

GLOBAL MARITIME SECURITY CHALLENGES: FINDING THE NEXUS BETWEEN PIRACY AND MARITIME TERRORISM

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INTRODUCTION

For seafarers in particular and the maritime community at large, the new millennium began on a sombre note with the attack on the American warship USS Cole, in the port of Aden, on 12 Oct 2000, driving home the realization that ships berthed inside harbours and anchorages were, henceforth, a lucrative target for terrorists. Two years later, in Aug 2002, the French flagged tanker, MV Limburg, was attacked in the Gulf of Aden whilst underway clearly signalling that ships transiting through narrow waterways were equally under threat. In between these two incidents, the spectacular attacks of 9/11 showed that terrorists were now capable of executing the most sophisticated and complex plans with frightening effectiveness and precision. Consequently, post 9/11, the implications for the maritime world vis-a-vis the 'terrorist threat' have been very grim.

Another major threat at sea, viz, piracy, has, in recent times, assumed alarming levels particularly in the Strait of Malacca, the Gulf of Aden and the Gulf of Guinea making these three regions 'hot-spots of piracy'. There is also a serious concern that some militant groups may have begun to establish links with piracy cartels. While some analysts believe that the 'piracy-terrorism' nexus is merely an exaggerated notion evolved by academics, others insist that it is a matter of time before the ramifications of this nexus begin to unfold. Consequently, there is a need to arrive at a clear understanding on this issue so that the maritime community can shape appropriate responses.

Piracy

Piracy is an act of boarding or attempting to board any ship with the apparent intention to commit theft or any other crime and with the apparent intent or capability to use force in furtherance of that act (Chalk P, 2008). Piracy thrives where political control is weak and takes advantage of the state's reduced capacity to address it. Apart from uneven economic development, recurrent challenges to political hegemony such as separatist movements, rogue elements within state apparatuses and growing criminal networks have created space for piracy to thrive (Johnson D, 2005).

Types of Piracy

There are three main types of piratical incidents which occur in global waters. At the low end are anchorage attacks mounted against ships in harbour by small, high-speed craft manned by maritime "muggers". Ransacking and robbery of vessels on the high seas or in territorial waters are described as medium-level armed robbery. And finally, the outright theft of ships and their subsequent conversion for the purposes of illegal trading fall in the category of major criminal hijacks. (Chalk P, 2008).

Major Hot Spots of Piracy

A study of the past decade shows that in recent times, maritime piracy has tended to concentrate mainly in three regions viz, the Horn of Africa, in the Gulf of Guinea and in the region around the Strait of Malacca (Nincic D, 2013). A study of these areas reveals the following:

- a. **South East Asia Including the Strait of Malacca.** The strategic and economic importance of the Strait of Malacca not only makes it one of the world's major sea routes but also one of the most vulnerable to piracy primarily owing to uneven economic development and the inability to incorporate sea folk into the state in the regions of Indonesia and Malaysia adjoining this sea room. Separatist movements, rogue elements within state apparatuses and criminal networks have further allowed piracy to thrive (Johnson D, 2005). Of great concern is the rise in the violence associated with pirate attacks in recent years. Not only are many of the pirate gangs better equipped with weapons like rocket-propelled grenades, machines guns and radar-tracking equipment but they nowadays seem more willing to resort to violence. This somewhat indicates that they could willingly team up with terror groups for undertaking destructive missions particularly if the pecuniary rewards are attractive (Teo Y, 2007).
- b. **Somalian Piracy.** The Gulf of Aden spanning the Horn of Africa is a vital shipping lane connecting Asia and Europe with more than 20,000 ships transiting the region each year. The audacious attacks by Somali pirate groups along an ungoverned and economically backward 2000 mile coastline has posed a serious threat to shipping and has led to one of the most comprehensive and robust multinational anti-piracy operation that the world has seen.
- c. **Gulf of Guinea.** The Gulf of Guinea is an important SLOC with vast energy resources and this economic value has made it a fertile ground for criminal activities such as piracy and sea robbery. Rising crude oil prices and unrest in the region, particularly in Nigeria, are lending impetus to this phenomenon which has already overtaken piracy in the Gulf of Aden in terms of the number of incidents. In Nigeria's south, militants of the Movement for the Emancipation of the Niger Delta (MEND) are using piracy to raise the stakes for pushing the Nigerian government to meet their resource and revenue demands. Nigeria is also grappling with a growing threat from the militant Islamic group, Boko Haram, which is likely to seek alternative avenues of funding as Nigerian security forces increase their reach and step up their fight against terrorist attacks. (Alic J, 2012).

Economic Impact of Piracy

Piracy impacts global economy in many ways which includes increased cost due to longer shipping routes, higher insurance premiums, direct cost of hijacked ships and ransom money, impact on fisheries, impact on tourism, etc. In 2013, the world bank

estimated that Somalian piracy alone could have cost the global economy an estimated 18 billion US\$ annually. Also, the actual costs are probably even higher due to widespread under reporting (Neubauer, S 2013). Further, costs of armed guards and equipment and the cost of maintaining international task forces are also significant and these forces will need to continue as their removal could once again lead to a rise in levels of piracy (Nincic D, 2013).

Human Costs of Piracy

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. (Chalk P, 2008:37).

Terrorism in the Maritime Domain

Maritime terrorism, like all forms of terrorism, has mostly a political, ideological or religious background (Feldt L, 2013). The Council for Security Cooperation in the Asia Pacific (CSCAP) Working Group has defined 'Maritime Terrorism' as "the undertaking of terrorist acts and activities within the maritime environment, using or against vessels or fixed platforms at sea or in port, or against any one of their passengers or personnel, against facilities or settlements, including tourist resorts, port areas and port towns or cities (Nelson S, 2012). When terrorist groups started facing increasing pressures from security agencies on land, the possibility of maritime terror attacks by global terror groups increased. Essentially, the maritime domain had dissuaded terrorists as it presents a number of difficulties that are not encountered on land. Also, if the aftermath of an attack is to be captured by the media which is often the wish of a terrorist group then the attack needs to be carried out close to land. (Raymond C, 2005).

Causal Factors for Terrorism in Maritime Domain

Peter Chalk (2008) identifies the following key factors that have driven terror organisations towards water-based environment:

- a. Many of the vulnerabilities like inadequate coastal surveillance, lax port security, the overwhelming dependence of maritime trade on passage through congested chokepoints, etc, which have been exploited by pirates could also entice terror groups.
- b. The growth of commercial enterprises specializing in maritime sports and equipment has arguably provided terrorists the opportunity to avail of necessary training and resources for operating at sea.
- c. Maritime attacks provide terrorists the means of causing severe economic destabilization with a single attack.

- d. Sea-based terrorism constitutes a viable means of inflicting “mass coercive punishment” on enemy audiences. Targeting of cruise ships and passenger ferries are especially relevant in this regard.

Types of Terrorist Threats in the Maritime Domain

Terrorists could resort to the following types of attacks:

- a. Suicide boat Attacks inside harbours, anchorages and narrow passages.
- b. Use volatile cargoes as a floating bomb by driving them into vulnerable ports.
- c. Use of divers or underwater swimmers as well as manned/unmanned underwater vehicles to attack ships.
- d. Transportation of WMDs through containers or onboard small sea going vessels.

Prevalence of Terrorism in Piracy Infested Areas

Terrorism in the Strait of Malacca and the adjoining sea areas has involved terrorist groups like Jemaah Islamiyya, Moro Islamic Liberation Front, and Abu Sayyaf Group carrying out terrorist attacks against their governments as part of Islamic separatist movements. Infact, Jemaah Islamiyah and the Abu Sayyaf Group are known to possess maritime capabilities believed to have been passed on by Al-Qaeda’s maritime-operations commander Abdul al-Rahim al-Nashiri who was the mastermind of the suicide attack on the USS Cole. (Boyd A, 2007). In the Gulf of Aden, the Red Sea and off the coast of Somalia, the groups of concern have been Al-Qaeda in the Arabian Peninsula (AQ-AP), the Abdullah Azzam Brigades and Al-Shabaab (Feldt L, 2008). In the Gulf of Guinea, the Movement for the Emancipation of the Niger Delta (MEND) and the more radical Boko Haram are slowly emerging as suspects associated not only with piracy and oil theft but believed to be involved in the illegal drug trade transiting through the country as well (Zenn J, 2013).

Possibility of a Nexus between Piracy and Maritime Terrorism

From the points underlined thus far, it is evident that the presence of terror groups and pirates in the same maritime space shows that the possibility of a ‘terror-piracy nexus’ is, indeed, very high. The study, thus far, has clearly highlighted the various overlaps that we see between piracy and maritime terrorism. These include:

- a. Factors that facilitate the flourishing of maritime piracy and maritime terror such as legal and jurisdictional weakness, lack of governance, favourable geography, conflict and disorder, under-funded law enforcement, inadequate security, permissive political environment, cultural acceptability and promise of reward.

- b. Since almost a decade, pirates began to carry automatic weapons and Rocket Propelled Grenade Launchers (RPGs), arms of the type that had been associated previously with terrorists and insurgents.
- c. Following the enhancement in weapons employed, a noticeable and worrying increase in the level of piratical violence has been seen. As a result it has become harder to distinguish the effects of terror attacks from attacks by pirates.
- d. Apart from weapons used, there exists considerable similarity in operational skills required by pirates and maritime terrorists viz, watermanship, boat handling, shipboarding, etc.

Factors that Motivate Formation of a Nexus

Let us now see what are the significant factors that could drive terror groups and piracy gangs to collaborate with each other:

- a. **Logistical Interdependence.** Neither terrorists nor pirates are entirely self-sufficient and require some form of support ranging from money to arms supplies in order to achieve their goals and objectives. Terrorists who operate predominantly on land often lack the skills and experience that are needed to conduct maritime attacks. As already highlighted, maritime terrorism requires proficiency in areas such as navigation and ship handling which terrorists could seek from adept seafaring pirates. Consequently, it is plausible to suggest that pirates and terrorists could collaborate and provide some assistance to each other. (Murphy M, 2008).
- b. **Inherent Affiliation Between Terrorists and Criminal.** Those who argue that pirates and terror groups in the maritime arena are indeed hobnobbing have cited instances where criminal gangs operating entirely for profits, akin to pirates, have collaborated extensively with terror groups in the past. For instance, criminal gangs are known to have cooperated with Al Qaeda in Iraq (AQI), Hezbollah is believed to have worked with gangs in Central America and Mexico, Revolutionary Armed Forces of Colombia also known as FARC used the proceeds of crime to finance its operations and Sri Lanka's Tamil Tigers and various MORO insurgent groups in the southern Philippines engaged in piracy (Ninic D, 2013).
- c. **Economic Factors.** It is easy to envision a scenario wherein terrorists, supported by a pirate group, hijack an oil tanker not just to steal the oil or collect the ransom but to blow it up in a major port with devastating economic consequences across the globe. A second way of economic cooperation is for terror groups to use piracy as a source of income. Experts opine that piracy may have already emerged as a lucrative source of income for radical groups (Nelson S, 2008).

- d. **Operational Interdependence.** A major concern is that terrorist groups could seek to overcome operational constraints in sea-based capabilities by working in conjunction with or subcontracting missions to pirates.
- e. **Shared Interests.** Essentially, maritime terrorism and piracy thrive only when conditions on shore such as weak institutions, corrupt officials, etc, permit and thus, they have every reason to establish a relationship through which they can seek to prevent improvements in such conditions taking place (Chaterjee A, 2014).

Factors that Dissuade Formation of Nexus

- a. **Increase in Risk.** Terrorism and piracy are high-risk activities and any relationship formed between their perpetrators will exponentially increase this risk. Thus, the security risks associated with collaboration may outweigh any potential gains (Chaterjee A, 2014).
- b. **Publicity.** Terrorists want to gain media attention with their attacks. In addition, publicity helps terrorists generate fear in the population through which they seek to obtain the leverage, influence, and power they otherwise lack to effect political change on either a local or an international scale. Pirates on the other hand are criminals and, as such, they do not seek publicity which brings unwanted attention from law enforcements making a relationship with terrorists risky (Murphy M, 2008).
- c. **Conflict of Interest.** The business of piracy is directly dependent on a thriving and active global shipping industry and is aimed at profit. In contrast, terrorists are assumed to be plotting the destruction of the global maritime trade network highlighting an inherent conflict of interest (Murphy M, 2008).

Specific Evidence of Collusion in Piracy Hot Spots

Having briefly examined the pros and cons of collaboration, let us see if there is any specific evidence forthcoming on collusion between:

- a. **Strait of Malacca.** In 2004 there was a report by US intelligence that terror groups intended to hijack vessels in the Straits with the help of local pirates. There have also been persistent though unverified reports of extremists boarding vessels in the Strait of Malacca in an apparent effort to learn how to pilot them for a re-run of '9/11 at sea'. One such alleged case involved the seizure of the ship 'Dewi Madrim' in 2003 in which the raiding party steered the commandeered ship for nearly an hour before escaping with some equipment and technical documents. This was seen by experts to be a part of a training mission or a rehearsal clearly pointing to a nexus. (Murphy M, 2008).
- b. **Somalia.** In Somalia, when the US led Global War on Terror impacted funding for many terrorist groups, easy ransom money made by somalian pirates

attracted terrorist outfits which were increasingly facing lack of funding. For instance, when Al Shabaab became more desperate for funding, they increased their cooperation with pirates. (Kambere J, 2012)

- c. **Gulf of Guinea.** While the militants of the MEND have always been suspected of links with pirates, its warning to ships off Nigerian coast in 2012 is said to have confirmed fears of such links. Officials are also worried that Boko Haram insurgents may have established links with pirates and may be using the money for ongoing terrorist training or weapons (Zenn J, 2013). On the whole, therefore, both MEND and Boko Haram seem to be at least loosely associated with the piracy in the Gulf of Guinea.

Broad Inference

The study has shown that while opinion among experts is divided on the issue of a nexus between piracy and maritime terrorism, there is compelling logic and circumstantial evidence to point towards collaboration at least in some areas like use of piracy for funding of terror groups. Irrefutable evidence would be hard to come by because terrorists operate clandestinely making sure they cover their tracks. At the operational level, the two are unlikely to come together primarily because of the risks it poses to pirates although, clandestinely, linkages in areas such as training of terrorist cadres in shipboarding, boat handling could well take place.

RECOMMENDATIONS

- a. It is pertinent that the preparations for '9/11' commenced as early as 1996 and the entire planning and execution remained concealed. Consequently, it would be rather imprudent for the international community to dismiss the grave danger posed by a potential 'maritime 9/11' and to ignore the fact that a nexus between pirates and terrorists would make the execution of such a threat easier. The maritime community must, therefore, adopt an approach that keeps them alert at all times to the possibility of collusion between pirates and maritime terrorists.
- b. The linkage between maritime terrorism and piracy is obvious from their modus operandi as also the use of similar equipment and weapons. Therefore, if we implement effective counter-piracy measures, these would also address the challenge of maritime terrorism to a large extent.
- c. Cooperation at the international level with the aim of infiltrating into terrorist organisations as well as piracy syndicates to gather Human Intelligence (HUMINT) will have to be a priority for Governments.
- d. Navies which are at the forefront of the war against maritime terrorism and piracy will have to reorient themselves towards tackling sub conventional threats in addition to their conventional tasks.

- e. The commercial shipping and passenger industries must introduce necessary steps to address their susceptibility to attacks such as surveillance systems, armed guards for protection, etc.
- f. The international community, organisations like IMO/UN as well as individual states will have to evolve suitable measures to deal with legal challenges like institutions and mechanisms to prosecute the guilty.
- g. Despite the grave danger posed by maritime terrorism and piracy to international stability, a consistent and uniform approach by states is lacking and this needs to be addressed
- h. A long-term strategy aimed at ending corruption and strengthening the institutions of nations where terrorism and piracy flourish is essential.

CONCLUSION

Two key events that took place between 2009 and 2011 offer an interesting insight on global security. In 2009, the US Navy SEALs undertook a successful operation in mid ocean off Somalia to rescue the Master of MV Maersk Alabama who had been taken captive by Somali pirates. Two years later, in May 2011, the same force, viz, the US Navy SEALs, carried out another successful operation to eliminate Al Qaeda leader Osama Bin Laden hiding in Pakistan. In a sense, these two events showed how piracy and terrorism are today two of the biggest global security challenges both of which have forced nations to respond with some of the most versatile and specialised forces at their disposal. A study of piracy and maritime terrorism reveals that in all the three hotspots of piracy, terrorist organisations are holding sway. Although not directly linked to piracy as the research has currently evidenced, these terrorist organisations can easily establish a nexus with pirates to acquire a potent capability to strike maritime targets. Much as experts may view a likely collusion between pirates and terrorists with skepticism, it remains a clear and present danger which the world cannot afford to ignore. The situation in countries like Syria, Iraq, Afghanistan, Pakistan, Nigeria, Kenya, Yemen clearly indicates that terrorism is witnessing a major resurgence. A strong nexus with pirates may attract these terror groups into invading the maritime domain which is full of vulnerable targets. Such an eventuality will have to be prevented at any cost and, therefore, the world must take the first step of acknowledging the dangers of a 'piracy-terrorism nexus'.

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