Djibouti Code of Conduct, 2017 (DCoC/JA), extended the scope of the Code “calling on the Signatory States to cooperate to the fullest possible extent to repress transnational organized crime in the maritime domain, maritime terrorism, illegal, unregulated and unreported (IUU) Fishing and other illegal activities at sea”. The DCoC/JA also focuses on “security for a purpose”, that purpose being to create the security conditions necessary for maritime development, a sustainable blue economy, meeting the United Nations’ Agenda 2030 and the Sustainable Development Goals.

Consistent with the aim of the DCoC/JA to promote regional maritime cooperation and a stable maritime environment, contribute to the peace, good order and continuing prosperity of the western Indian Ocean and the Gulf of Aden area, **DCoC/JA Article 4 on Protection Measures for Ships** that states that “the Participants intend to encourage States, ship owners, and ship operators, where appropriate, to take protective measures against transnational organized crime in the maritime domain, maritime terrorism, and other illegal activities at sea, taking into account the relevant international Conventions, Codes, Standards and Recommended Practices, and

guidance adopted by IMO and the maritime industry. The Participants intend to cooperate in the implementation of measures to protect ships”.

Concerned at the evolving situation in the Red Sea and Gulf of Aden area, on 18 December 2023, DCoC signatory States held an extraordinary meeting of National Focal Points and international partners to consider a regionally supported response. Among the key recommendations was an agreement to request the United Nations Security Council to “act with resolution on this matter in the same way that it addressed piracy off the coast of Somalia, including calling for additional naval units to provide security in the area”. A report of the meeting can be found [here](#).

Whereas we welcome the support being provided currently by international navies on a national basis, we believe that the adoption of a Security Council Resolution will be more effective in securing wider regional participation. **It is against this background that, as signatories to the DCoC/JA and by virtue of your current and outgoing membership respectively to the United Nations Security Council, we the DCoC Signatory States kindly request you to seek the support of your national delegations to the United Nations to promote such action, including the adoption of a Security Council Resolution, as appropriate.** Such action will build upon the information already provided to the Security Council by the Secretary-General of the International Maritime Organization on 3 January 2024, in which he strongly condemned attacks against international shipping in the Red Sea area, while reiterating the commitment of IMO to protect seafarers, ships and cargoes to ensure the safety and security of global supply chains. Details can be found [here](#).

We also request all signatory States to seek the support of their national delegations to the United Nations lobby for support to such action by Mozambique and the United Arab Emirates.

A clear lead by the Security Council could also further encourage signatory State to take positive actions consistent with the provisions of the DCoC/JA. Such actions could include:

1. **Addressing the resurgence of piracy:** Promoting counter-piracy initiatives, for example, all ships calling in DCoC ports and intending to transit the western Indian Ocean, Gulf of Aden and Red Sea area should be visited and advised to implement self-protection measures in accordance with IMO guidance and Best Management Practices. As indicated in the IMO Secretary-General’s statement, this should also include registering with MSCHOA, UKMTO Dubai and other centres.
2. **Increased maritime presence:** Signatory States with significant naval capability would be encouraged to contribute assets to area defence and air defence efforts, ideally in support of a Security Council resolution. As part of a wider DCoC/JA project, funding should be sought to further develop the capabilities of littoral States maritime law enforcement capabilities, for example the Maritime Police Forces in Somalia and the Yemen Coast Guard. It is important that these local units be equipped, trained and be competent. If properly trained and equipped, they can also contribute to regional situational awareness. Although few regional navies have a significant anti air capability, most could provide escorts or a presence in the extended IRTC that could deter or head off surface attacks including WBIEDs.

3. **Self-Protection measures in ports;** Given that the stated aim is the disruption of shipping, it would be reasonable to assume that attacks in ports are also being considered by the perpetrators. Signatory States need to implement a greater level of interagency cooperation, ISPS Code implementation and general resilience. Signatory States also need to clarify their regulations with respect to the loading, offloading and transit of armed security teams and their equipment.
4. **Denial of weapons to the Perpetrators;** Given the numbers of missiles and drones being used, there is need to strengthen the UNVIM Program to ensure effectiveness. In addition, DCoC signatory States should be encouraged to enhance their customs checks and border controls to deter weapons smuggling.

We believe that the above actions are consistent with the spirit and provisions of the DCoC/JA and will ensure that the Signatory States and the DCoC/JA are at the forefront of providing regional solutions to help address the current crisis.

We look forward to your support and acceptance of this important request.

Yours sincerely



Metse Ralephenya
DCoC Steering Committee Chair

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