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14. ABSTRACT.

Some argue for a robust military solution inside Somalia to counter the piracy problem while others maintain that the problem is not at all suited for employing military force. Many articles focus on the impact of piracy on the International Shipping. Only very few take a holistic view on the issue, and discuss 2.or 3.order consequences of piracy in the area as a whole. Counter Piracy Operations have been going on for some years but, so far, only military means have been employed by the international community to counter piracy in the region. No unified holistic strategy has been applied, even though there seems to be consensus that the root causes are found in Somalia itself. With a holistic focus on the piracy issue off the coast of Somalia, this paper will analyze the root causes of piracy, the actors to influence, the Push-Pull factors and balance of risk involved. The paper identifies that the international community has so far primarily addressed the Pull factors focusing on naval force, disrupting pirate camps and law enforcement while leaving the Push Factors ashore largely unaddressed. Looking towards Afghanistan, the paper suggests employing elements in NATO's Comprehensive Approach in order to address all factors driving piracy, and recommends a design for how the Comprehensive Approach can be applied to the case of Somalia. The paper combines the current military efforts on Counter Piracy with a local civilian support to the Somali costal population primarily in Northeastern Somalia in a mutually supportive way From the Sea suggesting a naval PRT construction supporting Ink Blots of engagements ashore. In contrast to Afghanistan, the suggested Comprehensive Approach is applied bottom up, because it is focused only to counter piracy leaving the strategic effort to restore governance in Somalia to another time horizon.

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Newport, R.I.**

**COUNTER PIRACY OFF SOMALIA; A CASE FOR APPLYING
THE COMPREHENSIVE APPROACH STRATEGY?**

by

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Commander s.g. Royal Danish Navy

A paper submitted to the Faculty of the Naval War College in partial satisfaction of the requirements of the Department of Joint Military Operations.

The contents of this paper reflect my own personal views and are not necessarily endorsed by the US Naval War College, the US Department of the Navy, the Royal Danish Navy or the Government of Denmark.

Signature: _____

03 JANUARY 2011

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ABOUT THE AUTHOR

During two deployments in Counter Piracy Operations as Commanding Officer of HDMS ABSALON (Spring 2009 and Spring 2010), and as Director of Staff Operations at the Danish Naval Headquarters (2007), I have experienced both the preparations and the execution of Counter Piracy Operations off the Coast of Somalia, first as part of Task Force 151 and later the NATO operation Ocean Shield. During the Danish engagement in Counter Piracy Operations from mid 2008 to March 2010, HDMS ABSALON apprehended and questioned over 150 suspected pirates while on patrol both in the Gulf of Aden and close to the East Coast of Somalia. HDMS ABSALON also interviewed several mariners who had been attacked or pirated by Somalia pirates. Additionally HDMS ABSALON approached and interviewed crews on fishing vessels and local cargo ships from Djibouti, Yemen, Somalia, Oman, India, Egypt and I talked to authorities from Yemen, Djibouti, Oman, Puntland and Kenya.

Part of the background information for this paper is based on my experiences while engaged in Counter Piracy Operations. Examples of such operations are described in the appendix¹. The contents in this paper reflect my personal views and not necessarily the views of the Royal Danish Navy, Danish Government or any other organization.

¹ The operations referred to, are also explained in a NATOchannel.tv documentary made on board HDMS ABSALON spring 2010. The 22 minutes web stream illustrates the different examples described in the appendix. The clip can be found on NATOchannel TV: *Horn of Africa, Pirate Menace. Combating Piracy in the Gulf of Aden and in the Somali Basin* released 05 NOV 2010. Available on <http://www.natochannel.tv/>

ABSTRACT

Some argue for a robust military solution inside Somalia to counter the piracy problem while others maintain that the problem is not at all suited for employing military force. Many articles focus on the impact of piracy on the International Shipping. Only very few take a holistic view on the issue, and discuss 2.or 3.order consequences of piracy in the area as a whole. Counter Piracy Operations have been going on for some years but, so far, only military means have been employed by the international community to counter piracy in the region. No unified holistic strategy has been applied, even though there seems to be consensus that the root causes are found in Somalia itself. With a holistic focus on the piracy issue off the coast of Somalia, this paper will analyze the root causes of piracy, the actors to influence, the Push-Pull factors² and balance of risk involved. The paper identifies that the international community has so far primarily addressed the Pull factors focusing on naval force, disrupting pirate camps and law enforcement while leaving the Push Factors ashore largely unaddressed. Looking towards Afghanistan, the paper suggests employing elements in NATO's Comprehensive Approach in order to address all factors driving piracy, and recommends a design for how the Comprehensive Approach can be applied to the case of Somalia. The paper combines the current military efforts on Counter Piracy with a local civilian support to the Somali costal population primarily in Northeastern Somalia in a mutually supportive way From the Sea suggesting a naval PRT construction supporting Ink Blots of engagements ashore. In contrast to Afghanistan, the suggested Comprehensive

² Push-Pull factors are described and analyzed on page 11-15 in this paper.

Approach is applied bottom up, because it is focused only to counter piracy leaving the strategic effort to restore governance in Somalia to another time horizon.

INTRODUCTION

Piracy off Somalia has become a problem attracting international focus. At the end of 2010 over 600 hostages and over 25 vessels are under pirate control off the coast of Somalia³. A third of the world's maritime nations have provided warships to the area through which the bulk of merchant traffic between Asia and Europe. Piracy has consequently drawn attention from all major powers and organizations in the world including UN, NATO, EU, USA, China, India and Russia. The UN has addressed the issue in several Security Resolutions and the UN Secretary General has made several statements urging the international community to protect the shipping in the waters off Somalia. The International Maritime Organization, supported by Ship Owners Associations, has pledged to counter the problem of piracy, recognizing that the root causes of the problem lies on the shores of Somalia.

While the naval presence seems to have had an effect on the rise in the number of pirated ships, no real attempts have been made to address the root causes of piracy even though many agree that a differentiated approach is needed. The reluctance to engage in Somalia can of course be linked to the chaotic situation with civil war, widespread criminality, lack of state structure and governance inside Somalia, which makes what approach to take difficult to comprehend or grasp. So the question is therefore; *how* can the international community address the root causes of piracy in order to secure the free use of the waters around Somalia.

³ According to EU Counter Piracy Mission ATALANTA in accordance with article at <http://www.eunavfor.eu/2010/12/taiwanese-fishing-vessel-pirated-off-madagascar/> accessed 01JAN2011

My thesis is that the Comprehensive Approach Strategy is well suited to solve the problem of piracy off Somalia because the approach comprises the push factors that have not yet been directly and structurally addressed.

The focus of this paper is operational with regard to designing and applying the Comprehensive Approach. I will, however, also consider strategic factors that imply the use of concerted action from both civilian and military means in ways that will achieve the mission.⁴ The paper will argue that the driving factors involved in piracy can be addressed on the coast of Somalia by identifying the actors, and the paper will suggest how the actors can be influenced by designing a comprehensive approach from the sea in order to accommodate for the Somalia situation.

TERMS AND CONCEPTS

The Comprehensive Approach which is part of the new NATO strategic concept⁵ can be described as an approach to operations that unifies action between agencies and institutions, national political, economic and legal elements with military efforts from the initial planning and continues during all phases of an operation. The approach is implemented by Danish Forces in Afghanistan and is laid down in the Danish Afghanistan Strategy covering 2008-2012.⁶ This Strategy was developed as a result of a joint effort between the Ministries of Foreign Affairs, Justice and Defense with input from NGOs. The Strategy includes a coordination group where Ministries of Foreign Affairs and Defense together with the NGOs

⁴ Relevance for this is i.a. joint pub 3-57 Civil operations: The Joint Force Commander must ensure that Civil Military Operations are not only coordinated at the operational level, but also at the Country, and theater strategic levels.

⁵ Strategic Concept For the Defence and Security of The Members of the North Atlantic Treaty Organisation, Lisbon, 19 November 2010: <http://www.nato.int/lisbon2010/strategic-concept-2010-eng.pdf>, accessed 20NOV 04:26pm

⁶ Danish Ministry of Foreign Affairs: *Danish Strategy for Afgnaistan 2008-2012*, Copenhagen Summer 2008.

synchronize efforts. The US Strategy for Afghanistan ⁷ contains the same elements though it is signed at the theater level by the US Operational Commander and the US Embassy in Kabul. There still is an ongoing political discussion within NATO on how the concept should be operationalized at the international level, but this paper will refer to the Comprehensive Approach as implemented at national level in the Danish Afghan Strategy.

ANALYSING THE PROBLEM OF PIRACY.

There is an argument that piracy is not a serious problem and should be seen as just a risk of sea trade. A risk the ship owners themselves should take care of. From a US perspective, there has even been an argument that because it does not even affect one percent of US flagged ships, it is not worth dealing with on a national level. This position is illustrated in several articles in the US Naval Institute Proceedings and research papers.⁸ The problem with this argument is that it totally misses the broader second and third order consequences on the region as a whole.

Piracy does not only affect the International shipping. Piracy also affects regional fisheries as well as regional trade and thereby also regional stability. Many, especially Yemeni and Omani fishermen, expressed gratitude when approached in the open sea⁹ because they used to be attacked by Pirates that had run out of water, fuel or provisions. Fishermen refrained from sailing to their normal fishing areas due to the attacks, which again impacted their ability to sustain their families by legitimate means. Instead they felt forced to

⁷ United States Government. *Integrated Civilian-Military Campaign Plan for Support to Afghanistan*, August 10 2009

⁸ Representing the view for this paper is: Timothy E. Newsome, Colonel US Army, *Are we Making a Mountain Out of a Molehole*, Naval War College Research Paper 23 October 2010

⁹ Own observations from interviews conducted by HDMS ABSALON in so called Friendly Approaches on local merchantmen and fishing vessels with the purpose of explaining the presence of the International Naval Forces in the Gulf of Aden.

engage in illegal activity such as arms, drugs, and human trafficking adding to the instability in the area. After the international naval forces began to patrol the Gulf of Aden, the fishermen again headed to sea to support their families. Local merchants operating the Cargo Dhows between primarily Yemen, Oman, India and Somalia¹⁰ are still regularly attacked by pirates who use the Dhows as mother ships until they succeed in pirating a large commercial ship. The crews are meanwhile kept as hostages and forced to operate the Dhow. Hijacking of the Cargo Dhows limits the ship borne trade to and from Somalia thereby adding to poverty and consequently to instability. The narrow view represented in the Proceedings“ article also totally neglects the fact that there are any time more than 500 civilians, primarily from Europe and Asia, which are kept hostage for months. If over 500 people in the transportations sector were kept hostage any other place on land, an immediate reaction by force would most likely be launched.

Finally, the economic impact from piracy affects Global Trade through insurance rates which have been raised considerably on sea trade through the Gulf of Aden.¹¹ The fact that piracy has drawn international attention from all major International Organizations and countries supported by eight resolutions from the United Nations (UN) Security Council and statements from the Secretary General of the UN¹² show, that piracy off Somalia indeed is seen as an international problem. While some countries may only protect their own shipping

¹⁰ The Cargo Dhows transport goods, food , camels, rice and charcoal to and from Somalia North and East Coast

¹¹ Lauren Ploch, et al. *piracy off the Horn of Africa*. CRS Report for Congress 7-5700 April 19, 2010. p14

¹² UNHCR resolutions 1814 (2008), 1816 (2008), 1838 (2008), 1844 (2008), 1846 (2008), 1851 (2008) and 1897 (2009), and statements by Secretary General Ban Ki-Moon latest during UN General Assembly August 25 2010 in remarks to the Security Council Open Debate on Somalia piracy in New York, 25 August available on <http://www.un.org/News/Press/docs/2010/sgsm13070.doc.htm>, accessed October 31 2010.

or have additional agendas in the region, it is clear that there is a will to protect free trade in the Gulf of Aden.¹³

Recognizing that piracy is an international problem affecting the global sea trade and stability of the region, an international solution is obviously required. So far the most visible effort is the large number of warships formed in three Naval Task Forces¹⁴ and individual national contributions sent to the area to engage in Counter Piracy by conducting patrol and disruption operations. An emerging wider effort has among others been seen by the international community by the establishment of the Contact Group for Piracy off the Coast of Somalia.¹⁵ This group appreciates that the piracy problem cannot be solved without addressing the root causes and engaging the regional nations. The Contact Group has therefore encouraged engagement with Somali authorities and law enforcement bodies. In addition, countries in the European Union¹⁶ have, together with partners in the region, drawn up Somalia wide strategies aligned with the findings in the Somali Joint Needs Assessment.¹⁷

¹³ Laureen Ploch et al. *piracy off the Horn of Africa*. CRS Report for Congress 7-5700 April 19, 2010 p27 where US government identifies piracy as a direct threat to U.S. National Interests.

¹⁴ A NATO, EU and a US lead Task Force.

¹⁵ The Contact Group noted “*Participants of the CGPCS also agree that a viable solution for ending piracy will not be achieved without the root causes on land being addressed effectively. From this point of view there is a strong need for well-coordinated efforts in the field of regional capacity-building by all international players involved, in close cooperation with the Transitional Federal Government of Somalia and regional authorities*” cited from <http://www.state.gov/r/pa/prs/ps/2010/06/143010.htm> accessed October 31 2010. Other releases can be accessed at <http://www.state.gov/t/pm/ppa/piracy/contactgroup/c32666.htm>, October 31 2010.

¹⁶ As a consequence of the Concept For the Defence and Security of The Members of the North Atlantic Treaty Organisation, Lisbon, 19 November 2010, NATO and the EU will eventually coordinate efforts in a Comprehensive Approach. The EU framework of strategies are reflected a.o. in the EU naval force mission description: “The EU and its member states support the African Union military mission in Somalia (AMISOM) financially, in terms of planning and capacity building, in order to increase, in particular, the efficiency of the Somali police force and to combat any abuse and serious violation of human rights. The Joint Strategy Paper for Somalia for 2008 – 2013 provides an allocation of EUR 215,8 million under the EC’s 10th European Development Fund (EDF). It covers three main sectors of cooperation: governance, education and rural development. The issue of the security of maritime routes is also included in the European Commission’s 2009-2011 indicative programme”. Accessable at <http://www.eunavfor.eu/about-us/mission/> December 27 2010.

¹⁷ Somali Reconstruction & Development Programme: *Deepening peace, and reducing poverty*. United Nations and World Bank Secretariate Draft Assessment. January 2008, United Nations New York, Available at <http://www.somali-jna.org/downloads/ACF7C9C.pdf> accessed December 27 2010

As also it is the case for the US strategies for the region¹⁸, the recommendations from most organizations in general comprise capacity building in the form of promotion and training of security forces inland, as well as at sea, from a perception that civil reconstruction is conducted through Peace, Security, Governance and Macro level engagements. The intention is good, but the problem lies in the implementation of such an engagement. Torn by civil war, natural disasters and failed international interventions,¹⁹ Somalia tops the list of failed states in the world.²⁰ It is therefore difficult to engage the specific dynamics of what drives piracy when a conventional top down approach is applied. Consequently, as this paper argues, no strategy has so far been drawn up which focuses on the direct root causes of piracy supporting the military effort in a comprehensive strategy.

Looking towards the Danish Comprehensive Approach applied in the Afghan Helmand province, a more holistic view has been taken. The approach addresses, besides security and stabilization, also the Afghan factors rooted in lack of food, education, health and illegal economy. The strategy comprises water supplies, sewage, agriculture education and, not the least a Micro-Credit program.²¹ Coordinated through Danish NGOs, the level of public health has been raised through nutrition training and hygiene. While the Clan structure defines the

¹⁸ The US Combined Joint Task Force Horn of Africa is engaged in Capacity Building in the regional area, but not in Somalia according to the Project overview found on <http://www.hoa.africom.mil/pdfFiles/CJTF-HOA%202007-10%20Fact%20Sheet%20-%20Projects.pdf>. The US approach aligns with the African Union efforts to keep the Somalia State as an entity implying a traditional top down approach on Somalia Nation Building: United States Government Accountability Office *Several Challenges Limit U.S. and International Stabilization, Humanitarian, and Development Efforts* Report to Congressional Requesters, February 2008, <http://www.gao.gov/new.items/d08351.pdf> accessed 27DEC2010

¹⁹ Bjoern. Moeller *The Somali Conflict, the role of external actors*. DIIS Report 2009:03 p29

²⁰ Foreign Policy Magazine Failed States Index 2010 accessed at http://www.foreignpolicy.com/articles/2010/06/21/2010_failed_states_index_interactive_map_and_rankings October 31, 2010.

²¹ Ministry of Foreign Affairs and the Ministry of Defence: Denmark's Engagement in Afghanistan 2008-2012 Copenhagen 2008, accessible at http://www.netpublikationer.dk/um/9103/pdf/Afghanistan_pixie_engelsk.pdf accessed Oct 17 2010

engagement at the local level, the engagement has a strategic long term goal of establishing Law and Order based on human rights through Nation building. The Comprehensive Approach is designed both to counter the Taleban influence militarily and to counter parts of organized crime in order to provide security. The military among others, engage in the Comprehensive Approach through Provincial Reconstruction Teams under the principle “As Civil as Possible and as Military as Necessary.” Elements of the same approach can be found in the US strategy for Afghanistan where agriculture employment and market development together with cross border access for commerce are parts of the plan.²² The general engagement in Afghanistan has been criticized for being overly militarily focused, having an excessive military footprint which has become part of the problem of stabilization by provoking resistance.²³ The Dutch Forces in the Province of Uruzgan however implemented the Comprehensive Approach²⁴ with a distinctly lower military profile in their PRT compared to, for example, the U.S PRTs. The Dutch Forces engaged the local Afghans helping them develop their own small businesses, and provided assistance to local farmers in order for them to shift from illegal poppy crops to saffron and wheat. Successful developments could then be spread like Ink Blots to larger areas²⁵. It can of course be argued that it is too early to measure the outcome of the Comprehensive Approach in Afghanistan and therefore draw any conclusions at this stage. However, for the purpose of this paper, the examples are merely used to illustrate designs of the multifaceted approach.

²² United States Government. *Integrated Civilian-Military Campaign Plan for Support to Afghanistan*, August 10 2009, Embassy of the United States of America Kabul and USFOR Afghanistan.

²³ Finn Stepputat: *civilian-Military Relations in International Operations*. DIIS Report 2009:16. p29

²⁴ Dr. Rene Moelker, *The Dutch Approach and the Expeditionary Formula*. The Comprehensive Approach, Challenges and Prospects, 2009 p97 referring to an independent journalist Karskens critique of the effort in Uruzghan in 2006

²⁵ Ibid.

In the case of Somalia, many support the explanation that the causes of piracy are lack of governance and law and order in Somalia, fish poaching by Asian and European Trawlers and the dumping of toxic waste.²⁶ The explanations may be true, but not overly helpful when designing a Comprehensive Approach. This because 1: law, order and state wide governance do not seem to be a realistic End State within the foreseeable future.²⁷ 2: The poaching by foreign trawlers is largely nonexistent²⁸ and statistics show that foreign trawlers do not seem to be the pirates' primary target.²⁹ 3: The toxic waste dumping has not been observed recently,³⁰ even though the dumped waste still constitutes a pollution issue. If a Comprehensive Approach is to be designed to target piracy following the same lines as the illegal economy is targeted in Afghanistan, the root causes have to be influenced directly.

The people to influence are found on the beach of Somalia

The act of piracy is being carried out by more or less organized teams with the primary motivation of money.³¹ Some claim though, that recruitment of pirates is based on a perception that international fishing fleets have been stealing Somalia marine resources. This

²⁶ In accordance with a Statement from The Contact Group on Piracy Off the Coast of Somalia, New York January 14, 2009

²⁷ Brownwyn Bruton, Somalia, A New Approach. Council on Foreign Relations Special Report No 52 March 2010 p35 and implied by Bjoern Moeller, The Somali Conflict, the role of external actors. DIIS Report 2009:03.

²⁸ Own observations during patrol in Somali waters

²⁹ United Nations. *Report of the Monitoring Group on Somalia pursuant to Security Council resolution 1853 (2008)* Security Council Paper S/2010/394 July 26 2010. New York NY p37 where it is noted that fishing trawlers only constitute 6.5 percent of attacked ships in 2009.

³⁰ United Nations Environment Programme: *The State of the Environment in Somalia, A Desk Study*. UNEP, 2005. and own observations during deployments.

³¹ United Nations. *Report of the Monitoring Group on Somalia pursuant to Security Council resolution 1853 (2008)* Security Council Paper S/2010/394 July 26 2010. p99

argument may legitimize attack on international shipping to people that already have decided to engage in piracy, but it does not seem to be the view of the local population as a whole.³²

There is a difference between piracy carried out in the Gulf of Aden and in the Indian Ocean. In the Gulf of Aden single skiffs with a crew of 5-6 typically leave the north coast of Somalia and reach the shipping lanes within a day. These kinds of raids do not require much preparation or seafaring skills but only need for the pirates to acquire a boarding ladder, weapons and a GPS. When these skiffs are boarded, provisions and water enough for only a couple of days are found. Raids, which are conducted from the northern coast of Somalia, are therefore difficult to detect in the preparations phase due to the limited equipment required. Despite that, the international naval force has been effective in that only very few attacks have been successful in the International Recognized Traffic Corridor (IRTC),³³ and there almost exclusively on ships that did not follow recommendations for Best Practice Management.³⁴ This fact seems to have forced pirates to focus their effort in the Indian Ocean up to 1000 miles away from the coastline. The traffic intensity here is much more scattered due to the vast area of the East Indian Ocean, however the naval assets are scarce and the nearest warship may be more than a day's transit away from where an attack occurs. The statistics³⁵ seem to show that attacks are more successful in the Indian Ocean than in the Gulf of Aden. The statistics, however, only count number of attacks versus the number of pirated ships. The Statistics do not take into consideration how many pirate missions that have left the east coast of Somalia without ever spotting a ship or in some cases never return

³² BBC news rapport accessed at <http://news.bbc.co.uk/2/hi/africa/8103585.stm> October 31 2010 and own observations.

³³ The international naval Force focuses its effort on securing the Internal Recommended Traffic Corridor where shipping is urged to pass through when transiting the Golf of Aden.

³⁴ Own observations

³⁵ Latest IMB statistics found at http://www.icc-ccs.org/index.php?option=com_content&view=article&id=424:pirates-intensify-attacks-in-new-areas-with-first-somali-hijacking-reported-in-red-sea&catid=60:news&Itemid=51 accessed October 31 2010

to shore, due to lack of provisions or capsizing due to rough weather.³⁶ It could be argued that raids from the Somali east coast have a lot of risk involved until a prey has been found. Pirate raids conducted from the east coast involve logistical considerations and good preparation as mother ships have to be loaded with tons of fuel, provisions and water to sustain 2-4 skiffs and their crews for many days of pirate patrol into the Indian Ocean.

Because pirate teams on the Somali east coast need seafaring expertise and skills to operate boats, mother ships, in- and outboard motors and navigation equipment, the teams are to some extent dependent on the recruitment of local people in the coastal region who understand the sea and can operate the mother ships. If that is the case, engaging the root causes suddenly seem more accessible with regard to designing a focused Comprehensive Approach Strategy. If the local population in the coastal regions can be influenced towards repelling -or at least not support piracy, piracy will eventually be reduced.

Some may argue that an engagement on the coast of Somalia will depend on the overall situation in all of Somalia. Other researchers, however, suggest that state building unifying Somalia should not be the immediate goal.³⁷ The latter support this paper's argument for an approach that addresses the piracy and the issues in southern Somalia separately, leaving the effort for a unified state to another timeline.

Accepting this bottom up approach, a strategy addressing the immediate root causes for piracy can be designed. While the IRTC seem relatively safe for ships that stay within the IRTC and follow Best Practices of self protection, the initial focus could be directed to why the population at the Somali east coast engage in piracy and not take up legal business

³⁶ BBC interview found on <http://news.bbc.co.uk/2/hi/africa/8010061.stm> and own observations based on interviews.

³⁷ Moeller, Bjoern. *The Somali Conflict, the role of external actors*. DIIS Report 2009:03 p14 and Bruton, Brownwyn. *Somalia, A New Approach*. Council on Foreign Relations Special Report No 52 March 2010 p28

such as fishing and trade as very obvious alternatives. A European Union (EU) Feasibility Study estimates that there should be enough resources in the ocean off Somalia for harvesting marine products providing employment opportunities for several hundred thousand people together with offering a large source of protein to Somalia.³⁸ This is supported by another study from the United Nations (UN)³⁹ suggesting that the potential for development of the Somali fishing sector is 1,500 percent referring to UN Food and Agriculture Organization estimates.

Everett Lee⁴⁰ drew up a list of Push and Pull factors in his Theory of Migration. The factors that drive piracy on the Somali east coast seem to be a delicate combination of Push and Pull, and a balance between Risk and Gain. The result of factors is not migration, but the individual engaging in piracy, turning toward clan and family traditions,⁴¹ violating Muslim values⁴² and neglecting the risks involved. Several factors and dynamics can be identified:

The Push Factors

It is widely accepted that the aftermath of the 2004 Tsunami destroyed a large part of the basis of living at the coasts of Somalia. Especially at the east coast fishing gear and

³⁸ Appleton, Philip and Blondet, Gerard. *Support to Employment Promotion in Somalia*. European Commission Feasibility Study Report June 2004 p12 and Trelawny, Chris *The naval contribution to sustainable development in West and Central Africa* Article in IMO News Issue 4, 2007 p10. The EU study suggests that there are resources enough for harvesting 2-300,000 tonnes marine products pr year. In Senegal 400,000 tonnes marine products provide 600,000 employment opportunities iaw the article by Chris Trelawny referring to FAO statistics.

³⁹ Somali Reconstruction & Development Programme: *Deepening peace, and reducing poverty*. United Nations and World Bank Secretariate Draft Assessment. January 2008, United Nations New York, Available at <http://www.somali-jna.org/downloads/ACF7C9C.pdf> accessed December 27 2010, VOL I p xiii

⁴⁰ Lee, E. *A Theory of Migration. Demography* 1966, Vol. 3, No. 1, pp. 47-57

⁴¹ Bruton, Brownwyn. *Somalia, A New Approach*. Council on Foreign Relations Special Report No 52 March 2010 p33 and BBC interview .

⁴² BBC article <http://news.bbc.co.uk/2/hi/business/8150493.stm> accessed October 31 2010.

infrastructure were destroyed and wells were polluted by salt water.⁴³ This has resulted in lack of development along the coast by hampering the population in its utilization of the Sea. The sudden rise in piracy after 2004 seems to be rooted in the change of basic needs among the coastal population where the already difficult situation worsened as a result of the Tsunami.⁴⁴ Many communities in the isolated settlements seem to be locked in a desperate situation where they face poor sanitation, limited or no access to health care,⁴⁵ poor water supplies, and limited possibilities of engaging in trade due to poor infrastructure inland and seaward. Fisheries are difficult because the fishermen need to trade fish in order to acquire fuel and fishing gear. Because there are no means to process the fish conserving them for transport beyond the local area, possibilities for trade are limited. Together with the fact that only few cargo dhows dodge the risk of being pirated, very limited supplies reach the Somali coast. The situation for the fishermen seems deadlocked even though there are more than sufficient marine resources in the coastal waters to support a large trade on the coasts of northeastern Somalia.⁴⁶

Affecting the Push factors involve therefore basic reconstruction aid,⁴⁷ training of fishermen to use effective fishing gear provided, enabling local entrepreneurs in order to facilitate local trade and support processing of marine resources for trade. To support such a

⁴³ United Nations Environment Programme: *The State of the Environment in Somalia, A Desk Study*. UNEP, 2005

⁴⁴ United Nations Environment Programme: *The After the Tsunami, A rapid Environmental Assessment*. UNEP, 2005 p128

⁴⁵ Health care is provided only in the large communities for example in Bossasso, Puntland

⁴⁶ Philip Appleton, and Blondet, Gerard. *Support to Employment Promotion in Somalia*. European Commission Feasibility Study Report June 2004 p12. See also footnote 33

⁴⁷ A similar suggestion is indicated in Andersen, Lars Erslev. *piracy in the Gulf of Aden: Reflections on the Concepts of piracy and Order*. DIIS Foreign Policy Yearbook August 07 2009 p103

development; establishment of schools⁴⁸, restoration of sanitation and establishment of a minimum of health care⁴⁹ is needed.

I experienced an example of local entrepreneurship during a patrol along the Somali north coast. A large number of boats and skiffs were gathered off a newly started fish factory in the town of Laasqorey. The factory went into production on a local entrepreneur's initiative with cooperative financial support from the local community according to an article in the local media.⁵⁰ The plant occupied 600 people and provided obviously basis for trade to the local fishermen.

The Pull Factors

The incentive for engaging in piracy primarily seems to be easy money and materialism as a means of sustaining life on the coast.⁵¹ It is not my impression that the driving factor is patriotism protecting the sea from foreign fish poaching. This is merely an excuse for them who are involved in piracy. Involvement in piracy provide good money, whether it is supporting the pirate mother ships, supplying the pirated ships at anchor, directly participating in the raids, and as it seems⁵² also compensate for boredom and trivialities with life in the towns.

⁴⁸ The Danish Ship owners association has supported this type of development by donating a large sum of money to the Danish NGO *RED BARNET*. By this donation The Ship Owners Association wants to signal responsibility and that the key to Countering Piracy lie inside Somalia. Article online in Danish can be accessed at <http://www.maritimedanmark.dk/?Id=7529>. Visited 27DEC2010

⁴⁹ Also suggested in Somali Reconstruction & Development Programme: *Deepening peace, and reducing poverty*. United Nations and World Bank Secretariate Draft Assessment. January 2008, United Nations New York, Available at <http://www.somali-jna.org/downloads/ACF7C9C.pdf> accessed December 27 2010 VOL I pp 55-69

⁵⁰ The initiative is described in an article accessed at http://www.laasqoray.net/view_article.php?articleid=4848 October 31 2010. Observation was made during a coastal patrol by HDMS ABSALON in 2009

⁵¹ Andersen, Lars Erslev. *piracy in the Gulf of Aden: Reflections on the Concepts of piracy and Order*. DIIS Foreign Policy Yearbook August 07 2009 pp79-102 and own observations

⁵² Impression from interviews conducted by HDMS ABSALON

Affecting the Pull factors seem more diffuse than is the case with the Push factors. It appears to be a question of the individual's attitude towards Right and Wrong and the attraction of the apparent luxurious life of a pirate. The Pull Factors can be illustrated by a balance of Risk and Gain.

Dynamics of the Risk - Gain Balance

An individual making a decision to engage in piracy will, at a certain level, weigh Risk versus Gain. The considerations made are of course dependant on the type and level of information the individual has available when deciding his path. The gain is dependent on the final share of the ransom after all expenses are paid. This include paying off locals and officials, security forces, Clan leaders, negotiators, investors, money middlemen and pirate gang leaders etc. Affecting the Gain is therefore a question of the amount of money involved. Affecting Gain implies keeping ransoms low, challenging the supplies to the pirated ships raising the price for goods. The application of known tactics towards the pirate network as done with organized crime, for example creating distrust within the network,⁵³ negotiators and middlemen, -will also affect the final share for the individuals. The Attraction to pirate life could be affected by engaging Clan leaders and Clerics in order to discourage locals to involve in piracy by rendering it disloyal to the community and the Muslim values.

Risk is posed by several factors: The international naval force repelling pirate attacks, confiscating and blowing up expensive equipment especially outboard engines, cell phones, fuel and mother ships.⁵⁴ Capsizing, starving or dehydrating is also a factor when pirates sail hundreds of miles out into the Indian Ocean in relatively small boats. Risk factors also

⁵³ As suggested in Robert S Bair, *Disrupting Somali Pirates Via Trust and Influence Operations*. Thesis, U.S. Naval Post Graduate School June 2009

⁵⁴ See appendix for examples of referred aggressive operations conducted by HDMS ABSALON

comprise the threat of being captured, trialed and jailed for many years in another country. Finally a pirate also risks being expelled from his local community, Clan or family because he turns against traditions and even his Muslim faith by becoming a pirate and perhaps engages in drugs, prostitution etc

Affecting risk is obviously done by aggressive patrol, effective disruption of camps and destruction of equipment in highly visible counter piracy operations and finally law enforcement ashore and at sea followed by effective prosecution and sanctions. Focused information to the local Somali population of the consequences (risk) of becoming a pirate is important in order to maximize the desired deterrent effect. This is also the case with regard to informing the pirate of his neglect of Clan traditions and culture.

The choice is basically dependant of the perception of the information on the factors available to the individual. Pull factors are largely driven by an individual choice considering the balance of Risk-Gain, where the Push factors affect at which level the individual perceive the Risk side of the Balance. The more critical the Push Factors are, the more Risk the individual is willing accept by engaging in piracy. Lack of basic needs has clearly a considerable impact on where a potential pirate „enters“ the dynamics of the risk-gain balance considering his choice. Consequently, influencing the balance of risk dynamics will not only imply raising the Risk level and lowering the Gain, but also alleviating the Push Factors. The effort, besides physical engagement also calls for providing as much information to the individual as possible with regard to his choice of path as part of the community and Clan. The dynamics of Risk- Gain does not only apply to the Somali population in the coastal region, but is also valid for Somalis from the inland while they may have other Push Factors, the civil war obviously being one of them.

Some may argue that it is not possible to involve in any form of engagement in Somalia because the country is seen as the most dangerous place for aid workers and local entrepreneurs. As stated in a UN Report,⁵⁵ this clearly seems to be the case in southern Somalia, while the situation appears to be relatively more stable in eastern and northern Puntland and Somaliland.⁵⁶

CONCLUSION AND RECOMMENDATIONS

The analysis indicates that piracy off Somalia has complex root causes which require a multi faceted but focused solution. However, the current initiatives from the International Community primarily focus on the factors in the Balance of Risk and to large extent neglect the specific Push factors that drive piracy. By employing a top down approach on reconstruction, the current strategies oversee the opportunity to achieve an effect by influencing the root causes directly. Because the situation seems to allow for a narrow coastal focus, the Comprehensive Approach could support Clans and local entrepreneurs in a bottom-up strategy instead of a top-down where governance and state building drive the solution. In order not to provoke resistance because of a large military footprint, the approach should originate From the Sea. The analysis shows that both Push and Pull factors have to be

⁵⁵ United Nations. *Report of the Monitoring Group on Somalia pursuant to Security Council resolution 1853 (2008)* Security Council Paper S/2010/394 July 26 2010, pp 59-66

⁵⁶ United Nations. *Report of the Monitoring Group on Somalia pursuant to Security Council resolution 1853 (2008)* Security Council Paper S/2010/394 July 26 2010 pp9-17 and Voice of America news report found on <http://www.voanews.com/english/news/Somali-Pirates-Flee-Possible-al-Shabab-Attack-92099944.html> accessed October 31 2010

affected in a mutually supportive way maintaining a high risk level rendering the Gain unattractive.

So far many actors focus mainly on restoring law and order at sea, establishing police- and coast guard forces, tracking money transfers, hunting down middlemen and trying to make it illegal to pay ransoms. The recommendations in the Contact Group on Piracy off the Coast of Somalia with regard to Coast Guard capacity building and engaging regional partners follow the same path as do the initiatives from the countries in Europe and the USA⁵⁷. In the Balance Risk-Gain perspective, such recommendations add effectively to the Risk-Factor, which clearly is part of the solution, but as shown, not the whole solution. A focus also on the Push Factors supports the local population in developing their own future and thereby reduces their will to accept the involved risk as a pirate and violate family, Clan and religious traditions. These dynamics of course also applies to piracy originating from the northern coast of Somalia and Somaliland. It seems therefore even more obvious to address the specific Push Factors than only the general Pull Factors in all of Somalia as it is done today.

The situation in the Puntland area, from where most of the pirates operate, tends to hold the same dynamics as illustrated in the Afghan Uruzgan province where Dutch Forces encouraged local entrepreneurs to establish trade and small businesses. Somali examples, such as the one in Laasqorey, show that it is possible to establish similar small businesses in the area. The examples from Senegal referring FAO statistics together with the rich fish resources assessed by the European Union Study and the UN Joint Needs Assessment, enhances the argument that there definitely are prosperous alternatives for the population at the coast of Somalia alleviating the Push factors, when also costal infrastructure is addressed.

⁵⁷ Although the European strategies on paper also comprise broad civil reconstruction.

In Afghanistan, it is done through Provincial Reconstruction Teams (PRT). On the Coast of Somalia, it could be done through a Naval PRT supporting small fish processing plants, providing equipment, tactics and training manufacturing skills. To kick start such a strategy, redundant fish processing factory ships could be anchored off the Somali coast to compensate for lack of infrastructure and eventually donated to the local communities. In addition, IGO and NGOs could supervise local costal infrastructure encouraging local entrepreneurs. These projects can all be initiated from the sea in isolated areas as Ink Blots, appreciating the difficult logistical and security situation. NGOs and IGOs can be supported and, if required, secured by naval assets when engaged ashore. The naval forces are furthermore able to cover several engagements along the coast revisiting them on a regular basis as seen with the US African Partnership Program on parts of the west and east African coast.

The effort to affect the Pull Factors has to continue as initiated. Money flows will have to be traced and affected using known tactics for countering organized crime. A focused information campaign should be launched to inform of the purpose of the international naval force and discourage locals from engaging in piracy using means as Clan Leaders, Clerics, multimedia and other Information Operations tools. To increase Risk in the Risk-Gain dynamic, naval patrol in the IRTC and off the Somali east coast which have proven to be effective, must be continued with emphasis on highly visual patrols and disruption of pirate camps ashore. Pirates have to be prosecuted consistently as a preventive measure. The effort to encourage ship owners to follow Best Manage Practices must also be continued as emphasized by the Contact Group on Piracy off the Coast of Somalia. The Recommendations from the Contact Group and the initiatives from intergovernmental organizations with regard

to capacity building and training of local law enforcement authorities and engaging regional partners, can be supported by using other parts of the Comprehensive Approach such as a Maritime OMLT⁵⁸ embedded in, for example, a regional Coast Guard.

Clearly, as experiences from Afghanistan show, the International Community has to agree on a common strategy and be prepared for a long term commitment in Somalia in order for a focused comprehensive approach to have an effect on all the factors that drive Piracy.

FINAL REMARKS

The Argument that Naval Forces should not be used for Counter Piracy is obviously wrong, because it neglects the fact that solving the problem of piracy off Somalia calls for a Comprehensive Approach with military as well as civilian means in mutual support as applied in Afghanistan. The bottom up Comprehensive Approach focusing on the immediate root causes of piracy may even push the larger effort to stabilize the situation in Somalia as a whole and perhaps strengthen the Transitional Federal Government which still has the support of the UN, EU, USA and AU. But as some researchers suggest with regard to the complicated conflict in Somalia, it may perhaps be better to preserve the overall conflict and focus on management and containment rather than resolution imposing statewide governance at the strategic level. “Management of the greater conflict preserves it for resolution at a more propitious time and it may be able to forestall the self-reinforcing effects of some of the characteristics,” and “If the conflict does not present an existential threat; freezing seems

⁵⁸ Operational Mentor Liaison Teams are used by NATO in Afghanistan for training and deconfliction of the Afghan National Army elements.

better and less painful than boiling”.⁵⁹ This approach supports the argument of a bottom up approach to the immediate root causes of piracy.

If such an approach eventually results in a division of Somalia into a Clan based regional entity, it may be the best solution for the Somali population after all, as the current Somalia borders obviously were not drawn with respect to natural ethnic and Clan entities.

⁵⁹ Chester Crocker, Fen Osler Hampson & Pamela Aall, *Taming Intractable Conflicts: Mediation in the Hardest Cases* (Washington, DC: United States Institute of Peace Press 2004), Oliver Ramsbotham, Tom Woodhouse & Hugh Miall, *Contemporary Conflict Resolution (2nd edition)* (Cambridge: Polity Press 2005), pp. 9-27, pp106-184; Hugh Miall, *Emergent Conflict and Peaceful Change* (Basingstoke: Palgrave MacMillan (2007) summarized in: Wagemaker, Allard LtCol, Twisting Arms and Flexing Muscles. The Comprehensive Approach, Challenges and Prospects p10

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APPENDIX

Examples of Danish Naval Counter Piracy Operations

The 6700 tonnes Danish Warship HDMS ABSALON is a mix of a frigate and a landing ship because it has both all the sensors and weapon systems of a frigate and in addition, 900 sq meters of cargo deck. The cargo deck accommodates extra equipment and crew for conducting operations ashore with Rigid Hull Inflatable Boats (RHIBs) and Special Forces. Together with a draft of only 6.5 meters (21 feet) HDMS ABSALON is very well suited for carrying out operations in littoral waters. HDMS ABSALON has an endurance at sea of up to 10 weeks with only limited need for tanker support enabling the ship to operate independently for extended periods of time. Because of the vast operating area and limited outside support to the Somali Counter Piracy operations, three things are important when patrolling in the coastal waters off the East Coast of Somalia and the Gulf of Aden; Intelligence, understanding Pattern of Life and Quick Reaction.

Patrol operations.

The normal patrols in the Gulf of Aden were conducted by launching the ships helicopter for surveillance primarily during daylight hours and patrolling actively along the transit corridor. By understanding the pattern of life in the area combined with intelligence, it is possible to distinguish suspicious behaviour from the normal pattern and identify local cargo ship lines of communication and local fishing areas. The fishermen often are mistaken for pirates as they operate in similar boats and also use sprint and drift tactics when catching fish. –Just as pirates do when attacking their target. If suspicious behaviour is detected it is vital to react swiftly and robustly showing overwhelming force because pirates have been known to fight

back if they feel they have a chance to escape, or are in doubt of the intentions of approaching boats or aircraft.

During patrol, it is normal to look for skiffs with a crew of 5-to 6, excessive amounts of fuel, large outboard engines, Rocket Propelled Grenades (RPG) and launchers, small arms and of course boarding ladders. If skiffs are found matching some of these criteria, they are searched, evidence secured and the suspected pirates are transferred to HDMS ABSALON for identification, fingerprints, DNA profiles and questioning. If the suspected pirates cannot be related directly to an act of piracy, the crew are released after all pirate equipment and weapons are confiscated together with one of two outboard engines. The crew are allowed to keep their GPS as their navigational instrument in order to find their way back to shore. They are then provided with water and the direction to the Somali coast. If the pirate vessel is caught close to shore it is destroyed, and the crew is transferred to shore by other means.

If the pirates on the other hand are caught attacking a ship of a recognizable state, the pirates are detained on board for further investigation, witness statements are acquired and evidence are secured in order for a prosecutor to decide whether a case can be made. The pirates are eventually handed over to the relevant state or, if the state in question does not want to prosecute, the pirates are set free after confiscating their equipment.

Repelling a pirate attack.

Patrolling in the IRTC HDMS ABSALON at one time received a distress call relayed from a Maritime Patrol Aircraft (MPA). The call indicated that the 30.000 tones M/V Ariella was under attack, but the MPA presumably had lost contact with the crew. This typically indicates that the pirates have taken over control of the ship and hold the crew hostage.

In this situation, there is normally not much to do, because a release of a pirated ship will endanger the crew and catch them in crossfire. As HDMS ABSALON approached, communications suddenly were re-established with the crew revealing, that they had evacuated into a safe compartment, leaving the bridge and setting the 30.000 tons cargo ship at full speed ahead on auto pilot. They said that they did that at the time when the first pirate stood on deck and fired his automatic weapon towards the bridge. This information suddenly changed the status of the ship. The M/V Ariella was now a ship still under attack but not under pirate control and with the crew in a safe location. HDMS ABSALON helicopter reported an open hatch in the superstructure which made HDMS ABSALON presume, that the pirates were onboard and most likely were searching for the crew. Time was critical because if the pirates reached the crew before the boarding party did, the pirates most likely would have harmed the crew. If the pirates succeeded in finding the crew the ships status would change to a pirated ship, which again would prevent HDMS ABSALON from boarding without M/V Ariella flag state consent. HDMS ABSALON initiated the operation by firing a number of warning shots across the bow with the main artillery in order to provoke a reaction from possible pirates, -this was followed by a boarding covered by the armed helicopter. The first wave secured the open deck of the ship and the second wave breached into the bridge and took over control of the ship manoeuvres. In the meantime, HDMS ABSALON sent out messages on Civilian VHF radio in order to warn off other ships in the transit corridor, that they were approaching a ship not under command and not able to manoeuvre but transiting at 16 knots.

The boarding party's Somali interpreter called out on M/V Ariella's announcement system that all pirates had to surrender and lay down their weapons. Otherwise, they would

risk being killed during the search of the ship. It took several hours to search all 120 compartments and stores on M/V Ariella, but eventually the crew was released. The ship's captain was at this stage not able to take command of his own ship. The chock and stress he had been through had obviously had an impact on him. But after a couple of hours debrief, the command was handed back to the captain. The boarding party left after having secured evidence and after HDMS ABSALON's doctor had examined the crew for wounds or possible traumas.

Disruption of pirate camps.

HDMS ABSALON was given the task to identify and disrupt pirate mother ships putting to sea from the east coast of Somalia. HDMS ABSALON was appointed approximately 200 km of coastline to patrol just north of the Equator. After only two days of ship and helicopter recce flights, distinct pirate activity at a remote camp was identified some hundreds of miles north of Mogadishu. 10 km north of the Camp a small town was located and 15 km to the south, 3 pirated ships were anchored supported from a nearby settlement.

Further recce flights from the helicopter and covert night recce missions just off the camp revealed that approximately 10-12 Pirate Attack Groups were preparing to put to sea.

Approximately 125 men, piles of provisions, fuel depots exceeding 50.000 litres of fuel and lots of small arms together with boarding ladders, hooks etc. were identified. Over 25 vehicles -SUVs, operated and supported the camp from nearby towns and settlements.

The pirates tried to sneak out from the camp several times during the night in fully equipped mother ships. They either tried to escape to the North or to the South close along the coastline. Even though they were visible on HDMS ABSALON's sensors from the time

they left the camp, it was necessary to let them sail a couple of miles away from the camp before an attack was launched, because of the threat posed by the number of armed pirates situated inside the camp. It was on the other hand also crucial that they did not sail more than a couple of miles away, due to the proximity of the pirated ships to the south and the town to the north.

HDMS ABSALON conducted coordinated attacks at night on the evading mother ships using RHIBs and helicopter supported by ABSALON's gun systems covering the flanks and prepared to provide fire support. The initial approach was made very close to the shore with the helicopter firing warning shots and the first RHIB closing and seizing the mother ship only about 100yds from the coast line. This was the critical phase of the operation because the mother ship very fast could have been backed up from remaining pirates in the camp racing to assistance in their SUVs or, from the pirated ships to the south. Therefore the mother ship was very fast towed away from the shore, while the suspected pirates were questioned and identified. The suspected pirates were then released ashore, -with the helicopter providing top cover. After the boarding team had searched and secured evidence, the mother ships together with typically 4-5000 litres of fuel were blown up.

Following a number of disruptions of this type, the activity in the Camp diminished and the camp apparently was dismantled. This of course were seen as a clear indication that the tactics had worked, -and that HDMS ABSALON had disrupted at least 10 pirate attack groups before they left the Somali coast.