

What Would Make The Multi-National Anti-Piracy Efforts off Somalia More Effective?

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The United Nations Security Council (UNSC) voted unanimously on 30 November 2009 to extend for another 12 months a mandate for member countries to conduct anti-piracy operations off the coast of Somalia, to include “entering the territorial waters and undertake all necessary measures that are appropriate in Somalia”. Earlier the same month during a session on “Piracy and the situation in Somalia”, the UNSC members criticised the practice of paying ransom and stated that the coordinated fight by navies from several countries had failed to deter the pirates. They called for more “crucial and robust” ways to fight the pirates, who were at that point of time in November 2009 detaining 11 ships and 254 crew members. More than a year after the international community became seized with the problem towards the end of 2008, there is need to review the situation and come up with measures to make the multi-national effort more effective.

Backdrop

Naval ships from as many as 25 countries have been deployed in anti-piracy patrols off Somalia for the last one year. Despite this presence and the measures taken up till now, pirates operating across the Gulf of Aden and the coast of Somalia attacked 214 vessels during 2009, resulting in 47 hijackings. Compared to this, 111 ships were attacked in the region during 2008, which had been a 200 per cent increase from 2007.

Issues of Concern

Extended Reach of the Pirates

The Somali pirates have been proving to be tactically ingenious. They have been undertaking their operations in areas, and using methods, that maximise the prospects of success. For example, after the arrival of warships tasked with protecting commercial shipping in the Gulf of Aden, the pirates extended their hunting ground not only into the Red Sea and the Arabian Sea, but also well into

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the Indian Ocean. In November 2008, about 500 miles south-east of Mombasa, they captured the *Sirius Star*, a supertanker with a deadweight of over 300,000 metric tons, and an overall length the same as that of a Nimitz-class aircraft carrier. The *Sirius Star*, on passage from the Persian Gulf, was proceeding to the United States via the Cape of Good Hope. In November 2009, the pirates hijacked another supertanker, the Greek-owned *Maran Centaurus*, on passage from Jeddah to New Orleans via the Cape of Good Hope, while she was about 800 miles off the Somali coast, near the Seychelles. If Somali-based pirates, deploying skiffs from mother-ships, can hijack merchant vessels 500 and 800 miles into the Indian Ocean, it could mean that virtually any vessel sailing between Europe and East Africa or the Persian Gulf, Pakistan, or India, is potentially at risk of attack by Somali-based pirates, not only if the vessel sails through the Suez Canal, but also if it goes via the Cape of Good Hope. This further intensifies the argument that the pirates must be dealt with ashore and while breaking out to sea in the coastal areas.

Higher Insurance Costs

In the mean time, piracy in the Indian Ocean is beginning to take its toll on oil firms as shipping companies jack up the cost of transporting crude oil. High freight charges resulting from increased insurance risk cover purchased by vessel owners have pushed up the cost of transport and other operations. It is reported that marketers in Kenya are incurring additional costs of between \$500,000 and \$1 million to hire a tanker with a capacity of 80,000 metric tons as piracy has spread from the Gulf of Aden in the Somali coast deep into the Indian Ocean. According to Petroleum Focus Consultants, the cost to insure oil tankers is rising along with the risk because pirates are using more sophisticated weaponry like rocket launchers to hijack large tankers and demand multi-million-dollar ransoms.

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Higher Oil Prices

A significant increase in piracy could deter ship owners from using the Indian Ocean route, a move likely to disrupt the availability of oil products in the local African and regional markets. Marketers are now incurring additional costs of between \$6.25 and \$12.5 a ton to deliver one metric ton of crude oil to Mombasa as tankers sail an additional 1,100 nautical miles into the Indian Ocean to avoid the normal route off the Somali coast. A tanker sailing from the Gulf first heads towards India, then veers south to the Seychelles prior to heading to Mombasa, adding an extra four days travel on to the

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The Human Factor

The disruption caused to shipping by piracy is dramatic, but the outcome in human terms is more lasting. During 2008, Somali pirates held 815 crew members hostage. It is understood that the figure for 2009 may be similar. The vast majority of such hostages, but not all, survive attacks and periods of capture, but it is likely that all would be seriously affected by their experience. In addition, their families, friends and colleagues suffer at least many weeks, and sometimes many months, of anxiety and worry. The lasting effects of piracy in human terms are often not visible, and cannot be measured simply by conventional means, such as money; but they are real, and the victims are not limited to those who have actually been held hostage.

Effective Anti-Piracy Measures

Unified Response

Naval ships from a large number of countries and groupings like the EU, NATO and US lead TF 151 are maintaining anti-piracy patrols in the area. These include about 25 countries and represent a wide variety of political, economic and individual interests, signifying the absolute necessity of weeding out the menace of piracy towards restoring the unhindered and “free flow of trade and commerce”. There is, therefore, definitely a common meeting ground and purpose which is also mandated by the UNSC resolution. However, all ships are not deployed as a UN Peace Keeping Force (UNPKF), under a unified command, as they ought to be for centralized coordination towards optimum utilization of scarce resources over vast ocean areas. The existing groupings include the US lead CTF 151, the EU Naval Task Force (EUNAVFOR) Somalia carrying out operation “Atlanta”, and the NATO's operation “Ocean Shield”. The remaining ships, e.g. from China, India, Japan, Malaysia, Russia, Saudi Arabia etc, operate independently. This arrangement naturally poses complications. For example, the UK Maritime Trade Organisation, Dubai, is required to liaise with three separate bodies/locations, namely the EU NAVFOR's Maritime Security Centre Horn of Africa (MSCHOA), the NATO shipping center in UK and the CTF 151. The present efforts by the US Navy to achieve some kind of overall coordination, or rather de-confliction, in the form of monthly “Shared Awareness and De-Confliction (SHADE)” meetings through its Maritime Liaison Office (MARLO) in Bahrain are naturally inadequate. What is required is a unified command structure and centralized coordination, as for land based UNPK missions, which have been going on in almost all parts of the world. Such an arrangement would be acceptable even to countries which are presently deploying their navies independently.

Coastal Operations

With the UNSC specific mandate authorizing naval ships deployed for anti-piracy patrols to “enter the territorial waters and undertake all necessary measures that are appropriate in Somalia”, it would be prudent to focus the available air / naval effort on the Somali coastal areas so as to target the pirates while they are breaking out to sea, thereby limiting the sea area to be kept under surveillance. The available air effort, both shore based in the form of the P-3 Orion maritime patrol and other aircraft, as also ship borne aircraft and remotely piloted UAVs, could be best utilized for this purpose. The NATO proposal for deployment of an AWAC aircraft for the anti-piracy mission would be a tremendous boost to the overall mission profile and effectiveness. In addition, as outlined in the Russian proposal, another element of the UNPKF could carry out land operations in these coastal areas, in coordination with the naval element, to eradicate the bases/hide-outs of the pirates. This would be in line with the recent UNSC call for “more crucial and robust ways” to deal with the pirates, and, of course, would have to be done with the Transitional Federal Government (TFG) of Somalia being on board. It is understood that some such action may be likely because of the recent reported build-up in Djibouti of Special Forces from a variety of countries. Coordination of all sea-borne / coastal efforts with the government machinery ashore would bear the maximum results. In this light, it is heartening to note that the anti-piracy mission of the Indian Navy launched in November 2009 off Seychelles and Mauritius, specifically in response to the pirates venturing further out to sea from the coastal areas, will be in close coordination with the Seychelles Coast Guard and the Mauritian National Coast Guard respectively.

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Commercial Maritime Measures

It is reported that at least 25 per cent of the merchant vessels do not follow the guidelines issued by the International Maritime Organisation (IMO) in terms of the Internationally Recommended Transit Corridor (IRTC) and other advisories, making them more vulnerable to hijacking. In addition, it is high time that ship owners/ companies adopted some uniform “piracy hardening” measures on board ships like crew training, visual/radar look-out for early warning, safety nets, higher speeds / manoeuvres, fire hoses as water cannons and other access denial measures which would be certainly cost effective considering the huge amounts reportedly being paid to obtain release of hostages. The desirability and ethics of payment of ransom amounts by ship

owners is also being debated as it is one of the major factors contributing to the increase in incidents of piracy. With the unified anti-piracy operation under UN mandate, proposed earlier in this paper, coming about hopefully in the near future, there should also be a uniform, deliberate response to demands of ransom, and not the individual, panic-ridden reaction by ship owners as seen today.

Legal Framework

The legal framework for efficient, credible and timely trials ashore, of arrested piracy suspects, as per jurisdiction, needs to be worked out by the UN and enunciated. This needs to be done on priority so that the naval ships on patrol are not saddled with the additional burden of maintaining a large number of arrested pirates on board, thereby bringing down their effectiveness in their primary mission.

The Way Ahead

Equally important would be to restore the “freedom of navigation and safety at sea”, the principles cherished by all modern, seafaring nations.

The world is just about coming to grips with the recent economic downturn. In order to ensure that the menace of piracy does not get out of proportion and starts affecting the global economic system adversely through higher energy and other associated costs, the world leadership at the collective (UN) as well as individual nation state levels, must act together in concert to overcome the menace. Equally important would be to restore the “freedom of navigation and safety at sea”, the principles cherished by all modern, seafaring nations. All nation states must come together under the UN umbrella and pool in available resources jointly, including for some innovative measures, to make the ongoing multi-national anti-piracy efforts more effective. 