Learning from piracy: Future challenges of maritime security governance:

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Christian Bueger, *Cardiff University*[1]

Abstract: The decade of large scale piracy off the coast of Somali appears to be over. Arguably it is time to be optimistic that the various measures adopted to curb piracy in the regions have shown effect. Has piracy off Somalia been eradicated once and for all? In this contribution I argue for the need of being cautious about the current success and the importance of learning some major lessons from Somali piracy. My core argument is that if these lessons are not learned and some significant efforts are made to build sustainable solutions that can tackle maritime insecurity off the African continent in the long run, piracy might return to the region. I briefly revisit the factors known to be the triggers of piracy and discuss the prevailing explanation for the decline of Somali piracy. Based on this analysis I draw out some core lessons of Somali piracy for maritime security governance. I end in outlining what future efforts will be necessary to increase the quality and efficiency of maritime security governance in the long run.

Keywords: Somali Piracy; African Maritime Security; Maritime Security Governance

Introduction

The decade of large scale piracy off the coast of Somali appears to be over. For one and a half year there hasn't been a successful hijacking attempt. Yet, this doesn't imply that piracy and armed robbery in the Western Indian Ocean is no longer occurring. But if it does it is on a lower scale, and concerns smaller local trading and fishing vessels and is outside of the radar of the international community. Moreover, according to the latest report of the UN Monitoring Group pirates have not gone out of business, but into other (illicit) businesses.[2] Arguably it is still the time to be optimistic

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[1] Christian Bueger is Lecturer in International Relations at Cardiff University. He received a PhD in International Relations from the European University Institute, Florence, Italy. His research interests include international organizations, sociology of science, practice theory, the United Nations and maritime security. He is currently working on a research project funded by the UK's Economic and Social Research Council that compares different institutional responses to maritime piracy. He has published over 30 articles and book chapters which have appeared or are forthcoming in journals such as *Contemporary Security Policy, European Political Science Review, Global Policy, International Political Sociology, International Studies Perspectives, Journal of International Relations and Development or Third World Quarterly*. He can be contacted at: cbueger@gmx.de. Institutional Address: Cardiff University, School of European Languages, Translation and Politics, Park Place 65-68, Cardiff, CF 10 3AS, Wales, UK.

[2] Cp. UN Doc. S.2013/413.

that the various measures adopted to curb piracy in the regions have shown effect. Has piracy off Somalia been eradicated once and for all? In this contribution I argue for the need of being cautious about the current success and the importance of learning some major lessons from Somali piracy. My core argument is that if these lessons are not learned and some significant efforts are made to build sustainable solutions that can tackle maritime insecurity in the long run, piracy might return to the region.

I start in briefly revisiting the factors that are known to be the triggers of piracy and reflect on how these provide an explanation for the rise of Somali piracy. I then proceed in discussing the prevailing explanation for the decline of Somali piracy. Core reasons for the success of international measures can be seen in the measures adopted by the shipping industry, including the employment of armed guards, the successful international naval programme and international prosecutions, as well as the declining support of local communities for piracy. Investigating these reasons leads me to the conclusion that many of the factors that trigger piracy still pertain. This centrally concerns the high degree of maritime insecurity in the region. A primary goal hence has to be to improve the quality and efficacy of maritime security governance in the region. Based on this analysis I draw out some core lessons of Somali piracy for maritime security governance. This concerns among others the importance of broader contexts of maritime insecurity, the nature of maritime threats, the relation between security and development policies, the importance of functional cooperation and of private-public coordination. I end in outlining what future efforts will be necessary to tackle piracy in the long run.

Understanding the emergence of Somali piracy

The meanwhile extensive piracy studies literature provides us with a good understanding which factors trigger the outbreak of piracy.[3] Studies on the so called "root causes" of piracy and on the regional variations of piracy operations and their sophistication have elaborated various factors. Five triggers can be condensed from the literature: Geography, weak law enforcement, maritime insecurity, economic dislocation, and cultural acceptability. Taken together these provide us with a good understanding why piracy in Somalia has emerged.

Geography

[3] More extensive reviews of this literature are provided in Bueger 2013a, Menefee and Mejia 2012, and Seay 2013.

Geography firstly refers to the obvious fact that regions with close proximity to waterways tend to have piracy. Proximity to major lanes of transportation and major ports renders piracy more lucrative, hence increases the likelihood of piracy. Geography, however, also refers to the existence of hideouts, that is coastal strips or islands which are difficult to reach or control. Hideouts are necessary for preparing a piracy operation and for the case of ransom piracy to anchor the vessel. Piracy dens however are dependent on basic infrastructure, such as roads or nearby villages to ensure the logistics required for an operation. In principle piracy operations can also be launched from ports, especially if they are weakly governed and surveilled. In geographical terms Somalia has an impressive coastline of 3,025 km. The Gulf of Aden the southern gateway to the Suez Canal is one of the major trading routes, with more than 20,000 ships a year, including a substantial number of the world's crude oil, navigating through it. A significant number of remote coastal villages provide dens and a sufficient infrastructure for kidnap and ransom piracy.

Weak law enforcement

The factor of weak law enforcement stresses that the lower the risk of getting caught and punished for piracy, the higher the likelihood that piracy occurs. This concerns various levels of law enforcement stretching from coast guard and naval capabilities by which coastlines and the sea are patrolled and surveilled, to policing, intelligence and persecution capabilities on land, as well as the efficiency of the judicial sector allowing for the prosecution of piracy. As shown in various studies the prevalence of official corruption is a further major factor impacting the likelihood of piracy, since pirates not always operate outside the law but often in collaboration with law enforcement agencies.[4] Finally also the quality of regional inter-state collaboration in maritime security matters has to be considered. Pirates operate across (maritime) borders and efficient collaboration mechanisms are needed to allow for hot pursuit of perpetrators as well as the sharing of intelligence and evidence between national agencies.

Somalia's maritime, coastal and territorial law enforcement has been weak after years of civil conflict. Yet, Somalia has never been in a state of lawlessness. Basic law enforcement is provided through the rudimentary policing and judicial capacities of the regional governments, such as the government of Puntland. Perhaps more importantly, the mechanisms of the traditional clan-based law of Xeer govern wide parts of the Somali society (van Notten 2007). Yet, as a deliberative form of law based on compensations, crimes such as piracy are not subject to it if members of Somali clans are not involved. Clearly there was and is a lack of capacities to effectively police the Somali coast and the sea or persecute suspects, in Somalia as well as littoral countries. Moreover, there have been frequent accusations that parts of Somali governmental elites benefit from or even participate in piracy operations, which points out that corruption is endemic.

[4] See for instance the analyses by Anyu and Moki 2009, Hastings 2009, or Vagg 1995.

Maritime Insecurity

A factor closely related to weak law enforcement is the degree to which the maritime environment of a region is insecure and prone to violence. Piracy tends to occur in seas in which there is a host of other illegal activity, such as trafficking, smuggling and illegal fishing. This is not only related to the question of coast guarding and law enforcement at sea, but also in how far violence and insecurity at sea is considered to be the norm. The more the maritime environment is securitized and it is, for instance, normal to carry weapons at sea, the higher the likelihood of piracy.

The coastal waters of Somalia were even under the Siad Barre regime weakly governed. Since the end of the regime and the withdrawal of the maritime component of the UN operation in 1995, insecurity in Somali waters has continuously increased (Weir 2009). Insecurity is not only related to informal and often illicit trade which includes trafficking of people or small arms. Weakly regulated fishing has been a main source of insecurity (Weir 2009, Hansen 2008). With the practice of selling fishing licenses to foreign companies by warlords in the 1990s and offering armed protection services to fishing companies, as well as the fact that international fishing vessels increasingly have become armed, Somali waters increasingly became a securitized and indeed militarized space.

Economic dislocation

Rightfully piracy has often been described as a business model and has been seen as an activity that is primarily economically motivated. While piracy promises considerable revenues, a direct causal link between poverty or lack of employment opportunities and piracy cannot be constructed. Rather than poverty per se, the crucial factor is economic dislocation. Communities that tend to engage in piracy are those which have been economically marginalized, have been put at disadvantage by economic developments and globalization processes or are not allowed to participate in sources of wealth.

Economic dislocation refers to Somalia in at least two senses. One the one hand with the end of the UN intervention in the 1990s, Somalia became a territory that received only scant attention from the international community. While humanitarian aid continued to flow, before counter-piracy changed the picture, Somalia has neither benefitted from large scale international development support, nor gained a share of globalization induced economic wealth. Hence, for instance Kamola (2012:17) suggests that Somali piracy can be "understood as creative (and profitable) attempts to develop an vibrant economic sphere within places marginalized from the world economy for more than a century".[5] That this is one of the drivers of piracy is nicely documented in the following piece of reporting by Gettleman (2009). As he suggested

[5] See also the related analyses of Samatar et al. 2010 and Klein 2013.

> Puntland officials acknowledge, grudgingly, that the pirates have helped them in a way: bringing desperately needed attention and aid. “Sad but true,” said Farah Dala, Puntland’s minister of planning and international cooperation. “After all the suffering and war, the world is finally paying attention to our pain because they’re getting a tiny taste of it.” (Gettleman 2009).

On the other hand, one has also to account for the fact that coastal communities belong to the marginalized parts of the population within Somalia. In a primarily pastoral society in which cattle implies prestige, coastal communities which primarily rely on subsistence fishing have lower status. With maritime insecurity and foreign fishing exploitation increasing from 1995 (Weir 2009), coastal communities have been disproportionally disadvantaged and fundamentally threatened in their livelihood (Marchal 2011).

Cultural acceptability and skills

Piracy has also a considerable cultural dimension. In order for piracy to prevail it requires some sense of legitimacy. Foot soldiers have to be recruited and convinced that to engage in piracy is a legitimate activity and the majority of piracy operations are dependent on support from local communities, which provide shelter, food and other supplies. In the case of Somalia cultural acceptability has mainly been provided through the prevalence of a narrative which justifies piracy as a legitimate response to maritime insecurity. In this “coast guard narrative” piracy is projected as a legitimate, almost state-like practice of protecting coastal waters against outside threats such as illegal resource exploitation or environmental crime (Bueger 2013d). This narrative of the benevolent protecting character of piracy has been a crucial factor in recruitment as well as for ensuring the support of local communities.

Another cultural dimension is the availability of skills required for piracy among the populace. Such skills include navigation, boarding, weapon handling or negotiation skills. Skills necessary to perform piracy are widespread in Somalia and form part of a traditional cultural repertoire, such as the navigation skills of fishermen and dhow traders, or the negotiation skills provided by a society governed by customary law and informal governance processes (e.g. Menkhaus 2004). Skills such as the handling of weapons have been learned in decades of civil war, others, such as the handling of navigation devices or boarding skills, have been trained in attempts of setting up coast guards. As Stig Jarle Hansen (2008) has shown many of the skills required for contemporary piracy, including the use of GPS, maritime tracking or techniques of boarding ships, were transferred to Somalia by a private security contractor, which was hired to train the Puntland coastguard. Also (land based) kidnap and ransom taking has become a widespread practice in Somalia before the rise of piracy, hence skills and experience most likely have transferred to piracy practice. Ken Menkhaus (2009:23) remarks that “the act of piracy is little more than an extension of activities that armed groups have engaged in for years:

militia roadblocks, extortion and kid- napping for ransom are a staple source of income for gangs and militias in Somalia."

Entrepreneurs

Taken together these factors provide us with a sufficient heuristic for the conditions under which piracy emerges and flourishes. Different combinations and variations in degree also provide, as shown by Hastings (2009), an explanation for different forms of piracy and levels of sophistication. The factors however largely emphasize structural conditions, and hence an additional dimension will also require consideration, that is, the actor dimension. To a certain degree piracy will always depend on individual actors which plan, prepare and invest in a piracy operations. A business plan requires to be developed. Hence, a considerable driving force of piracy will always be criminal-minded 'entrepreneurs'. For the case of Somalia such entrepreneurs included individuals such as Mohamed Abdi Hassan "Afweyne", and early generation pirate leaders Garad Muhammed, Boya or Farah Abdullahi who, following Hansen (2009), invented and introduced the Somali kidnap and ransom form of piracy (see also Marchal 2011).

Understanding the decline of Somali piracy

Against this heuristic backdrop Somali piracy, as shown, almost provides a model case for contemporary piracy. In what way allows the heuristic for understanding the decline of Somali piracy and what conclusions does it suggest for the likelihood that piracy will return?

A quite impressive arsenal of international measures has been put in motion since 2008 to address Somali piracy. As discussed in detail elsewhere[6], the activities include the international naval operations, self-defensive measures by the shipping industry, a global prosecution program, security sector reform and infrastructure projects such as in the frame of the UNODC's counter-piracy programme, the European Union's EUCAP Nestor, the IMO led Djibouti Code of Conduct (DCoC) process, as well as counter-piracy campaigns and reconstruction projects. As well summarized in the statement by US counter-piracy coordinator Donna Hopkins below, there are at least four reasons for the decline of Somali piracy:

> One is the willingness of private ship owners and commercial maritime companies to arm their ships and to adopt best management practices that prevent pirate boardings in the first place. I give the commercial industry a great deal of credit for that enlightened self-interest. I know it is expensive and difficult but it has

[6] See for instance Bueger 2012, 2013b, Kraska 2011, Geiss and Petrig 2011 as well as the contributions in Guilfoyle 2013 and Struett et al 2013.

> proven completely effective and that no ship that carries armed security has been hijacked, ever, to date. The second is the extremely good and close cooperation between the naval forces from many nations who are working together productively off the Horn of Africa to disrupt and repress the pirate actions. […] Third, I would say the increased willingness of countries to prosecute pirates in their national courts. Right now there are 1148 pirates either suspected or convicted in custody in 21 countries. We have put a significant dent in the prospective pirate population in that respect. So no longer can prospective pirates count on impunity from prosecution. Fourth, […] Somali communities along the coastal areas of Somalia themselves have grown disgusted by the toxic and corrosive effect of pirates in their communities and they are starting to run the pirates out of town. (cited in Piracy Daily 2013).

Hopkins hence suggests that we should pay attention to four main reasons which explain the decline of piracy: self-defensive measures by the shipping industry including compliance with the best-management practices (BMP) and the employment of armed guards, the international naval surveillance, patrol and guarding programme, the prosecution of piracy suspects and the declining support by local communities. Hopkins' position is not unique, but widely shared among counter-piracy practitioners. If we interpret these four factors in the light of the above heuristic, we can come to the following conclusions:

Three of the reasons provided for the decline of Somali piracy are related to the changing character of law enforcement. The international naval program directly affects and improves law enforcement in the region's waters. The global prosecution program supported at sea by the work of naval forces and on land by the UNODC's counter-piracy program equally has direct impact on the quality of law enforcement and the effective persecution of piracy suspects. If only indirectly, we might also want to include the self-defensive measures of the industry, notably the use of armed guards on board vessels as a contribution to law enforcement. While armed guards do not alter the risk of 'getting caught' and being persecuted, they imply a significant risk of 'getting shot' in action and induce significant operational costs for piracy operations. If seen in the intermediate term, these three types of measure, arguably, do not provide sustainable solutions. With the current decline in incident rates, it is likely that support for the international naval program will significantly drop and spending will be cut, eventually up to a degree that the international and national naval missions will withdraw. Presumably, also the compliance of the international shipping industry with the BMP will decline and considering the significant costs of armed guards in a very competitive market, it is likely that these will be withdrawn within a short time span. The persecution program, notably UNODC's work has a more long term orientation and is geared towards maritime security sector reform and the rule of law. UNODC's counter-piracy program is however dependent on voluntary contributions (as are other projects such as the IMO's DCoC project). It is very likely that UNODC's and IMO's funding for counter-piracy projects will be cut considerably in the near future. Then, we can reasonably expect that these factors have not significantly altered the problem of weak law enforcement in the inter-

medium and long term. This does, however, not imply that the investments made in counter-piracy infrastructure may not be useful in the future. Indeed, the current infrastructures can provide, if appropriately institutionalized and funded in the medium term, the seeds for transforming the quality of law enforcement in the region's waters in the long run.

Hopkins' fourth factor, the growing lack of support or even resistance to piracy operations by local communities, can be interpreted in the light of economic dislocation as well as cultural acceptability. Arguably the declining community support for piracy gangs has much to do with the levels of insecurity pirates have brought to communities and has to be seen in relation to reports which suggest growing inter-pirate violence, and the spread of crime, use of narcotics and prostitution in the villages that supported pirate operations.[7] See in the light of economic dislocation, the international counter piracy programme has firstly clearly increased attention for the needs of local coastal communities. Meetings between naval forces and village elders, as well as revived development investments for instance in the fishing sector has impacted on the level these communities are recognized as actors and are economically situated. [8] In consequence, these communities have become less marginalized. Taken together with the costs that have to be paid for piracy-induced insecurity, this has also affected the economic benefit calculations of local communities. Understood in the light of cultural acceptability the growing resistance points to the declining success of the coastguard narrative as a mean of legitimizing piracy. This is related to the increasing implausibility of the narratives core element, that piracy is a form of protection, but also to the impact of counter-piracy campaign which provide a counter-narrative and present piracy as immoral and criminal (Bueger 2012). Communities will continue to play an important role in counter-piracy, to sustain their disapproval of piracy will however depend on on-going assistance whether it is in the form of development aid, infrastructure programs, or the provision of employment opportunities.

Interpreting the decline of Somali piracy in the light of the heuristic of factors triggering piracy however also reveals what factors haven't been significantly altered by the international counter-piracy measures. Due to its geographical location and long coastline, Somalia will always be a fruitful terrain for piracy operations. The skills required for piracy remain widespread. And the regional waters remain a zone of insecurity host to a broad range of illegal activities. Although the quality of law enforcement, inter-state cooperation, intelligence and evidence sharing and the judicial sector have been improved it is questionable how sustainable these developments are. In short, piracy in Somalia might return, if the lessons of the past outbreak are not learned and sustainable structures are put in place.

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[7] See for instance SomaliaReport 2011.

[8] See the discussion in Bueger 2012, Ramsey 2011 and Magnaes Gjelsvik and Bjoergo 2012.

Core lessons of Somali piracy

Let me as the next step in this analysis draw out some broader lessons of Somali piracy for maritime security governance. These are not exclusively related to Somalia, or East Africa, but lessons that refer to the wider international approach to maritime security governance. Piracy is however in many senses not only the most visible maritime security challenge, but also a paradigmatic one.[9] I suggest there are at number of core lessons that have to be learned from Somali piracy.

Maritime Insecurity

As discussed above piracy develops in a larger context of maritime insecurity. If coast lines, exclusive economic zones or the international sea are weakly governed, host a broad range of illegal activities, maritime violence is naturalized or sea transport militarized, threats such as piracy are more likely to occur. Different illegal activities re-enforce and might trigger each other. Maritime threats should hence been seen as interdependent and the goal has to be to address the full spectrum of maritime insecurities.

Maritime security threats are sticky, asymmetric, quickly escalate, and can have global effects

Although piracy is only one of several other maritime security threats it can be considered as a paradigmatic one. As such piracy documents that maritime security threats tend to be sticky. Once they emerge there are difficult to eradicate. Hence prevention strategies and mechanisms are crucial. As documented by the rise of Somali piracy between 2005 and 2010, maritime security threats can quickly escalate. Hence, if they cannot be prevented it is important to have early warning and early response mechanisms in place. Maritime security threats are moreover asymmetric. They cannot be addressed by military might or firepower alone. They require complex and coordinated responses and tactical innovation. Somali piracy moreover forcefully reveals how apparently local problems can have considerable global effects. Maritime insecurity will hence have to be understood as a problem requiring international attention and action.

Maritime security is situated in a security-development nexus

Piracy highlights that maritime security threats have a security as well as a development dimension. As the importance of factors such as corruption, economic dislocation, cultural acceptability or skills emphasize, development policies are crucial in addressing maritime security. This includes awareness campaigns, reintegration programs, as well as vocational training or infrastructure measures which are

[9] For a discussion of piracy in the context of other maritime security challenges see Vreÿ 2010 and Wambua 2009.

beneficial to marginalized coastal populations. Moreover, as the recent World Bank (2013) report on piracy stressed, maritime threats such as piracy have significant economic consequence. As stressed for instance in the Aufrican Union's maritime strategy, the benefits of a countries ports, coast and exclusive economic zone can only be realized in the realm of good maritime governance. This calls for a close coordination between security and development policies and actors. Yet, as studies of the security-development nexus have shown, coordinating or even integrating security and development policies and actors is very intricate.[10] Different thought styles, vocabularies, institutional structures, normative frameworks as well as common prejudices between development and security practitioners make integrated approaches difficult. While in conceptual terms coordination is logical, in practice this is difficult to achieve.

Functional cooperation works

The most successful cooperative mechanisms to curb Somali piracy were those which worked on a functional, rather than diplomatic or political level. Part of the reason why the DCoC or the Shared Awareness and Deconfliction Mechanism (SHADE) are successful in coordinating diverse actors (some of them otherwise directly opposed to each other) is that they are technical and centred on coordination, training and information-sharing primarily among specialists and experts, such as coast guards, naval officers or maritime specialists (Bueger 2013c). This forcefully highlights that maritime security challenges do not necessarily, or primarily, have to be addressed on a political level. Instead of putting political declarations or grand strategies first, agreements tend to work best if they are pragmatic, problem-oriented and technical in character.

Technology is only one part of the solution

To emphasize the importance of functionalist cooperation does not imply that technology is the single most important component in addressing maritime security. Much emphasis has been placed in East Africa on developing maritime surveillance capacities (maritime domain awareness) and information sharing platforms. One needs to keep in mind that given the nature and 'unruliness' of maritime space, surveillance capacities will never be able to give a full real-time depiction of what happens at sea. Moreover, data on movements and incidents, even if it is accurate and adequately shared, is only meaningful if the capabilities and will exist to act upon it. Hence, technological infrastructure is only one part of the broader spectrum of measures that are required for maritime security.

Good law doesn't imply good law enforcement

[10] See the discussion in Bueger 2012, as well as Chandler 2007, Menkhaus 2004 and Stern and Ojendal 2010.

A powerful lesson of Somali piracy is that awareness is needed for the fact that good law is not the same as good law enforcement. While UNCLOS proved to provide a sufficient legal framework to address a threat such as piracy, the problem that the international community faced was how to enforce the law.[11] This includes implementation challenges such as how to work across different legal regimes, for instance, in transferring suspects. Hence, even if it is important that regional states improve their legal codes to respond to maritime security challenges, this does not necessarily or directly translate into good law enforcement.

Private/public coordination is crucial

One of the reasons, as discussed, for the success in containing Somali piracy has been the measures adopted by the industry. This includes centrally the BMP. The success of the BMP is telling in at least two regards. Firstly, the BMP were developed in a sort of public-private partnership. Although originally drafted by a group of industry representatives, the document was refined and finalized in consultations with the IMO as well as the UN Contact Group to Counter Piracy off the Coast of Somalia (see Hansen 2012). The BMP are a form of self-regulation, and compliance is either self-enforced or supported by insurance policies. Secondly, a core piece of the BMP is the cooperation between state agencies and the industry. Shipping companies agree to coordinate with naval agencies by registering their movements. The coordination between private agencies, that is, actors from the shipping, fishing, and resource industry, and state agencies is crucial for maritime security. This also includes the relation between private security providers and state actors.

Future Challenges of Maritime Security Governance

The problem of Somali piracy has led to a fundamental re-evaluation of the importance of maritime security for the African continent, and indeed there is a strong international consensus to act and support regional actors to tackle maritime security challenges. In this sense, piracy has opened a window of opportunity to re-organize maritime security governance and build sustainable institutions. With the decline of Somali piracy there is however also the risk that the 'momentum' could get lost soon and that the window of opportunity closes.

Starting in 2005 – the year that Somali piracy started to gain international attention (Murphy 2010:103) – a significant number of African institutional processes have started to address maritime

[11] See Geiss and Petrig 2011 as well as the contributions in Guilfoyle 2013.

security challenges.[12] Firstly, an impressive range of new meeting formats and forums to discuss issues of maritime security have been established. This includes the Sea Power for Africa Symposium (SPAS), the East Africa and Southwest Indian Ocean Maritime Security Conference (EASWIO), the Indian Ocean Naval Symposium (IONS) as well as a number of other conferences and expositions. Fora such as these provide important venues for coordination and planning maritime security strategies and their implementation. Secondly, training facilities such as those provided under DCoC, EUCAP Nestor, or the Maritime Center of Excellence (MCE) at Kenyan Port Authority's Bandari Training College, not only educate a future generation of maritime security practitioners, but also build transnational relations important for coordinating tasks. Thirdly, a number of information sharing platforms provide systems of surveillance and data collection on maritime movements as well analytical capacities. Such infrastructures include the data collection and focal point system of DCoC, the five Regional Maritime Rescue Centres (MRCCs) and 26 Maritime Rescue Sub-Centres (MRSCs) which are part of the Global Maritime Distress and Safety System (GMDSS), but also the structures planned or created in the frame of the recent maritime security strategies of regional organizations, such as the Maritime Security Unit of the Intergovernmental Authority for Development (IGAD), the information sharing centres of the Southern African Development Community (SADC) as well as the African Union's (AU) 2050 African Integrated Maritime (AIM) Strategy. Fourthly, part of these processes is also to work towards the integration of international law, that is the basic provisions of UNCLOS, but also conventions such as SUA or the ISPS code, in national legal systems and to work towards compliance. Fifthly, the regional strategies include also plans for joint procurements. This will centrally entail coast guarding equipment as well as naval military assets.

Many of these processes are however in an early stage, they are recent constructions or have not left the planning table yet. Ensuring that the existing processes are maintained constitutes a first challenge, notably in the light that international support will drop, with, for instance IMO support for the DCoC process coming to an end in 2014, and the EU's EUCAP Nestor being currently under review. Maintenance, although already a significant challenge, will however not suffice. The planned projects notably under SADC's and AU's maritime strategies will have to be implemented and take account of the discussed lessons. The practical challenges are vast. As well summarized by Leijenaar (2012), it will include developing

> effective maritime legislation, the establishment of a combined exclusive maritime zone, good governance, education and training, ports and harbour management, maritime scientific research, inclusion of the private sector in developments, risk management, maritime defence and security, tourism, establishment of regional maritime early warning centres, common fisheries policies and a naval component.

[12] See Wambua 2009 and Bueger 2014 for a more detailed overview and initial evaluation of these initiatives and measures.

As Leijenaar highlights improving maritime security will not only entail major investments, but also significant coordination challenges on a national, transnational and international level. Functional coordination between specialized agencies, such as ministries of transport, of tourism, of fisheries, of interior, or of defense, police and intelligence services, coast guards and navies will be necessary. The political as well as functional level will have to be coordinated, since investments will be required and political support is needed. Convincing electorates about the significant investments that are required will prove a major challenge. Moreover, also international agencies and donors will have to coordinate their actions. Coordination concerns bilateral and multi-lateral agencies, the functional security and development divide, but the various specializations on trade, agriculture and fisheries, tourism, environment, maritime affairs, or transnational organized crime. Beyond this vast inter-agency challenge effective means of how to strengthen the coordination and collaboration between public and private, industry actors will have to be found.

Although such coordination will be necessary, it will have to be incremental and experimental. Blueprints will most likely fail. One should not forget that even an otherwise well integrated organization such as the EU has so far failed to deliver an integrated maritime strategy. Moreover, even within the EU maritime disputes and controversies, notably about fisheries, as highlighted by the recent Gibraltar dispute between the UK and Spain, tend to occur. Hence assuming that SADC, IGAD or the AU can produce something akin to a smoothly-working, well-integrated, coordinated maritime machinery in the foreseeable future is no more than a fantasy. Lowering expectations is a necessary step. Yet, the ‘piracy momentum’ together with the promising economic incentives of efficiently exploiting coastal resources and exclusive economic zones, whether it is in the realm of fisheries, fossil resources, tourism or trade, provides reason for hope that stronger and efficacious institutions can be build.

What is required is nothing less than fundamental reforms of the *maritime security sector* on national and regional levels which acknowledge the aforementioned lessons. A mainstreaming of maritime security concerns in international donor policies will be needed. The continent will also require efficient maritime conflict resolution mechanisms in the light of the vague character of maritime borders and future resource exploitations. If maritime insecurity breeds threats, then the long term goal has to be to work towards de-securitizing the maritime and building regional *maritime security communities*. This, in the end, might be the core paradox of current strategies: in order to achieve a de-securitization of the maritime in the long run, what is first required is a securitization, that is, recognition for the serious impact that maritime threats have on economies, livelihoods and national and international security interests.

Literature

Anyu, J. Ndumbe, and Samuel Moki. 2009. "Africa: The Piracy Hot Spot and Its Implications for Global Security." *Mediterranean Quarterly* 20 (3): 95–121.

Bueger, Christian. 2012. Drops in the Bucket: A Review of Onshore Responses to Somali Piracy, *WMU Journal of Maritime Affairs* 15(1): 15-31.

Bueger, Christian. 2013a. Piracy Studies – Academic Responses to the Return of an Ancient Menace, *Cooperation and Conflict*, online first, July 8, 2013, doi: 10.1177/0010836713484117.

Bueger, Christian. 2013b. Responses to Contemporary Piracy: Disentangling the Organizational Field, in *Modern Piracy: Legal Challenges and Responses*, edited by Douglas Guilfoyle, Cheltenham: Edward Elgar, 91-114, 2013.

Bueger, Christian. 2013c. Counter-Piracy, Communities of Practice and New Security Alignments, *Journal of Regional Security* 8(3), 49-62, 2013.

Bueger, Christian. 2013d. Practice, Pirates and Coastguards: The Grand Narrative of Somali Piracy, *Third World Quarterly* 34(10): forthcoming.

Bueger, Christian. 2014. Communities of Security Practice at Work? The Emerging African Maritime Security Complex, *African Security*, forthcoming.

Chandler, David. 2007. "The Security/development Nexus and the Rise of 'Anti-foreign Policy'." *Journal of International Relations and Development* 10 (4): 362–386.

Geiss, Robin, and Anna Petrig. 2011. *Piracy and Armed Robbery at Sea: The Legal Framework for Counter-Piracy Operations in Somalia and the Gulf of Aden.* Oxford: Oxford University Press.

Gettleman, Jeffrey 2009, For Somali Pirates, Worst Enemy May be on Shore, New York Times, 8 May 2009, available at http://www.nytimes.com/2009/05/09/world/africa/09pirate.html

Guilfoyle, Douglas, ed. 2013. *Modern Piracy. Legal Challenges and Responses*. Cheltenham: Edward Elgar.

Hansen, Stig Jarle. 2008. Private Security & Local Politics in Somalia. *Review of African Political Economy* 35 (118): 585–598.

Hansen, Stig Jarle. 2009. "Piracy in the Greater Gulf of Aden. Myths, Misconception and Remedies". Oslo: Norwegian Institute for Urban and Regional Research. http://www.nibr.no/uploads/publications/26b0226ad4177819779c2805e91c670d.pdf.

Hansen, Stig Jarle. 2012. "The Evolution of Best Management Practices in the Civil Maritime Sector." *Studies in Conflict & Terrorism* 35 (7-8): 562–569.

Hastings, Justin V. 2009. "Geographies of State Failure and Sophistication in Maritime Piracy Hijackings." *Political Geography* 28 (4): 213–223.

Kamola, Isaac. 2012. "Capitalism at Sea: Piracy and 'State Failure' in the Gulf of Aden." In *Globalization, Social Movements and Peacebuilding,* edited by Jackie Smith and Ernesto Verdeja, 1–22. Syracruse: Syracruse University Press.

Klein, Axel. 2013. "The Moral Economy of Somali Piracy - Organised Criminal Business or Subsistence Activity?" *Global Policy* 4 (1): 94–100.

Kraska, James. 2011. *Contemporary Maritime Piracy: International Law, Strategy, and Diplomacy at Sea*. Santa Barbara, Cal.: Praeger Publishers.

Leijenaar, Annette. 2012. "Africa Should Wake up to the Importance of an Integrated Maritime Strategy." *Institute for Security Studies News Blog*. Pretoria. http://www.issafrica.org/iss_today.php?ID=1552. [accessed 13.3.2013].

Magnaes Gjelsvik, Ingvild, and Tore Bjoergo. 2012. "Ex-Pirates in Somalia: Processes of Engagement, Disengagement, and Reintegration." *Journal of Scandinavian Studies in Criminology and Crime Prevention* 13 (2): 94–114.

Marchal, Roland. 2011. "Somali Piracy: The Local Contexts of an International Obsession." *Humanity: An International Journal of Human Rights* 2 (1): 31–50.

Menefee, Samuel Pyeatt, and Maximo Q. Mejia. 2012. A "rutter for piracy" in 2012. *WMU Journal of Maritime Affairs* 11 (1): 1–13.

Menkhaus, Ken. 2004. Vicious circles and the security development nexus in Somalia. *Conflict, Security & Development* 4 (2): 131–131.

Menkhaus, Ken. 2009. Dangerous Waters. *Survival* 51 (1): 21–25.

Murphy, Martin N. 2010. *Small Boats, Weak States, Dirty Money: Piracy and Maritime Terrorism in the Modern World*. C Hurst & Co Publishers Ltd.
Piracy Daily 2013. Maritime TV panel discussion with Donna Hopkins. U.S. State Department Coordinator on Counter Piracy and Maritime Security, *Piracy Daily,* June 26, 2013, http://www.piracydaily.com/donna-hopkins-u-s-state-department-coordinator-on-counter-piracy-and-maritime-security/ [accessed 1.8.2013].
Ramsey, Amber. 2011. Alternative Approaches. Land-based Strategies to Countering Piracy Off the Coast of Somalia. NATO Civil-Military Fusion Centre.
Samatar, Abdi Ismail, Mark Lindberg, and Basil Mahayni. 2010. "The Dialectics of Piracy in Somalia: The Rich Versus the Poor." *Third World Quarterly* 31 (8): 1377–1394.
Seay, Laura. 2013. "Understanding Somali Piracy." *The Journal of Modern African Studies* 51 (1): 169–175.
SomaliaReport. 2011a. Pirates vs The People. Somali Hijackers Turn Against Civilians, SomaliaReport, 23 December 2011, available at http://www.somaliareport.com/index.php/post/2384/Pirates_vs_The_People [accessed 20 August 2012].
Stern, Maria, and Joakim Ojendal. 2010. "Mapping the Security--Development Nexus: Conflict, Complexity, Cacophony, Convergence?" *Security Dialogue* 41 (1): 5–29.
Struett, Michael J., Mark T. Nance and Jon D. Carlson, eds. 2012. *Maritime Piracy and the Construction of Global Governance*, London: Routledge.
Vagg, Jon. 1995. "Rough Seas? Contemporary Piracy in South East Asia." *British Journal of Criminology* 35 (1): 63–80.
Van Notten, Michael. 2007. *Law of the Somalis: A Stable Foundation for Economic Development in the Horn of Africa.* Lawrenceville, NJ: Red Sea Press.
Vreÿ, Francois. 2010. "African Maritime Security: a Time for Good Order at Sea." *Australian Journal of Maritime and Ocean Affairs* 2 (4): 121–132.
Wambua, Paul Musili. 2009. "Enhancing Regional Maritime Cooperation in Africa: The Planned End State." *African Security Review* 18 (3): 45–59.
Weir, Gary E. 2009. "Fish, Family, and Profit. Piracy and the Horn of Africa." *Naval War College Review* 62 (3): 15–30.
World Bank. 2013. *The Pirates of Somalia. Ending the Threat, Rebuilding a Nation.* Washington: The World Bank.