

## FISH, FAMILY, AND PROFIT

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### Piracy and the Horn of Africa

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**T**he frightening increase in piracy off the coast of Somalia since the turn of the present century demonstrates just how fast this kind of threat can emerge and how severe the difficulties involved in understanding and subduing it can be. Since 1992, in fact, there have been 3,583 piratical attacks worldwide. According to the United Kingdom's House of Commons Transport Committee: "This represents an increase from 1993 to 2005 of 168%. In the same period, 340 crew members and passengers died at the hands of pirates, and 464 received injuries. In 2005 alone piracy resulted in over 150 injuries and assaults and over 650 crew members were taken hostage or kidnapped."<sup>1</sup> Recent assaults on Japanese and French vessels near Somalia and the military response by the latter in April 2008 demonstrate the lasting significance of this problem and the complexity of its roots.<sup>2</sup>

Given the definition of piracy crafted in the United Nations Convention on the Law of the Sea 1982 (UNCLOS), most activity characterized by that name over the past decade actually comes far closer to armed robbery than actual piracy.<sup>3</sup> In Malaysia and Indochina, traditional hotbeds of this practice, most incidents reported by the International Maritime Bureau (or IMB, a division of the International Chamber of Commerce, or ICC) actually take place at the pier, while the ship rests at anchor, or in territorial waters, a distinction often not made in gathering the statistics.

The nature of this definitional problem in its Somali form presents a contrast with the historical Asian paradigm. Pursuit, seizure, and deprivation at sea in waters bordering the Gulf of Aden and in the Indian Ocean fall more clearly than the Asian events into the UNCLOS definition of piracy. This kind of lawlessness

has always presented political and international complexities, made more difficult by national jurisdictions, corporate motives, and the scattered geography of the broader Asian region. In the Horn of Africa, part of the considerable expanse patrolled by U.S. Naval Forces, Central Command and Combined Task Force 150, the geography and the jurisdictional difficulties, while not simple, do not present the same level of complexity.

The proximity of politically unstable nations or territories has regularly emerged as both cause of and *permission* for armed robbery or piracy at sea.<sup>4</sup> The northeast and eastern coasts of Somalia, at the Horn of Africa, have caught the attention of the IMB, which reported a very “alarming rise” in what it called piracy beginning in midsummer 2005. Somalia’s internal unrest, its lack of government control, and the authority of local clan warlords have created a favorable climate for maritime crime, one that often gives thieves and pirates *permission* to act freely.

The IMB has called for a combined response and solution—that is, international naval assistance, especially along the Somali coast. It also initially encouraged merchant masters and navigators to observe a coastal approach limit of at least fifty nautical miles. The threat to international commerce extends to cargo and container ships, oil tankers, and even United Nations food and medical supply ships. In the Gulf of Aden, in the Indian Ocean, and off the Somali coast, the uncontrolled activity of maritime criminals also presents a threat to the traffic that supports American forces in Iraq. However, in evaluating the event statistics collected by the IMB, one needs to remember that profitability and the safety of business interests drives the ICC, making it eager both for peace and for someone to bear most of the cost for piracy countermeasures.

In September 2001, a group of nations agreed to form Combined Task Force (CTF) 150 in response to UN Security Council Resolution 1373, which committed them to regional patrols as part of the global war on terrorism. The task force members include the United States, Pakistan, Australia, Great Britain, France, and Netherlands, among others. The French very early began escorting UN World Food Program ships into Mogadishu.<sup>5</sup>

#### BACKGROUND TO PIRACY IN SOMALIA

Historically, the IMB request for combined assistance resonates with the nineteenth-century American experience against privateers and pirates based in northern Africa and the Caribbean Sea. Two hundred years ago, the United States needed logistical bases so that its armed forces could operate in the Mediterranean, thousands of miles from home. As the nineteenth century dawned, British-held Gibraltar became an essential logistical base for U.S. operations during the Barbary Wars. In that same conflict, the loan of shallow-draft vessels

from the Kingdom of Sicily also enabled the U.S. Navy to operate in shallow waters to enforce a blockade of Tripolitan ports. In this war, cooperation with local authorities and collaboration with allied navies made success possible. This formula brought success once again when the U.S. Navy worked closely with the Royal Navy in the 1820s against Caribbean piracy.<sup>6</sup>

During that same century and on the other side of the world, the Italians, French, and British controlled the Horn of Africa. The latter nation took the lead, due to the authority of the Royal Navy and the proximity of both imperial India and the presence of a British resident authority in Aden. Thus, the United Kingdom effectively exerted control over the strategically significant Somali Basin and the Gulf of Aden, at the southern entrance to the Red Sea. A formal protectorate emerged as British Somaliland, with the governing authority in nearby Aden administering British interests through 1905.

British authority in the area survived World War I, and the presence of significant air and naval power through the 1920s permitted the United Kingdom to sustain its position there. Losing control for just a short time to Italy during the East African campaign in 1940 and 1941, British forces once again asserted imperial authority and retained control of the region until both independence and unification with Italian Somaliland gave birth to the Somali Republic in 1960. This infant democracy lasted only nine years before succumbing to a coup and the dictatorship of General Muhammad Siad Barre, who initially established very close ties with the Soviet Union within the context of the Cold War. His loyalties later shifted when neighbor and traditional enemy Ethiopia allied itself with the Soviet Union.

Control over local waters provided a foundation for the local economy and the only hope of prosperity. Siad Barre maintained a small maritime force to protect the enormously rich fisheries in Somali waters, to sell (at a profit) fishery licenses to foreign companies, and to monitor access to regional ports that served the import and export trade through this strategic region south of the Red Sea and Suez. The humble Somali maritime force guarded these resources and also restricted the traditional regional tendency toward piracy and maritime crime. But when the Siad Barre regime collapsed in 1991, everything changed.

The evaporation of the Siad Barre regime opened the door to a period of instability. The naval task force associated with United Nations peacekeeping operations in Somalia (UNOSOM I and II) between 1991 and 1995 managed to monitor effectively the considerable maritime traffic through the important lanes of passage off the Horn of Africa. These routes historically cater to ships moving from Africa into the Gulf of Aden–Red Sea area. In most cases ships passed fairly close to the Somali coast to effect more economical passages. For each large modern merchant bottom that plies these waters one can also find

many more ships traditional to the region carrying cargo along routes regularly employed for centuries. Many of these vessels are the large cargo dhows so common in those waters.

Before unrest closed destinations or made calls too risky, a number of Somali ports regularly played host to ships moving through this portion of the Indian Ocean. These included Kismaayo, El Aolde, Merca, and El Maan. Mogadishu played this role as well until it was closed to foreign vessels in 1995. When the United Nations forces left in 1995, Somalia had no effective government, could not continue monitoring the waters off its coast, and descended into a period of clan warfare.<sup>7</sup>

### PIRACY AND ECONOMIC SURVIVAL

The chaotic situation ashore and the damage inflicted on the country's economy and infrastructure had a very significant effect at sea. For many of the coastal village communities, offshore fishing represented a regular and significant livelihood. These small businessmen and their families depended completely on the rich fishing off the Somali coast as a source of treasure going back generations. In these cases the fishermen operated from small dhows, wooden canoes or boats, or more recently modern small boats, such as motorized fiberglass skiffs. They would use traditional techniques, for the most part gathering their catch using nets and then off-loading the take for sale upon returning to shore.<sup>8</sup>

The collapse of the Somali central government in 1995 opened the region to uncontrolled foreign exploitation. Large commercial fishing vessels began working off the Somali shoreline and very often inside the country's territorial waters and traditional domestic fishing areas. These large-scale fishing ships dwarfed the boats of the local fishing fleet and placed in danger a coastal subsistence economy based on traditional fishing practices.<sup>9</sup> The high-seas piracy problem emerged from this context.

When violence first erupted between these conflicting interests in 1995, it came as a surprise to no one. Many pirates armed themselves with weapons, which were easily available due to the struggle for power among the Somali clans. Somalia's 2,060-mile-long coastline was soon considered to be one of the "world's most dangerous stretches of water because of piracy."<sup>10</sup> By 2002, the IMB was reporting that the number of attacks had jumped from 335 in 2001 to 370 in 2002 and had increased its rating for the risk of attack from "possibility" to "certainty."<sup>11</sup>

### PIRACY AND THE ABSENCE OF GOVERNMENT AUTHORITY

The first incidents between 1995 and 2000 occurred when Somali fishermen boarded foreign vessels and accused them of fishing illegally. The local

fishermen sought immediate compensation for catches taken in their traditional fishing areas. These actions occasionally took the form of efforts by local clan militias seeking to control their neighborhoods ashore and to coordinate actions against the foreign interlopers at sea. Many groups who boarded foreign vessels in this manner frequently referred to themselves as a “coast guard,” protecting Somali waters and resources. In some cases this self-proclaimed coast guard took the vessels in question back to Somali ports, holding their cargoes and crews for ransom in compensation for lost revenue.

Foreign interests responded not by withdrawing but by arming the crews of their ships, hiring security forces, or bargaining with the local warlords or clan

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leaders for fishing “licenses.” The latter came at prices high enough to make those documents a rather lucrative source of income for the clans ashore. Of course, the clans had no legal authority to offer licenses of any kind, but no central

government existed to set the entire problem in a national context with legal agreements and effective enforcement power.<sup>12</sup>

In the months immediately after the fall of the Siad Barre regime, both the Republic of Somaliland in the northern, formally British imperial, territory, and the Puntland Autonomous Region, formed in 1998, attempted to exert control and supervision of fishing and territorial waters. Both had rudimentary coast guards and dabbled in the lucrative business of fishing licenses.

To the south the internal strife and the offshore issues produced a different result. The clans fought over the right to control Mogadishu and took over the basic revenue sources usually reserved for central governments. Some clan warlords controlled the airports, others the maritime facilities and customs revenue, and still others focused on the profitable business of selling fishing licenses of dubious legality. Piracy, as an independent and openly illegal enterprise, developed only slowly, because clan leaders did not wish to have their licensing businesses interrupted.

Central Somalia has produced the most aggressive forms of piracy—well organized, clan related, and determined. In this region, traditionally called the Mugdug, poverty has reigned as long as memory serves, and the region’s lack of resources has permitted it to escape the attention of the other regional clan warlords. For this area, the fishing industry provides virtually the only means of income.<sup>13</sup> Thus the people of the Mugdug suffered most from the foreign exploitation of the coastal fishing grounds. When clashes began between local

fishermen and the commercial fishing ventures, no clan interests or presumptive central authority intervened to prevent uncontrolled escalation.

In the dangerous environment of the Mugdug, legitimate efforts to limit both foreign exploitation of Somali resources and the growth of various related, profitable, but often illicit businesses collectively transformed themselves into a full-fledged venture in modern piracy. The developing piracy ring, initially acting under the direction of the Habir Gedir subclan of the Hawiye clan, emerged as a major threat to Horn of Africa commercial interests in 2004 under the leadership of Mohamed Abdi Afweyne. Under Afweyne's leadership, the organization flourished; the town of Harardhere became the ring's headquarters and gave its name to this potent enterprise. In spite of the transition to piracy, an important part of the justification, openly trumpeted by those involved, remained the need to protect from foreign exploitation Somali resources and the popular livelihood of coastal communities. The ring, portraying any fees collected or cargoes expropriated as legitimate products of the defensive effort, used the national turmoil and economic suffering as political and cultural cover for its illicit activities.<sup>14</sup>

When the Harardhere ring made the leap to high-seas piracy and much larger commercial vessels as victims, it naturally used the traditional tools available to Somali fishermen, with a bit of tactical refinement. Its skiffs, frequently seen in international press coverage, were employed because of the availability of small motorized boats of fiberglass construction with styrofoam cores. These boats litter the coastline, and the local fishermen, from among whom the Harardhere ring recruited its members, knew how to use them.

By 2004 the pirates began to use multiple skiffs in their work. A larger skiff provided room for provisions that might sustain a pirate crew, just as it would a fishing party, for up to two weeks, and at a range of two hundred nautical miles. It could also carry food and water, as well as providing the means and space for storing and repairing fishing nets, reflecting the more traditional occupational habits of the crew. In looking for targets, these fishermen-turned-pirates identified their prey visually. Thus, a patrol vessel or potential victim could hardly tell the difference at distance between a pirate and a legitimate fisherman.

In approaching any vessel two smaller skiffs, each with a crew of four or five, would place themselves astride the vessel, one to starboard and the other to port, with the larger skiff astern in pursuit. The pirates then placed one or more of their number on board the target vessel to intimidate the crew and clear the way for the rest of the boarding party, which would bring the captured vessel to port with the skiffs in tow. (In many recent cases CTF 150 patrols intercepting seized ships have first destroyed the towed skiffs to make sure the pirates remained on board and could not slip away.)<sup>15</sup>

Implemented in early 2005, this technique has resulted in some failures but also in some disturbing successes. The latter include the capture of MV *Feisty Gas*, a compressed-gas transport, in April 2005 and MV *Torgelow* the following October.<sup>16</sup> These major attacks as well as an attempt to take the cruise ship *Seabourne Spirit* in November 2005 drew international media attention, a warning to mariners from the IMB, and a response from international naval forces in the area. The IMB advised all merchant masters to keep their vessels two hundred nautical miles away from the Somali coast. The merchantmen most vulnerable tended to operate at ten knots or less, in daylight, with no emergency broadcast capability and no security force on board. Moving into Somali territorial waters proved especially dangerous, since the American component of CTF 150 could not operate within the twelve-mile limit.

All three episodes also brought up the legal and tactical issue of onboard armed security. *Seabourne Spirit* carried Gurkhas, former military personnel, as security, and this fact played a role in the vessel's ability to resist seizure. The masters and shipping companies did not favor arming the crew, however, and professional onboard security added expense. For many shipowners these measures also seemed to increase the likelihood of more violent clashes with pirates. The only other option seemed increasing the size of the crew to enable more effective ship security, enhance lookout capability, and reduce the debilitating effect of fatigue. The latter had become a critical factor, because the crew had to perform security functions in addition to its regular duties.<sup>17</sup>

#### ENTER COMBINED TASK FORCE 150

The presence of CTF 150, especially after the *Seabourne Spirit* incident, prompted a change in pirate habits. The Harardhere group began using captured low-value vessels as mother ships for the skiffs. In this they sought the advantage of surprise, by appearing to be part of the normal commercial traffic of the region.

In one case the U.S. Navy responded to an alert from the IMB in Kuala Lumpur that pirates had in this way (unsuccessfully) assaulted MV *Safina Al Bisarat*, a bulk carrier outside the two-hundred-nautical-mile safety zone off Somalia's central eastern coast. U.S. Central Command responded by sending the guided-missile destroyer USS *Winston S. Churchill* (DDG 81) to investigate. The warship located the dhow responsible for the attack, chased it down, and boarded it, after firing some warning shots by way of persuasion. The boarding party detained sixteen Indian nationals and ten Somali men. The Indians claimed that the Somalis had seized their dhow six days before near Mogadishu and had used it since to surprise and capture victims. The Navy investigated the

incident and discussed with international authorities the proper disposition of the men taken from the dhow.<sup>18</sup>

Ships assigned to the patrol area of Somalia had repeated encounters with pirates.<sup>19</sup> USS *James E. Williams* (DDG 95) assisted the North Korean crew of MV *Dai Hong Dan* in regaining control of its vessel after pirates seized its bridge in October 2007. The Koreans had kept control of both the steering gear and the

engines, and with the assistance of the American vessel they successfully assaulted the pirates on the bridge. At the same time another American destroyer pursued a Japanese vessel reportedly

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hijacked by pirates off Somalia. As if to demonstrate the extent of the danger in these waters, the destroyers USS *Arleigh Burke* (DDG 51) and USS *Porter* (DDG 78) responded to a call for help from MV *Golden Nori*, a Japanese chemical tanker seized off the Socotra Archipelago near the Horn of Africa on 28 October 2007. When the destroyers drew near the captured ship, *Porter* used its main battery to destroy the skiffs being towed astern. *Arleigh Burke* then received permission from the tenuous transitional government of Somalia to enter territorial waters to subdue the ship. The Navy continued to track *Golden Nori* until the pirates abandoned it on 12 December.<sup>20</sup>

Somali national instability, of which maritime crime is one of the worst by-products, inevitably came into direct contact with the war in Iraq. In 2005, the IMB reported a rise in maritime lawlessness in the Arabian Sea. In spite of the proximity of warships, the ICC reported two attacks off the Basra oil terminal, two more at buoy anchorages, and another five in Iraqi waters on 19 and 20 November. In each case the perpetrators injured and robbed the crew and made away with arms, cash, personal property, and, occasionally, some rather advanced technologies.<sup>21</sup> In some Somali episodes the IMB and other sources have reported the use of fast pursuit craft against commercial targets as far as a hundred nautical miles out to sea. Virtually all reports confirm the use of sophisticated small arms and rocket-propelled grenades, as well as crude weapons. This activity represents a threat to life, property, and free navigation of the sea at the southern end of an area of great concern to the U.S. Navy Central Command and Combined Task Force 150.

The advent of the Council of Islamic Courts (CIC) in 2006, capable of confronting the clans and warlords, presented the prospect of Somalia as a haven for terrorists but not for pirates. While some of the more radical members of the courts supported al-Qa'ida and had little love for the United States, they had even less love for high-seas piracy, which they declared immoral. This produced

a challenge to Somali pirates when during 2006 the CIC briefly managed to re-open the port of Mogadishu without pirate interference to gather port-entry fees and other profits. However, the CIC's influence over piracy lasted only a very short time. A transitional-national-government force and the Ethiopian National Defense Force brought the brief reign of the council to a close and introduced uncertainty once again.

#### THE WAY AHEAD

On 22 April 2008, France, the United Kingdom, and the United States called for a United Nations resolution to support the nations determined to fight piracy off Somalia. Only one week before, the French armed forces had captured six Somali pirates who had seized the French-owned luxury yacht *Le Ponant* and held the crew of twenty-two for a week, hoping for ransom. The French government had the pirates taken to France for interrogation. Apparently undeterred, another contingent of pirates took a ship moving through the region from Dubai on 21 April; in addition, the Spanish navy went off in pursuit of a seized Spanish tuna boat taken with a crew of twenty-six off the Somalia coast. The French ambassador to the United Nations, Jean-Maurice Ripert, commented to the press that his country had no desire to endanger the law of the sea; the French, Americans, and the British, he said, simply wanted a mandate from the United Nations to take action against piracy in the name of the international community.<sup>22</sup> He explained, "The idea is to give a mandate, to call on states of the U.N. to tackle piracy by organizing patrols, reacting to acts of piracy, to take as many preventative measures as possible."<sup>23</sup>

In response to the increased threat of piracy off Somalia, on 2 June 2008 the UN Security Council adopted Resolution 1816, with the consent of Somalia—which, the resolution observed, "lacks the capacity to interdict pirates or patrol and secure its territorial waters." This resolution authorized foreign naval vessels to enter Somali territorial waters for an initial period of six months, which could later be lengthened by mutual agreement. This resolution also allowed foreign naval vessels to use "all necessary means" to repress acts of piracy and armed robbery at sea, consistent with relevant and existing provisions of international law.<sup>24</sup>

This resolution may result in stopping the pirates, but it does not address the underlying factors that created them in the first place. In looking for a solution, we need to recall the history of the problem. The Somali situation emerged from the exploitation of traditional fisheries and the inability of local fishermen to preserve their resources and livelihood. Thus, the long-term solution to this problem must go beyond traditional coalitions, formal alliances, the power of regional neighbors, and the destruction of individual targets. An international

framework of common applicable law, common enforcement, and common policy must extend beyond regional boundaries and political borders.<sup>25</sup>

Rather than reinventing the wheel, building upon existing successful civilian fisheries agreements might present the best model for not only strengthening those agreements but also extending them to provide greater security against

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maritime crime.<sup>26</sup> Developed in this way, the collaboration would feel inclusive, mostly civilian, and military only in a minimal sense. In Asia, the forms of cooperation developed by the South Pacific Forum Fisheries Agency, whose members have already agreed to

enforcement collaboration, would certainly provide the basis for a framework that would address piracy and armed robbery at sea.<sup>27</sup>

In the immediate region of Somalia, concerned nations might look to the Regional Commission for Fisheries (RECOFI). This association counts among its members Bahrain, Iran, Iraq, Kuwait, Oman, Qatar, Saudi Arabia, and the United Arab Emirates.<sup>28</sup> Its objectives include the development, conservation, and management of marine resources and the promotion of aquaculture. At the same time RECOFI has decided to regulate fishing methods and gear as well as the seasons for fishing and the extent of the catch.

Many of RECOFI's primary concerns and goals address the issues of central control and national sovereignty that triggered the so-called coast-guard actions off Somalia by local fishermen. The lack of such control has generated a pool of unemployed and desperate candidates ripe for recruitment into the pirate crews that have turned the Horn of Africa and the Gulf of Aden into such dangerous places. RECOFI has also embraced the need "to keep under review the economic and social aspects of the fishing industry." Regardless of its present nature, large-scale and increasingly deep-ocean piracy in Somalia originated from the desire of poor communities to save their livelihoods. In its present form RECOFI cannot entirely address the problem at hand, but it can certainly provide a framework upon which to build. Many other agreements exist that might serve the same purpose, and they touch every part of the world ocean.<sup>29</sup>

For their part, navies can inform and support locally enforced regional frameworks built upon agreements like RECOFI and upon the progress made in previous years by the Piracy Reporting Center in Malaysia, and its supporting organizations, created in 1992. Any framework must include all nations affected, regardless of political perspective or bilateral commitments. The same common

civilian and commercial interests that lead nations to agree on fisheries management will help to address maritime crime.

More practical policy responses might include enabling both local authorities and corporate countermeasures. Naval forces can provide mine countermeasure vessels, should criminals lay mines in choke points or ports. Navies should also offer to increase or enhance exercises, training, and cooperation to assist regional or secondary maritime forces in undertaking these tasks. Naval experience with unmanned aerial vehicles (UAVs) and ship security systems can help the spread of best practices in the use of methods suggested by the International Maritime Organization, such as the *Inventus* UAV, *ShipLoc*, and *SecureShip*. These measures would dovetail well with the strategy of supporting a regional framework.

Any effort to explore a more global framework would obviously require more multinational naval involvement. Addressing the Seventeenth International Seapower Symposium on 21 September 2005 at the Naval War College, in Newport, Rhode Island, Admiral Michael Mullen, U.S. Navy, then the Chief of Naval Operations, began to explore the possibilities open to global navies: “As we combine our advantages, I envision a 1,000-ship Navy—a fleet-in-being, if you will, made up of the best capabilities of all freedom-loving navies of the world. . . . This 1,000-ship Navy would integrate the capabilities of the maritime services to create a fully interoperable force—an international city at sea.”<sup>30</sup> For some naval historians the admiral’s statements seemed timely indeed. The Combined Operations Project led in 2005–2006 by the Contemporary History Branch of the U.S. Naval Historical Center had examined the nature of effective naval coalitions and their ability to address the varied threats on the high seas. In each of the case studies, conducted by American, Canadian, Australian, and British historians, communication and trust emerge as paramount. Without the trust engendered by effective, well trained liaison officers, and frequent collaborative exercises at sea, combined operations can quickly become exercises in futility.

Deliberate, frequent, and regular contact allowed his commanding officers to broker the mutual understanding that served Vice Admiral Lord Nelson so well two centuries ago. This dynamic has become even more necessary today, given the potential contemporary barriers of language, culture, technology, and operational experience. The history of recent combined operations repeatedly speaks to these critical but often overlooked personal aspects. In short, history suggests that in naval operations as well as in international, civilian maritime policy, “you cannot surge trust.”<sup>31</sup>

Human relations emerge strongly as the primary asset or resource needed to bring peace and enforcement to the maritime commons, including the Horn of Africa. Commodore James Stapleton, Royal Australian Navy, the naval

component commander in the international military response to violence in East Timor in 1999, once made this very point in reflecting on the reasons for success in that operation. The naval component of the multinational United Nations task force supporting Operation STABILISE achieved a very high level of interoperability. Effective communication and division of labor brought to the effort in East Timor the kind of success currently sought off the Somali coast.

In a 2004 oral interview by the author, referring to the commanding officers of the ships under his temporary command for Operation STABILISE, Stapleton recalled that “they’d all come from a major exercise that was called off, the one that I was going to go to. So they’d had time in company and they’d worked with [USS] *Mobile Bay* before, they’d worked with [HMS] *Glasgow* . . . , they’d worked with [HMNZS] *Te Kaha*. . . . I’d worked with these ships before, I knew the COs, I knew the capabilities of each of the ships. So we’d worked together pretty much for a lot of the time.”<sup>32</sup> Combining proved relatively easy, as the relationships remained fresh and current and drew on strong common experience: “It was very much a one-on-one . . . with every country, but the way I spoke to them and the operation order for communications, the operation order for the flying program . . . , was the standard NATO signal which they all have.”<sup>33</sup>

It was necessary to take measures consciously designed to build and renew the human network among ships and people, a relationship that cannot have the flavor of a single nation alone: “[I had people] from each country on my staff. . . . I had a Frenchman on my staff, I had a Canadian or two, engineers. I had New Zealanders. This became a problem for me then about classification, and what I could leave lying around . . . [i]ssues like that. And what was privileged information, and what wasn’t. . . . It does make problems, but if you don’t manage it, and I didn’t have those guys and girls on my staff, for sure, then the coalition thing doesn’t work.”<sup>34</sup>

All this had to become as natural as the first cup of coffee in the morning, a fit so well engineered over time, socially and professionally, that it could become second nature:

You hear people say, “I’m an Australian,” but people in Australia still know what you mean when you say “I’ll have a brew,” a coffee, “I’ll have a NATO standard” (that’s white and two [sugars]). Maybe that’s because that reflects my age . . . and I did a lot of training in the UK. So I knew NATO, and I know the publications. But if you’re using ATP, the tactical publications, you can talk to any navy in the world, because everyone’s got Allied Tactical Publications. You can also use international codes. So it was never really an issue about integration. . . . Everybody just fitted in.<sup>35</sup>

History strongly suggests that very often, ignoring these experiences, we have placed our emphasis elsewhere or viewed naval personnel simply as extensions

of platforms and technologies. We must recognize that the cultural expectations shaping naval careers have long militated against the role the international community needs many officers to play—the very role that can make combined action against Somali piracy most effective.<sup>36</sup>

As the first decade of the twenty-first century comes to an end, the Horn of Africa needs more than ever officers who can play these roles. A three-million-dollar ransom was paid in early January 2009 to free the Saudi supertanker *Sirius Star* from Somali pirates;<sup>37</sup> in response to that event, on 8 January Vice Admiral William Gortney, the commander of Naval Forces, U.S. Central Command, and of the Combined Maritime Force, announced the creation of Combined Task Force 151, dedicated exclusively to antipiracy operations.<sup>38</sup> Four days later Commodore Stapleton's homeland announced that it would join other international forces, including those of the United States and China, in the new mission against pirates in the Gulf of Aden and near the Horn of Africa.<sup>39</sup> A force adequate to address the symptoms of piracy seems near. What will the cure look like?

If navies intend to help keep the ocean open in an age of regional instability, piracy, and terrorism, combined operations regularly informed by professional historical perspective must become a permanent and essential part of naval practice. Addressing piracy in a way that goes beyond simple retaliation has proved very difficult. Recent historical experience in Asia suggests the ingredients of a possible solution to modern maritime crime, a solution that while naturally displaying the difficulties of crafting a working formula, shows promise.

Malaysia and China have traditionally opposed combined antipiracy patrols in the Asia-Pacific region, and their unsuccessful effort to collaborate raises a significant question. Are patrols the answer to piracy? Given that Asian maritime crime mostly occurs at the pier or at anchor, many navies openly question the efficacy of patrols. The Royal Malaysian Navy recently noted that ships, on average, actually report attacks about ten hours after the event. By that time, a responding patrol cannot help, as the criminals might be anywhere.<sup>40</sup>

Patrols address the symptoms but not the cause. If regional agreements on fisheries management form the basis for comprehensive security agreements to protect resources and regional economies, navies will have to play a variety of high- and low-profile roles to enable the agreements to take hold. Not all of the measures taken to ensure a safe, healthy, and shared ocean will take the form of overt naval action. Some still await definition and may recall times past when a modest naval presence directly advanced local economic interests in many and varied ways.<sup>41</sup> In the end, the solution to piracy is as local as the lost livelihood of a pirate recruit in one of the Harardhere camps along the Somali coast, and as

global as Admiral Mullen's international city at sea. If we can see the connection and act on it, the region can once again find both the rule of law and a way to sustain itself.

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#### NOTES

1. United Kingdom, House of Commons Transport Committee [hereafter Transport Committee], "Piracy," *Eighth Report of Session 2005–06*, HC 1026, 6 July 2006, p. 3.
2. "Somali Pirates Seize French Yacht," *BBC News*, 4 April 2008, available at [www.bbc.co.uk](http://www.bbc.co.uk). The French armed forces pursued the pirates during the second week of April 2008, seized them, and released the hostages; the pirates will shortly go on trial for the act. Since this seizure, the French have captured fifty-seven pirates in the waters off Somalia. Most are still awaiting trial in France. Some journalists have reported that the French released an undetermined number to Somali authorities in Puntland. In recent days, at this writing, the United States has entered into an agreement with Kenya to turn over for trial any pirates it seizes. Daniel Sekulich, "France Captures Pirates as Kenya Agrees to Prosecute Suspects," *Modern Day Pirate Tales: Notes on the World of Piracy from Journalist Daniel Sekulich*, posted 28 January 2009, [piratebook.blogspot.com/](http://piratebook.blogspot.com/).
3. The United Nations Convention on the Law of the Sea 1982 (UNCLOS), and article 101, defining piracy, can be found at [www.intfish.net/treaties/losc7.htm](http://www.intfish.net/treaties/losc7.htm).
4. Transport Committee, "Piracy," p. 15.
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  31. Dr. Steven Harris of the Directorate of History and Heritage, Canadian Forces senior historian, coined this phrase during one of the Combined Operations Project’s analytical sessions in Canberra, Australia, in July 2005.
  32. Commodore James R. Stapleton, RAN, interview with Gary E. Weir, 14 December 2004, copy in author’s possession. USS *Mobile Bay* (CG 53) is an Aegis guided-missile cruiser, HMS *Glasgow* (D 88) a guided-missile destroyer, and HMNZS *Te Kaha* (F 77) a frigate.
  33. Ibid.
  34. Ibid.
  35. Ibid.
  36. While a 21 July 2008 report in *USA Today* describes recently successful collaborative arrangements between the U.S. Navy and local authorities to restrict piracy and maritime crime in Asian waters, it notes the difficulty of implementing similar solutions in Africa, because of the absence of a legitimate, empowered Somali government. Citing the IMO, reporter Donna Leinwand states, “African waters account for 56% of all pirate attacks, spiking from 27 attacks in the first half of 2005 to 64 attacks since January.” If order does not return to Somalia in the near future, it may be that only a regional arrangement can provide the authority to bring enforcement to the Horn of Africa.
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