

## FOREWORD

### THE PIRACY PROBLEM: THE PUNTLAND PERSPECTIVE

The President of Puntland State of Somalia  
His Excellency Abdirahman Mohamed MOHAMUD (FAROLE)

Pirate attacks originating from the coast of Somalia have surged to new heights since 2007, and have become a worldwide challenge. The problem of piracy is a relatively new phenomenon in Somalia. Piracy is a product of the prolonged Somali conflict following the state's collapse in 1991, and the subsequent failure of public institutions, including the disappearance of Somali coastal defense.

Today, the organized crimes of piracy and terrorism complement each other. Piracy has contributed to overall insecurity in Somalia and has aggravated economic hardships for the Somali people by disrupting the livelihoods of coastal communities.

Initially, the Illegal Unregulated Unreported Fishing (IUUF) in Somali territorial waters triggered the pirate insurgency. It was foreign trawlers that destroyed the fishing boats and gear of Somali coastal communities. This catalyzed an armed resistance by Somali fishermen against foreign trawlers, which led eventually to ransom payments and to the escalation of pirate attacks against commercial vessels and innocent seafarers.

Piracy has tarnished our image internationally, as the Somali people are unfairly labeled as living in a piracy-prone society, even though piracy is not unique to Somalis, both historically and in modern times. The recent surge of pirate attacks in West Africa, particularly around the Gulf of Guinea, demonstrates this point. Piracy gangs have taken advantage of Puntland's geographic vulnerability and it has become a favorite hunting area. Puntland is located at the crossroads of international waterways where an estimated 22,000 commercial vessels pass through annually. Puntland's tip at the narrow waterway, where the Gulf of Aden and the Indian Ocean intersect, is an ideal hunting area, as it allows pirates to hijack vessels and easily escape to the open sea.

The security and socio-economic impact of piracy in Somalia has been tremendous, particularly in the Puntland State. First, piracy has impacted our security as the ransom payments have led to the proliferation of weapons and

increased the recruitment of criminal gangs. Second, piracy has disrupted our once vibrant fishing economy and created inflation in the area where pirates operate. Third, piracy has spoiled our cultural values by introducing new social problems, such as drugs, alcohol, and Sexually Transmitted Diseases.

International naval warships from different countries will not unilaterally end the piracy phenomenon in Somalia. The pirates are becoming more violent and cunning, and they are increasingly using sophisticated technology, such as GPS satellite phones, and international connections, including foreign-based brokers, facilitators and ransom money transporters.

I believe that we can no longer afford to deny that there are international connections to Somali piracy. There are networks in many world capitals that are connected through piracy proceeds. For example, in May 2011, the world awoke to the surprising news of foreigners arrested in Mogadishu while attempting to smuggle over three million U.S. dollars in ransom cash to pirates.

Since my election as President of Puntland State of Somalia on 8 January 2009, my Administration has adopted a unique combined approach to tackle the piracy problem. This includes strengthening our security and law enforcement capacity. Puntland security forces, including the Puntland Maritime Police Force, have raided pirate locations, arrested piracy suspects, and seized vehicles and equipment, including speedboats, ladders, satellite phones and weapons. In 2010, the Puntland Parliament passed Somalia's first Anti-Piracy Law to deal specifically with piracy related crimes. The high concentration of jailed pirates has created a backlog of criminal cases congesting the judiciary's workload and prison space in Puntland State.

The Administration's second tack features community engagement programs to rehabilitate pirates and prevent piracy recruitment. This combined approach has worked effectively to eradicate piracy from Puntland's Eyl coastal town, which was once internationally notorious as a piracy hub. More recently, in early March 2012, Puntland government officials and community elites engaged in successful efforts to expel pirate gangs from Puntland's southern coastal town of Gara'ad. NATO naval commanders deployed on counter-piracy missions along Somalia's coast arrived along the Gara'ad coast to meet the Puntland government officials and community elites.

As we look at solutions, we need to develop alternative livelihoods for coastal communities affected by piracy and illegal fishing. Peace-building development programs, such as vocational schools, job opportunities, and reviving the fishing activities which were disrupted by piracy and by illegal

fishing, have proven to be effective long-term solutions to the piracy problem.

The geography of Puntland's territory also poses a big challenge, due to difficulties accessing pirate hideouts among valleys, mountains and a long coastline that is difficult to monitor. Access to coastal areas can be improved through construction of feeder and paved roads, and jetties along the coast for the dual purpose of economic development and enhancing coastal monitoring capabilities.

Thirdly, there is the legal challenge of jurisdiction and piracy prosecutions in foreign countries. By early 2012, there were over 1,000 Somali piracy suspects jailed in over 20 countries around the world. Many countries have been troubled by pirate detentions and trials, and in fact, some Western countries opted to fund piracy prosecutions in African nations, such as Kenya and the Seychelles. Moreover, specialized international courts based in foreign countries have been proposed as a legal remedy. But these propositions are temporary in nature and fail to take into account the long-term legal, jurisdictional and moral challenges surrounding piracy prosecutions.

As a remedy, in May 2010, the Puntland Government proposed to the international community to transfer Somali pirates jailed in foreign countries to prisons in Somalia; subsequently, in April 2011, the Puntland Government signed a piracy-transfer agreement with the Seychelles Government. This proposal was conditional to tangible support for upgraded and new correctional facilities, as well as human resource development in the judiciary sector, such as training programs and incentives for judges, prosecutors and lawyers in Puntland State. Indeed, we were encouraged that many nations, including the United Kingdom, welcomed piracy-transfer agreements as the "most sustainable solution," according to UK Minister for Africa, Henry Bellingham.

Fourthly, I firmly believe that education and security are interlinked. Education is the new battleground of the Digital Age. We need to re-establish a viable public school system, in Puntland and Somalia as a whole, which follows a curriculum that teaches a program of civic competence and responsibility among our young people. This is the only way that we can guarantee a future generation that believes in the values of peace, justice, democracy and freedom.

This presents long-lasting solutions to piracy problems, as governance and development create opportunities for youth who are vulnerable to joining the pirates or other criminal groups, such as al-Shabaab. We have already recorded the worrisome trend of growing ties between pirates and al-

Shabaab, a relationship that exasperates the threat to regional and global security and stability.

After more than two decades of lawlessness, Somalia has begun to export its problems – particularly piracy and terrorism. It remains vitally important that the international community develop genuine partnerships with Somali institutions to advance the process of stabilization, state building and reconstruction. Dealing with piracy alone – for example, through international military action – will not suffice, as piracy constitutes simply a part of the whole problem in Somalia.

I believe that expensive naval patrols off the coast of Somalia will remain ineffective to eradicate piracy, as long as the world continues to neglect the domestic conditions that produce this scourge. Without addressing such conditions, military action alone is not a panacea and is indeed merely a short-term remedy to effectively addressing the piracy problem. The costs and legal ramifications associated with piracy prosecutions in foreign countries pose more obstacles. These are problems that can be overcome by pursuing a new comprehensive approach to tackling piracy in full partnership with the Somali people and their institutions.

The future of Somalia depends on the continued development of the regional administrations like Puntland, and our ability to combat the two greatest threats to stability: piracy and terrorism, the latter generally perpetrated by al-Shabaab. While we have made real progress in these areas, we need greater assistance, both financial and technical, to more effectively counter this dual threat to peace in Somalia.