

# **Countering the Somali Piracy:**

## **Pakistan's Perspective**

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*Note: The views and opinions expressed in this article are those of the author alone and should not be attributed to, NCMPR, Bahria University or Government of Pakistan.*

### **Introduction**

1. The powerful imagery of “Blackhawk Down” and “Captain Philips” define common perceptions about the turmoil in Somalia and the resulting Piracy off her coast. In the former movie, Pakistan Army’s role appears like a force maintaining a semblance of normalcy in the hellish Mogadishu. Unfortunately, no movie depicts the gruesome incident of 5 June 1993. On that day, a Somali militia using women and children as shields ambushed and martyred 23 and injured 56 Pakistani soldiers. Thus, involvement of Pakistani forces in Somalia always comes with sad memories. Nevertheless, Pakistan has played an important role in countering the Somali pirates. Pakistan’s participation started first at operational level in 2009 and later at diplomatic level. Pakistan joined the Contact Group on Piracy off the Coast of Somalia (CGPCS) at United Nations on 10 June 2010.

2. Government of Pakistan’s policy has always been to:
- a. Assist in stabilisation of internal situation in Somalia and fully support international efforts. The turmoil in Somalia is the main cause of piracy in the area.
  - b. Keep Maritime zones of Pakistan free of pirates and non-state miscreants of all kinds.
  - c. Participate in international efforts at sea against piracy and terrorism.
  - d. Provide safe passage for Pakistani and other nations’ merchant ships in her area of responsibility.
  - e. Provide safety to fishermen and seafarers operating in its area of responsibility.
  - f. Secure early release of Pakistani seafarers captured by Somali pirates.

### **Pakistan’s Contribution in Fight against Piracy**

3. Pakistan Navy’s fight at sea against non-state actors is taking place in two domains; one nearer her coast and the second at the mouth of Red Sea maintaining good order at sea. The fight to secure Pakistan’s maritime zones started soon after declaration of Global War on Terror. Later, when the International Maritime Bureau declared Somali coast as a piracy hot spot in 2008, Pakistan contemplated to join the international naval effort against piracy. In 2009, PN joined the anti-piracy naval task force also.

4. With the passage of UN Security Council Resolution 1373 in Sep 2001, all nations were bound to cooperate in suppression of terrorist acts including activities that aid terrorism. Soon the term Global War on Terror (GWOT) became a part of security discourse the world over. In 2004, Pakistan Navy joined the international Coalition Maritime Campaign Plan (CMCP) under Combined Maritime Forces (CMF) for ensuring security in a much wider area in the North Arabian Sea, off the Coast of Yemen and the Gulf of Oman overlapping the Pakistani maritime zones. Since 2004, 44 PN ships have participated in this coalition force. Each deployment lasts for 75 to 90 days. Pakistan is the only regional country that has been part of this Task Force with such commitment. She has also commanded Task Force 150 seven times. This strenuous and prolonged effort has no parallel in the history of Pakistan Navy. When PN joined CMCP, it had merely six destroyers in its inventory; out of which only four were operational at any given time. With this strength, maintaining a destroyer continuously at sea, in addition to other naval tasks such as fleet training, participation in international naval exercises, and showing Pakistani flag around the world, remained a Herculean task until the addition of some new destroyer/frigates by 2013.

5. As soon as the size of PN surface fleet started improving, a new menace raised its head. The Somali piracy started in 2005, albeit slowly. However, the number of attacks arose rapidly and in 2008, there were 42 successful pirate attacks. Again, UN Security Council Resolutions urged member states to come together in the fight against piracy. Pakistan Navy joined the international flotilla to combat piracy in 2009. So far, 20 PN ships have been part of Task Force 151 battling the pirates. They have traversed more than 11,000 sea miles on anti-piracy missions. Pakistani senior naval officers have commanded the anti-piracy task force six times. In parallel, PN participation in Task Force 150 continues. In the beginning, TF 150 did not have an anti-piracy mission but it is part of its tasks since 2006. The continuous surveillance by the Navy's units, has kept the pirates at bay from Pakistan's maritime zones. No ship has been taken over by pirates or damaged by an act of terrorism in her area of responsibility.

6. Pakistan had been part of TF 150 since 2004 and TF 150 since 2009 before it opted to join the CGPCS. Piracy had become national headlines, as Pakistani sailors were frequent victims of pirates. Pakistan's contribution in security stabilization in the Arabian Sea was hardly known outside naval circles. The plight of Pakistani piracy victims and the vital contribution to international peace and security by Pakistan needed projection at the global level. These considerations were behind the decision to join CGPCS in 2010.

7. In addition, many activities have taken place within Pakistan addressing aspects of the Somali Piracy:

- a. An address on "Legal Issues in Anti-Piracy Operations in the Gulf of Aden" by Dr Hanling Wang, Chinese Academy of Social Sciences, presented at International Maritime Conference, NCMPR, Bahria University Karachi 5-7 Mar 2009.

- b. A paper “Combating Piracy” by Dr James Boutilier, Maritime Forces Pacific Headquarters, Canada, presented at International Maritime Conference, NCMPR, Bahria University Karachi 8-9 Mar 2011.
- c. In 2011 and 2012, two public donation drives were launched for recovery of MV Suez and MV Albedo. The collected donations enabled payment of ransom to pirates for release of MV Suez. However, only Pakistani crew of MV Albedo was set free, as the owner did not put up the ransom amount for the rest of the crew.
- d. An international conference on “The Human Face of Marine Piracy: Consequence and Policy Options” arranged by Fazaldad Institute, Marine Piracy Program of Dalhousie University, Halifax, Canada & NCMPR, Bahria University, Karachi 29 Feb -2 Mar 2012.
- e. A paper “An Integrated Approach to Disrupting the Piracy Business Model in the Horn of Africa” by Dr Lucia Fanning, Dalhousie University Canada, presented at International Maritime Conference, NCMPR, Bahria University Karachi 5-7 Mar 2013.
- f. A workshop on “Pre Departure Training Against Piracy” delivered on Skype by IMB and Marine Piracy Human Response Program (MPHRP) at NCMPR, Bahria University Karachi 21-2 Aug 2013.
- g. A continuing programme supports psychological counselling, skill retention and financial support to the victims of piracy. This effort at Institute of Professional Psychology (IPP) and NCMPR, Bahria University commenced after the Conference on “The Human Face of Marine Piracy”.
- h. MPHRP and NCMPR have been co-ordinating efforts to alleviate the suffering of Piracy victims. Additionally, in a future scenario, Pakistani NGOs will seek help from IMB and MPHRP for negotiating release of piracy victims.

### **Pakistan’s Participation in the Contact Group**

8. The Contact Group on Piracy off the Coast of Somalia was established on 4<sup>th</sup> Jan 2009 pursuant to the Security Council Resolution 1851. Its main purpose was to facilitate discussion and coordination of action for suppressing the Somali piracy. The CGPCS was open for participation to all nations and organizations making tangible contribution to counter piracy off the Coast of Somalia.

9. The permanent representative’s office at United Nations represented Pakistan in CGPCS. After Pakistan became a participant in the contact group in June 2010, her UN mission co-ordinated with naval authorities and other stakeholders in Pakistan for anti-piracy matters. Several times naval officer joined the permanent mission to attend plenary meetings of CGPCS. Generally, Pakistani reps attended Working Group meetings when it was administratively feasible. They also used the CGPCS web site to follow the activities and documents of CGPCS.

10. CGPCS’s technical nature and nuances need specialised professional expertise. Pakistan has a small mission at UN and her maritime footprint is modest. Many a times Pakistan was

short-handed to participate fully in the discussions and activities, especially at the Working Groups' level. Of course, Pakistan was also participating in the activities of military staffs, IMO, IMB etc. at the same time.

11. Thus, Pakistan has actively pursued the goals of CGPCS through its Navy, seminars/conferences and humanitarian assistance. Pakistan's effort was not always in the knowledge of CGPCS and could have been better disseminated for the benefit of CGPCS or Working Groups.

### **The General Impression of the Group**

12. In Pakistan, CGPCS was viewed as an extension of UN Security Council, especially dealing with Piracy off the Coast of Somalia. It provided legitimacy to the operational activities off Somalia and in the High Risk Area that were under control of a number of nations. It fulfilled its role as a point of contact and a co-ordinating mechanism in a satisfactory manner. Communiqués issued after each plenary session or Working Group meetings have enriched counter piracy discourse and provided broad inputs to UNSG's reports on piracy as well as Security Council annual resolutions mandating counter-piracy ops. It also oversees the UN Trust Fund for prosecution and detention of pirates. Working Groups have individually tackled related issues of naval operational coordination, judicial aspects, shipping self-awareness, and improvement to diplomatic and public information efforts.

13. CGPCS also provided information and impetus to enact laws against piracy. Such a law is under governmental consideration and will be shortly tabled in parliament.

14. In spite of CGPCS, a perception persists that the tyranny of pirates is accompanied by the high handedness of organized business that benefits from piracy such as insurers, negotiators etc. For example, since 2011 High Risk Area (HRA) envelops whole of the coast of Pakistan. So all sea trade to and from Pakistan has to pay extra premium. On the other hand, there is no pirate activity for 3 months during the summer months due to rough weather. Thus, extent of HRA is questioned. It seems CGPCS is helpless in this matter.

15. The plight of victims also attracts sympathy and disbelief. Many ship-owners have abandoned their ships and seafarers. The flag states and countries where such shipping companies have offices do not compel such truant employers to meet their obligations. With the result, the victims who escape clutches of pirates remain destitute awaiting their due pay and compensation for loss of earnings.

16. There has been lot of emphasis on trial of pirates, which is a good thing. However, international community has done little to stop the trail of ransom payments. The matter was discussed at CGPCS but not handed over to a Working Group for a remedial plan. Pakistan is ready and State Bank of Pakistan would be able to play its role in such an effort.

### **What worked well?**

17. Pakistan was able to highlight its contribution in Task Forces 150 and 151 at United Nations. It was also possible for Pakistan to point at the plight of Pakistani victims of piracy. Pakistan also continuously urged stabilization of internal situation in Somalia. In addition, Pakistan quickly became aware of the practices of better-equipped and well-informed countries. Cooperation at operational level was already well established.

### **Capacity Developments because of Participating In Counter-Piracy Operations**

18. Pakistan has been keeping its own coast under intense surveillance since 2002. The country expanded its naval operations in 2004 and 2009 for participating in TF 150 and 151 respectively. Pakistan Navy developed excellent capability over time to be part of coalition operations.

19. A few NGOs in Pakistan have learnt how to handle negotiations with pirates. Release of MV SUEZ and seven Pakistani crew of MV ALBEDO took place after payment of negotiated ransom. These NGOs have learnt lessons from these negotiations.

20. NGOs managed to raise more than 4 million dollars through public donations. This effort is remarkable, as philanthropists of other countries could not succeed in such a manner.

21. Pakistan quickly notified its Guidelines for Privately Contracted Armed Security Personnel in Oct 2012.

22. In Feb 2013, Pakistan established Joint Maritime Information Co-ordination Centre in Karachi. JMICC gathers and shares all the required information among all the national stakeholders for maritime domain awareness. This centre has made good progress.

23. Government of Pakistan is processing MOUs with regional countries to extend cooperation in maritime security domain. Ministry of Defence is also working on anti-piracy efforts within the framework of South Asian Association for Regional Co-operation (SAARC).

### **Lessons Learnt Because of Counter-Piracy**

24. Since 2001, the main learning experience for Pakistan Navy has been to give increased emphasis to Maritime Security Operations (MSO) and Maritime Interdiction Operations (MIO).

25. Regular aerial surveillance has been augmented. The acquisition of additional P3C and ATR 72 aircraft has increased PN's air surveillance capability. In recent years, UAVs have also been used for surveillance at sea.

26. In the same period, PN and Pakistan Maritime Security Agency (PMSA) have inducted fast VBSS and RHIB units. Such units can provide support to ships being chased or under attack by pirates in Pakistan's area of operations. PMSA also participates in Head of Asian Coast Guards Meeting (HACGAM) parleys, where piracy is one of the agenda point. PMSA is augmenting surveillance and patrolling efforts in our EEZ/Maritime Zones.

27. Pakistan Navy always had reliable logistics and technical capabilities. This facet of naval capability has been proven beyond doubt through continuous participation in Task Forces 150 and 151.

28. Pakistan has also implemented the International Ship and Port Security (ISPS) and International Safety Management Codes at all Pakistani ports and flag vessels. A newly raised Port Security Force now secures the ports. Pakistan National Shipping Corporation is fully compliant with ISM code, has a company security officer and all its ships carry qualified Ship Safety Officer. With each passing years, ISPS and ISM compliance has improved.

#### **Counter-piracy and Pakistan's Relations with the Neighbouring Countries**

29. Pakistan's two immediate maritime neighbours India and Iran have also participated in counter piracy efforts. The Indian Navy (IN) and the Islamic Republic of Iran Navy (IRIN) have participated in such operations independently and are not part of any coalition. The Indian Navy participates in SHADE (Shared Awareness and De-confliction) mechanism that is coordinated from NAVCENT Bahrain. Therefore, PN and IN know about each other's counter piracy operations. IRIN is not always part of SHADE mechanism.

30. Pakistan's command of Task Force 150 and 151 has had a positive impact on the Gulf countries, Yemen, Oman, Saudi Arabia and the recognised government of Somalia. They appreciate Pakistan's determined efforts in Task Force 150 and 151. Many of regional countries have participated in CMF and counter piracy efforts following Pakistan's example.

#### **Recommendations from a Pakistani perspective**

31. Pakistan needs to build professional capacity to follow the world's maritime dialogues.

32. Pakistan also needs to improve participation at the level of Working Groups of CGPCS. Additionally, she needs to disseminate information about Pakistan's vigorous naval operations in Task Forces 150 and 151 at the international diplomatic and UN meetings.

33. The imposition of a large High Risk Area (HRA) for such a long period has had adverse impact on Pakistan's maritime trade and activities. CGPCS should impress upon IMO and UKMTO to review HRA periodically and modify HRA in a dynamic manner, according to weather and last 6 months' pirate activity. Each CGPCS plenary meetings should review extent of HRA.

34. In 2013, a Norwegian government fishery survey vessel "Dr Fridtjof Nansen" could not undertake fish stock assessment survey along Pakistani coast. The reason was existence of HRA covering most of the Arabian Sea. Pakistan offered provision of armed security guards or military personnel but to no avail. Ways should be worked out to obviate such harmful results due to declaration of HRA.
35. The problems of unscrupulous elements taking refuge under Flags of Convenience have been magnified through:
- a. Ships being unable to abide by BMP4.
  - b. Insufficient and absence of insurance cover to the detriment of consignees, seafarers and their kin.
  - c. Total abandonment of owner's responsibility.
  - d. Unbridled profit motive without providing basic safety and security to their stakeholders
36. United Nations may create a Trust Fund to alleviate suffering of the victims of piracy and their families. Such a Trust Fund should also cover loss of earning.
37. International donors should assist Pakistan Maritime Agency to increase its capacity against piracy.
38. Republic of Korea has provided support for the web site. Generally, the web site is an excellent resource. However, there are important documents missing from the web. Some links are inoperative. More effort is required for anticipating new material and maintaining the web site.
39. CGPCS should adopt internet technology and stream its meetings online through webinar or similar methods.
40. CGPCS has been an effective diplomatic forum and the Somali piracy has been contained largely. Other piracy hot spots can benefit from these lessons.