CANSOFCOM PROFESSIONAL DEVELOPMENT CENTRE

OPERATION DAWN IN THE GULF OF ADEN AND THE SCOURGE OF PIRACY

COLONEL BERND HORN

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FOREWORD

It is with great pleasure that I introduce the seventh monograph produced by the Canadian Special Operations Forces Command (CANSOFCOM) Professional Development Centre (PDC). As the editor of the series, I am happy to say that we are continuing to expand the growing body of literature on Special Operations Forces (SOF) in general and Canadian Special Operations Forces (CANSOF) in particular. As such, we are progressing in nurturing our vision of creating a series that provides quality articles that address topics pertinent to CANSOFCOM personnel and that are of general interest to a wider audience, including the wider military community, military and civilian decision-makers, international allies, as well as the Canadian public. This monograph, *Operation Dawn in the Gulf of Aden and the Scourge of Piracy* provides yet another subject area of relevance to CANSOF that is pertinent to explore.

In this volume, Colonel Bernd Horn, PhD, recounts a specific anti-piracy operation conducted by the South Korean military in January 2011. In doing so, he looks not only at the challenges and events surrounding that specific mission to rescue the crew of, as well as the ship, *Samho Jewlery*, the 1,500-ton Maltese-flagged, South Korean freighter that was hijacked by Somali pirates southeast of Muscat, Oman in the Arabian Sea, but he also looks at the larger issue of piracy and anti-piracy operations.

Overall, this volume is very topical as the fight against piracy continues to be an issue of concern and evolving policy. From the SOF perspective, piracy has posed, and no doubt will continue to pose, a real or potential mission set that will be omnipresent in the future defence environment. As always, we hope this publication is both informative and sparks discussion and reflection. Please do not hesitate to contact me if you have comments or topics that you would like to see addressed as part of the CANSOFCOM monograph series.

Dr. Emily Spencer Director Research and Education / Monograph Series Editor CANSOFCOM Professional Development Centre

OPERATION DAWN IN THE GULF OF ADEN AND THE SCOURGE OF PIRACY

The seas were relatively calm as the monstrous chemical tanker *Samho Jewlery* cut through the Gulf of Aden. The ship's captain on the bridge was apprehensive. He fully realized the risk of sailing the waters between Yemen and Somalia. However, all seemed peaceful as the sun broke the horizon in the early morning hours of 15 January 2011.

Despite the hypnotic effect of the calm blue sea, the skipper's apprehension turned to dread. He strained his eyes looking into the large, heavy binoculars trying to make out whether the small specks on the sea were figments of his overanxious mind, some form of debris, or small craft approaching his vessel. As his big ship continued to plough through the waters he could see the distant forms starting to take shape. They were indeed small motorized skiffs, each with approximately six to eight men, racing towards his vessel at what he estimated to be 20-25 knots. Their angle and speed ensured they would easily intercept his path in a short period of time as his large, heavily laden ship was sluggish compared to his pursuers. As the small craft neared he could see the men on board waving, clearly in an attempt to stop his vessel.

The Captain decided to ignore their obvious demands. In fact, he tried to coax yet more speed from his ship's large engines. But his efforts were to no avail. The small skiffs skipped across the waves, one approaching the port side, while another disappeared around the stern, clearly moving towards the starboard side of the ship. The air was suddenly filled with the crackle of automatic rifle fire that was clearly audible over the throbbing and pounding of

the engines. Then the closest visible skiff disappeared completely from view as it sidled up next to the big bulk carrier.

At the water level, the pirates rode the rise and fall of the waves, and manoeuvred themselves along the flank of the ship until they reached the lowest part of its superstructure. One of the pirates expertly threw a grappling hook with knotted rope up over the railing, checked its tension and then, with an AK-47 slung over his back, nimbly scrambled up the rope the short distance to the railing and jumped onto the deck of the *Samho Jewlery*.

Meanwhile, on the starboard side a similar drama was occurring, only here the pirates used a hooked metal ladder that they were able to secure to the freeboard of the vessel. Once in place, two armed pirates quickly scaled the short ladder and made their way to the deck. The three interlopers, now joined together, made directly for the bridge of the ship. In moments it would be under their control and they would stop it dead in the water to allow more of their fellow pirates the ability to board. They soon had complete control of the ship and its crew.

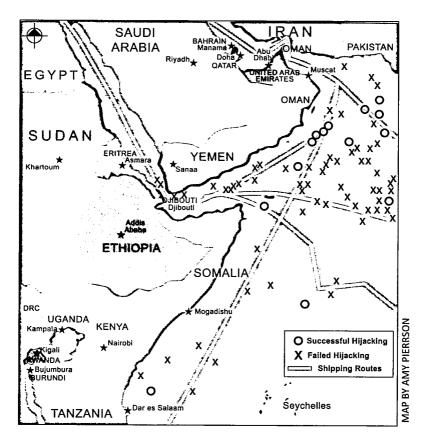
Context

On the morning of 15 January 2011, the 1,500-ton Malteseflagged, South Korean freighter, *Samho Jewlery* was hijacked by Somali pirates Southeast of Muscat, Oman in the Arabian Sea.¹ It was taken while carrying chemicals from the United Arab Emirates to Sri Lanka. The ship had 21 crew members onboard, of which eight were South Korean, two were Indonesians and 11 were Myanmar (Burmese).²

This latest event was a crippling blow to both the Samho Shipping Company, as well as the South Korean government. The previous year, *Samho Jewlery's* sister ship, the *Samho Dream*, an oil tanker, had been hijacked by Somali pirates and held for seven months. It was finally released in November 2010, when a reported record ransom of US \$9 million was paid.³

The most recent hijacking also reignited criticism of the South Korean President, Lee Myung-bak. First, South Korea had paid a record ransom for the *Samho Dream*. Second, to the public, the latest incident seemed to be just another example of the South Korean government's inability to provide adequate national security, coming after the sinking of a South Korean Navy ship by a North Korean submarine and the North Korean artillery attack on a South Korean island near disputed waters in November 2010. Public criticism painted President Lee and the Republic of Korea (RoK) armed forces as too slow and weak, particularly in their response to the North Korean attack on the island which saw two marines and two civilians killed.⁴ As such, the latest pirate seizure poured oil on an already smoking fire.

All things considered, the attack should not have been surprising. After all, the Gulf of Aden, between Yemen and Somalia, is one of the world's busiest shipping routes and has become a hotspot for pirate attacks.⁵ Indeed, the waters have become lucrative hunting grounds for Somali pirates who seemingly operate at will. Additionally, there is little to control them as Somalia has not had a functioning government since 1991. Moreover, the ransoms the pirates receive are among the few regular sources of income for small businesses that supply the pirates with food and other goods. A recent study from the US-based One Earth Future Foundation showed the average ransom paid to Somalia pirates rose nearly 60 per cent from 2009 to 2010, reaching US \$5.4 million. In contrast, the average ransom paid in 2005 was only US \$150,000.⁶ Not surprisingly then, piracy has flourished off its coast, sometimes yielding multimillion-dollar ransoms.⁷



Rather than taking responsibility for the problem, many Somali leaders, including members of the country's transitional parliament, place the blame on the international community. They believe that illegal "pirate" fishing trawlers, notably from South Korea and Spain, were part of the initial cause of the Somali piracy problem. They argue some Somali fishermen who armed themselves in an attempt to drive pirate fishing trawlers out of their waters, eventually turned into pirates themselves as they realized that it was potentially a more lucrative way to earn a living.⁸ Nonetheless, regardless of the cause, Somali pirates have noticeably increased attacks since 2006. The London-based International Maritime Bureau (IMB) observed that there were 293 acts of piracy in 2008 and 406 in 2009.⁹ Moreover, pirates captured more hostages in 2010 than in any other year on record. In the end, the waters off the coast of Somali remain some of the most dangerous in the world. For example, in 2010, 92 per cent of all ships captured by pirates were taken off the coast of Somalia.¹⁰ Moreover, 2010 statistics compiled by "The Human Cost of Somali Piracy" noted the scale and scope of piracy's expansion in the western Indian Ocean and Gulf of Aden:

- a. Over 4,000 seafarers attacked with firearms, including rocket propelled grenades;
- b. 400 piracy attacks (according to the UN Office on Drugs and Crime (UNODC));
- c. 1,016 crew members taken hostage (up from a worldwide 188 in 2006 IMB);
- d. Over 400 hostages were used as human shields;
- e. Captivity lasted an average of five months; and
- f. US \$111 million paid in ransoms (UNODC report: "The illicit financial flows linked to piracy off the coast of Somalia").¹¹

In sum, in 2010 the IMB Piracy Reporting Centre (PRC) reported 445 attacks and 53 hijackings worldwide, the highest number since 1991, when IMB began keeping records.¹² At the end of this period, Somali pirates alone were holding 29 vessels and 703 hostages.¹³ By 18 August 2011, the International Chamber of Commerce (ICC) IMB PRC observed that piracy in Somalia had already led to 178 incidents, 22 hijackings, and 7 deaths. IMB also stated that pirates were holding 19 vessels and 377 crew members.¹⁴ By the end of 2011, the IMB reported 439 attacks worldwide with 45 vessels hijacked and 1,181 persons held hostage.¹⁵ Of this total, Somali pirates attacked 237 vessels, receiving an estimated US \$160 million in ransom. The number of hostages and vessels held reached its peak in February 2011, when the IMB PRC reported that 33 vessels and 733 hostages were being held by Somali pirates. As of 19 March 2012, the PRC reported that pirates were still holding 13 vessels and 197 hostages.¹⁶

The scale of the attacks was indicative of the scope of the overall effort of the pirates. These attacks were generally well orchestrated. For example, on 16 March 2011 the Indonesian owned and flagged general cargo ship, *Sinar Kudus*, was sailing west towards the Gulf of Aden, with a cargo of 8,300 tonnes of ferronickel from Indonesia bound for Rotterdam. The vessel was approximately 320 nautical miles northeast of the island of Socotra in the Somali Basin when it was seized by approximately 30-50 Somali pirates. The ship's relatively low speed and low freeboard made it a natural target.¹⁷

Of importance was the fact that the attack showed the Somali pirates to be adaptive and learning from their experience. By the end of 2010, pirates had indeed learned a valuable lesson. It had become obvious to them that Somali-manned fishing trawlers and dhows, when used as "motherships," could be easily sunk by international naval forces.¹⁸ However, larger commercial ships represented a much more complex problem for international naval forces. As such, pirates began to turn hijacked merchant ships into motherships from which to launch more attacks in which captive crewmembers were often forced to take part. This new tactic also extended the range of the pirate operations to over 1,000 nautical miles from Somalia.¹⁹ As such, their area of operation now impacts sea-lanes through which a third of the West's oil and 20 per cent of other cargo pass.²⁰

There is no doubt that the threat of Somali piracy is even more daunting due to the resilience and evolution of their tactics. For instance, the pirates utilize fake distress calls to lure ships closer to their location, they rotate ports, and some stage dummy attacks to draw escort ships away from the intended target while others actually conduct the real attack.²¹ On 5 March 2011, for example, the Russian-owned general cargo ship Chariot came under attack by pirates who used a white painted skiff as a decoy that left the side of the mothership, a previously hijacked freighter, in an attempt to attract the attention of the crew on the Chariot, while a second skiff with six pirates on board made an approach from the stern, port side. The attack skiff was painted in a camouflage pattern that was difficult to see.²² In addition, and similar to the Sinar Kudus incident, the Somali pirates also began to combine their strength to achieve their goals. "What we've seen in the last month in the southern part of the Indian Ocean, the Somali basin, is almost swarm tactics by some of the pirates who try to flood the area with action groups," Rear-Admiral Peter Hudson pronounced.23

Their tenacity and motivation is not hard to understand since piracy is big business.

One pirate leader conceded:

once you have a ship, it's a win-win situation. We attack many ships every day, but only a few are ever profitable. No one will come to the rescue of a third-world ship with an Indian or African crew, so we release them immediately. But if the ship is from Western country or with valuable cargo like oil, weapons – then it's like winning a lottery jackpot. We begin asking a high price and then go down until we agree on a price.²⁴ Predictably, piracy has become more complex and is not represented by a few ragged armed fishermen in some old skiffs. Piracy has evolved to include networks that consist of a gang leader with a pirate group of 8-12 men (representing two shifts), a support group and investors, since a single mission with 12 armed men and boats costs over US \$30,000. Moreover, on average, an investor must dispatch at least three or four missions to get lucky once.²⁵

The financiers are arguably the most important component of the piracy network since they organize and plan the large operations and are able to pay the running costs. Financiers also forge deals with traders, transportation owners, translators, and business contacts to keep the supplies flowing, as well as manage logistics during operations as there is a long and complex supply chain involved in piracy.²⁶ Andrew Mwangura, head of the Kenyan-based East African Seafarers' Assistance Programme, stated that there are about 1,500 pirates working for seven syndicates and a smaller number of "bosses" who control separate but linked enterprises, largely financed and brokered from Kenya, Dubai, Lebanon, Somalia and other countries.²⁷

Furthermore, all pirates are not the same. Professor Abdi Ismail Samatar at the University of Minnesota categorized Somali pirates into four main groups:

a. Political pirates – members of the Somali National Movement that was active from 1981 until the fall of the Siad Barre regime in 1991. They warned ships to avoid Somali ports and seized three ships transporting goods to the country in 1989/1991. These were the first piracy incidents in modern Somali history. They took the goods to prevent them from reaching government-controlled areas. They sought to weaken the Siad Barre regime rather than to achieve personal gain and were no longer a threat once the Barre regime fell;

- Resource pirates this refers to the illegal activities of foreign vessels during years of unrest in Somalia, mainly between 1991-2004;
- c. Defensive pirates pirates who acted in response to the illegal activities of foreign fishing fleets in the belief that they were taking advantage of the situation on land to exploit the country's vast fishing resources and to dump unwanted (toxic) materials in Somali waters at a low cost;²⁸ and
- d. Ransom pirates those who developed in the wake of the struggle of Somali fisherman to extract some form of payment from foreign vessels for the exploitation of Somalia's resources. Criminals took advantage of the support from Somali communities for their own financial gain and a highly lucrative industry developed.²⁹

Although intuitively piracy evokes calls for a military response, for a number of reasons there is actually a universal hesitancy to undertake rescue missions once a ship has been seized. First, most international navies are restricted by rules of engagement (ROEs) that preclude firing on a ship that is holding hostages. As such, storming a ship held by pirates is rare and military forces avoid undertaking rescue operations for fear of harming hostages, who are normally held below deck out of sight. Therefore, rescue operations are not normally attempted once pirates have seized the ship unless the crew has been able to lock themselves in a "citadel" (i.e. safe room) with two-way communications. Second, they are resistant to firing on a ship if it is carrying a cargo (e.g. oil, lubricants, chemicals) that can create a serious environmental damage if it were sunk or damaged.

Nonetheless, there have been exceptions to this general rule. In April 2009, a French rescue operation on the yacht *Tanit* captured

by pirates two days earlier, ended with two pirates, as well as the skipper of the yacht being killed by French commandos. They did nonetheless rescue four French citizens. That same month. Somali pirates also seized the US navy ship Maersk Alabama en route to Mombasa in Kenya. The crew managed to regain control of the ship, however. As the Somali pirates abandoned ship, they took the American ship captain hostage with them in the lifeboat. American navy snipers later shot the three pirates who were holding the skipper. In addition, British and American forces from two respective naval vessels stormed a hijacked Italian cargo ship, the 55,675 ton bulk carrier Montecristo, which was seized by pirates 620 nautical miles off the Horn of Africa, in the Indian Ocean on 11 October 2011, thereby freeing 23 crewmen and capturing all 11 Somali pirates. Importantly, the crew had already moved into an armoured shelter, negating the biggest concern of the rescuing force, the safety of crew.30

There have also been additional successful raids against pirates, however, European Union Naval Force (EUNAVFOR)³¹ spokesman, Wing Commander Paddy O'Kennedy, insisted that despite these successes, the force would not change its approach toward tackling piracy. "Our priority is the safety of the hostages," he noted. O'Kennedy explained, "The pirates are using the hostages as human shields and if we get too close to the pirates they threaten to kill the hostages ... I am sure they will carry out the threats if we got too close."³²

Nonetheless, the EU force disrupted 64 attempted hijackings by Somali pirate groups in 2010. The EUNAVFOR also adopted a strategy of destroying pirates' ships, which normally include several skiffs and a mother vessel.³³

Most recently, on 15 May 2012, helicopters from the EUNAVFOR attacked a pirate base on the Somali coast for the first time ever

and destroyed five speedboats. The assault was conducted four days after Somali pirates hijacked a Greek-owned oil tanker carrying close to a million barrels of crude oil in the Arabian Sea. Rear-Admiral Duncan Potts, the EUNAVFOR Commander, explained the attack was designed to "further increase the pressure on, and disrupt pirates' efforts to get out to sea to attack merchant shipping and dhows."³⁴

There have been other methods invoked as well to blunt the impact of piracy. New measures include constructing an armoured shelter within the ship, a "panic room" of sorts; ship crew training on anti-piracy drills; the NATO "Ocean Shield" anti-piracy task force that provides area security and escort to UN World Hunger ships; private security contractors (however, there are overarching issues over the legality of using lethal force);³⁵ and military troops (for example, Italy established a special naval force for deployment on merchant vessels to protect them from pirates – specifically, 10 teams of six soldiers).³⁶ The best means to combat piracy, however, according to a 2009 Brookings Institute report is a multi-dimensional approach that includes the formation of a 15 vessel strong convoy system protected by military personnel.³⁷

Although international patrols and armed guards have played a major role in deterring and preventing successful pirate attacks, this is only a part of the solution.³⁸ Some analysts caution that deterring piracy also requires a land-based solution with grassroots support. The International Expert Group, commissioned by the Special Representative of the United Nations Secretary General to Somalia in 2008, stated categorically that the piracy off the Somali coast "will not be suppressed without providing coastal populations with alternative occupation and revenue."³⁹

Indeed, even if you can argue the small successes of anti-piracy operations to date, there is a growing downside to the whole

issue. Specifically, the treatment of hostages has raised serious concern. "There definitely has been a change, and we don't know why," IMB director Pottengal Mukundan remarked. He explained, "It may be to do with the fact that there is now a different kind of people looking after the captives. These are just gangs of thugs; they have never been to sea and they have no empathy with the seafarers." Until recently, Somali pirates were known for treating their captives well, but now, according to the report The Human Cost of Somali Piracy, published by Oceans Beyond Piracy, hostages are severely beaten, dragged underwater, have had wires tightened round their genitals, and have undergone elaborate mock executions.⁴⁰ The report noted that, "both successful and unsuccessful attacks expose seafarers to dangerous experiences, with the potential for long-term physical and psychological trauma." It pointed out that crewmembers who seek refuge in a "citadel," or safe room, might spend several terrifying days locked in a confined space while attackers fire heavy weapons at the door, light fires under the ventilators, or even use welding equipment to try to break through the walls. For others who have no refuge, the report observed that after the initial distress of being chased and shot at during an attack, hostages endure beatings, confinement and torture at the hands of their captors. The report revealed, "We have found strong evidence that over a third of the seafarers that were held in 2010 were abused, and the trend is looking more ominous this year."41

Part of the problem is that piracy has evolved from the initial disenfranchised fisherman who decided to have a go at piracy, to criminal gangs who are far more ruthless. In the end, pirate hostages face three possible threats:

- a. they can be deliberately murdered;
- they can be starved to death, or otherwise die of neglect; or

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c. they may be driven to take their own lives, under the terrible conditions of their captivity.⁴²

Another major complication and frustration for anti-piracy advocates is the fact that until the summer of 2011, according to the UN Security Council, 90 per cent of pirates captured by international naval forces were released because no jurisdiction (i.e. country) was prepared to prosecute them. Kenya, who was in negotiations with the EU, cancelled an agreement to prosecute suspected pirates because they were worried about shouldering too much of the financial burden of detaining and prosecuting the pirates.⁴³ As a result, the colloquial catch and release program provided little deterrence to would be pirates.

A Line in the Sand

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Within this context of piracy, despite the hurdles and complications, as well as the risks, the South Korean President, Lee Myungbak, ordered security officials to take all possible measures to rescue the crew of the South Korean-operated freighter Samho Jewlery, ruling out the payment of any ransom, or negotiating with the pirates. The President took a hard line and reiterated the stance of the government of South Korea, which was not to negotiate with pirates or to pay a ransom. The Foreign Ministry stated it would "not get dragged into" the psychological warfare used by the Somali pirates. As such, at 1730 hours on 15 January 2011, the South Korean defence department dispatched the Choi Young KDX-II (DDH 981), a Chungmugong Yi Shu-shin class destroyer from the Cheonghae Naval Anti-Piracy Unit, from her normal patrol in the Horn of Africa region to intercept the pirated tanker.44 The South Korean President declared, "We will not tolerate any behaviour that threatens the lives and safety of our people in the future."45

Operation Dawn in the Gulf of Aden – Execution

First Attempt

At approximately 1600 hours (local time), 18 January 2011, the destroyer *Choi Young* arrived in the vicinity of the seized *Samho Jewlery*. Having caught up with the target vessel, the *Choi Young* pursued the tanker hoping to fatigue the pirates in the process. In addition, several mock attacks were staged to further wear down the pirate crew. Communications jamming was also conducted to prevent the pirates from calling for assistance.

In the interim, while conducting initial operations, the South Koreans were able to thwart a pirate attack on a Mongolian ship in the area, which also provided an advantage for them with relation to their target vessel. On 18 January, the pirates aboard the *Samho Jewlery* sighted a Mongolian cargo ship approximately six nautical miles distant. As a result, four of the pirates embarked on a small motorboat in an attempt to hijack it. Now, with only 13 pirates remaining on the *Samho Jewlery*, the South Koreans decided to make an attempt at recapturing the ship. A group of ten South Korean commandos from the *Choi Young* tried to approach the *Samho Jewlery* in a speedboat. However, three of the commandos were injured in the ensuing firefight and the speedboat returned to the destroyer.⁴⁶

Concurrently, the South Korean commander deployed a Westland Super Lynx helicopter to interdict the hijackers in the motorboat heading towards the Mongolian ship. All four of the pirates from that confrontation were either killed or disappeared overboard. As a result of the South Korean intervention, the Mongolian vessel was able to proceed safely. Members of the crew from the *Choi Young* quickly proceeded to recover the remnants of the hijackers' motorboat. Three rusty AK-47 rifles and an ammunition magazine were retrieved, along with three small iron ladders for boarding and various tools, including a screwdriver, a spanner, and several fishing knives. The pirates had only six AK-47 rifles in total and three of them had now been confiscated. As such, the pirates had lost half of their firearms and about a quarter of their personnel.⁴⁷

After this engagement, the South Korean military decided to initiate a boarding operation, as intelligence reports suggested that the remaining captors were exhausted and that additional pirates were being dispatched from Somalia to reinforce them. The following day, at 0620 hours on 19 January 2011, an Omani naval vessel arrived to reinforce the *Choi Young*. A little more than an hour later the captured tanker changed its direction and by 0920 hours it struck a course south towards the coast of Somalia.

Final Operation

Fearing pirate reinforcements, the South Koreans decided to act. At 0458 hours on 21 January, rescue operations commenced. With the assistance of the US Navy destroyer USS Shoup, the South Korean commandos assaulted and boarded the Samho Jewlery from three rigid inflatable boats as part of Operation Dawn. Concurrently, the Choi Young's Super Lynx helicopter used its loud speakers to demand in Somali to the pirates: "Throw down your weapons. Then you will be spared." Lieutenant-General Lee acknowledged that the South Korean Joint Chiefs of Staff had taken advice from the Fifth Fleet – the US Navy division based in Bahrain – before the mission and that the raid was carried out with support from a US destroyer. He revealed, "Since we thought we could be in an extremely difficult situation if the pirates joined forces, we chose today to carry out the operation."⁴⁸

. As such, at 1056 hours, 1,300 nautical miles from the Somali coast, South Korean Navy commandos using fast attack boats and ladders boarded the target vessel while the Westland Super Lynx helicopter and the *Choi Young* provided covering fire. Once on board, the commandos fought a prolonged five-hour gun battle, clearing the ship compartment by compartment in search of pirates who were discovered scattered throughout the vessel. The entire 21 member crew were rescued, although the 58-year old ship's captain, Seok Hae-Kyun Seok, suffered multiple gunshot wounds at close range when he was shot by the pirate gang leader. He was immediately evacuated to a hospital in Oman and survived the ordeal.

Notably, Seok had been instrumental in the rescue of his ship through his actions of sabotage and deception. He had mixed water into the ship's engine oil to disrupt its propulsion and slow the vessel down. He had also steered the ship in a zig-zag pattern to stall for time while on its course to the Somali coast.

In total, eight pirates were killed in the raid and five were captured.⁴⁹ South Korean defence officials were convinced that their decision to launch the operation, which was triggered by the fact that the pirates seemed exhausted and weakened after being chased for a number of days by the destroyer, as well as a result of intelligence that indicated that another hijacked vessel was approaching, which could bring reinforcements to the pirates holding the tanker, was the correct course of action.

Nonetheless, most maritime analysts believe that this raid will not significantly alter the approach of the pirates. Moreover, most think it unlikely that the EU or NATO naval forces operating in the region will change the methodology of their operations. The consequences of such rescues can never be predicted and the risk to crew members on board, or being held hostage in Somalia, is always a serious consideration.

Aftermath

In the aftermath, Lieutenant-General Lee Sung-ho, chief of combat operations for South Korea's Joint Chiefs of Staff (JCS), called the rescue "a perfect military operation." The defence ministry also reported that none of the "South Korean Underwater Demolition Team special warfare troops" suffered any casualties during the operation, codenamed "Operation Dawn in the Gulf of Aden."⁵⁰ Officials also confirmed that eight of the thirteen pirates on board were killed, although their bodies had not been found, and that five were captured alive.

Additionally, Lee Sung-ho confirmed that the captain of the ship had suffered bullet wounds but that his condition was not lifethreatening. He also praised Seok for his actions in assisting the rescue. Lee Sung-ho stated, "Pirates sought to take the vessel to the Somalian coast fast but the skipper helped us earn time by manoevring the vessel in a serpentine manner."⁵¹

In a televised statement after the mission, South Korean President Lee Myung-bak noted that the military had "carried out the operation perfectly under difficult circumstances."⁵² He reaffirmed, "We will not tolerate any behaviour that threatens the lives and safety of our people in the future."⁵³

After the rescue, the bullet-ridden *Samho Jewlery* headed for the Omani port of Salalah, where the crew received medical checks before being flown back to South Korea. Seok was stabilized after five hours of surgery at a hospital in Salalah. Local Korean workers reportedly donated blood on his behalf. On 29 January, Seok was airlifted to Seoul Airbase in Seongnam, where he underwent an additional three hours of surgery at the Ajou University Hospital. The director of the hospital, Ryu Hee-sug, revealed that Seok's condition had deteriorated because of the onset of infection from six gunshot wounds.⁵⁴ He noted, "Things could have taken a turn for the worse had he stayed in Oman for a few more days. It was an appropriate decision to bring him to Korea for the surgery." Many have called Seok a hero for his actions during the hijacking. President Lee Myung-bak called the hospital to offer words of encouragement. He stated, "Many citizens have high expectations and are cheering [for you]."⁵⁵

The five captured pirates were flown to Seoul on 29 January and were taken to Busan the next day for trial. The defendants faced charges of maritime robbery, attempted murder and ship hijacking. During the interrogations, the pirates denied knowing one another, or who had shot the captain of the tanker, although investigators believe Mahomed Arai to be the gunman. On 2 February 2011, the crew of the *Samho Jewlery* arrived at Busan and later testified that they had been violently beaten by the pirates and threatened with death. Chief engineer Chung Mann-Ki revealed that the crew had secretly sabotaged the tanker's systems, including the rudder, in an effort to thwart the pirates.⁵⁶ Arai, 23, was convicted of shooting the ship's captain and received a life sentence. The other pirates received terms of 12-15 years.⁵⁷

In response to the rescue operation, Somali pirates announced that they intended to "seek revenge" for the South Korean Navy's actions. The pirates threatened that they would no longer attempt to hold South Korean flagged ships and sailors for ransom, but instead attack the ships and kill the sailors. Moreover, there were reports that pirates moved other Korean hostages off existing hijacked ships to inland locations.⁵⁸ The South Korean President, however, had anticipated such a reaction. In the aftermath of the raid, he appeared on television and praised the military for its actions in the operation and issued a warning that it would respond strongly to anyone who threatened the Korean people.⁵⁹ For the president the raid was exactly what he needed to fix the perception

that he was weak and ineffective. The media, and subsequently the public, saw the operation as a huge success. Reporters noted the strong response to the pirates in contrast to the South Korean government's reaction to several North Korean provocations that had occurred in previous months such as the bombardment of Yeonpyeong.

Concluding Remarks

Operation Dawn in the Gulf of Aden was arguably a successful anti-piracy operation. Since then there have been several others as nations have undertaken a myriad of steps to curtail the scourge of piracy. Nonetheless, although overall the focus on countering piracy has driven down the incidents of attacks, it has not completely eradicated the problem. Arguably, most maritime analysts would argue the problem will never be totally solved.

Herein lies the nexus with SOF. Although anti-piracy is not a core SOF task, nor would many SOF organizations eagerly volunteer to undertake the role, it is a task that could easily fall upon SOF and, in fact as this case study has shown, this has already occurred in a number of instances. After all, opposed boardings underway on the high seas, with potential hostages, is a complex operation requiring tactical skill, precision and daring. As such, much like the case of the *Samho Jewlery*, political imperative, for any number of reasons, may drive a SOF organization to undertake the task and/ or a specific operation. As such, due diligence dictates that SOF organizations remain cognizant of the trends in piracy and those operations undertaken to counter the scourge of the high seas. Colonel Bernd Horn, OMM, MSM, CD, PhD is an experienced infantry officer who has held key command and staff appointments in the Canadian Forces, including Deputy Commander of CANSOFCOM, Commanding Officer of the 1st Battalion, The Royal Canadian Regiment and Officer Commanding 3 Commando. He is the Director of the CANSOFCOM Professional Development Centre. Dr. Horn is also an adjunct professor of history at the Royal Military College of Canada and Norwich University. He has authored, co-authored, edited or co-edited 35 books and over a hundred chapters/articles on military history, leadership and military affairs.

NOTES

1 According to One Earth Future Foundation, Somali piracy cost the global economy \$7 billion in 2011, with ransoms reaching \$160 million.

2 The Samho Jewlery was built in 2001. It has a gross tonnage (GT) of 11,566 GT and is 145.5 metres long, has a beam of 23.7 metres and a draft of 9.7 metres. It is owned by the Acta Group in Norway the ship is registered in the port of Valetta Malta and operated by the Samho Shipping Company of Busan, South Korea. The Samho Shipping Company was facing huge losses because it was obliged to continue paying the Acta Group under its charter while the ship had been seized by pirates. Moreover, Samsung Fire & Marine Insurance had insured the ship for up to \$45 million, however, their reinsurance policy through the Korean Reinsurance Company would not cover "war risk."

3 The Samho Dream had a crew of 24, five of whom were South Korean and 19 were Filipino. *Team@oceanuslive.org*, "South Korean Special Forces kill eight Somali pirates, capture five in the Indian Ocean as MV crew rescued," http://www.oceanuslive.org, "South Korean as px?uid=00000170>, accessed 18 September 2011; and "South Korea rescues *Samho Jewlery* crew from pirates," BBC online, 21 January 2011, http://www.bbc.co.uk/news/world-africa-12248096>, accessed 18 September 2011.

4 "South Korea rescues Samho Jewlery crew from pirates," The Hindu, 21 January 2011, http://www.thehindu.com/news/international/ article1108391.ece>, accessed 18 September 2011.

5 Pirate prone regions include: the Caribbean Sea, West Africa (i.e. Gulf of Guinea, particularly Nigeria and Benin), South East Asia and the Indian Sub-Continent (i.e. Bangladesh, Malaysia, South China Sea, Vietnam); and Gulf of Aden and Somalia. Britta Rinehard, "International Maritime Piracy and Armed Robbery," *Civil-Military Fusion Centre Report*, April 2012, 2-3.

6 Christian Oliver, "South Korean forces retake hijacked ship," *Financial Times*, 21 January 2011, http://www.ft.com/cms/s/0/52b5e464-2534-11e0-93ae-00144feab49a.html#axzz1YLZRQV73, accessed 18 September 2011.

7 In an attempt to find a universal understanding of the term "piracy", the United Nations included its definition in the United Nations Convention on the Law of the Sea (UNCLOS) on 10 December 1982. Part VII Article 101 states that piracy consists of any of the following acts:

- any illegal acts of violence or detention, or any act of depredation, committed for private ends by the crew or the passengers of a private ship or a private aircraft, and directed;
 - i) on the high seas, against another ship or aircraft, or against persons or property on board such ship or aircraft;
 - against a ship, aircraft, persons or property in a place outside the jurisdiction of any state;
- b) any act of voluntary participation in the operation of a ship or of an aircraft with knowledge of facts making it a pirate ship or aircraft;
- c) any act of inciting or of intentionally facilitating an act described in subparagraph (a) or (b).

In their 2009 annual report, IMB defined piracy and armed robbery for statistical purposes as, "an act of boarding or attempting to board any ship with the apparent intent to commit theft of any other crime and with the apparent intent or capability to use force in the furtherance of that act." This is much broader than the UNCLOS definition, since it includes attacks at high sea as well as within territorial waters. Britta Rinehard, "International Maritime Piracy and Armed Robbery," *Civil-Military Fusion Centre Report*, April 2012, 2. The International Maritime Organization (IMO) saw a need to define armed robbery, since many of these acts occurred within the jurisdiction of a state. UNCLOS's piracy description prevented "law enforcement to take action within territorial waters". Pirates would hijack vessels in international waters and

sail them into the territorial seas. IMO, MSC.1, Circular 1334, Piracy and Armed Robbery Against Ships, from 23 June 2009 defines armed robbery as follows:

Armed robbery against ships "means any unlawful act of violence or detention or any act of depredation, or threat thereof, other than an act of piracy, committed for private ends and directed against a ship or against persons or property on board such a ship, within a State's internal waters, archipelagic waters and territorial sea." Rinehard, 2.

8 Ibid.

⁹ "The Ransoming of the MV MaanCenaurus," Idarat Maritime, 18 June 2011. <http://www.idaratmaritime.com/wordpress/?category_ name=pirate-organizations-methods>, accessed 18 January 2011. Somali piracy gained international attention in 2008. Analysts say it was developed in response to the illegal and unregulated exploitation of Somalia's fisher resources by foreign vessels, which became prevalent after the fall of dictator Siad Barre in 1991. Some argue that many pirates sought to protect their territorial waters in the absence of an effective national coastguard and the disintegration of the nation's armed forces. Amber Ramsey, "Alternative Approaches. Land-based Strategies to Countering Piracy off the Coast of Somalia," *Civil-Military Fusion Centre*, November 2011.

10 "Somali pirates lose battle to South Korean commandos, but who's winning war?" , accessed 18 September 2011.

11 "Somalia: The Hidden Cost of Piracy," Idarat Maritime, 18 Jun 2011. <http://www.idaratmaritime.com/wordpress/?category_name=pirateorganizations-methods>, accessed 18 February 2012.

12 Rinehard, 1. 90 per cent of world trade is conducted by sea.

13 "PIRACY: The EU naval force said it would not conduct raids out of fear for the safety of hostages, despite recent successful raids by the South Korean and Malaysian navies," *Taipei Times*, 24 January 2011, http://www.taipeitimes.com/News/world/archives/2011/01/24/2003494305/2, accessed 18 September 2011.

14 Amanda Giampaolo and Erin Foster, "Changes in Maritime Practice as a Result of Piracy in the Gulf of Aden," *Civil-Military Fusion Centre*, September 2011.

15 Rinehard, 2-3.

16 Ibid., 5.

17 "The Strange Voyage of the MV Sinar Kudus," http://www.idaratmaritime.com/wordpress/?category_name=pirate-organizations-methods, accessed 26 March 2012.

18 Somali pirates are reportedly switching back to smaller cargo and fishing vessels as "motherships," to evade detection in the face of growing maritime security. Reuters News, "EU Helicopters strike pirate base on land," 15 May 2012; and Brooks Tigner, "EU sanctions further counter-piracy measures," *Jane's Defence Weekly*, 9 May 2012, 4. In March 2012, the EU extended the mandate of the EU NAVFOR until December 2014. It also expanded its area of operations to include the coastline itself.

19 In 2006, the maximum range of attacks was approximately 165 nautical miles. In 2011, a ship was hijacked 1,100 nautical miles from the Somali coast – only 500 nautical miles from the coast of India.

20 "Large Pirate Support Vessels – 'LPSVs," Idarat Maritime, 30 December 2010. < http://www.idaratmaritime.com/wordpress/?category_ name=pirate-organizations-methods>, accessed 18 February 2012. There are also other advantages to using a large merchant vessel as a mothership. It can support more attack craft and pirates than a dhow; the accommodations are relatively comfortable; and the ship normally has a full suite of navigation and communication aids, as well as radar. 21 Giampaolo and Foster.

22 Steven Jones, "New Pirate Tactics," *Maritime Security Review*, 8 March 2011, , accessed 31 October 2011. The attack was actually thwarted by four armed former Spetsnaz veterans who were hired as security guards for the ship.

23 Nick Childs, "Navies struggle with 'swarming' pirates," *BBC News*, 1 April 2010, http://feraljundi.com/1552/somalia-pirate-trainingswarm-tactics-and-the-expansion-of-piracy-operations/, accessed 31 October 2011.

24 Cited in Noah Shachtman, "Exclusive Interview: Pirate on When to Negotiate, Kill hostages," http://www.wired.com/dangerroom/2009/07/exclusive-interview-pirate-on-when-to-negotiate-kill-hostages/, accessed 6 November 2011. He also explained, "Armed men are expensive as are the laborers, accountants, cooks and *khat* suppliers on land. During long negotiations our men get tired and we need to rotate them out three times a week. Add to that the risk from navies attacking us and we can be convinced to lower our demands."

25 CNN Situation Room, 25 January 2012; and Shachtman, "Exclusive Interview: Pirate on When to Negotiate, Kill Hostages."

26 Shachtman, "Exclusive Interview: Pirate on When to Negotiate, Kill Hostages."

27 Mohamed Ahmed, "Somalia pirates undaunted by navy patrols," 16 April 2010, <http://feraljundi.com/1552/somalia-pirate-trainingswarm-tactics-and-the-expansion-of-piracy-operations/>, accessed 31 October 2011. A luxury car dealer who used to loan vehicles to pirates told Reuters he had given up his business and now invests cash directly in the pirate companies to generate bigger returns when the ransoms are eventually dished out.

28 Al Jazeera reported in 2008 that nearly 10 million tones of nuclear and toxic waste had been dumped in Somali waters causing an array of

medical problems among the inhabitants of the northeastern coastal areas of Somalia.

29 Amber Ramsey, "Alternative Approaches. Land-based Strategies to Countering Piracy off the Coast of Somalia," *Civil-Military Fusion Centre*, November 2011.

30 Ibid.

31 The EUNAVFOR operating under Operation Atalanta, is responsible for escorting merchant vessels carrying humanitarian aid of the World Food Program (WFP) and vessels of African Union Mission in Somalia (AMISOM). EUNAVFOR also protects vulnerable vessels in the Gulf of Aden and Indian Ocean, deters and disrupts piracy. In addition, EUNAVFOR also monitors fishing activity off the coast of Somalia. "MV SAMHO JEWLERY pirated in the Indian Ocean," http://www. eunavfor.eu/2011/01/mv-samho-jewelry-pirated-in-the-indian-ocean/, accessed, 18 September 2011.

32 "PIRACY: The EU naval force said it would not conduct raids out of fear for the safety of hostages, despite recent successful raids by the South Korean and Malaysian navies," *Taipei Times*, 24 January 2011, <http://www.taipeitimes.com/News/world/archives/2011/01/24/ 2003494305/2>, accessed 18 September 2011.

33 Ibid.

Reuters News, "EU Helicopters strike pirate base on land," 15 May 2012; and Brooks Tigner, "EU sanctions further counter-piracy measures," *Jane's Defence Weekly*, 9 May 2012, 4. On 23 March 2012, the EU extended the mandate of the EUNAVFOR until December 2014. It also augmented its mandate of escort duties and counter-piracy manoeuvres to include an expanded area of operations inclusive of the coastline itself, specifically attacks against pirate shore-based assets.

35 An issue of concern for the EU nations with regard to private security companies providing armed guards on vessels is the fact that

heavy weapons will be in the hands of non-governmentally sponsored military, para-military or police personnel. As such, one EU government official explained, "We will only allow this if done by armed guards in whom the government has confidence." He elaborated, "they must be experienced and not rookies. And they will have to be trained or vetted by our military or police experts to ensure a proper level of competence and conduct." Reuters News, "EU Helicopters strike pirate base on land," 15 May 2012; and Brooks Tigner, "EU sanctions further counter-piracy measures," *Jane's Defence Weekly*, 9 May 2012, 4.

36 The military option is preferred since they have clear, established rules of engagement and less risk of legal issues in the event of fatalities. Ship owners are responsible for paying the cost of the deployment of the soldiers. Ramsey, "Alternative Approaches. Land-based Strategies to Countering Piracy off the Coast of Somalia." Despite the successful efforts, the most crucial enabling factor for piracy is sanctuary. "Without sympathizers, protectors, financiers, and indeed customers, pirates would not be able to function," noted Dr. Patrick Lennox author of a Canadian Defence and Foreign Affairs Institute report. He asserts that Somali piracy "is sustained by the existence of safe haven on shore, from where pirates can launch attacks and seek refuge." Cited in Ramsey, "Alternative Approaches. Land-based Strategies to Countering Piracy off the Coast of Somalia."

37 Giampaolo and Foster.

38 Ramsey, "Alternative Approaches. Land-based Strategies to Countering Piracy off the Coast of Somalia." A University of Oxford study noted that although naval forces do provide a deterrent effect, it only lasts 24-48 hours in the Gulf of Aden. The report states that since the monetary incentive is so high for the pirates they will remain at sea until they achieve a successful hijacking or run out of fuel. Ironically, once they run out of fuel they claim to be distressed obligating warships to come and rescue them in accordance with the international protocols on saving lives at sea. Giampaolo and Foster. 39 Ramsey, "Alternative Approaches. Land-based Strategies to Countering Piracy off the Coast of Somalia."

40 "Somalia: The Hidden Cost of Piracy," Idarat Maritime, 18 Jun 2011. http://www.idaratmaritime.com/wordpress/?category_name=pirate-organizations-methods, accessed 18 February 2012.

41 Ibid. The seafarers themselves are not the only ones to suffer. To put more pressure on shipping companies to pay up quickly, pirates sometimes called families and threatened to kill their loved ones if ransom was not delivered soon. "There have been cases where the hostage has been forced to call his family, and is beaten while his family listens on the phone."

For example, on 25 May 2007, Somali pirates tied Chen Tao, a 42 Taiwanese fisherman who was taken hostage when the Qingfenghua 168 was hijacked on 18 April 2007, to a post and shot him six times. His murder was committed with the express purpose of forcing the owner of the vessel to pay a ransom. The pirates warned the owners that more seamen would be killed if they did not agree to terms. The owner had previously refused to pay the pirates US \$300,000.00. Prior to the killing of Chen the hostages were beaten three to four times a day. In addition, three of the 30 crew of the Taiwanese tuna fishing boat, the Win Far 161, held captive from 6 April until 11 February 2010, died of malnutrition, disease and neglect before the ship was released. Another example is Wagdi Akram, the third officer of the small RO-RO vessel Iceberg 1, which was hijacked outside the port of Aden on 29 March 2010. He jumped overboard in a fit of dementia on 27 October 2010. He had been locked up in a space only five metres square, about the size of a prison cell with 23 other crewmembers. "Those Poor Unfortunates: the Plight of Hostages off Somalia," Idarat Maritime, 1 January 2011. http://www.idaratmaritime.com/wordpress/?category_name=pirate- organizations-methods>, accessed 18 February 2012.

43 "Somalia: The Hidden Cost of Piracy," Idarat Maritime, 18 June 2011. http://www.idaratmaritime.com/wordpress/?category_name=
pirate-organizations-methods>, accessed 18 February 2012. 44 *Team@oceanuslive.org*, "South Korean Special Forces kill eight Somali pirates, capture five in the Indian Ocean as MV crew rescued," <http://www.oceanuslive.org/main/viewnews.aspx?uid=00000170>, accessed 18 September 2011. The Cheonghae Unit is a Republic of Korea Navy anti-piracy unit operating as part of the US led Combined Task Force 151.

45 "South Korea rescues Samho Jewlery crew from pirates," BBC online, 21 January 2011, http://www.bbc.co.uk/news/world-africa-12248096>, accessed 18 September 2011.

46 The three commandos were evacuated to a hospital in Oman. Colonel Lee Bung-Woo, a spokesman for the Joint Chiefs of Staff, stated, "Three of our soldiers suffered light scratches on their bodies as they were fired upon by pirates on Tuesday." He described, "Our Lynx helicopter immediately returned fire and several pirates fell into the waters. We believe they are dead." Some sources state there were six pirates in the motorboat. *Team@oceanuslive.org*, "South Korean Special Forces kill eight Somali pirates, capture five in the Indian Ocean as MV crew rescued," http://www.oceanuslive.org, "South Korean as pr?uid=00000170>, accessed 18 September 2011.

47 The Idarat Maritime Monitoring Group noted that pirates increasingly were getting access to small numbers of man-portable surfaceto-air missiles and a growing number of night-vision equipment. It noted that the night vision equipment was an invaluable aid to pirates making night attacks, and that the man-portable surface-to-air missiles, could protect motherships from helicopter assaults. "Somali Piracy," Idarat Maritime, 16 July 2011. http://www.idaratmaritime.com/ wordpress/?category_name=pirate-organizations-methods>, accessed 18 February 2012.

48 "South Korea rescues *Samho Jewlery* crew from pirates," BBC online, 21 January 2011, http://www.bbc.co.uk/news/world-africa-12248096>, accessed 18 September 2011.

49 Team@oceanuslive.org, "South Korean Special Forces kill eight Somali pirates, capture five in the Indian Ocean as MV crew rescued," <http://www.oceanuslive.org/main/viewnews.aspx?uid=00000170>, accessed 18 September 2011. One source put the distance at 700 nautical miles from the Somali coast.

50 Ibid.

51 "South Korea rescues *Samho Jewlery* crew from pirates," BBC online, 21 January 2011, http://www.bbc.co.uk/news/world-africa-12248096>, accessed 18 September 2011.

52 Ibid.

53 Ibid.

54 South Korean Coast Guard chief Kim Chung-kyu stated that the investigation found one of the bullets retrieved from Seok's body appeared to match that of the Navy, indicating that he had also been hit by friendly fire.

55 "Pirates threaten revenge on S Koreans," *Taipei Times*, 24 January 2011, http://www.taipeitimes.com/News/world/archives/2011/01/24/2003494305/2, accessed 18 September 2011.

56 Ibid.

57 "Somali pirates face long terms in S. Korea," World News," 17 September 2011, <http://www.upi.com/Top_News/World-News/2011/09/17/Somali-pirates-face-long-terms-in-S-Korea/UPI-25211316296337/>, accessed 18 September 2011. The detainees have since complimented the legal system, food, and prison conditions in South Korea.

58 "Pirates threaten revenge on S Koreans," *Taipei Times*, 24 January 2011, http://www.taipeitimes.com/News/world/archives/2011/01/24/2003494305/2, accessed 18 September 2011. A pirate from Garad who called Reuters and identified himself as Mohamed asserted,

"We never planned to kill but now we shall seek revenge. We shall never take a ransom from Korean ships, we shall burn them and kill their crew. We shall redouble our efforts. Korea has put itself in trouble by killing my colleagues."

59 "Pirates threaten revenge on S Koreans," *Taipei Times*, 24 January
2011, http://www.taipeitimes.com/News/world/archives/2011/01/24/2003494305/2, accessed 18 September 2011.

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