

Safe Seas at What Price? The Costs, Benefits and Future of NATO's Operation Ocean Shield

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Somali piracy burst onto the global security agenda in late 2008, a year in which over 100 merchant ships were attacked and dozens hijacked for ransom. For NATO and other international actors, this wave of maritime crime was regarded as a threat to international peace and security due to its apparent and possible effects on supply chain security, energy security, and pirate-terrorist collusion. By January 2009, NATO, the European Union (EU), US-led Combined Task Force 151 (CTF-151) and a number of independent states had all deployed naval missions to the Horn of Africa. Despite these efforts however, the number of attacks continued to increase for the next three years as the pirates expanded their geographical range in all directions.

Suddenly by 2012, the number of attacks plummeted to their lowest level in five years (see Graph I). Better coordinated naval patrols, improved Best Management Practices for commercial ships, the increased use of armed guards aboard vessels and political developments within Somalia have all received credit for turning the tide against the pirates. But has the 'war on piracy' been won, and what kind of measures will need to remain in place to ensure that the scourge does not return? These questions are particularly significant for NATO, whose counter-piracy mission, Operation Ocean Shield, is set to terminate at the end of 2014.

Seeking to address the future of the Alliance's counter-piracy policy, this paper aims to provide a broad cost-benefit analysis of Ocean Shield's current mission and to make recommendations for its transformation and drawdown. The dramatic reduction in pirate attacks calls the utility of a costly naval flotilla into question, particularly as frigates and destroyers are unable to address the onshore causes of the maritime crime. That said, Ocean Shield has brought numerous secondary benefits to NATO that would be squandered by a rapid withdrawal from the area of operation. A sustainable exit strategy – one that provides for the drawdown of naval assets while ensuring that a local and regionally owned security architecture is left in place – is therefore critical. Before delving into this analysis, a situational overview of the Somali piracy threat and the response against it is first presented.

Surveying the Sea

Piracy has affected vessels transiting through the Gulf of Aden and past the Somali coast since the nation first succumbed to civil war in 1991. In terms of



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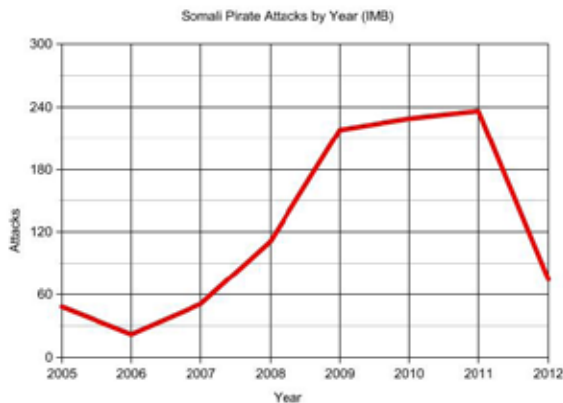
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conditions enabling piracy, maritime security experts have recognized Somalia as a perfect storm due to the country's legal and jurisdictional weakness; favorable position along major shipping routes; perpetual conflict and disorder; inadequate security sector; and permissive political environment.² The current, or crisis level, wave of Somali piracy began in earnest in 2008 and has been attributed to the decline of local security institutions in the autonomous state of Puntland – particularly its inability to fund its once effective police and coastguard forces.³ The number of pirate attacks recorded off Somalia more than doubled between 2007 and 2008, garnering significant media attention after the November hijackings of a Ukrainian cargo ship, *MV Faina*, carrying 32 Russian-made tanks and a Saudi tanker, *MV Sirius Star*, laden with two million barrels of oil.



Graph I: Somali Pirate Attacks: 2005-2012 (International Maritime Bureau)

The international response against Somali piracy was initially *ad hoc*, with Canadian, Danish and French vessels answering a United Nations (UN) request to escort vulnerable World Food Programme (WFP) shipments along the Somali coast. NATO's first counter-piracy mission, Operation Allied Provider, took over this duty from October to December 2008 and was then replaced by a similar European Union Naval Force (EUNAVFOR) mission, Operation Atalanta, at the end of the year. The Atlantic Alliance returned to the area of operation in April 2009 with the more robust disruption and deterrence mandate of Operation Allied Protector. NATO's mission further evolved in

August, and was renamed Operation Ocean Shield. The mission now operates with the four main objectives to: deter and disrupt pirate operations at sea, coordinate international counter-piracy efforts, enhance the maritime community's capacity to counter piracy effectively, and develop a regional counter-piracy capability.⁴

The idea of using the world's most advanced warships to combat Kalashnikov-strapped teenagers in fiberglass skiffs would have been laughable to NATO's founding generation, but counter-piracy operations well encapsulate the "post-modern" naval policy outlined in the Alliance's 2011 Maritime Strategy. "The maintenance of the freedom of navigation, sea-based trade routes, critical infrastructure, energy flows, protection of marine resources and environmental safety are in the Allie's security interests", notes the Maritime Strategy, and are demonstrably worth protecting with naval assets.⁵

Operation Ocean Shield and counter-piracy writ large is a prime example of what Geoffrey Till describes as "post modern" naval strategy, in which maritime states seek not to gain naval supremacy over one another, but to contribute resources to a collaborative maritime security regime.⁶ NATO and EU counter-piracy missions were joined by the US-led CTF-151 coalition and independent naval deployments from such states as China, India, Russia, Iran, Japan, and Saudi Arabia. By 2012, there were between 20 and 30 international vessels participating in East African counter-piracy operations on any given day.

Despite these efforts, the number of pirate attacks continued to rise, hitting a peak of 236 attacks in 2011⁷ (see Map 1). The pirate gangs had adapted to the increased naval presence by shifting their operations away from the heavily patrolled Gulf of Aden and out towards the Red Sea in the north, the Indian Ocean in the east, and the Mozambique Channel in the south. The use of mother ships - hijacked fishing trawlers and commercial vessels - was key to this expansion, as it allowed the pirates to transport their attack skiffs over 2,000 km from the Somali coast and maintain operations for weeks at a time. During a January 2011 briefing to the UN Security Council, piracy envoy Jack Lang warned that the pirates were "clearly winning" their race with the international community, and becoming "the masters" of the Indian Ocean.⁸

² Martin Murphy, *Small Boats, Weak States, Dirty Money: Piracy and Maritime Terrorism in the Modern World*, London, Hurst Publishers Ltd, 2009, p. 4.

³ Stig Jarle Hansen, "Piracy in the 'Greater Gulf of Aden': Myths, Misconceptions and Remedies", Norwegian Institute for Urban and Regional Research, October 2009, p. 57.

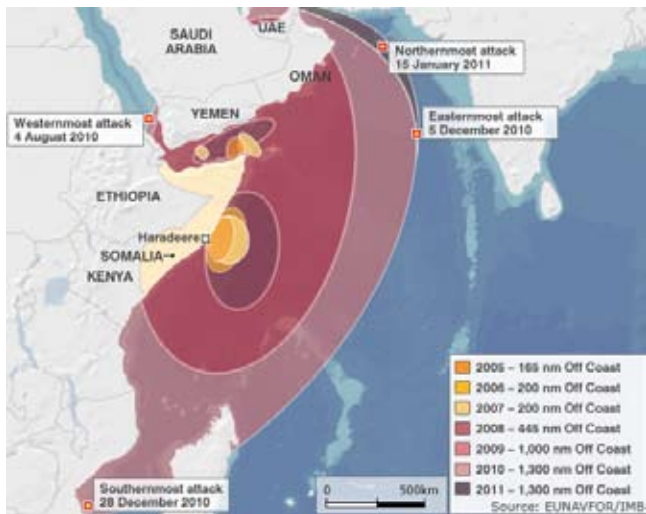
⁴ NATO Parliamentary Assembly, Sub-Committee on Future Security and Defense Capabilities, "The Challenge of Piracy: International Response and NATO's Role", November 2012, p. 8.

⁵ "Alliance Maritime Strategy", *North Atlantic Treaty Organization*, March 18 2011, http://www.nato.int/cps/en/natolive/official_texts_75615.htm

⁶ Brooke Smith-Windsor, "Securing the Commons: Toward NATO's New Maritime Strategy", NATO Defense College, *Research Paper No. 49*, September 2009, p. 3.

⁷ International Maritime Bureau, "Piracy and Armed Robbery Against Ships: Annual Report 2012", International Chamber of Commerce, January 2013, p. 5.

⁸ Xan Rice, "Somali pirates should face special courts, says UN envoy", *The Guardian*, January 26 2011, <http://www.guardian.co.uk/world/2011/jan/26/somali-pirates-jack-lang-report>



Map I: Expansion of Somali Pirate Attacks: 2005-2011 (BBC)

Within a year of Lang's warning, Somali piracy was on the decline in terms of both success rate and total number of attacks. By 2012, hijackings were down 50% from the previous year, with attempted attacks falling by 70%.⁹ The explanation for this sharp decline in piracy is multifaceted. From a military perspective, improved coordination among international naval forces and the adoption of more vigorous rules of engagement have been a contributing factor. After a March 2012 Strategic Assessment, NATO modified its rules of engagement and has increasingly engaged in the surveillance of pirate beach camps and departing attack groups and the destruction of pirate mother ships and attack skiffs. In 2011 alone, NATO forces neutralized 96 pirate vessels.¹⁰ EUNAVFOR's mandate was expanded even further to include aerial strikes on pirate logistical camps, with one such attack carried out against a pirate beach camp in central Somalia on May 15, 2012.

While unclear judicial authority was once responsible for a "catch and release" policy regarding suspected pirates, an international strategy is now in place to conduct piracy trials in third party states and transfer those convicted to prisons in Somalia. UN and bilateral funding has established anti-piracy courts in Kenya, the Seychelles, Mauritius, Tanzania and the building and refurbishment of prisons in Somalia's autonomous Puntland and Somaliland regions. Out of an estimated initial pool of 3,000 active pirates, there are now over 1,200 behind bars.¹¹ The economic incentive to en-

gage in piracy has not diminished for young Somali men, but the fact that those caught are now punished for their crimes is believed by counter-piracy officials to be having a deterring effect.

Perhaps most responsible for the decline in piracy have been proactive measures from the shipping industry. Commercial organizations have continuously updated a set of Best Management Practices that provide guidelines on transit speeds, passive defense measures, and the use of anti-piracy citadels (safe rooms). The use of private armed guards aboard vessels has also expanded dramatically, despite initial hesitation. The *Ocean's Beyond Piracy* think tank estimates that the number of transiting vessels utilizing armed guards has risen from 30% in 2011 to upwards of 50% in 2012.¹² An authoritative source in the maritime security industry noted to the author that this figure is now between 60-80% and that the increased use of armed guards has been the single greatest contribution to Somali piracy's decline. As the industry refrain goes, pirates have yet to hijack a single vessel carrying armed guards.

Political and security developments within Somalia have also served to make the country less conducive to piracy than it was in 2008. Offenses launched by African Union (AU) forces and the Kenyan and Ethiopian militaries have pushed al-Shabaab militants out of much territory they once controlled, most significantly in Mogadishu and the strategic port city of Kismayo. Though linkages between Islamist militias and pirate gangs are tenuous, the (relatively) diminished threat of the former has presented local authorities with new opportunity to tackle the latter. Increased security has finally enabled UN and bilateral aid agencies to return to the country after an 18-year exodus. In Puntland, operations launched by the Puntland Maritime Police Force have denied pirate gangs access to sanctuary and secure anchorage points.¹³ According to local media sources, former pirate strongholds in Eyl, Garad and Bargal have now been "wiped out", and majority of the region's pirates have been arrested, fled, or reformed.¹⁴

Taken together, these factors have forced Somali piracy into a cycle of decline. Fewer hijackings mean less ransom money, which, coupled with more frequent arrests, inhibits the pirate gangs' ability to fund future operations and replace losses. As of June 4, there have only been seven pirate attacks reported to the International Maritime Bureau this year.¹⁵ All of these attacks have taken place in the Gulf of

⁹ Oceans Beyond Piracy, "The Economic Cost of Somali Piracy 2012", One Earth Future Foundation, p. 7.

¹⁰ NATO Parliamentary Assembly, p. 12.

¹¹ Oceans Beyond Piracy, p. 8.

¹² Oceans Beyond Piracy, p. 1.

¹³ Robert Young Pelton, "Pirate Leader Isse Yulux on the Run", *Somalia Report*, June 03 2012, <http://www.somaliareport.com/index.php/post/3413>

¹⁴ "Somalia: Puntland 'Wipes Out' Three Pirate Strongholds", *AllAfrica*, May 30 2013, <http://allafrica.com/stories/201305310326.html>

¹⁵ International Maritime Bureau, "IMB Piracy & Armed Robbery Map 2013", International Chamber of Commerce, June 04 2013, <http://www.icc-ccs.org/piracy->



Aden or less than 300nm from the Somali coast, indicating that the pirate gangs are finding it increasingly difficult to launch sophisticated blue water attacks. For the international community, Somali piracy is now out of the crisis phase.

But at What Cost?

Though the figures are encouraging, counter-piracy commanders are quick to proclaim that proactive security is still required. “The underlying root causes of piracy still remain,” noted outgoing Ocean Shield Commander Rear Admiral Antonio Natale, “so we must all remain vigilant.”¹⁶ The pertinent question then, is whether international naval patrols are still an effective and sustainable response to the diminished piracy threat.

According to the *Oceans Beyond Piracy's* report “The Economic Costs of Somali Piracy 2012”, Somali piracy continued to inflict some \$6-billion in global costs in 2012, of which \$1.09 billion was borne by counter-piracy military operations. The report further calculates that NATO's Operation Ocean Shield costs the Alliance \$5.7-million in annual administration costs.¹⁷ Tabulating the cost of vessel deployments, which are borne by contributing states, is more contentious however, as any vessel and crew used for counter-piracy operations would still incur maintenance, training, personnel and logistical costs if it were to be deployed in any other active service as part of a Standing Maritime Group. With that caveat in place, the annual deployment and operation cost for the average of four vessels assigned to Ocean Shield is calculated to be approximately \$75-million using *Oceans Beyond Piracy's* methodology.¹⁸

These costs are arguably unsustainable in an era of reduced piracy and military budget cuts across the Alliance. There now appears to be a diminished need for naval forces to provide a robust response and disruption capability, given that pirates are launching fewer attacks and the majority of vulnerable vessels now carry armed guards. While international naval forces disrupted 100 pirate attacks in 2011,

that number fell to 40 in 2012 and there have only been three disruptions so far this year.¹⁹ As contributing states must bear the costs of their own operations, they are understandably hesitant to deploy naval assets when they no longer seem as necessary. NATO officials note that the Alliance has struggled to fulfill Ocean Shield's force requirements and that it is currently only possible by dedicating assets from NATO's two Standing Maritime Groups.²⁰ Mission fatigue and budget constraints have been similarly cited for warship shortages in the EU's Operation Atalanta.²¹ While EUNAVFOR deployed 5-10 vessels in rotation in 2011, its assets were reduced to 4-7 in 2012.²²

Addressing Symptoms vs. Causes

A more important factor in the unsustainability of current naval operations is their inability to address the root causes of piracy: poverty, lack of opportunity, and weak political, security and judicial institutions within Somalia, and low levels of maritime security capacity across the region. According to a recent World Bank assessment, the only channel of impact that naval operations have on the piracy business model is to decrease the probability of success and increase the probability of capture. Given that piracy's financiers and political enablers remain untouched and captured pirates are easily replaceable, the report argues that naval operations represent a sizable shock to the piracy enterprise, but are not sufficient to drive it out of business.²³ An ‘end state’ for counter-piracy operations would require authorities within Somalia and the wider region to suppress the crime without relying on international naval intervention.

Despite rhetoric to the contrary, capacity building in Somalia and the wider region has received scant attention from the major states and organizations involved in counter-piracy. According to *Oceans Beyond Piracy*, 99.4% of counter-piracy funds spent in 2012 went to recurring suppression costs (such as vessel security, increased transit speeds and naval patrols), while only 0.6% was “invested in

reporting-centre/live-piracy-map

¹⁶ “Italian Navy Hands Over Command of NATO Counter-Piracy Operation to Norwegian Navy”, *NATO Maritime Command*, June 07 2013, <http://www.mc.nato.int/PressReleases/Pages/Italian-Navy-Hands-Over-Command-of-OOS.aspx>

¹⁷ *Oceans Beyond Piracy*, p. 14.

¹⁸ *Oceans Beyond Piracy*, p. 16.

¹⁹ NATO Shipping Center, “*Pirate Activity in the High Risk Area*,” Updated April 30 2013, http://www.shipping.nato.int/PublishingImages/Overview%20Piracy%20Incidents/Overview%20Piracy%20Incidents%20CN%2030%20Apr%202013_Page_1.jpg

²⁰ NATO Parliamentary Assembly, p. 12.

²¹ David Brunnstrom, “*EU faces warship shortage for Somali piracy mission*”, Reuters, November 23 2011, <http://www.reuters.com/article/2011/11/22/eu-somalia-warships-idUSL5E7MM62T20111122>

²² *Oceans Beyond Piracy*, p. 13.

²³ The World Bank Regional Vice-Presidency for Africa, “*The Pirates of Somalia: Ending the Threat, Rebuilding a Nation*”, International Bank for Reconstruction and Development/The World Bank, 2013.



long-term prevention solutions” such as capacity building projects.²⁴

NATO for its part, has sought to “contribute to a lasting maritime security solution off the Horn of Africa” by assisting regional states “in developing their own ability to combat piracy.”²⁵ Upon closer inspection, however, these efforts appear to be largely superficial and lack a centralized strategy or structure. Vessels from Ocean Shield have engaged with a number of regional states – including Yemen, Oman, Djibouti, Tanzania, Kenya, and the Seychelles – but joint activities are primarily limited to discussions, delegation visits and exercise observations. Training programs and cooperative exercises between NATO and regional forces occur rarely and only during pre-scheduled port visits. NATO’s maritime forces have increased their engagement with local authorities in Somalia, but these visits remain confined to humanitarian assistance and consultation, not capacity building.

As a high-level NATO official noted in a recent interview, regional capacity building “occurs within its own limited purview and the mandate provided by the NATO nations.”²⁶ As it currently stands, NATO’s African Union partnership policy generally does not include funding or equipment procurement, meaning that the Alliance is unable to provide regional states with the boats, engines, and radar stations they need to combat piracy.

The Alliance’s *ad hoc* and member state driven initiatives contrasts with the EU’s capacity building mission (EUCAP NESTOR), which now operates with a centralized EUR 22-million budget and permanent staff based in Djibouti, Kenya and the Seychelles.²⁷ Other international initiatives include the Contract Group on Piracy off the Coast of Somalia, a broad-based organization that seeks to facilitate comprehensive counter-piracy coordination through the activities of five working groups. The bulk of the Contract Group’s central budget is distributed by the UN’s counter-piracy “Trust Fund”, which funds regional piracy trials and prison construction and refurbishment in Somalia. There is also the Djibouti Code of Conduct, a counter-piracy agreement between 20 regional states dedicated to training, capacity building, rule of law and information sharing. Finally, there are bilateral capacity building efforts, such as the UK-led initiative to establish the Regional Anti-Piracy

Prosecutions Intelligence Coordination Centre (RAP-PICC) in the Seychelles.

The problem then, is not the absence of international initiatives dedicated to sustainable and comprehensive counter-piracy solutions, but the dearth of resources they receive in comparison to naval operations. In 2012, international donors spent only \$24-million to capacity building projects while expending over \$1-billion on naval operations.²⁸ If NATO desires a counter-piracy exit strategy that will allow the Alliance to make a lasting contribution to regional maritime security it does not need to increase its operational budget or create new institutions, but merely make better use of present resources to support existing programs.

Beyond Suppressing Piracy: Secondary Benefits of Operation Ocean Shield

Diminished rates of piracy and the need for a more comprehensive solution have questioned the necessity of NATO’s naval mission off the Horn of Africa, but this line of argument fails to take the second order benefits of Operation Ocean Shield into account. Beyond suppressing piracy, Ocean Shield has increased the Alliance’s situational awareness in the strategic Indian Ocean region, improved relations with a number of African and Arab states, and most importantly, provided a practical forum for cooperation and interoperability with a host of new security partners.

Having deployed vessels to the Gulf of Aden and wider Indian Ocean for almost five years now, the Alliance has gained a great deal of regional intelligence and situational awareness. This is a collaborative effort, noted a NATO official, as information is gathered not only by NATO vessels and by aircraft, but is also provided by counter-piracy partners and commercial ships that report to the NATO Shipping Center in Northwood.²⁹ These activities forward the goals of the 2011 Maritime Strategy, which calls for improved maritime situational awareness and greater resource pooling in order to meet future challenges. Operationally, better intelligence, has led to more effective counter-piracy operations. Through surveillance efforts, a recent World Bank report notes, NATO has identified several ports along the Somali and Yemeni coasts where pirate mother ships routinely resupply.³⁰ This type of information allows coali-

²⁴ Oceans Beyond Piracy, p. 2.

²⁵ “Operation Ocean Shield”, *NATO Shipping Center*, June 10 2013, <http://www.shipping.nato.int/operations/OS/Pages/default.aspx>

²⁶ Interview with NATO official, Operations Division, NATO HQ, May 13 2013.

²⁷ “Mission facts and figures”, *EUCAP NESTOR*, June 25 2013, http://www.eucap-nestor.eu/en/mission/mission_facts_and_figures

²⁸ Though EUCAP NESTOR has a EUR 22-million budget, Oceans Beyond Piracy estimates that only 10% or \$2.9-million of it was spent in 2012, with the bulk of the budget to be spent in 2013 and 2014.

²⁹ Interview with NATO official, Operations Division, NATO HQ, May 13 2013.

³⁰ The World Bank, p. 90.



tion naval forces to intercept pirate action groups before they are able to reach their hunting grounds. The pirates' area of operation, particularly along the Gulf of Aden, also plays host to terrorists, human smugglers and drug and weapons traffickers. It has been further reported that some pirate gangs overlap with arms smugglers in Central Somalia and human traffickers in northern Puntland.³¹ While Ocean Shield's mandate does not extend to explicitly cover these threats, the naval presence undoubtedly makes the operating environment for terrorists and traffickers more difficult.

Despite certain shortcomings, the global response mounted against Somali piracy has displayed an unparalleled level of international cooperation. The primary vehicle for this is the Contact Group, which provides a forum for 62 nations and 21 international organizations (including NATO) to coordinate efforts through five working groups pertaining to: military coordination and regional maritime capacity development; the legal issues of piracy; self-protection for commercial shipping; public communication; and the disruption of pirate financial networks.³²

Operational coordination among counter-piracy coalitions began in late 2008 with the development of the Shared Awareness and Deconfliction (SHADE) initiative by NATO, EUNAVFOR, and the US-led Coalition Maritime Forces. Regular SHADE meetings – aimed at de-conflicting the activities of some 30 states operating in a 2.2-million square mile area – are still chaired on a rotating basis by the “big three” naval coalitions but have expanded to include independent operators such as China, India, Russia and Japan. The introduction of MERCURY, a closed but unclassified information sharing and communication system, has allowed for real-time cooperation between multifarious naval forces unaccustomed to working together. All of the military forces active in counter-piracy, save Iran, are now involved in SHADE and MERCURY.

When the EU and NATO both deployed counter-piracy operations to the same area, there was initial worry that efforts would be needlessly duplicated as the two organizations engaged in a “maritime beauty contest” to prove their respective relevance and primacy. To the contrary, separate but well-coordinated missions have caused NATO and the EU to better define their spheres of expertise and allowed for the maximum participation of member states. The fact that both operations have their headquarters at Northwood, UK has facilitated close strategic cooperation,

through both official and unofficial channels.

Several European states, such as Norway, the Netherlands and UK, have deployed assets to both Ocean Shield and Atalanta. Others have opted to take a leadership role in the coalition which best suits their security interests, as is the case with France in EUNAVFOR and Denmark in Ocean Shield. Cooperation has been excellent, noted a NATO official: “When the EU lacks warships NATO provides them. When NATO needs Maritime Patrol Aircraft, the EU gives a hand. This is the first time we witness such levels of interdependency and efficiency.”³³ Naval operations have also provided a forum for NATO and the EU to strengthen security ties with prospective members, as has been the case with Ukraine joining Ocean Shield and (prior to July 2013) Croatia contributing to Atalanta.

NATO's naval engagements with regional states, while falling short of robust capacity building, have served to build trust and goodwill in a region where many nations harbor suspicions about the Alliance's operations and motives. Flagship visits to Madagascar, donations to hospitals in Tanzania, and the observation of police training in Djibouti may not have a measurable impact on the fight against piracy, but they help lay foundations for future NATO engagement in the area.

Most importantly from an international relations perspective, counter-piracy has enabled NATO to deepen cooperation with out-of-area partners like Japan and South Korea, find common cause with Russia, and engage for the first time with rising powers such as China and India. This has been achieved at both at the tactical level at sea through SHADE and at the strategic level through Contact Group planning. An anecdotal examination of Ocean Shield press releases found at least 20 examples of NATO forces meeting or cooperating with their counterparts from China, Russia, India and Japan during the last two years of counter-piracy operations.³⁴ The level of cooperation varies in these relationships. NATO has engaged in joint operations against pirates with Japan and in joint exercises with Russia, while cooperation with China and India primarily consists of consultations. New relationships do appear to be deepening however, with Russian and Chinese helicopters both making their first ever landing aboard NATO ships during recent joint engagements.³⁵

That NATO, Russian, and Chinese ships, built for potential combat against each other, are now jointly operat-

³¹ The World Bank, p. 89.

³² “Structure”, *Contract Group On Piracy off the Coast of Somalia*, June 11 2013, <http://www.thecgpcs.org/about.do?action=structure>

³³ Interview with NATO official, Operations Division, NATO HQ, May 13 2013.

³⁴ “Ocean Shield News Articles”, *NATO Maritime Command*, June 11 2013, <http://www.mc.nato.int/PressReleases/Pages/OOS-articles.aspx>

³⁵ “Italian Navy Hands Over Command of NATO Counter-Piracy Operation to Norwegian Navy”.



ing to protect global commerce is truly an impressive feat. Counter-piracy operations have allowed NATO to increase interoperability, within its own forces and with partners, in a manner that is unreplicable in training simulations. The global counter-piracy regime has successfully moved from deconfliction to coordination and will have lasting benefits for all parties in terms of the mutual trust and understanding that has been built.

As NATO approaches its fifth year of counter-piracy operations there are many noteworthy achievements to reflect on, from the dramatic reduction in pirate attacks to the unprecedented progress made in naval diplomacy. Nevertheless, Ocean Shield's constrained naval-centric focus and high costs have arguably rendered the mission unsustainable in its current form. The way forward then, is for the Alliance to develop a 'post-crisis' counter-piracy mandate that will allow for the drawdown of military resources while still contributing to a lasting solution to piracy and expanding upon the mission's secondary achievements.

A Post-Crisis Counter-Piracy Role for NATO

With the Somali pirate business model temporarily disrupted and the crime out of its crisis phase, there is now an opportunity for NATO and its international partners to develop a truly comprehensive and sustainable solution to the problem. From a military perspective, this entails a greater focus on surveillance and intelligence gathering so that fewer vessels are required to neutralize departing pirate action groups. Diplomatically, NATO will have to better define its sphere of responsibility with other partners, most importantly the EU, to avoid duplicative and disorganized capacity building efforts. Finally, NATO must leverage its past post-conflict experience to help provide the security sector reform that is so desperately needed in Somalia.

As pirate operations have become increasingly confined, with no attacks further than 300nm from shore recorded this year, there is now the opportunity to 'do more with less.' Operation Ocean Shield could halve its naval deployment from an average of four to two vessels if this move is offset by the increased use of Maritime Patrol Aircraft (MPA) and Unmanned Aerial Vehicles (UAVs). Increased aerial surveillance means better intelligence about pirate base camps and departing attack groups, allowing NATO forces to take a more proactive, and less defensive, approach to counter-piracy. As part of an international division of counter-piracy labor, it is advised that NATO's

remaining vessels – the best trained and equipped in the world – focus their attention on actively locating, interdicting and neutralizing pirate attack groups rather than engaging in deterrence patrols. Such a transition would have to be coordinated through the Contact Group to ensure that vulnerable merchant shipping remains protected by other naval forces operating in the region.

If NATO wishes to drawdown its naval assets in the Indian Ocean, it is imperative that it synchronize these efforts with EUNAVFOR. As a 2012 report to the NATO Parliamentary Assembly contends, NATO's experience, integrated command, and standing military structure, gives it a comparative advantage in military engagement with the pirates, but the EU is better equipped to enhance regional capacity through a more comprehensive approach.³⁶ Moreover, in the event of an unfolding security crisis it will likely be NATO, not the EU, which is first to deploy military assets. Operation Unified Protector in Libya forced the Alliance to divert naval assets away from counter-piracy in March 2011.

While a greater maritime security capacity-building role for NATO is advisable, it would be unwise for the Alliance to develop its own regional training center, as this would be a duplicative effort. EUCAP NESTOR is now providing ongoing coastguard and judicial training to authorities in Djibouti, Kenya and the Seychelles and has begun a dialogue with other regional states. A joint EU-NATO training center would be operationally ideal, but is unlikely for political reasons. A direct NATO contribution to EUCAP NESTOR, however, is both plausible and prudent. The decision of Norway, a NATO but non-EU member, to deploy vessels to Atalanta under the command of EUNAVFOR serves as something of a precedent.

Rather than committing vessels to regional training exercises, NATO's capacity building contribution should focus on the expertise and experience of its personnel. The Alliance has significant experience developing the professionalism and capabilities of Iraqi and Afghan security forces and it is argued that this model is transferable to maritime security training in East Africa.³⁷ NATO can leverage its long history of maritime operations and exercises to address regional capability gaps that include detecting and tracking vessels, building a common operational intelligence picture, conducting boarding operations, and undertaking fishery and smuggling enforcement operations.³⁸ Funding for a NATO commitment to EUCAP NESTOR would initially be borne by individual states (providing an opportunity for

³⁶ NATO Parliamentary Assembly, p. 12.org/natosource/america-allies-arctic-northcom-commander-talks-polar-strategy (accessed 9 June 2013).

³⁷ Barrett J. Smith, LCDR, USN, "NATO Regional Capacity Building: The Foundation for Success in the Counter-Piracy Campaign", US Naval War College, Thesis Paper, April 2011, p. 10.

³⁸ Barrett J. Smith, LCDR, USN, p. 11.



non-EU members of NATO, such as Canada and the US to contribute), pending a North Atlantic Council decision about incorporating it into Ocean Shield's central administration budget. This proposal would allow the Alliance to drawdown its most expensive counter-piracy assets while still reaping the benefits of close cooperation with the EU and regional relationship building.

A central capacity-building program, led by the EU and supported by NATO, also needs to be coordinated with other counter-piracy initiatives - namely the Contact Group, Djibouti Code of Conduct, and RECAAP - and with the UN, AU and Interpol. Capacity building in Kenya, Djibouti, the Seychelles and other regional states is an integral component of an effective counter-piracy regime, but a lasting solution will not come from outside Somalia. The undertaking required in the epicenter of piracy - which includes coast guard and police capacity building, judicial reform, coastal economic development, and targeted action against the organizers and financiers of piracy - is simply too massive for any one organization to tackle alone.

The international community has made significant progress, most notably in the refurbishment of local prisons and the repatriation of convicted pirates, but the training and funding of Somali coastal police has remained a blind spot, complicated by the decentralized structure of Somalia's security forces. A previous EU and International Maritime Organization (IMO) effort to provide some 500 Somali soldiers with coast guard training in Djibouti was criticized for its low retention rate, given that "none of the trainees are currently employed as coast guards".³⁹ The Puntland Maritime Police Force, by contrast, was an effective locally owned counter-piracy force, but failed to gain international support because it was financed by the United Arab Emirates and equipped and trained by a South African private military company outside of the UN-sanctioned security structure for Somalia. Pirate activity is now largely concentrated in Galmudug State in central Somalia, a region with a very low level of government control and security capacity that has yet to attract much international assistance.

When it comes to local capacity building, NATO and its partners will thus have to wait until Somalia's self-governing units come to a common agreement, as training and equipping a potential spoiler would be disastrous. At the time of writing, there are negotiations currently underway, known as the Kampala Process, through which represen-

tatives from Federal Government of Somalia and the autonomous states of Puntland, Galmudug, and Somaliland aspire to develop a single Somali Maritime Strategy. It is a stated mission objective of EUCAP NESTOR to support the outcome of such a process and NATO would be wise to lend its expertise to this future capacity-building project as well. In the meantime, both NATO and the EU should expand from their consultations with Somali authorities and include the security forces of the country's autonomous units in regional counter-piracy exercises and training courses, if only as observers.

A Sustainable Exit Strategy

Though not without cost, Operation Ocean Shield has offered an unprecedented opportunity for NATO to improve international naval cooperation, define its role in the maritime domain, and lay the groundwork for a new era of security partnerships. In effect, the evolution of counter-piracy operations has reflected the pronouncements and goals of the Alliance's 2011 Maritime Strategy. The sharp decrease in Somali piracy questions the mission's *raison d'être*, but should not be cause for a complete withdrawal from the region. Operational transition, rather than termination, will allow the Alliance to solidify its gains while contributing to a lasting solution to the piracy problem. As naval assets are drawn down, regional and local capacity building should take center stage. New institutions and organizations are not required, as NATO can contribute its experience and expertise to existing efforts, primarily EUCAP NESTOR.

Addressing the absence and collapse of Somalia's security capacity is the most challenging element of this turn in policy, but is ultimately the most important. If the conditions that first allowed piracy to take root in Somalia remain, a prudent pirate needs only to wait for the warships to go home and shippers to let down their guard before returning to terrorize the sea. By the same token, with the Gulf of Guinea in West Africa now poised to eclipse Somalia as the world's most pirate-prone waters, it is important that NATO and other security actors internalize the lessons learnt off the Horn of Africa in order to develop more effective policies that target the crime's enabling factors there as well. Though it requires a proactive approach, preventing piracy today is far more cost effective than combating it tomorrow.

³⁹The Atlantic Council Counter-Piracy Task Force, "Managing the Global Response to Maritime Piracy", Atlantic Council, October 2012, p. 9.