



**PRESENTATION MADE BY THE TRANSITIONAL FEDERAL GOVERNMENT OF SOMALIA, DEPUTY PRIME MINISTER, MINISTER OF FISHERIES AND MARINE RESOURCES PROF. ABDULRAHMAN ADAN IBRAHIM IBBI, AT THE MEETING OF EXPERTS OF ALL AFRICAN UNION MEMBER STATES ON ILLIGAL FISHING, MARITIME SECURITY AND SAFETY  
ADDIS ABABA 6<sup>TH</sup> – 8<sup>TH</sup> APRIL 2010**

After the break of Somalia's Central authority, the country faced countless, uncontrollable and multifaceted problems during 20 plus years of civil war compounded with natural calamities. The country's natural resources were partly poorly managed by disgruntled warlords and businessmen as other parts became prey by ruthless elements within international community.

The mismanagement of Somalia's fauna and flora riches and the negligence of untapped marine resources led the depilation of these resources through indiscriminately illegal, unregulated and unreported fishing activities by foreign seas poachers as Somali fishermen encountered multitude of problems losing their basic livelihood as they fishing gears were destroyed, pouring with boiling water cannon as well as gun shots which occasionally result human casualties and property destruction.

This bizarre act forced the Somali fishermen to become poorer and compelled them to engage in fighting back with the poachers who looted its marine resources which normally perpetrated by foreign fishing vessels to third world countries that have no power to control their long coastal lines. These activities opened up new phenomenon for Somali fishermen – ***the piracy syndrome.***

From the outset, the Somali fishermen's intention was not to continue the resistance against foreign poachers for too long because they thought it would end in a very short time. But with the collusion of an international

and local mafia syndicate, they formed the piracy armed group by engaging terror act of kidnapping foreign mercantile vessels and tourism cruisers passing within Indian Ocean, the Gulf of Aden and the Red Sea made the seafarers difficulty to pass these routes. After capturing the vessels and crew they ask exorbitant ransom or threat to kill the captive sailors as well as the passengers.

Due to piracy activities, now, the Somali small-scale fishermen's livelihood is very precarious to mention the fact that their catch is very limited and receive no adequate return as they have difficulties to engage long-distance sea journey for fresh catches compounded with lack of effective engine-equipped fishing boats, gasoline, fishing gear etc. Now, what their catch mostly use it for family consumption.

The existence of illegal fishing in the Somali territorial and exclusive economic zone waters is evident. The Indian Navy sunk a Thai Trawler, which was illegally fishing in Somali waters. Indian navy thought the Trawler was a pirate mother-ship, but it was not, while with this action the Indians hit the right target and created a good deterrence effect. In this sense, the creation or re-activation of the Somali Coastal-Guard seems to be successful with regard to illegal fishing and preventing dumping toxic materiel in the regional sea.

In the last year 2009, the number of attacks in the waters off the Horn of Africa augmented compared to 2008. Instability from Somali piracy is reverberating throughout the global supply chain, which already was reeling from the worldwide economic slowdown. The resurgence is occurring along critical sea lines of communication. Each year, 20,000 ships pass through the Gulf of Aden, a vital shipping route for international trade that connects the Middle East to Europe and North and South America. In response to the threat to shipping, warships come from many parts of the world to the Somali coasts

Many stakeholders, who depend on regional sea trade, are suffering from the rise of Somali piracy. In 2008, some 20,000 ships have gone through the routes around the Somali Coasts. Of these about 110 have been attacked, and only about 40 were captured, nobody was killed, ransom was paid and ships went back to the seas.

Somebody argued that fighting the pirates does not make sense from an economic standpoint. The Cost for the EU fleet sent to fight the pirates is estimated to be around \$150 million. As of the first part of October 2008, pirates collected an estimated \$30 millions in ransoms. Hence it is cheaper to pay the pirates demands than to fight them. So, why the EU does not care about the cost or about Piracy at all? Within the Answers we may cite two: (i) for securing the legality; (ii) EU is happy it finally managed to launch some military operations without a US lead.

In 2008, authorities from developed countries pressed for UN resolution to intervene on Somali grounds, saying that nations “may take all the necessary measures on the Somali coasts including in its airspace, to interdict those who are using Somali territory to plan, facilitate or undertake acts of Piracy and armed robbery at sea to otherwise prevent those activities”. Many Somalis judged this formulation as “Carte Blanche” for anyone to kill Somalis; but many International authorities and community raised some doubts for such a proposition.

Certain Western authorities, liked to tap into what officials saw as growing enthusiasm in Europe and elsewhere for more effective coordinated action against the Somali pirates. Some analysts criticized the ambition of certain countries saying that they want to use the International community as a proxy force to achieve their strategic designs on the Horn of Africa.

If the International Community wants to limit the Piracy actions, it has to help Somalis to keep foreign illegal fishing and toxic waste dumping away from their coasts; get Somalia out of the failed state status which is doubtless the only ultimately viable solution.

## **The Situation**

There is no doubt that the lawlessness of Somalia’s coast is symptom of its anarchy on land. The feebleness of the Somali authorities gives pirates the ability to hijack ships and take them into ports where no police will try to free them. Also, pirate’s payoffs give locals a stake in helping the attacks continue.

Start invading the coastal towns that serve as pirate havens are considered of little efficiency and the presence of the International navy forces off

Somalia could never stop the Piracy phenomenon, nor ever serve as a deterrent for pirates.

Pirates are invoking legitimate Somali grievances regarding foreign exploitation of marine resources and degradation of the marine environmental, thus gaining community support. Some international mass-media are raising allegation of complicity for some regional figures.

It's supposed that in 2005 there were only 300 armed pirates, today is supposed this number raised up to 1'500 and the majority have been recruited in coastal areas which mean they have good maritime knowledge. It's supposed that pirates have begun to operate beyond the division of clans which has marked the recent history of the Somali conflict.

Moreover, the piracy activity had an adverse effect on Somali people and local traders whose merchandize ferried from the Gulf States to Somalia through boats and small vessels. Along the coastal towns, pirates established jetty ports to detain the captive ships as these floating vessels anchored at the coast for unlimited time may emit ballast water discharge that would affect ecological, economic and human health which as a result affects the coastal community settlement.

It was reported on many occasions the pirates fought among themselves with the money they received as ransom. This incident may sometime cause human casualties and ignited prolonged tribal warfare which results further suffering to the already war-torn society. It's known fact that the ransom money a 20 per cent of it goes to Al-Shabaab extremists groups. As a case example, the ransom paid for the Oil Tanker was to the region of 7 million. When received the money, pirates fought each other because of misunderstanding cropped up how to share and divide the money. With the intervention of Al-Shabaab, they sorted out the difference.

On the other hand, the ransom provides them to buy new and sophisticated weapon and modern speed boats to continue their illicit business. The move lured unemployed youngsters to join the dangerous undertaking while their co-ages who had no possibilities to be onboard look for other alternatives such as human trafficking, illicit trade of arms, gangs, prostitution, importation and consumption of alcohol, hard narcotic drugs

and other social evils. They perform this work through monies they got as compensation from pirates. Elderly local people see this attitude as a change of classical consuetudinary life-style from decent life to mafia-like life-style. Drop out high school students as well as earlier marriage and divorce were common place because of the ill-gotten fortune. The role of parental and kinship relationship seems to be vanishing because parents got difficulties to rear their off-springs to the right path as they rebel parental rearing to join the lucrative market of piracy activities.

The persistence of this wanton act called for the intervention of foreign naval monitoring off and beyond the Somali coast to assist the seafarers from piracy attack despite the move has so far beard no tangible results as interventionists forces contend that they couldn't be easily control and monitor vast open ocean seeking more ships to be deployed off the Somali coast as reinforcement.

The presence of foreign naval forces in the area has its negative impact to the effect that the oily discharge and physical damage to marine habitat and lack of Somalia's inspection rights to foreign naval activities as well as their fishing vessels which they protect in order to fish illegally and not to be attacked by the pirates.

To legalize this presence, the Somali Government would like to jointly work out with other stakeholders a legal framework that binds both the host and the foreign ships for curbing piracy threat off the Somali coast.

## **The Impact of Piracy Action**

Let us took to evidence some figures related to the apparition of piracy phenomenon off coast east Africa.

- First its worthwhile mention that more than 16.000 vessels pass through the Gulf of Aden each year and the risk raised by piracy is so severe that some shipping companies have already decided to take the longer and more expensive sea route around the Cape of Good Hope in southern Africa. The negative impact on international trade is

worsened by the soaring marine insurance premiums faced by ship-owners, having grown tenfold in some cases;

- Energy supply is another victim of pirate attacks, since 12% of the entire world's traded oil passes through these waters;
- The outcome is also harsh for International fishermen, an economic sector sufficiently beaten by rises in oil prices and diminishing marine resources. Tuna season off the Somalia coast represents around 35% of the yearly turnover for fishermen in Europe. According to estimations, cutbacks in catches in 2008 caused a loss of over € 65m to the 43 EC fishing boats operating in the zone lost zone over in 2008;
- Nevertheless, either seafarers or fishermen are fully covered by insurance, so it is insurance companies which have urged European governments for an effective reaction;
- The ultimate link in the chain of affected by piracy impact are consumers, since these additional costs –diverting routes, complementary coverage, or even ransoms- are generally passed on and find their way into the prices that consumer pay for their goods;
- Pirate attacks also entail a serious environmental risk, a threat that remains often unsaid but is increasingly likely, given the fact that within the targeted vessels there are oil or chemical tankers, and that pirates are using ever more powerful weaponry. A major environmental disaster in the Gulf of Aden could be triggered if a tanker is set on fire or even sunk, a probability which grows day by day;
- Hoping that this does not happen, it would not be irrelevant to look at the consequences. All countries facing on the sea area, where piracy phenomenon takes place, are not able to deal promptly with an environmental disaster, also we cannot predict the responsiveness to an environmental disaster from those countries whose fleets use the route in question, which possess the means to make front to an eventual disaster;

- Last but not least, there is an effect on Development Policy in Somalia, since the insecurity of Somalia inland and off-shore makes extremely difficult to deliver humanitarian aid.

However, all experts seem to agree that whichever initiatives off-shore will only be a band-aid until the root cause –widespread lawlessness in Somalia- is addressed on-shore. The trite motto ‘find stability on land first, then order will return to the seas’, assumed by all, can just be reached by means of development aid.

As seen so far, piracy is definitely a cross-cutting subject since it affects many international aspects as well as internal home affairs and security. Now the time has come to assess common policy that responds efficiently the curbing of the piracy off the East Africa seas, and prevents its possible future re-appearance.

The menace of piracy and other sea crimes off the Somali coast has taken a new turn by compounding it with terrorism as international criminals fleeing from Afghanistan and Pakistan looking for safe heaven into the troubled and conflict-ridden Somalia receiving a handful support from local Somali and international fundamentalist “Islamists” and from there unleash their attacks not only for Somalia but also to neighboring countries and beyond which is threat to the region’s stability in general and the world in general.

Against this backdrop, the international community led by the United Nations came to the conclusion to react quickly before the threat reaches to a stage of becoming out of control and came up with the idea of establishing Somali mechanism to counter the piracy activities and other sea crimes off the Somali coast.

The United Nations Political Office for Somalia, in collaboration with the United Nations Department of Political Affairs and with the facilitation of the International Maritime Organization (IMO), United Nations Office for Drugs and Crime, United Nations Development Program, Food and Agriculture Organization of the United Nations, INTERPOL, and EUROPOL has so far organized two workshop held in Kampala and Djibouti on January and February respectively working out, for the first time in 20

years, a Joint Technical mechanism to cooperate holistically in combating piracy and armed robbery against ships and illegal unreported and unregulated fishing off the Somalia coast.

During the course of these meetings, the Somali participants from TFG, Puntland and Somaliland have forwarded their basic requirement to combat piracy by re-establishing and rehabilitating Somalia's coastal guard, low-enforcement agencies and other underlying issues. A third workshop of same nature will be held in Kampala mid April 2010. The Kampala III workshop will discuss the way forward. (Please see the annexed).

The organizers of the present meeting with the help of the international community lead by the United Nations should enact legislations of international standard which constitute illegal, unreported and unregulated fishing as well as dumping of toxic waste and nuclear material as criminal act and all transgressors were liable to be dealt with such legal framework.

By failing to do so, it may lead into more agony not only for Somalia but to the whole world.

Therefore, we appeal the delegates attending this august assembly of members' states of the African Union (AU) to share with my government the following suggestions in order to eliminate fore with the piracy syndrome.

1. Creation of alternative sources of livelihood such as income generating projects at coastal settlement such as sea farming and aquaculture etc.
2. Rehabilitation of Somali Coastal Guards and other law-enforcement agencies so as to curb the threat of pirates since Somalis are only entity that could solve their problems because of their knowledge the kind of situation of this phenomenon.
3. Information-sharing network among the African continents coastal states on piracy activities and other sea-related crimes.
4. Preliminary security escort for mercantile vessels that ferries goods to and from the African coastal states for seafarers' safety.



5. AU should fully support the TFG's intention for the abovementioned requirements in order to stand its own feet by providing the necessary material for marine security and safety.
6. Clearance of Toxic Material and Nuclear Waste containers dumped in African coastal areas which some of them come to surface during Tsunami Tidal waves that hit the Indian Ocean countries at the end of 2007.
7. Taking samples from the marine habitat to scientifically assess the damage so far inflicted the dump in the inland life since Somalia is now noticing the birth of deformed children deformed animal and crop damage.
8. The environmental degradation may spill over to other coastal states neighbor to Somalia since environmental pollution knows no boundaries.

Thank you for you kind attention