

## When Elephants Fight, the Grass Suffers: A Report on the Local Consequences of Piracy in Puntland

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Photo: AP/Farah Abdi Warsameh

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## **Dalhousie Marine Piracy Project**

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## About the Author

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Dr. Weldemichael served as an expert member of Dalhousie Marine Piracy Project (DMPP) Inter-Sectoral Working Group and participated in numerous collaborative analyses and discussions which determined a variety of policy options for dealing with piracy in a cohesive/integrated and comprehensive manner.

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In keeping with the DMPP principles that govern the ethical conduct of human research, I cannot mention by name, but I am especially thankful to the many Somalis, who were always welcoming, forthcoming and provided for me as I traversed the region. I am indebted to the 25 interviewees consulted in this report, for their contributions were of utmost importance.

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*Awet T. Weldemichael, Ph.D.*  
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## Executive Summary

Maritime piracy off the coast of Somalia subsided in 2012 as dramatically as it exploded in 2007. But it is too early to celebrate as the domestic and foreign root causes, chief operators, and foot soldiers of piracy remain intact. These factors bode ill to long-term security of the nearby sea-lanes and hinterlands.

In the absence of a government to deter it, Illegal, Unregulated, Unreported (IUU) fishing posed an existential threat to Somali artisanal fishing. That threat along with widespread claims of hazardous waste dumping became the root causes of piracy. As a result, Somali fishermen initially took to piracy as a legitimate means of defending their interests.

Unscrupulous criminals took advantage of these impromptu community responses, introduced a lucrative business model, and aggressively recruited expert divers and able-bodied fishermen into a new trade of predatory ransom piracy.

In the immediate aftermath of the explosion of piracy, rampant joblessness supplied the piracy industry with a seemingly endless reservoir of manpower, contributing to make Somalia, and particularly Puntland, uninviting to job-creating investments. The international community has ignored the corporate crimes and the developmental factors behind the emergence and rise of piracy.

In spite of staggering sums of ransom money that pirates collected and contrary to widespread claims that Somalis benefited as a result, the vast majority of Somalis, in general, and Puntlanders, in particular, suffered under heavy weight of piracy.

Even though the consequences of piracy, as a criminal enterprise, were not immediately felt, it became the proverbial last straw that worsened the communities' conditions. The export-oriented Somali artisanal fishing hit rock bottom as a result. The thriving of piracy contributed to the dramatic deterioration of security and safety among previously peaceful coastal communities and erosion of their values. In addition to the women, children and internally displaced persons who have particularly fallen victim to pirates' excesses, there is no accurate figure of how many young Somali men perished during counter-piracy actions of the international navies and private security personnel (onboard or escorting passerby vessels) or were lost in the high seas. With

more than 1,000 men incarcerated in prisons around the world, these numbers can only be conjectured by the countless families that have lost loved ones, widowed wives and orphaned children. It is a tragedy of epic proportions.

Besides the intra-clan tensions and bloody inter-clan conflicts that they triggered, pirates brought about foreign government and commercial counter-piracy initiatives that have produced, locally and globally, the most consequential effects of piracy off the coast of Somalia. In many instances, international navies and private security personnel do not follow clear and uniform code of conduct nor are they accountable for their numerous errors, deliberate or accidental.

Locally, several coastal communities have rejected ransom piracy. Led by religious scholars, titled traditional elders and elected office holders (in partnership with international organizations), grassroots communities, local NGOs, women's groups and youth groups have launched aggressive awareness raising campaigns. These campaigns proved very effective in convincing many pirates to quit their criminal activities and many coastal communities to stop dealing with the remaining pirates.

Based on research into the ground-level experiences and perspectives, this report broadly examines the root causes and dynamics of piracy off the Puntland region of Somalia before discussing the effects of ransom piracy in that region and the local counter-piracy responses. Accordingly, the following policy recommendations are put forward:

- ✚ Any sound internal and external approach to the scourge of piracy off the coast of Somalia requires an honest recognition that IUU fishing is one of the few principal factors precipitating piracy; and an appreciation that Somalis carried the heaviest brunt of both crimes of IUU fishing and ransom piracy.
- ✚ The international community should not force 'solutions' on Somalis without providing assistance to implement those solutions – or at least making concerted efforts to that effect. If at all adopted, such 'solutions' would only last so long as their sponsors are prepared to bankroll them.



- ✚ Coastal countries in the region need to put in place and enforce responsible regimes of port state control in order to raise the bar on security and safety requirements for seaworthy vessels.
- ✚ The international community should assist countries along the African east coast and the neighboring Middle Eastern and Asian countries to construct and maintain waste management facilities so that vessels (passing through or operating in those waters) can responsibly dispose of ship-generated waste.
- ✚ International stakeholders, neighboring countries, and, most importantly, governments across the Somali region need to cooperate in charting out a cohesive and sustainable land-based security solutions while simultaneously addressing the developmental factors contributing to the persistence of piracy or threats thereof.
- ✚ In that spirit and without necessarily compromising their respective positions on the polarizing political issues, all governing authorities across the Somali region need to harmonize Somali maritime law with the 1982 UNCLOS, synchronize their policies and actions with regard to the vast Somali maritime space, and coordinate their maritime and overland security operations and justice systems with regard to piracy, which is a common threat.
- ✚ More specifically to Puntland, the region needs to establish an inter-ministerial body to organize its policies and actions on issues of maritime security and safety.
- ✚ Because many pirate linchpins and the vast potential of recruits remain intact (and possibly metastasizing into different forms of organized criminal networks), the international community should provide sustained assistance to Puntland's security sector.
- ✚ Local and foreign NGO-driven job-creating efforts are needed to create opportunities by investing in sustainable, large-scale strategic projects such as rebuilding and expanding the overland and maritime infrastructure.
- ✚ Efforts should be made to address the gaping policy vacuum to rehabilitate the marine environment, which may include a suspension of all fishing licenses; a moratorium on the issuance of new ones until authorities across the Somali region devise harmonized and enforceable policies; incentivizing the governments to do so by aiding their economies to

make up for the loss from the fishing licenses; eviction of foreign industrial and artisanal fishing crafts and enabling the Somali fishing sector to recover and thrive again.

- ✚ Continue raising awareness on a more aggressive and sustainable scale to empower the grassroots, and to devise programs to protect women, children and IDP communities, and rehabilitate victims.



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## Acronyms

EU NAVFOR	European Union Naval Force
GMC	Galkacyo Medical Center
IDP	Internally Displaced Communities
IMO	International Maritime Organization
IUU	Illegal, Unregulated, Unreported
MOPIC	Ministry of Planning and International Cooperation (Puntland)
NATO	North Atlantic Treaty Organization
NGO	Non-Governmental Organization
PDRC	Puntland Developments Research Center
PMPF	Puntland Marine Police Force
TFG	Transitional Federal Government (Somalia)
UNCLOS	United Nations Convention on the Law of the Sea
UNODC	United Nations Office on Drugs and Crime
UNSC	United Nations Security Council

## 1. Introduction

Piracy off the coast of Somalia has subsided and may even be coming to an end.<sup>1</sup> Nevertheless, its root causes are still intact as are its higher-most networks and reservoir of potential recruits at the grassroots. Moreover, its consequences on Somalia and Somalis will remain consequential to the region and the international community. Averting a relapse to the pre-2012 rate of attacks and ridding the region of the scourge of piracy calls for a proper understanding of its effects on the Somali people and an appreciation and support of their uncelebrated successes in combating it.

There has been rising – albeit still wanting – attention to the global impact of piracy off the coast of Somalia. Journalistic and editorial accounts sounded alarm bells about the broader consequences of piracy. Large-scale reports have made some useful statistical estimates of global economic consequences and human costs of Somali piracy. International stakeholders have been holding numerous symposia and ongoing – if intermittent – multilateral consultations to combat piracy in the Gulf of Aden and the western Indian Ocean region. Likewise, there has been much fanfare – some well-deserved – about the accomplishments of the international antipiracy naval armada off the coast of Somalia. The impact of piracy on coastal Somali communities and what these communities have so far done about it is starkly missing in the discourse, as are the effects of the international counter-piracy efforts.

This report helps fill that void by presenting findings of extensive fieldwork and supplementary desktop research into the causes and dynamics of piracy as well as consequences of piracy and counter-piracy operations in the semiautonomous Puntland State of Somalia. It draws particularly heavily from Somali voices through open-ended individual interviews with dozens of reliable oral informants; participatory action research involving groups of elders, youth, women, and professionals all selected for their knowledge and experiences; and different sets of surveys randomly conducted among Somali men and women in Puntland's three major towns of Garowe, Galkacyo and Bosaso. The focus on Puntland<sup>2</sup> is due to the fact that the semiautonomous region has the longest coastline that had also produced or housed some of the most notorious pirates and pirate hubs. Moreover, access to and feasibility of fieldwork in the region made the research possible.

After broadly examining the root causes and dynamics of piracy, the report particularly addresses the following questions:

- ✚ How has piracy affected Somali coastal communities that are active in fishing and in small- to medium-scale maritime trade?
- ✚ How have the international counter-piracy operations been impacting these Somali communities?
- ✚ What are the local views and perception of what may contribute to its lasting, and forward-looking resolution?
- ✚ What has been and is being done by Somalis to overcome piracy and its concomitant challenges?

In addressing these questions, this report offers a window into the plight of Somalis under the heavy weight of piracy in order to find a lasting land-based solutions to the ongoing crime; solutions that are homegrown, locally-driven, and internationally-supported.

## 2. The Historical Background

Somali piracy is a relatively recent phenomenon<sup>3</sup> that, as reported by some, initially started in reaction to the latent and manifest violence that illegal, unreported, and unregulated (IUU) fishing wreaked on the coastal communities during the years of civil war. Commercially oriented, small-scale, artisanal Somali fishing was among the main casualties of the large-scale illegal industrial fishing. Foreign trawlers, coming as close as two miles in some areas and five in others, and increasingly armed, attacked Somali fishermen, destroyed their gear, diminished their catch, and ruined their livelihoods.<sup>4</sup>

The losses of the local fishing communities were not only material as local reports indicate that some artisanal fishermen have been run over by the big fishing vessels or their crafts destroyed in the waves of the passing trawlers. Between late 2007 and early 2008, villagers in the coastal village of Gabac witnessed from the mountaintop overlooking the sea a big fishing vessel sailing directly into a small artisanal boat that had been fishing there. The three fishermen aboard the latter were seen jumping into the water just before the small boat submerged upon contact with the trawler.<sup>5</sup> This cascade of troubles was compounded by natural disasters that pushed the short-lived lucrative fishing sector on a fast downward spiral. In late December 2004, the tsunami that hit the Indian Ocean coasts devastated the local fishing companies in many ways,<sup>6</sup> one of which was a drastic decline of their already reduced catch.<sup>7</sup> The tsunami also washed toxic waste canisters up the Somali coast and thrust the question of waste dumping in Somalia back into public debate.

The stories of IUU fishing (and hazardous waste dumping), and the international community's silence about them continue to evoke strong feelings among Somalis. They offered legitimate grounds for taking action against these reported violations – and have also served as moral justification for pirates claiming to be doing so.<sup>8</sup> Particularly, in the absence of a government to appeal to, the initial defensive response by Somali fishermen became a precursor to the widespread phenomena of ransom piracy when the earliest captured illegal fishers proved too eager to pay 'fines'. The collection of such 'fines' took a life of its own and what was considered as defensive piracy, quickly evolved to the epic levels of criminal ransom piracy.

Meanwhile, concerned about international implications of piracy and under rising internal

pressures to defend Puntland's maritime cash crop from foreign international pirates, the nascent government of the newly inaugurated semiautonomous region of Puntland contracted a private maritime security company to manage and protect the territory's marine resources. Garowe entrusted the company with the task of issuing fishing licenses and founding a functional coastguard with the anticipated proceeds. Nevertheless, whereas one company "took the licensing idea but did not take the patrolling" seriously,<sup>9</sup> the other company "was keeping the security of their own licensed ships instead of keeping the security of the sea."<sup>10</sup> As a result, foreign trawlers continued fishing deep in inshore waters with the indirect authorization and protection of the state. Whatever the merits of these privatized security solutions, the local fishing communities did not see them any differently than they did other foreign trawlers that stole their fish at gunpoint – literally.<sup>11</sup>

Thus left to their own devices, the local communities and their fishermen continued to take matters into their own hands and chase foreign fishing vessels until ransom piracy hijacked what many believe was a legitimate act of self-defense. The tipping point from these defensive attacks to lucrative and criminal ransom piracy took place between 2003 and 2004 when a few men introduced an attractive business model of harnessing the enormous potential they saw in hijacking ships for ransom.<sup>12</sup> Their trade quickly took a life of its own and deprived what remained of the Somali fishing sector of the needed manpower while scaring away significant portion of the legitimate small- to medium-scale maritime commercial activities, bringing instead international condemnation and military response.

Nevertheless, while many Somalis rejected ransom piracy and still do so, others approved of it because they believe it was a legitimate response. In a 2012 random survey conducted among 236 youth in Puntland's three main towns (Bosaso, Garowe and Galkacyo), over 34 percent said that illegal fishing (46 respondents) and waste dumping (36 respondents) caused piracy and an equal percentage of the respondents approved of piracy. Those who 'approve' of piracy (33 respondents) and those who 'somewhat approve' (45 respondents) correspond roughly with those who think piracy was 'positive' (26 respondents) and 'somewhat positive' (45 respondents). Furthermore, both of the latter responses correspond with those who attributed piracy to illegal fishing and waste dumping.



### 3. The Advent and Dynamics of Ransom Piracy in Puntland

The toxic mix of lawlessness, unemployment, poverty and the resource pirates' alacrity to pay rising fines sent awry the legitimate self-defense of Somali fishermen and offered a fertile ground for ransom piracy to the long-term detriment of Somali political, economic, and security interests as well as its social and moral fabric.

The evolution of defensive piracy to predatory business was helped by many factors that are at the heart of the inability of experienced seamen to sustain themselves and support their families. These include: 1) over-fishing due to lack of alternative or supplementary livelihoods decreased their catch in inshore waters; 2) IUU plundering of the marine environment at a faster rate than it could recuperate and replenish its resources, which combined with shrinking Indian Ocean fish stocks, further reduced the artisanal fishermen's catch even in the offshore waters; 3) the 2004 tsunami dealt the withering fishing sector an irreversible blow, shedding off its remaining employees. All these combined to push many more subsistence and employed fishermen out of legitimate lines of work into the warm embrace of ransom piracy – townspeople and nomads from the interior joined in later on.

In the absence of strong law enforcement, the fresh and growing reservoir of experienced seamen without jobs and living in abject poverty offered an ideal ground for the few business-minded organizers to recruit and train men for hijacking ships in the high seas, ushering in the epic phenomena of modern-day piracy. The pioneers of ransom piracy appeared patriotic and appealed to the legitimate grievances of the local communities against the illegal fishers. They called themselves marines or coastguards and received some support – actively or passively – from the local communities. However, what little enthusiasm the population held toward the pirates started to fade, especially after 2007 when non-fishing commercial vessels appeared along their coasts in increasing numbers and their sailors were held for ransom.

The local consequences of ransom piracy were not fully felt across Puntland until after 2007. Since then, it has had direct and devastating effects on every aspect of Somali livelihood in that region. The reasons are multiple and inter-related.

Earlier that year, the existing inter-clan business organization of pirates had broken down. The

three principal leaders discontinued their relations and clan- and sub-clan based loose pirate groupings emerged. The increased homogeneity of pirate groups attracted previously reluctant investors who now rushed to offer capital to groups from their own clans or sub-clans. A one-time pirate and subsequent investor and notorious Galkacyo gangster related how upon his return to Garowe from a successful pirate operation in late 2008, “there was this rush by investors who offered money for future missions.”<sup>13</sup> There also emerged a group of potential recruits with skills that investors (old and new alike) and pirate kingpins coveted.

During the final eighteen months of Mohamud Hirsi Muse’s (Cadde Muse) presidency, Puntland experienced its worst financial crisis that it was unable to afford the salaries of its employees. After several months of going without pay, many soldiers abandoned the defense force and started searching for alternative means of supporting themselves and their families. Many of these well-trained and disciplined men were recruited into pirate groups.

Previously, pirates typically went into ‘hibernation’ after every successful hijacking. They spent their loot in relative obscurity and only came out to prepare for another operation after exhausting their loot. Since 2008, however, investors started to pour money (on credit) – in cash and in kind – to lure the non-pirate youth into piracy and retain the committed pirates. A pirate recruiter, for example, gave a potential recruit a day’s worth of khat (the leafy, mildly narcotic drug) to chew, a place to sleep, and \$1,000 to send to his family before asking him if he were ready to join a group of pirates about to go to the sea. The answer of the former-soldier-turned-pirate-recruit was swift and unmistakable: “I am prepared to die now!”<sup>14</sup>

The consequences proved devastating to the local communities and eroded what little support pirates had enjoyed among their hosts. With the increasing number of soldiers-turned-pirates and disintegration of inter-clan pirate groups, the existing ‘code’ among pirates dissolved. Pirates started to double cross each other across and within clan groupings. The consequent tension and violence within and among pirate groups led to increased insecurity of local communities wherever the pirates landed.

Moreover, investors and pirate groups rushed to outdo their rivals by attracting the better skilled and bigger number of recruits. In the process, pirate recruiters and organizers started

unprecedented extravagance that drew growing number of able-bodied men to piracy and generally worsened the security of the willing or increasingly unwilling host communities and deteriorated their social fabric.

## 4. The Effects of Ransom Piracy

Piracy has caused significant harm to the Somalis – in coastal areas and inland towns alike. It destroyed the livelihoods of those who depended on the fishing sector; it directly and indirectly caused the prices of consumer goods to skyrocket; and it scared away legitimate businesses and job-creating investments. Pirates contributed to the deterioration of social values, exposed their communities to unprecedented kinds of physical insecurity and violation of social norms; and became a drain to the meager services that are available.

### 4.1. Collapse of the Fishing Sector

Ransom piracy eroded the sustainability of subsistence fishing and became the proverbial last straw that broke the back of the Somali-owned, export-oriented, rudimentary but lucrative fishing sector. Ransom piracy worsened the IUU initiated vicious cycle of diminishing catch, declining income, dwindling capital to invest in equipment, hence reduced catch and employment opportunities.

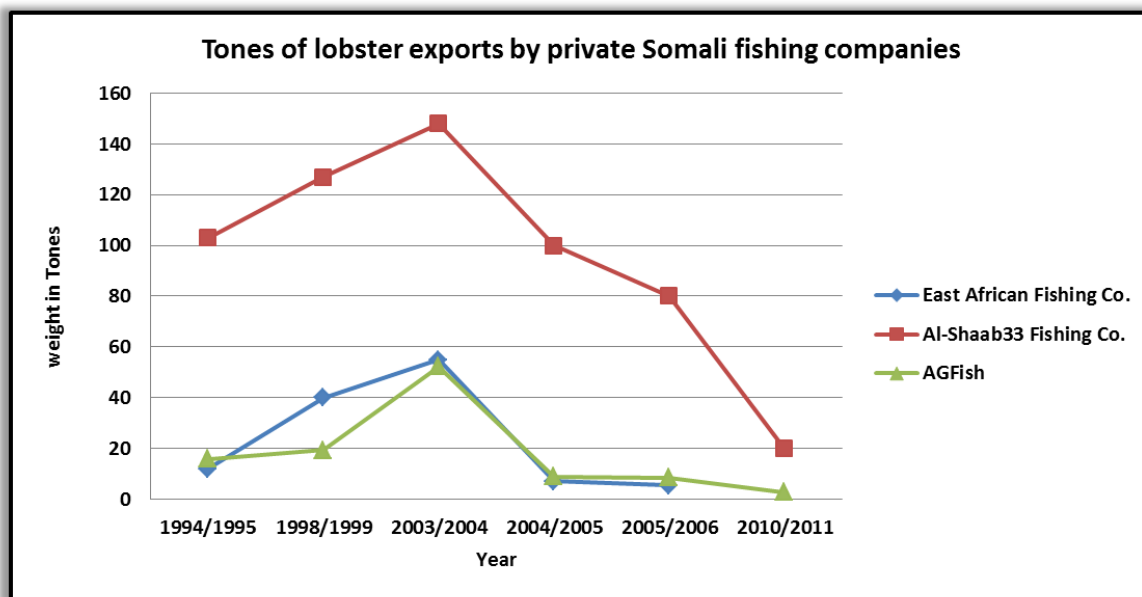
This downward spiral of the Somali fishing sector, compounded by the tough competition from the industrial IUU fishers and natural disasters, pushed many to illegally migrate to greener pastures elsewhere in the Horn of Africa or the Middle East. Others were either cajoled into piracy or joined in of their own volition. Piracy and fishing have since developed an inversely proportional relationship, the reversal of which bodes well for a sustainable Somali solution to the scourge of piracy.

Even though many companies went bankrupt and closed down, a few surviving companies started to bring laborers from south and central Somalia to make up for their loss of manpower to piracy. Within days of coming to the fishing villages, the fishermen would make contact with pirates, who actively recruit them or provide handouts of cash, food, drinks or chew – as they do to *shahat*.<sup>15</sup> Even as *shahat*, the newly arrived laborers end up making more money (in cash and in kind) than they normally would as laborers or divers for the fishing companies that brought them there in the first place. Most of them quit within days and the companies were left scrambling for new manpower.

Helped by multiple interlocking factors, the evolution of defensive piracy to the predatory

business of ransom piracy thus contributed to the collapse of the fishing sector. Based on statistics from three companies with complete data sets, the following table best demonstrates the dire predicament of the fishing sector in the hands of foreign resource pirates and Somali ransom pirates.

**Figure 1:** Lobster exports by private Somali fishing companies



Moreover, pirates affected the individual fishermen directly and indirectly. Indirectly, pirates compromised the safety of the small-scale local fishermen because international navies could not tell the two apart and innocent fishermen became victims of anti-piracy forces. After many such incidents, fishermen feared to venture out to sea and many completely stopped doing so. This aspect of the consequences of piracy is discussed in more detail in later sections.

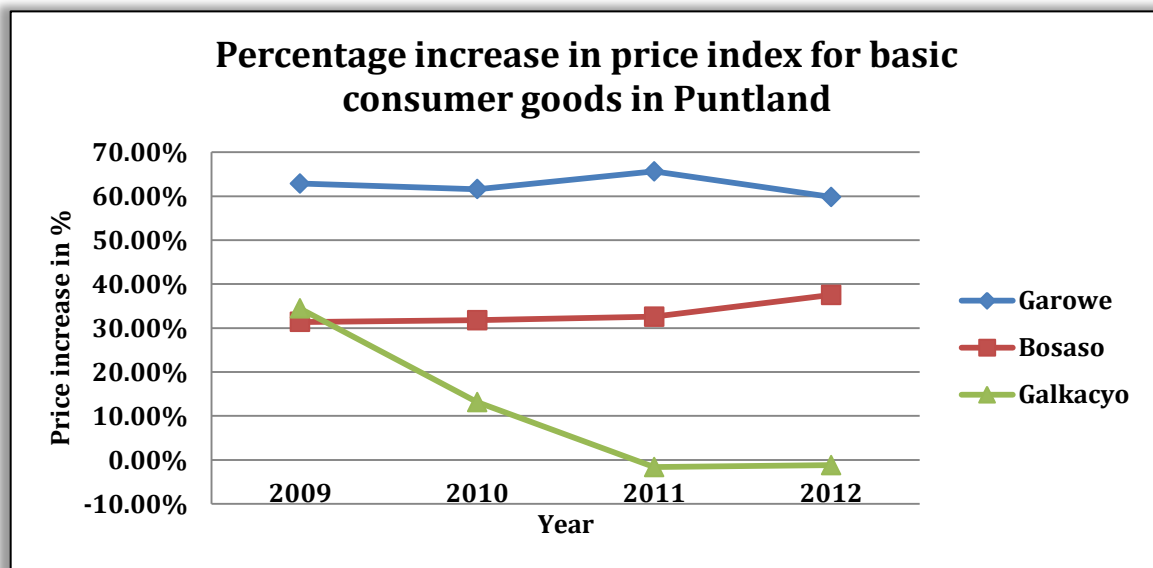
More directly, Somali fishermen have consistently complained about pirates stealing their fishing boats and catch, fighting and injuring or killing them in the process. Whereas executives of a fishing company in Bosaso related the injuries and deaths their smaller-scale fishermen suffered in the hands of the pirates, a fisherwoman from Eyl lost one of her boats to pirates, but intercepted another daring group of pirates pulling her other boat behind their truck and driving fast through Bedey, the coastal half of Eyl.<sup>16</sup> Many other fishermen were not as fortunate as pirates succeeded to steal their equipment and their catch. A fisherman told *SomaliaReport* that “pirates came to Bargal beach [in late 2011] and seized my friend’s boat. They took it to Oman

and my friend never saw his boat again.”<sup>17</sup> Another fisherman in Lasqorey also told *SomaliaReport* how pirates stole their catch at gunpoint: “One day...Somali pirates with a small boat like ours came over and asked us to buy a fish. They didn’t have much money so we refused them. Finally they forced us to give them the fish that we worked so hard to catch.”<sup>18</sup>

#### 4.2. Inflation and Price Hikes

Prices of basic consumer goods started to rise sharply in the immediate aftermath of the explosion of ransom piracy in 2007. In October 2012, the Puntland Ministry of Planning and International Cooperation (MOPIC) released a price index of basic consumer goods for the major cities in the preceding four years (with 2005 as a base year for Garowe and Bosaso and 2008 for Galkacyo). Accordingly, the retail prices of basic necessities like foodstuffs, medicines and clothing rose by an average of 47.62 percent per year in Garowe and Bosaso. Even Galkacyo’s already high price index witnessed an additional average increase of 15.30 percent per year during the same time frame.<sup>19</sup> Compiled from 2012 MOPIC data, Figure 2 illustrates the percentage increase in price for basic consumer goods in Puntland, which happened in at least two easily identifiable ways: spendthrift pirates’ massive borrowing on exorbitant interest rates and skyrocketing insurance premiums that also impeded trade.<sup>20</sup>

**Figure 2:** Percentage increase in price index for basic consumer goods in Puntland





### 4.3. Trickle Down of Insurance Costs and Impediments to Trade

Speaking about the whole of Somalia, a Somali businessman and contractor related how, on top of its being completely unsupported by a state or the international community, the economy suffered due to piracy. Among other things, foreign vessels refused to transport goods to Somalia.<sup>21</sup> Former Somali Prime Minister, Abdiweli Mohamed Ali Gaas, similarly speaks of the toll the exorbitant insurance premiums had exacted on Somalia. According to him, of the more than 20,000 vessels that sail past the Gulf of Aden, less than 5 percent came under attack by Somali pirates, and at the height of pirate success, 3 percent of the attacked were actually hijacked and their crew taken hostage. But insurance costs increased for all those buying coverage when sailing past the piracy prone waters – in some cases insurance premiums tripled or quadrupled.<sup>22</sup>

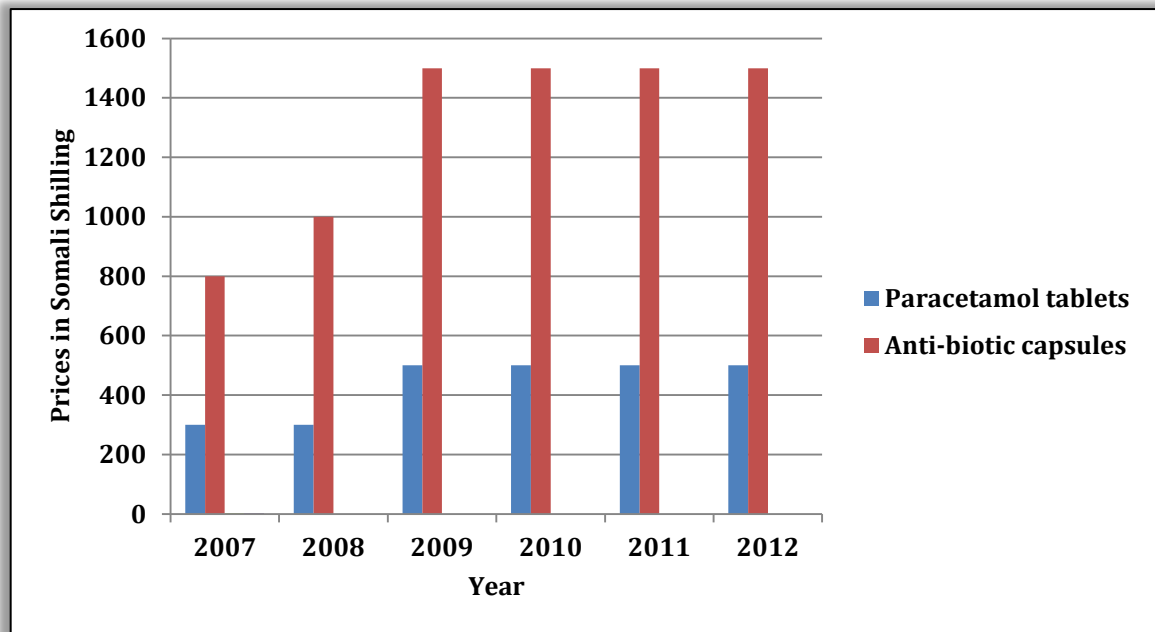
More specifically to Puntland, the Bosaso-based Chamber of Commerce shows that piracy hampered Puntland's imports and exports with a direct bearing on prices of basic consumer goods in local markets and export of livestock. Early on, the majority of south Asian-owned dhows that transported goods to and from Bosaso ceased operations as pirate attacks escalated. The ones that continued to operate did so at a significantly increased transportation charge (as much as 30 percent across the board) for the same cargo because of the increased insurance premiums for sailing in piracy-infested waters.<sup>23</sup>

Moreover, foreign traders lost confidence to send their goods for their Somali partners to sell and send back the money – as they had been doing before piracy. As a result the relationship of Somali business people with foreign partners stopped and many such companies went out of business.<sup>24</sup> That reduced competition among suppliers and gave them significant pricing leverage.

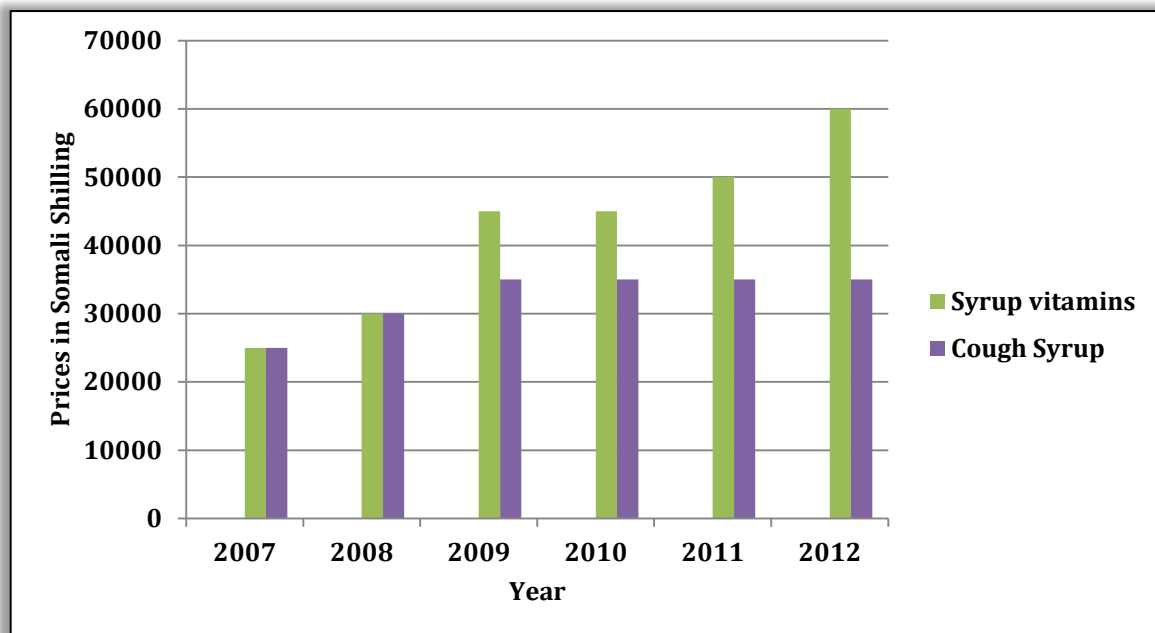
All those costs ultimately trickled down to retail prices and the end consumers absorbed them without new or additional sources of income. Although the market of consumer goods started to feel the squeeze from piracy, however, prices did not fully respond until 2009 with an immediate jump that has since plateaued (with the exception of Galkacyo that declined although retail prices of consumer good there remained comparable to the other towns). A random visit to any retail store in one of Puntland's towns demonstrates how the consumers absorb these increased costs.

The table below is a pricing of the most-sold medicines over a six-year period taken from a pharmacy in Garowe that has a full record of its prices over the years.<sup>25</sup>

**Figure 3:** Prices (in Somali Shilling) for most-sold medicines over a period of six-years at a pharmacy in Garowe



**Figure 4:** Prices (in Somali Shilling) for most-sold medicines over a period of six-years at a pharmacy in Garowe

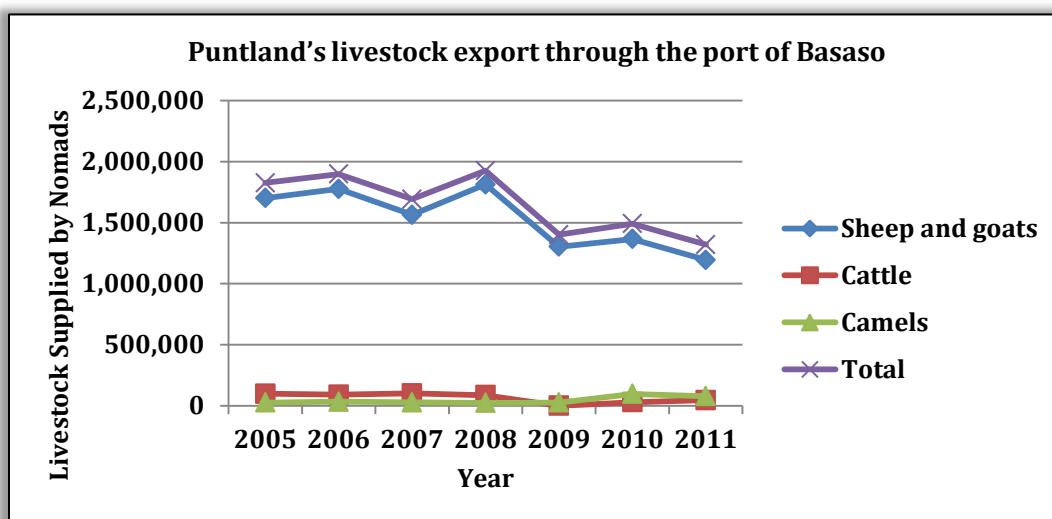


#### 4.4. The Livestock Business Suffered

The export of livestock supports the livelihoods of many Somalis and is an important source of revenue for the Puntland state of Somalia.<sup>26</sup> As per statistics from Puntland's Ministry of Livestock and Animal Husbandry, the region's export of livestock steadily rose since its establishment in 1998 and averaged at 1.8 million heads of livestock between 2005 and 2008, with 2008 witnessing the summit figure of 1,926,062 heads.<sup>27</sup> But that dropped to an average of 1.4 million heads of livestock between 2009 and 2011, and the year 2012 was expected to end with a further drop in livestock export at about 1.3 million heads.<sup>28</sup> The secretariat of the Chamber of Commerce has a nuanced explanation for the dramatic decrease in Puntland livestock export during the height of piracy.

Because foreign buyers do not have guarantees that their purchases would arrive safely, they started to demand that Freight is on Board (FOB) before they pay for it. The risk borne by Puntland traders is increased even more by the fact that Puntland does not have the Letter of Credit (LC) system.<sup>29</sup> Foreign companies also started to demand that Puntland traders bring their livestock to Djibouti,<sup>30</sup> reducing the revenue that the state would have collected from exports through the port of Bosaso. Meanwhile, the livestock-supplying nomads were not immune to the inflation that affected Puntlanders from all walks of life, without necessarily earning more for their cattle, sheep/goats and camels.

Figure 5: Puntland's livestock export



#### 4.5. Spendthrift Pirates' Massive Borrowing

Average pirates hardly retained fluid cash before – or long after – the delivery of ransoms. Wherever they went pirates and their entourage of *shahat* either bought supplies on credit from local businesses or borrowed massively. Given the pirates' desperation at the moment and their alacrity to pay hefty interest afterwards, and given the overall level of risk involved for the legitimate retail businesses, the latter demanded – and in many cases were offered without demanding – as much as 100 percent interest rates, which dramatically spiked the prices of commodities for everyone.

Generally negotiations to free captured ships during the first two years (between 2007 and 2009) did not drag on for long and ransoms were quickly delivered.<sup>31</sup> During those years, pirates also paid back their debts as quickly as the ransoms were received. The speed with which those debts were settled had the immediate effect of doubling the prices of commodities in pirate dens.

This increase in prices was not restricted to coastal villages, as those in the town also showed commensurate rise. Businesses in inland towns gave out credits to their partners in the coast and faced as much risks as they charged interests that were as quickly paid as the ransoms were delivered and pirate debts in the coast settled. Meanwhile, immediately after the capture of the ship(s), the attack team(s) (no more than 20 pirates per ship) descended on the nearby towns and got on their own spending spree on credit secured by the captured ship along the coast. Immediately after the ransom was paid and split, the ground/security teams also went to the towns to spend their smaller share of the ill-gotten fortunes. Even when they were paying for their purchases up front, pirates were too willing to continue paying twice the value of the items. The risk in such lending was not a hypothetical one.

After amassing so much debt for food (for the hostages and hostage takers alike), and for the pirates' khat, alcohol and other luxuries like cars and women, the hostage takers themselves become hostages of their creditors, perpetuating at least at the individual level the cycle of piracy and its consequences. Typically, the captured ship(s) secured the debt that its captors incurred. But in case the pirates lose the ship(s) either because the crew overpower their captors or are rescued or other unforeseen reason, they are not expected to pay the debt they incurred until the day they lost the ship(s) – but few if any associate with them afterwards much less give them

credit. Often times, the post-hijacking lenders of the pirates (the local businesses and individual investors) are different from the initial investors who dispatched the pirate team in the first place; and both end up absorbing their respective losses.<sup>32</sup>

A classic example is the case of the Libyan-owned, North Korean-flagged MV Rim. Pirates captured MV Rim in February 2010 close to Yemen and marshaled it to the waters near Garacad. In a mysterious chain of event in June, the 10-man Syrian crew overpowered their captors, took control of the ship, and sailed it out of Garacad. In the interim months, one of the two pirate leaders incurred as much as \$300,000 in debt that he remembers, but is neither in a position to repay nor expected to.

A similar recent case is that of MV Iceberg I. After more than two and half years of holding it captive and accruing debt, the pirates lost to the nascent Puntland Marine Police Force (PMPF) that took control of the ship and freed its surviving 22 sailors in December 2012. Highly reliable sources indicate that the pirates' debt reached \$2.5 million.

The cumulative effect of these dynamics was the parallel rise in commodity prices across the board in Puntland, which made it increasingly difficult for the non-pirates to afford the rising living costs. More and more people sunk deeper into poverty and piracy or illegal immigration became the only option available for increasing number of the able bodied willing to undertake either of the risky ventures. So, whereas the need for quick money is an undeniable incentive for many of the youth who joined piracy, claims that it was the relatively well-off who did so<sup>33</sup> is not borne out of the reality on the ground in Puntland. Piracy's foot soldiers needed quick money because they lived in abject poverty.<sup>34</sup> A lion's share of these borrowings was, however, spent on alcohol and the mildly narcotic khat, which had devastating social and security implications that are discussed below.

#### 4.6. Loss of Job-Creating Opportunities

Like other criminal activities, piracy benefited from the initial problem of joblessness across Somalia, and particularly in Puntland, and it became the biggest impediment for a solution. The cascade of economic difficulties that piracy caused directly affected the creation of local jobs, which in turn made jobless young men available in abundance for recruitment into piracy. As the

special advisor on piracy to the Secretary General of the United Nations, Jack Lang, accurately reported in January 2011, the “growing insecurity caused by piracy is depriving the north of Somalia of possible job-creating investments (port operations, fishing and development of public infrastructure).”<sup>35</sup>

This point is exemplified using a recent business venture from a Somali-owned and Kenya-based company that was trying to resuscitate business ventures that had stalled due to piracy, among other factors. The company planned to connect Puntland to the fiber optic lines that pass undersea nearby. The company’s own feasibility study suggested that, everything being equal, the project would employ thousands of skilled workforce and unskilled laborers, and generate tens of millions of dollars in revenue. Due to piracy, no shipping company was prepared to transport all the procured cables and other hardware. At an added cost, the supplies were transported to Djibouti, where they await to be shipped to Puntland.

Even though piracy has also interfered with other job-creating businesses (active and prospective), there is no alternative to job creation being a significant part of the solution to piracy. The majority of people in Puntland partially attributes piracy to joblessness and believes that job creation is the best solution. In a random survey conducted in February 2012 among Puntland’s youth in the three major urban centers,<sup>36</sup> 91 of the 236 respondents (38.5 percent) thought that youth unemployment was at the root of piracy. And 124 of the same respondents (52.5 percent) believed job creation to be the best solution.<sup>37</sup>



Figure 6: Causes of piracy

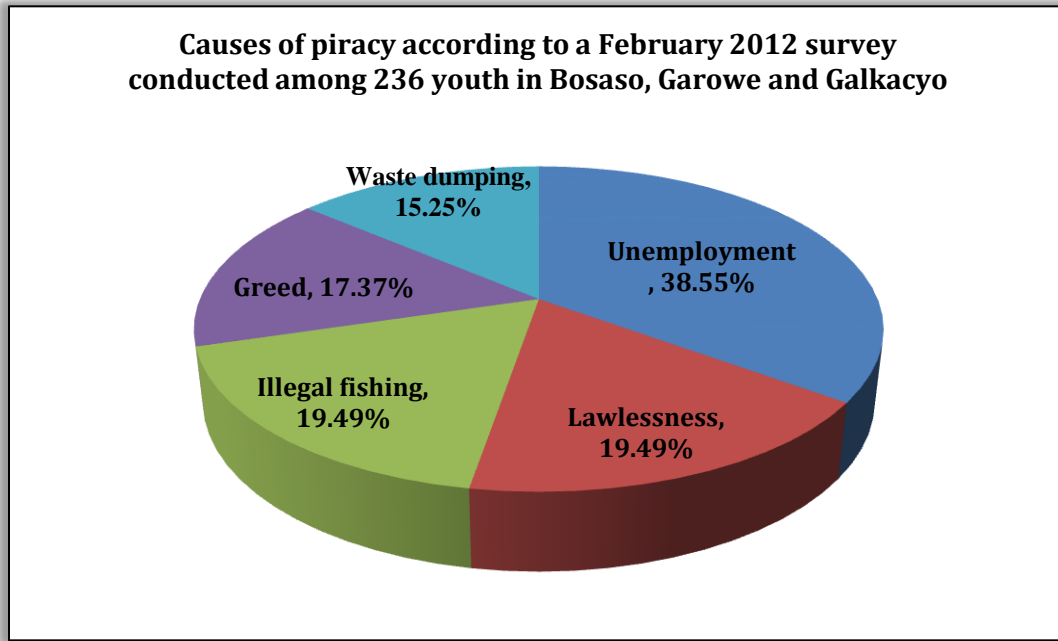
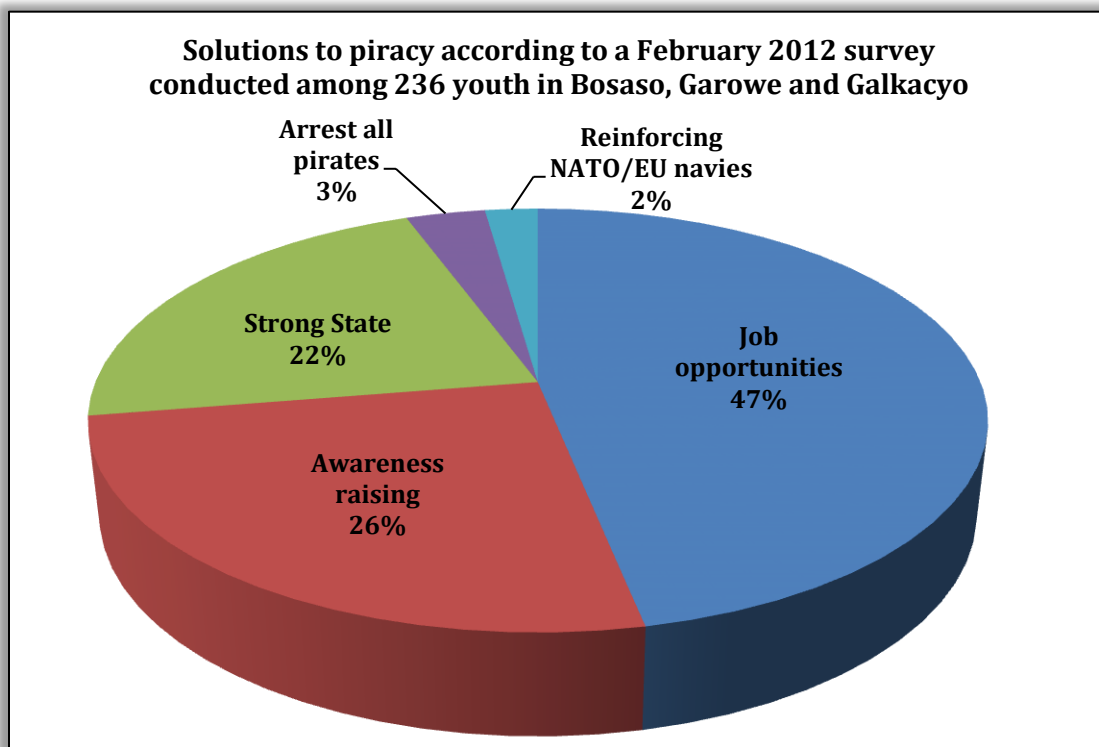


Figure 7: Solutions for Piracy



#### 4.7. Deterioration of Safety and Security, and Draining of Resources

The safety and security of previously peaceful communities suddenly deteriorated immediately after the advent of pirates on the scene. Their pouring in of unearned cash led to deteriorating security, worsening erosion of the social and family fabric, and destabilization of the traditional order that had preserved itself through the years of war. In previously peaceful and least armed communities, the pirates were armed to the teeth and did not hesitate to use them against each other and non-pirate local residents alike. The attendant insecurity affected everyone.

The exact statistics of security incidents involving pirates are hard to come by because, among other factors, pirates choose to settle disputes outside the justice system as represented by state authorities.<sup>38</sup> The combined effects of their activities are, however, inescapable to the naked eye. A number of other practical and methodological challenges made it difficult to exhaustively track pirate-caused security incidents. But the few documented cases capture, in broad contours, the damage that piracy wrought onto the people of Puntland.

In an open group discussion (participatory action research) with Eyl residents about these and related piracy-related developments, a religious leader from the village of Dacwad in Eyl quietly mused, “the powerful get angry fast.” He had a near death experience when a pirate fired in his direction in opposition to his preaching against piracy and pirates. Many other elders and activists were victims of that anger when pirates shot at them randomly. Even mosques were not safe as, in at least one incident in Eyl, pirates shot several rounds into the Mosque in order to stop the anti-piracy sermon on a Friday. A representative of the youth campaigners against piracy in the historic fishing village related how security had so deteriorated that “our wives started to miscarry due to extreme fear.”<sup>39</sup>

The situation was even worse further south, especially when the hub of piracy moved to Mudug region of Puntland. Pirates, related a high official in the office the regional governor, are into “all night partying and gun fire...to a point that we assume that every gun shot is pirate-related. About 99% of traffic accidents are pirate caused: head-on collisions, over-turning, and knocking down people are among the speeding related accidents”<sup>40</sup> In mid-February 2012, a 19-year-old civilian was killed in Galkacyo in one such pirate shooting during a wedding of one of them. The police responded and apprehended the shooter only to face multiple challenges. On the one hand,

the family of the victim wanted to avenge their death and demanded that the killer be handed over to them as is the custom. On the other hand, the pirates wanted to free their colleague and twice attacked the police station. This was not the first time that the Galkacyo police came under similar attacks.

Both pirates and non-pirates similarly characterized the level of pirate-caused disturbances between the inland town of Galkacyo and the coastal village of Garacad in Mudug region. An army veteran and ranking police officer in Galkacyo concurred and compared the pirates' random and wanton shootings to hundreds of simultaneous suicide: "When they marry, they fire so much ammunition that one thinks a battalion had killed itself."<sup>41</sup> As group consultation with elders and experienced security personnel went on during that tense Galkacyo afternoon in late February 2011, gunshots could be heard coming from different corners of the town. Security disturbances surrounding intra-pirate rivalries or quarrels and drunken commotions were not the only ills that followed the advent of ransom pirates after 2007.

Never seen before car accidents shocked the locals and contributed to increased injuries and fatalities. When asked what had happened to his leg, a pirate who had a limp in one of his legs related the story of his car accident because of his "crazy" driving without prior experience and went on to advise that nearly all injuries of young men that are not caused by gunfire are due to car accidents similar to his.

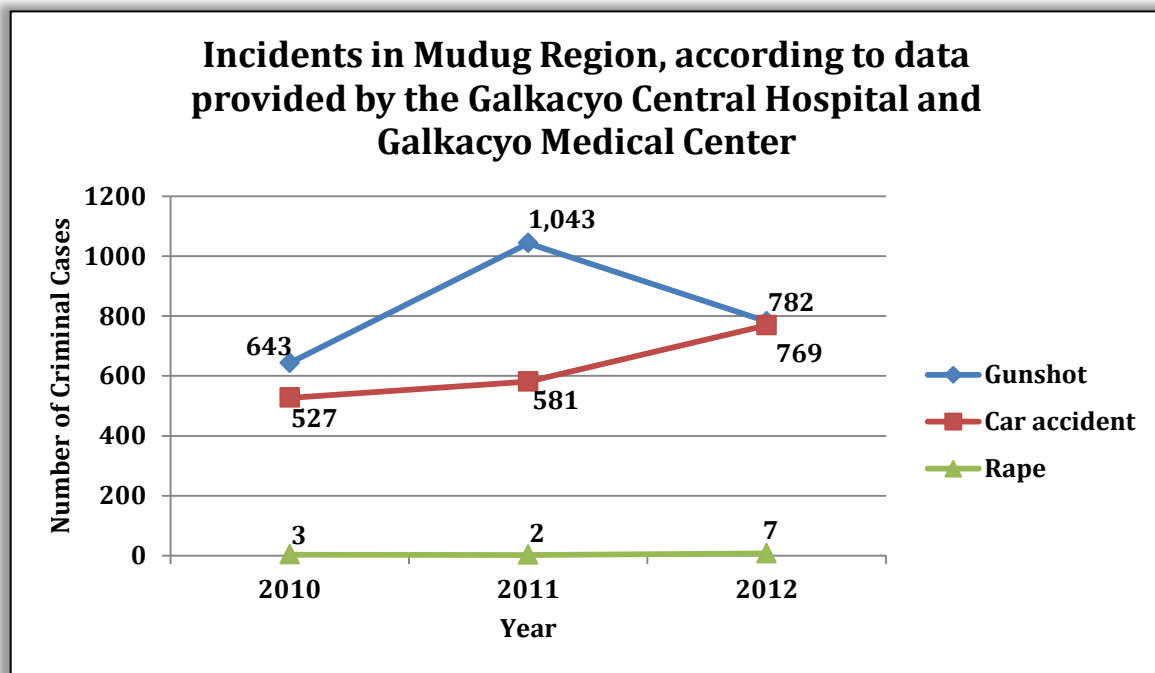
Suddenly 'enriched' young men owned flashy sports utility vehicles (SUVs) that were automatic (as opposed to the harder to drive stick shift). Driving them under the influence of alcohol and drugs and without prior driving experiences, they caused numerous accidents. A different pirate admitted how behind the façade of bravado of successful pirates, the horrors of capturing a ship in the high seas chases the pirates on land. In their delirious high speed race from themselves they caused many accidents.

Like other security incidents, however, pirate-caused car accidents are hard to nail down statistically because pirates do not typically wait until their disputes are reported to the police. However, medical reports give a picture of pirate-caused casualties that have been brought to the few available medical facilities. When they survive and receive emergency medical attention,

they sap the medical resources that would otherwise have gone to needy innocent citizens.<sup>42</sup>

According to information from the Galkacyo Medical Center (GMC), up to 60 percent of that center’s resources were being used up in treating pirates wounded in car accidents or in intra-pirate fights.<sup>43</sup> Roughly aggregated data from GMC indicate that that medical facility treated 912 cases involving pirates between 2010 and 2012, more than half of which were gunshot injuries (pirate and non-pirate). The numbers reported by the Galkacyo General Hospital is even more staggering as the diagram below demonstrates. But what is jarringly absent in the latter is report on rape cases and their very limited numbers from GMC: three in 2010, two in 2011, and seven in 2012.

**Figure 8:** Incidents (Gunshot, Car Accidents and Rape) in the Mudug Region

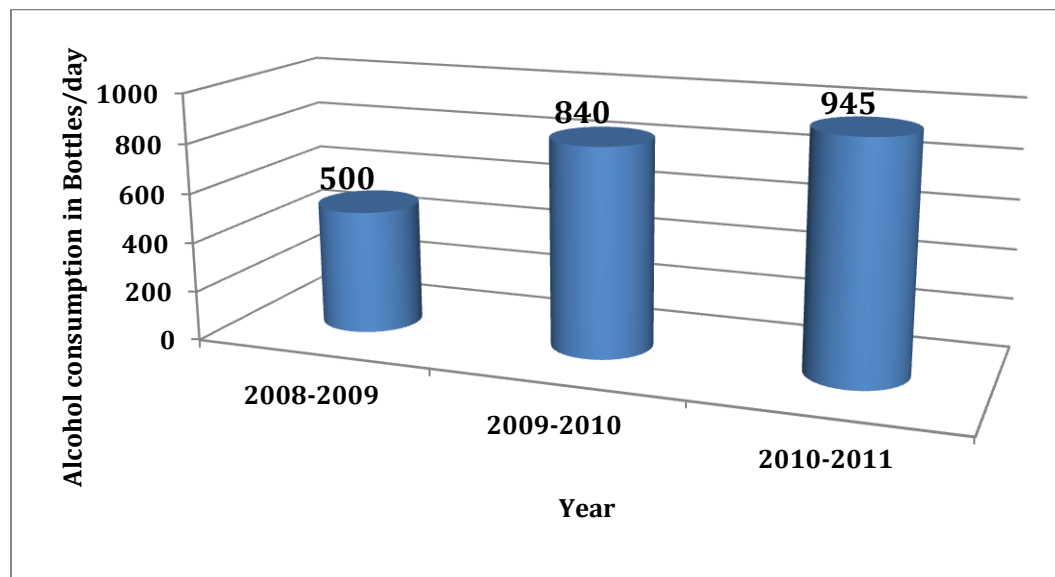


At the heart of nearly all of the violations of social norms, religious prohibitions, security incidents, and public commotion in the coastal areas – as well as in inland towns – is the massive consumption of alcohol and drugs by gun slinging and SUV driving pirates. As described by a one-time notorious pirate, the hours of the day in Garacad are divided into three: khat chewing during the day, drinking time in the evening, and shooting at night.

#### 4.8. Substance Abuse and Attendant Ills

There is a large structure in the outskirts of the regional capital of Garowe that houses some of Puntland's mentally ill. Spearheaded by Mrs. Hawa Ahmed Mohamed who, since 2005, campaigned against the stigma about and started to care for the mentally ill, the facility was built with funds raised by Somali Diaspora (in Europe) on land granted by the Puntland government. Called Garowe Psychiatric Center, the facility catered to more than thirty known pirates who had drifted off their sanity due to a mix of substance abuse and violence. At the time of the visit in early February 2012, thirteen former pirates had already been treated and discharged. Of the forty-nine inpatients who were in the facility at the time, fifteen were former pirates.<sup>44</sup> In spite of Mrs. Hawa's best efforts and impressive success, however, not only does the stigma remain pervasive, but also many young Puntlanders irreparably damaged their physical and mental health through excessive use of drugs, alcohol and brute violence.

Tracking the smuggling and consumption of drugs and alcohol into Somalia has been particularly difficult because fierce Islamic prohibition drives the illicit trade deep into the underground even in places where the actual consumption of alcohol is as public as the participation in the crime of piracy. Discrete telephonic consultations with half dozen alcohol retailers offer a rough estimate of how many bottles may have been consumed on a daily basis across Puntland during the heyday of piracy. Accordingly, an estimated 500 bottles were consumed daily between 2008 and 2009. That figure jumped to over 840 bottles per day in 2009-2010; and increased by an additional 100 bottles the following year at 945 per day. Noticing the shock at what were considered as unlikely figures, one telephone informant volunteered to help: "have you seen pirates drink this poisonous drink? I have!"<sup>45</sup> He related other occurrences, some of which were heard before from activists, government officials and pirates as well, where many pirates simply drowned an entire bottle of dry gin; and did so as regularly as they could afford to.<sup>46</sup>

**Figure 9:** Estimated daily alcohol consumption in Puntland, 2008-2011

The exorbitant prices that traders and retailers charged did not deter the pirates; nor did the strict Islamic prohibition of alcohol among an entirely Muslim population. An example is the Ethiopian gin popular among Somali pirates in coastal areas and towns alike. In the Ethiopian capital, Addis Ababa, a bottle of *Baro's Dry Gin* is retailed at no more than \$10. In Garowe and Galkacyo, it costs an easy \$100; and one would be considered lucky to get a bottle after going through a chain of trusted connections. Not only did that price double in the coastal areas but it was traded openly and consumed publicly. There were times when a 75cl bottle of gin cost as much as \$500 in the Galkacyo – Garacad corridor.

Equally devastating, and of immediate and long-term physical and mental health effects, is the parallel excessive consumption of the mildly narcotic stimulant leaf, khat. According to a fisherman who said he conducted a 'survey' with pirates, khat-induced high (or *merqan*, as it is locally called) is the last spur that makes pirates get onboard the boats going on piracy missions. The farther they sail away from the coast, the *merqan* fades; in its place fear and the desire to hang on to life with every available thread sets. And the final adrenaline rush and daring to board a gigantic vessel in the high seas comes from human survivalist urges to escape a dangerously small boat for the steadiness and safety of the prey. When they come home with a pirated ship, however, not only does khat calm their anticipation until ransom is paid and keeps them vigilant – at times for days in a row without any sleep – but it is also consumed in large quantities for



entertainment purposes to attain a much craved state of euphoric *merqan*.

The explosion of piracy saw a parallel increase in the consumption – hence sale – of khat across Puntland and quadrupling of prices. From the 1990s to the first half of the 2000s, a *fer* (a pack of five bundles) of Kenyan khat or *mirah* cost between \$1 and \$5 in the urban centers.<sup>47</sup> By the mid-2000s, the price jumped to \$10 on average, and the latter price doubled by 2009. While it was not uncommon to see a *fer* of *mirah* going for up to \$25 in the towns, it is hard to find it for less than \$40 along the coast between Eyl and Garacad. There were times between 2009 and 2012 when a *fer* of Kenyan khat cost \$50. These skyrocketing of prices did not reduce or contain consumption levels.

Photos: a *fer* (and its smaller bundles) of Kenyan khat that costs up to \$25 in the towns and up to \$50 in coastal pirate dens.



According to MOPIC estimates, import of Kenyan *meeru* and Ethiopian *hareeri* khat into Puntland was consistently on the rise and had reached an annual import of 142,944 tons in 2007, when piracy exploded.<sup>48</sup> Many dispute this figure allegedly because imports are not accurately reported in order to evade taxation. But this estimate gives a picture of what was to come. In the years that followed, when Galkacyo took the unenviable place of being a pirate hub, that town's imports of the Kenyan variety alone nearly equaled the region's total. According to confidential data collection from some of the fifteen – or so – khat importers (the bulk traders), small cargo airplanes flew in from Kenya with a total of 84,320 tons of khat in 2008; 96,425 in 2009;

108,780 tons in 2010; and 111,410 tons in 2011.

The bulk traders take turns in sharing the 100-sack daily imports with two dividing the imports one day and another two traders the following day. The two daily importers then distribute/transport them to their local retailers often times directly but sometime through yet one level of go-betweens. A sample look into the trends of these traders corroborates the exponential increase in consumption of khat in spite of parallel skyrocketing of the price. According to one of them, who claims to have been in the business for well over a decade before the advent of ransom piracy, his sales ranged between ten and twenty *fers* during the fishing season - before piracy. But after piracy, his sales exceeded 300 bundles (i.e. six sacks and more) per day and business ran year round.

As a lucrative business venture that one can start without capital, women became easily attracted to khat retailing in spite of the attendant physical and financial dangers, especially worsened by the kind of their clientele base. Whereas only six of the 51 respondents in Galkacyo and five out of 34 respondents in Garowe entered that business between 2005 and 2006, 50 percent in Galkacyo and 64 percent in Garowe started in 2007 and after. The clearing of pirates from Garowe and emergence of Galkacyo as the principal pirate town in Puntland in 2009 did not alter the rate of khat consumption or the number of new retailers entering that business: in 2009 and after, Garowe saw 44 percent increase in retailers while Galkacyo's retailers increased by 29 percent.

What exacerbates the financial, time, and energy drain associated with the widespread consumption of the addictive substance is that it is neither illegal nor socially unacceptable. According to a February 2012 survey among khat retailers (all of whom are women), more than 84 percent of 51 respondents in Galkacyo and 41 percent of those in Garowe said their families approved or actively supported their business ventures. Family disapprovals (mostly for religious reasons) did not deter the less than 16 percent in Galkacyo and more than 58 percent in Garowe from continuing their trade. In fact a respondent in Garowe volunteered to relate that her husband threatened to divorce her if she did not stop selling khat; and did exactly that up on her refusal to quit.



As with most other commodities, khat was sold on credit, which is partially responsible for the price hikes. The bulk traders in Galkacyo, for example, pay \$10 for a bundle of khat at the Galkacyo airstrip. They then transport it to the coast and sell it between \$20 and \$25 to the retailers, who in their turn charge as much as \$50 per bundle – often in credit. “I know a single pirate borrowing as much as \$40,000 in khat within a period of 5 – 6 months,” related one trader and continued, “but you have to know that one person takes care of many [*shahat*].” Although not unheard of, defaulting on khat debt is rare mostly because there are mechanisms of clan protection of one’s commercial interests but also because, as the trader related, “in Galkacyo there is no forgetting of people who steal from you or abuse you.” But in Galkacyo – as elsewhere in Puntland or even the rest of Somalia for that matter – there are countless egregious abuses that very few care to remember and try to do something about it.

#### 4.9. Violated Bodies, Broken Marriages, Fatherless Children

As in many other war torn societies, and especially owing to their unique historic position in their societies, Somali women continue to carry the heavier burden of their community’s dire predicament. Piracy added more difficulties to their wretchedness as female members of the family typically stepped in to fill the void left behind by their either jobless, imprisoned, killed or disappeared menfolk. All male government officials without fail listed the burden piracy had proven to be on women across Puntland. But none ventured to give details because, in the words of one official, “we cannot probe that point further because it is a taboo!”

Women in government and in NGOs have been more forthcoming to speak of women’s conditions after the eruption of ransom piracy. But even they spoke in generalities because they face many practical difficulties in giving specifics. An activist and leader of the Somali Women Vision perhaps best captured the difficulty of finding the exact details of broken marriages, fatherless children and countless cases of rape: “when we call on victims to share their experiences with us, their responses is: ‘yes I have experienced this or that but what will you do for me.’ or ‘I am now raising his children because their mother could not raise them and so abandoned them to me...are you going to help me raise his children?’”<sup>49</sup>

In a random survey conducted among 28 women in Garowe, and 50 in Galkacyo, 95 percent of the respondents said that piracy negatively affected women – economically, emotionally and

physically. The effects include the loss of husbands and sons, dissolution of temporary marriages (divorces), rape, torture, and killings. More interestingly, 43 percent of the respondents in Garowe said they had either a daughter, niece, close relative or close friend who had been affected thus. “One of my daughters married a pirate at the age of 16,” volunteered one respondent, “after ten days, he divorced her and she was pregnant.” Another respondent related how one of the pirates “married my young sister, two months later, he was captured [and he is imprisoned] now in Seychelles.”

Prostitution exploded with the spiraling of ransom piracy in previously self-restrained coastal communities. Increasing numbers of women and girls from other regions of Somalia and from neighboring countries were trafficked in and pimped to constantly intoxicated pirates. That undermined the morals of devout, conservative Muslims and offended the sensibilities of the more tolerant ones. As if the practice itself was not offensive enough to the majority of local women, repeated violations against the sex workers added insult to injury.

Any discussion of the condition of women in general and the sex workers in particular is abounded with horrifying ordeal that explains why many self-respecting, devout religious men and women choose not to discuss. Only a few pirates dared to relate with regret (genuine or not) their experiences or what they say is the experience of their colleagues.

Another particular group of victims of pirate violence has been internally displaced Somalis, living in camps on the outskirts of the main towns or along the highway connecting them. The majority of the communities in Puntland were least affected by the civil war that bedeviled the rest of Somalia. As a result they were able to not only engage in peaceful and productive businesses but they also received back their kin fleeing the civil war and hosted other internally displaced populations (IDPs) belonging to Darod clan or to ethnic minorities. While the dire living conditions of these IDPs left them more susceptible to the allure of the pirates’ extravaganza of spending, their lack of protection of a close-knit family-clan made them vulnerable to the pirates’ exploitation and abuse.

Typically located in the outskirts of the main towns, these camps became realms of exclusive pirate anarchy with unknown number of abductions, rape, and shootings, involving injuries and

even deaths of the internally displaced. Only during the day did government officials in the town of Galkacyo, for example, visit the camps on the edges of town to distribute food aid and other supplies. Even then, they faced intimidation from better-armed and -equipped pirates who acted as if they were in turf war with a rival gang. On February 24, 2012, a courtesy call on the Mudug regional police Headquarters was met by the Deputy Governor of the region who had just returned from such a visit to one of the IDP camps in the outskirts of Galkacyo to distribute supplies. He related his experience thus: “A car of armed pirates pulled over, brandishing their guns the pirates lowered their tinted windows.”<sup>50</sup> It was turf war that the authorities partook in offensively in their own terms as discussed later in this report.

#### 4.10. Children in Piracy

A troubling phenomenon that has so far received little to no attention is the involvement of underage children in piracy. Wherever they went pirates set bad example for the young and many underage children joined the pirate ranks. School dropouts from the towns, nomads from the expansive interior and coastal residents under the age of 18 have played various roles from boarding vessels in the high seas to securing captured ships in inshore waters to transporting supplies from land to the captured ships and being ‘errand boys’ for pirate kingpins.

Children between the ages of 15 and 17 years are considered ideal candidates for pirate boarding teams as well as for security on the ground. According to an investor and organizer/recruiter, children in this age bracket are sufficiently mature to obey orders to the letter and know the consequences of not doing so. Yet they are sufficiently gullible that leaves them blissfully ignorant of the real risk they face in the open ocean when they are part of a boarding team. Once in it, however, they are sufficiently agile to accomplish the reckless physical feats of boarding gigantic ships from fast-moving, unstable, tiny skiffs. As security teams on the ground or in the coastal waters, they do not negotiate with hostages or rival groups. Children under the age of 15 years are, however, considered too young to entrust one’s investments (that goes into capturing a vessel in the high seas or securing a captured one in the inshore waters). But they are ideal as errand boys on land or for transporting supplies to the captured vessels in the nearby waters.

There is, however, no evidence of forced recruitment of such children partially because the overwhelming poverty and lawlessness not only made them available in abundance but also

willing to take part in risky enterprises. Moreover, the years of strife eroded the protective family fabric and parental authority that helps mitigate child exposure to dangerous influences and manipulation.<sup>51</sup> Conversation with several underage pirates revealed that they had in fact insisted on joining piracy against the advice of their kinsmen by threatening to join other groups if their own relatives did not allow them to. Such misplaced enthusiasm of the young and the absence of coercion do not make their involvement any less of an exploitation of child labor and their exposure to danger in order to profit adult pirate kingpins – violations of clearly stipulated protections of the child in international law.<sup>52</sup>

#### 4.11. Erosion of Values and Destabilization Traditional Authority of Elders

Piracy has had far-reaching effect on the role of elders and traditional authority across Somalia. Lamenting the erosion of traditional system, many elders in Puntland consulted for this project blamed pirates for their violations of religious prohibitions and perversion of traditional norms and social values. Generally, however, the overall authority of titled traditional elders and elected local officials were compromised when some of their ranks defended local pirates – either because they were corrupted with piracy money or because of family ties – so that the community does not attack or expel them.

The same age-old mechanisms of managing intra-clan and -sub-clan conflicts that the pirates manipulated in their favor generally restrained local pirates from violently responding to outspoken local elders opposed to their criminal activities. When Garacad elders stated that they could walk straight up to a local pirate – armed or not – to slap him for misbehaving they may not have exaggerated their own experiences.<sup>53</sup> But there are far too many exceptions to such an assertion of traditional authority. In a typical example of such exceptions, in late 2011 a truck of a businessman got into fender-bender with a pirate's sports utility vehicle. Without any consideration of whose fault it may have been, the pirate threatened to kill that businessman should the latter not replace the slightly scratched land cruiser with a 'new one': "he threatened me saying 'do you know how I got this? I spilled a man's blood for it and I am prepared to spill more blood!' No one could do anything about it." The businessman appealed to the father of the pirate who gave him an exasperated look of having long lost control over his child.<sup>54</sup>

Moreover, the pirate dens in Puntland hosted – and in some cases still do – Somalis distantly

related or completely unrelated to the native clans/sub-clans. The distance – or the absence – of ancestral/familial ties between pirates and the host communities undermined the limited deterrent function that clan, sub-clan and family ties served. As such, pirates from other clans and regions much more easily resorted to violence against anyone standing on their way – traditional elders, government officials or community activists in their base of operations.

Traditional methods of conflict resolution – especially involving deaths have particularly been put to the test. Some Mejerten sub-clans neither accepted nor offered blood money until the advent of ransom piracy. They typically avenged their deaths on those who killed one of their own. When their member killed someone else, they delivered the killer to the family of the victim for the latter to do with the killer what they may. Nevertheless, the explosion of piracy compelled them to reconsider because a large number of their members got involved in piracy and in staggering number of piracy-related deaths. Nowadays and especially in piracy cases, not only do they accept blood money without asking for the perpetrator alive, but they also offer their victims blood money. According to a high-ranking security official, when “a pirate kills another pirate, the clan of the deceased goes to the clan of the culprit and demands diya,”<sup>55</sup> especially among previously diya (blood money) exchanging groups. As if coming up with the standard number of camels in blood money (typically 100 heads) were not difficult enough, it was not uncommon for pirates to easily pay double that amount in cash. The long-term effect of that is raising blood money or, in cases when people are unable to pay up, exacting revenge and perpetuating the cycle of violence.

#### 4.12. Pirate-Caused Clan Conflicts

With the erosion of traditional authority, the elders’ management of conflicts was also challenged. Like other elders across Puntland, traditional leaders in Bari region agreed to treat piracy-related deaths as non-eligible for blood money or settlement through the *diya* system. But pirates in the region couched their greed-generated conflicts in clan terms and stocked conflict between the Ali Saleban and Muse Saleban (also known as Ugar Saleban) sub-sub-clans of the Mejerten. The three-year-long conflict cost dozens of lives (pirate and non-pirate), many more injuries, and loss of property and opportunities.<sup>56</sup>

The bloody outbursts of violence centered around the notorious Ali Saleban pirate leader, Isse

Yuluh, who had been collaborating with pirates hailing from the neighboring Muse Saleban. Convinced that his Muse Saleban partners in crime cheated him during the splitting of a ransom in early 2009, Yuluh went on a shooting rampage against the former. Failing to gain the sympathy of his clansmen and mobilize them in his defense against an imminent revenge from the Muse Saleban, he allegedly ambushed a random commercial transporter of his rivals in territory of the Ali Saleban, killing several and turning the conflict into one based on clan families. Joined by pirates on both sides, the two clan-families mobilized their respective militias and violently confronted each other.<sup>57</sup>

Previously peaceful transitional territories between the two groups, their shared grazing lands and neighboring villages turned into active fighting grounds for the following three years until the final showdown of mid-November 2011.<sup>58</sup> At a place called Labida (between Rako and Qodax), the two sides faced off, leaving more than a dozen dead and many more injured. “The battleground was too dangerous,” wrote PDRC researcher Abdinasir Yusuf, “that for the following 4 days the corpses and the injured could not be accessed.” Outraged by the carnage and the subsequent inhumanity, elders from across Puntland spontaneously mobilized to mediate. Led by *Sultan* Said Mohamed Garase, the more than fifty elders injected themselves between the warring sides, camped at the very battlegrounds of Labida, buried the dead, dispatched the injured for medical attention, and started a mediation process that took months to settle the dispute.<sup>59</sup> Meanwhile, the Puntland Marine Police Force (PMPF) chased Yuluh and his men from one hub to the next.<sup>60</sup>

Yuluh and his likes are able to plunge their communities into extended conflicts and cause much hardship inland because of the ransom that they succeeded to gather at sea. The ill-gotten money enabled them to procure varied arsenal of heavy and light weapons.<sup>61</sup> Other pirate leaders elsewhere in Puntland have been more cautious in their resort to violence than has Yuluh, but have nonetheless amassed a large cache of weaponry to form a new kind of warlords flexing their muscle in pursuit of personal or group interests of one sort or another. The ease with which moneyed individuals and groups can procure weapons speaks to the vibrancy of the arms black market in Somalia in general and Puntland in particular. Although beyond the scope of this report, it is important to note that the alarming proliferations of arms that particularly afflicts



Puntland not only bodes ill to that region's long-term stability but it also takes place in violation of two-decade-old United Nations arms embargo.<sup>62</sup>

#### 4.13. International Counter-Piracy

In the early hours of May 1, 2011, three known fishermen from Eyl (Abdulgadir Al-Nur "Dadurow", Nur Mursel Mohamed and a third fisherman) went fishing as they did nearly seven days a week. They were never to be seen again. A week into their disappearance, Mayor Musa Osman Yusuf of Eyl telephoned Puntland Counter-piracy Director General Abdirizak Mohamed Dirir in Garowe to inquire.<sup>63</sup> The DG called his contacts in NATO's counter-piracy force, who told him that they had no knowledge of any incident involving fishermen around Eyl.<sup>64</sup> Residents of Bedey (the coastal half of Eyl) similarly made frantic calls to their contacts along the entire coastline until five days later the body of "Dadurow" washed up the beach at Gabac.

With one hand clipped to the opposite leg and his back riddled with bullet holes, Dadurow's misconfigured body was discovered on the beach of Gabac in the morning of May 13, 2011. The villagers identified the body, sent the bad news to the village of the deceased and immediately buried the body due to its fragility and in accordance with Islamic tradition.<sup>65</sup> His wife and four boys and a girl aged between 4 and 15 years, who survived him found closure.<sup>66</sup> But the families of the two other fishermen were not as fortunate.

Nur Mursel and the third fisherman are presumed to have met the same fate as Dadurow. Nur Mursel left behind a wife and two children under two years of age, the youngest of whom was one week old when Nur Mursel went on that fateful fishing trip.<sup>67</sup> During a visit in February 2012, the two widows and their orphaned children still lived in the same rundown shacks by the water surrounded by the spare fishing gear of their late breadwinners.

Even though there are not enough such cases to establish a pattern and identify who may be behind these kinds of atrocities, sources privy to the grisly details of many such tragic incidents have indicated that they observe a pattern, pointing to specific foreign navies in Somali waters. In July 2011, a warship, purportedly Danish, allegedly ran over an artisanal fishing boat near Bosaso, injuring the entire crew. The fishermen were not far from the coast and managed to send an SOS to their contacts on land, who rushed to their rescue. Similarly in late March 2012 an

unidentified warship attacked a Yemeni-registered, Somali-owned fishing vessel, Al-Qanim, and killed two of the ten Somali crew before letting the rest proceed with their journey back to Bosaso, the fishing boat's base of operations.<sup>68</sup> Like the scores of fishermen and officials related, Puntland Minister of Maritime Transportation and Ports, Said Mohamed Raghe confirmed to *SomaliaReport* that such killings were not uncommon.

Treating piracy as a threat to global peace, the United Nations Security Council Resolution 1816 authorized member states with the interest in suppressing piracy and have the capacity to do so to enter “the territorial waters of Somalia” and “use...all necessary means to repress acts of piracy and armed robbery” at sea.<sup>69</sup> Shortly afterwards, unilateral and multilateral counter-piracy flotillas followed each other in quick succession. Acting under Chapter VII of the United Nations Charter, global superpowers, regional aspirants and countries seeking to make a mark of their presence or demonstrate their commitment to their respective regional pacts rushed their warships to protect their interests – some far-fetched. NATO expanded the mandate of its forces to counter-piracy and to protect WFP vessels. For its part, the European Union dispatched an unprecedented naval force, EU NAVFOR Operation ATALANTA, to escort vessels transporting humanitarian assistance to Somalia.<sup>70</sup>

According to the Security Council document, such a robust but at the same time loose international mandate was authorized after the weak Transition Federal Government of Abdullahi Yusuf asked for it through a letter of its Permanent Representative dated 27 February 2008.<sup>71</sup> But not all Somalis are supportive of international naval presence that have done little to nothing to contain IUU fishing but have resorted to methods that are at best questionable. Perhaps tellingly, of 236 respondents in a February 2012 survey among Somali youth in Puntland, only six (2.5 percent) believed that continued and strengthened presence of EU and NATO warships could solve the problem of piracy. Such an overwhelming local rejection of the international navies despite their declared noble intentions is not without practical reasons, as we will see shortly.

Nevertheless, the European Union extended the operational mandate of its ATALANTA taskforce to the Somali beaches and their immediate hinterlands. They have accordingly launched several pre-emptive aerial and naval operations that Somali civilians claimed to have



wrongly targeted them.<sup>72</sup> To make matters worse, the advent of unregulated profiteering military/security companies added to the mire. With little uniformity, discipline and accountability, the widespread deployment of private military solutions in the Gulf of Aden and northwestern Indian Ocean further militarizes the fragile region in near complete disregard of the lot of innocent Somalis.<sup>73</sup> Under pressure from powerful ship-owners, business communities and international seafarers' associations demanding a green light for a robust response in kind, the International Maritime Organization (IMO) removed one of the last restraints against the already mushrooming private maritime security industry.<sup>74</sup> On May 20, 2011, it took the unprecedented step of tacitly approving the use of armed guards onboard ships to fight off pirates by issuing guidance and recommendations on how to do so.<sup>75</sup>

Somali fishermen have lamented their lot in the hands of the international and private anti-piracy forces – as they did about pirates, as discussed above. An unknown number of fishermen have been killed, others whisked off to overseas jails, and many more disappeared without a trace. Foreign national, international and private anti-piracy missions have repeatedly failed to identify pirates from non-pirates with deadly consequences to innocent fishermen at sea and civilians on land.

As many Somalis are quick to point out, such targeting preceded widespread misperception that all Somalis were either directly involved in piracy or benefited from it. Awad Yare, a fisherman in Bargal told *SomaliaReport* that ever since “pirates started hijacking boats... everyone thinks even we are pirates...we have been having so much trouble, some international vessels have poured boiling water onto our boats and destroying boats which can cause injuries and even death.”<sup>76</sup> Another fisherman in Lasqorey related how their making a daily living left them in fear: “We are scared of both pirates and the international navies. We are scared that naval forces will arrest us because they are suspecting we are pirates.”<sup>77</sup> The incidence of fishermen getting killed or wrongfully arrested by international or private anti-piracy forces is likely to be high due to the fact that international commercial and military navies are active in the richer fishing grounds off the Somali coast. Having either overfished the inshore waters or lost in competition with the illegal foreign industrial fishers, Somali fishermen have been trying their luck in more open waters and risk being targeted by the anti-piracy flotilla and the private armed guards

onboard or escorting commercial vessels.

Somali fishermen have also fallen victim to Western counter-terrorism operations along the Somali coastlines. That was especially the case after August 2011 when Al-Shabab sought to reposition itself in northeastern parts of the Somali region following its streak of losses in south-central Somalia that culminated in its pulling out of Mogadishu. In late 2011, intelligence sources suspected that a group of high profile foreigners close to Al-Shabab top leaders was moving toward Puntland, possibly with the intention of crossing over to Yemen. As a result, between January and March 2012, any boat seen moving along the suspected Somali coastline became a target of Western counterterrorism operations in the Horn of Africa. According to one source, half a dozen fishing boats were, in the process, hit with laser weapons that dug holes in the base of the boats causing them to capsize.

Besides the innocent victims of international anti-piracy operations, Somali pirates killed in the act are so far unaccounted for. By 2010, the United Nations Office on Drugs and Crime (UNODC) estimated that 200 to 300 pirates had disappeared after leaving on pirate missions.<sup>78</sup> While a few hundreds are enough figures to generate a serious news storm in any society and more so in oral societies, all local estimates coupled with experience from traveling across Puntland suggest that the above figures are minuscule. A short field trip to Garacad in November 2012 found the one-time pirate hub abuzz with anticipation about the whereabouts of their loved ones. But what makes it impossible to establish a credible number of pirate deaths in the high seas – and give their families a closure – is the absence of “official reporting on the numbers of Somalis killed by navy and coast guard personnel or by armed private security” in spite of military forces being required to report them.<sup>79</sup> In May 2010, for example, the Russian anti-piracy flotilla captured ten suspected Somali pirates and set them adrift in a raft without supplies and navigation; they are presumed dead.<sup>80</sup>

Pirates killed during rescue operations or in retaliatory raids have also gone unreported. On January 21, 2011, *The Guardian* reported that a South Korean rescue operation left eight pirates dead.<sup>81</sup> Isolated French and Indonesian retaliatory raids have also killed an unknown number of pirates.<sup>82</sup> Later in mid-May 2011, “a U.S. naval helicopter opened fire on a pirate skiff as it was attacking a boat, likely killing all pirates onboard, and departed without verifying the condition

of the pirates.”<sup>83</sup>

In her report for the Oceans Beyond Piracy project, Kaija Hurlburt assembled these and other publicly available data for the first half of 2011 alone to find out that more than 60 pirates had reportedly been killed in the act. But that figure does not take into account the unreported killings of pirates and that of those who are lost at sea. She rightly pointed out that the application of “consistent principles of law when dealing with both perpetrators and victims of criminal acts,”<sup>84</sup> requires that all piracy-related injuries and fatalities be accounted for. Doing so can also serve a more effective deterrent function by showing foot soldiers and potential recruits of the real costs of involvement in this criminal act. As it stands, there is little to no possibility of establishing the exact number of such incidents. As a result, there is no way that accidental deaths or injuries of Somali fishermen in the high seas as well as disappearances of pirates (that do not involve action of third parties) can be identified and isolated.

This is particularly important because the diminishing catch in inshore waters had initially compelled increasing numbers of artisanal fishermen to sail farther into the ocean for better catch. In doing so, however, they exposed themselves to several dangers: first their old, small and poorly constructed fishing crafts made them vulnerable to natural hazards in the strong waves of the open waters of the ocean. Second, the international navies as well as the armed IUU fishing vessels generally operate in the richer fishing grounds of the artisanal fishermen. In light of the lacking clarity of mandate, operational uniformity, transparency and accountability of national, coalition and private counter-piracy forces that are operating in what would be considered Somali territorial waters, every disappearance in the high seas is convincingly relegated to the evil actions of the anti-piracy forces and of IUU fishers. With little to no communication of these forces with the Somalis, few cases among an oral society are enough to create an atmosphere whereby the exception – if these are in fact exceptions – become the rule in the eyes of the Somali people. As a result, many fishermen remain too fearful to fish in the relatively richer fishing grounds within Somalia’s waters.

## 5. Local Counter-Piracy Responses

As early as 2008, many residents of coastal fishing communities across Puntland started raising questions about and protesting against the hijacking of commercial vessels and hostage taking of their crew – on religious and humanitarian grounds. The pirates’ excesses only confirmed the grounds for these initial mutterings. Pirates undermined social values, violated religious prohibitions, destabilized communities that had lived in relative peace, and threatened their future by setting bad examples for their children. Thus awakened to the peril of piracy taking place in their midst – and intensifying – the coastal communities started to openly object to pirate presence in their areas and mobilize support of everyone in their communities.

But their objections to and mobilization against piracy did not have immediate tangible results. A number of inter-related factors impeded their efforts’ traction, but did not permanently scuttle them. The overall weakness of the regional government in Garowe was a principal impediment. Besides the worst financial crisis it faced, Cade Muse’s government was paralyzed during its final days due to, among other things, allegations of involvement in piracy and kidnappings, the deadlock between him seeking an extension of his term in office and the Puntland legislature fiercely denying him that “even by a single day,” as his successor, President Abdirahman Mohamed Mohamoud “Farole”, insisted then. Consequently, the coastal district councils, through which Garowe exercised what little authority it could, were either weak or their terms lapsed and the government was too distracted to renew them or they simply did not exist.

Moreover, the repertoire of pirate leveraging over their willing and increasingly unwilling host communities ranged from invoking clan and family ties, hence protection, to corrupting local elders, and threatening to resort – and in many cases actually resorting – to violence. Besides the abundance of cash that the local communities could not match, residents of coastal piracy hotspots would never fail to point out that the pirates were heavily armed while the local communities were either unarmed or could not match that of the pirates. The latter were little moved – if at all – by pleas and reasoning of the early anti-piracy activists. However weak, the existence and active participation of a regional government were as vital for the success of Somali counter-piracy initiatives as was the sensitization and mobilization of the majority of the population. The two filled the regional and grassroots governance vacuums necessary to contain

and eradicate piracy.

### 5.1. Initiatives of the Successive Regional Governments

In spite of understandable local and international suspicion of and impatience with the pace of Puntland authorities' action against piracy, in hindsight the successive governments did make modest efforts in the right direction. Importantly, the Farole government made strategic moves upon taking the helm in Garowe between late 2008 and early 2009. The president is credited by supporters and opponents alike for restoring a semblance of order in the regional capital, taking guns off the streets, and pushing the pirates out of town through negotiation and at times by force. His administration simultaneously reinstated the district council in his home area of Eyl, whose term had lapsed during the final days of Cade Muse. Led by the mayor and deputy mayor, who were elected by their community for their staunch anti-piracy activism, the resuscitation of the Eyl district council was a corner stone for a pirate-free Garowe – Eyl corridor. Although the Garowe – Bosaso route was not under threat, clearing the vital commercial capital, the port city of Bosaso, was more difficult and remained at best incomplete.

During a tense fieldwork in pirate-infested Galkacyo in early 2012, every consulted government official and security personnel stated that “however heavily armed, pirates would not stand and fight five determined police officers who confront them.” But before the government could move south toward Galkacyo, a different existential threat emerged in the north to sap Garowe's limited forces and attention. Intensifying international pressure on Al-Shabab in south and central Somalia culminated in its eventual withdrawal from Mogadishu in August 2011 – and loss of Kismayo a year later. When the streak of losses set in, Al-Shabab rotated some of its resources and leaders to the harsh terrain of northern Puntland's mountainous region, namely the Galgala Mountains of Bari region. Farole's government doubled the efforts of his predecessor Cade Muse in combating Al-Shabab. The Bosaso area experienced one of Puntland's most aggressive counter-piracy operations precisely because of the danger that the specter of nexus between the two posed. In the southern part, however, especially in Puntland's Mudug region and the town of Galkacyo, numerous interviews and informal consultations with Puntland's active and non-active security and intelligence personnel indicate that counter-piracy remained a distant secondary concern so long as Al-Shabab remained a threat in the north and the pirates in

the south maintained a comfortable distance from them.

The successive Puntland governments had experimented with different security solutions to the problem progressively culminating in the Abdirahman Farole Administration training hundreds of Marine Police Force (PMPF). Under pressure from Garowe-based civil society organizations, the Cade Muse government contemplated an anti-piracy defense strategy that a consortium of local NGOs prepared. That plan envisaged the setting up of nine coastal bases from Las Qoray to Garacad each with two speedboats, three technicals and about 100 soldiers with the aim of both disrupting pirate operations before launching and intercepting them at sea in the event that they succeed to set sail. At an estimated monthly cost of \$300,000, the proposal was for Puntland to cover 40 percent on its own and seek external assistance for the remaining 60 percent.<sup>85</sup> Distracted by other concerns and failing to garner support for its proposed counter-piracy force, the Cade Muse government made feeble and haphazard attempts to fight pirates with government forces falling back after encountering the least resistance from the pirates. In the end, many well-trained and -armed soldiers ended up joining the pirates upon the government's failure to pay their salaries for months on end.

The Farole government adopted a similar plan and secured private funding for its implementation. In late 2010, a "friendly" country in the Middle East – latterly discovered to be UAE or at least a member of its royal families – quietly paid for Saracen International – or its affiliate – to train a 1,000 strong marine force recruited by the Puntland government. In spite of UN Security Council calls on the TFG and regional governments to beef up their security toward combating piracy,<sup>86</sup> Puntland's attempt to do so drew unfavorable attention for reasons unrelated to Puntland or its counter-piracy initiative.<sup>87</sup> Although Garowe officially suspended the contract, Saracen operations went on under different guises until reportedly taken over by the Washington DC based Bancroft Global Development.<sup>88</sup>

Meanwhile, in early December 2010, the Puntland government decreed that piracy was a punishable crime and empowered the weak regional judiciary to prosecute suspected pirates and their accomplices.<sup>89</sup> And, while the international squabbling over who was training whom went on, the regional government set up the highly mobile and formidable Puntland Marine Police Force (PMPF) that actively pursued pirates militarily and took the captured suspects to court.



Between December 2010 and February 2012, more than 700 suspects were brought to court, over 250 of whom received prison sentences ranging between five and ten years.<sup>90</sup> One of the main destinations for these long-term prisoners related to piracy is the Bosaso maximum security facility that was holding more than 100 inmates above its limited capacity, during the visit in February 2012. Of the prison's 390 inmates, 270 were pirates doing time – a limited number of these had been handed over by international forces.<sup>91</sup>

Besides their own challenges due to meager resources, limited space, and lack of trained personnel to adequately examine evidence and successfully prosecute, those captured by foreign warships are reportedly handed over to them without any supporting evidence to prove that the apprehended were pirates.<sup>92</sup> The attorney general lamented the international community's lack of sufficient interest in assisting with badly needed resources to combat piracy on the legal and custodial aspect of the battle: "We want to partner with the world to get facilities, funding, and technical trainings... to fight piracy. But when we come to see the world is not responsible [or responding], we have not given up. I assure you that over 90 percent of it has been eliminated."<sup>93</sup>

PMPF negotiated with coastal district councils to establish bases in former pirate hubs or piracy prone natural harbors and had by early 2012 established five bases along the coast, succeeded in disrupting piracy missions and chasing pirates out of several hubs. Its effectiveness notwithstanding, PMPF found itself caught in an ironic vise between an international community expecting Puntland to eradicate piracy and at the same time apprehensive of its growing capacity to do so.

Working with local communities, religious leaders and titled elders to push back against the pirates in vast parts of the region, the government preserved itself for a large-scale and decisive armed action against the pirates in Galkacyo. That came in June 2012 when pirates either surrendered in return for amnesty or were captured and jailed or fled away from government reach. The government's success was sealed with its rescue of the MV Iceberg I in December 2012. After several rounds of negotiations failed, several of the crew members died, and more than 30 months of captivity, PMPF and presidential bodyguard unit directly attacked the pirates holding MV Iceberg I on what they conveniently called as humanitarian rescue. Upon the failure of the first onslaught, government forces blocked the pirates' supply of logistics and ammunition

until the pirates capitulated on the second attempt by the government forces.

## 5.2. The Grassroots' Earliest Initiatives and Enduring Leadership

Government initiatives relied on the active leadership and accomplishments of the coastal communities. Several inter-related developments took place after 2007 that fully awakened coastal communities to the peril of piracy taking place in their midst. The combined effect of pirates undermining social and religious values of the local communities, disturbing their security, setting bad examples to their children, and defaulting on their debts cost the pirates what little sympathy and nearly all business relations they had had with the local communities. All these developments in turn helped accelerate piracy. Many coastal communities started organized campaigns as early as 2008 with Eyl leading the charge.

Having initially supported the attacks against illegal trawlers, the majority of Eyl's residents watched as unscrupulous groups hijacked their legitimate defense and turned it into a lucrative, criminal enterprise. At that point, the majority of the people stopped supporting them but, as the mayor of Eyl put it, "once the pirates became rich and powerful we [the ordinary people] were held hostage."<sup>94</sup> Shaking themselves off that grip took time because it required cultivating common views through awareness-raising before using extreme measures. "First," said the local religious scholar, "we recognized that we could not fight them militarily. They had guns and a lot of ransom money. So we ... mobilized school children and women and mobilized the public to chant and carry banners so that [the pirates] could see the public response. We also made sermons in the mosques."<sup>95</sup> Such campaigns were badly needed because many of piracy's foot soldiers were unaware that their trade was a crime and it involved grave danger.

Two elderly fishermen between Garacad and Kulub had related in passing how many ordinary pirates thought that piracy was one more legitimate line of work. Sure enough, a pirate recruiter/organizer and investor in Galkacyo said that such candidates were their top choices for attack missions: "the least educated and most physically fit, who cannot even tell the difference between a warship and a normal ship," as he put it. And two of the three pirates interviewed at the Bosaso maximum-security prison confirmed that they did not know that piracy was a crime according to secular and Islamic laws.



Eyl residents who led the charge were not alone. Religious and secular traditional leaders from across the region aided the efforts of Eyl's grassroots mobilization directly in person or on the radio. To begin with, the late Mufti of Puntland, Sheikh Abdulkadir Nur Farah gave several radio sermons that showed how piracy was *haram* according to the Qur'an. Whereas those messages were favorably received by many, the highest titled traditional leader of the Isse Mohamud, *Islan Isse*, traveled from Garowe and threw his weight behind the counter-piracy awareness raising campaigns, as did many others. The overall outcome of these peaceful attempts was so successful that the notorious pirate leader Abshir Boyah renounced piracy and became a lead counter-piracy campaigner. Similarly, in one such mobilization in Eyl, in May 2009, hundreds of pirates collectively renounced piracy.

Awareness-raising thus proved to be an effective tool in the hands of anti-piracy campaigners across Puntland. Researchers and campaigners from the Puntland Developments Research Center (PDRC) traversed the territory – including Eyl and Garacad during their worst days of pirate activity – to sensitize residents to the dangers of piracy, by showing foreign and in-house documentaries about and video footages of captures and burnings in the high seas. The residents repeatedly expressed shock at their blissful ignorance of the mechanics and brut violence that deprived them of their children because the latter wrongfully got involved.<sup>96</sup>

More than the number of pirates it won out of piracy, the pressure from the highest religious and traditional authorities of the land undercut the protection that corrupt local elders offered pirates. As a last resort, Eyl grassroots activists formed armed vigilantes and physically confronted the pirates.<sup>97</sup> Without the backing or intercession of the elders whom they had in their pockets, many of the pirates vacated Eyl and went south toward Garacad. Forewarned to cease and desist, the rest quietly went underground.<sup>98</sup>

Shortly afterwards in 2009, residents of Bandar Bayla started to organize against both the international resource pirates and the local ransom pirates, with much more success in the latter case than in the former. As recently as January 2012, the community's peaceful pleading with IUU fishers has been responded to with a hail of bullets that threw the unarmed protestors back to shore. Upon the pirates' refusal to heed the people's entreating, however, the latter took up arms and confronted the pirates to either end their trade or vacate their areas.<sup>99</sup> According to a

high-ranking district official in Bandar Bayla, Puntland government forces came to the aid of the local vigilantes who had started to physically confront the pirates. After pirates refused to heed the government official's repeated request for the release of dozens of Yemeni hostages, the decisive battle of Hul (about 15km from Bandar Bayla) ensued in March 2011. Local anti-piracy vigilantes came from the sea and government troops from land. Six government soldiers got killed in the process but all the hostages were rescued unharmed and were handed over to the Somali ambassador in Yemen.<sup>100</sup> When the district administration made a public announcement of the ultimatum it had served another pirate group to release their Norwegian hostages or face an attack, Norwegian authorities reportedly pressured the Puntland government to hold off the attack, expedited the negotiations, and paid the ransom that the pirates had demanded for the release of the hostages.<sup>101</sup>

Garacad, the last stronghold of pirates in Puntland was similarly cleared of pirates. Spearheaded by a group of returned Diaspora and local activists, residents of Jarriban District mobilized against piracy and quickly pointed their guns at the pirates. "Eyl was a role model for us," said one of the activists – a Somali-American native of Garacad. What is perhaps ironic, yet has proven effective was that the local communities in the district sought the assistance of their own kin in piracy to contain the pirates' excesses on land. Even active pirates who hailed from that region contributed generously toward a fledgling police force to impose a semblance of order. Jarriban raised its own funds to enlist 300 armed policemen (at a monthly rate of \$300 per policeman) for a period of a year and half that was lapsing during the final leg of this fieldwork (December 2012). The impending exhaustion of those funds left the District Mayor weary of what would happen after the 300 local security personnel are disbanded for lack of funds.

While all these moves helped ostracize many pirates, the active role that women played in the anti-piracy mobilization marked the death knell of pirate operations in former pirate hubs. Women in Eyl, for example, organized and staged demonstrations – along with men – shouting on the pirates to leave them alone. Perhaps most effectively women's local businesses – and especially women food vendors – refused to do business with pirates.<sup>102</sup> Their counterparts in Garacad also joined their menfolk in anti-piracy mobilizations. During the heated days of confronting the pirates in February/March 2012, some women even carried guns and marched to

the beaches alongside the men.

Many Puntland government officials, lower-level local administrators, activists and ordinary citizens in towns and coastal villages said confidently that they knew how to deal with the pirates, only if the international community gave them the opportunity and followed their lead in pursuit of land-based solutions. “The international navies should learn from us,” said one district official who led the local anti-piracy campaign. “We have defeated the pirates without heavy weapons; and so we consider ourselves more powerful,” he added half joking. Still ongoing awareness campaign by religious leaders, titled traditional elders, elected office holders, and an array of activist groups persuaded many pirates to abandon piracy, dissuaded many young men from joining pirate groups, encouraged parents to refuse to marry their daughters to pirates, and warned young women of the real risks of marrying pirates. The above brief account demonstrates that Somali assertions of their capability to accomplish the task are not farfetched. These anti-piracy efforts have so far evicted pirates from Bandar Bayla in the north to Garacad in the south.

## 6. Inward Turn of Pirates and Local Criminality

Many Puntlanders did not harbor illusions about the multifaceted challenges that awaited them after they defeat piracy. An official in the Puntland Ministry of Fisheries and Marine Resources in Bosaso best articulated that awareness of the cold, hair-raising reality ahead: “We know that once we clear the pirates from the sea, they will turn against us on land. At that point, the international community won’t come to our aide. But we know how to deal with them at that point as well.”<sup>103</sup> Barely five months had passed when pirates turned inwards in full force and started kidnappings, robbery and carjacking in towns and rural areas alike.

As many pirates either quit piracy of their own volition or were forced by local and international pressure to stop their criminal trade, petty crime and associated vandalism have been on the rise. Equally alarming and of long-term consequence to local and regional stability is the emergence of organized criminal networks with reaches beyond Somalia itself, mainly into Kenya and Ethiopia.

On June 29, 2012 kidnappers penetrated deep into Kenyan territory and abducted four foreign aid workers at the Dadaab refugee camp.<sup>104</sup> Various government officials and ordinary citizens repeatedly stated that the abductors were pirates who fled the Puntland government’s anti-piracy offensive earlier that month. The fleeing pirates briefly found refuge in Al-Shabab controlled territories in southern Somalia before their hosts reportedly sent them on the short-lived kidnapping mission. Less than two weeks later, on July 11, more than a dozen armed men kidnapped three Kenyan aid workers near the small town of Bacadwein in Puntland.<sup>105</sup> The kidnappers hailed from the Sa’ad (Hawiye) and Omar Mohamud (Darod) sub-clan families that quickly fell out with each other because their joint act triggered clashes with the clan hosting and protecting the victims.

Besides similar internal clashes that they inevitably generate, the string of kidnappings speak to an emerging pattern of land-based criminal networks and activities that, in the absence of alternative legitimate livelihoods, are filling the void that piracy is leaving behind. While beyond the scope of this report, some of these criminal activities predated piracy while others are new, and they include human, arms and drug trafficking. The reach of these networks already include

the Greater Horn of Africa region, mainly Ethiopia, Kenya and Yemen.

Puntland officials consulted for this project said that they knew how to handle the post-piracy challenges. It goes without saying, however, that they can benefit from constructive engagement by and support from the international community and the regional countries. Failing to nip off the bud local criminality will inevitably lead to fully-fledged and organized criminal networks that may surpass piracy – possibly even reviving it in a different, more sophisticated form – with consequential risk of spilling over. To begin with, the passive neglect and active obstruction of the Puntland security sector needs to end. Moreover, all the Somali regions (Somaliland, Puntland, and the rest of South and Central Somalia) need to develop joint security and cooperative economic projects without necessarily compromising their respective positions on and addressing questions of long-term political status – independence, autonomy, federal union or unitary state.

Moreover, relevant Puntland ministries and directorates need to be brought together in an inter-ministerial counter-piracy taskforce under the co-leadership of a senior minister or the vice-president and the Director General for Counter-Piracy in order to coordinate their activities. Throughout the Farole Administration, not only have the five relevant ministries operated haphazardly, but the counter-piracy directorate remained under-staffed and seemed to operate independently of the other offices. Besides the laudable ongoing local and international efforts to harmonize the relations between the various Somali entities, the world community should assist each of the Somali entities with multifaceted governance initiatives to not only strengthen state security apparatus but also their capacity to deliver on non-security dividends.

## 7. Conclusion

Piracy has shown dramatic decline in 2012 and 2013. It has remained at a record low since its epic explosion in the mid-2000s. That is in large part due to the Somali-owned, land-based, and peaceful as well as coercive counter-piracy initiatives that have gone unrecognized. Somali accomplishments on land have been matched by relative success of foreign navies in reducing successful hijackings. What is yet to be ascertained is the deterrent function that militarized international responses played on the youth inland.

Nevertheless, all the combustible factors that were at the heart of the emergence and rise of piracy are intact. Unemployment runs rampant. Poverty remains as high. Waste dumping<sup>106</sup> and illegal, unregulated, unreported fishing continue unabated.<sup>107</sup> Even so, the United Nations Security Council continues to treat counter-piracy as a security project (Chapter VII of the UN Charter), relegating its developmental remedies to a myriad of incoherent and in many instances self-replicating non-governmental organizations without an international mandate.<sup>108</sup>

Creating jobs and combating poverty among fishing coastal communities require the eradication of IUU fishing and waste dumping, and the protection of the marine environment to enable it to rehabilitate itself. But, not only is waste dumping still an unresolved international problem that continues to deal devastating blows on weakly governed or ungoverned spaces, but the IUU fishers continue to receive astronomical subsidies from their respective governments that enable them to continue plundering already vulnerable coastal communities with impunity.<sup>109</sup>

Ransom piracy has wreaked incalculable damage to the Somalis themselves and for the most part they took a stand against the pirates. While a relapse cannot be ruled out, the coastal communities have made important gains in that regard with limited help from the state and none from the outside world. It would make more sense – from a moral, political, economic and security points of view – to join them in their own fight against the scourge they are confronting from within and support them to overcome its consequences. Their gains must be capitalized on to fortify local communities' anti-piracy resolve by putting an end to repeated violation of their waters (at least the inshore waters), helping them restore the fishing sector and identify and expand other sustainable livelihood alternatives. Anything short of that would only bring about a

semblance of normalcy as a thin veil over the ominous structural violence.

In light of piracy's regional and global destabilizing potential the international community's security concerns, invocation of Chapter VII of the United Nations Charter, and deployment of international navies are understandable.<sup>110</sup> Moreover, United Nations Security Council justifiably traced piracy back to the still ongoing instability in Somalia, as did many commentators and analysts. Paragraph 2 of Resolutions 1950 (of 23 November 2010) and 1976 (of 11 April 2011) recognized that "the ongoing instability in Somalia is one of the underlying causes of the problem of piracy and contributes to the problem of piracy and armed robbery at sea off the coast of Somalia, and stresses the need for a comprehensive response to tackle piracy and its underlying causes by the international community."<sup>111</sup> The policy prescriptions that have so far followed from the above perspectives and convictions are rather obvious: restoring the Somali state as a principal guarantor of the needed stability on land.

Nevertheless, in treating piracy as a maritime security outgrowth of the overland turmoil and in responding with military solutions, the international community by and large neglected piracy's developmental roots on land and its maritime harbingers, IUU fishing and waste dumping. A relatively peaceful and sustainable solution to the scourge of piracy requires a rectification of this gross neglect of piracy's root causes. Ecological, moral, political and security imperatives demand that these international crimes are urgently contained. While putting the Somali 'humpty dumpty' back together again may not be impossible, its international security dividends on land and at sea will not be forthcoming so long as illegal fishing and waste dumping remain rampant – in reality or in the perception of the local communities. Containing these international crimes – and combating the local perceptions – can also contribute toward alleviating poverty with potential trickle down of security and political returns.

A first step in this direction is for the Somali Federal Government and the governments in Somaliland and Puntland to harmonize their policies on practical issues that require sovereign membership in the community of states. They then need to harmonize their respective and common laws with the 1982 United Nations Convention on the Law of the Sea (UNCLOS) so that Somalia can formalize its claims to the standard internationally recognized territorial waters and Exclusive Economic Zone. Once the spatial extent of Somali ownership is clearly laid out,



the international community would be better advised to assist the Somalis to exercise commensurate authority over their waters. All three Somali government should then be incentivized to suspend all fishing licenses, observe a moratorium on all bilateral or multilateral fishing agreements, and evict all foreign fishing vessels at least from territorial sea of Somalia.

Equally important would be the enactment of an international mandate prohibiting and preventing waste dumping in Somalia. In November 2011, the UN Security Council passed Resolution 2020 urging states and competent international organizations “to positively consider investigating allegations of illegal fishing and illegal dumping, including of toxic substances, with a view to prosecuting such offences when committed by persons under their jurisdiction.”<sup>112</sup> In following through this call, UN member states should expand the mandate of their navies in the Gulf of Aden and Northwestern Indian Ocean region to include monitoring for waste dumpers and IUU fishers.<sup>113</sup> The international community should also assist coastal countries in the region to construct and maintain functioning waste management facilities so that passerby vessels can responsibly dispose of the inevitable vessel-generated refuse during the course of their journey.

Finally, the creation of sustainable jobs that can progressively help people out of poverty remain to be the final decisive step to end piracy in Puntland – or across Somalia for that matter. Attention needs to be diverted to strategic projects like restoring infrastructure, building roads, refurbishing the Bosaso port and developing some of the numerous natural harbors to ease the pressure on Bosaso and spread the benefits too. Job-creation projects need to also aim at expanding basic services, opening up and rehabilitating the economic sector mainly animal husbandry, processing of animal products, and recovering of the fishing sector, among others.

Piracy in Somalia is down to the lowest level since the start of its steady rise in 2005 and explosion in 2007. But its effects will remain for a long time to come. If they are not identified and adequately addressed early on, it is only a matter of time until another wave of criminality threaten the international sea-lanes, destabilize the economy and security of Puntland, and further erode the Somali sociopolitical fabric.



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## Endnotes

<sup>1</sup> The International Maritime Bureau (IMB) recorded 15 attempts in 2013, which is a significant drop from 75 in 2012. Of the 15 attempts only 2 were successful hijackings. *ICC IBM Piracy and Armed Robbery Against Ships – 2013 Annual Report*, January 2014.

<sup>2</sup> Clan-wise, the majority of Puntlanders belong to the Mejerter sub-group of the Darod, one of the five broad clan divisions of the Somalis. The other sub-divisions of the Darod are the Dulbahante, Marehan, Ogadeni and Warsangeli. For their part the Mejerter majority of Puntland are divided among descendants of three brothers: the Omar Mohamud in Mudug (Galkacyo-Garacad), Cisse Mohamud in Nugaal (Garowe-Eyl), and Osman Mohamud in Karkar and Bari (Qardo-Bosaso).

<sup>3</sup> The Somali phrase for piracy *buraaad badeed* (literally meaning bandits of the sea) entered the lexicons of daily Somali life no more than two decades ago, indicating piracy's recent advent into the country's conflict-ridden political economy.

<sup>4</sup> For an expanded treatment of these factors, please see Awet T. Weldemichael, "Maritime Corporate Terrorism and its Consequences in the Western Indian Ocean: Illegal Fishing, Waste Dumping and Piracy in Twenty-first-century Somalia," *Journal of Indian Ocean Region* 8, Issue 2 (December 2012), 110-126.

<sup>5</sup> This story was repeated to me several times during visit of Eyl District in February 2012; but no one could say who those fishermen were nor did I encounter any fisherman who claims to have survived the incident.

<sup>6</sup> BBC, "Somali tsunami victim toll rises," 5 January 2005: <http://news.bbc.co.uk/2/hi/africa/4147097.stm>; Hermann M. Fritz and Jose C. Borrero, "Somalia Field Survey after the December 2004 Indian Ocean Tsunami," *Earthquake Spectra*, Vol. 22, No. S3 (June 2006), pp. 219-233.

<sup>7</sup> Confidential interview (5 February 2012, Garowe). This story is confirmed to in several confidential interviews with other fishermen some of whom turned to piracy (confidential interviews, January-March 2012, Garowe and Galkacyo).

<sup>8</sup> S/2008/769, UN, Somalia Monitoring Group (Report), December 10, 2008, Para. 125.

<sup>9</sup> This is Hart Group according to confidential interview (26 February 2012, Galkacyo).

<sup>10</sup> This is SomCan according to Jo'ar quoted in Jay Bahadur, *The Pirates of Somalia: Inside their Hidden World* (New York: Pantheon Books, 2011), 65.

<sup>11</sup> Confidential interview (26 February 2012, Galkacyo).

<sup>12</sup> Stig Jarle Hansen, *Piracy in the Greater Gulf of Aden: Myths, Misconceptions and Remedies* (NIBR Report 2009: 29), 23ff.

<sup>13</sup> Confidential interview (27 February 2012, Galkacyo)

<sup>14</sup> Confidential interview (27 February 2012, Galkacyo).

<sup>15</sup> Literally meaning beggar in Arabic, *shahat* in this Somali context is considered more dignified than a simple beggar.

<sup>16</sup> Confidential interview (24 February 2012, Eyl)

<sup>17</sup> Mohamed Beerdhige, "Pirates Hijack Vessel Despite Gov Security Team. Iranian Dhow Fishing Legally with Support of Puntland Government," 01/25/2012: [http://somalireport.com/index.php/post/2618/Pirates\\_Hijack\\_Vessel\\_Despite\\_Gov\\_Security\\_Team](http://somalireport.com/index.php/post/2618/Pirates_Hijack_Vessel_Despite_Gov_Security_Team)

<sup>18</sup> *Ibid.*

<sup>19</sup> Professor Mohamed Samantar, the principal macroeconomist in the Puntland Ministry of Planning and International Cooperation who oversees the study, is careful to point out that his ministry and Puntland lacked the resources to investigate what role piracy played in these price hikes. But he believes the analysis in this report to be sound.



<sup>20</sup> That is besides the global financial crises and increase in global price of foodstuffs that are not within the scope of this report.

<sup>21</sup> Confidential interview (8 August 2011, Nairobi).

<sup>22</sup> Interview with former TFG Prime Minister Abdiweli Mohamed Ali (21 October 2012, Galkacyo). Industry sources in fact show far more dramatic increase in insurance premiums since Lloyds classified Somali coastline as “a war risk area” in mid 2008. Londonmaritime.com cited “insurance broker Marsh & McLennan,” that reported “the cost of insuring ships against piracy has increased 1,900% since [January 2009].” In other words, “shipping firms that were paying 0.05% of the value of their goods for insurance premiums are now paying as much as 0.1%.” See “Piracy: a tax for shipping?": [http://www.maritimelondon.com/london\\_matters29june09.htm#1](http://www.maritimelondon.com/london_matters29june09.htm#1)

In 2010 Oceans Beyond Piracy reported that while not all vessels purchase insurance premiums in the four categories that they are offered, war risk premiums alone “have increased 300 fold, from \$500 per ship, per voyage; to up to \$150,000 per ship, per voyage, in 2010.” See Anna Bowden, *The Economic Cost of Maritime Piracy* (One Earth Future Working Paper December 2010), p. 10.

<sup>23</sup> Confidential interview (15 February 2012, Bosaso).

<sup>24</sup> Confidential interview (15 February 2012, Bosaso).

<sup>25</sup> Confidential interview (6 February 2012, Garowe). On the request of the pharmacy owner for confidentiality, all identifiers of him or his business are not disclosed.

<sup>26</sup> Although it covers livestock trading of southern Somalia with Kenya, Peter D. Little, *Somalia: Economy without State* (Oxford: James Currey, 2003) offers a fascinating analysis that also give the general picture of livestock industry across Somalia.

<sup>27</sup> Statistics from the Puntland Ministry of Livestock and Animal Husbandry.

<sup>28</sup> Although protracted clan conflicts contribute to the decline of livestock export when either traders or herders have to traverse the territory of a rival clan, none of such conflicts have taken place since 2007 to significantly affect trade routes.

<sup>29</sup> Given that international trade involves buyers and sellers living under different legal and financial systems and that they may not have face-to-face knowledge of each other, recognized banks mediate their transactions by issuing letter of credit (LC) to guarantee that the supplier (or service provider) is paid in time upon the delivery of goods (or services).

<sup>30</sup> Confidential interview (15 February 2012, Bosaso).

<sup>31</sup> On average, ransoms were delivered in less than three months of captivity and retailers in coastal pirate dens generally procured supplies on monthly or bi-monthly basis. In cases when the local retailers did not have cash to pay for their supplies right away, they bought their goods on credit from the suppliers.

<sup>32</sup> Only rarely, especially in 2009 and after, have pirates disappeared after receiving their share of ransom without settling their local debts, leaving their lenders bankrupt or nearly so.

<sup>33</sup> The key proponent of this argument is the Norwegian scholar Stig Jarle Hansen who is the earliest to have conducted fieldwork among the pirates in Puntland and Galmudug regions.

<sup>34</sup> Their inexperience with money also explains, partially, their inability to manage the relatively big sums that they receive at once.

<sup>35</sup> Jack Lang, *Report of the Special Adviser to the Secretary-General on Legal Issues Related to Piracy off the Coast of Somalia*, January 2011, 14.

<sup>36</sup> This was a basic survey the author prepared to gauge the youth’s perception and views about Piracy. The original questions were translated to Somali and back to English for accuracy and administered in times and areas deemed to be safe like in schools (high schools and colleges), workshops, and peaceful places where youth gather.

<sup>37</sup> It is important to note that some respondents gave more than one answers to a given question.

<sup>38</sup> According to a one time investor and pirate organizer in Mudug, the elders whom the pirates corrupted were important in resolving intra-pirate disputes as well as the pirates' disputes with the host communities. Confidential interview (October 24, 2012, Galkacyo).

<sup>39</sup> Confidential interview (24 February 2012, Eyl).

<sup>40</sup> Confidential interview (24-15 February 2012, Galkacyo).

<sup>41</sup> Interview (26 February 2012, Galkacyo).

<sup>42</sup> Besides draining the limited available social and medical services, piracy-related injuries and fatalities contributed to the hiking of compensation sums and blood money the injured parties demanded from the offenders.

<sup>43</sup> Confidential interview (26 October 2012, Galkacyo)

<sup>44</sup> Confidential interview (7 February 2012, Garowe). The psychiatric facility housed forty-nine and catered to sixty-seven outpatients and eighty women patients in different affiliated institutions across Puntland.

<sup>45</sup> Confidential interview (20 October 2012, Galkacyo).

<sup>46</sup> This makes perfect sense in light of the fact that pirates hardly did anything leisurely. The concept of recreational drinking is unknown to them and they reached the climax of their consumptive capacity as fast they were introduced to the drink.

<sup>47</sup> Prices for khat almost always doubled – or just about – in remote coastal villages like Eyl and Garacad.

<sup>48</sup> Ministry of Planning and International Cooperation, *Puntland Facts and Figures*, 4<sup>th</sup> edition (Puntland State of Somalia, 2008), 18.

<sup>49</sup> Interview with a Somali woman activist (6 November 2012, Garowe).

<sup>50</sup> Confidential interview (24-25 February 2012, Galkacyo).

<sup>51</sup> The 1989 “Convention on the Rights of the Child” (available at [http://www.unesco.org/education/pdf/CHILD\\_E.PDF](http://www.unesco.org/education/pdf/CHILD_E.PDF)) for example makes multiple stipulations protecting the child from “all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation” (Article 19, Paragraph 1, and also Article 36). It also recognizes “the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development” (Article 32, Paragraph 1).

<sup>52</sup> One famous example is a case of a district official whose son joined the pirates against the father's wish. The son would not hear any of it even when his father threatened to and publicly disowned his son. Soon thereafter the son went missing while in a piracy operation and to this day no one knows his whereabouts.

<sup>53</sup> This is not to mean that the act of piracy is considered as acceptable; the repertoire of piracy in Puntland – as in the rest of Somalia – is complex as already discussed. But the criminality of piracy did not completely obliterate aspects of age-old traditions and practices that have – and can very well be – been an important leverage for a homegrown solution to piracy as we shall see later.

<sup>54</sup> Confidential interview (February 2012, Garowe).

<sup>55</sup> Confidential interview (26 February 2012, Galkacyo).

<sup>56</sup> According to the only authoritative account of the conflict and the mediation process, the non-fatal impacts of this pirate-caused conflict included the restriction of access to social services of people residing in remote areas, inability of frankincense farmers to ensure their economic sustenance, abandonment of shared settlements, family disputes and splitting of spouses hailing from the conflicting groups. See Abdinasir M. Yusuf, *The Rako Peace Process: Intra-clan Reconciliation Progress* (Report of the Mobile Audio Visual Unit of Puntland Development Research Center, April 2012), 7.

<sup>57</sup> Yusuf, *The Rako Peace Process*, 6-7. Documenting this and other similar cases, *SomaliaReport* found a total of forty-nine fatalities and sixty-two injuries in incidents involving pirates between October and December 2011 alone.



<sup>58</sup> Documenting this and other similar cases, *SomaliaReport* found a total of forty-nine fatalities and sixty-two injuries in incidents involving pirates between October and December 2011 alone. “Pirates vs the People: Somali Hijackers Turn Against Civilians,” 23 December 2011:

[http://www.somaliareport.com/index.php/post/2384/Pirates\\_vs\\_The\\_People](http://www.somaliareport.com/index.php/post/2384/Pirates_vs_The_People) (accessed on 15 April 2012)

<sup>59</sup> Yusuf, *The Rako Peace Process*, 8-9.

<sup>60</sup> Puntland Ministry of Security and DDR “Somalia: Puntland Maritime Police Forces Deploy in Strategic Coastal Towns,” 8 June 2012:

[http://www.garoweonline.com/artman2/publish/Press\\_Releases\\_32/Somalia\\_Puntland\\_Maritime\\_Police\\_Forces\\_Deploy\\_in\\_Strategic\\_Coastal\\_Towns.shtml](http://www.garoweonline.com/artman2/publish/Press_Releases_32/Somalia_Puntland_Maritime_Police_Forces_Deploy_in_Strategic_Coastal_Towns.shtml) (accessed on 22 June 2012); Puntland Ministry of Security and DDR Press Release, “Somalia: Puntland Arrests 53 Al Shabaab and Piracy Suspects,” 31 July 2012:

<http://halgan.net/halgan/wp-content/uploads/2012/07/Halkaan-ka-eeg-Warsaxaafedka-ka-soo-baxay-Wasaarada-amniga-Puntland.pdf> (accessed on 15 January 2013).

<sup>61</sup> Confidential interview (20 February 2012, Bosaso).

<sup>62</sup> Article 5 of Security Council Resolution 733 (1992) of January 23, 1992 invokes Chapter VII of the UN Charter to impose “a general and complete embargo on all deliveries of weapons and military equipment to Somalia...”:

[http://www.un.org/ga/search/view\\_doc.asp?symbol=S/RES/733\(1992\)](http://www.un.org/ga/search/view_doc.asp?symbol=S/RES/733(1992))

<sup>63</sup> Confidential interviews (24 February 2012, Eyl) and (4 February 2012, Garowe).

<sup>64</sup> Confidential interview (4 February 2012, Garowe).

<sup>65</sup> Interviews with the two widows (22 February 2012, Eyl); Confidential interviews (4 February 2012, Garowe) and (24 February 2012, Eyl).

<sup>66</sup> Confidential interview (22 February 2012, Eyl).

<sup>67</sup> Confidential interview (22 February 2012, Eyl).

<sup>68</sup> “Fishing Vessel Attacked by Naval Forces: Two Crew Members Killed in Attack,” 3/26/2012:

[http://somaliareport.com/index.php/post/3152/Fishing\\_Vessel\\_Attacked\\_by\\_Naval\\_Forces](http://somaliareport.com/index.php/post/3152/Fishing_Vessel_Attacked_by_Naval_Forces) (accessed)

<sup>69</sup> S/RES/1816 (2008), UN Security Council Resolution 1816, 2 June 2008: paragraph 7. All subsequent UNSC resolution on piracy off the coast of Somalia retained that authorization and continued to do so under Chapter VII of the United Nations Charter. These include UN Security Council Resolution 1838 of 7 October 2008, paragraph 2; UN Security Council Resolution 1846 of 2 December 2008, paragraph 10;

<sup>70</sup> For a succinct overview of all international anti-piracy operations in the Gulf of Aden and the Indian Ocean, see Robin Geiss and Anna Petrig, *Piracy and Armed Robbery at Sea: the Legal Framework for Counter-Piracy Operations in Somalia and the Gulf of Aden* (Oxford University Press, 2011), pp. 17 ff.

<sup>71</sup> S/RES/1816 (2008), UN Security Council Resolution 1816, 2 June 2008: paragraph 9. So did the subsequent authorizations follow similar requests from the following TFG under Sheikh Sharif Sheikh Ahmed.

<sup>72</sup> Several individual countries – like France and Indonesia – did so unilaterally and without an international sanction. See, for example, Angela Doland, “French Troops Attack Somali Pirates After 30 Hostages Freed,” *The Washington Post*, April 12, 2008: <http://www.washingtonpost.com/wp-dyn/content/article/2008/04/11/AR2008041103537.html>; John McBeth, “Full Resolve: How Indonesia Took on the Somali Pirates,” *The Jakarta Post*, May 30, 2011: <http://www.thejakartaglobe.com/archive/full-resolve-how-indonesia-took-on-the-somali-pirates/>

<sup>73</sup> There are a number of cases when inexperienced private security guards shot at non-pirates in the high seas simply because they had AK-47s on them, in a region where weapons are so rife that carrying such a gun is a sad normality.

<sup>74</sup> “Shipowners Turn to AK-47s to Halt \$2.4 Billion of Piracy Off Africa, India,” Bloomberg, May 17, 2011:

<http://www.bloomberg.com/news/2011-05-17/armed-guards-fighting-somali-pirates-to-rise-trade-group-says.html>;

“Special Report: As Pirate Attacks Grow, Shipowners Take Arms,” REUTERS, May 3, 2011.

<sup>75</sup> IMO Circular, MSC.1/Circ.1405, “Interim Guidance to Shipowners, Ship Operators, and Shipmasters on the use of Privately Contracted Armed Security Personnel on Board Ships in the High Risk Area,” May 23, 2011. Available at: <http://www.marad.dot.gov/documents/MSC.1-Circ.1405.pdf>

Neither the initial interim guidance nor subsequent revisions openly endorse the use of armed guards. In fact all of them make it clear that IMO “whilst not endorsing the use of privately contracted armed security personnel (PCASP), understands...” and go on to offer guidance and recommendations on how to identify, contract and deploy good ones.

<sup>76</sup> Mohamed Beerdhige, “Pirates Hijack Vessel Despite Gov Security Team. Iranian Dhow Fishing Legally with Support of Puntland Government,” 01/25/2012: [http://somalireport.com/index.php/post/2618/Pirates\\_Hijack\\_Vessel\\_Despite\\_Gov\\_Security\\_Team](http://somalireport.com/index.php/post/2618/Pirates_Hijack_Vessel_Despite_Gov_Security_Team)

<sup>77</sup> *Ibid.*

<sup>78</sup> Lang, *Report of the Special Adviser to the Secretary-General*, 14.

<sup>79</sup> Kaija Hurlburt, *The Human Cost of Somali Piracy*, One Earth Future Foundation, June 2011, 11: [http://oceansbeyondpiracy.org/sites/default/files/human\\_cost\\_of\\_somali\\_piracy.pdf](http://oceansbeyondpiracy.org/sites/default/files/human_cost_of_somali_piracy.pdf).

<sup>80</sup> “Freed Somali pirates ‘probably died’ – Russian source,” BBC News, May 11, 2010, <http://news.bbc.co.uk/2/hi/8675978.stm>

<sup>81</sup> Justin McCurry, “Eight Somali Pirates Killed as South Korea Rescues Freighter Crew,” *The Guardian*, January 21, 2011, <http://www.guardian.co.uk/world/2011/jan/21/south-korea-rescue-somali-pirates>

<sup>82</sup> “TNI: Four Pirates Killed in Gun Battle,” *The Jakarta Post*, May 2, 2011, <http://www.thejakartapost.com/news/2011/05/02/tni-four-pirates-killed-gun-battle.html>.

<sup>83</sup> William McMichael, “Navy: Helo Fires on Pirate Skiff, Killing 4,” *Navy Times*, May 18, 2011, <http://www.navytimes.com/news/2011/05/navy-bulkeley-pirate-attack-foiled-051811w/>.

<sup>84</sup> Hurlburt, *The Human Cost of Somali Piracy*.

<sup>85</sup> Confidential interview (26 February 2012, Galkacyo).

<sup>86</sup> S/RES/1976 (2011), UN Security Council Resolution 1976, 11 April 2011, paragraph 4 requested “States, UNODC, the United Nations Development Programme, the United Nations Political Office for Somalia (UNPOS) and regional organizations to assist the TFG and regional authorities in Somalia in establishing a system of governance, rule of law and police control in lawless areas where land-based activities related to piracy are taking place and also requests the TFG and regional authorities in Somalia to increase their own efforts in this regard”

<sup>87</sup> While one aspect of the furor concerned the allegation of the former founder of Backwaters, Erik Prince, being behind the training – hence the baseless reports that the marine force that was being trained was a private army – the other potentially consequential aspect concerned the equipment and weaponry importations that violated two-decade old United Nations arms embargo on Somalia as a whole. No one asked for nor anyone else offered an explanation about the potential contradiction of the arms embargo with Resolution 1976, whose implementation required import of weapons and equipment and training.

<sup>88</sup> Mark Mazzetti and Eric Schmitt, “Private Army Formed to Fight Somali Pirates Leaves Troubled Legacy,” *The New York Times*, October 4, 2012.

<sup>89</sup> UN Security Council Resolution 1918 of 27 April 2010, paragraph 2 (S/RES/1918 (2010)) and UN Security Council Resolution 1950 of 23 November 2010, paragraph 13 (S/RES/1950 (2010)) had called on all States “to criminalize piracy under their domestic law and favourably consider the prosecution of suspected, and imprisonment of convicted, pirates apprehended off the coast of Somalia...”

<sup>90</sup> Confidential interview (12 February 2012 Garowe)

<sup>91</sup> Confidential interview (19 and 20 February 2012, Bosaso)

<sup>92</sup> Confidential interview (12 February 2012 Garowe)

<sup>93</sup> *Ibid.*

<sup>94</sup> Confidential interview (24 February 2012, Eyl).

<sup>95</sup> Confidential interview (24 February 2012, Eyl).

<sup>96</sup> This emerged out of numerous conversations with PDRC's Mobile Audio Visual Unit (MAVU); as well as other PDRC researchers in Garowe and Galkacyo.

<sup>97</sup> Confidential interview (24 February 2012, Eyl).

<sup>98</sup> That many pirates quietly dissolved into their peaceful communities does not augur well for the permanent eradication of piracy, especially in light of the persistence of the sea- and land-based root causes of Somali piracy.

<sup>99</sup> Confidential interview (11 February 2012, Garowe).

<sup>100</sup> *Ibid.*

<sup>101</sup> *Ibid.*

<sup>102</sup> Confidential interview (24 February 2012, Eyl)

<sup>103</sup> Confidential interview (14 and 15 February 2012, Bosaso).

<sup>104</sup> "Aid Workers Kidnapped from Kenya's Dadaab Camp near Somalia," 29 June 2012: <http://www.bbc.co.uk/news/world-africa-18644745> (accessed 5 July 2012)

<sup>105</sup> "Somalia: Puntland forces pursue aid worker kidnappers linked to Al Shabaab," Jul 12, 2012: [http://www.garoweonline.com/artman2/publish/Somalia\\_27/Somalia\\_Puntland\\_forces\\_pursue\\_aid\\_worker\\_kidnappers\\_linked\\_to\\_Al\\_Shabaab\\_printer.shtml](http://www.garoweonline.com/artman2/publish/Somalia_27/Somalia_Puntland_forces_pursue_aid_worker_kidnappers_linked_to_Al_Shabaab_printer.shtml) (accessed 07/15/2012); Mohamed Nuxurkey, "Kenyan Aid Workers Kidnapped Near Galkayo," 07/11/2012: <http://www.somaliareport.com/index.php/post/3509> (accessed 07/15/2012).

<sup>106</sup> "Somalia: Puntland captures North Korean flagged vessel dumping waste," Garowe Online, Nov 18, 2012: [http://www.garoweonline.com/artman2/publish/Somalia\\_27/Somalia\\_Puntland\\_forces\\_capture\\_North\\_Korean\\_flagged\\_vessel\\_dumping\\_cement.shtml](http://www.garoweonline.com/artman2/publish/Somalia_27/Somalia_Puntland_forces_capture_North_Korean_flagged_vessel_dumping_cement.shtml) (accessed November 20, 2012).

<sup>107</sup> "Somalia: Iranians Convicted of Illegal Fishing in Puntland State Waters," 19 May 2013: [http://www.garoweonline.com/artman2/publish/Somalia\\_27/Somalia\\_Iranians\\_convicted\\_of\\_illegal\\_fishing\\_in\\_Puntland\\_state\\_waters.shtml](http://www.garoweonline.com/artman2/publish/Somalia_27/Somalia_Iranians_convicted_of_illegal_fishing_in_Puntland_state_waters.shtml)

<sup>108</sup> For a discussion of whether piracy is treated as a security or developmental or some other concern, and its commensurate remedies, see Christian Bueger, "Drops in the Bucket? A Review of Onshore Responses to Somali Piracy," *WMU Journal of Maritime Affairs* 11 (2012): 15–31.

<sup>109</sup> Anne Schroer, Courtney Sakai, Vanya Vulperhorst and Andrzej Białas, "The European Union and Fishing Subsidies," September 2011: [http://oceana.org/sites/default/files/reports/EU\\_Subsidies\\_Report\\_FINAL\\_FINAL-1.pdf](http://oceana.org/sites/default/files/reports/EU_Subsidies_Report_FINAL_FINAL-1.pdf); "When Crime Pays: How the EU Subsidises Illegal Fishing," 8 March 2011: <http://www.fishsubsidy.org/news/features/iuu/> (accessed on??); "The EU subsidizes illegal fishing," 25 March 2011: [http://www.slowfood.com/slowfish/pagine/deu/news/dettaglio\\_news.lasso?-idn=19](http://www.slowfood.com/slowfish/pagine/deu/news/dettaglio_news.lasso?-idn=19) (accessed on ???); Christopher Pala, "Billions in Subsidies Prop up Unsustainable Overfishing," IPS, November 8, 2012: <http://www.ipsnews.net/2012/11/billions-in-subsidies-prop-up-unsustainable-overfishing/> (accessed November 18, 2012); U. Rashid Sumaila et al., "A Bottom-up Re-estimation of Global Fisheries Subsidies," Fisheries Centre, the University of British Columbia, Working paper # 2009-11 (2009).

<sup>110</sup> Counter-terrorism concerns also run through most of these foreign naval deployments in the Gulf of Aden as with developments in Somalia in general.

<sup>111</sup> S/RES/1950 (2010), UN Security Council Resolution 1950, 23 November 2010, paragraph 2; S/RES/1976 (2011), UN Security Council Resolution 1976, 11 April 2011, paragraph 2.

<sup>112</sup> S/RES/2020 (2011), UN Security Council Resolution 2020, 22 November 2011, paragraph 24.

<sup>113</sup> A year after operation ATALANTA went into effect, the European Union amended ATALANTA's mandate and vaguely alluded to the mission contributing toward "the monitoring of fishing activities off the coast of Somalia." Council Decision No. 2009/907/CFSP of 8 December 2009 Amending Joint Action

2008/851/CFSP on a European Union Military Operation to Contribute to the Deterrence, Prevention and Repression of Acts of Piracy and Armed Robbery off the Somali Coast, 2009 O.J. (L 322/2): <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2009:322:0027:0027:EN:PDF>.

Nevertheless, as Thilo Neumann and Tim René Salomon illustrate, there are practical challenges of implementation of this amendment, even if it were to directly target IUU fishers in Somali waters. See Neumann and Salomon, "Fishing in Troubled Waters: Somalia's Maritime Zones and the Case for Reinterpretation," *Insights* Volume 16, Issue 9 (March 15, 2012): <http://www.asil.org/insights120315.cfm>