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## The Other 'Pirates' of the Horn of Africa

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*Recent events in the waters off the Horn of Africa have focused global attention on the scourge of piracy and armed robbery at sea. There are, however, other types of 'pirates' whose illegal activities in Somali waters continue unchecked and contribute to the problem.*

RECENT WEEKS have witnessed a series of high-profile acts of piracy and armed robbery at sea perpetrated by Somali 'pirates' in the waters off the Horn of Africa. Notable incidents included the hijacking of a freighter, the MV *Faina*, carrying 33 Russian-made T-72 tanks in October; the seizure of the very large crude carrier (VLCC) *Sirius Star* carrying a cargo of two million barrels of oil valued at over US\$ 100 million in mid-November; and the (unsuccessful) attack on the luxury cruise liner the M/S *Nautica* with over a thousand passengers and crew on board at the end of the same month. Indeed, by mid-December 2008 over one hundred attacks, including 42 successful hijackings, had taken place in the vicinity of the Horn of Africa.

### Root of the problem

Naval vessels from the United States, a number of European states (including Britain, Germany, France and Spain), Russia, India, Canada, Turkey, Malaysia and South Korea have been rushed to the scene and initiated anti-piracy patrols. China has also now reportedly sent a naval detachment to the region, with Japan possibly following suit. These deployments have been backed by a series of United Nations Security Council resolutions, notably Resolutions 1816 and 1838. These authorise states cooperating with Somalia's transitional government to enter the territorial waters of Somalia and use "all necessary means", including the use of force, to repress piracy.

On 16 December 2008 the Security Council went a step further. Through Resolution 1851, it authorized land-based operations against those using Somali territory to plan, facilitate or undertake acts of piracy and armed robbery at sea. The operations however must be "appropriate in Somalia" and conducted with the consent of the Somali transitional government.

Responses to the Somali pirates have therefore been primarily military in character – through enhanced presence and patrols on the part of naval vessels -- coupled with preventive measures on the

part of mariners. These measures include staying as far away from the Somali coast as possible; increased anti-piracy watches; and the application of anti-piracy measures such as evasive manoeuvres and the use of fire hoses to try and forestall boarding.

The measures do not, however, even begin to address the roots of the problem.

The fundamental causes of the Somali piracy phenomenon are well known – profound poverty and socio-economic dislocation as a consequence of state failure. The absence of governmental control on land to restrain criminal activities, is exacerbated by ready access to maritime skills and military hardware plus proximity to busy shipping lanes replete with tempting targets. Given these factors, it is little wonder that piracy has flourished off Somalia. There are, however, other, generally under-reported, contributing factors which are important to an understanding of piracy, Somali-style.

### **The other ‘pirates’ of the Horn of Africa**

Somalia’s 3,300 km coastline, the longest of a mainland African state, coupled with its broad maritime claims means that Somalia has a huge maritime jurisdiction. Somalia’s nutrient-rich cold waters offshore are productive in terms of marine living resources, including high-value fish stocks such as tunas. Following the collapse of the Somali state, these waters have proved vulnerable and too tempting to foreign poachers.

The UN’s Food and Agriculture Organization (FAO) estimates there are “700 foreign-owned vessels fully engaged in unlicensed fishing in Somali waters”. Foreign fishers have reportedly engaged in destructive fishing practices such as bottom trawling, endangering Somali fishing stocks. These foreign fishers have also aggressively sought to chase local fishermen away from productive fishing grounds – using high-pressure or boiling water hoses and even firearms for the purpose.

The value of these illegal catches from Somalia’s maritime jurisdiction are estimated to vary from over US\$90 million to US\$300 million per year. Thus, it has been observed -- not without bitterness -- that foreign fishing vessels are in fact taking considerably more protein out of Somalia’s waters than the international community is supplying to Somalia in the form of humanitarian food aid (on which around a third of the country’s 10 million strong population depends).

These foreign fishing vessels reportedly hail from the immediate region, including Kenya, Pakistan, Saudi Arabia, Sri Lanka and Yemen and from further afield, including Belize, France, Honduras, Japan, South Korea, Spain and Taiwan. It is especially ironic that a number of the nations that are presently contributing warships to the anti-piracy flotillas patrolling the waters off the Horn of Africa are themselves directly linked to the foreign fishing vessels that are busily stealing Somalia’s offshore resources. The international naval presence in the region is not, of course, tasked with restraining illegal fishing activities in Somali waters.

This situation has led some pirates to justify their actions on the basis of illegal foreign fishing activities – styling themselves “coastguards” and characterizing ransom demands as “fines”. Indeed, it seems likely that many of the pirates themselves started out as fishermen. Foreign poaching of Somali fish in no way justifies violent acts of piracy or armed robbery at sea; the pirates’ targets are also not confined to foreign trawlers. But the systematic plundering of Somalia’s resources by foreign fishing fleets remains a potent underlying and motivating factor in the Somali piracy phenomenon. Without condoning acts of violence at sea, it is clear that the Somalis who hijack shipping off their coast are in fact not the only ‘pirates’ operating in these waters.

### **A step in the right direction?**

It would therefore be a positive step to control the rampant illegal fishing activities underway in

Somali waters. This would help to undermine the pirates' claims to legitimacy and respectability. This would also potentially help Somalia to feed itself. Removing the illegal fishing problem would not, of course, in itself lead to a resolution of the piracy problem. The lucrative nature of the piracy 'business' has now led to the development of "subsistence pirates" but also to organised criminal syndicates. The pickings from piracy have, quite simply, proved too rich in the absence of effective responses.

Military responses alone are highly unlikely to seriously tackle the problem. Indeed, the idea of taking the fight to the pirates in their bases on land is likely to result in largely short-lived victories -- not to mention being fraught with practical difficulties. Driven by poverty and the blatant theft of Somali offshore resources, coupled by the lure of easy money, the motives for piracy in the Somali context remain strong.

The pirates also possess the means -- hardware and capability -- and opportunity. The collapse of Somalia as a functioning state and a 'target-rich environment' given proximity to key shipping lanes, serve their purpose. Ultimately, until peace, security and stability are brought to Somalia itself -- something that unfortunately seems far over the horizon -- piracy seems set to continue off the Horn of Africa. Nonetheless, curbing illegal fishing in Somali waters would represent a positive first step towards addressing the roots of the problem.

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