

Influence of somali piracy

[Law](#), [Crime](#)



Modern day piracy plagues the coast of Africa and reminds us that this once seemingly far off and distant crime is in fact a present reality. Acts of piracy off the coast of Africa have been going on since around 2005, and got progressively worse the years following. Piracy lends itself to poverty stricken areas giving many people a purpose in life, and something to do with their time. For the past 20 years, Somalia has been in a state of political instability and lawlessness that has caused the economy to collapse .

Without a formal government, law enforcement becomes near impossible to conduct. Without any laws or law enforcement, many people find it hard to make an honest living. They end up spending their time seizing ships instead of getting a formal education or spending time searching for a real job. They are attracted to the idea of capturing a ship with passengers, and simply trading them as a package for millions of dollars. It has also been said that the pirates' reasoning for what they do actually justifies their actions. They claim to have lost a lot of valuable fishing revenue, and attribute it to the commercially dumped waste. Many commercial vessels dump their waste into Somali waters when travelling through the area, leaving them polluted and uninhabitable for the species of fish that used to thrive there. In order for a ship to legally dump their various kinds of waste, they must first obtain a permit thus allowing them to do so. These permits can be hard to get and there is a lot of legal work and effort needed to actually acquire one. Ignoring these rules and regulations, these ships have been illegally dumping their oil and machinery waste in waters for centuries. It has been said that, " Over the past 150 years, all types of wastes have been ocean dumped. These include sewage, industrial waste, trash, dredged material, and radioactive

wastes.” Regardless of the new laws that have been put in place, the commercial vessels in the area continue to release their trash and excess oil into the ocean freely.

The Somali Government was steadily declining for many years, and saw some low points regardless of the fact that it is now on the rise again. The government of Somalia originally collapsed in the early 1990s following the overthrow of President Siad Barre by opposing war clan forces. After this overthrow of the government, Somalia divided into sectors by the names of: Kenya, Pirates, AU force, Ethiopia, and areas under Shabab influence. There were many attempts made to repair the government of Somalia and try to bring it back to the way it used to be. However, these warlords couldn't agree on what kind of government they wanted to enforce and this led to conflict. The disagreements lasted 9 years, until around 2000 when Somali elders elected Abdulkassim Salat Hassan. Breaking this temporary peace, was a Tsunami that hit Somalia in 2004 washing ashore a large amount of toxic waste from out at sea. This enraged the Somali citizens and brought to their attention a problem they now had to promptly do something about. Domestic fresh fish consumption is already limited to coastal areas because of poor infrastructure, and now there are even further limitations on what should be caught, sold, and consumed. With the boom of illegal fishers following the government collapse, a new problem arose and it was the pollution of the fishing regions. Many angry citizens had a prime location for leading attacks on ships sailing through their waters, many of which ultimately led to the capture and detainment of the whole ship and its crew. The Somali government was also non-existent at this point in regard to law

enforcement, making this an easy activity to participate in. These pirates monitored the sea preying on innocent passersby trying to export goods travelling from one port to another. This piracy idea spread quickly, and soon many nations were taking advantage of the easy money that could be made striking and seizing commercial ships transporting various kinds of loot.

Piracy is not only an issue off the coast of Somalia, many citizens of other countries looking for some quick money have taken note of the success the Somali pirates have had. As piracy has faded in East Africa, proven by the number of attacks on Somalia's Gulf of Aden declining, it has spread to West Africa. Although most attacks in the region take place in Nigeria's Niger Delta region, there have also been attacks in Benin, Côte d'Ivoire, Ghana, Guinea and Togo. However, there have also been powerful combatants that rose when piracy was at the peak of its influence. The strongest of which being called the, " Combined Task Force 150" a multinational coalition task force. This collaboration has taken on the role of fighting piracy off the coast of Somalia by establishing a Maritime Security Patrol Area (MSPA) within the Gulf of Aden. They decided this had to be done because the increasing threat posed by piracy has caused concern in India since most of its shipping trade routes pass through the Gulf of Aden. Hijackings also impede the delivery of shipments altogether, thus increasing shipping expenses, costing an estimated \$6.6 to \$6.9 billion a year in global trade. If these routes were to be completely compromised it could complicate India's import and export market, affecting approximately 1,236,344,631 people. It has been said that since the assembly of this taskforce, " about 25 military vessels from the EU and NATO countries, the United States, China, Russia, India and Japan

have been patrolling approximately 8.3M km² (3.2 million sq miles) of ocean, an area about the size of Western Europe.” This is done in an attempt to wade away, or capture and arrest any pirates roaming these waters searching for vulnerable commercial vessels. Pirates leading attacks outside the coastal waters of Somalia have different motives, and different loot to search for. West African piracy mainly revolves around Oil being the prizepoint, for its many uses and how valuable it can be in large quantities. Oil and Gas dependant companies in many different countries all around the world have all spent nearly \$200 million over the past 4 years gaining assets throughout Africa . This takeover leaves the natives with little oil to themselves, and they find this problematic. Along with this, a lot of their oil is also being exported to countries around the world in bulk because of the low oil prices globally. This oil then goes to the continuing need for fossil fuels and fuel for houses, companies, etc. Natives in both West, and South Africa decide to rebel against these forces mainly with aggression towards losing their most valuable resource without having any say in the matter. These incidents have caused a “ watchdog” organization called “ The International Maritime Organisation (IMO)” to become more involved in the increasing amount of nautical hostility happening off the coast of Africa. The IMO watches over the shore of Somalia, reporting any foul play or suspicion that some might soon ensue. This is one small but growing attempt to decrease the amount of hijacking incidents that affect countries from all around the world whose ships sail by the coast of Somalia

There are many countries involved in these naval complications, and as a result hijacking situations have been handled differently depending on who

the attack directly concerned. Some countries do a better job than others, all depending on certain budgets allowing for different kinds of rescue attempts. Working together, the United States, India, and Russia have teamed up creating many different solutions to this hijacking problem, the most successful being their “ Combined Task Force 150,” a multinational coalition task force. This task force has outposts in the surrounding waters both near Somalia but also near the homelands of each country involved. They use intimidation to wade pirates away and attempt to keep them at bay. They try to get as many pirates in custody as possible, thus dampening their enthusiasm towards hijacking ships in order to keep all shipments and sailors in the surrounding area as safe as possible. However, overall there is a large bias towards rescue missions and regarding exactly who is the highest priority when it comes to retrieving hostages in the situations mentioned above. There often have been too many hijackings happening at once for the affected country to try and resolve them all. As a result they end up capitalizing on the cases only directly affecting them and in the most dangerous way, leaving the rest to try and resolve themselves. It is said that, “ The vast majority of the 3, 700 seafarers captured by Somali pirates since 2006 have been Asians, for whom there have been no dramatic rescue attempts worthy of retelling in a blockbuster Hollywood movie, and whose freedom has been obtained generally as a by-product of ransoms paid for the ships on which they served.” It is often the case that without valuable ships to be bartered, the lives of ordinary seafarers held as hostages are all but worthless. However, there have been many different solutions to regaining control over the captured citizens and ships. The most common,

involving as little negotiation and risk possible is to pay the ransom proposed by the pirates themselves. This is the route most countries and companies choose to take, because it keeps everything simple and honest. Unlike a rescue mission or large negotiation, this method keeps the affected country out of the media and retrieves their citizens as quick as possible. These ransom prices differ depending on ship size, and amount of passengers captured. This price could be anywhere from 700, 000 to 1. 5mil, and in the rare case around 9mil. Regardless of the risks, in 2009 the Unites States led a rescue mission in response to the Maersk Alabama hijacking. It was a very iconic victory for the Unites States, “ The siege ended after a rescue effort by the U. S. Navy on 12 April 2009. It was the first successful pirate seizure of a ship registered under the American flag since the early nineteenth century.” Successful as it may have been it publicized the Somalian pirates and spread them all throughout the media, including the movie that was made regarding the capture of the Maersk Alabama called “ Captain Phillips.” Although the solution the Unites States decided to use worked and spread awareness of this global phenomenon, it sent the actual pirates themselves into hiding. It is said that, “ despite this reduction in the number of incidents, the people who used to carry out these attacks are still very much there and still have the capacity.” This was a “ strong-arm” solution of sorts and made the Unites States look like they were doing a noble deed, but in reality only gave the pirates what they wanted. It not only put them in the news in all their glory, but also acted as a warning that the anti-piracy movement was on the rise and that it was time for them to go into hiding for a while.

Every aspect of piracy has a price, and each attack or even just attempt takes a toll on the economy of the country affected. These pirates patrol the coast of Africa, and will go for any ship they think looks vulnerable regardless of its country of origin or where the vessel company is based out of. They know that even if the ship is dry of loot they will be paid handsomely just for the boat itself and its many hostages. A report by the US-based non-profit organisation Oceans Beyond Piracy puts the cost to the global economy of Somali piracy, in 2012 alone, at between \$5.7bn and \$6.1bn. That being said, the cost of piracy to the global community actually dropped from 2011 to 2012 by around \$850 million (12.6%) This \$6.1bn price tag has many different contributions from a variety of different attempted solutions to this piracy problem. The first being 29% of the cost going to the additional security equipment and guards on ships. This was originally thought of as a brilliant solution, keeping the pirates away from any ship with armed guards on it thus allowing for safe travel. However, the cost to put armed guards on every ship travelling through the waters off the coast of Africa was too high, and the intimidation factor of the guns only lasted for so long. Very effective, but ultimately too difficult to implement everywhere where it was needed, so other solutions were pursued. 19% of the cost goes to funding the few military operations that were conducted in an attempt to save captured vessels. The most substantial of these being the rescue mission for the Maersk Alabama, a US flagged Virginia based ship headed for Kenya, hijacked by Somali pirates resulting in a hostage situation. 27% of the cost is attributed to the increased fuel consumption, from the higher speeds at which ships have to travel through the affected region. Regardless of the

many solutions tried a good deal vessels found it most effective to just speed through the dangerous area. However this results in heightened fuel consumption on ships that already burn fuel at around 225 tons of bunker fuel per day. 1% of the cost is attributed to ransom payments. This number is astonishingly low, but makes a large statement in regards to how much money has been put on the line during this whole piracy catastrophe. Prices vary for different ships but almost always are in the \$700, 000 – \$1mil. range and are sometimes up to 9mil a ship. There have been 226 recorded attacks on commercial vessels from all around the world off the Coast of Africa, a large fraction of which were successful and involved ransom money. Lastly, 0. 64% of the cost of piracy was been spent on investing in long-term solutions, which suggested that “ the international community has yet to move from treating the symptoms of piracy to treating its causes.” The symptoms of piracy can be described as the attacks, and money lost trying to regain control over the ships and sailors. We focus more on how to fix the dilemmas happening now, rather than look deeper and try to fix them at the source. Many of the efforts made to be rid of piracy as a whole have only made but a mere dent in the damage it causes each year. We, the Unites States, along with many other countries involved resort to big guns and intimidation when it comes to dealing with foreign dilemmas. We need to look harder and use elaborate strategies if we ever want to fix this global complication, because the gains are fragile and reversible. It is said that if counter-piracy efforts are abandoned, there is the risk that maritime piracy might return to the crisis levels it was at during 2010 and 2011. It would take

“ literally only one successful hijacking of a merchant vessel to rekindle the entire Somali piracy issue.”

Somali piracy has been going on for too long and the solutions proposed are all too short term. Many have said that the Somalian pirates are simply defending what they love by leading these attacks, and that their actions are justified. A Somalian pirate when interviewed exclaimed, “ We don’t consider ourselves sea bandits... ..We consider sea bandits those who illegally fish in our seas and dump waste in our seas and carry weapons in our seas. We are simply patrolling our seas.” They point to the unlawful dumping of hazardous waste and excess oil by commercial vessels, ruining the fishing areas off the coast of Africa. They proceed to argue that something must be done in that regard before anything is done regarding the pirates’ actions themselves. However, that is not the root of the problem. The oceanic dumping of waste and oil has been going on for longer than most are fully aware, even back when there were no laws even remotely addressing it. Along with this, often times nothing can be done to prevent this dumping because, “ Areas where high levels of illegal dumping occur are commonly areas that have no better solution.” Many of these commercial vessels passing through the waters off the coast of Africa are coming from, or going to impoverished places with no area for the storage or management of trash. It is much simpler to try and keep these ships safe, and make their journeys easier than to penalize them for something they can not do very much about. We can’t punish someone for coming from a less fortunate area, but only guide them on their way to make sure no more lives are harmed or put in danger when travelling near Africa. Once a solid solution has been put in place keeping all seafarers safe,

we can shift our focus onto the legal matters regarding the dumping. We can collaborate with other powerful nations and create new laws and regulations regarding the organized dumping and transportation of waste when travelling overseas. However, focusing on the task at hand we need to resolve the global problem of piracy at sea, keeping valuable resources and human lives safe. This will as a result keep many countries' imports and exports safe, and make trade overseas far easier than ever before.

Somali Piracy influence and attacks peaked in 2011 and 2012, and has been steadily decreasing since then. A lot of different solutions to global piracy have come and gone, none of which fully did the job. There has been an uptick in security on vessels, and watchdog organizations patrolling the seas. There have also been rescue missions conducted, some successful and some not. We are still searching for the golden solution to this predicament, because there has been suspicion that the pirates will come back out when we let our guard down. We can only afford these royalties for so long and eventually our security will diminish over time. What we do then is the true test of our strategic abilities and how advanced we are as a society. We will need to come together and put in a lot of valuable time if we ever want our waterways to be 100% safe for any boat travelling through them. Until we find the solution all we can do is treat the symptoms, and hope that soon we can work together as a team to prevent the further death or endangerment of our people at the hands of the treacherous and desperate pirates at sea.