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14. ABSTRACT <p>General Situation: There are approximately 3,000 Shabaab fighters in Somalia. In part, young Somali men join Shabaab to find work. Shabaab established a shadow government of administrations to govern the provinces they control. A land-based approach will provide economic stability and security for Somalia needed to eradicate piracy. If the U.S. were involved in another operation in Somalia to eradicate pirate bases, the international community must provide security and economic stability via a land-based approach.</p> <p>Problem: If the U.S. were involved in another operation in Somalia to eradicate pirate bases, Somalia's geography, transportation, and political conditions present challenges. The country suffered from drought in the 1990's, which made peacekeeping forces depend on organic supplies. The aid supplies and re-supplies needed to travel 24 hours by air or several weeks by sea. Since 1993, widespread civil unrest made normal road or runway maintenance impossible, which made mobility problematic for peacekeeping operations. In addition, there was no functional telephone system in 1992, rendering communication a consistent problem. The political situation was plagued with civil war that was centered on 14 clans who fought for control of their own territory. If the US sent the Marines and Department of State teams to aid Somalia's recovery, they need to rebuild Somalia's government, infrastructure such as roads and communications in a society wrought with civil unrest and harsh climatology. These types of CMOs are conducted by the US Marines in Afghanistan. If the United States were asked by the Somali government to conduct CMO in Somalia, the U.S. must understand the significant challenges of Somalia's geography, transportation, and political conditions.</p>					

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Solution: Piracy does not have a significant impact on the PMESII factors in the Somali failed state region. As a result, eradicating piracy in the HoA region is not a priority in current US regional policy. As long as the U.S. military is deployed in two major theaters, Iraq and Afghanistan, the U.S. cannot afford to deploy an adequate number of military members to Somalia.

One possible approach for future US policy is to provide a US military or contractor footprint on land to conduct counterinsurgency (COIN) operations, and follow on stability operations. A second approach is to conduct counter piracy operations at sea and utilize CTF 151 to eradicate pirates. The third approach is to provide economic aid to Somalia.

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MASTER OF MILITARY STUDIES

THE EFFECT OF PIRACY ON SOMALIA AS A FAILED STATE

SUBMITTED IN PARTIAL FULFILLMENT
OF THE REQUIREMENTS FOR THE DEGREE OF
MASTER OF MILITARY STUDIES

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Executive Summary

Title: THE EFFECT OF PIRACY ON SOMALIA AS A FAILED STATE

Author: Major Angela C. Lechowick, UNITED STATES AIR FORCE

Thesis: Piracy does not have a significant impact on the Political, Military, Economic, Social, Information, and Infrastructure (PMESII) factors in the Somali failed state region.

General Situation: There are approximately 3,000 Shabaab fighters in Somalia.¹ In part, young Somali men join Shabaab to find work.² Shabaab established a shadow government of administrations to govern the provinces they control.³ A land-based approach will provide economic stability and security for Somalia needed to eradicate piracy. If the U.S. were involved in another operation in Somalia to eradicate pirate bases, the international community must provide security and economic stability via a land-based approach.⁴

Problem: If the U.S. were involved in another operation in Somalia to eradicate pirate bases, Somalia's geography, transportation, and political conditions present challenges. The country suffered from drought in the 1990's, which made peacekeeping forces depend on organic supplies. The aid supplies and re-supplies needed to travel 24 hours by air or several weeks by sea. Since 1993, widespread civil unrest made normal road or runway maintenance impossible, which made mobility problematic for peacekeeping operations. In addition, there was no functional telephone system in 1992, rendering communication a consistent problem. The political situation was plagued with civil war that was centered on 14 clans who fought for control of their own territory. If the US sent the Marines and Department of State teams to aid Somalia's recovery, they need to rebuild Somalia's government, infrastructure such as roads and communications in a society wrought with civil unrest and harsh climatology. These types of CMOs are conducted by the US Marines in Afghanistan. If the United States were asked by the Somali government to conduct CMO in Somalia, the U.S. must understand the significant challenges of Somalia's geography, transportation, and political conditions.

Solution: Piracy does not have a significant impact on the PMESII factors in the Somali failed state region. As a result, eradicating piracy in the HoA region is not a priority in current US regional policy. As long as the U.S. military is deployed in two major theaters, Iraq and Afghanistan, the U.S. cannot afford to deploy an adequate number of military members to Somalia.

One possible approach for future US policy is to provide a US military or contractor footprint on land to conduct counterinsurgency (COIN) operations, and follow on stability operations. A second approach is to conduct counter piracy operations at sea and utilize CTF 151 to eradicate pirates. The third approach is to provide economic aid to Somalia.

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Preface

This paper came from my desire to learn about the impact of piracy on the Somalia failed state region. I discovered that piracy does not have a significant impact on the Political, Military, Economic, Social, Information, and Infrastructure (PMESII) factors in the Somali failed state region. As long as the U.S. military is deployed in two major theaters, Iraq and Afghanistan, the U.S. cannot afford to deploy an adequate amount of military members to Somalia.

I extend my thanks to the faculty of the Marine Corps Command and Staff College for opportunity to complete this work, and particularly Dr. Christopher Harmon and Dr. Ed Erickson who mentored and guided me throughout this process.

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“Whether you look at the days of the Barbary pirates where the pirates were eventually defeated ashore in Algiers or the recent example in the Strait of Malacca where the combined forces of Malaysia, Indonesia, and Singapore worked together to secure their waters, in both of these examples, the victory over the pirates came when they were denied safe havens ashore.”

--Representative Ike Skelton (D-Mo.)

INTRODUCTION

Piracy does not have a significant impact on the Political, Military, Economic, Social, Information, and Infrastructure (PMESII) factors in the Somali failed state region. Somalia is a failed state that harbors al-Qaeda terrorists. Somalia’s transitional federal government (TFG) cannot defeat piracy because it is absorbed with gaining military strength to defeat Islamist extremist group Al Shabaab. Recently, the Hizbul Islam faction in Somalia joined Al Shabaab, a merger that only encourages instability in Somalia. In April 2010, Hizbul Islam leaders invited Osama bin Laden to Somalia to fight against the African Union (AU) and Somali forces.⁵ Near Somalia, Yemen’s government launched massive operations to eradicate al Qaeda strongholds, which forced top al-Qaeda leaders out of Yemen and into Somalia. Al Shabaab taxes Somali pirates’ ransom income and uses its own fighters to attack ships. Sheikh Mahad, a senior al Shabaab official, said “America is our enemy... We have to retaliate against them by sea or by land” and called on young militants to target American ships in “sea jihad.”⁶ Somalia is unable to eradicate terrorism due to a weak TFG in the capital, Mogadishu.

Piracy reemerged as a global security threat in the waters off the Horn of Africa, West Africa, India, South China Sea, Strait of Malacca, and the Caribbean. Pirates

operate in regions with large coastal areas, high levels of commercial activity, small national naval forces, and weak regional security cooperation mechanisms. These aspects allow other maritime security threats, including maritime terrorism, weapons and narcotics trafficking, illegal fishing and dumping, and human smuggling operations. In an effort to adapt to commercial shipping tactics that avoid the Suez Canal by traveling around the Cape, Somali pirates hijacked ships in excess of 1,000 miles from shore. Piracy became a ranking security threat in the waters off the Somalia due to the large coastal areas, high levels of commercial activity, small national naval forces, and weak regional security cooperation mechanisms.

The *Cooperative Strategy for 21st Century Seapower* proposes a Global Maritime Partnership approach to maritime security, promoting the rule of law by countering piracy.⁷ It identifies pirates and criminals as threats to international maritime security. The bombing of the *U.S.S. Cole* in 2000 in the Yemeni harbor of Aden and the bombing of the French oil tanker *MV Limburg* in 2002 are two examples of maritime terrorism with explosives-laden suicide boats. Maritime terrorists can also use light aircraft; merchant and cruise ships as kinetic weapons to ram another vessel, warship, port facility, or offshore platform; commercial vessels as launch platforms for missile attacks; underwater swimmers to infiltrate ports; unmanned underwater explosive delivery vehicles; mines; exploitation of a vessel's legitimate cargo, such as chemicals, petroleum, or liquefied natural gas as the explosive component of an attack. The Combined Task Force 151 increases joint military and security assistance to Somalia as a cohesive national effort that is defined in the latest *Cooperative Strategy for 21st Century Seapower*.⁸

This research and analysis focus on the extent that piracy impacts the PMESII factors in the Somali failed state region. These factors also affect current and future US regional policy. The conclusions address options that are available to support Somalia's TFG. This project examines recent piracy activity and current US policy, and analyzes the strategic and operational effect on future policy.

The number of attacks, level of violence, and distance of the piracy attacks from the coast of East Africa increased since August 2008. The International Maritime Organization (IMO) issues monthly, quarterly, and annual reports of piracy and armed robbery incidents. The number of incidents in East Africa doubled (60 to 134) from 2007 to 2008.⁹ This is important because it is the only region that experienced a large increase, whereas several regions experienced a decrease in the number of incidents. The same trends take place from 2008 to 2009.¹⁰ The areas most affected in 2009 were East Africa and the Far East.¹¹ In 2009, the number of incidents increased from 134 to 222 in East Africa.¹² The 2009 annual IMO report states that the majority of attacks were attempted in international waters due to an increase in incidents off the coast of Somalia.¹³ This is not a coincidence due to known piracy training camps that operate in a failed state with no government in Somalia. In 2009, the total number of piracy incidents hit a six-year high of 406, due to a rising number of attacks off the Somali coast.¹⁴ Since January 2009, the Gulf of Aden drew a strong foreign naval presence, which led to a drop in incidents in the area from 100 in January to September last year to 44 this year.¹⁵ "However, this is a vast area and the navies cannot realistically cover it. The naval presence does however remain vital to the control of piracy in this area," said IMB director Pottengal

Mukundan.¹⁶ This statement suggests that navies in international waters coupled with coast guards in territorial waters will help the piracy issue in Somalia.

The U.S. State Department must choose a course of action based on the economic feasibility of deploying forces to Somalia and a tremendous U.S. national deficit. The U.S. State Department supported the TFG in their efforts to repel extremists from Somalia. This support included weapons and ammunition. The U.N. Security Council pledged \$72 million for the African Union (AU) Mission to Somalia (AMISOM), and the United States has provided training, logistics support, and assistance worth over \$135M. Despite this financial assistance, on October 10, 2010, Somalia's ambassador to the UN Omar Jammal said "at this point now it's an open no-man's land...Anything goes in and out," referring to the lack of border security and the rampant flow of arms to insurgent groups.¹⁷ Because the TFG has crumbled, Somalia is in grave need of political and socio-economic reform. Chalk argues that nation building, or civil military operations (CMO), is "an extremely expensive and lengthy endeavor—not to mention a politically sensitive one given the ignominious retreat of UN and U.S. forces from the country in 1993."¹⁸ If the U.S. was not involved in Iraq and Afghanistan, there is the potential that the military could deploy to Somalia to conduct lengthy and costly CMO.

In order to eradicate piracy in Somalia, the international community must provide security and economic stability via a land-based approach.¹⁹ A UN naval and air blockade in Somalia may incite al-Shabaab terrorist attacks similar to the July, 2010, bombings in the Ugandan capital, Kampala, in which at least 76 people were killed, in revenge for the presence of Ugandan troops in Mogadishu.²⁰ There are approximately 3,000 Shabaab fighters in Somalia.²¹ In part, young Somali men join Shabaab to find

work.²² Shabaab established a shadow government of administrations to govern the provinces they control.²³ One example is the Shabaab demand for fifteen percent of the total project cost for any non-governmental organization (NGO) projects.²⁴ Similarly, Shabaab demands this from landlords and vehicle owners who work with the UN or international organizations.²⁵ Somali police, security services, and the TFG officials get their local cut of pirate ransom money as well.²⁶ A land-based approach will provide economic stability and security for Somalia needed to eradicate piracy.

If the U.S. were involved in another operation in Somalia to eradicate pirate bases, Somalia's geography, transportation, and political conditions present challenges. The country suffered from drought in the 1990's, which made peacekeeping forces depend on organic supplies. Aid supplies and re-supplies had to travel 24 hours by air or several weeks by sea. Since 1993, widespread civil unrest made normal road or runway maintenance impossible, which made mobility problematic for peacekeeping operations. In addition, there was no functional telephone system in 1992, rendering communication a consistent problem. The political situation was plagued with civil war that was centered on 14 clans who fought for control of their own territory. If the US sent the Marines and Department of State teams to aid Somalia's recovery, they need to rebuild Somalia's government, infrastructure such as roads and communications in a society wrought with civil unrest and harsh climatology. These types of CMOs are conducted by the US Marines in Afghanistan. If the United States were asked by the Somali government to conduct CMO in Somalia, the U.S. must understand the significant challenges of Somalia's geography, transportation, and political conditions.

As a failed state with no government since 1990, Somalia became a haven for insurgents. Somali tribal leaders led several insurgencies from 1991 – 1993 in which they relied on their own linear command structures but also on their networks to call individual armed Somalis to the streets.²⁷ This illustrates that Somali insurgencies operate along both hierarchical (linear) and political (network/horizontal) lines.²⁸ Statistical analysis shows that networked insurgents lost significantly more often than they won. Somalia is the sole example of a mixed (hierarchical and networked) command and control insurgency that is still ongoing with an undetermined victory. Al-Shabaab, a designated Foreign Terrorist Organization, continues to threaten regional stability, as when posting Internet warnings against voting in Somaliland presidential elections on June 25, 2010. The power struggle between local warlords and Islamic extremists destroyed economic security and stability in Somalia. Somalis were left with few options to earn money and made piracy an attractive alternative.²⁹ Somalia's lack of government hindered its ability to eradicate insurgents, provide a stable economy, and oppose piracy.

The increasing number of attacks, level of violence, and distance of the piracy attacks from the coast of East Africa will continue to affect Somalia's political unrest and its attraction to known Foreign Terrorist Organizations. The United States cannot afford to ignore the challenges of Somalia's geography, transportation, and political conditions. As a failed state with no government since 1990, Somalia became a haven for insurgents.

ANALYSIS

Somalia's military cannot defeat pirates, expel terrorists, or gain control over its capital. Piracy is an international crime consisting of illegal acts of violence, detention, or depredation committed for private ends by the crew or passengers of a private ship or aircraft in or over international waters against another ship or aircraft or persons and property on board.³⁰ Shipping firms do not bear arms because a firefight may lead to lawsuits, damaged goods or a damaged ship, which could cost hundreds of millions of dollars.³¹ Giles Noakes, Chief maritime security officer for BIMCO (an international association of ship owners), commented that the shipping industry does not want to train and arm crews for fear of injury, death, or damage to the ship.³² In April 2009, a U.S.-flagged Danish cargo ship was attacked off the Somali coast, leading to a several-day standoff between U.S. military and pirates.³³ The U.S. government and military response was to hire armed guards on board boats to protect them from pirate attacks. In a political-economic response to al-Qaeda's movement into Somalia, President Obama signed an executive order freezing the U.S. property owned by members of a group of radical Islamists, Somali militants. In addition, the UN contact group tracked and froze pirate assets to deter operations. Terrorists in Somalia threaten the safety and security of economic shipping lanes at sea.

The United States can afford the economic impact of piracy in the Somalia failed state region. Pirate attacks cause a loss of \$16 billion annually without including the costs incurred by dozens of navies, including the U.S. Navy.³⁴ These additional annual costs include \$400 million annual war risk insurance premiums for ships transiting the

Gulf of Aden. The criminal proceeds from ransoms (estimated \$30–50 million to date) help Somali pirates and not the Somali economic infrastructure.³⁵ Somali pirates purchase advanced weapons from self-proclaimed “Jihadist” insurgents such as Al-Shabaab or Hizbul Islam. The insurgents purchase weapons with money they receive from pirates, according to Mark Schroeder, from Stratfor intelligence analysis.³⁶ This means that Somalia’s pirates are financing insurgent activities in Somalia. Similarly, the pirate bosses are building mini armies with the ransom money they receive. Recently, pirates ran a hijacked South African yacht aground in the coastal town of Barawa, Somalia, which is controlled by Al-Shabaab.³⁷ Al-Shabaab cooperated and allowed the pirates to use the city to hold their hostages.³⁸ This, in turn, requires more NATO and U.S. resources for counter-piracy operations. In 2008, RAND Corporation estimated up to \$16 billion in direct and indirect costs if one includes factors such as increased insurance premiums, diverted trade, and potential economic impacts of trade and investment in the region. Shipping lines bear the cost of lost cargo, ransom payments, difficulty in retaining workers, and increased cost of goods for consumers from piracy.³⁹ Despite these assumptions, \$16 billion is a negligible figure considering the total value of cargo that transits the Gulf of Aden.⁴⁰

The U.S. along with several UN nations responded to the Somali piracy problem by conducting counter-piracy operations and by continuing the Combined Task Force (CTF) 151. The P-3, Orion aircraft, is one of a multitude of tools that the U.S. Navy utilized to conduct Intelligence, Surveillance, and Reconnaissance (ISR) operations. During the Global War of Terrorism (GWOT), planners utilized P-3 aircraft to conduct surveillance of Al Qaeda camps in Somalia, around the Arabian Peninsula and in

Afghanistan.⁴¹ A high altitude and medium latitude long endurance (HALE/MALE) orbit for an Unmanned Aerial System (UAS) can observe an area that requires 20 destroyer sized vessels, one SH-60 helicopter, and a P-3 Orion detachment.⁴² Unmanned aerial vehicles (UAVs) and surface vehicles (USVs) prove themselves invaluable for persistent ISR coverage. Combined Task Force 151 of the Combined Maritime Force coalition has 12 ships from 10 nations.⁴³ NATO operates 7 ships and the European Union Naval Force has 15 ships in the area under the UN mandate to protect food aid shipments and combat piracy.⁴⁴ The Combined Task Force (CTF) Horn of Africa (HOA) promotes regional cooperation, maritime security and safety, and professional military education programs by building partner security capacity and infrastructure. The U.S. can foster greater maritime security capacity-building in the states of the Horn of Africa through greater funding for Global Train and Equip model.⁴⁵ This aid helps develop coastal surveillance infrastructure, patrol boats and maritime interdiction capabilities. Global train and equip authority allows a response to emergent threats or opportunities in six months or less.⁴⁶ A robust Somali coast guard can monitor its coast and interdict pirates. This requires surveillance assets, training, and technical support from the U.S.⁴⁷ The U.S. can fully fund the “Global Train and Equip” program under Section of 1206 of the National Defense Authorization Act of 2006.⁴⁸ The 2009 USAFRICOM Posture statement highlights the combined efforts of East African countries (Ethiopia, Rwanda, Burundi, Uganda, and soon Tanzania) in peacekeeping missions in Somalia. These efforts illustrate a unified counter-piracy effort amongst UN and AU countries.

A UN contact group, devoted to combating piracy off the HOA, developed and coordinated international policy initiatives, shared information, and built forces to

conduct counter-piracy operations. The Chair of the contact group recently stated the need for patrol helicopters and aircraft. The contact group also encouraged the Pan-Arab task force to join the European Union (EU), NATO and CTF. On June 10, 2010, the UN Contact Group on Piracy off the Coast of Somalia (CGPCS) funded several initiatives aimed at countering piracy that included the strengthening of institutions in Seychelles, Kenya and the regions of Somaliland and Puntland to prosecute pirates. The Ministers of the TFG of Somalia and Puntland and Galmudug proposed support for a Somali Coastal Monitoring Force to the UN Working Group Number 1. The CGPCS encouraged all CGPCS partners to support the implementation of the Djibouti code of conduct and other training and equipment needs in Somalia. The CGPCS developed and coordinated international policy initiatives, shared information, and built forces to conduct counter-piracy operations.

Somalia lacks the political and judicial infrastructure to prosecute pirates for their crimes. In the mid-term future, AFRICOM and the UN should develop the judicial framework to prosecute pirates in Somalia. If pirates could be prosecuted in Somalia, future acts of piracy would be deterred. Thousands of miles away from the scene of the crime, the U.S. is prosecuting pirates for crimes against the U.S. Navy and commercial vessels. The UN contact group praised Kenya and Seychelles for prosecuting pirates. Kenya is the preferred location for the world's navies to prosecute and imprison captured pirates ashore.⁴⁹ Kenya now wants financial assistance to prosecute pirates, and the UN Office on Drugs and Crime allocated \$2.3M for 18 month of prosecution.⁵⁰ France proposed a special Somali Court that could convene in another country. This allowed the Somali TFG to prosecute pirates. Eleven suspected Somali pirates, who are accused in

the attack of two Navy ships, were indicted in US federal court on April 23, 2010. The U.S. Constitution (Article I, Section 8) says that Congress shall have power “to define and punish piracies and felonies committed on the high seas, and offences against the Law of Nations.”⁵¹ There are several international agreements that the U.S. is party to that address piracy, including the Convention on the High Seas and the Convention for the Suppression of Unlawful Acts Against the Safety of Maritime Navigation (SUA Convention).⁵² The Convention on the High Seas requires all states cooperate to repress piracy in any place. Warships are authorized to inspect ships suspected of pirate activity via the Convention on the High Seas. Last, the U.S. is authorized to seize a pirate ship, or ship under the control of pirates, and arrest persons on board per the Convention on the High Seas. Robbery on the high seas is required in order to indict pirates in court. This limits the ability to prosecute pirates in court unless they have actually committed the crime, i.e. there is no law to cover intent to commit piracy. The U.S. response can conduct a COIN campaign in order to target presumed pirate bases. In turn, a COIN campaign in Somalia will establish political and judicial infrastructure to prosecute pirates for their crimes.

U.S. law authorizes the president to employ “public armed vessels” in protecting U.S. merchant ships from piracy and to instruct the commanders of such vessels to seize any pirate ship that has attempted or committed an act of piracy against any U.S. or foreign flag vessel in international waters. In April 2009, Representative Mike Coffman (R-Colo.) urged President Obama to put U.S. Marines or sailors aboard U.S.-flagged commercial ships. The Pentagon responded that there are no plans to use U.S. military personnel to publically arm commercial ships.⁵³ But then on April 12, 2009, the Captain

of the U.S.-crewed *Maersk Alabama* required rescue by Navy SEALs after it was attacked by Somali pirates. Under current U.S. approaches, merchant ships must arm themselves, just as U.S. commercial airlines hired air marshals to help counter terrorism.

As a failed state, Somalia does not have the infrastructure required to seek out pirates who are operating up to 500 miles away from shore along Somalia's 2,000 mile long coastline. Former U.S. Navy Secretary Donald Winter has suggested better surveillance of the sea, more authority for the U.S. and allies to properly deal with pirates, and a more aggressive stance by the maritime shipping community to deal with piracy.⁵⁴ Secretary of Defense Robert Gates believes it will be difficult to prevent future attacks, be prepared to interdict acts of piracy, and ensure pirates are held accountable for their crimes. In the Straits of Malacca, Singapore, Indonesia, Malaysia and India, increased naval patrols have helped to control piracy. As multiple countries patrol the waters near Somalia, there is an increasing need for an air and sea operations center, led by AFRICOM, to allow information sharing amongst patrol ships and aircraft of every participating country.

RECOMMENDATIONS

In the short term future, the United States must establish an effective global partnership to implement counter-piracy best practices, support nations that repress piracy at sea, and enhance legal framework to disrupt pirate networks.⁵⁵ According to the 2008 National Security Council's "Countering Piracy Off The Horn of Africa: Partnership and Action Plan" there are three distinct approaches to establish an effective global partnership. Each of these three approaches deserves a defense. As a counterargument, the U.S. should lead all efforts according to the 2005 *U.S. National Strategy for Maritime Security*.⁵⁶

The first approach to establish an effective global partnership reduces the vulnerability of the maritime domain to pirate attacks.⁵⁷ The U.N. Security Council Resolution 1846 specifically "[c]alls upon States, in cooperation with the shipping industry, the insurance industry and the IMO [International Maritime Organization], to issue to ships ... advice and guidance on avoidance, evasion, and defensive techniques and measures to take if under the threat of attack or attack when sailing in the waters off the coast of Somalia."⁵⁸ The UN Contact Group develops and coordinates international policy initiatives, shares and disseminates information, provides national forces to engage in, support, or help build the capacity of regional partners to undertake counter-piracy operations, and advocate for other mechanisms to repress piracy. The Maritime Security Patrol Area (MSPA) is an area patrolled by warships and aircraft that is deemed safer for ships. Ships' security assessment are periodically reviewed and audited to help them adapt to changing circumstances. The active and passive counter-measures are as follows: Ships are persuaded to operate at fastest speed; ships are pushed to repeatedly

change course when they are unable to out run pirate vessels; ships are encouraged to change operating procedures to challenge pirates to board their ships; merchants are urged to make design modification to the ship to prevent pirates from gaining vessel control (e.g. safe-areas for crews to muster and physical barriers to control areas); use non-lethal measures such as netting, wire, electric fencing, long-range acoustical devices, and fire hoses to prevent boarding; incite the establishment of international standards of training and certification for professional shipboard security consultants; foster the embarkation of certified unarmed security consultants to provide security measures, including intelligence reports for vessels in transit, onboard training and non-lethal use of force capabilities, and night vision equipment; identify that properly screened and certified third-party security providers with firearms, operating in compliance with applicable coastal, port, and flag State laws are an effective deterrent to pirate attacks off the Horn of Africa; embolden all vessels transiting the Gulf of Aden and the waters off the Somali coast to identify themselves by contacting the designated coordination center; repeat the warnings and recommendations provided to mariners in recent Maritime Advisories. An effective global partnership helps reduce the vulnerability of the maritime domain to pirate attacks.

The second approach to establish an effective global partnership interrupts acts of piracy.⁵⁹ Somalia's vital national interest include a governmental ability to control its shore and coast areas.⁶⁰ This control ensures a shoreline defensive and offensive capability, commercial traffic from the sea in and out of Somalia, and freedom of movement for citizens.⁶¹ A standardized visit, board, search and seizure operating procedures by all coalition partner nations involved in CTF 151 allows shoreline

defensive and offensive capability. The maritime services conduct visit, board, search, and seizure missions for sanction enforcement, anti-piracy, counter-drug, counter human trafficking, fisheries protection, and right of visit.⁶² An effective global partnership interrupts acts of piracy.

The third approach to establish an effective global partnership is to establish a consequence delivery system for pirates by enhancing the capabilities of regional States to prosecute, extradite, and incarcerate suspected pirates.⁶³ The U.S. can conduct security sector reform to outline a plan to improve the safety, security, and justice systems in Somalia.⁶⁴ The U.S. interagency leads an assessment in Somalia to identify where to concentrate its security sector reform efforts.⁶⁵ This helps define the vulnerable groups and the security and justice issues that will affect those groups.⁶⁶ An effective global partnership is to establish a consequence delivery system for pirates by enhancing the capabilities of regional States to prosecute, extradite, and incarcerate suspected pirates.

USAFRICOM, the newest geographical combatant command, is charged to create a long-term theater security cooperation plan to support the TFG in Somalia. In addition, USAFRICOM must create a Theater Security Plan (TSP) that supports the TFG. The long-term TSP will include economic aid, security assistance and diplomatic outreach to Somalia. Security partnerships between the U.S. and AMISOM should mirror the synchronous efforts between the U.S. and Australian military forces that combated terrorism and enhanced maritime security in the Philippines, Indonesia, and Malaysia. The Singapore–Australian relationship is another example of shared maritime security, counterterrorism, and regional command and control initiatives. The international community can stop the growth of piracy by increasing the costs and risks to engage in

piracy. Somalia requires a robust coast guard to patrol its territorial waters and interdict pirates. In 2009, the Somali Coast Guard graduated its first 500 recruits.⁶⁷ The Somali Coast Guard is dependent on international funding, and only has a dozen vessels.⁶⁸ The projected size of 5,000 coast guard members requires financial support via a long-term TSP will include economic aid, security assistance and diplomatic outreach to Somalia.⁶⁹ As seen in multiple theaters, International Military Education and Training (IMET) and Foreign Military Financing (FMF) are engagement tools for building security partnerships with developing countries like Somalia. The UN Contact Working Group also provides increased maritime security via the CTF 151 and links to commercial shipping lines.

As a counter-argument to “the world’s leading trading nation... Washington should be at the forefront of legal and military efforts to ensure the freedom of the seas, whatever legal architecture is ultimately decided upon,” according to attorneys David Rivkin and Carlos Ramos-Mrosovsky.⁷⁰ The National Strategy for Maritime Security has three principles to provide security in the maritime domain. “Preserving the freedom of the seas” is a top national priority.⁷¹ The U.S. must allow “vessels to travel freely in international waters, engage in innocent and transit passage, and have access to ports.”⁷² The U.S. must “facilitate and defend commerce” for an uninterrupted flow of shipping.⁷³ As a major trading nation, the U.S. “economy, environment, and social fabric are inextricably linked with the oceans and their resources.”⁷⁴ Finally, the U.S. must “facilitate the movement of desirable goods and people across our borders, while screening out dangerous people and material.”⁷⁵

CONCLUSIONS

Piracy does not have a significant impact on the PMESII factors in the Somali failed state region. As a result, eradicating piracy in the HoA region is not a priority in current US regional policy. As long as the U.S. military is deployed in two major theaters, Iraq and Afghanistan, the U.S. cannot afford to deploy an adequate amount of military members to Somalia. One possible approach for future US policy is to provide a US military or contractor footprint on land to conduct counterinsurgency (COIN) operations, and follow on stability operations. A second approach is to conduct counter piracy operations at sea; utilize CTF 151 to eradicate pirates. The third approach is to provide economic aid to Somalia. The present author approves of the third approach.

The first approach deals with the long-term issue of containing insurgents in Somalia, followed by rebuilding Somalia's government and infrastructure. A large foreign military occupation force in any country undermines the legitimacy of the host-nation government in the eyes of its citizens and the international community. However, in Somalia there is no legitimate host-nation government. History of insurgent conflict in the Philippine Insurrection and Hukbalahap Rebellion demonstrated that successful COIN operations rely on indigenous security forces.⁷⁶ The future US war on terror strategy must emphasize the indirect approach, working through indigenous Somali forces to build their capacity to conduct effective operations.⁷⁷ A robust Somali coast guard provides a legitimate, law enforcement mechanism to capture pirates. The southern Philippines is similar to Somalia because the majority of the population has an income well below the poverty line. The southern Philippines is similar to Somalia in that it is an "ungovernable area over which unstable, weak national governments have

nominal control but which afford criminal syndicates or terrorists and insurgent groups excellent bases of operation from which they can conduct far reaching operations against other targeted nations."⁷⁸ The OPERATION ENDURING FREEDOM-PHILIPPINES (OEF-P) planners used the Diamond Model to cut off insurgents from their bases of popular support and to isolate, capture, or kill their members and leaders. This model relies on interaction with the host-nation government and the local population.

According to military strategist John Paul Vann, U.S. counterinsurgency efforts "need intelligence from the local civilians and soldiers from the area who understand the language, customs, and the dynamics of the local situation, who can easily point out strangers in the area even though they speak the same language."⁷⁹ The focus of the U.S. counter terrorist policy in Somalia is to eliminate wanted Islamists and prevent safe havens for international Jihadists in Somalia.⁸⁰ The first approach is modeled after OEF-P COIN experience and trumps the long-term issue of eradicating insurgents in Somalia. The U.S. response can conduct a COIN campaign in order to target presumed pirate bases. In turn, a COIN campaign in Somalia will establish political and judicial infrastructure to prosecute pirates for their crimes.

A second approach is to conduct counter piracy operations at sea and on land to eradicate pirates. The U.S. along with several UN nations has responded to the Somali piracy crisis by conducting counter-piracy operations and by standing up the CTF 151. Since January 2009, the Gulf of Aden drew a strong foreign naval presence which led to a drop in incidents in the area from 100 in January to September last year to 44 this year.⁸¹ This suggests that navies in international waters coupled with coast guards in territorial waters will contain piracy in Somalia. But this option also has significant

costs. Deploying a frigate to the HoA costs \$1.3M per month, and money spent to counter piracy is less money to invest in other land-based solutions.⁸² The wages of 100,000 Somali police officers for six months equate to the cost to deploy a frigate to the HoA for one year.⁸³ Jim Wilson, a correspondent for *Fairplay International Shipping Weekly*, estimates that the average Somali earns about \$650 per year.⁸⁴ A private security contractor, Saracen International, was hired by the TFG and funded by a Muslim nation to train an antipiracy force in Bosaso, Somalia.⁸⁵ This security training equips Somalia with a light infantry force to identify pirates and conduct a raid of a pirate base. In a qualitative and quantitative analysis of piracy activity, naval counter-piracy initiatives do not significantly deter pirates.⁸⁶ Counter-piracy operations in the Gulf of Aden denied pirates several successful hijacks.⁸⁷ The EU mission for Operation ATALANTA includes bringing Somali piracy to an end.⁸⁸ Based on the three tactics employed (the detention and trial of pirates caught in the act of piracy; the use of naval vessels to aid attacked ships; and the confiscation of pirates' equipment) to achieve this objective, there is inconclusive evidence about the number and timing of pirate interceptions, detentions, and trials.⁸⁹ Detaining and trying pirates is challenging. Pirates may be arrested and removed from the crime scene, but due to a lack of economic opportunity in Somalia, there is no shortage of recruits to replace arrested pirates.⁹⁰ Due to the lack of job opportunities in Somalia, some pirates are compelled to commit acts of piracy so that they can seek political asylum after serving a prison sentence.⁹¹ The burden to prosecute pirates is on neighboring countries, like Kenya, because trials in Somalia are impossible due to corruption.⁹² On January 26, 2011, Vice Admiral Mark Fox, U.S. Navy Commander of Central Command Fleet, recommended that the coalition efforts shift to

target the pirate supply lines and money.⁹³ “We have not used the same level of rigor and discipline in terms of following the money on the counter-piracy piece as we have the counterterror,” according to Vice Adm Fox.⁹⁴ Both land and sea counter piracy operations can effectively eradicate pirates.

The third approach is to provide economic aid to Somalia in the form of logistic support. On April 13, 2009, Secretary of Defense Robert Gates, spoke at the Marine Corps War College stressing that "there is no purely military solution" to Somali piracy.⁹⁵ In a memo to President Obama, Johnnie Carson as assistant secretary of state for African affairs, he advised the administration to “provide adequate funding and logistical support for the African Union peacekeeping force.”⁹⁶ Further, do not “attack Somali pirate bases or suspected terrorists in Somalia with U.S. military forces...or send U.S. troops, advisors, or military trainers into Somalia.”⁹⁷ This implies that the economic solution is the most viable. There are about 6,000 African Union troops in Somalia from Uganda and Burundi.⁹⁸ AMISOM needs to continue the mission to take back Mogudishu from al Shabaab, which controls parts of the city.⁹⁹ Any serious attempt to break the incentives of Somali piracy must focus on building the capacity for policing and governing the Puntland region.¹⁰⁰ The shipping carriers must increase the cost and risk to pirates by implementing armed and passive self-protection measures.¹⁰¹ The international community must provide economic funding to support AU forces to promote stability in Somalia.¹⁰² The TFG’s success in winning cooperation from local clans and business networks to provide authority and order is Mogusidshu’s best recipe for security.¹⁰³ The full U.N. mandate of 8,000 AU troops is at risk to fail.¹⁰⁴ As a result, the international community must remain sensitive to this possibility as it urges African countries to

contribute personnel.¹⁰⁵ The third approach provides economic aid to Somalia in the form of logistic support.

The author recommends that the U.S. continues to provide economic aid to Somalia in the form of logistic support. The logistic support in the form of weapons and ammunition should go to AU forces that promote stability. This alleviates the need for a U.S. military footprint in Somalia. In the words of Bronwyn Bruton, "It is simply the wise...response to the realization that sometimes, as in Somalia, doing less is better."¹⁰⁶

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