



18 January 2010

Media Release: Immediate release

Somali piracy – governments must do more

Shipping Australia has expressed its deepening frustration at the seeming impotence of the international community to address the continuing piracy crisis in the Indian Ocean, with around 1,500 seafarers having so far been taken hostage for ransom, often for months at a time, in spite of the comprehensive measures that ship operators have taken to defend their crews.¹

“The unacceptable situation prevailing now, with seafarers lives being threatened on a daily basis - and Somali pirates still operating with impunity - cannot be allowed to continue” Llew Russell, the CEO of Shipping Australia said today.

“If a similar number of aircraft passengers had been taken hostage there would undoubtedly have been a more robust response. However, many governments seem oblivious to the fact that ships carry around 90% of world trade, and that the security of major seaways is strategically vital to the functioning of the global economy.

“There is growing concern that the international community is not actively seeking to eliminate piracy and is instead treating the current level of attacks against shipping as somehow ‘tolerable’. In effect, pirates are being given a message that their criminal activity carries very few risks in comparison to the millions of dollars that can be made from extorting ransom payments. As a result, the number of pirates is growing, and there is real danger that, in the absence of a firm response, their methods of hijack and violent kidnapping will be successfully emulated by others elsewhere” he said.

Notwithstanding the unprecedented degree of co-operation between the wide array of warships providing protection to ships in the region – for which the shipping industry

¹ *The Best Management Practices to Deter Piracy in the Gulf of Aden and off the Coast of Somalia, developed by the shipping industry in co-operation with military naval forces – see [www.marisec.org/Piracy-BMPVersion2\(21Aug09\).pdf](http://www.marisec.org/Piracy-BMPVersion2(21Aug09).pdf)*

remains very appreciative - the current level of response is simply insufficient. It is vital that governments, at the very highest level, become far more engaged in finding a long term solution to the crisis.

Mr Russell pointed out that while the military has been successful in providing protection in the Gulf of Aden, the pirates are now operating throughout the northwest Indian Ocean. On any given day, in an area of one million square miles, only about 12 military vessels are available to come to the aid of merchant ships under attack (and these are focused on the Gulf of Aden). Little is being done to prevent the pirates from operating from their bases in Somalia, or to disable the 'mother ships' which they use to launch attacks up to 1,000 miles from the Somali coast.

In addition to calling for governments to take a more strategic approach to the suppression of piracy, the international shipping industry is seeking refinements to the existing military response.

While the level of co-ordination amongst military forces providing protection to shipping is extremely good, it falls short of what could be achieved under a single unitary command structure. At present ships operate under different 'rules of engagement', which prevents a consistent response to pirates when they are caught in the act. United Nations Resolutions, which reiterate governments' authority to act, are being interpreted differently by the various nations that have warships in the area.

All too often, small boats or skiffs that have conducted aborted attacks are allowed to proceed back to Somalia without military intervention. This gives the message that the military will not see hot pursuit operations through to their natural conclusion. Similarly, intercepted pirates are often released only to return to Somalia without being arrested and prosecuted. A more consistent and robust approach to enforcement is required.

"In cases where attacks occur hundreds of miles off the Somali coast then the skiffs must have been deployed from mother ships. The skiffs simply do not have the endurance for operations deep into the Indian Ocean. Why are the 'mother ships' not being intercepted and detained?"

"While SAL supports efforts to establish a stable government in Somalia that can enforce the rule of law, it is widely accepted that this could take years if not decades. It is therefore urgent that governments consider what additional steps should be taken now, and not later. We cannot continue to allow crews to be taken hostage, a situation which is simply unacceptable" he said.

"SAL commends the Australian Government for the action it has taken, in particular the commissioning of the Inspector of Transport Security to undertake an investigation into international piracy and armed robbery at sea as a relevant transport security matter of concern to the Federal Government. Subsequently, advisory guidelines were issued

recommending the preventative measure to detect, deter and prevent piracy and robbery at sea attacks across the world's oceans, sea and ports" Mr Russell said.

The international shipping industry has pointed out that the protection of shipping from piracy - regardless of flag, or the nationality of the crew - is a clear and legitimate responsibility for governments under the United Nations Convention on the Law of the Sea. Historically, as now embodied in international law, the primary role of navies has always been to protect merchant shipping and to keep the sea lanes open to trade. It is extraordinary that governments today seem less able to protect shipping than they were almost 200 years ago.

End

Notes

Contact Llew Russell on 02 9266 9903 or 0414 958 247.

Additional information about Somali pirates and the most recent attacks can be found at www.mschoa.org (Maritime Security Centre Horn of Africa) and at www.icc-ccs.org (ICC International Maritime Bureau).