What a difference 5 years makes!

Peter Cook

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By any measure, pirates have been active off the coast of Somalia for the last 7 weeks. Piracy has returned; in seven separate incidents, the IMB reported two vessels were approached by suspicious skiffs, one of which was deterred by armed guards firing flares and displaying weapons. Two ships have been fired upon, one vessel was boarded, but the crew withdrew to the citadel until the pirates left and three vessels have been hijacked. Five years ago, these statistics, whilst alarming, would not have been abnormal. But since May 2012, when the Smyrni was hijacked by pirates in the High Risk Area (HRA), piracy has been successfully quelled. So, what has changed? The pirates clearly assess that the risks of failure, capture or death have reduced and opportunities for them to make money abound!

If you have had your head in the sand, you may have missed the naval coalitions (CTF 151, EUNAVFOR and NATO) constantly warning, as have many others, that piracy has not gone away and, that it is not a case of “if” but “when” the pirates attack again.

The Maritime Security Centre Horn of Africa (MSCHOA) have briefed constantly about the three factors that define the piracy threat off Somalia. Firstly, the intent to conduct piracy, which MSCHOA believes has always been present and which is clear today. Second is capability; the naval coalitions’ surveillance of the Somali coastline has observed numerous skiffs with fast outboard motors attached, used for chasing ships rather than fishing. Other sources have reported a lot of fit, tenacious young prospective pirates, with little to lose in failed Somalia, who see that the risk versus return equation of piracy has swung in their favor again. Finally, it is opportunity that will coalesce intent and capability resulting in successful hijackings.

Whilst it is difficult to identify a “trend” after just 7 weeks, there is clearly an increase in pirate activity that has already been seen at least 7 ships involved in incidents, of which 4 vessels have been boarded, which is a pretty good success rate for the pirates and is likely to encourage further attacks.

The successful formula that deterred piracy in late 2011, and early 2012 was the combination of the effective implementation of physical protective measures adopted by the shipping industry known as the Best Management Practices (BMP). Predictably, with fewer incidents over recent years the costs and inconvenience associated with application of these measures has resulted in them largely being relaxed, making the ships progressively more vulnerable.

Razor wire obstacles on deck in the HRA in accordance with BMP.

Australian warship patrolling the IRTC.

The second element of the formula was the unprecedented cooperation, coordination and collaborative efforts of the international navies to provide a sufficiently effective presence across 2 million square miles of HRA. Interestingly, when captured, and pirates were asked what scared them most, the overwhelming response was the navies. Perception is a key factor in deterrence and when the political decision was taken to withdraw the NATO naval task force last year and the number of warships in the remaining coalitions was also reduced, that was obvious to the Somalis, who whilst not actively being pirates,
have been fishing or smuggling at sea and therefore very aware of what was happening.

The final element of the formula that acted as the catalyst, was the use of private armed guards. This tipped the risk versus return equation away from the pirates. No ship with armed guards embarked has been successfully hijacked off the coast of Somalia.

Another important point made to me informally by various representative organisations including shipping associations, was that the armed guard’s presence reassured the crew and gave them the confidence to continue steaming the pirate-infested waters.

An additional factor, which cannot be overlooked was the so called “legal finish”. The United Nations Office for Drugs and Crime (UNODC) announced, at the International Contact Group for Piracy off the Coast of Somalia two years ago that more than 1,000 pirates or suspect pirates were detained, and in the judicial system. This effectively took the experienced seafaring pirates out of circulation, depriving the pirate action groups of their experts. The judicial process has now taken its course and at least 500 of these individuals have been released, either because they have served their sentences, they have been found not guilty or there was insufficient evidence to proceed. These piracy mentors have returned to find that little has changed at home and there are new piracy prospects. A former colleague who lives and works in East Africa spoke to pirates in custody and asked them what they will do when they are released from prison and to a man they said they would return to piracy, because as one of them said “it’s in my blood!”

But today’s geopolitical tapestry is very different from that at the beginning of the decade. We live in very unpredictable times; unexpected election results have resulted in some countries being inward-looking and internationally indecisive, whilst others are more forthright. Events in the Middle East and the Far East are the focal point of many, and are of a much higher priority to politicians than the organised criminal activities of piracy off the

Horn of Africa. The navies (which have shrunk over the decade) are likely to be deployed away from constabulary duties to more pressing political global concerns.

It is therefore imperative that shipowners do not wait for the preoccupied political energy to come to their assistance as it could well be too late. They should help themselves.

With the long lull in piracy activity and the decreasing demand for armed guards to protect ships, margins have dropped for the private maritime security companies (PMSCs) and the experienced competent firms don’t have the capacity they did. It is critical therefore that the knowledge and expertise built up by industry experts that developed the industry in the last period of active piracy off the coast of Somalia and the PMSCs with the depth of experience accumulated over time are used otherwise shipowners could be facing more problems than they bargained for.

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