

# Exploring Maritime Piracy and Somalia National Security

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**Abstracts:** Maritime piracy has been a persistent problem in the waters off the coast of Somalia for over two decades. The lack of effective governance and the absence of a functioning state in Somalia have contributed to the growth of piracy in the region. This study aims to examine the relationship between maritime piracy and national security in Somalia and to explore the contextual factors that contribute to the perpetuation of piracy in the region. This study adopted a qualitative research design and employed a contextual analysis approach to explore an in-depth understanding of the history and impact of piracy in Somalia, and the policies and strategies implemented to combat piracy. The findings of the study reveal that maritime piracy has had a significant impact on national security in Somalia and that the issue is complex and multifaceted. In terms of the factors driving piracy, research has identified a range of causes including poverty, political instability, and the absence of effective governance and law enforcement remain unaddressed. The study also found that maritime piracy in Somalia poses a significant threat to national security and has broader implications for regional stability and international peace and security. The study recommends the need for a comprehensive and coordinated approach to address the root causes of piracy in Somalia, including the need for effective governance, the development of the maritime sector, and the strengthening of the rule of law.

**Keywords:** Coastline, Maritime, National Security, Somalia, Threat

## 1. INTRODUCTION

Maritime piracy dates back to ancient times with the first recorded pirate attack being in the 14<sup>th</sup> Century B.C.E. When the Lukkans based in Asia Minor raided Cyprus. The Lukkans then were said to have been protected by the powerful Hittites with an agreement not to attack the Hittite vessels [1]. He further posits that geographical, political, and socioeconomic factors are of historical importance in the evolution of maritime piracy [1]. Through this history, Berlusconi provides a predictable pattern of conditions that operate in cohorts to propel piracy in a certain region as well as the counter efforts that often succeed in suppressing piracy. The enablers of piracy range from weak naval capability, the concentration of vessels along a narrow trade route, geographical features providing hideouts, compromised national security, and socio-economic factors to government support. The successful countermeasures to curb piracy often result from powerful governments combining forces against the pirates usually through military operations in a certain area. With the enabling factors present, history depicts patterns of either the re-grouping of pirates in a known area or the emergence of piracy in a completely different region. Historically, piracy has existed in particular regions for centuries, the waters off India, the Caribbean, the Strait of Malay, the West African coast, South East Asia and the East African Coast.

In recent decades, the re-emergence of piracy in the waters off the Horn of Africa, West Africa, and the waters off India, the South China Sea, the Strait of Malacca, and the Caribbean has ruffled global security. Piracy is more prevalent in areas with large coastal areas, high levels of commercial activity, compromised naval forces and weak security. In addition to piracy, these conditions provide a fertile ground for terrorism, trafficking of illegal drugs and weapons, illegal fishing and dumping as well as human smuggling [2, 1]. Piracy is identified as a significant threat to the economic security of the developed world and whose effects are widespread. Well-equipped and organised pirates capable of causing extensive damage to life and property continue to intimidate international maritime security. The bombings of the U.S.S Cole at the Yemeni harbour of Aden in 2000 and the French oil tanker MV Limburg in 2002 exemplify the magnitude of this threat [2].

Maritime pirates are increasingly employing sophisticated techniques including modernised weapons and equipment to increase their rate of success [3]. The response by the international community has mainly focused on

bolstering security on travelling by sea to secure the safe passage of merchandise and sailors travelling along the maritime pirate hotspots. A combined naval task force (Combined Task Force 150) was established by the United States and other partners in September 2001 to address the problem of piracy in the Horn of Africa. This allowed the capacitation of the regional navies through military assistance. However, there was a lack of coordinated efforts to address piracy in the waters of Somalia [2]. This begs the question as to whether military operations are solely capable of suppressing maritime piracy in the long run.

There are varying opinions on the motivators of security urgency in the waters off the coast of Somalia. In an ethnographic study exploring securitising the coast of Somalia, [4] demonstrates the role of development organisations in shaping the geography of piracy and how constructed gendered and radicalized identities are central in the process of securing the coast of Somalia. The research opines that the counter-piracy efforts off the coast of Somalia are complex and not just endeavours to establish the rule of law to prosecute the apprehended suspects. This is supported by the shift in the piracy-related discourse from a militarised issue portraying pirates as rogue actors (2008/2009) to portraying piracy as an economic and security issue (2010/2011). In the early 1990s, a steady increase in piracy activities was witnessed worldwide. By 2007, nearly one in every two attacks took place in African waters with the numbers in Somalia accounting for 40 percent of the incidences in 2008. Pirate groups with varying capabilities and organised along clan lines dominated remote towns in Somalia. With no or limited opportunities to support their livelihoods, young Somali men continue to turn to piracy for survival. This makes it difficult for generalised counter efforts to make any meaningful gains [2].

In their study on global piracy attacks between 1991 and 2014, [3] concluded that there was an increase in pirate attacks over the period. Out of the 6580 attacks during the 24 years, 1550 and 1041 happened in African waters and South East Asia respectively. The waters of Somalia and the Gulf of Aden were listed as geographic locations with a high risk of pirate attacks in Africa. The resulting outcomes of successful pirate attacks include injuries, deaths, loss of property, hijacking and hostage-taking for ransom. The waters off Somalia and the Gulf of Aden were notorious for violent attacks that led to the loss of lives.

Through studying Somali national security about maritime piracy off the coast of the country, this research project offers to conflate data on the central factors enabling piracy and the nature of countermeasures that have been employed and to recommend/opine on other probable remedial actions. The project sets out to review and describe the existing information on the popular piracy-enabling factors and the counter measures. We propose to review and describe both the positive and the negative aspects as depicted in the data on piracy-enabling factors and the counter measures employed to curb the phenomenon. Through this review and description of data, a balanced insight into the phenomenon is anticipated.

Maritime piracy off the coast of Somalia has been a persistent problem for more than a decade, posing a serious threat to international trade and security. The problem of piracy in this region is intertwined with broader issues of national security and governance and has had significant economic, social, and political impacts on Somalia and the broader East African region. Despite significant international efforts to address the problem, maritime piracy remains a persistent threat, and through studying Somali national security about maritime piracy off the coast of the country, there is an overabundance of literature with the majority focusing on the causal factors and the international community policy response. However, a paucity of studies focusing on Somali state security and piracy off the coast of Somalia does exist. Given the ongoing threat of piracy in Somalia and its implications for national and regional security, there is a need for a deeper understanding of the phenomenon by examining the relationship between maritime piracy and national security in Somalia. This study uses qualitative research approach using secondary data such as the journal, textbook, and online sources to unearth common themes on state security and piracy emerging from literature and describe how these phenomena shape one another. The research will seek to develop a comprehensive understanding of the complex dynamics of piracy and to identify strategies that can effectively address the problem while promoting broader goals of national security, governance, and economic development in the region.

## 2. MARITIME PIRACY AND NATIONAL SECURITY

According to the United Nations Convention on Law of the Sea [5], maritime piracy refers to the act of robbery or illegal violence committed against ships or their crews while they are sailing in international waters or waters belonging to a particular country. This can include acts such as hijacking, kidnapping, theft, and other forms of violence. Maritime piracy has been a significant issue throughout history and continues to be a threat to global maritime security.

One of the most significant regions affected by maritime piracy is the coast of Somalia. From 2005 to 2012, Somali pirates hijacked hundreds of ships, resulting in billions of dollars in economic losses [6]. These acts of piracy not only resulted in economic losses but also caused significant harm to seafarers, who were often subjected to physical violence, psychological trauma, and extended periods of captivity. Maritime piracy is also a growing concern in other parts of the world, such as the Gulf of Guinea and Southeast Asia. In the Gulf of Guinea, piracy and armed robbery have increased in recent years, with pirates targeting ships carrying oil and other valuable cargoes [7]. In Southeast Asia, piracy, and armed robbery in the waters of Indonesia, the Philippines, and Malaysia remain a significant concern, with criminals targeting ships.

Maritime piracy is a global phenomenon that affects maritime security and trade in all regions of the world. The international community has recognized the seriousness of this issue and has taken various measures to address it. One of the primary international initiatives to address maritime piracy is the United Nations Convention on the Law of the Sea (UNCLOS). The UNCLOS provides a framework for regulating the use of the world's oceans and provides guidelines for countries to follow in the prevention and suppression of maritime piracy [6]. UNCLOS also provides a legal basis for the prosecution of pirates and the seizure of ships involved in piracy.

The International Maritime Organization (IMO) is another international organization that plays a crucial role in addressing maritime piracy. The IMO has developed guidelines and recommendations for the prevention and suppression of piracy and has established regional centres to coordinate maritime security efforts [8]. The IMO also works closely with other international organizations, such as the United Nations and the International Criminal Police Organization (INTERPOL), to address maritime piracy. In addition to these international organizations, many countries have taken steps to address maritime piracy through domestic legislation and enforcement measures. For example, the United States has passed legislation, such as the Piracy Suppression Act of 2012, to enhance its ability to prosecute pirates and seize their assets [6]. Many countries have also deployed naval forces to patrol piracy-prone areas, such as the Gulf of Aden and the waters off the coast of Somalia.

## 3. NATIONAL SECURITY

Maritime piracy poses a significant threat to national security, both for countries with significant coastlines and for the international community at large. Piracy can disrupt trade, jeopardize the safety of citizens, and challenge the sovereignty of states. National security is often defined as the protection of a state's territory, people, and interests from external threats [9]. In recent years, the phenomenon of maritime piracy has emerged as a significant challenge to national security, particularly in regions such as the Gulf of Aden, the Indian Ocean, and the South China Sea. Maritime piracy involves the seizure or hijacking of vessels for financial gain or political reasons and can lead to the kidnapping or harm of crew members and passengers [2]. The ICC and the IMB report a decrease in acts of sea piracy in the first three months of 2019 compared to the same period in 2018. More acts of maritime piracy were reported by IMB in the first quarter of 2018 (66) than in the first quarter of 2019 (38). There were 27 boardings, 7 shooting incidents, and 4 attempted attacks in the first quarter of 2019, as per data from the International Maritime Bureau. [7].

The international community has responded to the threat of maritime piracy through a range of policy measures, including naval patrols, the use of private security contractors, and the prosecution of pirates in international courts. The effectiveness of these measures remains subject to debate, with some scholars arguing that they have been effective in reducing piracy, while others have argued that they have led to unintended consequences, such as the displacement of piracy to other regions [10]. In terms of national security, piracy can pose a significant threat to a

country's sovereignty and territorial integrity, as well as to the safety of its citizens and the stability of its economy [11]. Piracy can also be used as a tool of political coercion or as a means of financing terrorist organizations.

#### **4. OVERVIEW OF MARITIME PIRACY IN THE SOMALIA COASTLINE**

Maritime piracy is described as an age-old phenomenon affecting different regions of the world. Traditionally, and for many years, maritime piracy was known to include the acts of robbing ships of their goods and stealing valuables from the crew and passengers [12]. Maritime piracy in Somalia refers to the act of hijacking ships and their crew for ransom or other forms of financial gain in the waters off the coast of Somalia. Piracy in this region has been a persistent problem for over two decades, with a peak in incidents occurring in the late 2000s and early 2010s. The type of attacks off the coast of Somalia is attributable to both criminal and terrorism piracy with a possible interdependence between the two. A symbiotic relationship is presumed where an exchange of goods and services exists between the pirates and other groups on shore. Several factors have been put forward to support this argument in the case of Somalia.

[12] further provide an account of factors that propelled Piracy activities in the waters off the Somali coast. The writer opined that the root causes of piracy in Somalia are complex and interrelated, but can be largely attributed to poverty, unemployment, and political instability in the country. The lack of a functioning central government and ongoing conflict in Somalia has created a security vacuum in the region, allowing piracy to flourish thus depriving livelihoods to the coastal populations. The economic incentives for piracy are also high, as hijacking ships for ransom can be a lucrative business for those who are unable to find employment in other sectors.

The long history of unrest, conflicts and the unavailability of an authoritative central government in Somalia has been a concern to the international community in the last four decades. The waters off the coast of Somalia are of global economic importance owing to the high maritime traffic transporting valuable merchandise and voyagers. The rise in piracy crimes off the coast of Somalia is traceable to the early 1990s when fishermen took up arms against the invasion of foreign trawlers. The intercepted trawlers were then forced to pay taxes to the fishermen to be released. This trait is said to have snowballed into modern maritime piracy in the region [13, 14,15].

In a study on the challenges posed by Somali piracy to the international community, [16], describes the Gulf of Aden as a strategic maritime route due to its economic importance. The article positioned maritime piracy in Somalia as a land-based crime that has attracted young men facing political, and socioeconomic hardships. The failure of the international community policy (s) is attributed to its focus on corporate and Western powers' interests while ignoring the root cause of piracy, the disintegration and collapse of the political and socioeconomic systems. The researcher argues that such collapse has enabled the rise in terrorism and radicalisation activities in Somalia with possible collusion existing between the terrorists and the pirates. Although this study gives an account of the motivators of piracy in the waters off the Somali coast, it is not explicit in the nature and the extent of the crime. Furthermore, there is no attempt to examine the relationship between Somali national security and maritime piracy off the coast of the country. Our study's focus on delving into this relationship makes it uniquely significant.

In another study, [4], used an ethnographic design to explore the relationship between the actors, the motives and the context underlying the efforts to securitise Somali piracy. The author opines that the nature of the strategies employed by the securitising actors including the messaging campaign used makes them complicit in their efforts. The researcher further illuminates an underlying motive by the actors to rework territorial sovereignty and to produce markets for security and development. The study concludes that the interested parties in combating and containing piracy in Somalia stand to benefit or profit from its continuation. Although the VandeBerg study provides credible information about the complex context of combating piracy in Somalia, it differs from our proposed study in terms of the methods used as well as the focus.

Different angles have also been explored by other scholars in their effort to unravel the mystery surrounding Somali piracy. [17], studied the space-time patterns of maritime piracy around the Horn of Africa. The rational choice theory-based study used a six-year (2006 – 2011) recorded data to test the independence of piracy through clustering both successful and attempted attacks over the region. Based on the assumption of the rational choice

theory, the researchers opined that pirate attacks were likely to be carried out in the simplest and the least risky manner. The study found that the predictability of pirate attacks was consistent with that of other crimes such as burglary, car crimes, and shootings as established in other security-focused studies; an attack on a ship would signal the possibility of a subsequent attack in a region. This predictability can serve as operational intelligence and help security agents in the abortion of pirate attacks. The [15] study is unique in its focus and methodology; this study will attempt to bring an additional piece to the puzzle from yet a different perspective given the unique questions that the study seeks to answer and the methods to be used.

The discourse of piracy off the coast of Somalia has attracted interest and wide coverage, from research to scholarly publications. In their analysis of piracy and maritime security in the northwest Indian Ocean, [18], weighed on the motivators and the extent of piracy on the Somali coast as well as the international counter-piracy policy employed in the region. Their article offers a discursive exposition of Somali piracy, from its evolution to an organised enterprise from haphazard attacks, and the hidden interests of the counter-piracy players to the predictable future of maritime security in the region.

Through an account of various activities in the region over time, a visible link between economic, socio-political, geographic, and terrorism factors and the growth of maritime piracy off the coast of Somalia is drawn. Through this exposition and given the extent of piracy in the region, questions arise; are there masked players fuelling piracy attacks in the region? Are the Somali nationals the masterminds or mere salaried/waged employees acting for foreign criminals? By seeking to explore the nature and extent of maritime piracy off the coast of Somalia, the study anticipates to unearth generalizable knowledge on maritime piracy. This contribution to literature will be a step towards the understanding of the planning, execution, perpetuation and pervasiveness of maritime piracy, not only off the coast of Somalia but beyond.

Perhaps the most extensive discussion about piracy can be found in the work of [19]. In a study on the nature of contemporary maritime piracy, data on reported attacks from 2001 to 2010, drawn from two databases; the International Bureau (IMB) and the US National Geospatial-Intelligence Agency (NGIA) was compared and cleaned for repetitions. From the comparison and cleansing of the two databases, the researchers developed a new database: the Contemporary Maritime Piracy Database (CMPD). The CMPD provided critical information from different perspectives on the nature of attacks. It enabled the identification of the five Highest Piracy Incident Countries (HPICs) in the world; Indonesia, Somalia, Nigeria, Bangladesh, and India in that order. Narrowing down to the data from the five HPICs, the nature and frequency of attacks were compared based on seven different perspectives. From this analysis, the authors were able to differentiate the nature of piracy attacks according to how these activities were carried out in each country. However, the study did not discuss the factors contributing to piracy in the Somalia coastline, as these factors will be discussed in the next paragraph.

## **5. CONTRIBUTING FACTORS TO PIRACY ON THE SOMALI COASTLINE**

Maritime piracy in Somalia is a complex issue that has been ongoing for several years. Several factors contribute to the problem, including poverty, political instability, lack of law enforcement, and the prevalence of armed groups.

### **5.1 Poverty**

One of the key factors contributing to maritime piracy in Somalia is poverty. According to [13], poverty and unemployment are major drivers of piracy in the region. The poverty and lack of economic opportunities in Somalia drive some individuals to turn to piracy as a means of making a living. Pirates often target ships in the waters off the Somali coast, hijacking vessels for ransom and extorting money from the ship's owners. The money generated from piracy can be used to purchase food, water, and other necessities, making it an attractive option for those living in poverty. This is further exacerbated by the fact that fishing stocks in the region have been depleted, making it difficult for coastal communities to sustain themselves through fishing [16]. As a result, piracy has become a means of livelihood for many young Somalis. Poverty also contributes to the rise of weapons in the region, as individuals sell weapons to make money or trade them for food and other necessities. The availability of firearms has made it

easier for pirate gangs to carry out their attacks, as they can arm themselves and threaten the crew of ships they hijack.

## **5.2 Political Instability**

Political instability refers to a situation where there is a lack of stability and continuity in a country's political system, often due to conflicts and disputes between different political groups or factions. Somalia has been plagued by conflict and civil war for several decades, which has created a power vacuum and allowed armed groups to operate with impunity. The lack of a strong central government has also made it difficult to enforce maritime laws and regulations, making it easier for pirates to operate [20]. This is further compounded by the fact that many pirates are former soldiers who have been trained in the use of weapons and tactics, making them well-prepared to carry out attacks [21]. Since the fall of the Siad Barre regime in 1991, Somalia has been without a functioning government, and the country has been torn by civil war, extremism, and lawlessness. This lack of a stable government and security has created a power vacuum that has allowed criminal gangs, including pirates, to operate with impunity. The absence of a strong coastal defence and maritime security presence has also contributed to the increase in piracy in the waters off the Somali coast. The political instability in Somalia has made it difficult for the international community to intervene effectively to combat piracy and prosecute pirates, as the absence of a functioning government and the presence of multiple armed factions have made it challenging to establish a secure environment for anti-piracy operations.

## **5.3 Lack of Economic Opportunities**

One of the key factors contributing to piracy in Somalia is the lack of economic opportunities for its people. As noted by scholars, "the root cause of piracy is poverty and the absence of economic opportunities" [22]. This is due in part to the collapse of the Somali state in the early 1990s, which led to a breakdown in law and order and a decline in economic activity. According to the World Bank, Somalia is one of the poorest countries in the world, with a GDP per capita of just \$350 in 2020 [23]. The lack of economic opportunities in Somalia has left many young people with few options for making a living, leading some to turn to piracy as a means of survival. As one Somali pirate stated, "We had no other way to make money" [22]. Furthermore, piracy has become an industry in its own right in Somalia, with some pirates earning significant sums of money from ransom payments. As noted by Stig Jarle Hansen, a professor of international relations at the University of Life Sciences in Norway, "Piracy has become a lucrative business that employs many young men who would otherwise be unemployed" [23].

## **5.4 Illegal Fishing**

Illegal fishing has been identified as another significant factor contributing to piracy in Somalia. As noted by the United Nations Security Council, "the proliferation of illegal fishing off the coast of Somalia has had serious economic, environmental and security implications" [6]. Somalia has a coastline of over 3,300 kilometres, making it a prime location for fishing [6]. However, illegal fishing by foreign vessels has severely depleted fish stocks in Somali waters, making it harder for local fishermen to make a living. According to the United Nations Food and Agriculture Organization, "the decline of the Somali fisheries has been so dramatic that most artisanal fishermen now live below the poverty line" [24]. This has led some local fishermen to take up arms and engage in piracy as a means of protecting their waters and livelihoods. As noted by Ahmedou Ould-Abdallah, the former United Nations special envoy to Somalia, "Piracy is a form of resource control, and the pirates see themselves as protecting their resources from exploitation" [25]. Furthermore, some pirate groups in Somalia have been known to demand that foreign vessels pay a "tax" in exchange for safe passage through Somali waters. This has been interpreted by some as a form of compensation for the damage caused by illegal fishing and other forms of exploitation. Addressing this underlying cause of piracy will require a concerted effort by the international community to crack down on illegal fishing and support sustainable fishing practices in Somali waters.

## **5.5 A Weak Coast Guard and Maritime Security**

The weak coast guard and maritime security in Somalia have also been identified as a significant factor contributing to piracy in the region. As noted by the United Nations Security Council, "the absence of a functioning government and effective law enforcement capacity in Somalia has created a permissive environment for piracy to flourish" [6]. 2). The collapse of the Somali state in the early 1990s left the country without a functioning government, and the resulting power vacuum has made it difficult to establish effective law enforcement and maritime security measures. As a result, pirates have been able to operate with relative impunity in Somali waters. The lack of a strong coast guard and effective maritime security measures has also made it easier for foreign vessels to enter Somali waters and engage in illegal fishing and other forms of exploitation. As noted by the International Maritime Organization, "Somalia's maritime security capabilities are limited, which means that illegal activities such as piracy, smuggling and human trafficking continue to occur with little risk of being detected or apprehended" [24]. Efforts to establish a stronger coast guard and improve maritime security in Somalia have been hindered by a lack of resources and political instability. However, there have been some recent developments in this area, including the establishment of a new Somali coast guard in 2018 and increased support from the international community for maritime security initiatives in the region.

## **5.6 Corruption**

Corruption is another factor that has been identified as contributing to maritime piracy in Somalia. The weak governance structure in Somalia has allowed corruption to thrive, particularly within the security forces responsible for maintaining law and order in the country. As noted by the United Nations Security Council, "corruption within Somali governmental institutions, particularly the security sector, has undermined efforts to improve security and the rule of law" [6]. The lack of effective governance and the absence of a functioning justice system have created an environment where corrupt officials can engage in criminal activities without any legal consequences. As a result, many pirate attacks have been carried out with the collusion or active participation of corrupt officials, who can provide pirates with intelligence on potential targets and turn a blind eye to their activities. Furthermore, corruption has allowed pirates to operate with relative indemnity in Somalia, as they are often able to bribe officials and avoid prosecution. As noted by the United Nations Office on Drugs and Crime, "corruption has facilitated the growth of piracy in Somalia by enabling pirates to operate freely, bribe officials, and avoid prosecution"[26].

## **5.7 Maritime Piracy and Somalia National Security**

According to [27], Maritime piracy has been a significant security challenge for Somalia, posing threats to the country's national security and international shipping. The phenomenon of piracy emerged in the early 2000s, as a response to illegal fishing and toxic waste dumping in Somali waters and has since evolved into a lucrative criminal enterprise [7]. Piracy has had a significant impact on Somali society, with pirates often viewed as heroes and role models, and the ransom money fuelling corruption and instability. The impact of piracy on regional security and stability in the Horn of Africa has also been significant, with piracy threatening trade and commerce in the region and providing a source of funding for terrorist organizations [11].

The response to piracy in Somalia has been complex, with the Somali government, the international community, and the private sector all playing a role in combating piracy. The Somali government has sought to strengthen its military capabilities and work with international partners to develop its coast guard and combat piracy. However, the ongoing instability and weak governance in Somalia have hindered these efforts [16]. The international response has been largely focused on naval patrols, the use of private security contractors, and the prosecution of pirates in international courts. While these measures have been effective in reducing piracy in the region, they have also led to unintended consequences, such as the displacement of piracy to other regions [10]. In terms of national security, piracy has undermined Somalia's sovereignty and territorial integrity, with pirates operating with impunity in Somali waters. Piracy has also posed a threat to the safety of Somali citizens and international shipping, with a significant number of seafarers being kidnapped, held hostage, or killed by pirates [28].

One of the main responses to piracy in Somalia has been the deployment of naval forces by various countries and international organizations [29]. The United States and other partners established the combined Task Force 150 and 151 to meet the terrorism threat in Somalia by increasing naval assistance to regional forces [5]. In a similar vein, the UN Security Council issued a series of resolutions in 2008 coordinated by multilateral groups [30,2]. The Northern Atlantic Treaty Organization (NATO), and Chinese and Russian forces similarly participated in the fight against piracy. This is a demonstration of different entities working together to provide anti-piracy military services in Somalia. The primary focus of these forces was to escort commercial ships, respond to distress calls, and engage in counter-piracy operations.

The effectiveness of these measures, however, has been mixed. While the presence of naval forces has helped to reduce the number of successful pirate attacks, [31], pointed out that, it has also led to the displacement of piracy activities to other areas and has had a limited impact on the underlying drivers of piracy. Given the vast area inhabited by pirates with their unpredictable tactics and sophisticated capabilities, coupled with the presence of large numbers of target ships, the naval operations available were far too little. The pirates continued to increase in sophistication, geographic range of operation and level of violence against the hostages [2].

Another response has been the use of private armed guards on commercial ships. This approach has been controversial, with concerns raised about the potential for the use of lethal force and the lack of oversight and regulation of the industry [32]. However, some commentators have suggested that the use of private armed guards has been effective in deterring pirate attacks and reducing the number of successful hijackings [33]. The push for a policy to capacitate the administration of Somalia by establishing functional governance was of major concern to the international community. There was unanimous support for the UN Security Council Resolution 1976 passed on the 11<sup>th</sup> of April 2010 which sought to establish the rule of law in response to the large numbers of suspected pirates being released. Specialised courts in Somalia were recommended to assist in curbing piracy [34, 2].

Other responses to piracy in Somalia have focused on addressing the underlying drivers of piracy, such as poverty and lack of economic opportunities [13]. These measures have included the provision of aid and development assistance to coastal communities in Somalia as well as efforts to improve governance and security in the region. However, the success of these measures has been limited by the ongoing insecurity and instability in Somalia, as well as by the difficulty of addressing deeply entrenched social and economic issues [11]. Other attempts have involved a range of actors, including naval forces, development organizations, and regional governments [35]. However, there have been challenges in coordinating these efforts and ensuring that they are complementary and effective [29].

The international community has further sought to address piracy in Somalia through legal mechanisms. The United Nations Security Council has passed several resolutions aimed at countering piracy, including Resolution 1816 (2008) and Resolution 1838 (2008), which called on states to take action to prevent and suppress acts of piracy off the coast of Somalia [29]. These resolutions also authorized states to take all necessary measures, in compliance with international law, to repress piracy and armed robbery at sea [36]. [29], indicated that another legal response has been the prosecution of suspected pirates. Several countries, including the United States and the United Kingdom, have conducted trials of suspected pirates and have sentenced them to lengthy prison terms. However, this approach has also faced challenges, including the difficulty of obtaining evidence, the cost of trials, and the potential for further radicalization of suspects in prison [31]. One of the key challenges facing the international response to piracy in Somalia has been the complex nature of the issue. Piracy in Somalia is linked to a range of wider political and security challenges, including state failure, conflict, and terrorism. Efforts to address piracy have thus needed to take into account these wider issues and be coordinated with broader political and security strategies [12].

Despite these challenges, [37], stated that there have been some notable successes in the international response to piracy in Somalia. The number of successful pirate attacks has declined significantly since the peak in 2011, and the use of private armed guards and other measures has been credited with contributing to this decline. However, the underlying drivers of piracy in Somalia persist, and there is concern that the gains made in recent



years could be reversed if the international community does not remain vigilant [34]. Overall, the international response to piracy in Somalia has involved a range of measures, including naval deployments, private armed guards, development assistance, legal mechanisms, and coordination and cooperation among international actors. While the effectiveness of these measures has been mixed, they have contributed to a significant decline in pirate attacks off the coast of Somalia in recent years [37]. However, addressing the underlying drivers of piracy will require a sustained and coordinated effort, as well as a focus on addressing the wider political and security challenges in the region.

## **6. THE POLICY ACTIONS AGAINST MARITIME PIRACY IN THE WATERS OF SOMALIA**

There have been several policy actions taken against maritime piracy in the waters of Somalia. These actions can be broadly categorized as international, regional, and national policies.

### **6.1 International Policies**

The United Nations Security Council has passed several resolutions aimed at combating piracy in the region. These resolutions have authorized states to take action against piracy in Somali territorial waters and have provided a legal framework for prosecuting pirates. Additionally, the UN has established the Contact Group on Piracy off the Coast of Somalia (CGPCS) to coordinate international efforts to combat piracy in the region.

### **6.2 Regional Policies**

The African Union has also taken action against piracy in the region. The organization has established the African Integrated Maritime Security (AIMS) strategy, which aims to promote regional cooperation and coordination in combating maritime piracy. Additionally, the Intergovernmental Authority on Development (IGAD) has established a regional maritime security initiative to enhance cooperation between countries in the region in combating piracy.

### **6.3 National Policies**

Somalia has also taken steps to combat piracy within its territorial waters. The country has established a maritime security force to patrol its territorial waters and has enacted legislation to prosecute pirates. Additionally, the government has taken steps to address the root causes of piracy such as poverty and unemployment through job creation programs and investments in infrastructure. Overall, the policy actions against maritime piracy in the waters off Somalia have been varied and include both international, regional, and national policies. While progress has been made in combating piracy in the region, the problem persists, and there is still a need for continued efforts to address the root causes of piracy and promote regional cooperation and coordination.

## **CONCLUDING REMARKS**

Despite the policy action, maritime piracy in the waters of Somalia has been a significant threat to national and international security for over a decade. The nature of piracy in this region is characterized by armed attacks on ships and boats passing through the area, often resulting in the hijacking of vessels and ransom demands. The growth of piracy in the region can be attributed to a variety of factors, including poverty, political instability, lack of economic opportunities, and weak government institutions. Additionally, the proximity of Somalia to major shipping routes, the availability of weapons and boats, and the perception of piracy as a lucrative and low-risk enterprise have also contributed to the growth of piracy. Maritime piracy has had a significant impact on Somali national security. The Somali government has struggled to combat piracy due to the lack of resources, corruption, and weak government institutions. The presence of pirates has also made it difficult for the government to establish control over its coastline and waters. However, the international community has provided support to the Somali government in improving its capacity to combat piracy and establish control over its waters. The deployment of international naval forces, the implementation of best practices to improve ship security, and the support for the Somali government to improve its capacity have all been policy actions taken to combat piracy in the region, but the underlying factors remain unabated.

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