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PETER KWON  
TOM SEO

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Hello delegates!

Welcome to the North Atlantic Treaty Organization of this year's AMUN. We the chairs, Peter Kwon and Tom Seo, will be serving this committee in order to resolve several important real issues that are being discussed around the world. As previous delegates, we are very well aware of the process and are excited to witness how you will debate and resolve the topics we have prepared. If you have any questions about the committee procedures or concerns, you may e-mail us during the AMUN period.

Sincerely,

Peter Kwon  
petkwo@bergen.org

Tom Seo  
sanseo@bergen.org



## TOPIC 2: PIRACY IN SOMALIA

### Introduction

The Law of the Sea of the sea exists due to the fact that there are a large number of migrants traveling by sea. Unfortunately, a significant portion of the migrants is either irregular/illegal migrants, or smugglers. While a key goal of the Law of the Sea is to prevent such migration, another significant issue is that regarding sea piracy: Piracy, which not only results in hijacked ships and ransoms for hostages, also lead to an increase in shipping costs and the impediment of the delivery of food aid shipments. This can be seen through the fact that 90% of the World Food Programme's shipments arrive by sea and now require a military escort in order to percent Somali pirates from receiving more than \$150 million US dollars from November 2007 to November 2008.

According to the United Nations Convention on the Law of the Sea (UNCLOS), piracy is defined as any of the following acts:

- a) *Any illegal acts of violence or detention, or any act of depredation, committed for private ends by the crew or the passengers of a private ship or a private aircraft, and directed:*
  - *on the high seas, against another ship or aircraft, or against persons or property on board such ship or aircraft;*
  - *against a ship, aircraft, persons or property in a place outside the jurisdiction of any State;*
- b) *any act of voluntary participation in the operation of a ship or of an*

*aircraft with knowledge of facts making it a pirate ship or aircraft;*

- c) *any act inciting or of intentionally facilitating an act described in subparagraph (a) or (b).*

Ever since the civil war in Somalia began in 1991, international trading ships have been under threat by Somali pirates. Following a decrease in income from fishing due to the war and the absence of a national coastal guard to protect Somali oceans from illegal fishers from other countries, local fishers began to band together in order to protect the available resources in Somali oceans and prevent the erosion of the fish stock. Soon, however, the bands of fishermen discovered that in comparison to accruing money through fishing, taking part in piracy allowed them to make more money. Moreover, due to the lack of a centralized government, political chaos and bloodshed, and the lack of a formal economy, piracy in Somalia has been allowed to grow significantly since the early 1990s. As time went on, Somali pirates have not only targeted commercial ships, but have also begun to attack private yachts. By holding the crew in the ships they target hostage, pirates have been able to make huge sums of money from ransom pay-offs. Moreover, due to the potential of making a tremendous amount of profits, warlords have been involved in facilitating pirate activities, splitting the profits with the pirates.

In order to counter the issues posed by Somalian piracy, many countries, most notably the United States Navy, have utilized naval forces. For example, in 2007, the U.S. Navy has increased its operations against pirates utilizing small boats off the coast of Somalia, in which over two-dozen

ships were hijacked that year, while many of them were held ransom. In October, U.S. Navy vessels reportedly aided hijacked cargo ships twice in late October, while in the process aiding three wounded crewmen from North Korea. Moreover, the U.S. Navy was able to free two South Korean owned Tanzanian-flagged fishing vessels held for ransom in early November after U.S. personnel successfully spoke with the pirates. The following month, U.S. and German Navy vessels freed a hijacked Japanese-owned, Panamanian-flagged chemical tanker.

As a result of the increased pirate activity, actions such as those taken by the U.S. were executed following the establishment of the Combined Task Force, one of the three task forces under Combined Maritime Forces, a 20-nation Coalition based in Manama, Bahrain. The Combined Task Force is responsible for protecting the waters off Somalia and the Horn of Africa. Furthermore, a key mission of the Coalition is conducting Maritime Security Operations, which aids in setting conditions for security and stability in the maritime environment and complement the counterterrorism and security in regional nations' littoral waters. The Coalition also aims to ensure that commercial fishing and shipping can occur safely in the region. Having representation from Australia, France, Germany, Italy, Pakistan, the United Kingdom, the United States, and navy forces and personnel from several other nations, the Coalition is considered to be key in countering piracy in Somalia. In order to do so, Coalition ships patrol more than 2.5 million square miles of international waters.

### **Current Situation**

Although efforts have made to prevent piracy, most of them have been largely

unsuccessful. In 2008 there were 111 attacked, which included 42 successful hijackings. The situation has become drastically worse in recent times as can be seen through the fact that the rate of attacks in January and February 2009 was roughly 10 times higher than the same period in 2008. By mid April, there have been 79 attacks, 21 of which were successful, and CNN has quoted that "there have been almost daily attacks in March". While the Transitional Federal Government of the Republic of Somalia have attempted to quell piracy through the help of foreign naval vessels, in most cases, foreign naval vessels were forced to cease their pursuit of Somali pirate ships when the pirate ships entered Somali territorial waters.

In June 2008, the United States Security Council unanimously passed a statement allowing nations under the permission of the Somali government to enter Somali territorial waters in order to deal with the pirates. The United States, France, and Panama have sponsored the measure and it has lasted six months. Moreover, in November 21, 2008 the United Nations has allowed the Indian Navy to combat Somali piracy by granting permission to enter Somali waters.

Currently, pirates utilize the latest technology through the use of equipment such as satellite phones and GPS navigation systems. They are also heavily armed with weapons such as rocket-propelled grenades and AK-47s, and they are known to receive tip-offs from contact at ports in the Gulf of Aden. In terms of actual hijacking, pirates utilize grappling hooks and irons, and sometimes fire at ships to scare them into stopping. Once boarded, the pirates take the hostages ashore and the hostages are usually well looked after a ransom is paid.

The foreign minister from Kenya estimates that pirates have made \$150 million in income in 2008. Not only does piracy cost large sums of money for those who are forced to pay the ransom, but it also results in higher prices of goods since shipping companies spend more money on security, insurance premiums, and extra fuel in case a ship must take an alternate route. Thus, piracy is estimated to have cost the world an estimated \$60 – 70m in 2008.

Steps, however, are being taken in order to combat piracy. On April 23, 2009, international donors agreed to donate over \$250 million to the Somali government, and \$124 million of that money is intended to boost the African Union peacekeeping mission from 4,350 to 8,000 troops and \$34 million for Somali security forces.

Incidents in which Somali pirates have been involved include:

- November 6, 2006 - Pirates seize the UAE-flagged *MV Veesham I* and demand a \$150,000 ransom for the release of 14 crewmembers.
- April 3, 2007 - The UAE-registered *MV Nimatullah* is captured by pirates with 800 tons of cargo and 14 Indian crewmembers aboard.
- May 17, 2007 - Pirates seize two South Korean fishing boats and take them to a village on the coast of Somalia. The boats have a combined crew of 24 men.
- May 20, 2007 – Pirates attempt to hijack a UN-chartered food aid ship. The vessel successfully avoids the attackers.
- June 2, 2007 - The Danish vessel the *MV Danica White* is hijacked. The U.S. Navy fires and destroys several small boats used by the pirates, but fails to stop the ship before it reaches Somalia's territorial waters where it is not allowed to go.
- October 21, 2007 - Pirates attempt to hijack the Comoran-flagged *MV Jaikur II* off the coast of the port of Brava. The cargo ship, which had just offloaded aid from the UN's World Food Program, was able to evade the pirates.
- October 20, 2007 - Pirates near the capital of Mogadishu hijack A North Korean-flagged cargo vessel. The crew of 22 is able to retake control of the ship.
- January 8, 2008 - On Saturday, January 26 pirates seized an Oman-owned fishing vessel off the coast of Somalia's semiautonomous Puntland region.
- April 20, 2008 - The Spanish tuna fishing boat *Playa de Bakio* and grenade launcher-wielding pirates seize its crew of 26. Spain quickly sends one of its naval ships to the scene of the crime. A man claiming to be one of the captors supposedly tells Spanish state radio that he and his fellow pirates are Somalis and want a ransom.
- July 20, 2008 - The Japanese owned, Panama-flagged *MV Stella Maris* is seized by pirates near the port of Calula in the autonomous Puntland region. The ship is carrying lead and zinc, and reported to have a crew of 21.
- August 12, 2008 - A Thai-owned general cargo ship is hijacked in the Gulf of Aden.
- September 26, 2008 - A Greek chemical tanker is hijacked in the Gulf of Aden. The vessel has a crew of 19.
- April 8, 2009 – Four Somali pirates hijack United States cargo ship *Maersk Alabama*. The ship was

carrying 17,000 metric tons of cargo, of which 5,000 metric tons consisted of relief supplies for impoverished countries such as Somalia, Uganda, and Kenya. In response, the United States Navy SEALs snipers kill three pirates who were holding Captain Richard Philips hostage.

- June 23, 2009 – Somali pirates release a hijacked cargo ship with one crewmember fatally shot.

Through the timeline, it is possible to realize that pirating is an extremely large issue not only Somalia, but also to all nations engaged in international trade.

Questions to Consider:

- 1) Are current efforts to combat piracy in Somalia effective? If not, what additional measure can be taken in order to successfully eradicate Somali pirate activity?
- 2) How could shipping companies respond to piracy in order to protect their ships?
- 3) Would there be a solution in which fishermen are dissuaded to enter the pirating business?

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