



Royal Belgian Marine Society

## Conference on the legal implications of the use of piracy countermeasures by commercial vessels

April 15<sup>th</sup> 2016

Hogere Zeevaartschool, Antwerp



<http://www.ipatchproject.eu/>

IPATCH is a European FP7 funded project. The aim of IPATCH is to provide technology to protect ships and their crews from the modern-day scourge of piracy which is proliferating throughout the world, bringing severe human, financial and political costs, as well as affecting international seaborne trade.

The aim of this conference is to engage legislation and policy makers, experts in ethics and law and maritime stakeholders, with the aim of discussing and reviewing the ethical and legal issues surrounding the use of different anti-piracy countermeasures and threat-detecting technologies.

The idea is to organize the discussions of this conference around several concrete scenarios that captains and crew could potentially face. Analysing concrete scenarios could be an interesting opportunity to apply ethical and legal principles (that sometimes seem very abstract) to more defined realities with the objective of making these principles more practical and comprehensive.

Such an event would thus be an opportunity to engage a dialogue on the legal implications of the use of piracy countermeasures between academics, policymakers, piracy experts and maritime stakeholders such as ship owner associations, insurers, captains, crew representatives, PMSCs navies, law enforcement agencies, prosecutors, etc.



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## Programme

- 9.15 Registration and coffee
- 9.45 **Welcome words by Prof. Dr. Louis le Hardÿ de Beaulieu, President of the Belgian Royal Marine Society**
- 10.00 **Presentation of the IPATCH project and outcomes by Thomas Cane, Coordinator of the IPATCH project (BMT)**
- 10.20 *“Overview of the piracy contexts in East and West Africa” - Dr. Giulia Berlusconi, Research Fellow at Transcrime, Università Cattolica del Sacro Cuore (Milano – IT)*
- 10.50 *“Presentation of the 4 scenarios serving as a basis for discussions during the day” - Franck Dumortier, Senior Research Fellow at CRIDS, University of Namur (Namur – BE)*

### *Session 1: Applicable law to countermeasures & the concept of legitimate self-defence applied to the use of “lethal” piracy countermeasures*

Chair: Elisabeth Wilson, Tinne Consultants Ltd

- 11.00 *“Public and private law issues arising from the use of Privately Contracted Armed Security Personnel on board” - Prof. Dr. G. Gonsaeles, Lecturer Law of the Sea at the Antwerp Maritime Academy; Lecturer Environmental Legal Problems in Transport and Maritime Law at the Law Faculty of the Antwerp University (Antwerp - BE)*
- 11.35 *Discussion on Scenario 1*
- 11.50 *Closing remarks*

12.00 /13.00 Lunch buffet

### *Session 2: The concept, extent and consequences of legitimate self-defence applied to “less-than-lethal” and “non-lethal” piracy countermeasures*

Chair: Dr. Rowan Van Schaeren, Lecturer at the Antwerp Maritime Academy (Antwerp - BE)

- 13.00 *“Self-defence in criminal law: a comparative law approach” - Elise Delhaise, Assistant teacher in criminal law at the University of Namur (Namur – BE)*
- 13.30 *“The balance between legitimate self-defence and the Master's duty to rescue persons at sea” – Walter Verstrepen, President of the Class Maritime and River Law and Maritime Economy of the Royal Belgian Marine Society, Lawyer at Elegis Brussels (Brussels – BE)*



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- 14.00 “Insurance law issues related to the use of “less-than-lethal” and “non-lethal” piracy countermeasures” – **Prof. Dr. Kris Bernauw, Professor at the Law Faculty of the Ghent University (Ghent – BE)**
- 14.30 *Discussion on Scenarios 2 & 3*
- 14.50 *Closing remarks*

15.00 /15.30 *Coffee break*

*Session 3: Operational cooperation and coordination between law enforcement authorities (LEAs) involved in the fight against piracy*

Chair: **Olivier Bézier, EU CRIMARIO training and capacity building component manager**

- 15.30 « Operational cooperation and coordination between LEAs: presentation of the different contexts and solutions » - **Nicolas Lange, Head of international and humanitarian law department, Belgian Ministry of Defence; Attaché & Reserve Officer (BE)**
- 16.00 *Discussion on Scenario 4*
- 16.20 *Closing remarks*

**Round-table with IPATCH stakeholders: discussing the scenarios from a practical point of view**

Chair: **Walter Verstrepen, President of the Class Maritime and River Law and Maritime Economy of the Royal Belgian Marine Society, Lawyer at Elegis Brussels (Brussels – BE)**

- 16.30 IPATCH stakeholder group

*Closing remarks*

- 17.30 **Closing address by Bart Tommelein, State secretary for the Fight against Social Fraud, Privacy and North Sea**
- 17.50 **Closing words by Captain Patrick Blondé, Director General of the Antwerp Maritime Academy, President of the Class Maritime Shipping, Oceanography, Hydrography and Meteorology of the Royal Belgian Marine Society (Antwerp – BE)**

18.00 *Reception*



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## REGISTRATION

<http://goo.gl/forms/JSUU4UJKui>

## MORE INFO

[franck.dumortier@unamur.be](mailto:franck.dumortier@unamur.be)

## VENUE

### THE ANTWERP MARITIME ACADEMY

Noordkasteel-Oost 6, 2030 Antwerpen (Lat Long: 51.240604, 4.399387)

Location on the web: <https://goo.gl/maps/gF6Qnt3yF1N2>

