PIRACY AND MARITIME SECURITY
REGIONAL CHARACTERISTICS AND POLITICAL, LEGAL AND ECONOMIC IMPLICATIONS

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ABSTRACT

While many people believe piracy to be something daring and magical, as depicted through Hollywood movies, the reality is that piracy is a real and ever-growing threat to seafarers. Ships of all trade, military or civilian, are at the risk of attack at any given moment, and pirates are becoming more and more ruthless in their actions. Piracy affects its victims in many ways, including emotionally and physically. One of the most important and least understood impacts of piracy is its financial cost.

Piracy is considered a critical maritime security threat in the world. In ancient times, the main drivers of piracy were raiding for plunder and capture of slaves; however, in modern times, developments in politics, economics and even military technology have drastically altered the universal crime of piracy. There are a variety of motives behind modern day piracy including economic gains from receiving ransoms from governments or shipping companies, political and even terrorist reasons. However, it cannot be denied that piratical attacks persist and continue.

Efforts are being taken by States at the international as well as regional level to combat piracy. At the international level, piracy is addressed in several legal frameworks. The primary legal

framework is contained in the 1982 United Nations Convention on the Law of the Sea, which allows Member States to address piracy in their national legislation.

This paper will examine the adequacy of legal frameworks at both the international and regional levels in order to address the current legal measures for combating piracy. Furthermore, it will discuss current challenges in the implementation of anti-piracy measures at the international and regional levels.

***Keywords*:** Maritime, Legal Challenges, Piracy, International Law, International Politics, Economy,

INTRODUCTION

Anne Bonny. Blackbeard. Captain Kidd. During the golden age of piracy (1690–1725), they and others like them roamed the oceans, preying on merchant ships at will. Today, however, most Americans are more familiar with Captain Hook (Peter Pan's nemesis), Jack Sparrow (Johnny Depp's character in the hit Disney movie Pirates of the Caribbean), and Long John Silver (the fast food chain named for the villain in Robert Louis Stevenson's Treasure Island). Even Captain Henry Morgan, one of the most notorious pirates of all time, now is better known as a slightly mischievous pitchman who hawks spiced rum.

Many people, the phrase maritime piracy evokes images of a one-eyed sailor drinking rum and singing obscene songs, or like Hollywood actor Johnny Depp, wearing a headband in a scene from the film Pirates of the Caribbean. But maritime piracy is not just an action movie.

I watched *Captain Phillips* during the month of April 2018. It is a good film combining Hollywood action with sufficient grounding in fact to justify the "based on real events" tag.

But as those of us know, it is untypical. The presence of American nationals among the crew of the *Maersk Alabama* triggered an overwhelming military response involving a number of U.S. warships and snipers from the covert U.S. Navy SEALs. In the finest traditions of the film industry it contains plenty of heroics and a happy ending; but it is untypical and because of that

it does not serve seafarers well. For the vast majority of the ships' crews who are the victims of piracy there is no Hollywood ending.

Modern day pirates may not poses the fictional characteristic of historical pirates but they still exist and have become a thriving business making million annually from the increasing amount of ransoms paid.[1] Estimated of $150 million worth of ransoms in 2008 alone[2] that accrued from piracy. Further, an estimate of $18 billion in 2010 was made by Somalian piracy[3]. For instance, pirates received $1 million as ransom after they captured a German ship and its crewmember in 21 August 2008.

Due to financial cost it has placed on the maritime industry and world's economy as a whole during the first two decades of the 21st century, it has led to being on the top agenda of international policy makes. An estimate of $18 Billon in 2010 according to the 2013 World Bank Report on Somalian piracy.[4] Maritime piracy has become an increasing problem that has affected both commercial and private shipping, especially in the coast of Somalia, Nigeria and South East China. Central to the discipline of the maritime transportation service industry is the human element, specifically the seafarers with regards to this research paper, which drives its efficiency.

Maritime piracy poses a great threat to seafarers' lives on board ships, a threat greater than the wild and unpredictable temper of the seas' weather. During pirate attacks, the crewmembers of the victim ship endear not only physical but also psychological abuse, therefore violence to seafarers during pirate attacks is an important issue in Maritime safety and security.

Given pirates' status as pop culture icons, it almost always comes as a shock when people learn that real pirates still exist. Equally unknown are the steps being taken to thwart, capture, and prosecute them. Yet despite these efforts, piratical attacks have increased sharply in recent

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[1] Laura Barry & Benjamin Staver, "A Study in Maritime Piracy", 7 May, 2009. Available at https://www.wpi.edu/Pubs/Eproject/Available/E-project-050709-150551/unrestricted/A_Study_in_Maritime_Piracy.pdf.

[2] Robyn Hunter, "How Do you pay for Pirate's ransom?",*BBC News*, 3 Dec 2008.

[3] Panos Koutrakos, Achilles Skordas, *The Law and Practice of Piracy at Sea: European and International Perspectives*, Hart publishing, 2014

[4] Ibid.

years. What accounts for modern-day piracy? Where does it occur? And what can be done to stop it?

The UN Convention on the Law of the Sea defines piracy as "illegal acts of violence or detention" committed on the high seas against ships or aircrafts. Piracy is a serious problem and it poses a real threat not only to the safety of vessels and their crews, but also to the economies of affected countries.

BACKGROUND

Romanticized by Hollywood movies and fictional novels, piracy is thus viewed by the majority of society, as a nonexistent threat in modern age. "Long John Silver" from the most famous pirate novel "Treasure Island" (1883) and "Jack sparrow" and "Captain Barbossa" from the most famous pirate movie "Pirates of the Caribbean: The Curse of the Black Pearl" (Walt Disney Pictures,2003), are just a few of the many fictional pirates authors and movie directors bring to life in their work.

Piracy has existed for more than 3000 years, and references to it can be found in both The Iliad and The Odyssey. The term pirate dates from 140 B.C., when the Roman historian Polybius used the word peirato (in Latin, pirata means "to attempt"). In the 10th and 11th centuries, however, Norse raiders were known as "Vikings," while in medieval England, the word pirate was used to refer to just about any type of sea thief.

Pirates have become a symbol for menace and lawlessness. Historical records from over 2,000 years ago indicate that early civilizations, such as the Greeks and Romans, dealt with piracy. A story tells of Julius Caesar being ransomed by pirates, whom he returned to crucify; ancient Egyptian records tell of Cyprus being attacked by Lukkan pirates; Alexander the Great battled in vain against numerous pirates in the Mediterranean (Raffaele, 2007). Some civilizations, such as the Vikings, were based upon the attacking of other ships and raiding villages along coastline.

During the 17th century, West Indian pirates were called "buccaneers," due to the wooden frame (or boucan) used by French hunters to cook meat. When these hunters turned to piracy, they became boucaniers. To the Dutch, pirates were vrijbuiters (plunderers), while to the Spanish they were picaroons (rogues).

Despite its popularity, the word pirate does not accurately describe everyone to whom it is applied. In A.D. 100, the Greek historian Plutarch provided what has become the generally accepted definition of pirates: those who attack from ships without legal authority. In contrast, privateers (also called corsairs, from the Latin cursa, meaning "raid") are individuals who have been granted a "letter of marque" authorizing them to capture enemy merchant ships. Famous privateers include the Barbary corsairs, the Maltese corsairs (who operated under a letter of marque issued by the Knights of St. John), and Sir Francis Drake (1540–96), who enjoyed a long and profitable career as an English privateer.

According to some experts, piracy originated more than 2,000 years ago when sea robbers threatened the trading routes of ancient Greece, but in recent times it has been largely been confined to developing countries. The International Chamber of Commerce's (ICC) live piracy map illustrates how the Gulf of Aden has become a fruitful hunting ground for Somali pirates.

Like the Greeks, the Romans were among the early pirates and a famous early victim was Julius Caesar, who is said to have demanded that the ransom asked for his return be increased to reflect his worth when his ship was intercepted on a voyage across the Aegean Sea. England's most famous pirate – ahem, privateer – was Sir Francis Drake, who attacked Spanish treasure ships returning from the new world. The difference between privateers and pirates was that the former were lawful, authorised to pillage ships of enemy nations. In Drake's case the spoils were shared with Elizabeth I, who knighted him for his troubles.

The so-called golden age of piracy was from 1620 to 1720. The Mediterranean was stalked by Barbary pirates from North Africa between the 16th and 19th centuries. Many pirates became involved in the lucrative slave trade. A treaty outlawing privateering in the mid-19th century, patrols by British and Dutch warships and the bombardment of Algiers, destroying the power base of the Barbary pirates, significantly contributed to the decline of piracy. Another important factor was the advent of steam, which helped cargo ships leave pirates' vessels in their wake.

Life on a merchant ship in the Golden Age of Piracy was considered extremely harsh. Sailors were often underpaid on commercial ships. Pirate crews would receive portions of plunder, and were not held to obey national laws. Pirate captains, after capturing a ship, would ask for volunteers to join his or her crew. The desire for more pay (or plunder) was motivation for honest sailors to turn to a life of piracy (Royal Naval Museum Library, 2002).[5]

In recent times, piracy may have been glamorised by Hollywood in the Pirates of the Caribbean films, which hark back to the "golden age" of piracy, but it has never died out. In 1992, the ICC set up its Piracy Reporting Centre in response to attacks on ships in south-east Asia and the Caribbean. Political groups also hijacked ships, holding crews and passengers hostage.

FAMOUS PIRATES

Sir Francis Drake was a privateer for England, famous for his successful attacks on Spanish galleons for the Queen Elizabeth I. He eventually became mayor of Plymouth and earned a seat in the English Parliament. Held as a hero by the English and as a villainous pirate by the Spanish, Drake nevertheless is recognized for his cunning as a naval commander.[6]

Blackbeard, or Edward Teach, is possibly the most recognized pirate. Another privateer, Blackbeard was authorized by the English Queen Anne to attack French and Spanish vessels during the War of Spanish Succession. Named for his wild beard and hair, which he supposedly braided, Blackbeard used fear and intimidation to control his crew of approximately 250 pirates. His lack of discretion when capturing ships and taking hostages is also famous; one story tells of hostages, including women and children, being ransomed for medical supplies.[7] He eventually settled in North Carolina, where he was forced to battle against Royal Navy sloops. Killed by Lieutenant Robert Maynard, Blackbeard's death was a symbol of the end of the Golden Age of Piracy.[8]

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[5] Royal Naval Museum."A Brief History of Piracy."Available at from http://www.royalnavalmuseum.org/info_sheets_piracy.htm.Accessed on 6th May, 2018.
[6] Britannia.com. Francis Drake. Available at http://www.britannia.com/bios/gents/fdrake.html.Accessed on 6th May, 2008.
[7] Kirkpatrick, Jennifer, "Blackbeard: Pirate Terror at Sea", *National Geographic World*, November 1996, pp.6-10.
[8] Royal Naval Museum."A Brief History of Piracy."Available at from http://www.royalnavalmuseum.org/info_sheets_piracy.htm.Accessed on 6th May, 2018.

Ching Shih was a female Chinese pirate. She was not exceptional merely because of her gender – she supposedly commanded a fleet consisting of 80,000 pirates and 2,000 vessels. Known for her strict code of conduct, she would harshly punish anyone who disobeyed her. One crime, for which death was the penalty, was raping a female captive. Her fleet would target not only merchant ships, but also villages along the coast. She eventually was granted a pardon by the Chinese government, opened a brothel and gambling house, and died at the age of 60 (Vallar, 2008).[9]

MEANING AND CONCEPT OF PIRACY

The general definition of piracy is robbery or illegal violence at sea. Most of the time, piracy is a crime of opportunity. Pirates must have a target ship and ships are found in port and along shipping lanes. As early as trade occurred by sea, piracy also occurred. Ships with limited navigational abilities would travel near shorelines and those who inhabited the shore would intercept the ship and benefit from the cargo. Such raids were a normal part of survival and economic development during the early history of man.

The term pirate comes from the Latin *pirata* and from the Greek *peirates* meaning attacker. In describing archaic Eastern Mediterranean societies, Alfred P. Rubin claims, "The word '*peirato*' and its derivatives seem to be applied to traditional Eastern Mediterranean societies operating in ways that had been accepted as legitimate for at least a millennium."[10] In ancient times, Greco-Roman laws, developed for and by the Greeks and Romans to instill order and further their economy were either not recognized and/or understood by non-Greco-Roman societies. By means of Roman hegemony, Roman rules and laws were imposed on those they traded with or conquered. This became the base of Western culture. Rubin goes on to explain that the first recorded references were "not bound to 'piratical' acts on the 'high seas,' but to a conception of 'piratical' villages forming a society [poleis] on land that refused to accept Roman supremacy."[11] Thus, the label pirate was as much about an older tradition which was originally viewed as legitimate being no longer acceptable to the new order.

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[9] Vallar, Cindy. "Cheng I Sao." Available at http://www.cindyvallar.com/chengsao.html. Accessed on 16th April, 2018.
[10] Rubin, Alfred P., *The Law of Piracy*, University Press of the Pacific, Hawaii, Honolulu, 2006, p.6
[11] Ibid.

In early times protection of merchant shipping was provided by a combination of great empire power and the power of mercantilism. The ability of the large mercantile companies to have what were essentially their own private navies disappeared as the mercantile companies either ceased to be commercial entities or were transformed into modern corporations.[12] This left enforcement of order on the seas to state powers with capable naval forces. For many years the British navy was unmatched upon the seas. More recently a combination of United States and Soviet naval power dominated the oceans. Today, the most effective control is with cooperative international efforts.

Piracy should not be confused with Privateering whereby a privately operated vessel is authorized by a legal government to prey on enemy shipping. This authorization was communicated with a commission or a letter of marque which provided instructions for the conduct of the privateer. The privateer was allowed to keep a portion of whatever they captured as their payment for the services provided. In essence, the use of privateers was an economical way to compensate for lack of naval power. English privateering began in the 1200's when Henry III issued the first privateer commissions to vessels from certain English ports to attack the French. The commissions specified that half of what was captured was to be paid to the King.[13] This wartime practice of commissioning private ships became common practice among western powers as an adjunct to naval power and was adopted by other cultures that interacted with European colonial expansion. It should be noted however, that while the European powers clearly recognized their own privateers they often labelled the privateers of their opponents as pirates.

Piracy: An Old Fashioned Strategy

Piracy has been a part of societal concern long before colonial times. Contrary to popular belief, the first noted act of piracy came even before the infamous Vikings. The Sea Peoples were the first documented pirates of the 13th century, BC, who raided the Mediterranean and Aegean Seas.[14] Scandinavian bandits later arrived during the Viking Age through the Early Middle Ages. The Scandinavians, or Vikings, were famous for striking fear into the hearts of sea

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[12] Thomson, Janice, *Mercenaries, Pirates & Sovereigns*, Princeton University Press, Princeton, 1994, p.102

[13] Ibid, p.22.

[14] Edberhard Zangger, "Who Were The Sea People?," http://www.saudiaramcoworld.com/issue/199503/who.were.the.sea.people..htm (May/June 1995, Vol. 46, No. 3) Accessed on 4th April, 2018.

travelers near Western Europe and Northern Africa. Because there was no majority rule in this area and villages suffered from political turmoil, this offered a breeding ground for these particular brigands to thrive. If the Vikings were not occupied terrorizing towns and cities, they were capturing European ships which were out to sea. They would loot them for all their valuables before capturing the ship and/ or killing the crew.

Piracy truly began when commerce expanded across large bodies of water. Although sea trade began many years ago, it has evolved with development of new technology. Although sea piracy has adapted through technological means, the principles remain the same. Somalia pirates evolved from hijacking fishing vessels and stealing their catch, to quickly realizing there was a very lucrative future in targeting much larger commercial vessels. They were able to successfully conduct these operations with the use of more sophisticated weapons and transportation as the basis of their adaptation to current trends.

The Modern Day Pirate

It is now common for modern day pirates to be highly trained fighters. They utilize Rocket Propelled Grenades (RPGs), antitank missiles, automatic machine guns, hand grenades, global positioning systems (GPS), and satellite phones while at the same time utilizing a more modern and faster modes of transportation. Use of radar has also increased the range off shore which pirates can now reach. This increased range has allowed the pirates a chance to capture the larger commercial ships, but has also enhanced the burden on ships, crew, and the owners of these ships or companies. With the capture of larger ships, businesses are more willing to pay the ransom for which the pirates are demanding.

Unfortunately for companies, it is usually cheaper in the long run for them to pay out any ransoms than it is for them to lose their cargo along with their ship and crewmembers. To illustrate this phenomenon, consider the case of the Saudi supertanker, the *Sirius Star*, and her crew when they experienced such a situation on 15 November 2008. The supertanker and crew were captured by Somalia pirates more than 450 nautical miles off the coast of Kenya. The ship had an estimated value of over $150 million dollars. The value of the oil on board the vessel was valued at around $100 million dollars. The Somalia pirates demanded a ransom of

$3 million dollars, which was parachuted on board after more than two months of negotiations.[15]

By attacking larger ships, pirates were able to increase their ransom demands, and ultimately receive what they asked for. This is a perfect example of how piracy impacts the economy globally. Companies do not just hand over large amounts of cash and go on about their business. In reality, companies can expect to pay well into six figures for consultants, legal expenses, and cost of delivery of the ransom according to Clive Stoddart, head of the kidnap and ransom team at Lloyd's broker Aon. To ensure coverage, Stoddart advises ship owners to review their insurance coverage if vessels are transiting the Gulf of Aden or parts of the Indian Ocean, thus securing an adequate policy to cover them in the case they are attacked by pirates.[16]

The capture and release of the *Sirius Star* was a high profile attack with minimal damage. Unfortunately, other high profile attacks not only caused damage to ships and cargo, but also involved kidnapping of crews, and in cases when companies were forced to pay ransoms, they not only encouraged more kidnappings and attacks, but eventually funded weaponry and artillery to be used in future attacks. In one particular pirate attack, the ransom was tracked through Kenya and Ethiopia in forms of real estate. These investments were suspected of being used to house pirates, convicts, rebels, dirty money, weapons, etc.[17] These investments ultimately support the pirates in their criminal endeavors.

It was not until the Somalia civil war when Somalia rebels became a part of the piracy action, although they were earlier examples of piracy in Africa, such as that carried out by Nigerians in the 1970s and 1980s. After battling in the civil war, the Harti and Tanade clans broke away from the country and formed their own self-governed state in the northeastern portion of the country and called it Puntland. Puntland is the main base for these pirates. Currently there are approximately five gangs in this area. Each pirate group comprises of a total of at least 1,000

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[15]Ndumbe J. Anyu and Samuel Moki, "Africa: The Piracy Hot Spot and Its Implications for Global Security," *Mediterranean Quarterly*, Summer 2009, p.107.
[16] Pirates Resume Activity- and widen their net, http://www.lloyds.com/News_Centre/Features_from_Lloyds/News_and_features_2009/Market_news/Pirates_resume_activity_and_widen_their_net.htm. (November 2009).
[17] Christopher P. Cavas, "To Fight Pirates, Follow the Money: U.S. Admiral," *Defense News*. Accessed 10th April, 2010.

men ranging in age from 20–35 years of age.[18] Since the formation of Puntland, Somalia's coast has progressively climbed the chart as one of the most dangerous sea-lanes in the world in terms of maritime piracy.[19]

The popularity and extreme success of piracy off the coast of Africa can be credited to three sources. These three reasons are "poverty, the treaties governing maritime transport, and the absence of good governance or presences of failed states."[20] Some African countries have struggled to create not only an independent political structure, but an economic system to support it. Africans in coastal states that were vulnerable to the vagaries of the world economy and highly dependent on commodity export prices also frequently lacked reliable access to educational and economic opportunities. Thus, "illiteracy, a low standard of living, high rates of dependency, lack of opportunities for educational advancement, and a dependent economy contributed to the fostering of an overwhelming level of poverty in several African countries", which continue to affect the region to this present day.[21] When conditions became particularly tenuous, citizens of African coastal countries turned to the sea to find a new way to survive. Trade, both imports and exports and trade transported via coastal maritime routes, was a major source of revenue for most of these countries. As maritime trade picked up, some individuals, particularly where the rule of law was weak, realized that a valuable opportunity they presented itself. Raiding and looting of visiting and transiting ships or hijacking and then selling these newly acquired commodities for a profit became a way of life for some.[22]

Method of Attack

Four main methods of pirate attack on commercial shipping have been observed. These four types include robbery of a vessel at sea, hijacking of vessels, kidnapping for ransom, and attacks on vessels berthed in harbors or at anchor.[23] With more than 3,600 acts of international piracy and armed robbery at sea between 1998 and 2008, it is important to observe exactly how

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[18]Xan Rice, Lee Glendinning, "Pirates anchor hijacked supertanker off Somalia coast," Guardian.co.uk, November 2008, p.1.
[19]Ndumbe J. Anyu and Samuel Moki, "Africa: The Piracy Hot Spot and Its Implications for Global Security," *Mediterranean Quarterly*, vol. 20, no. 3, Summer 2009, p.103.
[20]Ibid, p.99.
[21]Ibid, p.100.
[22]Ndumbe J. Anyu and Samuel Moki, "Africa: The Piracy Hot Spot and Its Implications for Global Security," *Mediterranean Quarterly*, Vol. 20, No. 3, Summer 2009, p.100.
[23] Catherine Zara Raymond, "Piracy and Armed Robbery in the Malacca Strait: A Problem Solved?",*Naval War College Review*, Vol. 62, No. 3, Summer 2009, p. 31.

the acts were carried out as well as what the end results were (successful/ unsuccessful).[24] This is vital information because it provides specific details involving what types of people were involved in the piracy, as well as what their ultimate goals were. For example, in 1997, the Asian Financial Crisis led many civilians to explore alternative options to supplement lost income, including turning to piracy.[25] Fortunately, citizens did not change careers to piracy. These individuals were desperate to make ends meet and their pirate behaviors lasted for a short period of time. In turn, during the late 1990's and early into the new millennium, there was increased speculation that terrorists and pirates could begin to collaborate their efforts. In fact, when al-Qaida launched its attack on the twin towers, they were noted as "demonstrating that ordinary means of transportation could be utilized to carry out large scale attacks on economically important targets".[26]

Moreover, piracy became so successful because it was not only common practice, but also common knowledge, that commercial vessels traveled unarmed as well as traveling with a small efficient crew. This small crew allowed the cost to transport the merchandise from port to port to remain relatively low. Amateur pirates were aware of this information and used it to their advantage. Commercial vessels became easy targets with an endless supply of income.

Finally, in terms of maritime piracy, African government officials did very little to combat piracy. The corruption of the African governments, along with these agencies ignoring the cry for help from the owners of the commercial vessels under attack, and the reality that governments have assigned this problem a low priority status has only fuelled the frequency of attacks. When the pirates realized the corrupted governments were ignoring the crews cry for help, in a way they became more confident and not only increased the frequency of their attacks, but also increased the level of violence in their weapons they utilized.[27]

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[24] Matthew Chambers, "International Piracy and Armed Robbery at Sea," *RITA Bureau of Transportation Statistics: Special Report*, April 2010, p.1.

[25] Catherine Zara Raymond, "Piracy and Armed Robbery in the Malacca Strait: A Problem Solved?" *Naval War College Review*, Vol. 62, No. 3, Summer 2009, p.31.

[26] Ibid.

[27] Catherine Zara Raymond, "Piracy and Armed Robbery in the Malacca Strait: A Problem Solved?",*Naval War College Review*, Vol. 62, No. 3, Summer 2009, p.31.

MODERN DAY PIRATE: INCREASINGLY COMPLEX AND DANGEROUS

There's an old Greek proverb which says – "Where there is a sea there are pirates". From the pirates of 1600 looking for gold to earn a living to modern pirates with more complicated intentions, piracy has always prevailed in seas and oceans. Even though we still define them as "pirates", there has been a gradual transformation in their motives, level of aggression and even the technologies they used throughout the centuries.

Modern maritime piracy represents a considerably complex problem because it has many interconnections and poses several challenges for global governance. Piracy has posed a threat to all states' maritime interests for nearly as long as people have sailed the oceans.[28] States have long recognized the threat that piracy poses to political and commercial interests, as well as to human safety.

The IMO Annual Report (MSC.4/Circ.180 1 March 2012), concerning 2011, states that the number of acts of piracy and armed robbery against ships, which were reported to the Organization to have occurred or to have been attempted in 2011, was 544, an increase of 55 (11.3 %) over the figure for 2010.[29] From the Report, it emerges that the areas most affected in 2011, as in 2010, were East Africa and the Far East, in particular the South China Sea, followed by the Indian Ocean, West Africa, South America and the Caribbean. The majority of incidents occurred off East Africa, and these have increased from 172 in 2010 to 223 in 2011, thus returning to the same level as in 2009 (222 incidents).[30] As a consequence of the deployment of mother ships by Somali pirates and the increased range of their operations, the number of incidents occurring in the Arabian Sea increased from 16 in 2010 to 28 in 2011. However, the number of incidents in the Indian Ocean decreased from 77 to 63 in 2011. Despite the high number of Somalia-based piracy attacks, the success rate has been significantly reduced. Somali pirates attacked 172 ships in 2010 and hijacked 50 of them while in 2011 out of 286 attacks only 33 resulted in the ship being hijacked (success ratio

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[28]Rubin, A, *The Law Of Piracy*, Naval War College Press, Newport, 1988 and Haywood R, *Maritime Piracy*, Routledge, New York, 2011.
[29] Reports on Acts of Piracy and Armed Robbery Against Ships, International Maritime Organisation Annual Report, MSC.4/Circ.180 1 March 2012. Available at http://www.imo.org/en/OurWork/Security/PiracyArmedRobbery/Reports/Documents/180_Annual2011.pdf.
[30]Ibid.

11.5 %). In addition, the total number of incidents of piracy and armed robbery against ships, reported to have occurred or to have been attempted from 1984 to the end of December 2011, has risen to 6,260.

In the past few years, given this considerable increase in pirate attacks and the growing concerns regarding ships becoming targets of instruments for terrorist attacks, the States' efforts to eradicate these crimes do not seem to have attained their goals. Considering the grave danger to life and the serious risks to navigational safety and the environment which attacks by pirates may cause, the United Nations Security Council has adopted, under the provisions of chapter VII of the Charter of the United Nations, Resolutions 1918 (2010), 1950 (2010), 1976 (2011), 2015 (2011) and 2020 (2011) in relation to piracy and armed robbery in waters off the coast of Somalia. However, the main source for the discipline of piracy is constituted by the United Nations Convention on the Law of the Sea (UNCLOS, also called Convention of Montego Bay) of 1982. In addition, there are several different layers of obligations and authorities that arise from UNCLOS, the International Maritime Organisation, international human rights law, security regimes, anti-terrorism treaties, and freedom of seas doctrine. Because of the damage that maritime piracy inflicts on international trade and general safety, it has long been treated as a universal crime whose perpetrators were subject to punishment by any State that apprehended them.

Modern day pirates have steadily evolved. Through the acquisition of advanced weaponry and technology, they have been able to attack larger sea-going vessels (whose values are estimated to be around several million dollars), and attack farther off the coast of Somalia, as noted in the *Sirius Star* example previously mentioned. With these advancements, maritime piracy only expanded.

While maritime piracy is steadily expanding, three distinct pirate groups have been found in Somalia. These groups are "the Northern gang, based in Eyl; the Central gang, based in Hobyo; and the Southern gang, based in Harardera."[31] Interestingly, these groups originally relied on the fishing industry to make a living. "Reports suggest that illegal fishing and dumping have

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[31]"Piracy off the Horn of Africa," Congressional Research Service, 28th September, 2009, p.7.

disrupted Somalia's coastal economy."[32] Due to this disruption, the Somalia pirates feel justified in their career changes to piracy.

REASONS AND CAUSATIVE FACTORS FOR MARITIME PIRACY

The existing scientific literature pays special attention to the reasons and causative factors for maritime piracy. According to Peter Chalk, senior policy analyst in Rand Corporation, there are seven factors that contributed to the appearance and development of piracy in the contemporary era:

1. Increase in maritime traffic and the number of ports around the world have provided pirates with high number of ready targets.

2. Many piracy-affected areas are located inside and near narrow and clogged "bottlenecks". These congested choke-points require vessels to greatly lower the speed and make them very convenient targets for maritime bandits.

3. Especially relevant to Southeast Asia is the economic crisis of the late 1990's that has pushed more people to crime, including maritime crime. Another consequence of this economic crisis was that it has bereft authorities of necessary funds to fight piracy.

4. 9/11 has resulted in increased efforts and funds for land security initiatives, which affected maritime surveillance.

5. Careless coastal and port security measures worldwide have made possible harbor thefts from berthed vessels.

6. Corruption in the Third World states played a great role in emergence of the "phantomship" phenomenon.

7. Global Proliferation of Arms

Piracy tends to blossom in times of weak political control of the state. It is only one of the symptoms of the breach of power, others being separatist movements (in Philippines and Indonesia), criminal networks, extensive corruption (to the extent of support of bandits by some state actors) in the states of this region.

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[32]Ibid, p.8.

Colonial states have not been able to cooperate on issues like piracy and smuggling. For a long time, the regional states have not been able to cooperate in the framework of ASEAN either (in fact since the mid 2000's the cooperation has gone well and has brought a substantial decrease in piracy, as we will analyze it in the case study). This is a result of a weak political control, as well.[33]

Access to technology is of great importance in re-emergence of the modern piracy. In the recent years, all kinds of technology became accessible to anyone able to pay for it and not only to governments. This includes informational technology and boat technology. Weaponry became largely accessible with the End of the Cold War when many countries decreased the size of their armies and their weapons stockpiles were sold out, and many states, especially of the former Eastern Bloc, started to sell weapons to whoever was able to pay.[34]

Joshua Haberkornhalm in his paper gives four main factors contributing to the rise of maritime piracy. The first three were overviewed above: abundance of waterway shipments, corruption and volatile economic conditions. Another interesting thought on what has contributed to the global rise in maritime piracy is expressed in the following passage: ...while technological advances have resulted in greater efficiency that allows for a reduction in the necessary size of commercial ship crews, they have also enhanced the pirates' attack capabilities – particularly their stealth, firepower, ability to track ships, and speed.[35]

PIRACY AS PART OF INTERNATIONAL POLITICS

The dangers associated with contemporary piracy are complex and multifaceted, having direct implications for human, political, economic, and environmental security. At the most basic level, attacks constitute a direct threat to the lives and welfare of the citizens of a variety of flag states. As noted above, strikes are frequently violent and can be expected to involve casualties. Disturbingly, there has been a marked rise in physical assaults, with the 440 hostage takings in 2005remaining the highest figure on record. Although the overall number of these

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[33] Young J. Adam, "Contemporary Maritime Piracy in Southeast Asia: History, Causes and Remedies", Institute of Southeast Asian Studies, Singapore, 2007, p. 2,
[34]Ibid.
[35]Haberkornhalm, J.A., White Paper on Managing the risks of Maritime Piracy, Ozonelink Corp., 2004.

incidents dropped in 2006, they were still significant at a total of 188.[36]As one senior member of the United Kingdom's National Union of Maritime, Aviation and Shipping Transport Officers (NUMAST) remarks: "The necessities of normal diplomacy should not obscure the fact that British nationals are being threatened with extreme violence. The present intolerable situation should be approached by the UK government just as firmly as if British tourists were being attacked whilst [taking a holiday] in a [foreign] country."[37]

Quite apart from the risk of death and physical injury, many seafarers who have been subjected to a pirate attack have suffered considerable mental trauma. Many of those who do not fully recover never go to sea again. Despite this, the human cost involved in modern-day piracy is seldom recognized, largely because assaults tend to be directed against "less than visible" targets.

Piracy also has a direct economic impact in terms of fraud, stolen cargos, delayed trips, and higher insurance premiums. In addition, it could potentially undermine a maritime state's trading ability.[38] As previously noted, ship owners are often required to pay their own legal expenses for post-attack investigations, and they always have to bear the costs of cancelled or interrupted onward journeys. The costs of major criminal hijackings can be particularly exorbitant; on a number of occasions, consignees have had to shoulder the entire loss from phantom ship frauds.[39] Moreover, a reputation for piracy has the potential to damage the international standing of a trading country and could lead to a boycott of its port facilities. This became a major concern for Hong Kong in the mid-1990s, when many shipping companies threatened to boycott the territory's port facilities as a result of the frequency of attacks in what

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[36]International Maritime Bureau, 2007, p. 9.

[37]NUMAST Telegraph, Vol. 25, No. 7, Piracy Supplement, July 1992, p. i.

[38]It should be noted that no systematic study of the overall cost of piracy has ever been undertaken, particularly in relation to expenses incurred as a result of suppression. Moreover, the impunity of many attacks makes accurate records of losses difficult to gather, while analysts only infrequently disclose the contents of any given calculation. See Martin Murphy, "Contemporary Piracy and Maritime Terrorism: The Threat to International Security", International Institute for Strategic Studies, Adelphi Paper 338, London, 2007, p. 19.

[39]One noteworthy case concerned the 1995 seizure of the Anna Sierra, which, when eventually discovered at the port of BeiHei, was registered under the name Arctic Sea. By the time the vessel was released, losses from cargo theft, the imposition of a "finder's fee" by Chinese authorities, and post-incident investigations had run into the millions of U.S. dollars. All costs were ultimately borne by the ship's rightful owners. See International Maritime Bureau, *Piracy and Armed Robbery Against Ships: Special Report*, International Chamber of Commerce, London, 1997, pp. 33–39.

had become known as the Hainan–Luzon–Hong Kong terror triangle.[40] More recently, similar problems have beset terminals in Bangladesh, Nigeria, Indonesia, and the Horn of Africa.[41] Overall, the IMB estimates that piracy costs the shipping industry anywhere from $1 billion to $16 billion a year.[42] Although this figure might appear unacceptable, it is generally viewed as an inevitable cost of doing business that, when measured against the annual value of maritime commerce—which in 2005 totalled $7.8 trillion[43]—is not, in fact, prohibitively onerous.

Politically, piracy can play a pivotal role in undermining and weakening regime legitimacy by encouraging corruption among elected government officials. This has been a recurrent problem in Indonesia, where numerous shipping associations and maritime bodies decry the complicity of government officials and members of the security forceswho participate in, arrange, or otherwise facilitate both low and high-end attacks.[44] Although Jakarta has pledged to crack down on manifestations of state complicity in piracy, it lacks the resources to do so on a comprehensive basis.

Attacks also have the potential to trigger a major environmental disaster, particularly if they take place in crowded sea-lanes traversed by heavily laden oil tankers. The nightmare scenario is a major crash taking place between an unmanned rogue vessel and an oil tanker. The resulting discharge of petroleum would cause irreparable damage to maritime life and other offshore resources. If left to drift, the slick could also seriously degrade large tracts of fertile coastal lowland, which could seriously affect any state that relies on the ocean as a primary source of protein for domestic consumption or regional export.[45] In the opinion of the IMB, it is only a matter of time before pirates trigger an environmental disaster of this sort.[46]

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[40]See, for instance, Robert Beckman, Carl Grundy-Warr, and Vivian Forbes, "Acts of Piracy in the Malacca Straits," Maritime Briefing, Vol. 1, No. 4, 1994; Kazuo Takita and Bob Couttie, "ASEAN Pressured to Act Against Pirates," Lloyds List, May 29, 1992, p. 3; and Michael Pugh, "Piracy and Armed Robbery at Sea: Problems and Remedies," Low Intensity Conflict and Law Enforcement, Vol. 2, No. 1, 1993, p. 11.

[41]Martin Murphy, "Contemporary Piracy and Maritime Terrorism: The Threat to International Security", International Institute for Strategic Studies, Adelphi Paper 338, London, 2007, p.21.

[42]See, for example, Joshua Ho, "Security of Sea-Lanes in Southeast Asia," unpublished paper, Indian Observer Research Foundation, Workshop on Maritime Counterterrorism, New Delhi, November 29–30, 2004.

[43] Interview with an International Maritime Board Official, 28th April, 2018.

[44]Ibid.

[45]See, for example, Greg Chaikin, "Piracy in Asia: International Co-operation and Japan's Role," in Johnson, Derek, and Mark Valencia, *Piracy in Southeast Asia*, Singapore: Institute of Southeast Asian Studies, 2005, p. 127; and Abyankar, "Piracy and Ship Robbery: A Growing Menace," in Hamzah Ahmad and Akira Ogawa, eds., *Combating Piracy and Ship Robbery*, Okazaki Institute, Tokyo, 2001.

[46]Valencia, "Piracy and Politics in Southeast Asia," in Johnson, Derek, and Mark Valencia, *Piracy in Southeast Asia*, Singapore: Institute of Southeast Asian Studies,2005, p. 114.

A comprehensive overview of the role of navies to contrast maritime piracy was drawn by Admiral Filippo Maria Foffi[47], who highlighted the international efforts in the field, shedding light on the purely military aspects of the fight against piracy, also extending the analysis to the perception of the phenomenon by navies in reaffirming the principle of freedom of navigation on the high seas as well as the consequent role of safeguarding the economic interests of the territorial sea.

In view of globalization and the increased interdependence of people and goods on earth, freedom of navigation on the high seas and free access to the sea lines of communication constitute a basic principle embraced by all nations, whose populations live in great majority (around 90%) within 200 kilometres of the coastline.[48] Seaboard trading has increased over the last half century and it stands at over 90% of the global economic traffic, of which 95% pass through key check points, including the Suez Canal and the Strait of Babel Mandeb, the Strait of Hormuz, the Strait of Gibraltar, the Bosporus Strait, the Strait of Malacca, and Singapore and Panama Canals. Although representing only one percent of the world sea-surface, the Mediterranean Sea plays a critical role in this global maritime traffic net, since twenty percent of the sea trade passes through this battled basin, connecting Europe, Asia and Africa.

One of the challenges presently faced by the global security environment related to maritime domain remains maritime piracy, as it has resurfaced in recent years as a modern transnational threat with unique features. Firstly, it is the oldest crime against the entire society; this firm belief has become increasingly rooted in history and has led the response to piracy to be universally recognized by international law as an indisputable collective need. Piracy is a crime that requires the presence of a number of factors such as a permissive political environment, weakness of the local States, cultural acceptability, and the opportunity for reward in order to flourish. Even though it is intrinsically dangerous, piracy remains a profitable activity and worth the risk for thousands of unemployed people living in desperately poor and often instable countries.

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[47]Filippo Maria Foffi is Commander in Chief of the Italian Fleet.
[48]The UNCLOS codifies the legal rules governing the freedom of navigation principle: under Article 90, "Every State, whether coastal or land-locked, has the right to sail ships flying its flag on the high seas"; under Article 87, "Freedom of the high seas is exercised under the conditions laid down by this Convention and by other rules of international law" and "These freedoms shall be exercised by all States with due regard for the interests of other States in their exercise of the freedom of the high seas".

Since 2008, piracy has increasingly become an unprecedented threat in the waters around the Horn of Africa, where Somalia, a country with over 3,000 kilometres of coastline (the second longest coastline of the African continent), has lacked a central government able to control most of the Somali territory since 1991.

However, this kind of criminal activity is not exclusive to the Horn of Africa, but it has become a significant challenge in South-East Asia and it is spreading out with different features in West Africa. On 16 October 2013, the International Maritime Bureau released a report focusing its attention on the Gulf of Guinea region, particularly in Nigeria where extremely violent groups (well-equipped and better coordinated than those operating in the Horn of Africa) are used to attack oil and gas tankers.

The Indian Ocean, the Arabian Sea, the Horn of Africa, and the Gulf of Guinea are indeed high strategic arena for those States whose economies are strongly interlinked with these zones, as in the case of Italy and the European Union. They constitute a fundamental portion of the geopolitical concept of the "wider Mediterranean"; Italian political, economic and social interests are at stake.

The Gulf of Aden and the Somali Basin are crossed by over twenty-five thousand ships, of which six thousand are strictly linked to national interests and fifteen hundred are Italian flagged ships. Conversely, the Indian Ocean is a high route where two-thirds of global oil trade, half of the whole container traffic, and one third of the so-called "balled goods" traffic, are transiting daily. Moreover, in recent years the amount of goods transported by sea has significantly increased from six million tons in 2001 to almost ten billion tons in 2012. In this regard, the international community is well aware of the consequences the threat of piracy may have on the Mediterranean, as many stakeholders may prefer to divert maritime trade traffic to the Cape of Good Hope, circumnavigating Africa and cutting off the Mediterranean from the great economic flow. As an immediate consequence the law has included piracy among "war risks" charging much higher insurance costs than in the case of the usual maritime peril.

According to Admiral Foffi, piracy is an alarming phenomenon that may have several consequences in the medium-long term if not tackled opportunely.[49] It is exactly the enormous potential risk of economic shock of small criminal groups threatening one of the most primary trade routes that has drawn an expansive international commitment to countering piracy off the coast of Somalia.

Since piracy takes place on the high seas, often very far from the shore, combating acts of piracy has required more than the typical police-prosecution cooperation, which is prevalent in land-based ordinary law crimes, such as robbery or theft. For this reason, supported by a responsive role within the United Nations, navies have been called to play a pivotal role in fighting piracy. In the extraordinary maritime naval deployment in the Horn of Africa region, which sees three international task forces (NATO, EU, and a coalition led by the United States) and nine independent national counter-piracy missions (China, India, Iran, Japan, the Republic of Korea, Malaysia, Oman, Russia, and Yemen), navies as front-line entities have been able to treat the symptoms rather than defeating the threat.

Over the last five years, pirates have been able to change dynamics and tactics, moving their actions from the Gulf of Aden to the Somali Basin, pushing further East to the Arabian Sea, India and Maldives, far south of Mozambique. The ability to rapidly counteract navy attacks adopted by NATO, EU and task force coalition clearly prove that the piracy phenomenon is better organized and structured than initially assessed.

According to Admiral Foffi, extensive surveillance coverage of the area as well as intensive intelligence information sharing among all the actors involved is necessary.[50] Then, better coordination among national operational centres, military and civilian, to achieve an effective integrated surveillance could be beneficial to prevent and deter pirate attacks. In this regard, the commitment of the Italian Navy in the field of information gathering and sharing is at the foundation of Italian Integrated Maritime Surveillance Policy, which is pursued through an interagency approach at national and international level. The interagency centre (Dispositivointerministerialeintegrato di sorveglianzamarittima - DIISM) is the practical application of such concept at national level, getting together all national maritime agency

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[49] Interview With Admiral Filippo Maria Foffi, Commander –in- Chief of the Italian Fleet, 24th April, 2018.
[50] Ibid.

actors under the leadership of the Prime Minister and his Cabinet. At the international level, the Virtual-Regional Maritime Traffic Centre (V-RMTC) is a successful and ambitious Italian project that started in 2004 and allows the exchanging of information among thirty-three navies operating throughout the globe, from Brazil to Singapore.

However, Admiral Foffi stressed that the extent of the area of operations, the uneasy meteorological conditions, the peculiarities of the threat as well as the need for an adequate coordination among all operating assets and entities require appropriate tools to be used for estimating autonomy in performing surveillance capabilities, special forces, marine boarding teams, air and unmanned aerial vehicle (UAV) assets, and overall ships able to intervene quickly.[51]

PIRACY AND WORLD TRADE: THE ECONOMIC COSTS

The impact of piracy on world trade has been expanding. However incidents of maritime piracy and armed robbery have plummeted to 180 reported incidents according to a recent report of the International Chamber of Commerce. A surging threat to seafarers has been observed in Gulf of Guinea and Nigeria albeit being checked with the help of authorities in the region.[52]

According to the World Bank, piracy is too costly for the world economy whereas it is not as profitable for the pirates. The loss to the world's economy has been estimated to be $ US 18,000,000,000, whereas $ US 53,000,000 is the ransom payment received by the pirates annually. The Report further states that the pirates in Somalia can solicit support from Government officials, business tycoons, militia and members of the local community.[53]

Furthermore, the low income countries are disproportionately affected. There is an increase of 1.1 per cent on the ad valorem tax, meaning an extra tax on the value of shipments shipped across the piracy zone.

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[51]Ibid.
[52] ICC International Maritime Bureau, "Piracy and Armed Robbery Against Ships" 2017 Annual Report.
[53] World Bank Report, "The Pirates of Somalia: Ending the Threat, Rebuilding a Nation", 2013 *available at* http://www.worldbank.org/content/dam/Worldbank/document/Africa/Somalia/pirates-of-somalia-infographic.pdf.

COMBATING ACTS OF PIRACY UNDER INTERNATIONAL LAW

The rules of piracy are laid down under articles 14- 21, 1958 High Seas Convention and reiterated in articles 100-107, 1982 Convention. These conventions are binding on state parties. The offence of piracy can be dealt with under these conventions generally. Article 101 of the 1982 Convention defines piracy as an act for private ends. Hence, the meaning of piracy is extrapolated from merely an act with intent to plunder (*animus furandi*).[54]

It should be noted that a piratical act can only be committed on the high seas or any other place outside the jurisdiction of any state.[55]It means it may not be committed in the territorial sea, but waters beyond the outer limit of it, including the EEZ.[56] The offence of piracy requires minimum two aircrafts or ships as per Article 101, 1982 Convention. Further, the issue of taking over of a ship by its own crew or others on board is not covered under piracy. Such offences are dealt with by the IMO Convention on the Suppression of Unlawful Acts, 1988.

Articles 105- 107, 1982 Convention lays down states powers of arrest of the pirated ships as well as powers of their courts to impose penalty and dispose of the pirated ship.

ROLE OF INDIA IN COMBATING PIRACY

In order to curb the hostage situation regarding hijacking at sea of merchant vessels with Indian crew, an Inter-Ministerial Group (IMGO) was set up by the Government of India under the Ministry of Shipping. To deal with piracy and hijacking of merchant ships, a Contingency Plan has been suggested. Similarly, a Committee of Secretaries on Anti-Piracy and Hijacking at sea (COSAPH) has been approved to be set up under the Chairmanship of Cabinet Secretary for crisis management and policy designing.[57]

The government has further initiated certain mitigating measures to deal with the menace of sea piracy. Government guidelines have been suggested in the form of best management

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[54] L. Oppenheim, *International Law: A Treatise*, Vol.1, Longmans, Green, London, 1955 p 74.
[55] Article 101(a), 1982 Convention.
[56] Articles 58(2), 86, 1882 Convention.
[57] Press Information Bureau 'Government Takes Measures to Deal With Sea- Piracy', 12 March 2015. *Available at* http://pib.nic.in/newsite/PrintRelease.aspx?relid=116897.

practices for anti- piracy measures for Indian Ships.[58] There is a ban of vessels to ply in waters south or west of line joining Salalah and Male.[59]The Indian Navy has enhanced vigil in the Indian Exclusive Economic Zone and westward. At international level, India has become an active participant in the meetings of the International Maritime Organization, Contact Group on Piracy off the Coast of Somalia (CGPCS). India has already been providing naval escort in the Gulf of Aden.[60]

INTERNATIONAL ROLE IN ANTI-PIRACY OPERATIONS

The international fraternity holds divergent views on the legal measures concerning piracy *jure gentium*. Under one view, piracy is treated as a crime under international law where all states have jurisdiction, as expressed in the *Arrest Warrant* case.[61] In another view, states are authorized to exercise criminal jurisdiction under municipal law in respect of piracy acts.[62] This case discussed the issue of universality basis of dealing with the issue of piracy under the international law regime.

In order to tackle the issue of piracy, acting under Chapter VII of the UN Charter, the Security Council has passed Resolution 1846. This resolution concerns only the situation in Somalia and does not alter the obligations of member states under international law. It clarifies further that this resolution shall not create customary international law. It urges relevant states to cooperate in determining jurisdiction, investigation and prosecution of persons responsible for piracy and armed robbery off the coast of Somalia.

The 1982 Convention, under Article 109 provides powers of enforcement of jurisdiction over pirated radio stations on the high seas. Also, the European Agreement for the Prevention of Broadcasting from Stations outside National Waters 1965 permits criminal jurisdiction regarding the offence of piracy.

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[58] Merchant Shipping Notice No. 1 of 2011 dated 14.01.2011.
[59] Merchant Shipping Notice No. 3 of 2010 dated 31.03.2010.
[60] Press Information Bureau 'Government Takes Measures to Deal With Sea- Piracy', 12 March 2015. *Available at* http://pib.nic.in/newsite/PrintRelease.aspx?relid=116897.
[61] Democratic Republic of Congo v Belgium I.C.J. Rep 2002, p.3.
[62] Dr. Georg Schwarzenberger, "The Problem of an International Criminal Law", Current Legal Problems, Volume 3, Issue 1, 1st January 1950, pp. 263-296.

CONCLUSION

Despite popular images of pirates as outside the rule of law (or even 'civilization') operating without restraint, pirate leaders are not entirely free agents. Pirates face constraints but also opportunities that are delineated by institutional norms, even in so-called 'failed' states that have few, if any, effective state institutions. In the case of kidnappings for ransom in the Horn of Africa or Straits of Malacca, the informal regulations that govern clan groups, rent-based economic activities, and collective security arrangements play the principal structuring role, leading to piracy networks that are fluid, dynamic, and based on trust-based kinship and other social networks.

This article has highlighted the importance of understanding piracy within the local institutional context from which it has evolved. This means that piracy needs to be seen as more than simply a rational choice criminal enterprise or a reaction to impoverishment for which the establishment of more robust Weberian state institutions is necessarily the answer. Pirates are not only economic actors; they are also political and social actors that are constrained and enabled by the same institutions that order the behaviour of those with whom they interact on a daily basis. The form that piracy takes is, in large part, determined by the perceived nature of the connection between the local 'legitimate' economy and the global economy, whether it comes from rent seeking against passing ships driven by ideas about exploitation, or private exploitation of state institutions and formal foreign businesses exporting from the local economy.

It is submitted that tacking piracy is not a unilateral effort, but a team effort. Efforts like the IMB Piracy Reporting Centre (PRC), which has provided the maritime industry, and response authorities with timely data on piracy has already helped strengthening the response against acts of piracy, keeping seafarers secure.

Hence, cost effective and speedy sharing of information between the different stakeholders will help in mapping propensity of violent incidents. This will assist the authorities to locate resources efficiently in order to tackle this global menace.

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