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Piracy off the Coast of Somalia.

Securing Commercial Shipping Lanes Against Piracy.

Giles Noakes

Chief Maritime Security Officer BIMCO



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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.**





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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)**



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The Threat of Somali Piracy..... Today



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- 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 **intent**, **capability** and **opportunity** 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



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- **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.**
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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
 - Often a law enforcement vacuum, 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
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Risk Analysis drives PCASP use



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- 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.
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Limitations on PCASP viability as a solution.



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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
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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.**
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THANK YOU FOR YOUR TIME
ANY QUESTIONS