

International Piracy On High Seas

The issue of International Piracy on the High Seas is one that is quite widespread. The coasts of Africa, the Persian Gulf, the Strait of Malacca and the coasts of Northern South America are known areas where pirates operate. The most affected of these areas is the East Coast of Africa and the Persian Gulf. According to recent reports, these are the most active pirate sites in the world.

A map of known pirate presence and pirate attacks, both successful and unsuccessful.

The transport routes of commercial ships are often targeted by the pirates. There are parts of these routes that require speeds which are lower than usual, mostly due to navigation difficulties and traffic. In turn, it makes these ships prime candidates for the scene of a pirate boarding. Pirates also tend to operate in waters where there is a high mobility of trade ships but a small sized navy belonging to the nation in control of these waters. This makes evasion easier for the pirates, who also flee to waters belonging to another nation in order to avoid capture. This occurs mostly in regions where there are predominantly developing or underdeveloped nations.

Measures for dealing with this problem have generally been confined to military actions by sending coalition navies to areas of high-pirate activity. This, however, does not solve the problem of recurring piracy which also must be addressed as a part of this issue. The social aspects of this issue must be considered as well.

Many of those who become pirates have not chosen their circumstances. Extreme poverty and hunger has lead many local fishermen to take up this profession as it seems to be the only solution to sustain their families. In many cases, the pirates are uninterested in demanding a ransom for the crew of the ship but rather settle for stripping them of their personal belongings and emptying the ship's safe.

To achieve a solution to this issue, several things must be taken into consideration. The first of these is a multilateral approach. It is necessary to cooperate when solving this issue especially as we see that pirates operate across the set sea-borders and venture into international waters.

Secondly, the social aspect is extremely important. A great amount of pirates come from unstable regions that are wrought with poverty and hunger. To end the "supply" of pirates, the social problems of certain nations must be addressed. This may be prove to be quite difficult as some nations are hesitant to foreign involvement within their own territory, but it stresses the necessity for transparent cooperation between nations.

Thirdly, one must look at the military involvement of this issue. As mentioned before, armed force has been widely used to combat the threat of piracy around the world. The presence of armed force is important, but what must be discussed is the use of such

force. Should there be lethal weaponry aboard these vessels or just sufficient weaponry to repel pirates? Or, should the vessels only be used to intimidate the pirates? These are points that should be addressed.

Finally, the economic aspect of this issue is quite important. Many nations have their main tool of import/export through financial shipping. These nations lose huge sums every year due to pirate attacks. The estimated total for combined losses due to piracy lies at approximately \$13-16 billion annually. Some might crave financial compensation for their losses and others might ask for changes of the major shipping routes. These are all equally important aspects which should be taken into consideration.

Definition of Key Terms

Piracy

Piracy is defined as war-like activities by private persons who engage in criminal activities at sea. The following acts are considered as a part of piracy: boarding, hostage taking, shipwrecking, robbery, kidnapping, extortion, murder, sabotage and seizure of items of a ship.

Terrorism

Terrorism is defined by the United Nations as “any action, in addition to actions already specified by the existing conventions on aspects of terrorism, the Geneva Conventions and Security Council resolution 1566 (2004), that is intended to cause death or serious bodily harm to civilians or non-combatants, when the purpose of such an act, by its nature or context, is to intimidate a population, or to compel a Government or an international organization to do or to abstain from doing any act”. Piracy is often regarded as an act of terrorism.

Commerce Raiding

A form of naval warfare where fast, well-armed naval vessels attack enemy commercial ships

International Boundaries

The line or frontier area separating political divisions or geographic regions

Commercial Routes

A passage across a body of water from one port to another used mainly for trade and transport

IMB (International Maritime Bureau)

A department of the International Chamber of Commerce, whose main task is ensuring the safety and integrity of international naval trade by safeguarding it against malpractice and fraud

Pirate Hot-Spot

This term refers to an area that holds a great deal of pirates. It also relates to their main area of operation and where the greatest increase and source of pirates are.

Background Information

Evolution of piracy

The first recorded acts of piracy were in the 13th century BC. It started as quite a primitive method of boarding ships and either killing the crew or taking them as slaves. Pirates have always had the common enemy of the governments of the nations of the world. They have been often perceived as outlaws and have been treated as such. This includes the punishments which, like the initial acts of piracy, were quite primitive. Those found guilty of piracy were sentenced to death, executed during their capture or forced into slavery themselves.

The piracy was quite widespread, as it is now, but there were certain areas that were of special focus. The colonies of the major empires i.e. the Arab, the British, the Dutch, the Spanish and the French were often targeted, as they were the sites of large trade shipments. They were also targeted because of the lack of response they could provide, seeing as they were colonies. In the modern age, the underdeveloped nations are those who are the "hot-spots" of pirate activity.

Since the dawn of piracy, it has evolved immensely in terms of tactics, weaponry and choice of target. From targeting small fishing vessels at random and using sharp sticks and bows and arrows, the pirates now use stealth-like tactics, using different types of heavy and light weaponry to attack container ships, tankers and general cargo ships.

As a response to this, the approaches from governments have equally evolved. There is a much greater united front against piracy than before. Despite the issue of international boundaries and international waters, nations have updated their methods for dealing with pirates by applying law and order. The focus of rescue forces today is to secure the ship, its cargo and its crew and to deal with the pirates in a non-lethal way. Though there has been a high number of pirate casualties, the modern methods used today are constructed to avoid casualties, both pirate and hostage.

A final point concerning the pirates is their social background. Pirates in the earlier centuries were often pirates out of free will. Some saw it as their calling, while others

saw it as the most profitable job available. Today, most of those who become pirates do so out of desperation. Many are forced into this profession as a last resort to sustain a starving family. Others do it because of the lack of employment opportunities in their country. However, it must be made clear that there are some pirates today who have chosen their profession out of free will. Though this is a minor part of the bands of pirates, these “voluntary pirates” are usually the most experienced and the leaders behind each faction.

Pirate Hot-Spots

There are numerous so-called pirate hot-spots around the world. Though piracy is an international problem, there are several regions where piracy is especially present. According to the IMB, who has catalogued all of the pirate attacks, the Gulf of Persia and the Gulf of Aden are subject to the most frequent pirate activity. This includes attempted attacks on both commercial and private vessels as well as successful attacks. The Strait of Malacca has also seen an increase in piracy and is the second largest pirate hot-spot.

Seeing as the Gulf of Aden/Gulf of Persia host many trade routes, this region has become especially important in combating the threat of piracy. The number of vessels passing through each year is estimated to be 33,000. The pirate activity in this region has escalated greatly since it first appeared as a result of the Somali Civil War. The majority of pirates operating in this region are of Somali nationality. Many of the pirates claim that their reason for becoming pirates is due to the lack of coast guard during the Somali Civil War. They claim it is their right to protect their own waters. Other pirates are fishermen who, due to external factors, have given up their profession as it can no longer sustain their families. These external factors are often illegal fishing or foreign vessels dumping toxic waste into their waters. This has reduced the amount of fish and, in turn, has decreased their chances of sustaining their families with this profession.

In the Strait of Malacca, the situation is somewhat different. The piracy began around the 14th century as local users used alliances with pirates to gain both political and military power. The use of pirates was increased between the 15th and 19th century as this region became colonized by the British, Portuguese and the Dutch. The increased presence of trade ships from these nations attracted many more pirates and the body of water spanning the South China Sea and the Strait of Malacca became riddled with the wrecks of ships either lost to storms, piracy battles or poor ship handling.

The increase of commercial traffic through the Strait drove people to piracy, along with poor economic circumstances. Local coastal villages were often used as safe-harbors which both the local pirates could use, but also Chinese pirates who had been cast out from China. It was not only the presence of colonial powers that made this area susceptible to piracy. This passageway was, and still is, important between India and China as was used as heavily as a trade route. In present times, this area is part of a Europe, Suez Canal, Middle-East and South East Asia route. Many oil-exporting

countries use this route. In addition to this, the Strait is quite narrow and shallow, which causes vessels to have to reduce their speed. There are many small islets in this area, which serve as perfect bases for pirates.

Current Situation

The current escalation of pirate activity, especially in the Gulf of Aden, has caused an equal escalation of military presence in these areas. The presence of many nations in this region has brought forth cooperation between nations, who previously have been weary of each other. The primary military presence in the Gulf of Aden is the CTF-150 along with Russian, Indian and Chinese vessels. These have combined their forces to patrol and oversee major parts of the Gulf of Aden. These nations have made agreements with the Somali government which allow them to approach the Somali Gulf without being inspected by the Somali Navy. In 2010, the Somali government also strengthened their efforts to combat piracy. This resulted in a drop in pirate attacks from 86 to 33 in a year. The pirates who were driven away have now settled in the Somali Basin and other parts of the Indian Ocean.

As of now there are 26 navies operating in the Gulf of Aden as either a part of the CTF-150, the Ocean Shield or the Atlanta treaty. This totals to approximately 65 ships, excluding the US 5th Fleet which also is present. The purpose of these ships is to patrol the waters, combat any possible pirate faction which is present and escort commercial freighters through the pirate-infested waters.

In the Strait of Malacca, there was a sudden decrease in the number of attacks from 2004-2006. The number shrunk from 79 to 50 in 2006. Keeping this in mind, the region still accounted for 40% of the piracy worldwide. In October 2007, IMB reported that this region was the world's most active pirate site with 37 attacks since January that same year.

As for the other pirate affected regions of the world, which includes the West Coast of Africa and the body of water around the Panama Canal, they are not so heavily populated by pirates. West Coast of Africa has almost been sidelined by the problems occurring on the East Coast of Africa. However, experts consider the threat of piracy there to be almost as great. According to the IMB, there were approximately 100 attacks here in 2009, though only 40 of them were reported. It seems the greatest issue here is creating awareness for this problem. The Nigerian oil industry is affected the greatest by this piracy.

The number of attacks in northern South America is relatively low compared to Africa and South East Asia. Since 2005, there have only been reported 10-12 attacks per year. The types of attacks and targets differ greatly as well. Whereas African pirates target freighters and heavy cargo ships, the South American pirates target private boats and yachts. They prey on wealthy individuals and resort to robbing the persons aboard the ship and emptying the safe.

There is a similar approach. There is much focus on a collaborative effort and targeting pirate strongholds using both combat and alternative methods. It is difficult to compare the result of the different regions that are faced with piracy, in terms of reducing the numbers, as the means provided and the number of pirates, vary so greatly. It can however be confirmed that there is clear connection between the presence of military forces and a reduction of the number of attacks in the regions.

Self-protection

Before the full threat of pirates was realized, the preferred way to deal with pirates was to avoid them at all costs. The use of radar, both primitive and more advanced forms, is a standard procedure when dealing with pirates. This is mostly for warning other vessels of possible pirate sightings and alerting patrolling ships of the threat. Other non-military measures include fortifying merchant vessels against boarding attacks. Examples of this are installing a high free-wall or implementing vessel boarding protection systems (e.g. automated fire monitors, slippery foam or hot water walls).

Traditionally, trade vessels in the 20th and 21st centuries would not have any armed crewmembers or military forces aboard. However, the United States government has recently altered their policy concerning this, dispatching a team of armed guards along with allowing crews to basic weapons training. They have also approved firing warnings shots. The idea of equipping ships with remote-controlled weapons systems has also been considered.

Major Countries and Organizations Involved

United States of America

The US is quite evolved in combating the threat of piracy, especially in the Gulf of Aden. As other nations have only sent several ships, the US has dispatched an entire fleet to resolve this problem. They have also encouraged merchant vessels to be armed. Key issues that the US has addressed on this issue are a coordinated response, actions by naval and legal consequences.

Somalia

Somalia is one of the most affected countries by piracy due to the fact that most of the piracy in the world occurs on its coastline. Since the Somali Civil War there has been much unrest in the nation but through the Transitional Federal Government several grass-root institutions have been restored and renewed focus has been placed on uniting the nation. The efforts to deal with piracy have been weakened by the small size of the Somali navy. The Somali government has cooperated with nations who operate in this region in order to patrol their waters.

India

India loses many million dollars annually to the problem of piracy. This includes actions by Indian pirates and Somali pirates. Due to the presence of foreign navies in the Gulf of Aden, many of the pirates have moved closer to the Indian mainland. A recent survey has shown a fivefold increase of piracy in India in the past year. India is well represented in the Gulf of Aden as one of most the prominent forces. They see it as a necessity to oversee such a vital part of their trade route.

China

Though China has been active in the Gulf of Aden, sending numerous battleships, they must still face the issue of piracy in the South China Sea. The Chinese navy has since 2008 been quite active in the escort of both Chinese and other ships. The rate of pirate attacks has tripled since 2009 with most of the pirates operating off the coast of Indonesia. There has been no multinational presence of battleships in South East Asia. This possibility should be discussed with China at the forefront.

Indonesia

The waters encompassing Indonesia has been dubbed the new pirate hot-spot due to alarming increase of pirate activity in the region. Since the devastating tsunami in December 2004 and two destructive earthquakes in 2005, the number of pirates has increased. Though there was a slight decrease as the region was flocked with international rescue workers, the numbers are still great. The Indonesian navy has not been deemed adequate to deal with the threat of piracy. Indonesia has realized this and has repeatedly pleaded to the international community for aid.

Combined Task Force 150 (CTF-150)

This is a multinational coalition force, with the main objective of maintaining peace in the Gulf of Aden, especially in the Maritime Security Patrol Area. Members of this task force include Republic of Korea, Canada, Denmark, France, Germany, Pakistan and Singapore.

Ocean Shield

NATO's contribution to the international efforts to combat Piracy in the Gulf of Aden.

EU Naval Force (EU NAVFOR)

The main task of this coalition is to deal with the threat of piracy nationwide. The force contains battleships from many European nations. Sweden have been designated leadership of this force and has presented with the task of dealing with the Somali pirates.

Timeline of Events

Date Description of event

April 10, 2005 A liquefied petroleum gas tanker was seized by Somali pirates. Notably the first vessel to be hijacked by Somali pirates off the coast of Somalia

November 5, 2005 Luxury American cruise ship was attacked by Somali Pirates off the coast of Somalia

April 4, 2008 French luxury yacht is seized off the coast of Somalia. This prompts the Security Council to pass a resolution enabling the patrolling of Somali Waters

25 September, 2008 A Ukrainian vessel carrying arms was intercepted on its way to Kenya by pirates off the coast of Somalia. Aboard the ship was tanks and heavy weaponry.

November 15, 2008 Somali pirates capture the supertanker MV Sirius Star, 450 off the coast of Kenya. The ship carried crude oil to the value of \$100 million and is considered to be the largest tonnage vessels seized by pirates

July 24, 2009 A Finnish vessels is captured off the coast of Sweden. The pirates had disguised themselves as policemen. This was the first hijacking in northern European waters.

April 1, 2010 An American missile frigate is attacked off the coast of the Seychelles by pirates from a small skiff. The missile frigate returned fire and pursued the skiff into submission, capturing the mother ship at the same time.

Relevant UN Treaties and Events

The Situation in Somalia, April 27th 2010 (S/RES/1918)

The Situation in Somalia, January 28th 2010 (S/RES/1910)

The Situation in Somalia, June 2nd 2008 (S/RES/1816)

The Situation in Somalia, 30th November 2009 (S/RES/1897)

Previous Attempts to solve the Issue

There have been frequent attempts of solving the problem of piracy around the world. The methods used have similarities but there are some differences.

In South East Asia, the measures taken to reduce the number of pirates include technology, naval and air patrols. The technology used here refers to security alert systems of vessels carrying 500 gross tons or more. This also acts as a real-time ship locating device. In addition to this, the Federation of Asian Ship-owners' Associations (FASA) has set up a database system that provides information on location, types of attacks and outcomes. This system, Information Sharing Center (ISC), is part of 14-nation pact to combat pirates. This is a useful method and could be expanded to encompass the entire world.

In the Gulf of Aden, many foreign ships operate as patrol ships and escort ships. This has severely reduced the number of pirates but it has not hit the source of the issue. If the problem is to be fully solved, it is necessary to target the pirate bases that are often located on the mainland, bordering the bodies of water riddled with pirates.

Possible Solutions

To achieve a sustainable solution to this problem there are several measures and approaches that need to be considered. If these measures are deemed necessary and appropriate they should be applied.

Measure 1: including more nations in the cooperation

To deal with this issue, there is a definite need for co-operation. We have already seen the positive effects of this in several areas where piracy is a major issue. As this has been deemed as a valid approach it should be furthered and applied in a more widespread manner. However, though much of the co-operation, as of now, is solely between nations who have sent ships to pirate infested areas, it is equally important to include the nations bordering the affected body of water. They can provide both useful harbors and can be used to locate pirate safe havens hidden on the coastline. New agreements should definitely be considered and perhaps even revising earlier agreements to include more affected nations. This is a crucial step in creating a solution.

Measure 2: addressing the social issues that cause piracy

The second aspect which needs to address is to deplete the source i.e. social problems. It has been indicated that most pirates are those who are forced to turn to piracy by hunger and poverty. Others have jobs which they can no longer practice, such as fishermen, and with which they can no longer support their families. The reason for the hunger and poverty is instability in several nations that share the common problem of pirates. Change is needed in this area. There must be focus on the drawing unemployed and homeless away from the pirate profession. Instead, they should be trained to another profession and given other opportunities. This would however be at the expense of the nations involved. This could cause some fuss over lack of funds, but could easily be solved by a joint fund, partially funded by the UN.

Measure 3: an increased military action

The third element to this problem is the military action needed. As of now, there is little hunting of pirates and the weaponry used is merely a show of force or used to repel pirates. The question is whether or not more aggressive tactics should be implemented. Should there be searches for pirate safe havens or bases? Weaponry could also be discussed. As of now only light weaponry has been used. Some have the opinion that heavy weaponry should be used and that the diplomatic approaches should be dropped completely. A final aspect of this element is the combination of land and naval forces. This has not been implemented before, but could be a valid solution. Should there be troops, either UN or national, patrolling the coasts in search of pirates or is this a breach of national sovereignty?

Measure 4: helping with ransom funding and finding alternative trade routes

Lastly, there is an economic aspect of this issue to consider. The affected areas are often parts of major trading routes. Many funds have been lost due to pirate attacks leaving nations with great losses. There is not only the loss of cargo value, but also in paying the ransom for the captured crew. Some nations cannot afford this and are unable to aid the crews of their ship. A solution to this would be to create a fund that would assist poorer countries i.e. LEDCs in paying ransoms.

A second side to this problem is the routes. Though it is extremely dangerous to use the current major trade routes, they are still used by all major shipping nations. This is because there are very few alternatives. What should be researched here is the possibility of redirecting ships away from dangerous areas, but finding new routes. An example of this would be the new passage that is being used that borders the northern ridge of Russia from the North Sea through the Arctic Ocean and to the North Pacific Ocean.

All of these are aspects that should be brought up by resolutions and delegates during debate on this topic. A multilateral approach to this problem is the key to solving it.