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Piracy off the Coast of Somalia.

Securing Commercial Shipping Lanes Against Piracy.

Giles Noakes
Chief Maritime Security Officer BIMCO



Aim/Industry Concerns

To maintain the security of commercial shipping lanes we have to avoid ending up going off in the wrong direction at the wrong time



Will address:

- 1. What industry is currently doing.
- 2. Why piracy is being deterred but could start again.
- 3. Why any proposal to increase/rely upon the use of PCASP as a solution is unsound.





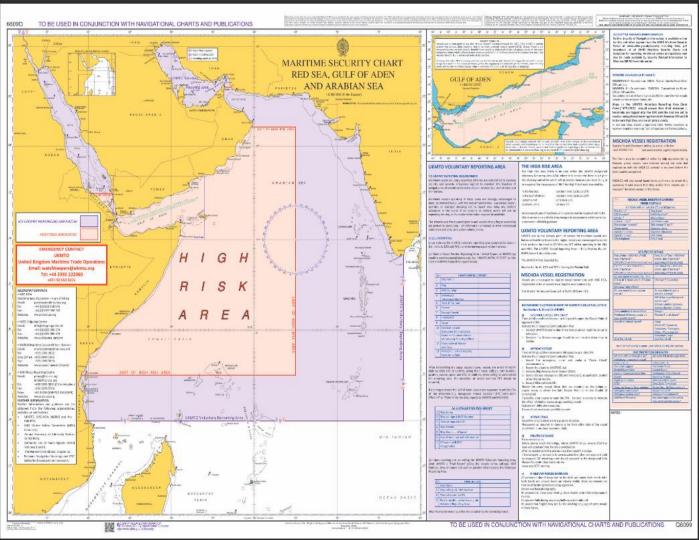
Industry Counter Piracy Role

- Review and maintain best possible guidance on counter piracy to Ship Owners and Masters in order to:
 - Avoid
 - Deter
 - Delay
- Guidance and Processes defined in BMP4.
- Guidance nuanced by threat awareness (e.g. SHADE) and response awareness (e.g. MSCHOA/UKMTO)



New HRA Effective 1 Dec 2015







The Threat of Somali Piracy...... Today



- Piracy is suppressed not eliminated
- The threat has not completely gone away
- Risk of resurgence of Somali Pirates exists
- Illegal fishing off Somalia has reemerged as a problem
- The <u>intent</u>, <u>capability</u> and <u>opportunity</u> for Somali pirates to attack merchant ships remains.



The Importance of Maintaining the Deterrence "Milking Stool

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- Pirate activity has been deterred successfully because of three major counter piracy initiatives/legs:
 - Naval Forces
 - BMP
 - PCASP



 If one leg goes then the stool will fall over and deterrence will fail





The Importance of Maintaining the Naval Presence



- Deterrence is a mix of credibility and visibility – key factors:
 - Visible
 - Prospect of military response
 - High risk of arrest and prosecution (only states/military have are legally empowered)
- Military have limited pirate operations and their ability to put to sea
- The ending of the mandate would send a wrong and dangerous message to pirates given the threat.



PCASP. How Have We Arrived Here?



- Traditionally war and/or counter insurgency post conflict has required privatisation.
- ButNow A blurring of boundaries
 - Asymmetric warfare
 - Law enforcement
- Often exacerbated by
 - Lack of or no legal infrastructures
 - Ofen a law enforcement vaccum, not war fighting.
- Insufficient initial deterrence called for under UNCLOS lead to Business "buying" security as the only alternative when BMP insufficient.
- GUARDCON contract to protect both parties
- But a danger of becoming institutionalized for the wrong reasons



Risk Analysis drives PCASP use



- Use of PCASP is a last resort in a layered counter piracy defence and the level of risk due to vulnerability demands placed on ships.
- Not deployed on all ships. Many rely entirely on BMP4
- Always driven by risk analysis and
- The "low and slow "factor
- Example today can be found in over 80% of ships transiting the Somalis basin are still using armed guards but only 20% east of 65 East.



Limitations on PCASP viability as a solution.



- 1. The reduction in real deterrence
- 2. The inability to arrest and prosecute
- 3. The shortfall of quality PCASP needed suddenly in volumes
- 4. The necessary proliferation of floating armouries contrary to littoral state desires
- 5. Legal issues and ramifications:
 - RUF
 - Variations in international law
- 6. A real risk of escalation of violence
- 7. Inability to use "citadels"
- 8. Historical precedent is unrealistic



Main Messages – The Need for a Sustained Effort - Efficient but Effective.

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- Mandates: A visible and credible international presence needs to remain in theatre to ensure that piracy does not return.
- Industry must maintain vigilance and remain committed to counter-piracy measures including registering with MSCHOA, reporting to UKMTO and implementing ship protection measures on the basis of a thorough risk assessment.
- There will be other changes to the HRA and to the international naval presence – but this should not be an excuse for complacency.





THANK YOU FOR YOUR TIME ANY QUESTIONS