

Box 3.7.1 Piracy off the Coast of Somalia

Piracy off the Somali coast continues to present a significant challenge to international security, prompting concerted effort from a diverse group of actors to counter the threat. Since 2008, over 1,900 individuals have been kidnapped from Somali coastal waters¹ and hundreds of millions of dollars have been paid in ransom, disrupting one of the world's key shipping routes. In 2011 alone there were twenty-six successful ship hijackings in Somalia, representing nearly 70 percent of the global total.² While the success rate of attacks off the Somali coast has decreased over the past several years, mainly due to the presence of naval vessels, the level of violence, sophistication, and frequency of attacks hit a record high in 2011.

International collaborative efforts through the Contact Group on Piracy off the Coast of Somalia (CGPCS) and the group Shared Awareness and Deconfliction (SHADE) to counter piracy continue. As a voluntary international forum, the CGPCS coordinates the responses of over seventy member states and several major international organizations, including on operational matters, legal issues, shipping self-awareness, and public information. In 2011 the CGPCS created a group to strengthen international efforts aimed at dismantling complex pirate financial networks—an area of increasing international attention. SHADE, a

voluntary international military group, continued facilitating coordination between independently deployed navies in the Gulf of Aden and the Indian Ocean. In May, members agreed to further bolster communication mechanisms, strengthen operational cooperation, and enact regional capacity-building measures to increase the organization's efficacy.

NATO's Operation Ocean Shield and the EU's Operation Atalanta also maintained critical assistance and protection through their presence in the waterways. Operation Ocean Shield engaged in a number of counter-piracy operations, successfully freeing pirate-held ships and dismantling mother ships. The NATO operation also liaises with regional states, including Djibouti and Somalia, to promote anti-piracy efforts. Additionally, Operation Atalanta continued to provide assistance to the anti-piracy efforts of Somalia's Transitional Federal Government and the African Union's peacekeeping mission in Somalia through 2011.

During the course of the year, international attention also turned to bolstering onshore anti-piracy mechanisms, particularly in the judicial and security sectors. Although 1,046 individuals are currently being prosecuted or have faced prosecution for piracy in twenty countries,³ more than 90 percent of captured pirates are immediately released due to judicial obstacles, including the absence

of a Somali legal framework for prosecution. UN Security Council Resolutions 2015 (2011) and 1816 (2008) call for Somalia to strengthen its governance and rule of law structures to play a more substantial role in combating piracy. In the resolutions, the Council further reiterated its call for the adoption of a comprehensive set of counter-piracy laws and the construction of correctional facilities for convicted pirates. In addition, the Council also noted the need for specialized anti-piracy courts in Somalia and other states in the region. As a first step, Resolution 2015 requests the UN Secretary-General to provide further information on the technical and financial requirements needed to implement these courts.

Piracy in the Gulf of Aden and the Indian Ocean is inextricably linked to the crisis in Somalia, and many of the root causes, including political instability and poverty, persist. However, the challenge is not isolated to Somalia, and the threat of piracy in the Gulf of Guinea is an increasingly pressing international concern. Concerted international support and a multipronged approach that targets piracy offshore, supports the development of institutions and capacity onshore, and addresses root causes such as widespread poverty and high unemployment, will be critical for responding to international maritime piracy.

Notes: 1. United Nations, *Report of the Special Adviser to the Secretary-General on Legal Issues Related to Piracy off the Coast of Somalia*, S/2011/30, 25 January 2011.

2. International Maritime Bureau, Piracy Reporting Center, "Piracy News & Figures," <http://www.icc-ccs.org/piracy-reporting-centre/piracy-news/figures>.

3. Contact Group on Piracy off the Coast of Somalia, "WG2: Chairman's Conclusions from the 9th Meeting," fact sheet, 11–12 October 2011, <http://www.thecgpcs.org/doc.do?action=doc>.