

An aerial photograph of the ocean. In the foreground, a submarine is partially submerged, with its conning tower and masts visible. The number '6101' is painted on the side of the conning tower. In the background, a white surface ship is visible on the horizon. The sky is blue with some clouds.

# **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**



# SCOPE



- INTRODUCTION
- SCOPE
- AIM
- DEFINITIONS, ORIGINS AND LEGAL FRAMEWORK
- SOMALIA: CULPRIT OR INOCENT BYSTANDER?
- DOES AFRICA CARE?
- GLOBAL RESPONSES
- SOUTH AFRICAN NAVY AND THIS NEW THREAT
- CONCLUSION
- DISCUSSION

# DEFINITIONS



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



## 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).

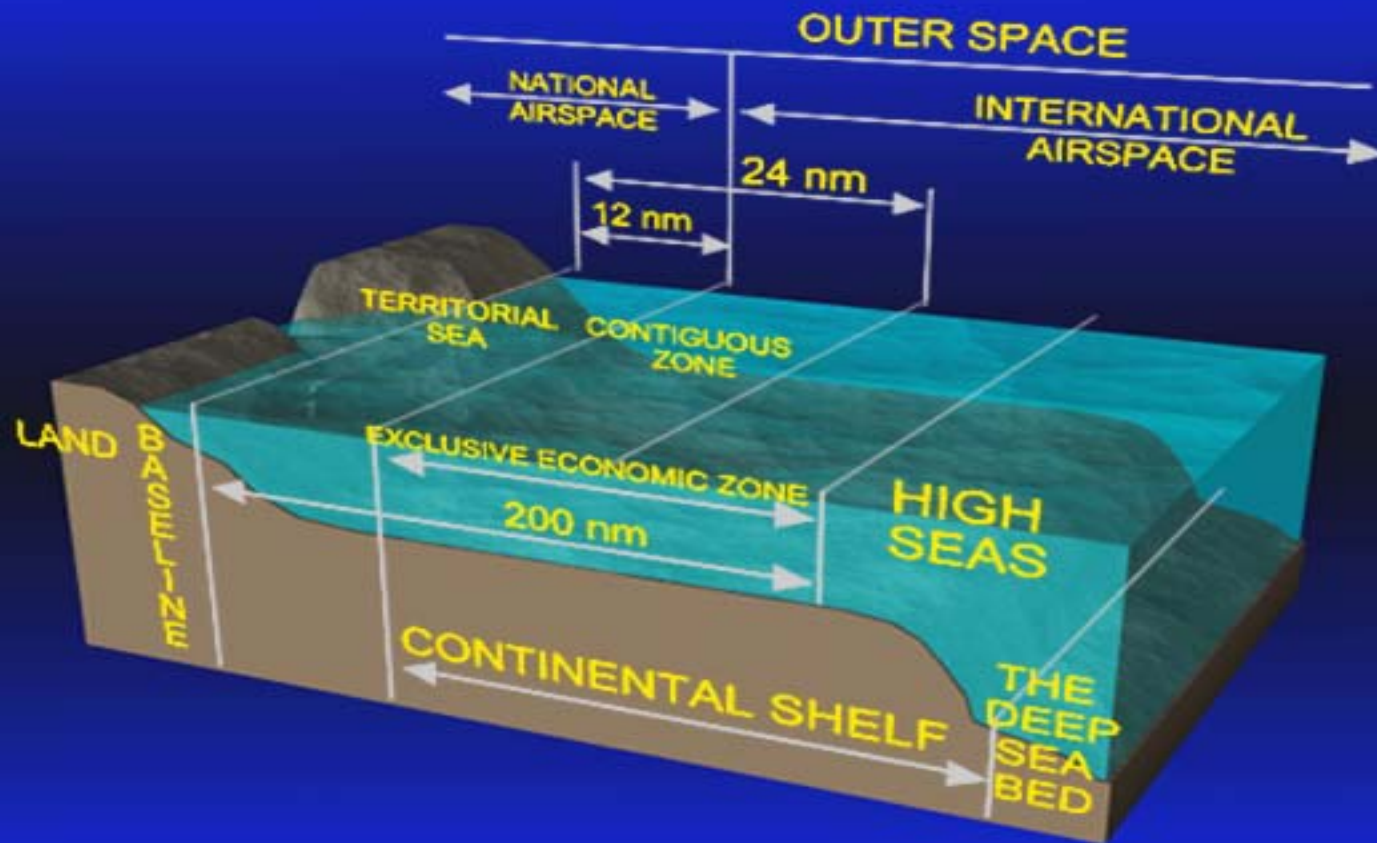




# LEGAL FRAMEWORK



## LEGAL REGIMES OF OCEANS AND AIRSPACE AREA



## 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
  - 8<sup>th</sup> Century Arab Influence
  - 14 Century All Somali's Islamic Faith
  - 16<sup>th</sup> Century Turkish Rule North, Sultans of Zanzibar South
  - 18<sup>th</sup> Century European Influence



# SOMALIA – HISTORY (2)



- **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 (3)



- **Somalia History (Cont'd)**

- 1991: Siad Barre Flees – Country in Hands of Clan-based Guerilla Groups - Anarchy
- 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: 1<sup>st</sup> 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



- **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

# SOMALIA - PIRACY

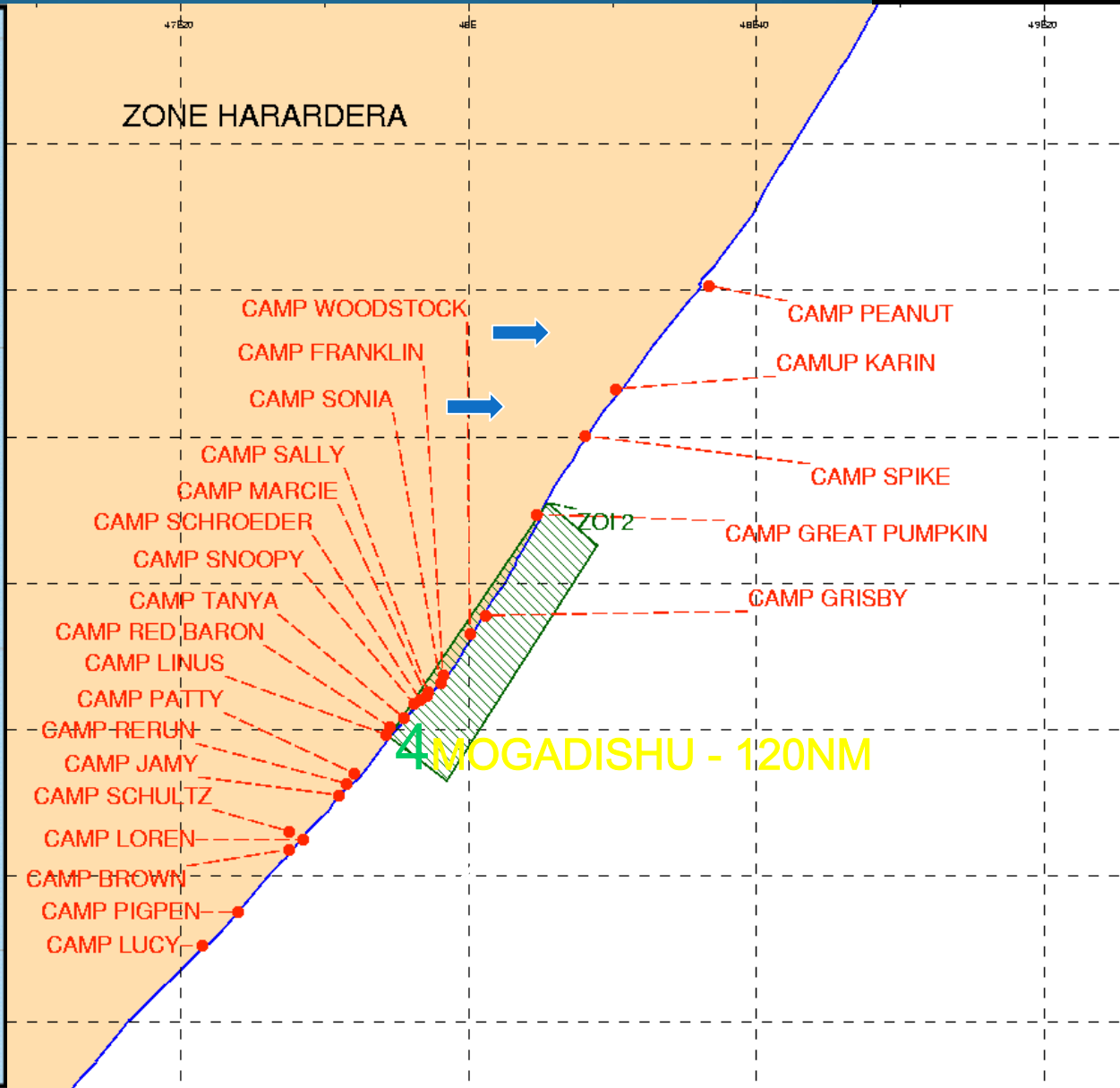


- **Piracy in the Somalia Area**

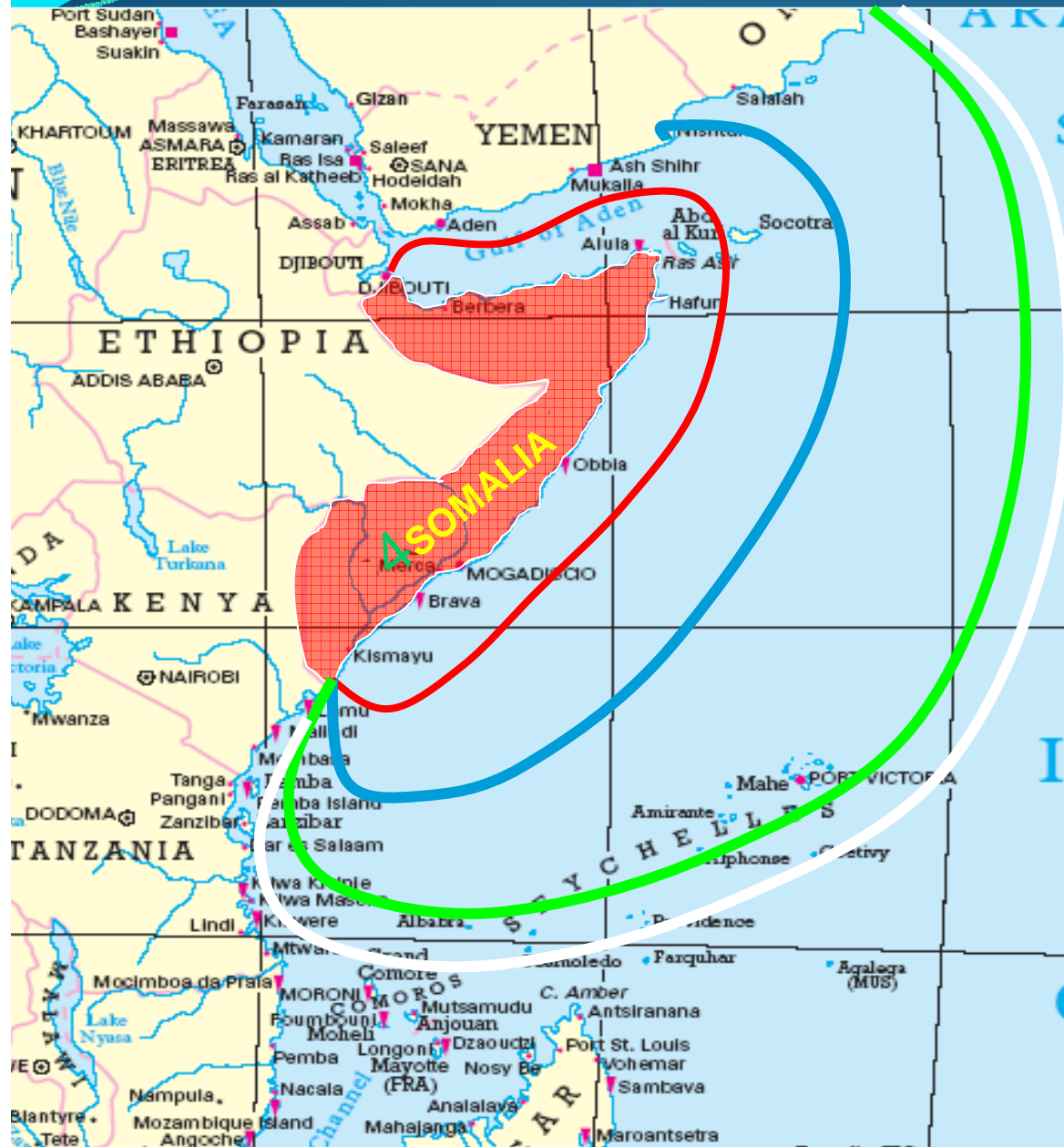
- Depleted Fishing Reserves
- Fishermen to Pirate, Piracy Pays - Threat to Humanitarian Food Aid (WFP) Delivery
- Supported by Al-Shabab Militia
- Sophisticated Organised Crime Ring (over 1000 gunmen)
- 2008: 50 Attacks, 25 Hijackings, 15 Vessels under Ransom
- Insurance up 10-fold, Shipping companies 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



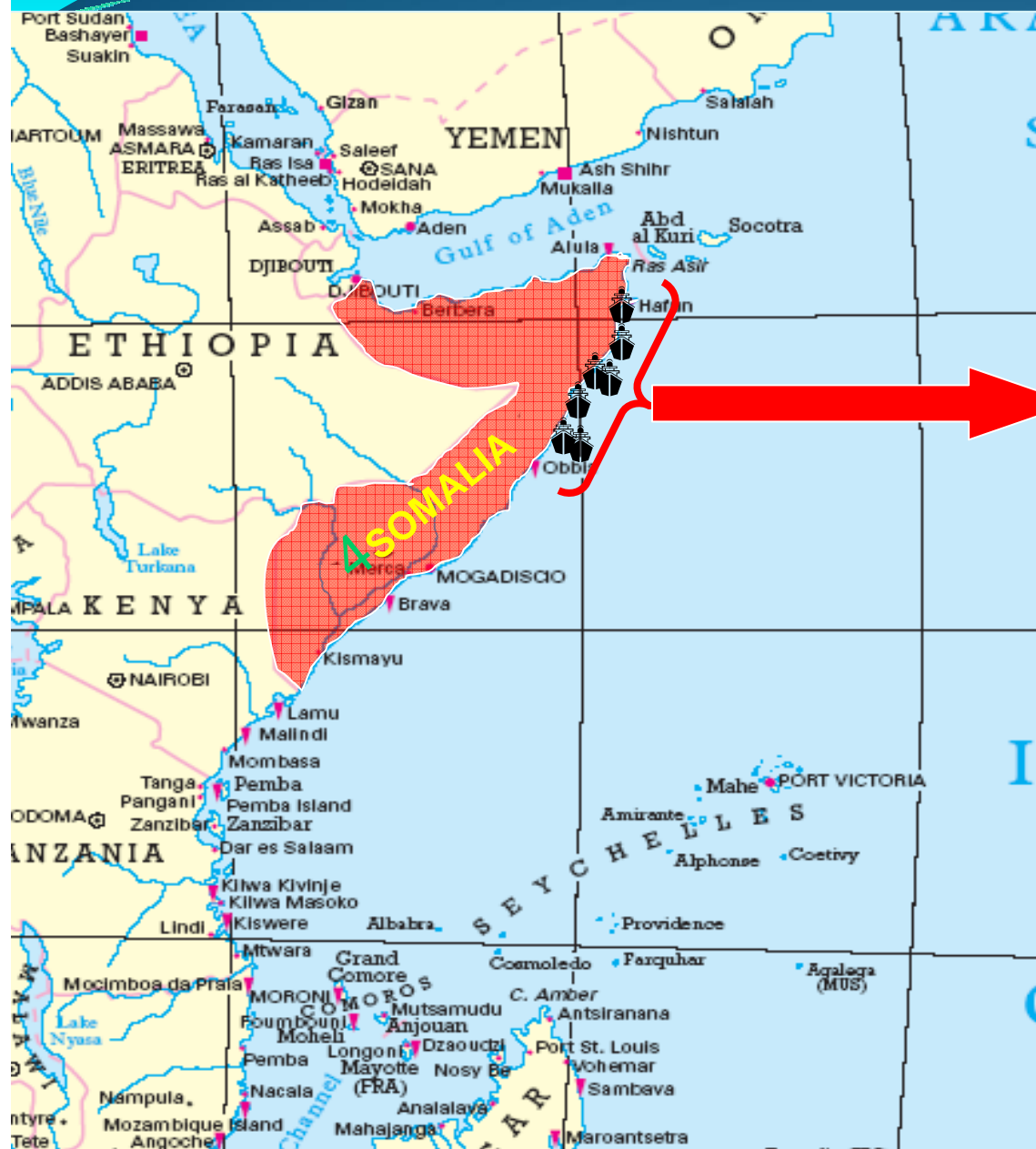
# AREAS OF OPERATIONS



## Year      Area of Operation from Somali Coast

	2007	- < 200nm (EEZ)
	2008	- 445nm
	2009	- 1 000nm
	2010	- 1 364nm (31 Mar)

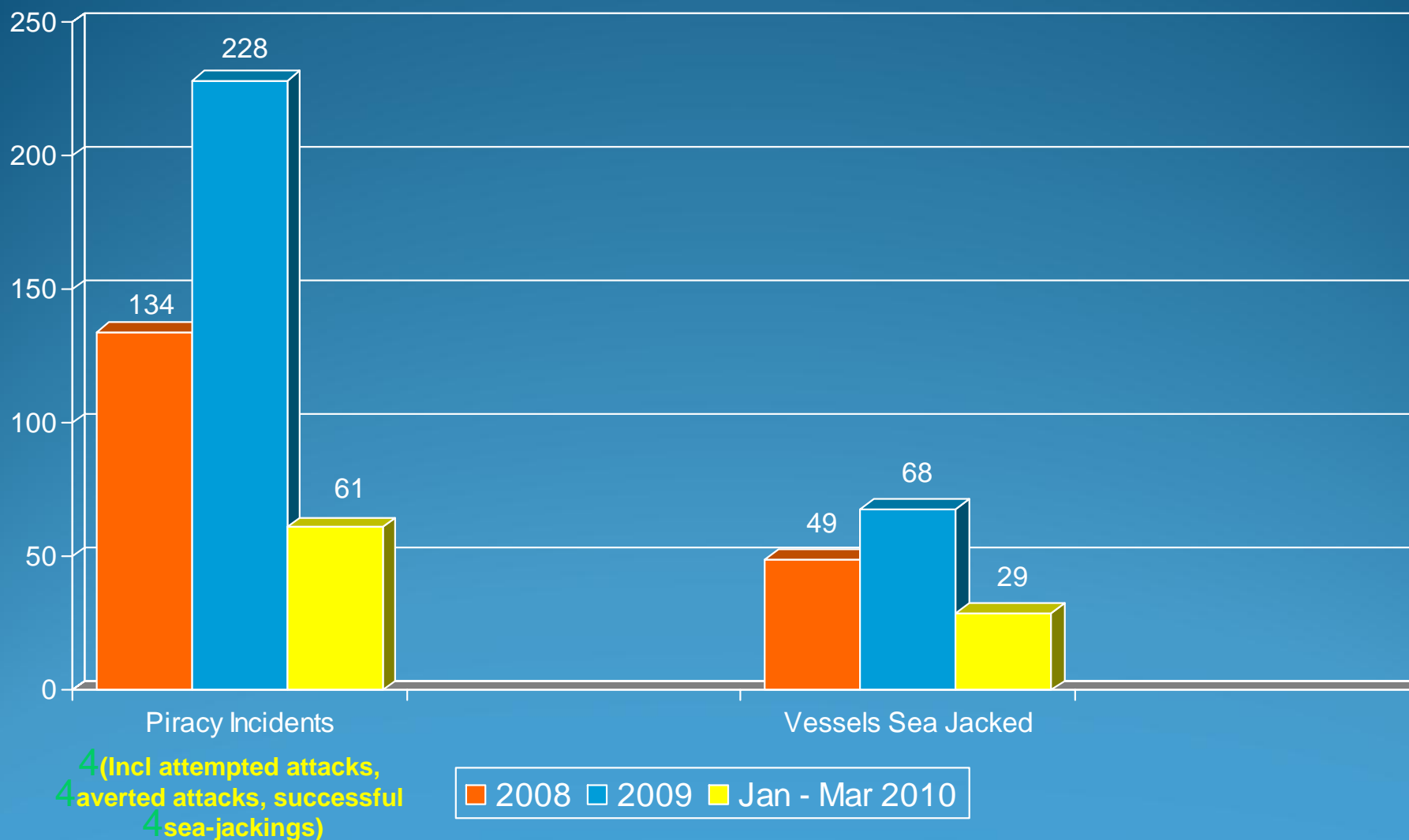
# VESSELS/CREW BEING HELD CAPTIVE BY PIRATES OFF SOMALI COAST (AS OF 5 APR 10)



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



# COMPARISON – MARITIME PIRACY INCIDENTS OFF AFRICA'S NE COAST (2008 – 2010)



# 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



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

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

**CTF 150**  
**Global War on**  
**Terror**  
**USA led coalition**

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

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

## NATIONAL (INDEPENDENT) ESCORT SYSTEMS

- 1.India
- 2.China
- 3.Russia
- 4.Japan
- 5.Iran

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

**UK, Greece, Italy,  
Turkey, USA**



# SOUTH AFRICAN NAVY & NEW THREAT SCENARIOS



- TRADITIONAL NAVAL ROLES



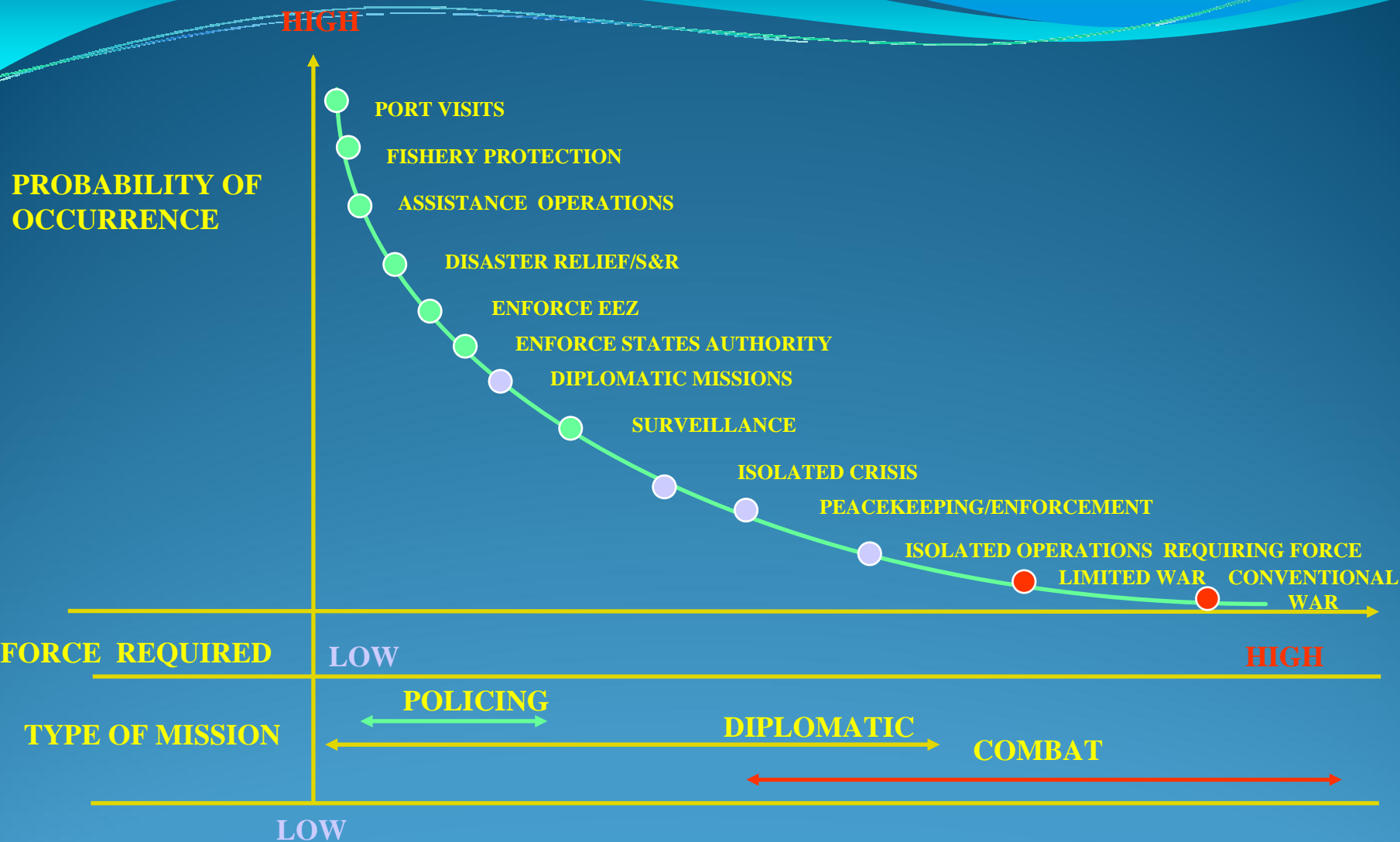












## TYPES OF NAVY ROLES VS FORCE LEVELS

# NEW CHALLENGES





# NEW NAVAL ROLES

E1 0.1 B 267.6 3.5 18.09.07  
FOV 1.2 05:42:20



33:15.091 S  
028:14.217 E

E1 0.2 B 003.4 6.1 18.09.07  
FOV 3.0 05:55:26



33:15.530 S  
028:12.413 E

E1 0.2 B 284.8 5.1 18.09.07  
FOV 1.2 05:50:04



33:15.423 S  
028:13.099 E

E1 0.2 B 285.3 5.5 18.09.07  
FOV 1.2 05:50:20



33:15.434 S  
028:13.060 E

# 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

