



Pioneering for Solutions Against Piracy

Focusing on a Geopolitical Analysis, Counter-piracy Initiatives and Policy Solutions

Wednesday, 8 July 2009

Netherlands Institute of International Relations "Clingendael"

Clingendael 7, The Hague, the Netherlands

09.00-17.00

9.00-9.30 Arrival, registration, coffee

9.30 Welcome, introduction by the director of the Netherlands Institute for International Relations "Clingendael", prof. Dr. Jaap de Zwaan

9.45-11.15 *Part I: The regional context*

This panel focuses on geopolitical developments in the Indian Ocean and on the situation in Somalia itself. The United States, India, NATO, the EU, China, Russia, and Japan are among the maritime powers that are currently aiming to expand or strengthen their influence in the Indian Ocean. Changing power relations in the region are an important background to the various anti-piracy missions. Strategic decision-making on naval missions is shaped not only by considerations relating to the piracy problem itself, but also by this wider geopolitical context.

The discussion on the failed state dimension will have an in-depth focus on the problems of Somalian piracy. Among other things, the panel will look into the assumption that sustainable solutions for the piracy problem off the coast of Somalia will have to be found on land. In addition, due attention will be paid to the regional dynamic of Somalian piracy and what this implies for the strategy to adopt when fighting this phenomenon.

- Chair: Dr. Frans-Paul van der Putten, Senior Researcher, Clingendael Institute
- Dr. May-Britt Stumbaum, Fritz Thyssen Fellow, Weatherhead Center for International Affairs, Harvard University, United States, and Associate Fellow, German Council on Foreign Relations, Germany: *EU maritime interests, Somalian piracy, and shifting Sino-US relations in the Indian Ocean region*
- Dr. James R. Holmes, Associate Professor, Naval War College, United States: *Somalian Piracy and Geopolitics in the Indian Ocean*
- Dr. J. Peter Pham, Associate Professor of Justice Studies, Political Science and Africana Studies, and Director of the Nelson Institute for International and Public Affairs, James Madison University: *The failed state and regional dimension of combating Somalian piracy*

Short round of questions/discussion

11.15-11.30 Coffee-break

11.30-13.00 Part II: Counter-piracy initiatives

The legal dimension will focus on the problems concerning the legal definition of piracy, the lacunas in international law, the problems concerning evidence, extradition, etc. The political reluctance to prosecute out of fear for massive asylum requests will also be discussed, as well as the proposal for an international tribunal, or the proposal to introduce a reversed right of hot pursuit.

The last dimension will look into strategic and tactical questions in fighting piracy. The discussion will touch upon the cooperation between the different naval powers present in the Somali basin and the Gulf of Aden, the operational challenges, the obstacles that are encountered and what implications this has for future cooperation between the different actors involved.

- Chair: Maj. Gen. (ret.) Kees Homan, Advisor, Clingendael Institute
- Dr. Douglas Guilfoyle, Lecturer Faculty of Laws, University College of London: *Legal challenges in the fight against piracy*
- Pim Bedet, Vice Admiral, Deputy Commander Allied Maritime Component Command, Northwood: *Operational challenges of maritime cooperation during counter-piracy missions*
- Mr. Roger Middleton, Consultant Researcher Africa Programme, Chatham House: *Strategic and tactical questions of fighting piracy*
- Mrs. Véronique Roger-Lacan, Deputy Director for Strategic Affairs, French Ministry of Defense: *Challenges in the cooperation between different naval powers*

Short round of questions/discussion

13.00-14.00 Lunch break

14.00-15.15 Part III: Searching for policy solutions

- Chair: Bibi van Ginkel, LL.M., Senior Research Fellow, Clingendael Institute
Discussion

15.15-15.30 Tea break

15.30-17.00 Discussion continued

- Mr. Maxime Verhagen, Minister of Foreign Affairs: *Establishing an international tribunal on piracy issues in the region*

17.00 Conclusions by the chairman and Closure and Drinks