Committee/Council: Disarmament and International Security Committee

Issue: Combating maritime terrorism in Somalia

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Position: Co-Chair

Introduction

Somalia is an African country and former colony of Italy and Britain, which gained its independence in 1960. In the first 9 years of its independence, Somalia fought for democracy, since it managed to hold elections with democratic procedures. After 1969, and the assassination of the president Abdirashid Ali Sharmarke, there was a political chaos going on in Somalia, due to the fact that the coup in 1969 created an undemocratic environment in the country. Some years after the coup, a civil war broke out, making the situation in Somalia even worse. This situation forced thousands of people to become internally displaced and migrate from their country. It can be easily understood that due to the fact that Somali people lived under the poverty line and foreign vessels gained from Somalia’s maritime fauna, some people decided to start attacks against those vessels, something which is nowadays called piracy. Taking the aforementioned situation into consideration and also being aware of several Islamist factions such as Al-Shabab, which was formed in 2006 and poses an important threat to the country’s security, we can understand that Somalia is a country which is very weak to address serious threats such as the maritime terrorism in the Gulf of Aden, caused mainly by pirates and terrorist organizations such as Al-Qaeda. The questions which are going to be answered by this study guide are the following: “is maritime terrorism and terrorist organizations in general linked to Somali pirates?” and “how will Somalia be able to effectively combat maritime terrorism and piracy?”
Definition of Key-Terms

Maritime Terrorism
The term maritime terrorism is defined by the Council for Security Cooperation in the Asian Pacific (CSCAP) as “the undertaking of terrorist acts and activities within the maritime environment, using or against vessels or fixed platforms at sea or in port, or against any one of their passengers or personnel, against coastal facilities or settlements, including tourist resorts, port areas and port towns or cities”.\(^1\) Except for that we have to bear in mind that maritime terrorism may have some similarities with piracy but it is not the same phenomenon. Maritime terrorism is mostly conducted by terrorist organizations (e.g. Al-Qaeda) and has ideological goals (in this case Al-Qaeda attacks vessels of non-Islamic states)

Piracy
The term piracy is defined by article 101 of the 1982 United Nations Law of the Sea as:

1) “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: (i) on the high seas, against another ship or aircraft, or against persons or property on board such ship or aircraft; (ii) against a ship, aircraft, persons or property in a place outside the jurisdiction of any State;”

2) “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;”

3) “any act inciting or of intentionally facilitating an act described in subparagraph (a) or (b).”\(^2\)

All in all, piracy has several similarities with maritime terrorism especially on the way it is conducted, but it is very different on other characteristics such as its goals. Somali pirates attack vessels in order to ask for ransom and gain money from that illegal action, due to their financial difficulties and their need of money in order to survive.

Unmanned Maritime Systems
The unmanned maritime systems or drones are generally machines or vehicles which are processed and equipped specially (with sensors, communication systems, automatic control etc.) so as to be able to achieve a target or specifically do a job without the help or the control of a human and they are specifically used for missions taking place in the water, either on the surface or underwater.


\(^2\) same source
Weapons of Mass Destruction (WMDs)

According to the Oxford Dictionaries, the Weapons of Mass Destruction (WMDs) can be defined as “weapons able to cause widespread devastation and loss of life” and are divided into four categories, namely: Biological, Chemical, Radiological and Nuclear weapons.

Organized Crime

The Cambridge Dictionary defines the term organized crime as “criminal organizations that plan and commit a crime, or the crimes that are committed by such organizations”. Both piracy and maritime terrorism are considered to be nowadays organized crimes.

Background Information

Despite the fact that the Global Terrorism Database (GTD) has reported that only 0.2% of the terrorist attacks worldwide are taking place in the sea (specifically 199 out of 98,000 attacks in the last 40 years) as a consequence of the fact that in order for them to be done, special equipment(such as boats, fuel, communication and navigation equipment) and training is needed, they still pose a great threat to global security and global trade since many companies and countries use “sea roads” in order to transport and trade goods. As you can understand maritime terrorism is a serious threat for vessels since the groups which hijack or bomb such vessels firstly do not let them reach their final destination, they threaten the lives of the vessel’s crew and many times they use the vessel’s cargo if it includes something from which they can be benefited. To sum up, the issue of maritime terrorism is an emerging one otherwise we will have to face a huge amount of consequences in the future.

Maritime Terrorism

As it has been previously defined, maritime terrorism is mainly conducted by terrorist organizations. The “key-organizations” in the region are Al Qaeda and its affiliate Islamic organization based in Somalia, namely, Al Shabab. Although it is not easy to conduct a terrorist attack in the sea, since it needs special equipment and training, we have seen that throughout the years Al Qaeda has caused several problems to vessels traveling through the Gulf of Aden such as the USS Cole in 2000, in which 17 American sailors were killed and 42 were wounded, and MV Limberg in 2002, in which one member of the crew was killed and 12 were wounded.


Bearing in mind the aforementioned attacks and taking into consideration that Al Qaeda has several ties with Al Shabab (e.g. it provides them with humans committed to these organizations, training and equipment needed for a maritime terrorist attack and generally funding), it is possible that Al Shabab has all the incentives needed in order to attack vessels on behalf of Al Qaeda, since members of Al Shabab are familiar with maritime and port operations, as they manage most of the ports in southern Somalia. 5

Also, it has been reported6 that in 2012 members of Al Shabab were arrested on a Yemeni Island attending scuba diving lessons, something which means that they are getting ready for underwater attacks on ships with divers placing bombs under vessels.

In conclusion, due to the experience members of Al Shabab have on matters concerning maritime operations and detonating improvised explosive devices, it is easy for Al Qaeda and Al Shabab to cause trouble to all vessels passing through the Gulf of Aden.

Threats of maritime terrorism

Underwater Attacks on ships/ Unmanned Maritime Systems (maritime drones)

The underwater attacks on ships are a threat for vessels since it is a usual, easy and undetectable way for maritime terrorism to take place. These attacks can be conducted in two ways: either with divers who place explosive devices under the ships in order to destroy them or with unmanned maritime systems and specifically with unmanned sea-craft vehicle bombs (USVB), as a consequence of the technological improvements which have been made in the sector of unmanned vehicles.

Chemical, Biological, Radiological and Nuclear attack (CBRN attack)

When talking about maritime terrorism, we should bear in mind that it is highly likely for terrorists to use vessels carrying chemicals and generally devices which are or can be used as Weapons of Mass Destruction, transport them to big ports or a populated area in order to detonate it and so destroy the whole country, since the WMDs are generally characterized as the most dangerous existing weapons. Furthermore, except for the fact that such an attack can kill a huge amount of people and ruin a country’s economy, it is also difficult to be detected,

because it is difficult to check each container that passes through a port.

**Liquefied Natural Gas (LNG)**

The LNG is a gas, which is transformed into liquid so as to be stored and transported easier via vessels, which are specifically manufactured in order to ensure that the LNG is transported without leaks or any damage (it is estimated that such a vessel costs 200 Million dollars). Such vessels can be a potential threat for ports, populated areas and stationary ships if hijacked by terrorists, since they can be used as a kinetic/ floating bomb, which means that it can have a very serious impact on a country, such as a huge death toll and many financial problems.

**Suicide Boat Attacks**

One of the most important threats for commercial and military ships and vessels are the suicidal boat attacks due to its effectiveness. For this kind of attack small and fast vessels are needed, which are much easier to be found, thus this attack is the most significant one. Like the other attacks, the suicide attack can have a financial impact on a country’s economy and also be a possible threat to human lives. For instance, the USS Cole in 2000 was destroyed by a suicide bomb attack.

**Piracy in Somalia**

The phenomenon of piracy started in Somalia in the ‘90s and specifically in 1991, when the civil war in Somalia broke out. Due to the fact that there was political instability in Somalia and the country’s borders remained unprotected, many foreign vessels took advantage of the situation in the country and exploited the fauna of Somalia’s coastline which is about 3,300 km, meaning that they could fish for free and gain a huge amount of profits from this illegal action. The UN estimated that the fisheries gained every year from this action a huge amount of
fishes which were worth $300 million. As you can understand the reason why Somali people and specifically fishermen decided to start attacking foreign vessels was that they weren’t able to compete those large and technologically improved vessels and so they realize that if they wanted to survive they should defend their rights by posing a threat to the vessels which tried to fish illegally at their coastlines. Also important is to mention that pirates were and are based in Punt-land (one of the three parts of the country).

From 2008 till 2012 pirates hijacked and attacked a plethora of foreign vessels. It is quite important to mention that the International Maritime Bureau (IMB) estimated that only in 2010, 49 vessels were hijacked and about 1,000 people were taken as hostages by pirates. Despite the fact that the numbers of piracy have been eliminated since 2012, many organizations such as Oceans beyond Piracy believe that this phenomenon is going to rise again. In general, pirates nowadays do have weapons and technologically improved equipment in order to hijack foreign vessels easily, take hostages and cargo which would be probably helpful for them, and lastly ask for ransom to be paid. Additionally it is worth knowing that, sometimes pirates nowadays are financed by wealthy businessmen, who actually take advantage of the situation and earn a huge amount of money from those illegal actions. However, it is not only the businessmen who earn from the whole process, but also the pirates.

Since 2012, there wasn’t any successful attack or hijacking by Somali pirates till April 2017, when the oil- tanker Aris 13 was hijacked by Somali pirates, who took as hostages 8 Sri-Lankans and asked for ransom in order to let the tanker free. The hijacking on the oil-tanker was followed by two other attacks off the coast of Somalia, the one on a Pakistani vessel carrying food and an Indian cargo ship. Similar actions will continue to happen due to the lack of government presence in Somalia, poverty and corruption.

What is the connection between maritime terrorism and piracy in Somalia?

The answers to this question are somewhat controversial. Many experts believe that pirates do cooperate with terrorist organizations such as Al Shabab. According to a report made by the UN Security Council in 2008 there are some training camps, in which pirates and members of Al Shabab learn how to hijack ships in the sea. There is also information existing, which reveals that piracy could be a source of finance for terrorist organizations, such as Al Shabab, meaning that pirates hijack vessels and give Al Shabab a percentage of the ransom they take, because it is very crucial for them to find a funding source, if they want to continue their insurgency.

Also both are cooperating on the task of weapons trafficking since it is important for both sides to possess weapons if they want to attack their targets. To sum up, although pirates and terrorists may have different motives in committing organized crime, it is a fact that the cooperation of terrorist organizations such as Al Shabab and pirates can be a serious threat to global security and especially to maritime security in the Gulf of Aden and the Indian ocean, as they will pose a threat for any foreign vessel trying to pass through those regions.

Major Countries and Organizations Involved

United States of America (USA)

The United States of America has played a major role in combating the piracy off Somalia and specifically in the Gulf of Aden, since it is a very crucial path for American vessels. Firstly, USA created a coalition with warships from 20 different navies, which was organized by the US navy as Combined Maritime Forces. This force did combat piracy through its presence in the area since they were not allowed to capture, prosecute and hold them. Also on 8th January 2009, USA established the Combined Task Force 151 (CTF-151) a task formed to combat especially such issues, which is going to be explained in detail in another section of this study guide. Also, in 2009 the United States decided to send unmanned military surveillance planes in order to protect ships by patrolling the Indian Ocean not only for pirates, but maybe for terrorists as well. Lastly, USA conducted an airstrike against Al Shabab on 2nd of July 2017 and one month before that US conducted another drone strike against the same Islamic terrorist organization.

Russian Federation

Despite the fact that the Russian Federation wants to solve the issue of maritime piracy through cooperation within the UN, in 2008 the country’s government sent the frigate “Neustrashimy” to the Indian Ocean after the attack on the MV Faina, so as to secure the Gulf of Aden, which is mainly threatened by maritime terrorism and piracy. This frigate managed to protect a Danish vessel by fighting off pirates in the Gulf of Aden (with the help of a British warship). Russia has also asked the Somali government to allow the Russian navy to use force in their territorial waters in order to protect them from any possible threat. Somalia has also several times asked Russia’s help to combat the issue of terrorism in the country, specifically to equip the Somalian army in order to fight against Al Shabab.

China

China’s defense ministry has sent since 2008 navy ships in the Gulf of Aden, specifically two destroyers and one supply ship, in order to patrol and save vessels in case of an attack or a hijacking. Also, in 2014 China’s government decided to send a submarine to give some support and secure their navy ships in the region, while trying to protect foreign vessels from any kind of danger in the Gulf and in the Indian Ocean.
European Union (EU)

The European Union has done major steps to solve the issue in the Gulf of Aden by establishing the European Union Naval Operation Atlanta, which was launched on the 8th of December 2008 under the United Nation Security Council resolutions, in order to ensure that the World Food Program (WFP) vessels provide Somali people with humanitarian aid, to prevent any acts of maritime piracy, to monitor any fishing activities off the coast of Somalia and lastly to promote international cooperation on the issue and ensure that maritime security is going to be achieved in the area. The member states of the EU participate also in the plenary sessions and working groups of the Contract Group on Piracy off the Coast of Somalia (CGPCS), which is a mechanism established in 2009, in order to promote international cooperation and combat piracy. Also, the European Union wants to work closely with the Transnational Government of Somalia and the regional governments in order to combat the problems Al Shabab causes to the country and so as to ensure that this terrorist organization has no influence on the country and on the pirates anymore.

United Kingdom

Being a major trade power, the United Kingdom is affected by the current situation in Somalia. It has made a lot of steps in order to counter piracy and terrorism in the area. Firstly, UK tries to stabilize the situation in Somalia, meaning that they are making some efforts to reduce poverty and create an environment of security in the area. UK has supported many efforts of international organizations such as the Combined Task Force 151, the NATO’s operation ocean shield. Also the former UK president David Cameron created in 2012 the Piracy Ransoms Task Force, which aims to reduce the issue of maritime piracy and the payments of ransoms. Last but not least, UK organizes training campaigns for soldiers of the Somalian army in order for them to be ready to defend themselves against possible attacks of the terrorist organization Al Shabab.

Al Shabab

As mentioned before, Al Shabab is a terrorist organization based in Somalia, which was formed in 2006 after the collapse of the Islamic Courts Union. Also, it is linked to another well-known organization namely, Al Qaeda.
This terrorist organization has conquered a huge part of Somalia as you can see in figure 3. Due to the fact that Al Qaeda has a history of maritime terrorist attacks and because of the fact that Al Shabab has knowledge of the Gulf of Aden and generally of maritime operations, it is very possible that Al Shabab may cause huge issues to Somalia’s maritime security. Except for that, they are also suspected of helping pirates conduct their hijackings and as an exchange they take a percentage of the ransom they have won. Also, it is considered as possible that Al Shabab works with pirates in order to smugle weapons.


North Atlantic Treaty Organization (NATO)

The NATO is one of the most important organizations in this topic, since it has helped to improve the situation in the Horn of Africa. Specifically, in 2008 after being called by the United Nations, NATO with the Operation Allied provider and Allied Protector managed to support the efforts of countries to solve this crucial issue. Furthermore, in August 2008 NATO created the Operation Ocean Shield, which aimed to protect vessels traveling through the Gulf of Aden, and was responsible for protecting the area from possible attacks. It has also supported the EU Operation Atlanta and cooperated with that Combined Task Force 151. NATO’s operation in the Indian Ocean has great effects since the percentages of piracy in the region had been reduced.

Timeline of Events

<table>
<thead>
<tr>
<th>Date</th>
<th>Description of event</th>
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<tr>
<td>1960</td>
<td>Somalia gains its independence</td>
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<tr>
<td>17/12/1979</td>
<td>International convention against the Taking of Hostages</td>
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<tr>
<td>1991</td>
<td>Political instability in Somalia</td>
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Relevant UN Treaties, Resolutions and Events

**UN Security Council Resolutions**

Many UNSC resolutions have been submitted in order to solve the issue of piracy and maritime terrorism in the Indian Ocean and specifically off the coast of Somalia.

- The S/RES/1801 was adopted by the Security Council on 20th February 2008 and specifically in its 5842nd meeting, which extended the actions of the African Union Mission in Somalia for six months,

- The S/RES/1816, which was adopted on the 2nd of June 2008 asked states to cooperate with the government of Somalia and be permitted to foreign vessels to enter Somalia’s waters in order to do any actions needed to solve the issue of maritime piracy,

- The S/RES/1838 was adopted by the Security Council on the 7th of October 2008 and calls all countries which have warships in the Gulf of Aden and Indian Ocean to use military force in order to combat piracy,

- The S/RES/1851 was adopted by the Security Council on the 16th of December 2008 to take action and deploy vessels and military aircraft in order to combat piracy off the coast of Somalia. This resolution was the start for international cooperation between all countries and organizations all around the world on the issue of combating those issues in Somalia.
• The S/RES/2184 was adopted by the SC on the 12th of November 2014 unanimously under the Chapter VII of the United Nations Charter and calls member states and regional organizations to fight against maritime crime with the resources they have (vessels, military aircraft etc.).

• The S/RES/2446 was adopted on the 10th of November 2015 unanimously under Chapter VII of the Charter of the United Nations and calls for states to prevent and secure Somalia from maritime piracy and find and tackle the roots of this issue,


The SUA treaty of 1988 was adopted on 10th of March 1988 and entered into force on the 1st of March 1992. In 1980s’ the issue about unlawful acts against maritime security concerned the international community, especially after several reports of hijacking and hostage situations, in which passengers and crew were threatened and killed. In March 1988 the SUA convention of 1988 was adopted in a conference in Rome in order to find a solution on the issue of “sea criminals”, who mainly hijack ships, use violence against crew and passengers of a ship, or try to bomb large vessels. This convention has also one supplementary protocol, which was adopted on the same day as the convention.


From the 10th till the 14th of October 2005 a diplomatic conference on the revision of the SUA treaty was held, in which it was decided to amend the SUA treaty of 1988 and its Protocol, which entered into force on the 28th of July 2010. In the treaty a new article was added, namely the article 3b under article 3 about hijackings, hostage taking and destruction of a ship with explosive devices.

In the protocol of 1988 a new article was added, namely article 2b, which “broadens the range of offences included in the protocol”

( http://www.imo.org/en/About/Conventions/ListOfConventions/Pages/SUA-Treaties.aspx more information on the articles amended)

International convention against the Taking of Hostages 1979

The convention was adopted in the General Assembly of the UN on the 17th of December 1979 according to the resolution 34/1461. Specifically, it was Germany’s idea to draft a convention in order to solve the issue of hostage taking and ensure the proliferation of hostage taking in 1970s’.

The United Nations Convention on the Law of the Sea, which was adopted on 10th of December 1982, is considered as a convention, which provides states with assistance, when facing issues with maritime security and especially piracy. The most important articles are articles 100 to 107. Article 100 of the convention stresses out that international cooperation is the key for states to effectively combat maritime crimes and especially piracy. [http://www.un.org/Depts/los/convention_agreements/texts/unclos/closindx.htm](http://www.un.org/Depts/los/convention_agreements/texts/unclos/closindx.htm) (UNCLOS)

### Previous Attempts to solve the Issue

#### NATO's Operation Ocean Shield

The NATO’s Operation Ocean Shield is a mission targeting to counter piracy in the Gulf of Aden and it has helped several times to disrupt piracy through protecting the vessels since 2008 by monitoring the region and separate the pirate’s boats from the legitimate ones. NATO’s vessels can also conduct operations in which they can use force in order to protect vessels from maritime attacks and are responsible to ensure that the crew of the ships is aware of the Best Management Practices 4, which gives them advice on how to protect themselves from an attack. Other actions conducted by NATO in the area are the Operation Allied provider and Allied Protector; the first one in order to secure the World Food Program vessels passing through the Gulf of Aden and the second one in order to secure the maritime routes of the Horn of Africa by monitoring the area from March to August 2009.

#### European Union Naval Operation Atlanta
As it has been previously mentioned, the EU Naval Force with the Operation Atlanta in Somalia which started on 8th of December 2008 in accordance to the UNSC resolutions aims to secure the World Food Program vessels and generally the vessels passing through the Gulf of Aden, combat piracy, monitor the maritime activities in the region and promote international cooperation on the issue through the cooperation of international organizations.

**Combined Task Force 150/151**

The Combined Task Force 151, which was established in January 2009 in accordance to the UNSC resolutions, has made several actions in order to combat piracy in the Internationally Recommended Transit Corridor in the Gulf of Aden, in cooperation with regional and non-regional partners in order to ensure that the maritime roads in the area are secure. The CTF 151 supports the Best Management Practice (BMP), which offers advice to crews of ships on how to handle a maritime attack.

The Combined Task Force 150 focused mainly on maritime security operations, such as countering terrorism and ensuring maritime security in the area.

**Possible Solutions**

Considering the fact that the issue of maritime piracy and terrorism is a really crucial one, it is important for you to write effective resolutions on the topic. Fortunately, there are many possible solutions on this issue. First of all, bearing in mind that Somalia has no stable government, due to the fact that it is separated into three parts, it is important to create a stable Somali government. By this action, Somalia will be able to combat the issue of piracy and terrorism by itself. Except for the government, we have to also improve Somalia’s judicial system, if we want to counter maritime crimes, since most of the criminals in the sea are not prosecuted and not judged for their actions, but they are left free to commit even more crimes. We should also keep in mind that Somalia should organize their own police forces and coastguards if they want to be ready to counter piracy and terrorism.

Also, it is important to promote international cooperation on the issue, meaning that all international organizations should cooperate and organize more task forces and missions, such as the Combined Task Force 150/151, with the help of the Security Council or UN bodies such as UNODC in order to secure the Gulf of Aden from the actions of terrorists and pirates. We should also stress out the fact that regional organizations such as the African Union should take action in order to combat this issue successfully by cooperating with other organizations trying to solve the issue. Apart from international organizations, the neighboring states should also take action by creating all together a task force or several missions aiming to counter maritime crimes.
Furthermore, it is really crucial to strengthen the controls in the maritime borders either with the use of satellites or with the use of helicopters, unmanned maritime and aerial vehicles in order to search for any suspicious vessels. Additionally, international organizations in cooperation with the United Nations should organize seminars and workshops for the crews of ships passing through High Risk Areas, such as the Gulf of Aden, so as to ensure that they are fully aware of the Best Management Practices 4 (BMP4), which offers advice and important information on how to protect themselves and the vessel from a maritime attack.

Lastly, dismantling terrorist organizations in the region such as Al Shabab through international and regional cooperation would be an effective solution in our topic because, as it is mentioned in a previous sector, Al Shabab poses a huge threat to the maritime security in the region, because of its ties with Al Qaeda, which has conducted many maritime terrorist attacks in the past.

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Multimedia Resources


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