

CONTACTS

If you would like to know more about the work that UNODC is doing in support of piracy prosecutions, please see www.unodc.org/unodc/en/piracy/index.html

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Front Cover: Puntland Police Commissioner, Ali Noor, and UNODC training new prison staff recruits in Gardo Prison.

Below: Puntland Police Commissioner Ali Noor visiting piracy prisoners in Montagne Posse Prison in Seychelles



COUNTER PIRACY PROGRAMME

Support to the Trial and Related
Treatment of Piracy Suspects

Issue Nine: July 2012

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UNODC Counter Piracy Programme

UNODC's Counter Piracy Programme, now in its fourth year of operation, is continuing to support the criminal justice professionals of states in the region that are dealing with Somali piracy. The police, prosecutors, judges and prison staff of Kenya have worked to deliver 18 trials involving 147 suspects while their colleagues in Seychelles have 14 cases in progress involving 118 suspects. UNODC is pleased to be delivering training, equipment and logistical assistance to all stages of the process to ensure that Kenya and Seychelles are able to meet their own high standards of fairness and efficiency.

In March this year the first transfer of prisoners from a regional prosecuting state took place. Seventeen convicted pirates, arrested by the Seychelles Coast Guard and tried in the courts of Seychelles, volunteered to be transferred to a prison in Hargeisa, Somaliland which was constructed by and is mentored by UNODC. It was a significant achievement by Seychelles, Somaliland, Working Group II of the Contact Group on Piracy Off the Coast of Somalia and UNODC to get in place the infrastructure, the staff training, the laws and the logistical support to ensure that the transfer went smoothly. It is a template for the future: ensuring that regional states do not have to hold foreign prisoners in the long term and that Somali prisoners

have access to their own culture, their families and appropriate skills training during their prison sentences.

In this, the Ninth Edition of the UNODC Counter Piracy Programme Brochure, we look in detail at the hand over process between navies and the regional prosecuting states. In particular, we set out the support that UNODC gives to each transfer to ensure that they are conducted efficiently and with proper regard to the rights of the suspects being transferred. UNODC has supported transfers in Kenya and Seychelles by air and from the sea over the last 3 years and we are continually working to improve the support that we give to the international navies and local police forces. The brochure also looks in detail at the work that has been done under the joint EU/UNODC programme for the support of piracy prosecutions in Mauritius to ensure that the country was ready in all respects to take piracy suspects for trial from 1 June 2012.

Alan Cole
Programme Coordinator
Counter Piracy Programme

Feature Stories

Mauritius



Mauritius to accept agreed piracy suspects from June 1 2012. UNODC has been working hard to assist the authorities prepare. See pages 14 and 15.

Repatriations



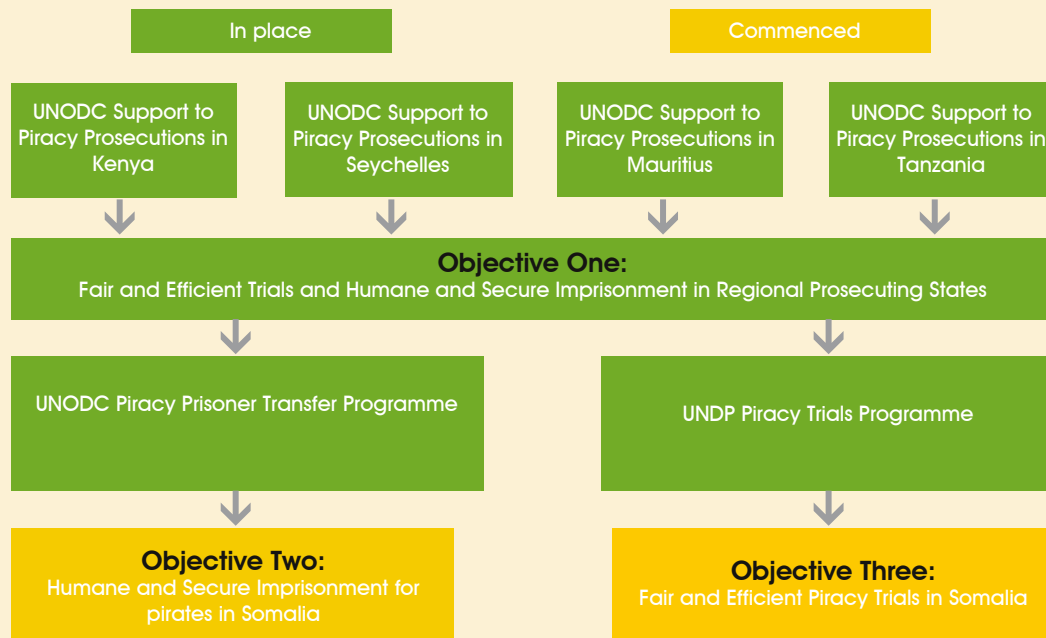
Somali pirates are being repatriated from Seychelles. Read more on pages 6 and 7.

Seychelles



UNODC is committed to helping nations deal with Somali pirates fairly and efficiently. See how on Pages 8 and 9.

Counter Piracy Strategic Plan



Somali Regions Agree on New Prison Laws

A draft law regulating the operation of Somali prisons has been agreed to by a law reform group set up under the Kampala Process. The nine-member technical committee, comprising three representatives each from Somalia's South Central region, Puntland and Somaliland, made the historic agreement in Copenhagen in March.

UNODC's legal expert Shamus Mangan hailed the agreement as another major step forward by the group, which has met six times to establish consistent laws and regulations concerning piracy and prisons across the Somali regions.

“The work done by this group is a great example of cooperation between the three Somali regions,

and of UNODC's practical support to improving criminal justice in Somalia,”

- Shamus Mangan

The delegates work in the Attorney General Offices, judiciaries and prison services of each of the three regions.

In May 2010 the group agreed upon a draft law criminalising piracy and in February last year it agreed on a draft law providing for and regulating prisoner transfers. In March the draft Piracy and Prisoner Transfer Laws agreed upon by the group were enacted in Somaliland.

The law reform group will have its next meeting in June to review and agree upon prison regulations to complement the Prisons Law.

Addressing the Root Causes: Sustainable Livelihoods for Young People at Risk

The seas off the Horn of Africa and in the Indian Ocean have been the theatre of increased acts of piracy during the last five years, posing a serious threat to regional security and development. The pirates are mostly young people coming from fishing communities living along the coast of Somalia and the hinterland. Many, for a lack of better opportunities, engage in piracy as a way of sustaining their lives. The UN Secretary General has observed that “in the longer term the issue of piracy and armed robbery at sea will be resolved through only an integrated approach that addresses the conflict, lack of governance and absence of sustainable livelihoods on land in Somalia”.

As part of this integrated approach, UNODC has made a strategic decision to address some of the on-land root causes of piracy by working with some of these young people at risk. It is therefore shifting some of its activities to the health sub-programme of its Regional Programme “Promoting the Rule of Law and Human Security in Eastern Africa”, given the experience obtained in the running of similar activities in Kenya and elsewhere.

This Sustainable Livelihood programme will build on our advocacy work in Somalia, and synergize with other United Nations agencies working with youth at risk. It will sensitize host communities on the value to provide economically viable livelihood opportunities to their young people as a deterrent to engagement in criminal activities. Young people will be provided with Start Your Business training and with seed money to start micro-entrepreneurship activities in a number of sectors. These will be identified and defined through close consultation and partnership with the selected host communities and with the young people themselves.

It is expected that these incentives for a better improved economic status for young people at risk will on one hand be a reinforcement factor to adopt civil behaviours, and on the other reduce the pool of disenchanted youth constituting the breeding ground for piracy activities.

- Dr Rey Chad Abdool



Sustainable livelihood in Kenya: UNODC has been providing training with ILO in the generation, understanding and analyses of business ideas as well as strengths, weaknesses, opportunities and threats- analysis. In the picture, solar lamps are sold by individuals recovering from drug use who have received training in sales as well as repairing and maintenance. They are given 56 lamps which generate revenue to invest in new lamps.

Somaliland

Koshin's Correctional Classes

Somaliland prison officers are being taught basic literacy and numeracy skills as part of UNODC's ongoing support to the Correctional Corps. The first group of 20 students - six women and 14 men - receives 40 hours of tuition a month in Hargeisa Prison from UNODC's Ahmed Koshin, an expert with years of experience as a tutor in Canada. A total of 66 officers have been selected to take part in the course.

"The purpose of this pilot training is to acquaint participants with the fundamental knowledge and skills required to teach reading and writing effectively to adult native speakers of Somali," Mr. Koshin said. The pilot course will run for three months.

"The response from most of the officers has been very positive. Most of the officers are very eager to learn and they want to advance themselves," Mr. Koshin said.

"Many have said to me: 'This is a unique opportunity and we have to take full advantage'," he said.

The aim is to educate all prison officers in Hargeisa prison before introducing a similar programme into Mandera prison, the second Somaliland prison where pirate prisoners are kept.

The overall objectives include identifying and training some students to be tutors themselves, with UNODC continuing to provide support and assistance. General knowledge and vocational training courses are also planned, once the general literacy levels rise to an appropriate level.

"This is a unique opportunity and we have to take full advantage"

- Somaliland prison officer



Helping hand: Ahmed Koshin with his prison officer students learning literacy skills.

Seychelles

Focusing on Money Flows.

UNODC held an Analytical Training Programme in Seychelles recently for 11 Seychellois detectives and other police officers involved in financial investigations.

The two-week course focused on enhancing the ways in which police officers compile, analyse and use data to investigate complex crimes. The students were also trained in the use of specialist analytical computer software which is used worldwide as an invaluable tool in criminal investigations.

UNODC's Police Advisor Menno Kersbergen, who is on temporary deployment from the Netherlands' Royal Marechaussee, said the students were very enthusiastic and worked well both individually and in syndicates.

“At the end of the second week everyone was able to practice what was taught”

- Menno Kersbergen

“Although the specialist software is not very easy to learn and students only had a short time to do so, at the end of the second week everyone was proficient,” he said.

“The syndicates turned out to be very creative and inventive during various case-studies. The presentations were of a high level and showed the students had made great progress in a short time,” the Lieutenant Colonel said.

UNODC analytical expert Miroslav Prljevic shared his knowledge with the students and was able to discuss a number of fascinating cases.

To determine how much the students had gleaned from the course, they were tasked with analyzing a hypothetical case of piracy, which provided many new insights based upon what was learned. The analytical charts generated during training may well be used on actual piracy cases in future.

UNODC also handed laptops, printers and software to the Seychelles Police to enhance their analytical capabilities in piracy and other cases.



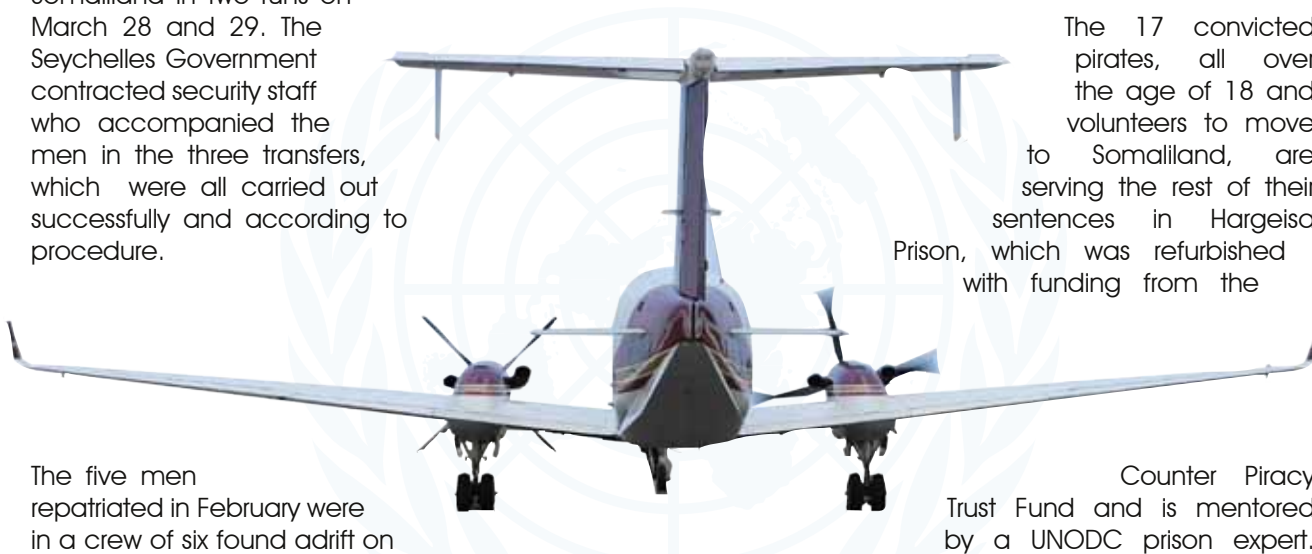
Graduation Day: UNODC's analytical expert Miroslav Prljevic congratulates a police officer at the completion of the course. He is flanked, from left, by Seychelles Police spokesman Jean Toussaint, UNODC's Police Advisors Menno Kersbergen, Bruce Bursik and Seychelles Superintendent Godfra Hermitte.

Homeward Bound

Two groups of Somalis have been repatriated from Seychelles to Mogadishu and Somaliland, easing overcrowding in Seychelles Montagne Posse prison and allowing the men to be closer to their families etc. The repatriations from Seychelles happened on February 9, when five men found at sea were repatriated to Mogadishu, whilst a further 17 convicted pirates were sent to Somaliland in two runs on March 28 and 29. The Seychelles Government contracted security staff who accompanied the men in the three transfers, which were all carried out successfully and according to procedure.

The repatriations of the 22 men involved personnel from the prison, police, immigration, health and customs services in Hargeisa, Mogadishu and Seychelles, as well as airport security and airport management. UNODC's Counter Piracy Programme trained prison officers in Seychelles and Somaliland and assisted with the prisoners' departures and arrivals.

The 17 convicted pirates, all over the age of 18 and volunteers to move to Somaliland, are serving the rest of their sentences in Hargeisa Prison, which was refurbished with funding from the



The five men repatriated in February were in a crew of six found adrift on the high seas last year in very bad health by Norwegian merchant vessel *Tanux 1*. Their vessel was peppered with bullet holes, and one of the rescued men has been extradited to Belgium in relation to a piracy case.

Counter Piracy Trust Fund and is mentored by a UNODC prison expert. They are alongside 300 local prisoners and report that they are pleased to have access to their own culture, food they are familiar with and staff who speak their language. They are looking forward to visits from their families.

“ The 17 convicted pirates . . . are serving the rest of their sentences in Hargeisa Prison. ”



Going home: Somali prisoners under escort as they prepare to leave the Seychelles.



Checking in: Somaliland prison staff, trained by UNODC, register the new inmates from Seychelles.



Terra firma: The prisoners about to disembark at Egal International Airport, Hargeisa, Somaliland.

Taking off: One of the aircraft used to transport Somalis back to their homeland.



How We Help: When Prisoners are Handed Over...

For more than three years, UNODC's Counter Piracy Programme has worked intensively in the East Africa region supporting countries which have had to endure the onslaught of piracy in the Indian Ocean region.

UNODC has provided expert support to Seychelles, Kenya, Mauritius, Tanzania, Maldives and Kenya in the form of training, mentorship and providing equipment for police investigators, prosecutors, coast guard officers, judges, court staff, prison officers and even building prisons, police facilities and courtrooms.

Prison officers, judges, prosecutors, police officers and coast guard personnel from these affected countries have travelled internationally to boost their expertise and enhance their operational capabilities – some travelling from the region as far as the UK and Australia.

UNODC has also funded international prosecutors to help prosecute pirate suspects in the Seychelles. The assistance extends to funding defence counsel for the suspects, who cannot afford a lawyer, to protect their fundamental legal rights.



Over To You: The British Navy hand over a Somali suspect to the Seychelles' authorities, 2011.

...and in Court

Prison officers', police officers' and prosecutors' learning exchanges for Seychellois, Tanzanian, Mauritian, Maldivian and Kenyan staff have been held in Mombasa, Victoria, Port Louis and Nairobi, leading to dramatically enhanced capabilities to cope with increasing numbers of piracy suspects being brought ashore.

These dramatic photographs depict the support – and practical impact – this ongoing support has delivered to those involved in legal systems in the East Africa region. UNODC is committed to continuing this vital work.

The Trial



Piracy trial in Seychelles overseen by representatives of Working Group II.

Providing an infrastructure to support regional criminal justice institutions



UNODC is renovating or constructing ten prisons, five courtrooms, three police stations and two ministries of justice. These snapshots capture some of the important work we're doing.



Exchanging Ideas

Prison officers from Kenya, Mauritius, Seychelles and Tanzania met with their Norwegian and British colleagues in a lively and information-packed learning exchange in the Seychelles recently.

UNODC's prison expert Mie Eek-Larsen organised the exchange with Seychelles Deputy Prisons Commissioner Will Thurbin. The exchange focused on managing Somali prisoners, juveniles and those on remand, as well as respecting prisoners Human Rights. Other practical subjects included communicating effectively with prisoners and searching.

The exchange also looked at building all the shared low cost ideas from the participants into a practical model that they could take back to their respective countries for consideration.

"From day one we looked at creating a good prison with few resources," Ms Eek-Larsen said. "It became obvious to the participants that you don't need a huge amount of resources or money to ensure that your prison culture is rich with very good ethical behaviour, high standards in terms of treating prisoners and their needs, and, of course, professionalism.

UNODC Kenyan Somali interpreters Abdullahi Salat and Said Abdirizak gave interesting presentations on the background to Somali piracy and Somali culture.

The five women and 16 men were fortunate enough to be able to visit Montagne Posse Prison and speak with prison staff and prisoners including a number of



Where is it?: Students search for contraband in a simulated prison search exercise.

Somali pirates. They also were able to look around the 60-bed prison block built and opened by UNODC last year to build capacity in the prison, to cater for the influx of convicted Somali pirates and suspected pirates on remand.

Several UK prison officers who have been working in the Seychelles prison system for two months were able to impart their knowledge and experiences from British prison system and from their work in the Seychelles. They were able to tell the other participants that the Somali Pirates that they had been working with directly were largely compliant, respectful and easy to manage.

"You don't need a huge amount of resources or money to ensure that your prison culture is rich"

- Mie Eek-Larsen



Standing firm: Some of the students in uniform.

At the end of the course the participants fed back that the Exchange had been a very worthwhile experience that had stimulated ideas, improved their prison skills and widened their network of professional prison practitioners.

Ms Eek-Larsen is a Norwegian assistant prison governor currently working for 12 months in UNODC's Counter Piracy Programme.

Captive Audience

FLANKED by two vehicles full of armed police officers, two UNODC prison experts made the two-hour trip from Garowe to Gardho in Puntland recently to deliver two days of training to 60 newly employed prison officers.

Mie Eek-Larsen and Johnny Skogstad, both Norwegian prison officers deployed to the Counter Piracy Programme for 12 months, shared their expertise with the new recruits as part of UNODC's continued efforts to assist the authorities in the Somalia region as they struggle to deal with the effects of piracy.

Security is tight in Puntland and in recent weeks there have been a number of violent crimes in the Gardho area but this did not deter the two mentors.

The recruits are completing a four-week initial course and UNODC's involvement is in response to a request by Puntland Custodial Corps Commissioner Ali Nour Omar.

"We concentrated on four topics: first aid, prisoners' rights, the role of the officer and searching," Mr Skogstad said. "The recruits were very receptive

- they wanted to learn! Even though we had an overcrowded classroom, high temperature and no electricity – the activity inside the classroom was high!"

"To be able to deliver a class for so many at once is also a bit complicated. You need to engage everybody. To make the classes as interesting as possible, we tried to be as practical as possible. Both first aid and searching need practice to perfect. We divided the recruits into groups of 4 or 5, and they worked in those groups outside the classroom."

"It surprised us in a positive way that so many wanted to discuss or express their opinions. One recruit gave a spontaneous speech, emphasizing the importance of knowing about security, prison officers' responsibilities and prisoners' rights. He said that they had learned a lot and that they hoped for more training in the future. They want to be professional, therefore knowledge and training is important."

The training will continue in August, giving the new recruits 14 days of extended training.



Eyes front: The Puntland Correctional Corps new recruits absorbing vital information provided by UNODC.

A Driving Force in Seychelles



New wheels: Two officers proudly display one of the vehicles provided by UNODC.

FIVE new police vehicles were recently handed to the Seychelles Police Force. UNODC organised the purchase and handover of the vehicles which will be used in counter piracy operations as well as general policing. Three Ford Ranger Double Cab Pickup 4x4s and two Ford Ranger Station Wagons were handed over in Victoria, the capital of Seychelles, in May.

Seychelles has been inundated with more than 100 Somali pirates and suspected pirates in the past few years, stretching policing resources and placing a strain on the country's economy.

The UK Government provided the funding for the vehicles. One double-cabin vehicle has been re-fitted with two kennels for the Dog Unit and one station wagon has been customised to accommodate equipment from the Scientific Support Unit.

Bruce Bursik, UNODC police advisor to the Seychelles who is stationed in Victoria, said the vehicles would be used in all aspects of policing.

'The Seychelles Police Force had a real need for additional vehicles to facilitate their work. This need was recognised by the international community and UNODC is proud to have played a role in the donation of these vehicles to the Seychelles Police Force, as part of our continued support to the Government of the Seychelles,' Mr Bursik said.

Seychelles Chief Superintendent Philip Cecile said the police were delighted with the new vehicles. '(They) have come at a most opportune time; a time when the police force is stepping up its effort to render a better service to the people of the Seychelles and for that we are extremely grateful. We promise you that they will be put to great use.'

Two more vehicles are due to be delivered this month and form the latest part of a substantial assistance programme to the Seychelles Police.



Mauritius

Agreement on transferring Somali pirates

On 25 May, Mauritius held talks with authorities from the TFG and Puntland State of Somalia regarding agreements to transfer Somali prisoners. Puntland was represented by the Minister for Ports and Commander of Puntland Custodial Corp. TFG were represented by the State Minister for Justice, Head of the Appeal Court and Piracy Coordinator. The talks were supported by the Working Group II Chair and by UNODC, who organised the travel of the Somali delegates to Mauritius and provided an interpreter for the talks. At the completion of the talks both the TFG and Puntland signed an agreement and MOU respectively with Mauritius on the transfer of prisoners.

The agreements allow for Mauritius to transfer Somalis convicted of piracy to Somalia to serve their sentences and is a positive step forward for UNODC's Piracy Prisoner Transfer Programme.

UNODC also organised for the Puntland delegates to travel to Seychelles to visit Somalis convicted of piracy there, to inspect their prison conditions and identify candidates for future possible transfer to Puntland. The Puntland delegates were impressed with the prison conditions, which are the result of significant UNODC support to Seychelles prison. The Puntland delegates reported their favourable impressions at a meeting with the Seychelles Minister



Breaking news: UNODC's Abdirizak Jama translates for TFG State Minister Ahmed Abdullahi Husein on Mauritian TV.

for Interior Joel Morgan, where they discussed cooperation between Puntland and Seychelles on various aspects of counter piracy measures, including prisoner transfers. On the completion of the prison visit, many piracy prisoners submitted a request to be transferred to Somalia.

In addition to visiting the prison and meeting the Minister, the Puntland delegates had the opportunity to watch a piracy trial, and see first-hand Somali pirates being prosecuted in Seychelles.



Signing up: Puntland Counter Piracy Minister Saeed Rage signs on behalf of Puntland. Madame Fong Weng-Poorun, Senior Chief Executive of the Mauritian Prime Minister's Office, is on his left.

Joining an exclusive club

Mauritius officially joined the fight against piracy on 1st June, 2012, agreeing to take suspected pirates for trial from that date. Mauritian waters have not yet been breached by pirates but given the enormous distances pirates travel across the Indian Ocean, Mauritius wants to be prepared.

UNODC's police advisor Menno Kersbergen recently joined his colleagues in a learning exchange in Port Louis, attended by Mauritian, Seychelles, Kenyan and Tanzanian police officers. Bruce Bursik, UNODC's police expert in the Seychelles for the past 18 months, gave presentations on how to conduct interviews using interpreters while Bill Cullen, UNODC's prison advisor in Mauritius discussed how to ensure maximum security in both police and prison cells while simultaneously ensuring the highest ethical and humanitarian standards.

The course participants gave presentations, outlining the challenges they face in fighting piracy and highlighting the legal and other issues they have to deal with as well. The Seychellois and Kenyan officers who had been involved in a number of piracy cases were able to share their stories with their Mauritian and Tanzanian counterparts.

UNODC's interpreter Said Abdirahman gave a fascinating presentation on Somalia, discussing the country's history, culture and social mores while Mombasa CID's Millicent Ouko outlined her experiences in dealing with Somali pirates in Kenya over the past eight years.



Family Photo: Colleagues engaged in piracy investigations meet in Mauritius to exchange experiences and receive expert training.

Many Thanks

The workshop run by UNODC in Mauritius came at the right moment, whereby the Republic of Mauritius is prepared for the first trial of suspected pirates in our courts.

The UNODC team came and conquered the hearts and minds of the regional countries in the Indian Ocean such as Kenya, Tanzania, Seychelles and Mauritius by their valuable contribution in the handling of pirates on our land.

We the participants are really fascinated by the UNODC resource persons for their commitment, concern and facilities in enhancing cross-pollination of ideas and knowledge towards the fight against piracy to make the Indian Ocean a safer ocean for mariners.

We are brothers in arms with the same goal and our mission is to fight piracy and make our case prosecutable before our court of justice and culprits are sentenced accordingly.

A big word of thanks and appreciation from the Mauritian delegation and our kind gratitude to the competent UNODC team for their lectures and advice. Rest assured that our delegation will carry back in our suitcases all the instructions and guidelines which will definitely assist our Mauritian police officers in the conduct of their enquiries before the case is presentable before a court.

We wish the UNODC team all the very best in their mission and looking forward to work and share our experiences in a near future.

"Bonne Continuation!"

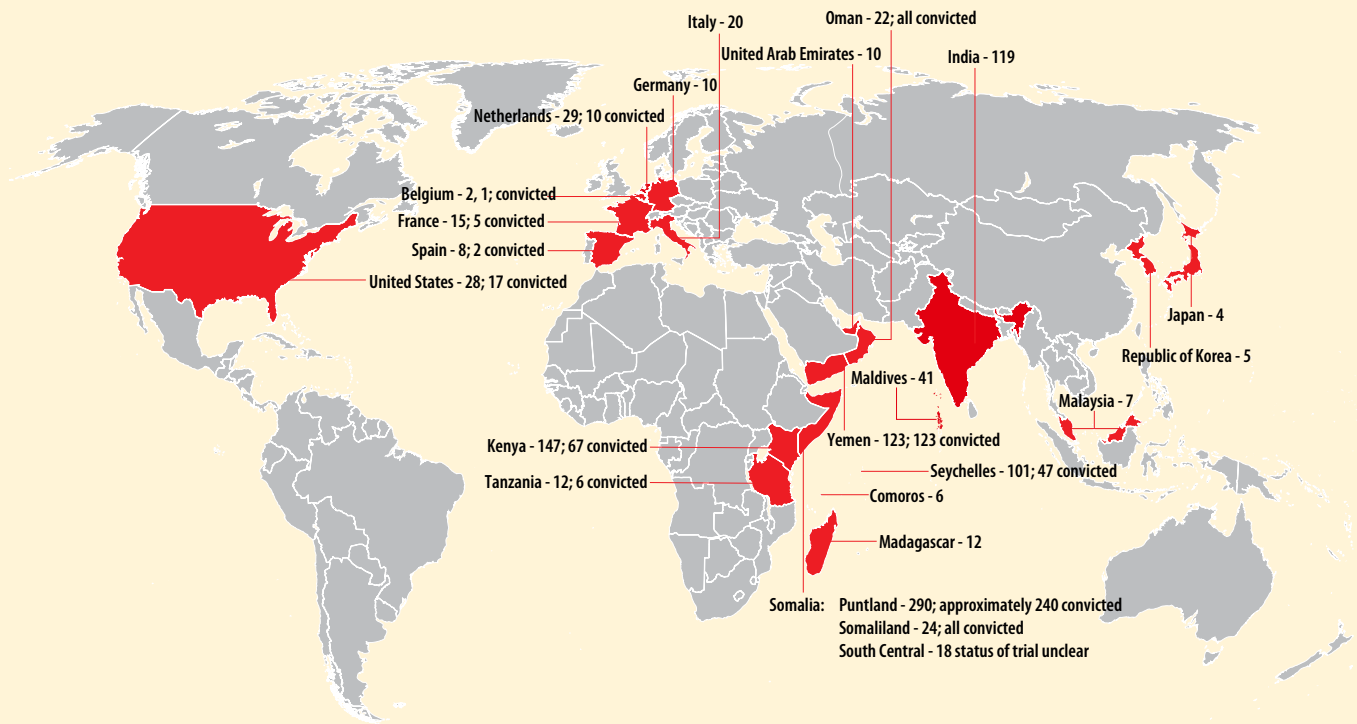
A letter of appreciation from the Mauritian contingent after the course.



The course highlight was a simulated pirate handover exercise on Mauritian Coast Guard vessel Vigilance. This exercise was conducted to give a practical display of the issues and problems police officers can face when accepting suspects from navies who have captured them at sea.

Piracy Prosecutions Worldwide

1045 suspects or convicted pirates held in 21 states



Not all information on the status of those in custody (i.e. convicted or on remand) was available at the time of printing