

The Contact Group on Piracy off the Coast of Somalia – Updates and Evolving Multilateral Activities

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As a direct result of the work of participants in the Contact Group, shipping companies are better preparing their masters and crews to defend against hostile boarding; the last successful pirate seizure of a large commercial ship occurred over a year ago on May 10, 2012 (last updated in June 2013). Naval forces from over 20 countries are cooperating daily in unprecedented operations at sea to preempt and disrupt piracy attacks. Over eleven hundred pirates are in prison in 21 countries, either awaiting trial or serving significant prison sentences for piracy, armed robbery, kidnapping, extortion, and murder. Governments and industry are more readily sharing vital information, resulting in the arrests and conviction of land-based conspirators in maritime piracy. And Somalis in coastal communities are increasingly pushing pirates out of towns and villages where they have damaged Somali youth, dishonored Somali elders, and disrupted the return of order and stability to a country that has been troubled for too long by criminal actors exploiting conditions resulting from twenty years of civil war.

The Contact Group has no mandate, no authority, no secretariat and no budget, but offers a new model for collaboration to shared security challenges. Its 61 countries and 21 organizations meet regularly to discuss and debate issues of common concern, and then work to implement appropriate policies, standards, regulations, or other actions through other institutional bodies, whether national governments or recognized international organizations such as the United Nations and its technical agencies.

As one example of its seriousness of purpose, in 2010 the Contact Group created the multi-donor Trust Fund to Support Initiatives of States Combating Piracy off the Coast of Somalia. This Trust Fund, which is managed by the United Nations, has disbursed over \$16 million dollars to

implement a dozen projects in Somalia, Seychelles, Kenya, and other countries, making possible such diverse activities as the transport of suspected pirate pirates to trial, repatriation of former pirate hostages abandoned in Somalia by their captors, building prisons in Somalia, courtrooms in Kenya and Seychelles, and training judges and prison mentors in several countries in the region. All entities affected by Somali piracy – including commercial maritime companies – are invited and encouraged to contribute generously to this Trust Fund, which was established specifically to help end the threat from piracy to commercial shipping in the Horn of Africa region.

The creativity of the Contact Group is exemplified in the Shared Awareness and De-confliction (SHADE) mechanism, an informal participatory process in which officers from over 20 navies and multinational naval operations working in and near the Gulf of Aden meet four times a year in Bahrain to share information and agree on operating principles to maximize their effectiveness and reach. SHADE permits a minimum number of ships to work together to protect a very large area of ocean to the greatest possible extent, while never raising controversial questions about command and control. Of particular note, industry representatives participate in and help inform SHADE deliberations.

Through its five Working Groups, chaired by the United Kingdom, Denmark, the Republic of Korea, Egypt, and Italy, the Contact Group has instigated very substantive development programs, web-based tools, a comprehensive legal toolbox, the important post-trial transfer program, best management practices for vessel self-defense, industry standards for private maritime security companies, strategic messaging programs, and innovative information sharing fora that, taken together, have substantially advanced the ability of the international community to combat Somali piracy.

While the drop in pirate attacks and the diminishing numbers of ships and seafarers held by Somali pirates is clear evidence of its relative success, Contact Group participants are keenly aware of two important points.

First, the fundamental conditions along the Somali coast that allowed the emergence of piracy have not materially changed. There is still much work to be done to rebuild the ability of the Somali government to protect its sovereign territory from criminal and illegitimate activities. If we prematurely lessen our vigilance against piracy, the problem will return, and that we must not allow. We welcome the excellent start of the new Government of Somalia toward the development, through the Kampala Process, of a national Somali Maritime Resources and Security Strategy, but once adopted, it will need significant support from donors and other organizations to implement.

Second, the political climate in Somalia has changed markedly for the better since 2012, creating for the first time in many years a legitimate government in Mogadishu that can provide a basis for building upon the work that the Contact Group has carried on, especially as it pertains to capability building in the maritime security sector. The 2013 conference in Dubai is an excellent opportunity to reinforce the desire and intent of the Contact Group to work closely with the formal institutional actors engaged in Somalia, including the new UN Mission to Somalia, and with the Government of Somalia itself, to advance shared goals to bring peace and security to Somalia and the maritime trade routes along its shores.

Under the chairmanship of the United States, the Contact Group met for the 14th Plenary Session on May 1, 2013, in New York, where it was honored by a videotaped address by the President of Somalia His Excellency Hassan Sheikh Mohamud, the President of the Federal Republic of Somalia. President Mohamud commended the work of the Contact Group and requested the continued attention and support of the international community to assist Somalia in rebuilding its ability to protect its maritime and coastal territory and to use its abundant resources for the good of the Somali peoples, including through supporting the establishment of the Somali Exclusive Economic Zone (EEZ).

Participants at this Plenary agreed that the Contact Group should continue its work through at least 2014, consistent with the mandates of the international naval counter piracy missions and depending upon the continued decline of maritime piracy in this region; that the ultimate goal of the Contact Group is the terminal degradation of piracy emanating from Somalia, and the

enablement of the Somali government to control its land and maritime territory and deal effectively with criminal activity committed by its citizens; and that the Contact Group will adapt its working methods as appropriate to changing circumstances, including political developments on the ground in Somalia.

Furthermore, the Contact Group agreed to focus on four strategic priorities in 2013:

- To communicate more effectively the multi-faceted work ongoing in the Contact Group;
- To strengthen and focus law enforcement efforts to disrupt pirate networks ashore, including by establishing active and effective information exchanges among investigators, prosecutors, and private industry;
- To proactively address the complex policy and practical issues associated with the use of armed security teams embarked for self-protection on commercial ships; and
- To better integrate the Contact Group's work with that of formal institutional actors through deliberate and purposeful collaboration.

There are many relevant programs and projects in progress in standing organizations such as the International Maritime Organization, the UN Office of Drugs and Crime, especially its Counter Piracy Program based in Nairobi, and the UN Development Program, that can carry forward initiatives begun by the Contact Group. Regional organizations such as the African Union will have significant roles to play in the development of cooperative maritime security agreements as coastal patrol and naval force capabilities develop in eastern Africa. And, not least, the Government of Somalia aspires to assume unto itself the administration of security and justice as its organic institutions are rebuilt and fortified to the point that they are able to operate independently. Contact Group stakeholders all look forward to the time when we can turn our attention to other challenges to international security in the maritime domain, of which piracy is but one.

This article was commissioned by the Institute for Near East and Gulf Military Analysis (INEGMA) on behalf of the third United Arab Emirates Counter Piracy Conference, **‘Countering Maritime Piracy: Continued Efforts for Regional Capacity Building’**, organized by the UAE Ministry of Foreign Affairs in partnership with global ports operator DP World and Abu Dhabi Ports Company, held in Dubai on September 11-12, 2013. The opinions expressed in this paper are the views of the author only, and do not reflect the opinions or positions of the conference organizers. Content may have been edited for formatting purposes.

