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**The Escort Mission against Piracy in the Gulf of Aden and cooperation among
China/Japan/Korea: Lessons and Implications**

Satoshi Hirose

Professor

**Research Center for Nuclear Weapons Abolition
Nagasaki University**

I. Introduction: Purpose of the research

The problem of piracy in the Gulf of Aden emerged as a threat to maritime transportation in early 2000 and it became a serious threat to international peace and security before 2010. Though the number of real casualties caused by the acts of piracy is still minimum, the consequences, especially the economic damage, caused the piracy have become too serious.

Finally, the international society decided to take some action to suppress the pirates in the Gulf of Aden and the United Nations Security Council adopted relevant resolutions 1816, 1838, 1846 and 1851 which recognized the pirates in the Gulf of Aden posed a threat to international peace and security, and called for cooperation of member states to combat against the pirates under the Chapter 7 of the United Nations. Since the piracy in the high seas has been regarded as an international crime for a long time, it is rather natural for the international society to suppress the pirates through international cooperation.

It is almost clear that the members of the pirates are mostly from Somalia and the bases of the pirates are located in Somalia. Therefore, the primary responsibility of controlling the pirates should be attributed to the government of Somalia. However, Somalia is one of the so-called failed states and there has been no effective government since the early 1990s. Absence of a workable administrative organization in Somalia is a big problem in controlling the pirates in the Gulf of Aden and that is the very reason why some states including Japan, China and the Republic of Korea have dispatched maritime forces to the Gulf of Aden for protecting international interest.

In order to cope with the problem of pirates, there are two necessary steps to take.

One is to protect the maritime transportation against the pirates and the other is to eradicate the pirates. Protecting the ships in the dangerous area is remedial in its nature and may not be a fundamental solution for the problem of the pirates but it is necessary to secure the safety of the maritime transportation for the time being. On the other hand, eradicating the pirates will be a fundamental solution of the problem but it may take time and resources.

In this paper, I will mainly discuss the first problem, namely, how to protect ships from assaults by the pirates through international cooperation, because discussing the fundamental solution for the problem of pirates from Somalia will require a detailed research on the situation and possible ways to rebuild the state of Somalia, which is beyond the theme of this workshop.

II. Background and Situation

Though, there are some differences in the details, the acts of piracy in the Gulf of Aden started from early 1990s, almost the same time when the last effective government collapsed in Somalia. It means that the pirates from Somalia started their activities when the Somali administrative system including police and military force stopped functioning.

Then, who are the pirates? There are several opinions and it is not so clear until now. The pirates of the Gulf of Aden usually use small boats, often small but high speed boats which are easily disguised as local fishing boats and sometimes use captured larger vessels as mother ships to accompany. The pirates are normally armed with small firearms and knives. There are increasing reports that the pirates used grenade launchers or handheld rocket launchers but not heavy weapons or more sophisticated weapons.

As a result, there is a strong assertion that the majority of the pirates are former ordinary, rather poor fishermen who lost their way of living due to war and the destruction of the environment. Some people insist that, at least the leaders of the pirates, are former police, military personnel and mercenaries with professional skills in fighting, who lost their positions with the collapse of the Somali government. In addition, some people have pointed out the fact that tribes and clans are still the basic units of Somali society and leaders of tribes and clans are supposed to be responsible for livelihood of their subordinates and may be forced to earn enough money to support their tribes and clans by engaging in the piracy. There might be several kinds of pirates operating in the Gulf of Aden but the pattern of their activities tells us that they are conducting piracy solely for economic reason. The pirates often take the crew and

passengers of the victimized ships as hostages. However, they always release them unharmed after receiving ransom money and they treat the hostages rather cautiously and seldom use violence against the hostages. In my opinion, this is a proof of fact that the motivation of the pirates is purely economic and not political or ideological.

Since the collapse of the last Somali government, the Barre Regime, in 1991, practically all attempts to rebuild a central government in Somalia failed, except for two rather limited success. One is an establishment of the Republic of Somaliland in the northern part of Somalia around city of Hargeisa. The Republic of Somaliland has a population of about 3.5 million and most of the population is composed of a tribe of Isaxaaq, one of the minority groups in Somalia. The Republic of Somaliland claimed its independence soon after the collapse of the Barre Regime but until now, few country recognized Somaliland as an independent country because it may encourage movements by other minority groups for their independence in Africa. It is reported, in spite of some internal and external political as well as economic difficulties, the situation of Somaliland has been much more stable than the rest of Somalia and as long as I know, there has been no accusation against Somaliland concerning the pirates in the Gulf of Aden.

The other exception is a short lived administration by the Islamic Courts Union. The Islamic Courts Union occupied the capital Mogadishu in 2006 and succeeded in controlling the large part of Somalia. Under the strict rule of the Islamic laws, activities of the pirates were temporarily suppressed in 2006. However, imposition of strict Islamic laws invited a resistance of the people and suspicion about its relation with other fundamental Islamic groups like al-Qaeda induced an intervention of neighboring states, particularly Ethiopia. As a result, the Islamic Courts Union was expelled from Mogadishu only six months after its capture of the capital.

From these two experiences, we may say that reconstruction of effective rule and administrative system in Somalia will substantively reduce the pirates. Even I am willing to insist that the reconstruction of Somalia as a state and let it put on a course for recovery and development is the fundamental solution for the problem of pirates. But the problem is that no one seems to know how to do it. I already took up this theme of the reconstruction of failed states in the Fifth Seminar and presented a paper there. Someone who also attended the Seminar may remember my rather pessimistic conclusion. After seven years, I am still pessimistic about the future of failed states and unfortunately, Somalia is one of such countries. That is the reason why I do not dear to get into the detailed discussion about the fundamental solution for the problem of pirates in the Gulf of Aden.

III. Operations in the Gulf of Aden

In reaction to the increasing threat of the pirates in the Gulf of Aden, the United Nations Security Council has taken mainly two actions. One is authorizing and encouraging member states to take “all necessary means to repress acts of piracy and armed robbery” by the Security Council resolutions 1816, 1838, 1851 and so on. The other is authorizing and supporting the peace keeping operation deployed in Somalia by the African Union, namely, the African Union Mission to Somalia (AMISOM) for stabilizing and assisting the Transitional Federal Government (TFG) of Somalia by the Security Council resolutions 1744, 1772, 1801, 1831, and so on.

As I already mentioned, the reconstruction of the government in Somalia will be the fundamental solutions to the problem but I do not want to discuss this topic now. Therefore, I will not look into the question of AMISOM and TFG, and I will concentrate my discussion on the matter of repressing the pirates.

The Security Council Resolution 1816 and the following relevant resolutions specifically mentioned naval vessels and military aircrafts of member states operating in the area off Somalia and encouraged the member states to increase and coordinate their efforts for repressing the pirates. In response to these Security Council resolutions, more than 20 countries, including Japan, Republic of Korea and China have dispatched naval vessels and some countries including Japan and Republic of Korea have also contributed some airplanes or helicopters.

Though rather many countries have contributed their personnel, vessels and airplanes, there is no centralized management for anti-piracy operation in the Gulf of Aden. There are several multinational groups like Combined Maritime Forces (CMF) including Combined Task Force (CTF) 150 and Combined Task Force (CTF) 151 led by the United States, EU Naval Task Force (EUNAVFOR) engaging in Operation Atalanta and NATO Task Force engaging in Operation Ocean Shield. These different naval groups and operations are closely associated and sometimes overlapping but each of them has their own purposes and functions as well as different chain of command. Japan, Republic of Korea and China are not part of these groups, though Republic of Korea puts its vessels under the command of CTF 151 from time to time, they are regarded as independent cooperators.

Aside from herding up and pacifying the pirates, which will require a large scale operation to control the whole coastal area of Somalia and is unrealistic at this moment, there are mainly two approaches to protect maritime transportation from the pirates. One is to establish pirates-free safe routes for civil maritime traffic and the other is to

provide escorts to civil ships.

For securing safe passage of merchant ships, already two sea lanes have been internationally designated around the Gulf of Aden, the Maritime Security Patrol Area (MPSA) designated by the CTF 150 and the Internationally Recommended Transit Corridor (IRTC) mainly initiated by the UK authority and EUNAVFOR. Establishing this kind of safe passage is an efficient way to protect, especially maritime transportation and it is reported that after establishing the MPSA and the IRTC, number of the piracy incidents in the designated areas has been significantly decreasing. However, there are still some problems. This method of safe passage is only applicable to limited areas and those vessels navigating outside the designated safe passages may not receive any protection. In fact, some reports have already pointed out that the pirates have been shifting the area of their operations from the Gulf of Aden to the coastal area of Somalia and the Red Sea and their targets from the merchant ships to fishing boats, smaller yachts and others accordingly. In addition, in order to make such safe passages truly reliable, careful planning and management is indispensable. It is quite important to deploy adequate vessels and airplanes to avoid making loopholes in securing the passages. At the same time, it is also important to make the deployment plan in efficient way to reduce logistical burden, otherwise, it will be difficult to maintain the passages for a long duration of time.

Providing escorts to civil vessels is more direct and effective way to protect them from the piracy because comparing to the navy or air forces, the pirates are far poorly armed. And theoretically, it is possible to provide escorts at almost any place in the Gulf of Aden or coastal area of Somalia and for any vessels. However, it is totally unrealistic to provide escorts to all the ships navigating in the dangerous area. Simply, it is too costly. Therefore, providing direct escorts cannot be universal but selective. In order to make such escort missions efficient, normally, escorts will be provided for a group of ships, not for each ship respectively. Such a group of ships with an escort is sometimes called a convoy. In order to organize a convoy, careful preparation and sometimes, some kind of training in advance is necessary because normally, captains of civil vessels are not accustomed to navigate their ships in formation with other ships. If the convoy is composed of ships from different countries, necessary preparation must be more complicated and difficult. Even with such difficulty, so-called "Group Transit" is recommended and organized mainly by the EUNAVFOR. This "Group Transit" is, in a sense, a simplified version of a convoy and the EUNAVFOR just designates the time of departure and the speed of the groups, and those ships willing to join the group get together and navigate together under the watch of the EUNAVFOR.

In reality, many countries, Japan, China and Republic of Korea, give priority to ship of their own countries, particularly large merchant ships, in providing escorts. In addition, most countries also give priority to ships transporting humanitarian goods to Somalia, mainly those belonging to the operations of WFP, most likely, under de facto initiative of the Operation Ocean Shield.

As I mentioned earlier, there is no “central command” in the international anti-piracy activities staged in the Gulf of Aden. And the nature of such activities is a mixture of establishing safe passages for civil maritime traffic and providing escorts to civil vessels but it is difficult to define which naval vessels or airplanes are engaging to which method at any given time. However, it seems like that de fact coordination among the forces deployed in the Gulf of Aden, at least at the tactical level, is rather well conducted. There are many reports of information exchange or meeting among high ranking officers there, including periodical meeting of SHADE and as long as I know, there is no report of serious accident or trouble among the forces from various countries deployed there due to lack of communication or misunderstanding.

As a result, the number of the acts of piracy reported in the Gulf of Aden, especially along the designated safe passages, has significantly declined after the deployment of the multinational forces. From this point of view, the multinational escort mission in the Gulf of Aden has been successful. But, the total number of the acts of piracy committed by the suspected Somali pirates has not changed. There is a substantive change of the areas of the activities of the pirates, but not the decline of the activities itself. In short, the deployment of multinational forces in the Gulf of Aden has succeeded in protecting the maritime traffic in the area and dispersing the pirates, but failed in really repressing the pirates.

Reported number of Piracy Incidents (ICC-IMB Annual Report 2011)

Locations	2007	2008	2009	2010	2011
Gulf of Aden	13	92	117	53	37
Somalia	31	19	80	139	160
Total	44	111	197	192	197

IV. Lessons learned by the Three Countries

For all of Japan, China and Republic of Korea, sending naval forces to the Gulf of Aden has been, in a sense, a great experience. None of three countries have ever sent naval vessels for real combat missions overseas for such a long duration. In addition,

it is the first experience for all of three countries to deploy their vessels with forces from so many different countries.

Though this escort missions in the Gulf of Aden is based on the relevant UN Security Council resolutions, they are not a part of the UN Peace Keeping Operation and there is no rigid framework or even detailed guidelines for the operations. In addition, as I mentioned, Japan, China and Republic of Korea decided to send forces in response to the UN Security Council resolutions independently and at first, they provided escorts only to the ships of their own countries. But soon they expanded their operations to provide escorts to other ships beginning from the ships transporting humanitarian goods to Somalia and then, to merchant ships of any countries. In Japan, Anti-piracy Law was legislated in 2009 to give wider authority to the Japanese Self Defense Forces and the Coast Guards in engaging against the pirates and it enabled the Japanese force in the Gulf of Aden to expand its operation to cope with the situation.

Even though, Japan, China and Republic of Korea have expanded their activities in the Gulf of Aden and started to provide wider protection to maritime traffic there, Japan and China do not join any of multinational forces officially and Republic of Korea only joins its force to the CTF 151 only on temporary basis and not permanently.

As I mentioned, there have been many formal and informal opportunities for the coordination of operations and exchange of information and opinions among the multinational forces in the Gulf of Aden and even those states, like Japan and China, not belonging to any particular group have frequently participated in such coordination and exchange as well. In my opinion, such de facto system of multinational coordination in the field is quite important and indispensable for the successful implementation of any kind of international projects, but not enough. In this case, the multinational coordination in the field level has been quite useful and effective in arranging the adequate protection for the maritime traffic in the important areas on daily basis. But still, without long term consistent strategy and centralized management system, which is beyond the scope of the daily coordination in the field, is has been difficult, if not impossible, to plan and implement truly repress the pirates.

V. Conclusion: Sharing the Threats and Sharing the Solutions

Considering the international situation in the Northeast Asia, it looks like really difficult to strengthen and expand cooperation among Japan, China and Republic of Korea, especially in security matters. But at least, in the Gulf of Aden, we, just like many other countries, are sharing a common security threat and it is natural to

cooperate in anti-piracy mission in response to the request made by the UN Security Council. At least it is possible to say that bilateral problems should not hamper the global responsibility defined by the UN.

It is clear that in order to repress the Somali pirates more effectively, long term strategic planning and centralized coordinating mechanism are necessary. In my opinion, Japan, China and Republic of Korea are the countries suitable for initiating a movement for establishing such international arrangements, because, these three countries have already won good international reputations in their presence in the Gulf of Aden and at the same time, they have “clean hands” in the area from historical point of view. I believe, if Japan, China and Republic of Korea will succeed in showing a good model of close coordination and systematic cooperation among themselves in the Gulf of Aden, it will establish an important precedent in multinational security cooperation.