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CIMIC Messenger

The CCOE Information Leaflet

Foreword

Civil-Military Co-operation Centre of Excellence (CCOE) was involved in the experiment on CIMIC in a maritime environment.

CCOE has analyzed the diverse aspects of piracy and how a comprehensive approach of the International Community might help to assess all root courses. The article "The international response to piracy" provides an overview of roots which have not been considered in first row and aims for facilitating a wide-ranging debate.

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The content of the following article does not necessarily reflect the position of the CCOE.

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The international response to piracy
Case study on Somalia

by S. Pz. van Weezel MSc

1. A Failing State

Somalia has been lacking an effective government since 1991 after the fall of the Barre regime and the Republic of Somaliland was declared by the northern clans. Ever since, the country has been in political turmoil and a general state of insecurity. Over the past 20 years there have been various attempts by the international community to alter the situation. Peace-enforcing interventions by the United Nations (UN) and the African Union (AU) (backed by military power from the United States of America and Ethiopia) have failed to establish a permanent stable (central) government.[1] Currently the country is divided along clan-lines (see Figure 1).[2]

Republic of Somaliland

Federal Republic of Somalia

Islamic Emirate of Somalia

Puntland
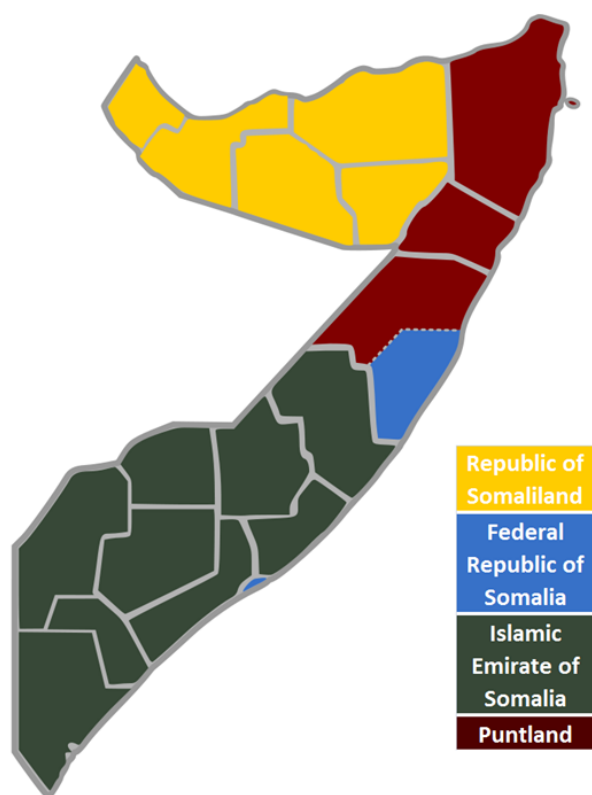
Picture: CCOE / Political situation in Somalia 2010.

Due to the constant insecurity and lack of governance, the country ranks bottom on almost all of the socio-economic indices.[3] Somalia can be seen as a failing state and its interiors have become a terrorist black hole. In the south Islamic extremists and militants are in power, shaping a terrorist sanctuary, while parts in the north have become a safe haven for pirate gangs whose activities are a real nuisance to the international trade transport that passes through the Gulf of Aden. It might be because of these two developments that Somalia has caught the attention of the international community's once again.

This article will discuss the piracy issue as it has evoked a large response by the international community backed by several UN Security Council resolutions. It will discuss the origins of piracy in Somalia, the current approach by the international community to solve the problem and how this approach is failing because it doesn't address the root causes. Somalia is a good example of what is lacking in current crisis management as used by the international community.

2. A new golden age for piracy

According to a recent report of the International Maritime Bureau (IMB), piracy off the coast of Somalia has accounted for 49 of the 53 hijackings in 2010. In the past few years there has been a real boom in pirate activity off Somalia (see Figure 2). As of December 2010, the Somalian corsairs are holding 35 vessels and 650 people hostage.[4] The cost of piracy has increased dramatically over the past 5 years, a separate study found: In 2005 the average ransom was $150,000 while in 2010 record ransoms as the $9.5 million for the 'Samho Dream' lifted the average to $5.4 million. This is a staggering 3600% increase in 5 years time (see Figure 3). The total amount of ransom actually paid in 2010 is estimated at $238 (see Figure 4).[5]

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[1] "Country profile: Somalia," *BBC*, December 7, 2010, sec. Country profiles, http://news.bbc.co.uk/2/hi/africa/country_profiles/1072592.stm.
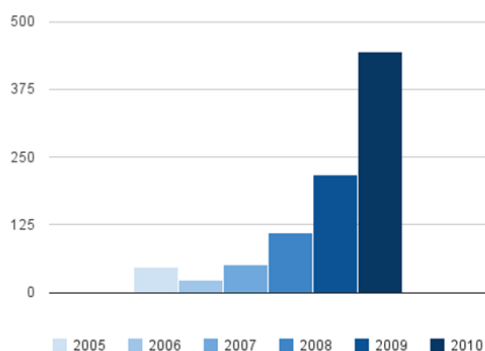
[2] Data is aggregated to the regional level.

[3] "International Human Development Indicators - UNDP," n.d., http://hdrstats.undp.org/en/countries/profiles/SOM.html; "2010 Failed States Index - Interactive Map and Rankings | Foreign Policy," n.d., http://www.foreignpolicy.com/articles/2010/06/21/2010_failed_states_index_interactive_map_and_rankings; "CIA - The World Factbook," n.d., https://www.cia.gov/library/publications/the-world-factbook/geos/so.html.

[4] "Pirate kidnappings 'record high'," *BBC*, January 18, 2011, sec. Africa, http://www.bbc.co.uk/news/world-africa-12214905.

[5] Anne Bowden, *The Cost of Maritime Piracy* (London: Oceans Beyond Piracy, January 2011).
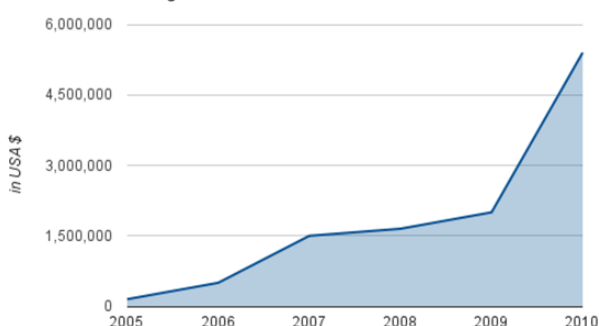
Picture: CCOE / Number of pirate attacks 2005–2010.
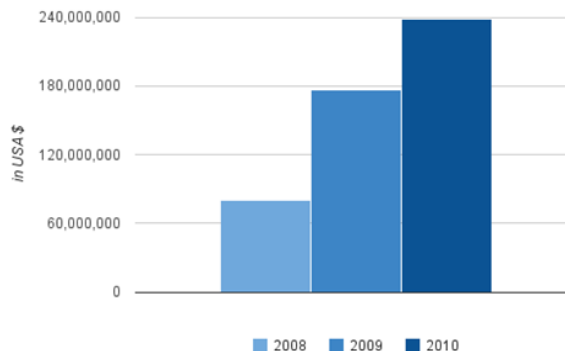
Picture: CCOE / Development of total ransom 2008–2010.

Besides the direct costs there are also some indirect costs although they are hard to assess. It is beyond doubt however that piracy has an impact on the regional economy of East Africa. Due to the increased risk, goods are becoming more expensive and countries suffer revenue loss due to the fact that ships re-route.[7]

Picture: CCOE / Development of average ransom 2005–2010.

Piracy off Somalia is no new phenomenon as the problems has been there for at least a decade, but over the past three years the activity has increased extensively. Piracy is a lucrative business for young men in a country where there are barely other economic opportunities. Piracy pays off and the potential revenues outweigh the risks. The increase of attacks seems to have been catalysed partially by the willingness of the shipping companies to pay the ransoms.
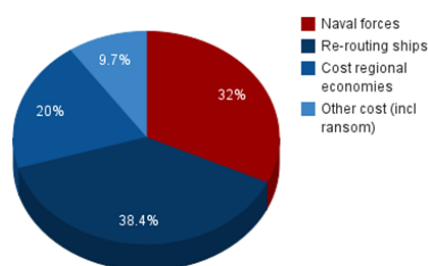
The increased pirate activity round East Africa also raises other economic costs: Insurance premiums for ships have increased and some trading companies are now re-routing their ships round the Cape. The estimations on total costs for the international community vary between the $7 and 12 billion (see Figure 5 for a breakdown). This variation is primarily accounted by the rise of insurance premiums ($460m-$3.2b), use of security equipment ($363m-$2.5b) and re-routing ships ($2.4b-$3b).

The response of the international community, manifested by the deployment of naval capabilities, also has its price tag. The cost of this deployment is estimated at $2 billion.[6] This includes each contributing vessel and the administrative/staffing budgets of the current large naval operations: Operation Atalanta (EU), Operation Ocean Shield (NATO) and Combined Task Force-151.

Picture: CCOE / Estimated annual economic cost (low estimate).

Internally, Islamic militias, such as Al Shabaab, are the only ones that publicly oppose the pirates. During the 6-months period in the second half of 2006, when the Islamic Courts Union ruled the country, there was a near absence of pirate

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[6] Ibid.
[7] Ibid.

activities (this explains the dip in Figure 2).[8] It also indicates that an effective ruling government can help eradicate the piracy problem. The effect that governance can have is, curiously enough, also shown by some of the side-effects of piracy: Because foreign trawlers nowadays run the risk of being hi-jacked, they avoid the vicinity of the Somalian coast. Biologists have noticed that fish stocks revert to sustainable levels. On Kenya's northern coast for example, the largest catches in 40 years have been recorded due to the recent absence of industrial fishing activities.[9]

Over recent years piracy has evolved into a highly professional industry. Somali buccaneers have become more sophisticated in their organisation and the conduct of their operations. They have started to make use of better methods and technologies to raid ships. They use modern equipment like GPS navigation and RPG weaponry. Furthermore, they have extended their reach till 500 nautical miles by launching attacks from mother ships. Piracy may seem a local nuisance but it has global dimensions. The pirates make use of an extensive network to gather resources. They have a large Diaspora around the world with business connections in Canada, Djibouti, Dubai and Lebanon. Puntland, the semi-autonomous region which is the main pirate base, has experienced an economic boom thanks to the revenues, especially the small port cities.[10]

The seemingly sudden development and sophistication of Somalian piracy has been facilitated by the total lack of an effective government combined with the strategic location, at the Horn of Africa, in the vicinity of one of the world's busiest trading routes. However, these are underlying causes can help explain the current developments and how piracy was triggered initially.

3. A tragedy of the commons

Prior to the decline of the Barre regime in 1991, Somalia had a well developed fishing industry mainly due to large foreign investments and the rich fishing-grounds off its coast. It had an effective government capable of ensuring their exclusive right to the economic exclusive zone. Due to clan struggles and Ethiopian interference, the autocratic regime fell. The country declined into an enduring civil war which seriously

hampered its development and destroyed the central governing structures. The country, victim of internal strife, was not capable anymore of controlling the coastal waters and ensuring its right to the economic exclusive zone. Due to the lack of control (on Africa's largest coastline), foreign trawlers were able to intrude the coastal waters of Somalia and deplete the fish stocks, often using harmful techniques and methods.[11] Asian and European companies depleted the waters for some $300 million worth of fish, annually.[12]

Picture: UNEP / A container with toxic waste washed ashore after the 2005 Tsunami.

In a response to these foreign activities piracy started off, by the self-entitled privateers, as an assertive form of tax levying.

Illegal fishing wasn't the only foreign intrusion of the uncontrolled Somali waters. There is evidence that the territorial waters were used, by amongst others European waste treatment companies, to dump toxic and sometimes even radioactive waste. This practice was revealed after the 2004 tsunami when containers with waste washed upon the Somalian shore. Over the years, the local population has experienced serious health problems due to heavy metal and radioactive waste contamination.[13] The cumulative result of these activities, combined with the domestic insecurity, has been a rigorous destruction of Somali livelihoods. In this case piracy can be seen as an act of sheer desperation, at least when it started. The problems in and around Somalia show how a combination of bad governance and environmental stress can have a de-stabilizing effect on society and how it can even trigger organised violence.[14] It indicates the problems that exist with regard to governing the global commons

[8] Roger Middleton, *Piracy in Somalia*, Africa Programme (London: Chatham House, October 2008).

[9] "Piracy in Somalia - Wikipedia, the free encyclopedia," n.d., http://en.wikipedia.org/wiki/Piracy_in_Somalia.

[10] Roger Middleton, *Piracy in Somalia*.

[11] "How Somalia's Fishermen Became Pirates," *Time*, April 18, 2009, http://www.time.com/time/world/article/0,8599,1892376,00.html; Johann Hari, "You are being lied to about pirates," *The Independent*, January 5, 2009.

[12] Christopher Jasparro, "Somalia's Piracy Offers Lessons in Global Governance," *YaleGlobal Online* (July 4, 2009): 4.

[13] "Stopping Somali Piracy: Addressing the Hidden Environmental Causes | American Foreign Policy," n.d., http://afpprinceton.com/2010/02/stopping-somali-piracy-addressing-the-hidden-environmental-causes/.

[14] United Nations Environment Programme, *From Conflict to Peacebuilding. The Role of Natural Resources and the Enviroment.* (Nairobi: United Nations Environment Programme, February 2009).

and how free rider behaviour can have quite severe consequences. It also highlights the development-security nexus.

4. International Armada

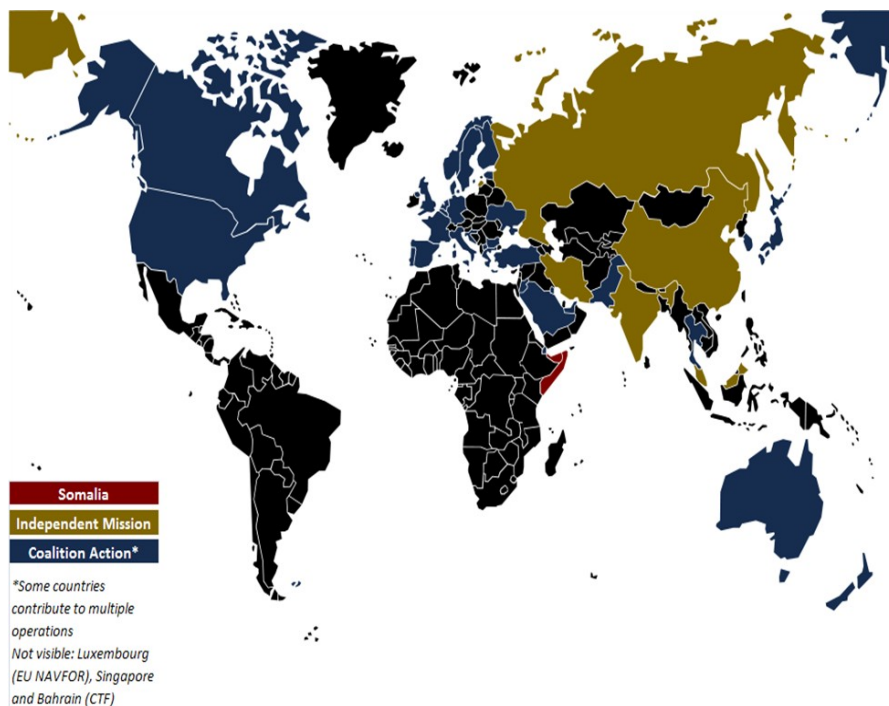Picture: US Navy on Wikipedia / Ships assigned to CTF assemble in formation.

The intrepid incursion by Somalis into the international trade routes in the Indian Ocean has prompted the international community to respond. There are various reasons why the international community must act and extend its current approach beyond the realm of simple law enforcement. However, at the moment it seems that the most pressing reason for action is the fact that piracy influences the international trade flow, especially oil. Almost 20% of the world's trade passes through the Gulf of Aden, including 10% of world's oil trade.[15]

Somalia
Independent Mission
Coalition Action*

*Some countries contribute to multiple operations
Not visible: Luxembourg (EU NAVFOR), Singapore and Bahrain (CTF)

Picture: CCOE / Operationalization of UN resolutions by international community. Countries deploying military capabilities. Coalition Action includes the 3 major operations (Operation Ata;anta–EU NAVFOR, Operation Ocean Shield–NATO and Combined Task Force 150 & 151.

In an attempt to address the problem, the UN adapted various Security Council resolutions in order to authorize states to take action and repel the attacks. Resolution 1851 is the most far-stretching as it even legitimizes land-based operations in Somalia. The UN's secretary general Ban Ki-moon identified the problem as a "symptom of anarchy and insecurity on the ground" stating that "more security on the ground will make less piracy on the seas".[16] The resolutions resulted in the collaboration of various nations in the Combined Task Force[17] which was quite a unique happening in the field of international relations as some openly hostile nations collaborated in the military sphere. CTF also has an anti-terrorist component as it assists in the 'war on terror'. There are growing concerns that Somali based terrorist groups such as Al Shabaab will gain access to piracy revenues.[18]

The European Union (EU) also took action as it regards safe-guarding shipping in the Indian Ocean and the Gulf of Aden as vital because of European interests. Almost 95% of trade by EU states passes through the waters around Somalia. As a contribution to the UN resolutions they launched Operation Atalanta which is its first maritime military operation within the framework of the European Security Defence Policy (ESDP). Besides deterring piracy, the operation is also tasked with escorting vessels of the World Food Programme (WFP) who deliver food aid to Somalia.[19]

The large naval response of the international community has led to some initial successes. The number of successful attacks has decreased- 17 incidents in the first 3 months of 2010 compared with 41 in the same period in 2009[20] - and some pirates were captured and brought to trial. However, this naval presence also has unwanted side effects. The pirates now extended their reach further into the Indian Ocean and have developed a taste for high value cargo ships like large oil tankers.[21] Piracy has professionalized and for many young men from a war torn country the potential revenues outweigh the risk of being caught or killed. There seems to be a common misunderstanding that using hard power in the form of a large naval presence

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[15] "Somali Piracy and the International Response | FPIF," n.d., http://www.fpif.org/articles/somali_piracy_and_the_international_response.
[16] Ibid. n.d., http://www.un.org/News/Press/docs/2008/sc9541.doc.htm.
[17] CTF-150 and CTF-151
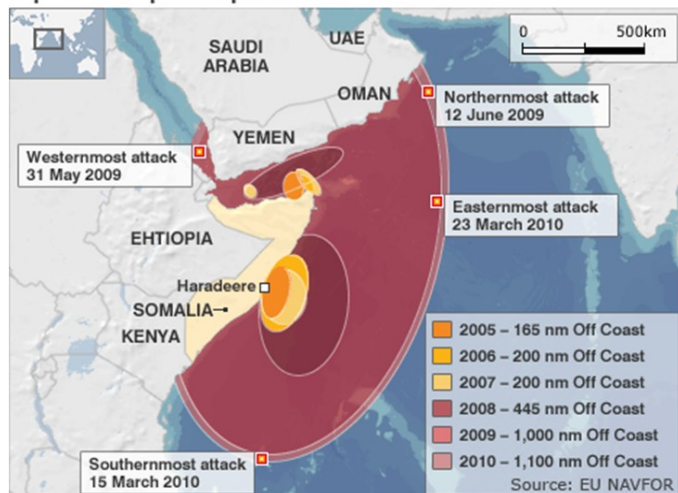[18] Roger Middleton, *Piracy in Somalia*.
[19] EU Naval Force Somalia, "Pirate Attacks Prompt Armed EU Response," *per Concordiam* 1, no. 1 (March 2010): 68.
[20] Secretary General UN, *Report of the Secretary-General on Somalia*, United Nations Security Council, Regular report on Somalia (New York: United Nations, May 10, 2010).
[21] "Five Somali men jailed for piracy," *BBC*, June 17, 2010, sec. Europe, http://www.bbc.co.uk/news/10342547; "Navies struggle with 'swarming' pirates," *BBC*, April 1, 2010, sec. Africa, http://news.bbc.co.uk/2/hi/africa/8598726.stm; "Pirate kidnappings 'record high'"; "UN proposes Somali pirate courts," *BBC*, January 25, 2011, sec. Africa, http://www.bbc.co.uk/news/world-africa-12283000.

or manning trade vessels with mercenaries is going to solve the problem and deter pirates from their activities. This perception shows the seemingly grave misunderstanding some policy makers have about conflict dynamics and mechanisms, or on the other hand where their priorities are.

Picture: BBC News website / Expansion of pirate operations around Somalia.

5. A falling approach

The swift and co-ordinated reaction of the international community seems a quick, and on average, adequate response to the piracy problem. It is however a Pyrrhic victory masking the deeper problems behind the situation. Somalia has been the victim of an extreme competitive, almost Darwinist, approach to trade as international economic unfairness and the failure of local government have facilitated the deterioration of a vital natural resource.[22] As mentioned earlier in this article the causes of this problem are in essence non-military and therefore it cannot be solved by making use of only military tools. It is therefore very likely that, although short term successes have been accomplished, the problem will persist in the long term.

In Security Council resolution 1851 Secretary General Ban Ki-moon states that piracy is a symptom of the state of anarchy that had persisted for over 17 years in Somalia and that therefore; "anti-piracy efforts must be placed in the context of a comprehensive approach". This view was shared by a large majority of the attendees.[23] It is rather disappointing

this opportunity was not used to try and implement such a comprehensive approach, and instead opt for the easier solution by deploying primarily military tools. In this sort of crisis situations, the UN and the EU should take the initiative to implement such a comprehensive approach by trying to co-ordinate and harmonize civil-military efforts in order to work on sustainable solution. The UN and EU should take responsibility and have a leading role since they, in contrast with for instance NATO, have extensive civilian expertise that they can use and deploy in this kind of situations.

When we take the EU as an example: The EU has grown over the years as a security provider partially due to the ambitions set out in the ESDP. Despite the experience many of the EU states have in crisis management operations in the Balkans, sub-Sahara Africa but also as member nations in NATO operations, use of hard power was the preferred option. The European parliament has condemned the acts of piracy and committed them in supporting the Somali authorities in bringing back stability to their country. Despite the best intentions this hasn't resulted in any concrete action except a statement that the EU will consider training Somali security forces to augment the anti-piracy patrols.[24] The EU should be aware that this approach will not guarantee a long term solution since it neglects the importance of the civil environment. Rather it sees piracy as primarily issue of national security not taking into account the human security dimensions that are at stake in Somalia itself.

Picture: Piracy and economic interest over the ages: On the left Somali pirates and a hijacked vessel (alshahid.net). On the right a depiction of the capture of the Spanish Silverfleet by Dutch privateer Piet Heyn (deruyter.org).

6. CIMIC in a Maritime Environment

Nations are still stuck in old fashioned doctrines when addressing security issues so it seems. About 40 countries so far have contributed to the operationalization of resolution 1851.[25] Despite the call for a comprehensive approach the effort so far resembles procedures from the 19th century where ships are escorted in convoys and pirates are hunted

[22] Christopher Jasparro, "Somalia's Piracy Offers Lessons in Global Governance."
[23] "Security Council Authorizes States to Use Land-based Operations in Somalia, as Part of Fight against Piracy off Coast, Unanimoulsy Adopting 1851 (2008)."
[24] EU Naval Force Somalia, "Pirate Attacks Prompt Armed EU Response."
[25] "Combined Task Force 151," n.d., http://www.cusnc.navy.mil/cmf/151/index.html; "Operation Ocean Shield," n.d., http://www.manw.nato.int/ page_operation_ocean_shield.aspx; "European Union Naval Force Somalia - Operation Atalanta | Mission," n.d., http://www.eunavfor.eu/about-us/mission/.

down to be brought to trial. Despite the top-level focus to place conflict management efforts in a comprehensive approach the reality is that it's hard to implement on the operational level and in the field. There seems to be a sort stage fear with trying to operationalise a comprehensive approach and implement civilian capabilities. The situation in Afghanistan already taught that the implementation of a comprehensive approach is hard to do in a land-based operation but doing so in a maritime environment seems even more daunting. There is however a need to address this issue, certainly regarding the current effect piracy has, disrupting one of the major international trade routes.

Picture: NATO / French military seize a pirate vessel.

So far the maritime environment has been underrepresented in guidance with regard to CIMIC development, partly because there was no specific need to as most of the operations conducted by NATO, EU and UN were primarily land based. However, in the past few years the maritime component seems to be shifting more and more centre stage. The three large naval operations around Somalia testify to this development but also the response to the Haiti earthquake had a large maritime dimension. Operating in a certain context comes with specific limits and requires specific actions. Different CIMIC capabilities are needed because of the restrictions the environment brings with it and the different interaction pattern with civilian actors. Tailor made processes and procedures for CIMIC in the maritime environment are currently missing. This is an issue that needs to be addressed as it is not unlikely that in the future the navy will be called upon to assist in humanitarian relief operations or further anti-piracy efforts.[26] CIMIC is essential in the operationalization and implementation of CA because it is the pri-

mary military tool through which the military interacts with civilian agencies in theatre. Also in the maritime environment CIMIC is a facilitator to smoothen civil-military interaction and contribute to the overall effort of the comprehensive approach.

The current approach fails to address the root causes of the problem and in order to solve the piracy problem another strategy is needed. In order to facilitate a more comprehensive approach CIMIC capabilities are needed, in this specific case bespoke capabilities focused on the maritime environment are required. Because patrolling an area with destroyers and frigates may scare off some of the pirates but it probably won't solve the complete set of problems. Jurisdictional problems as well as interaction questions will need to be addressed.[27]

7. Lessons Learned

The current response to piracy off Somalia is failing to address the real causes behind the piracy issue. Implementing a strong naval force in order to safeguard economic interest resembles more a punitive expedition from the colonial era rather than sustainable crisis-management. Furthermore, this kind of operations might entail long term counter-productive effects as they erode sincere peace-enforcing operations into multi-national state action to protect economic interests. This has the harmful potential to create a feeling of discontent and fuel extremism.

The piracy problem around Somalia is yet another example that the security environment is changing and that 'security suppliers' such as the UN and EU should alter their crisis management procedures. A combination of both 'hard' and 'soft' power is demanded to stabilize a crisis situation and enhance a transition phase in which the underlying causes of a security issue can be dealt with. Such a process requires civil and military instruments and more importantly a harmonized civil-military interaction which can be facilitated by the deployment of CIMIC capabilities.

Despite UN and EU experiences during peace enforcing operations in various parts of the world, the preference is given to the deployment of military instruments in order to contain security issues. This point is illustrated by the current operationalization of the UN resolutions in Somalia.

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[26] "Newsletter_02-2010.pdf," n.d., http://www.cimic-coe.org/download/Newsletter_02-2010.pdf.
[27] "Dutch sub to fight Somali pirates," *BBC*, June 22, 2010, sec. Europe, http://www.bbc.co.uk/news/10382470; "Five Somali men jailed for piracy"; "Navies struggle with 'swarming' pirates."

It seems that adaptation to the problem (control of symptoms) is preferred above problem solution or prevention (curing the disease). The large trans-governmental organisations and their member-states should raise awareness about conflict dynamics and mechanisms.

The Somalia case study shows how neglecting the problem situation backfired. Now a problem related to local governance issues has become a global security problem.

This case study also indicates the problems that still exist with regard to crisis management.

The problems that persist on the political and strategic level in implementing a comprehensive approach translate to operational conduct. There is a need for CIMIC capabilities in order to help implement a comprehensive approach. Furthermore such CIMIC capabilities require an adaptation to context specific dimensions. These changes have to be made top-down beginning with the development of procedures and processes. This is needed because it is not unlikely that in the future similar crisis situations will emerge. Ban Ki-moon summarized it quite astute in resolution 1851 stating that the piracy problem must be placed in a comprehensive context in order to support a peace process in Somalia where the parties are enabled to rebuild security, governance capacity, address human rights issues and fully enable economic opportunities throughout the country. Unfortunately this has not translated into improved coordination of civil-military interaction as the gunboats were swiftly sent in.

Any comments or suggestions to this information leaflet?

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