



OCEANS BEYOND PIRACY

Reducing Violence at Sea

OCEANS BEYOND PIRACY WORKING GROUP MEETING HELD 13 MARCH, LONDON, UK

Oceans Beyond Piracy, which produces the annual *State of Maritime Piracy* report and has monitored piracy developments since 2010, recently convened a meeting of 40 maritime experts in London to discuss the current state of piracy off the east and west coasts of Africa. The meeting was convened just as reports of the capture of a small tanker, *MT Aris 13*, en route to Mogadishu from Djibouti, were being received from Somalia. The attack marked the first hijacking of a merchant vessel since the height of Somali piracy in 2012.

The working group participants, including experts from the maritime industry, international organizations, civil society groups, and shipping nations held frank discussions focused on the coordination of international support to regional nations in four key areas for deterring piracy: (1) [Operational Awareness and Response](#), (2) [Rule of Law](#), (3) [Vessel Self-Protection](#), and (4) [Regional Leadership](#).

SOMALI PIRACY: In spite of the 13 March attack on the *MT Aris 13*, experts felt that it was too early to mark a trend towards a resurgence of piracy off Somalia. The attack could be better seen as a reflection of the extreme vulnerability caused by the vessel's dangerous route close to the Somali coast and lack of vigilance. However, the core pirate groups in Somalia remain organized, with both the capability and intent to commit piracy, and are waiting for the opportunity created by a lack of vigilance on shipping vessels. The group also agreed that navies and other reporting agencies should continue to closely monitor the High Risk Area and produce regular threat assessments that can be used to inform and advise the shipping industry. This active monitoring system would support the identification of "triggering mechanisms" that would allow a rapid reconstitution of deterrence mechanisms if required. The following areas regarding effective counter-piracy measures were also emphasized:

- ▶ [Operational Awareness and Response](#). International reporting structures set up to monitor shipping traffic and reporting in the Indian Ocean continue to provide a great service for understanding shipping traffic and local patterns of life at sea, and should be retained even as regional systems are under development. The reduction in international force levels was noted, but participants acknowledged the increasing role of independent deployers such as China, India and Russia. They also noted that the remaining coalition forces under EUNAVFOR and the Coalition Maritime Forces were continuing to provide a welcome response.
- ▶ [Rule of Law](#). The successful system of regional piracy courts that contributed to the arrest, prosecution, and incarceration of over 1,000 pirates remains viable. All transfer and supporting agreements remain valid (as long as supporting mandates remain in effect), along with an inspection system to ensure it is able to swing into action in case it is required again.
- ▶ [Vessel Self-Protection](#). Industry must continue to press the need for due diligence by merchant vessels passing through the High Risk Area, including tailored security plans and adherence to Best Management Practices for vulnerable vessels. While the percentage of armed guards is down, they remain an important option for shipowners if security planning determines that their use is required. The recent capture of the *Aris 13* occurred when the vessel transited along the coast by cutting the corner and traveling near the Somali coast south of Socotra Island. This has been a dangerous but increasing trend in recent years.
- ▶ [Regional Leadership](#). The current system providing maritime security in the Indian Ocean is based almost solely on international efforts to counter piracy. However, regional nations have expressed an interest to protect maritime resources and address other types of criminal activity in their maritime domain. This was demonstrated through the recent signing of the Jeddah Amendment to the Djibouti Code of Conduct which expressed the desire of nations in the region to address broader maritime security issues.

GULF OF GUINEA: While piracy and armed robbery at sea in the Gulf of Guinea has been a phenomenon for a number of years, there is no consensus on either the number of attacks or the criteria by which they should be reported. While this discrepancy exists across reporting agencies, there is agreement that the number of piracy attacks increased over the last year while remaining within historical averages. Within these statistics, there was a disturbing rise in kidnapping for ransom attacks, most of which emanate from the Niger Delta area.



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In order to more effectively address the issue, there is the need to establish a consistent set of statistics that can be agreed upon by regional and international partners. Based on the source of the attacks, there were also suggestions that the security situation in Nigeria has to be taken into account in order to comprehensively address maritime security issues. The following areas regarding effective counter-piracy measures were also emphasized:

▶ **Operational Awareness and Response.** Maritime situational awareness in the Gulf of Guinea has improved through the establishment of the Maritime Domain Awareness for Trade (MDAT) at the initiative of the French and UK Ministries of Defense. This system is intended to provide an interim capability until regional systems established or envisioned as part of the Yaoundé Framework are able to assume this role. Better situational awareness has also increased the ability of regional authorities to respond to attacks and security incidents. This is especially important since the international community has not been involved in responding to individual piracy attacks due to geographical restrictions and other sensitivities.

Capacity-building in the region has typically been based on bilateral arrangements. While these continue to be important relationships, multilateral cooperation is now increasingly focused on support for regional systems such as the Inter-regional Coordination Center in Yaoundé, the CRESMAC center in Pointe Noire, and the CRESMAO center in Abidjan. Programs such as GoGIN, launched by the European Union, will be focused on technical support and training to improve reporting and coordination. Additionally, multilateral exercises such as Obangame Express and NEMO are providing practical application and training to improve operational response. Finally, the international community could seek to encourage additional stakeholders in the Gulf of Guinea to join cooperative efforts to build regional law enforcement, support regional information-sharing centers, and conduct maritime research.

▶ **Rule of Law.** While there are continuing efforts to assist African countries with legislation and legal codes that allow prosecution of piracy, there are still no piracy convictions that can be cited to support an effective Rule of Law solution. It is expected that the Rule of Law solution will be a long-term project since there are no short- or medium-term prospects for prosecutions.

▶ **Vessel Self-Protection.** The protection of vessels in the Gulf of Guinea is more challenging due to the nature of maritime commerce there, which involves extended and sometimes multiple port visits in piracy risk areas. The shipping industry is increasingly working with MDAT to improve reporting and coordinating of threat awareness and has developed Guidelines for Protection against Piracy in the Gulf of Guinea Region. When conditions warrant additional measures to ensure security, the shipping industry is often obliged to contract and pay for armed security services through an opaque system of public-private partnerships offering embarked teams, escort vessels, and secure anchorage areas within coastal state territorial waters.

▶ **Regional Leadership.** The Yaoundé Framework, supported by all of the Gulf of Guinea states, addresses a wide spectrum of maritime criminal activity at sea, meaning that the solution to maritime security will be more complex. These states have also emphasized that the region must take the lead in developing an effective architecture. This may, in turn, prolong implementation, but ultimately will create a more sustainable solution.