

Pirates or Saviours of the Coast?

The issue of sea piracy off the coast of Somalia cannot be viewed in the simplistic terms of a law-and-order problem

Somalia's devastating civil war of 1991 pushed the country's fisheries into a state of abrupt collapse, leading to the cessation of almost all fisheries activities. An estimated 2,000 people lost their jobs, and fishing communities are still struggling to recover from the crisis. Nonetheless, illegal fishing and the dumping of nuclear and other wastes from the industrialized world continue to pose environmental threats to the country.

Controversial United Nations (UN) Resolutions, the pressure of large economic powers and media reports all continue to condemn the hijackings of merchant ships by Somali pirates in the Indian Ocean and the Gulf of Aden. The European Union (EU), Russia, Japan, India, Egypt and Yemen are all part of this anti-piracy campaign.

If the international responses to the piracy menace were balanced and fair, it would have been easy to justify these condemnations. Why is illegal, unreported and unregulated (IUU) fishing in Somali waters ignored? Why do the UN Resolutions, the North Atlantic Treaty Organization (NATO) Orders and EU Decrees to invade the Somali seas fail to include provisions for the protection of Somali marine resources from IUU fishing? Not only is illegal fishing being disregarded but the poachers are also being encouraged to continue their looting, as none of the current Resolutions, Orders and Decrees deal with the IUU fishing that continues unabated on the Somali coast.

Unsustainable pressure

IUU fishing is a serious global problem. The worldwide value of IUU catches is estimated at between US\$4 bn and US\$9 bn, a large part of which comes from Sub-Saharan Africa, particularly Somalia. IUU fishing does not respect national boundaries or sovereignty; it puts unsustainable pressure on fish stocks, marine life and habitats; it undermines labour standards, and distorts markets. IUU fishing

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Sophisticated factory-fishing vessels, designed for distant-water fishing, have arrived in Somali waters from countries thousands of miles away, whose fisheries resources have either been drastically overexploited or are strictly regulated. These vessels come in search of dolphinfish, grouper, emperor, tuna, mackerel, snapper, swordfish, shark, herring and other prized Indian Ocean fish species. The outlook of the owners of these vessels is short-term, and dictated by the resource limits of Somali waters. The most damaging outcome to the country—economically, environmentally and security-wise—is the massive illegal fishing that has, over the last 18 years, led to wanton poaching of Somalia's marine resources.

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is detrimental to the larger marine ecosystem because it flouts rules designed to protect it, including those that place restrictions on harvesting juveniles, that make provisions for closed spawning grounds, and modifying gear to minimize by-catch on non-target species. In so doing, IUU fishing robs some of the world's poorest people of an invaluable and affordable source of protein, and ruins the livelihoods of legitimate fishermen. Incursions by trawlers into the inshore areas reserved for artisanal fishing can result in collisions with local fishing vessels, destruction of fishing gear, and deaths of fishermen.

IUU fishing also encourages the practice of laundering fish catches through mother ship factories, transshipment and re-supply at sea. Vessels can remain at sea for months, refuelling, re-supplying and rotating their crew. IUU fishing vessels never need to enter ports because they transfer their catches onto carrier vessels. Illegally caught fish are laundered by mixing them with legally caught fish on board carrier vessels.

Surveys by UN agencies, and by Russian and Spanish assessors just before the collapse of the regime of President Mohamed Siad Barre in 1991 estimated that 200,000 tonnes of fish could be caught annually in Somali waters by both artisanal and industrial fisheries; these are the rich resources that the international fishing fleets have set sights on. Unless the issue of IUU fishing is simultaneously addressed, the matter of sea piracy is unlikely to be resolved.

The origins of sea piracy and IUU fishing in Somalia can be traced back to 1992, when the regime of President Barre fell, leading to the disintegration of the Somali Navy and Coast Guard. Earlier, following severe droughts in 1974 and 1986, tens of thousands of nomads, whose livestock were wiped out, were re-settled along the villages on the 3,300-km Somali coast. They developed into large fishing communities whose livelihoods depended on inshore fishing.

Since the civil war in Somalia began—as early as 1991-92—illegal fishing trawlers started to trespass

and fish in Somali waters, even within the 12-nautical mile territorial waters. The vessels encroached on the local fishermen's grounds, competing for the abundant rock lobster and high-value pelagic fish in the warm, upwelling, 60-km-deep shelf along the tip of the Horn of Africa.

The piracy war between local fishermen and IUU fishing vessels started then. Local fishermen have documented cases of crew on trawlers pouring boiling water on the fishermen in canoes, cutting or destroying their nets, crushing smaller boats and killing all their occupants; there have been other cases of abuses inflicted on the local fishermen for trying to protect their fishing grounds. Little wonder then that soon enough, the fishermen began to arm themselves. In response, many of the foreign fishing vessels stocked up on sophisticated weapons, with which they began to overpower the local Somali fishermen.

It was only a matter of time before the local fishermen reviewed their tactics and upgraded their arms hardware. The cycle of warfare has been going on since 1991, and has developed into a full-fledged, two-pronged conflict between IUU fishing and sea piracy.

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A fisherman prepares to go fishing in his boat in Merka, Somalia. Foreign vessels have encroached on Somali fishermen's grounds, competing for high-value pelagic fish



The waters off Somalia have attracted sophisticated factory-fishing vessels from countries thousands of miles away

According to the High Seas Task Force (HSTF), at one time in 2005 there were over 800 IUU fishing vessels in Somali waters, taking advantage of the country's inability to police and control its own waters and fishing grounds. The IUU vessels, which are estimated to take out of Somalia more than

US\$450 mn worth of fish annually, neither compensate the local fishermen for the loss of resources and income, nor do they pay taxes or royalties to the State; needless to add, they do not respect the conservation and environmental regulations and norms associated with responsible fishing.

It is believed that IUU vessels from the EU alone take out of Somalia more than five times the value of EU aid to the country. Most of the foreign IUU fishing trawlers are owned by EU and Asian fishing companies.

Illegal vessels captured on the Somali coast by Somali vigilant groups between 1991 and 2008 included the Taiwanese trawlers *Yue Fa No. 3* and *Chian Yuein No.232*, and *FV Shuen Kuo No.II*; the three Italian vessels, *FV Airone*, *FV De Giosa Giuseppe* and *FV Antonietta Madre*; the *FV Bahari Hindi*, a Kenyan-registered vessel owned and managed by Marship Co. of Mombasa; the Russian-owned *Gorizont 1* and *Gorizont 2*; the Chinese-owned *Tianyu No.8*; and the Korean-owned *Dong Wong 168*, *FV Beira 3*, *FV Beira 7* and *FV Maputo 9*, among others.

High ransoms

Tuna catches in the southwestern Indian Ocean are believed to have fallen by as much as 30 per cent last year as pirates blocked access to the waters off Somalia, which are among the world's richest yellowfin tuna grounds. The Seychelles' Victoria port handles about 350,000 tonnes of tuna each year, but catches have declined in the past two years as stocks from Somali waters have not been entering the market. The resultant fall in foreign currency earnings will impede economic recovery in the debt-laden country, say experts.

Following the collapse of the Somali government in 1991, Somali warlords and overseas companies entered into agreements for fishing through the issue of 'licences'. Somali-European joint ventures, based mainly in Europe and the Middle East, worked hand in gloves with Somali warlords who issued fake fishing 'licences'.

With the growth in IUU fishing in Somali waters, local pirates turned to piracy to deter foreign fishing vessels from destroying their own small boats and gear. Once they started raking in the lucre through ransoms, the pirates' appetite soon grew to encompass other merchant ships as well.

The other major problem linked to IUU fishing is the dumping of industrial, toxic and nuclear wastes off

the coast of Somalia, which continues unabated due to the lack of policing of the country's waters. Despite the fact that the issue has been brought to the notice of international agencies like the UN, nothing has been done to prevent these criminal activities.

As a country that lacks the capacity to harvest its own rich resources of tuna or to deal with oil spills or other environmental problems, Somalia appears set to continue being ravaged by foreign IUU fishing vessels, which will ultimately vastly deplete the waters of its fish stocks.

As the problem of piracy and attacks on foreign ships continues, alongside the attendant risk of death of crew and the ecological impact of oil spills,

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a catastrophe of gigantic proportions appears set to be unleashed on the entire coast of east Africa and the Gulf of Aden. Only a sympathetic and understanding approach will help tackle the complex issue of why Somali fishermen, who genuinely believe they are protecting their country's waters and fish resources from pillage by foreign interests, and are viewed by the country's coastal communities as saviours, continue to defy international outrage.

Any solution that aims to be practical and lasting should address the twin problems of sea piracy and IUU fishing. Domestically, the problem with Somalia's institutions should be tackled simultaneously as well. Local institutions should be developed and supported to undertake monitoring, control and surveillance activities. Perhaps a supervisory body, under the joint auspices of the UN and the Somali government, could work to restore stability.

The other measures that are needed include establishing a regional co-ordination and information centre on piracy; formulating a regional action plan against IUU fishing and dumping

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Somali fishermen repair nets in the southern coastal town of Merka. Any lasting solution to sea piracy off Somalia should also address the problem of illegal fishing

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of toxic wastes; developing national legislation against piracy; developing Somalia's local fisheries; building up social and physical infrastructure in Somalia's coastal communities, including the establishment of a competent and trained coast guard authority; supporting the pastoralists in Puntland; and eliminating the illegal arms trade and human trafficking through Somali. 3

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www.greenpeace.org/international/campaigns/oceans/pirate-fishing

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news.bbc.co.uk/2/hi/africa/7358764.stm

BBC News: Somalia pirates face battle at sea

www.imo.org/home.asp?topic_id=1178

IMO Chief's Appeal

www.un.org/News/Press/docs//2008/sc9514.doc.htm

UN Security Council Resolution