THE NATURE, IMPLICATIONS & REDUCTION OF PIRACY
THE CASE OF SOMALIA
INTRODUCTION

- SOMALIA HISTORY – THEATRICAL TRAGEDY
- FAILED STATE ON WORLD MARITIME CHOKE POINT
- SINCE 2002 – PIRACY PROSPERED
- WHAT IS THE REASON FOR THIS?
- WHAT ARE THE IMPLICATIONS?
- WHAT CAN BE DONE TO ERADICATE THIS?
AIM

TO INVESTIGATE THE NATURE AND IMPLICATIONS OF PIRACY OFF THE SOMALI COAST AND DISCUSS MEASURES FOR THE ERADICATION THEREOF
DEFINITIONS

- ORIGINS
- DEFINITIONS:
  - PIRACY:
  - PRIVATEERS:
- MODERN PIRACY
- PIRACY AND THE RULE OF LAW

Strait of Malacca
Part VII HIGH SEAS

Section 1. GENERAL PROVISIONS

Article 100
Duty to co-operate in the repression of piracy All States shall co-operate to the fullest possible extent in the repression of piracy on the high seas or in any other place outside the jurisdiction of any State.

Article 101
Definition of piracy
Piracy consists of any of the following acts:

(a) any illegal acts of violence or detention, or any act of depredation, committed for private ends by the crew or the passengers of a private ship or a private aircraft, and directed:

(i) on the high seas, against another ship or aircraft, or against persons or property on board such ship or aircraft;

(ii) against a ship, aircraft, persons or property in a place outside the jurisdiction of any State;

(b) any act of voluntary participation in the operation of a ship or of an aircraft with knowledge of facts making it a pirate ship or aircraft;

(c) any act of inciting or of intentionally facilitating an act described in subparagraph (a) or (b).
LEGAL FRAMEWORK

LEGAL REGIMES OF OCEANS AND AIRSPACE AREA

- Outer Space
  - National Airspace
  - International Airspace
  - 24 nm
  - 12 nm

- Territorial Sea
- Contiguous Zone
- Exclusive Economic Zone
- Continental Shelf
- High Seas
- The Deep Sea Bed
- 200 nm
Article 105
Seizure of a pirate ship or aircraft
On the high seas, or in any other place outside the jurisdiction of any State, every State may seize a pirate ship or aircraft, or a ship or aircraft taken by piracy and under the control of pirates, and arrest the persons and seize the property on board. The courts of the State which carried out the seizure may decide upon the penalties to be imposed, and may also determine the action to be taken with regard to the ships, aircraft or property, subject to the rights of third parties acting in good faith.
PIRACY AROUND THE WORLD
SOMALIA – HISTORY (1)

- Somalia History
  - 8th Century Arab Influence
  - 14 Century All Somali’s Islamic Faith
  - 16th Century Turkish Rule North, Sultans of Zanzibar South
  - 18th Century European Influence
Somalia History (Cont’d)

- 1888: Somalia partitioned by International Treaty between Britain, France and Italy
- 1920: British and Italian Protectorate
- 1941: Entire Area British Ruled
- 1950: Italy Returned and Joined Britain as UN Trustees for Former Territories
- 1960: 1 July – Independence: Republic of Somalia
- 1969: President Shermarke Assassinated – Military Rule Under Maj Gen Mohamed Siad Barre
- 1972: Somali Becomes a Scripted Language & Official
- 1977: War with Ethiopia over Ogaden Desert - Defeated
Somalia History (Cont’d)

- 1991 to 1998: Civil War – Largely Drought Induced
- 1992: Severe Famine – Food Aid Protection Required
- 1993: UNAMISOL – Took over from US after Black Hawk Incident – Warlord Mohamed Farah Aidid
- 2000: 1st Govt in 10 Years Elected – In control of 10% of the country
- 2004 (Aug): 275-member Transitional Parliament elected – 5 Year Term - President Yusuf Ahmed
- 2006 (May): Worst outbreak of violence in 10 years with Islamic Courts Council (ICC) battling against Warlords
- 2008 (Jun): Cease-fire calling for Ethiopian Troops to be replaced by UN troops.
Somalia Today

- 2007 (Feb) AMISOM approved in support of the Transitional Federal Government – Having Little Positive Affect
- UN still deliberating UN Peace Mission
- TFG Main Opposition - Alliance for the Re-Liberation of Somalia (ARS) – Al-Shabab Militia (Boycotts Talks)
- Somalia - Ultimate Failed State (Population 10 Million, 2% Arable Land, Businesses Print Money (Somali Shilling), Religion - Islam (Sunni), Race - 85% Somali, 38% Literacy, Few Skilled Workers)
- Population Heavily Reliant on Humanitarian Food Aid for 3+ Million Somalis
- Anarchy Prevails, Lawlessness Prevails, Crime Pays
Piracy in the Somalia Area

- Depleted Fishing Reserves
- Fishermen to Pirate, Piracy Pays - Threat to Humanitarian Food Aid (WFP) Delivery
- Supported by Al-Shabab Militia
- Sophisticated Organised Crime Ring (over 1000 gunmen)
- 2008: 50 Attacks, 25 Hijackings, 15 Vessels under Ransom
- Insurance up 10-fold, Shipping companies negotiating with Pirate Spokesman, Paying Ransom Money, some Companies paying Protection Money
- MV Faina Hijacked carrying $30M Arms including Tanks (33 x T-72s)
SOMALIA – PIRATE BASES

ZONE HARARDERA

CAMP WOODSTOCK
CAMP FRANKLIN
CAMP SONIA
CAMP SALLY
CAMP MARCIE
CAMP SCHROEDER
CAMP SNOOPY
CAMP TANYA
CAMP RED BARON
CAMP LINUS
CAMP PATTY
CAMP RERUN
CAMP JAMY
CAMP SCHULTZ
CAMP LOREN
CAMP BROWN
CAMP PIGPEN
CAMP LUCY

MOGADISHU - 120NM

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AREAS OF OPERATIONS

<table>
<thead>
<tr>
<th>Year</th>
<th>Area of Operation from Somali Coast</th>
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<tbody>
<tr>
<td>2007</td>
<td>&lt; 200nm (EEZ)</td>
</tr>
<tr>
<td>2008</td>
<td>445nm</td>
</tr>
<tr>
<td>2009</td>
<td>1 000nm</td>
</tr>
<tr>
<td>2010</td>
<td>1 364nm (31 Mar)</td>
</tr>
</tbody>
</table>
VESSELS/CREW BEING HELD CAPTIVE BY PIRATES OFF SOMALI COAST (AS OF 5 APR 10)

- 23 Merchant ships & 1 Barge
- 347 crew
- Vessel longest in captivity – since 15 Sep 09

- Piracy Incidents
  - 2008: 134
  - 2009: 228
  - Jan - Mar 2010: 61

- Vessels Sea Jacked
  - 2008: 49
  - 2009: 68
  - Jan - Mar 2010: 29

(Incl attempted attacks, averted attacks, successful sea-jackings)
AFRICA’S RESPONSE

- Seychelles Requested AFRICOM Assistance – REAPER UAVS & P3Cs now operate out of Mahe
- Kenya reacting to specific incidents
- Somali TFG now “wants to fight the scourge”
GLOBAL RESPONSE

- SOMALI COASTGUARD
- UN RESOLUTIONS
- CTF 150
- CTF 151
- OP ATALANTA
- INDEPENDENT NATIONS
- RULES OF ENGAGEMENT
- CONVOY SYSTEM / SAFE SEA LANES
- INTEGRATED COMMUNICATIONS
**CTF 150**
Global War on Terror
USA led coalition

**CTF 151**
Anti-Piracy OPS
USA led coalition

**EUNAVFOR**
OP ATALANTA
WFP Escort
Protect Vulnerable ships
Deter, disrupt, detain pirates

**OP OCEAN SHIELD**
NATO SNMG1
Deter & Respond to piracy, regional capacity building

**NATIONAL (INDEPENDENT) ESCORT SYSTEMS**
1. India
2. China
3. Russia
4. Japan
5. Iran

**Netherlands, Spain, Germany, France, Greece, Italy, Sweden, Belgium, Luxembourg, Norway, Croatia**

**USA, UK, Canada, Denmark, France, Germany, Greece, Italy, Netherlands, Pakistan, Saudi, Singapore, Spain, South Korea, Turkey, Yemen & others**

**UK, Greece, Italy, Turkey, USA**
SOUTH AFRICAN NAVY & NEW THREAT SCENARIOS

- TRADITIONAL NAVAL ROLES
TYPES OF NAVY ROLES VS FORCE LEVELS

<table>
<thead>
<tr>
<th>TYPE OF MISSION</th>
<th>FORCE REQUIRED</th>
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<tbody>
<tr>
<td>POLICING</td>
<td>LOW</td>
</tr>
<tr>
<td>DIPLOMATIC</td>
<td>HIGH</td>
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<tr>
<td>COMBAT</td>
<td>HIGH</td>
</tr>
<tr>
<td>ISOLATED OPERATIONS REQUIRING FORCE</td>
<td>HIGH</td>
</tr>
<tr>
<td>LIMITED WAR</td>
<td>HIGH</td>
</tr>
<tr>
<td>CONVENTIONAL WAR</td>
<td>HIGH</td>
</tr>
<tr>
<td>PEACEKEEPING/ENFORCEMENT</td>
<td>HIGH</td>
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<tr>
<td>ISOLATED CRISIS</td>
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<tr>
<td>ENFORCE STATES AUTHORITY</td>
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<tr>
<td>ENFORCE EEZ</td>
<td>HIGH</td>
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<tr>
<td>DISASTER RELIEF/S&amp;R</td>
<td>HIGH</td>
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<tr>
<td>FISHERY PROTECTION</td>
<td>HIGH</td>
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<tr>
<td>PORT VISITS</td>
<td>HIGH</td>
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<tr>
<td>PROBABILITY OF OCCURRENCE</td>
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HIGH

POLICING

DIPLOMATIC

COMBAT
NEW NAVAL ROLES
SOUTH AFRICA’S RESPONSE

- PIRACY EXPANDING IN SOUTHERLY DIRECTION
- WILL INFLUENCE RSA SLOC
- INCREASING PRESSURE FOR RSA TO GET INVOLVED
- ARE WE READY FOR THIS THREAT??
- YES:
  - FRIGATES, MPA, MRS, PRESENCE & CONTROL
- WHAT MORE DO WE NEED?
  - MARITIME DOMAIN AWARENESS
  - INTELLIGENCE
  - INTEGRATED APPROACH / PICTURE
  - PRESENCE (BOBBY ON THE BEAT – OPVs)
  - EXPERIENCE
THANK YOU