

# THE PIRATES OF EAST AFRICA



By Eben Barlow

The emergence of pirates off the east coast of Africa is a direct consequence of the brutal Somali Civil War in the early 1990s and the collapse of a government.

*U.S. Navy photo by Mass Communication Specialist 1st Class Eric L. Beauregard/Released*

It was this fierce civil war that led to the toppling of Somalia's president, Major General Mohammed Siad Barre, in 1991. As the commander of the Somali armed forces, Barre had seized power in 1969 and ruled the country as a dictator for more than 20 years. Somalia soon gained a reputation for its brutal crackdowns and human rights abuses. During this period, Barre courted the Soviet Union and the United States, and both countries provided him with aid and assistance.<sup>1</sup> His ousting left Somalia without a central government and created a power vacuum that warlords were quick to exploit. In the process, they destroyed the already crippled infrastructure and reduced a large percentage of the population to starvation.

With the roads dominated by warring clans and their militias, and a large portion of the population facing hunger and death, the United Nations (UN) began with maritime food aid. Currently, 90 percent of Somalia's food aid is delivered by sea, an 800-km, two-day journey that begins in Mombasa, Kenya, and ends in Mogadishu, the Somali capital. According to the UN, 12,000 tons of food are given to Somalia each month.

But, the combination of a failed state, lawlessness, interclan warfare, a breakdown of the once-vibrant Somali fishing industry, poverty, with an

apathetic international attitude, and an increase in shipping around East Africa, has created a foundation for seaborne crime—piracy. Despite all intelligence pointing to the possible emergence of such groups, this appears to have taken the international shipping companies by surprise.

The first Somali pirates may actually have gained some international sympathy. Their livelihood—the sea and its fish—had been violated by foreign governments with the illegal dumping of huge quantities of toxic waste.<sup>2</sup> Illegal fishing in the Somali territorial waters had further depleted fishing stocks and thus affected their livelihood. The failed government in that country added to the misery of daily life. So these hard done-by fishermen, it is argued, simply went hunting for bigger catches to supplement their lack of income and initially claimed that the ransom fees would go toward cleaning up the waste.

The ransom demand is a means of “reacting to the toxic waste that has been continually dumped on the shores of our country for nearly 20 years,” Januna Ali Jama, a spokesman for the pirates, based in the semi-autonomous region of Puntland, said. “The Somali coastline has been destroyed, and we believe this money is nothing compared to the devastation that we have seen on the seas.”<sup>3</sup>

These perceived “noble intentions”

Since 2005 piracy has increased in intensity and numerous ships, along with their crews, have been seized.



*FORT PIERCE, Fla. (Nov. 7, 2009) Capt. Richard Phillips, former Captain of the container ship MV Maersk Alabama, delivers remarks and thanks members of the UDT-SEAL community for rescuing him from Somali pirates. U.S. Navy photo by Mass Communication Specialist 2nd Class Joseph M. Clark.*

The massive multinational naval task force off the east coast of Africa, Task Force 151\*, may present a threatening presence but it is not deterring the pirates.

quickly gave way to greed and an increase in maritime crime. Since 2005 piracy has increased in intensity and numerous ships, along with their crews, have been seized. The International Maritime Organization and the World Food Programme, among others, have expressed great concern about the rise in piracy.<sup>4</sup> Furthermore, these criminal acts have led to an increase in shipping costs, insurance premiums, and risk, and have severely disrupted food aid shipments.

The international response to countering this growing maritime threat has been ineffective. It appears that many are keen to provide reasons why the pirates are operating, from the failed-state theory to great poverty. That is, in a sense, much like condoning a bank robber and then making excuses for his criminal behavior, as long as no one gets seriously

hurt. The massive multinational naval task force off the east coast of Africa, Task Force 151\*, may present a threatening presence but it is not deterring the pirates. Indeed, the Task Force has witnessed pirate actions taking place without responding and there are those that argue that since its arrival, piracy has escalated.<sup>5</sup>

A recent interview with one pirate illustrates their motivations:

“I was born in Eyl town and I used to be a fisherman. I was forced to hijack foreign ships after the government collapsed. No one was monitoring the sea, and we couldn’t fish properly, because the ships which trawl the Somali coasts illegally would destroy our small boats and equipment. That is what forced us to become pirates.



*Crew members from the Marshall Islands-flagged cargo ship, MV Polaris, climb aboard the guided-missile cruiser USS Vella Gulf (CG-72) to identify suspected pirates apprehended by the Vella Gulf visit, board, search and seizure (VBSS) team. Photo: Mass Communications Specialist 2nd Class Jason R. Zalasky, USN*

**\*Combined Task Force 150 (CTF-150) has had responsibility since 2002 for counter-terrorism operations off the Horn of Africa. To free up CTF-150 for counter-terrorism responsibilities, the Combined Naval Forces established Combined Task Force 151 (CTF-151) in January 2009 specifically for counter-piracy operations in and around the Gulf of Aden, Arabian Sea, Indian Ocean, and Red Sea.**



*U.S. soldier assists the crewmembers of MV Faina carry food and supplies. Somali pirates released Faina Feb. 5, after holding the ship hostage for more than four months at an anchorage off the Somali coast. Photo: Mass Communication Specialist 1st Class Michael R. McCormick.*

It's difficult to stay being a pirate but we have changed our previous strategies. We have transformed our operations in the Indian Ocean with new types of attacks, using modern equipment, including GPS, to show where warships are. At the moment we have a new, active young generation who want to take part in piracy. They mostly like money.

If the UN gives approval to fight pirates on land, that will lead to the death of innocent Somalis because they cannot differentiate us from ordinary Somalis, as we dress alike.

Piracy will not stop unless we get a government.”<sup>6</sup>

The East African Seafarers' Association (EASA) has stated that the majority of pirates are between the ages of 20- and 35-years-old, and come from the Puntland region of northeastern Somalia. EASA furthermore estimates that there are several pirate groups operating in the area with a total of 1,000 armed men.<sup>7</sup> The British Broadcasting Corporation categorized these gang members as<sup>8</sup>

- local Somali fishermen, considered the brains of the pirates' operations due to their skill and knowledge of the sea. Most believe

The first time I was involved in hijacking a ship was 2003. It must have been Arabian, there were 18 Yemeni crew. It was a big fishing ship that destroyed our boats several times. We held it for two weeks, then some Somali and Arab mediators stepped in to negotiate. We were convinced to take \$50,000 as compensation.

In fact, my life has changed dramatically because I've received more money than I ever thought I would see.

In one incident I got \$250,000, so my life has changed completely. It is incalculable how much money I have made. I mean, I won't tell you how much. I buy cars, weapons and boats.

I have employees doing the business for me now. I am a financier. I get my money and I don't have to leave Eyl. I have not gone to sea to hijack in recent months. My group goes to sea and I manage their finances. I buy speedboats and weapons, whatever they need.



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that foreign boats have no rights to cruise next to the shore and destroy their boat.

- ex-militiamen who used to fight for the local clan warlords, used as the muscle; and

- technical experts who operate equipment such as GPS devices.

Currently, there are four major groups active in the region<sup>9</sup>

- The National Volunteer Coast Guard. This group specializes in intercepting small boats and fishing vessels around Kismayo on the southern coast.

- The Marka Group. This group comprises several scattered and less-organized groups operating around the town of Marka.

- The Puntland Group. This group operates out of the area surrounding Eyl and is composed of traditional Somali fishermen.

- The Somali Marines, reputed to be the most powerful and sophisticated of the pirate groups with a military structure, a fleet admiral, an admiral, a vice-admiral, and a head of financial operations.

Smaller pirate groups operate from the Somali ports of Bosaso, Qandala,

Caluula, Bargaal, Hobyo, Mogadishu, and Garad. These groups have been allowed to evolve virtually unhindered. Warnings have been sounded that they now rival established Somali authorities in terms of their military capabilities and resource bases.<sup>10</sup> From these bases, the pirates are able to dominate—and even intimidate—shippers and navies alike in the Gulf of Aden and the West Indian

are comprised mainly of AK-47 assault rifles, rocket-propelled grenade (RPG) launchers, pistols, and hand grenades.

The ransom money has injected foreign (unplanned-for investment) into Somalia—in cash. Cash is also injected via investors who buy and sell shares related to planned attacks on a structure akin to a stock exchange located in Harardhere. This cash is used to purchase weapons, currency-counting machines,



Confiscated pirate weapons. Photo: US Navy

Ocean.

A significant amount of the weaponry used by the pirates was left over after the civil war, but they also get weapons from Yemen. Weapons dealers in the capital receive a deposit from a *hawala* dealer on behalf of the pirates and the weapons are then driven to Puntland, where the pirates pay the balance.<sup>11</sup> These arsenals

powerful outboard motors for their skiffs, and other essential equipment.

The financial investment in Eyl shows that modern-day piracy pays, and pays well. Eyl has seen a growth in restaurants, hotels, villas, and expensive cars. In 2008 the pirates netted in excess of U.S. \$128 million.<sup>12</sup> Cash, equipment and information are also reputedly

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obtained from Somali expatriates, including from among the 200,000 Somalis living in Canada.<sup>13</sup> Using fishing skiffs powered by large outboard motors and armed with AK-47s and RPGs, the pirates are able to give chase to the large, cumbersome, and slow cargo vessels, tankers, yachts, and so forth. Within the Gulf of Aden choke point, they have a lucrative concentration of merchant and commercial vessels to target—approximately 20,000 per year. Additionally, more than 30 percent of the world's oil passes through the narrow Gulf of Aden off Somalia. If ships chose to follow the longer, safer passage, it is estimated it would require an additional 20 days of sailing time at an additional cost of U.S. \$1 million in fuel.<sup>14</sup>

Commandeered or loaned larger fishing vessels known as “mother ships” allow the pirates to operate, support, and sustain their actions hundreds of

nautical miles off the Somali coastline. These “mother ships” operate mainly out of the Somali ports of Bosaso and Mogadishu, and the Yemeni ports of Al Mukalla and Ash Shihr. Intelligence as well as financial and logistical support are provided by Somali local businessmen and international criminal networks operating out of the Middle East and Europe.

According to the blog of Admiral David Shinn, *Jane's Defence* has identified a close link between the pirates and the extremist al-Shabab group, which says it has links to al-Qaeda. The pirates in Kismayu coordinate with the al-Shabab militia in the area, although al-Shabab apparently does not play an active role in the pirate attacks. Al-Shabab requires some pirates to pay a protection fee of 5 to 10 percent of the ransom money. If al-Shabab helps to train the pirates, it might receive 20 percent and up to 50 percent if it finances the piracy

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operation. There is increasing evidence that the pirates are assisting al-Shabab with arms smuggling from Yemen and two central Asian countries. They are also reportedly helping al-Shabab develop an independent maritime force so that it can smuggle foreign jihadist fighters and “special weapons” into Somalia. A link with terrorism is worrisome, but the alliance between the pirates and al-Shabab may be fragile.<sup>15</sup> This fragility was exposed recently when the hard-line

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*Supertanker MV Sirius Star. Photo: U.S. Navy photo by Aviation Warfare Systems Operator 2nd Class William S. Stevens*

Islamist group Hezb al-Islam captured Harardhere north of Somalia and pledged to impose Islamic sharia law and end piracy in that region.<sup>16</sup>

Not only do the Somali pirates hijack the ships, they kidnap the crews and hold them for ransom. Reports indicate that after initial sighting of the pirates, a ship has about 25 minutes to take evasive action and outrun the pirates or face being a victim. Once captured, the crews are kept imprisoned in safe havens from where ransom negotiations can take place. These negotiations involve third parties in Somalia and abroad, use of satellite phones, and a public relations effort to influence the interaction with ship owners and the media. In certain instances, kidnapped crew members are allowed to phone home to emphasize that they are being well treated but that they may be

killed if the ransoms are not paid.

Ransom deliveries are made by helicopters or simply loaded onto the skiffs in waterproof cases. Ransom money has also been delivered to pirates via parachute. For example, in January 2009 an orange container with \$3 million cash was dropped onto the deck of the supertanker MV Sirius Star to secure the release of ship and crew.<sup>17</sup>

Merchant shippers are not the only ones at risk. The recent taking of Paul and Rachael Chandler, and their yacht *Lynn Rival*, under the full view of the Royal Navy on October 23, 2009, is a point in case.

When rival pirate groups clash with one another to lay their hands on ransom money, they call on the European Union (EU) antipiracy naval force for assistance. As *The Star* eloquently commented:

“But who would want to protect

pirates to ensure that they get their hands on the ransom? Apparently, the EU anti-piracy force would, and did so superbly.”<sup>18</sup>

This does beg the question: how can a failed state and criminal warlords intimidate the international community and shipping companies with such spectacular success?

Countering piracy and eradicating

...\$3 million cash was dropped onto the deck of the supertanker MV Sirius Star to secure the release of ship and crew.



*U.S. Navy photo by Mass communication Specialist 2nd Class Jason R. Zalasky*

Somali men are now seeing piracy as a method of getting rich quickly and not as something that can be negotiated away.

the problem has also caused some controversy. There are those who believe that small, fast boats with a handful of armed mariners are an “emerging way to handle the [piracy] problem in a safe way,” said Jim Jorrie, chief executive officer of Espada Logistics and Security-MENA, a San Antonio-based company offering such services.<sup>19</sup>

But some shipping industry experts frown on the practice. “It slightly smacks of vigilantism to me,” said Tony Mason, secretary general of the International Chamber of Shipping and International Shipping Federation.<sup>20</sup>

Pirates are criminals—there is no nicer or softer or even politically correct manner to describe them and what they do. In short, they transgress international maritime law. They hijack ships and hold the crews hostage. They demand—and get—massive ransom payments.<sup>21</sup>

It is obvious that the naval task force is unable to patrol such a vast area and prevent piracy. Its rules of engagement appear to be ineffective (against the pirates) and some of its actions have directly and indirectly aided the pirates.

In early 2008 a direct line of communication was established with a senior pirate commander in the Puntland area. He expressed their willingness to meet with the author and others on neutral ground with the aim of negotiating an end to the piracy. No shipping company that was approached was willing to make such a meeting.<sup>22</sup> Subsequently, time has passed and young Somali men are now seeing piracy as a method of getting rich quickly and not as

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something that can be negotiated away. After all, it has been proven that crime does pay—and it pays well.

If no one is willing to meet the pirates and attempt to negotiate some form of agreement, there remain only four viable options open to shipping companies and the international community:

**Option 1:** This option calls for placing armed guards on vessels moving through the pirate-controlled waters. These guards should have appropriate weapons such as 20-mm personal assault weapons, 20-mm sniper rifles, and 40-mm grenade launchers. Water cannons and sirens have not deterred the pirates. However, international maritime law poses its own limitations on armed guards. Additionally, as long as insurance premiums remain cheap, the shipping companies would rather pay the ransoms. But, the more ransoms that get paid, the

more piracy will flourish.<sup>23</sup> This option can break this vicious cycle.

**Option 2:** Aggressive, decisive and immediate action should be carried out against the pirates by in-area naval forces when a hijack has been launched or attempted. This was recently demonstrated by Russian special operations forces when they stormed the Liberian-flagged “Moscow University” carrying 86 000 tonnes of crude oil valued at nearly \$48 million. The quick-acting crew disabled the ship’s engine and locked themselves in a safe room, giving the troops freedom of action on board the ship. A pirate was killed in the ensuing battle and several taken prisoner. This type of action, if consistently applied (and prisoners handled effectively), may discourage pirate activity.<sup>24</sup>

**Option 3:** Combined air and ground assaults on the safe havens the pirates

operate from with the aim of destroying their capabilities and their skills. These types of operations are relatively easy to accomplish and will not require large assault forces. A prerequisite for such operations is sound targeting intelligence. Surprise and speed of execution will be critical to success. This option can show pirates that their criminal actions will not be tolerated and that the international community has the will to act decisively against them.

**Option 4:** A combination approach using options 1 and 2.

However, as long as a spokesman from the International Chamber of Shipping and International Shipping Federation proclaims that armed protection of vessels is “vigilantism” and shipping companies continue to pay the ransoms, piracy will flourish off the East Africa coastline. ●

## ABOUT THE AUTHOR

Mr. Barlow is a former special operations officer and intelligence officer of the South African Defence Force. The author was also the founder of the private military company, Executive Outcomes and author of the book "Executive Outcomes" (Galago Publishing, 2007).

## ENDNOTES

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