

## TARTIŞMA PLATFORMU / *DISCUSSION PLATFORM*

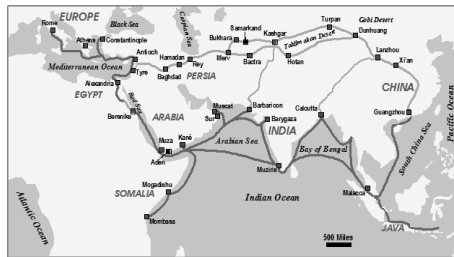
### Maritime Piracy is Back With a Vengeance

Dr. İbrahim ERDOĞAN

Recently news of; NATO deploying forces around the Horn of Africa in an attempt to provide greater security to maritime traffic and contribute to the achievement of long-term stability; the United Nations Secretary General's request to provide escort protection for ships of the World Food Programme as they transit the pirate infested waters off the coast of Somalia are on the increase<sup>1</sup>. Such news begs the question of whether piracy at sea is making a comeback with a vengeance.

Following the collapse of the Soviet Union and the advent of a new world order with a promise of peace, few would have expected piracy to re-emerge as a security issue. Yet it is so since the mid-1980s as the incidents of pirate attacks is on the increase. A maritime region known as the Maritime Silk Road which stretches from the Red Sea, the Persian Gulf, the Arabian Sea, to South China Sea and East China Sea has been home to several of such attacks<sup>2</sup>.

#### Maritime Silk Road<sup>3</sup>



#### Piracy Hot Spots<sup>4</sup>



<sup>1</sup> [http://www.afsouth.nato.int/JFCN\\_Operations/allied\\_provider/index.htm](http://www.afsouth.nato.int/JFCN_Operations/allied_provider/index.htm)

<sup>2</sup> <http://www.irinnews.org/AdvancedSearchResults.aspx?Service=&Country=Any%20Country&CountryDescription=&Region=Any%20Region&RegionDescription=&ReportType=Any%20Report%20Type&FromDate=01/01/1980&ToDate=11/23/2008%2023:59&Theme=Any%20Theme&ThemeDescription=&KW=pirates&LookFor=ATW>

<sup>3</sup> <http://josaidwhat.blogspot.com/2007/06/maritime-silk-road-map.html>

<sup>4</sup> <http://news.bbc.co.uk/2/hi/africa/4424264.stm>

Although during the Cold War era some form of pirating still existed, so long as the focus of the world was on the security relations rather than on trade and both superpowers had an interest in roaming international waters pirating had little room to flourish. The growing trend in globalisation and liberalisation accompanied with substantial increases in the volume of international trade, however, changed that. For the bulk of the ever increasing goods begun to be traded by sea (%80 of the world's goods<sup>5</sup>) and the withdrawal in the number of warships by the Soviets and the Eastern bloc left a greater area of international waters unattended and insecure.

Due to the speed and volume of increase in international trade it would have been naive to think that all trading activities would be performed legally. Hence were the introduction of concepts of illicit trade, business crime and organized crime in close cooperation with crime syndicates and piracy. Globalisation and liberalisation in fact gave further impetus to illegality as illicit groups were no longer consigned to a particular region or activity as they could now form alliances with other groups from all over the world in widening their bases of operation. The global proliferation of small arms as well as growing vulnerabilities in maritime shipping, surveillance, and coastal and port-side security provided fitting environment for such groups to realize their goals<sup>6</sup>.

Attempts to tackle the re-emerging problem, meanwhile, have not produced satisfactory results. The codification of pirating as an offence by League of Nations, formed after the First World War, was the first collective step in that direction. However, so long as the interest in maritime affairs remained low effective measures in curbing the problem had to wait. For a considerable period of time, the ship owners' attitude of ignoring the problem did not help either. Ship owners refrained from reporting pirate attacks as doing otherwise; would have increased the property indemnity premiums they had to pay; would have required their ships to remain in harbour during lengthy official investigations, thus causing them further financial losses; and would have been unreasonable giving that piracy-related losses were simply one percent of the total income they generated in maritime trade and taking anti measures would have been rather expensive.

All that changed when professional shipping associations such as British National Union of Marine, Aviation and Shipping Transport Officers

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<sup>5</sup> <http://globalnation.inquirer.net/news/breakingnews/view/20081124-173963/Piracy-raises-specter-of-maritime-terror>

<sup>6</sup> Chalk, P., 'The Maritime Dimension of International Security: Terrorism, Piracy and Challenges for the United States', [http://www.rand.org/pubs/monographs/2008/RAND\\_MG697.pdf](http://www.rand.org/pubs/monographs/2008/RAND_MG697.pdf)

(NUMAST) or the Baltic and International Maritime Council (BIMCO) brought the subject of pirating into the international agenda<sup>7</sup>. The United Nation's Law of the Sea Convention (UNCLOS or LoSC) was opened for signature in 1982 and became the reference point for multilateral attempts to tackle piracy. The convention, however, is yet to become an international legal regime un-criticized and adequate enough to aid nations in curbing piracy in open seas. For, even the definition of piracy in the convention is restricted on acts committed in high seas and exclude national or regional waters where such acts usually happen. Unfortunately significant successes have not come out of other bilateral and multilateral measures that have been taken and sometimes brought into effect in other parts of the world.

Finally, one has to consider the "pirates" point of view in the sense that many recruited for piracy come from a country which can be defined as a "failed state". Take Somalia for example; since the country was plunged into a civil war 18 years ago stark poverty and low level of law and order have become illustrative of conditions there. In several occasions governments denounced pirates and called on the international community to help<sup>8</sup>. The assistance needed to combat the causes of poverty, to control the country and patrol its coasts, 3300km one of the longest in Africa<sup>9</sup>, did not arrive. Governments had little incentive and resources to address the socioeconomic impulses for piracy embarked on by the fishing communities. Nor could they take the upper hand in combating against the warlords who appeared to organize piracy acts by providing the resources and directing the spoils of piracy through their business contacts, banks and crime syndicates.

In conclusion, as many post-Cold War international problems, piracy requires a concerted and coordinated effort at multinational level. In respect to that and due to its intrinsic complexity piracy at sea as a subject is revealing similar characteristic to an age old problem in world politics; the widening gap between the "haves" and "have nots". It is also ironic that at a time when American military presence is almost at its peak piracy would find a suitable ground to re-emerge with a vengeance.

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<sup>7</sup> Lehr, P., 'The New Pirate Wind', in (ed.) Lehr, P., *Violence at Sea: Piracy in the Age of Global Terrorism*, (London: Routledge, 2007), p. 8.

<sup>8</sup> <http://news.bbc.co.uk/2/hi/africa/4424264.stm>

<sup>9</sup> <http://news.bbc.co.uk/2/hi/africa/4424264.stm>