

What is the cause of piracy in Somalia?

Piracy is a form of organized crime that has been performed for centuries in the open seas around the world. Piracy is the act of attacking and robbing a ship of its valuables. The first documented occurrences of piracy are thought to be ships being attacked in the ancient Mediterranean Sea in 13th century B.C. The late 17th century and early 18th century is considered the golden age of piracy. This is when many of the famous pirates who are portrayed in movies sailed the seas. While piracy is not as prolific as it once was, it certainly is still prevalent in some areas of the world, specifically the coast of Somalia. Somalia is a country on the east coast of Africa that borders the Gulf of Eden and the Indian Ocean. With access to waterways busy with trade and the absence of a stable political government, piracy has been a lucrative practice in Somalia since the early 1990's ("Africa Economic Institute : Pirates of Somalia", 2016). This modern day piracy has become an international issue due to billions of dollars worth of trade being disrupted, but the most important issue is a land-based one in Somalia. Some people of Somalia claim that piracy is necessary to feed their families and provides economic growth in their towns, but piracy has cyclic, disruptive economic effects that lead to a dependence on pirates for basic goods. These economic benefits also offer no incentive for any of the towns on the coast of Somalia to enforce anti-piracy legislation (Sterio, 2012). Piracy in Somalia is not committed out of malice or greed, but is the result of a lack of political or economic structure.

The circumstances that allow piracy stem from the lack of a central government since 1991 in Somalia (Sterio, 2012). Somalia has been in a constant state of civil war since 1991, leading to a few autonomous political entities, but no true national government. Without a state power to regulate anything, illegal European waste dumping and overfishing by foreign vessels have crippled two of the most important markets in Somalia.

Shortly after the collapse of the Somali government in 1991, European ships began dumping toxic waste off by the boatload in Somali waters. This has led to the poisoning of the Somali waters, making fishing less profitable for local fishermen. Iranian, Yemeni, and European fishermen also realized that with such little regulation in these waters, and a large fish market, it was a prime location to commercially fish. Local fishermen cannot compete with large foreign vessels that fish at night and overfish. In 2011 there were reported estimates of up to 50% of the annual overall catch in the western Indian Ocean was done illegally, and some believe this number to be even higher in the largely unregulated Somali waters ("Security Council United Nations Political Office for Somalia", 2011). Al Jazeera reported in 2015 that foreign vessels take three times as many fish from the Somali waters than local fishermen (Hamza Mohamed, 2015). Many of the pirates in Somalia are former fishermen who claim that piracy is their only way to support themselves and their families (Hamza Mohamed, 2015). Fishermen possess skills, knowledge, and equipment that allow them to use the

seas to make a living. There is a cause and effect relationship between the illegal foreign fishing vessels and the number of Somali pirates. An elderly woman, Hawa Mohamed Saeed, interviewed by Al Jazeera explains “They will never arrest anyone for fishing illegally in Somali waters but will arrest anyone for taking a gun to fight the trawlers”. The fact that many are choosing to turn to piracy is a reflection of how desperately Somalia needs a stable governing body to help regulate these waters.

Piracy provides an influx of cash to the coastal economies that have been crippled by overfishing and the destruction caused by the Tsunami in the Indian Ocean at the end of 2004. While the worst of this Tsunami struck Southeast Asia, struggling Somali coastline communities were also left devastated. The Tsunami claimed close to 300 Somali lives, also destroying an estimated 800 buildings and 600 boats (Plaut, 2005). In a country with no true state government, recovery without international relief is nearly impossible.

Organizations like the UN have provided relief for the coastal villages of Somali, but many have found piracy to be a sufficient substitute to rebuild the economy. A study from 2005-2012 reported by the World Bank claims that Somali pirates extracted up to \$385 million in ransom (Mogadishu, 2011). The people who collect these ransoms do not just keep all of this money for themselves; an intricate micro economy has formed around this cash inflow. A United Nations report estimates that the pirates only keep about 30% of the ransom they collect. 50% of the ransom collected goes to foreign sponsors who often pay for the pirate’s weapons and living supplies. 10% goes to bribing local officials and gifts for the community, and 10% goes to their in-shore helpers (Plaut, 2005). Despite only a minority percentage going back to coastal communities, the communities seem to believe they see direct benefits from piracy. Pirates purchase supplies for themselves and their hostages from local vendors, which is seen as a positive by local merchants since the pirates are traditionally big spenders (Beloff, 2013). While this initial rise in sales can be seen as a good thing for local business, it does have some harmful long-term effects. The local economies have experienced extreme inflation to the point where people who are not pirates struggle to pay for basic goods. Some examples of this are people of Somali paying \$25 for a pack of cigarettes, and \$10 for a can of Coca-Cola (Beloff, 2013). The effects of piracy make it even more attractive for other citizens on the coast to join in. They look around and realize pirates are the only ones who can afford what they need, and they can receive funding from sources abroad, so it creates an illusion of piracy as a solution that leads to a feedback loop that perpetuates piracy.

Local government not only turning a blind eye, but also benefitting from piracy is an issue that will continue to encourage piracy. As mentioned earlier, local clan leaders and warlords are receiving bribes from the pirates, which they seem to believe is more beneficial than trying to enforce international law. This creates a safe haven for piracy in the Somali waters, since the incentive to ignore piracy seems to be greater than that of trying to combat it. Piracy in Somalia is not something that is well hidden, in fact, J. Peter Pham, an analyst from James

Madison University, says “Ninety percent of the Somali piracy occurs out of two ports, [Eyl and Haraardheere]. We know where they are. We even know who the pirate leaders are because they use their fabulous wealth to build huge and rather ostentatious mansions that are there for everyone to see” (“VOA”, 2015). While many countries complain of the complications that piracy in this area causes with maritime trade, not one specific country has spearheaded the real issue of trying to assist the Somali people in establishing a stable government.

In conclusion, based on information from credible international organizations piracy is a result of a nation in desperate need for political and economic structure. Somalia has fallen victim to a devastating natural disaster, illegal pollution of one more their most valuable resources, and exploitation by surrounding, more developed nations. Many of the people in Somalia feel helpless and see piracy as a way to provide for themselves and their communities. This country will continue to suffer from the perils of piracy as long as it continues to lack a true state government and self-sustaining economy.

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- This paper is an accepted research paper published in 2012 by an associate professor of law at the Cleveland-Marshall College of Law, who was recently promoted to associate dean. Considered a maritime piracy law expert, Sterio has participated in meetings of the United Nations Contact Group on Piracy off the Coast of Somalia. She is a member of the Piracy Expert Group, an academic think tank functioning within the auspices of the Public International Law and Policy Group, and is one of six editors of the highly regarded IntLawGrrls blog.

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