

Synopsis

The strategic limitations of counter-piracy operations in the Gulf of Aden (GOA) are disadvantaged by the legal incoherence in both the international and institutional context which navies attempt to adhere to. This paper aims to highlight the phenomenon where strategic capability by military forces in the GOA is limited by a legal obscurity or lack overarching agreement, forcing commanders and state leaders to err on the side of caution to the detriment of fighting piracy in the region. This includes analysis of the strategic difficulties in counter-piracy operations, legal approaches thereof, and the broader problem of securing the waters of Somalia; the world's most failed state.