

COUNTER-PIRACY: ORCHESTRATING THE RESPONSE

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Introduction

Definition of the Term Piracy is a form of illegal belligerence. It is not identical to coastal raiding, unarmed theft from ships, maritime terrorism, and maritime aspects of insurgency. It was traditionally and universally condemned both in customary international law and in treaty commitments. The UN Convention on the Law of the Sea (UNCLOS) adopted in 1982 and entered into force in 1994, defined piracy as any illegal acts of violence or detention or any act of depredation, committed for private ends by the crew or the passengers of a private ships or a private aircraft and directed on the high seas against another ship or aircraft or against person or property on board such ship or aircraft; against a ship, aircraft, person or property in a place outside the jurisdiction of a states; (b) any act of voluntary participation in the operation of a ship or of an aircraft with knowledge of facts making it a pirate or aircraft; (c) any act of inciting or of intentionally facilitating an act described in paragraph (a) or (b). In legal terms, pirates need to use a ship to attack another ship.

The escalation of piracy at sea in recent years has been a matter of great concern to the maritime community and has prompted International Maritime Organization (IMO) to make combating it a central theme of its work. The reality, of course, is that piracy is too complex and has become too entrenched for any one entity to deal with it effectively. The United Nations, Governments acting collectively or individually, military forces, shipping companies, ship operators, ships' crews, among others, all have a crucial part to play if shipping is to be rid of this crime and the integrity of strategically important shipping lanes maintained. What is needed is a collective effort, and that is why IMO chose "Piracy: orchestrating the response" as its theme for World Maritime Day 2011 and to underpin its own work in this area during this year and beyond.

A recent study has revealed the shocking statistics that, during 2010 alone, 4,185 seafarers were attacked by pirates using firearms, even rocket propelled grenades; 1,090 were taken hostage; and 516 were used as human shields. No fewer than 488 were reported suffering significant psychological or physical abuse. Moreover, while innocent seafarers bear the brunt of these crimes, the world economy suffers too – an annual cost that is now estimated to be between 7 billion and 12 billion US dollars. And, with more than 12 per cent of the total volume of oil transported by sea flowing through it, the strategic importance of the Gulf of Aden can be severely affected, while ships, electing to divert via the

Cape of Good Hope to avoid being attacked by pirates, face significantly longer voyages with all the associated costs and environmental consequences.

After the hijacking of the Bangladeshi flag vessel MV Jahan Moni on 5th December 2010 with 23 Bangladeshi nationals, people of Bangladesh came to know about modern day hijacking in the open sea by Somali pirates and their activities. Piracy off Somali coast has been a threat to international shipping since the second phase of the Somali Civil War early this century. Since 2005, many international organizations, including the International Maritime Organization and the World Food Program (WFP), have expressed concern over the rise in acts of piracy. Piracy has contributed to an increase in shipping costs and impeded the delivery of food aid shipments. Ninety per cent of the WFP's shipments arrive by sea and ships into this area now require a military escort.

However, this thorny issue has lately manifested itself in other parts of the world, most notably – but not exclusively – in the waters off the coast of Somalia, the Gulf of Aden, the Arabian Sea and the wider Indian Ocean. Ships carrying oil out of the Persian Gulf and the Gulf of Oman are now firmly within the sights of pirates, who have become bolder, more audacious, more aggressive and violent and seem to be better organized than ever before.

Initiatives of IMO to Counter Piracy and Armed Robbery at Sea

IMO is implementing an anti-piracy project, a long-term project which began in 1998. Phase one consisted of a number of regional seminars and workshops attended by Government representatives from countries in piracy-infested areas of the world; while phase two consisted of a number of evaluation and assessment missions to different regions. IMO's aim has been to foster the development of regional agreements on implementation of counter piracy measures.

As a manifestation of its overall concern about safeguarding human life at sea, the Organization has chosen, as the theme for this year's World Maritime Day, to highlight the efforts it has been making, over several years, to meet the challenges of modern-day piracy and, in so doing, generate a broader, global response to eradicate it. The intention has also been to complement and continue work in the spirit of last year's theme, which was dedicated to seafarers. From the early 1980s until recently, the anti-piracy campaign of IMO was focused on the traditional hot spots of the Straits of Malacca and Singapore and the South China Sea. Through a series of measures, developed and implemented with the strong and much appreciated co-operation of the littoral States and the unreserved support of the shipping industry, the scourge of piracy in those waters has significantly reduced nowadays. IMO has devised a multi-faceted action plan, designed to address the problem at several levels. Although the waters off

the coast of Somalia and in the wider Indian Ocean constitute the current piracy “hot spot”, IMO’s action plan draws heavily on the Organization’s considerable experience of tackling piracy in other parts of the world, most notably the straits of Malacca, Singapore and the South China Sea.

International Response

The rise in piracy in several critical areas of the world’s maritime trade was initially slow and rather anemic. Initially, there was little or no coordination in the employment of naval forces of several nations operating in the same general area. In the past several years this situation began to change for the better. Occasionally, a lethal force was used against Somali pirates. However, this had little or no effect on Somali pirates. Currently, most of naval activities at the present are in the Gulf of Aden and off Somalia’s coast. The U.S. Naval Forces Central Command (NAVCENT) controls the combined maritime forces operating in the Arabian/ Persian Gulf, Gulf of Oman, Red Sea, the Arabian Sea and in the Indian Ocean.

In January 2009, NAVCENT established Combined Task Force 151 (CTF-151) is one of three task forces operated by Combined Maritime Forces (CMF). In accordance with United Nations Security Council Resolutions, and in cooperation with non-member forces, CTF-151’s mission is to disrupt piracy and armed robbery at sea and to engage with regional and other partners to build capacity and improve relevant capabilities in order to protect global maritime commerce and secure freedom of navigation. In August 2008, CTF 151 and its partners established Maritime Security Patrol Area (MSPA) in the Gulf of Aden. In April 2009, CTF 151 consisted of some two dozen ships from the U.S., UK, Canada, Denmark, France, Germany, Greece, Italy, Malaysia, Netherlands, Saudi Arabia, Spain, Turkey, and Yemen. Later Bahrain, Jordan, Japan, Singapore, South Korea, Poland, and Belgium will also take part in the operation.

In December 2008 the European Union (EU) Naval Forces (EU-NAVFOR) launched Operation Atlanta to replace operation Allied Provider. Atlanta is the first naval operation conducted under the framework of the European Security and Defense Policy (ESDP). The force currently comprises of about 20 ships and 1,500 personnel. The main purpose of the operation is to conduct naval surveillance in Somali waters. EU NAVFOR established online center known as Maritime Security Center-Horn of Africa (MSC-HOA) for transiting ships for recording their movements voluntarily and to receive updated threat information. Similar service is provided by the UK maritime trade operations in Dubai and the U.S. Navy’s Maritime Liaison Office in Bahrain.

Russia, India, Malaysia, People's Republic of China (PRC), and South Korea also deployed warships off Somalia's coast though not being the part of the NATO or EU NAVFOR but working with same objectives to defend their own shipping operating in these routes. PRC joined international anti-piracy force by sending two destroyers to the Gulf of Aden in December 2008; its first expeditionary deployment of naval forces since 1949. The Russian Navy joined the international counter-piracy force in October 2006. Currently, the Russian Pacific Fleet task force composed of one destroyer, a salvage tug, a tanker, and naval infantry unit is also deployed in the Gulf of Aden to conduct aerial reconnaissance, searches of suspected vessels, and escorting Russian merchant ships. Also in October 2008, the Indian Navy for the first time conducted anti-piracy patrols to protect Indian ships in the Gulf of Aden.

Response by the international maritime community to the growing threat of piracy was limited largely to encouraging regional cooperation among the countries affected by piracy. For example, the littoral states of the Strait of Malacca and other Asian governments established in 2006 the Regional Cooperation Agreement on Combating Piracy and Armed Robbery (ReCAAP). It established procedures for coordinating responses to piracy and sharing best practice among law enforcement and security personnel. The ReCAAP's Information Sharing Center (ISC) was established in Singapore. Other bilateral agreements were signed among Malaysia, Indonesia and Singapore. This agreement is one of the principal reasons why piracy in the region has been drastically reduced. In contrast, the problem of piracy in the Gulf of Aden and off Somalia's coast is much more difficult to solve.

Somalia is a failed state. The regional countries are weak and their naval capabilities are inadequate. Yet the representatives of 17 regional governments met at the IMO-sponsored meeting in Djibouti in January 2009. They adopted code of conduct concerning the Repression of Piracy and Armed Robbery against ships in the western Indian Ocean and the Gulf of Aden. Three regional facilities were established: the Maritime Rescue Coordination Centre in Mombasa, Kenya; the Sub-Regional Coordination Centre in Dares Salaam, Tanzania. A Regional Maritime Information Center will be established in Sana'a, Yemen. The Contact Group on Piracy off the Coast of Somalia (CGPCS) intends to adopt interim measures to facilitate regional coordination until a dedicated coordination center to support the Djibouti code of conduct is in force.

International maritime organization (IMO) also collects information on reported accidents and issuing guidance to ship owners and operators and ship's masters. The IMO has issued detailed guidance and recommendations

for governments and commercial vessels to prevent, deter and respond to pirate attacks. It also publishes monthly reports on piracy and armed robbery against ships around the world. The International Chamber of Commerce—International Maritime Bureau (ICC-IMB) established a 24-hour piracy reporting center in Kuala Lumpur, Malaysia. The IMB and the EU's MCSHOA issue periodic "Industry Updates" detailing recent trend in piracy attacks and making recommendations to vessels transiting piracy-infested waters. The ICC Piracy Reporting Center (ICC-PRC) in Kuala Lumpur under auspices of the ReCAAP publishes monthly, half-yearly and annual reports on piracy and armed robbery. The U.S. Office of Naval Intelligence (ONI) publishes weekly reports on Worldwide Threats to Shipping including piracy.

Regional Cooperation to Combat Piracy

Regional cooperation among states has an important role to play in solving the problem of piracy and armed robbery against ships, as evidenced by the success of the regional anti-piracy operation in the Straits of Malacca and Singapore. The Regional Cooperation Agreement on Combating Piracy and Armed Robbery against ships in Asia (RECAAP), which was concluded in November 2004 by 16 countries in Asia, and included the RECAAP Information Sharing Centre (ISC) for facilitating the sharing of piracy-related information, is a good example of successful regional cooperation which IMO seeks to replicate elsewhere.

Few Root Causes of Piracy

Causes of piracy are very complex and often defy easy solution. One of the major reasons for reemergence of piracy over the past two decades was an enormous increase in both international and domestic maritime trade and large number of ports. This, in turn, offered almost limitless range of tempting, high-payoff targets for pirates and terrorists. In many undeveloped countries, lack of adequate naval forces or coast guard and maritime surveillance capabilities combined with coastal and port-side security make it much easier for various criminal groups to commit piratical acts. Also, pervasive corruption and emergent void of judicial prerogative have encouraged official complicity in high-level pirate rings. Piratical acts are also made easier because of global proliferation of small arms.

A failed or weak state is characterized by the almost complete breakdown of law and order and extreme poverty and unemployment. This, in turn, provides a fertile ground for the rise of and activities of various criminal groups that might be involved in piracy and terrorism. For example, in Somalia the provisional

government lacks authority over most of its territory. More than 40 percent of Somalis live in extreme poverty and almost 2/3 of households subsist on \$ 2 per day. About 2/3 of Somali youths are without jobs. Other causes for the rise of piracy in Somalia include inter-clan rivalry, corruption, arms proliferation, extremism, and pervasive impunity.

Piracy Effects

Piracy has several direct and many indirect effects. Economic impact of piracy is felt in many ways. They include ransom payments, damage to ships and cargoes, and delays in delivering cargoes. Annual costs to maritime industry because of piracy are estimated to be between \$ 1.0 an \$ 16.0 billion. Piracy results in the increased maritime insurance rates. For example, the ship insurance rates rose to \$ 20,000 per trip in 2009 from \$ 500 in 2008. Merchant ship owners and operators are forced to pay for self-defense measures. In some cases, the increased threat from piracy might force the ship owners or operators to use much longer but safer routes. For example, because of the increased piracy in the Gulf of Aden and off Somalia's coast some shipping companies directed their ships to sail around the Cape of Good Hope thereby adding some 3,500 miles per voyage from Rotterdam to the Persian (Arabian) Gulf. Hence, a ship can make five instead of six trips per year. It also greatly increases the fuel consumption and costs. Because of detours of the ships around Cape of Good Hope and economic downturn maritime traffic through the Suez Canal was greatly reduced. The Suez Canal revenues have declined in the recent months because of decreased economic activity and the piracy threat into the canal approaches in the Gulf of Aden. The Suez Canal revenues are expected to fall from \$ 5.1 billion in FY 2008 to about \$ 3.6 billion in FY 2010 or 30 percent decrease in two years. Piracy adversely affects fishing in some parts of the world. For example, tuna catches in the southwestern Indian Ocean, one of the world's richest fishing grounds, fell by 30 percent in 2008. This had a major impact on Seychelles because some 40 percent of its earnings came from fishing.

Piracy also represents the threat to humanitarian aid deliveries in the Horn of Africa. About 7.2 million Ethiopians currently receive emergency humanitarian assistance and an additional 4.9 million will require some assistance in the first half of 2009. In Somalia an estimated 3.2 million people or 43 percent of the population required humanitarian assistance. Piracy also can potentially trigger a major environmental disaster if the violent acts occur in crowded sea lanes such as Bab-el-Mandeb or the Strait of Malacca transited by heavy laden oil tankers.

Politically, widespread piracy and lawlessness undermines and weakens the government's legitimacy by encouraging corruption among elected government

officials. For example, piracy in Somalia greatly contributed to deterioration of law and order, proliferation of illegal arms, and increase in the well funded militia. The non-crime economy has been eroded by the piracy-fueled business.

While IMO has positioned itself in the epicenter of the concerted efforts being made, it cannot alone supply an instant solution to the issue – particularly since, although piracy manifests itself at sea, the roots of the problem are to be found ashore. Nevertheless, through the action plan and initiatives, and in collaboration with other interested parties, equally determined and committed, IMO is confident that it will be able to make a difference where the problem is being most acutely felt at sea. A United Nations report and several news sources have suggested that piracy off the coast of Somalia is caused in part by illegal fishing and the dumping of toxic waste in Somali waters by foreign vessels that have, according to Somali fishermen, severely constrained the ability of locals to earn a living and forced many to turn to piracy instead. After seeing the profitability of piracy, since ransoms are usually paid, warlords began to facilitate pirate activities, splitting the profits with the pirates. However, in most of the hijackings, the bandits have not harmed their prisoners.

Precise data on the current economic situation in Somalia is scarce, but with an estimated per capita GDP of \$600 per year, it remains one of the world's poorest countries. Millions of Somalis depend on food aid and in 2008, according to the World Bank, as much as 73 per cent of the population lived on a daily income below \$2.0. These factors and the lucrative success of many hijacking operations have drawn a number of young men toward the gangs of pirates, whose wealth and strength often make them part of the local social and economic elite. Abdi Farah Juha a pirate leader who lives in Garoowe (100 miles from the sea) told the BBC, "They have money; they have power and they are getting stronger by the day. They wed the most beautiful girls; they are building big houses; they have new cars; new guns."

The Transitional Federal Government has made some efforts to combat piracy, occasionally allowing foreign naval vessels into Somali territorial waters. However, more often than not, foreign naval vessels chasing pirates were forced to break off when the pirates entered Somali territorial waters. The East African Seafarers' Association estimates that there are at least five pirate gangs and a total of 1,000 armed men. According to a BBC report, the pirates can be divided into three main categories:

- a. Local Somali fishermen, considered the brains of the pirates' operations due to their skill and knowledge of the sea. Most think that foreign boats have no right to cruise next to the shore and destroy their boats.

- b. Ex-militiamen, who previously fought for the local clan warlords, or ex-military from the former Barre government used as the muscle.
- c. Technical experts, who operate equipment such as GPS devices.

According to Globalsecurity.org, there are four main groups operating off the Somali coast:

- a. The National Volunteer Coast Guard (NVCG), commanded by Garaad Mohamed, is said to be specialised in intercepting small boats and fishing vessels around Kismayo on the southern coast.
- b. The Marka group, under the command of Yusuf Mohammed Siad Inda'ade, is made up of several scattered and less organised groups operating around the town of Marka.
- c. The third significant pirate group is composed of traditional Somali fishermen operating around Puntland and referred to as the Puntland Group.
- d. The last set are the Somali Marines, reputed to be the most powerful and sophisticated of the pirate groups with a military structure, a fleet admiral, admiral, vice-admiral and a head of financial operations.

Response

The United Nations, alliances (political and defense) of states, Governments acting collectively or individually, military forces, shipping companies, ship operators and ships' crews, all had a crucial part to play in order to rid the world of the threat posed by piracy in the vast expanse of the Indian Ocean. To alleviate this unacceptable situation, no effort should be spared. Shipping companies must ensure that their ships rigorously apply the IMO guidance and industry-developed Best Management Practices in their entirety, so that, when venturing into the western Indian Ocean region, they comply with all the recommended measures: no ship is invulnerable, in particular those with relatively low freeboards and slow steaming speeds. And Governments need to back up their oft-stated concern over the situation by deploying military and other resources commensurate, in numbers and technology, with the scale of the problem and with a realistic chance of dealing with it effectively.

The IMO has made the piracy problem the theme for this year's World Maritime Day, with the title "Piracy: orchestrating the response". It is for all these reasons that IMO has decided to make combating piracy not only the theme

for World Maritime Day but also a central theme of its work this year and for as long as necessary. In conjunction with this theme, the IMO has developed an action plan that it hopes will ultimately lead to a sustainable solution through deterrence, security, the rule of law and economic development ashore. The 286 piracy incidents, 67 hijacked ships and over 1130 seafarers directly impacted by the continued and increasing piracy problem in the world's oceans and particularly off the Horn of Africa over the past 12 months has resulted in an "completely unacceptable situation" as mentioned by the UN Secretary General, General Ban Ki-moon in a recent speech at the IMO Headquarters in London. In the presence of UN Secretary General Ban Ki-moon, as well as the heads of several other key stakeholders, IMO's launched an action plan for 2011 has six prime objectives:

- a. Increase pressure at the political level to secure the release of all hostages being held by pirates;
- b. Review and improve the IMO guidelines to Administrations and seafarers and promote compliance with industry best management practice and the recommended preventive, evasive and defensive measures ships should follow;
- c. Promote greater levels of support from, and coordination with navies;
- d. Promote anti-piracy coordination and co-operation procedures between and among States, regions, organizations and industry;
- e. Assist states to build capacity in piracy-infested regions of the world, and elsewhere, to deter, interdict and bring to justice those who commit acts of piracy and armed robbery against ships; and
- f. Provide care for those attacked or hijacked by pirates and for their families.

With so many players involved, if the fight against piracy is ultimately to succeed, all concerned must be reading from the same score – hence IMO's choice of "Piracy: orchestrating the response" as its overall theme for the year.

Raising Awareness

Much of IMO's anti-piracy campaign has focused on raising awareness of the issues and galvanizing those who may be in a position to act. Workshops on preventing and suppressing piracy were held at IMO HQ on regular basis in order to raise awareness among those responsible for the oversight and delivery

of seafarer training. In the workshops, briefings were given by representatives of flag States, industry groups, the Contact Group on Piracy off the Coast of Somalia (CGPCS), navies and the IMO Secretariat. The workshops reiterated the need for urgent and coordinated action from Governments, the shipping industry and the maritime community to address the escalating crisis. Among other things, the meeting agreed on the need for compliance with the IMO guidance and industry best management practices; the need for improved co-operation, communication with, and deployment of, naval forces operating in the area; and the need for more proactive measures to avoid ships becoming victim to this organized criminal activity at sea.

A further meeting took place at IMO Headquarters to discuss ways of promoting greater levels of support from, and coordination with navies. The meeting noted that the naval vessels deployed in the Gulf of Aden had been effective in reducing the number of merchant ships being hijacked while transiting this vital shipping lane but that, unfortunately, the pirates' increased operating area had not been matched by an increase in naval vessels, maritime patrol and reconnaissance aircraft or other surveillance assets provided by Governments. The meeting concluded that Member States should be encouraged to provide appropriate assistance, both from military and other sources. It was these meetings that prompted IMO to issue Circular letter No.3164, advising that an unacceptably high proportion of the ships transiting the Gulf of Aden and western Indian Ocean were not registered with the Maritime Security Centre Horn of Africa (MSCHOA); were not reporting to United Kingdom Maritime Trade Operations (UKMTO) Dubai; were showing no visible deterrent measures; and were not responding to navigational warnings to shipping promulgating details of pirate attacks and suspected vessels. It strongly urged all those concerned, particularly Administrations, industry representative bodies, seafarer associations, ship owners and companies to take action to ensure that ships' masters receive updated information unfailingly and that all the recommended preventive, evasive and defensive measures are fully and effectively implemented.

Success So Far

Some success in thwarting pirate attacks can already be claimed from the falling percentage of attacks that prove successful. Despite the number of pirate attacks overall continuing to cause concern, there is, nevertheless, some cause for optimism. The percentage of attempted attacks that proves successful for the pirates has dropped, from more than 40 percent historically to less than 20 percent this year – testimony, no doubt, to the effectiveness both of the naval presence in the region and of the best management practices for ships developed by the industry and promulgated through IMO.

Nevertheless, as the statistics so bleakly indicate, piracy and armed robbery against ships remain real and ever-present dangers to those who use the seas for peaceful purposes. So long as pirates continue harassing shipping, hijacking ships and seafarers, the maritime institutions can neither be proud of, nor content with, the results achieved so far. More needs to be done, including the capture, prosecution and punishment of all those involved in piracy; the tracing of ransom money; and the confiscation of proceeds of crime derived from hijacked ships, if the ultimate goal of consigning piracy to the realms of history is to be achieved.

Piracy is a serious issue, but it is all too easily oversimplified in terms of numbers of attacks and responses required. It is a complex problem that needs to be kept in perspective. Again, piracy is prone to exaggeration and obfuscation about the true interests and contributions of stakeholders. There are some inconvenient truths about sea piracy that need to be appreciated.

Some countries are using sea piracy for their strategic advantage, but others may lose out. A senior Yemeni minister recently noted that “internationalizing the Red Sea” with the increased presence of foreign warships posed “a real threat on Yemen’s security and stability in particular and on the region in general”. The threat of piracy is also used as justification for naval spending. In direct terms, this leads to an environment of increased naval activity that is potentially destabilizing, with greater numbers of aircraft, warships and submarines at sea, including in areas such as the seas of East Asia, where sovereignty disputes and bilateral tensions already exist. In indirect terms, defence spending has a high opportunity cost as it diverts resources from important programmes for economic development, social improvement and poverty alleviation.

For the international shipping industry, the direct economic losses as a consequence of piracy are relatively low, although insurance premiums for ships passing through piracy-prone areas have increased. Much depends on the quality of a ship and her crew. A valuable ship with a valuable cargo is more likely to be operated by a well-trained and motivated crew who will take all precautions against being successfully hijacked.

The Way Ahead

IMO has been dealing with piracy issues for many years. The Straits of Malacca and Singapore were the previous focus of attention. There, through a series of measures, developed and implemented with the strong co-operation of the littoral States and the support of the shipping industry, we have been able to help significantly reduce piracy in those parts of the world. And it was as long ago as 2005 that IMO first drew the attention of the United Nations Security

Council to the problem of piracy off the coast of Somalia. The need has been identified to seek solutions concurrently in three distinct time horizons. In the immediate term, there is a need to contain piracy and thwart pirate attacks; in the mid-term, a need to undermine organized crime entities to plan and mastermind pirate operations and make it harder for pirates to engage in and conduct such operations; and, in the long term, the international community as a whole must help the people of Somalia to rebuild their country and establish the forces of law and order so that crime is no longer the preferred option for them. It is crucial that the political will among those Governments that have the potential to make a difference is translated into reality in a manner that the severity of the issue demands. Resources being made available; legislation to ensure pirates do not escape prosecution being expeditiously adopted and rigorously enacted; and ensuring that all ships transiting piracy-infested areas comply with the recommended best management practices – all these need to maintain a high priority on the agenda of all those concerned.

While IMO has positioned itself in the epicenter of the concerted efforts being made, it cannot alone supply an instant solution to the issue – particularly since, although piracy manifests itself at sea, the roots of the problem are to be found ashore. Some success in thwarting pirate attacks can already be claimed, as can be seen from the falling percentage of attacks that prove successful. Nevertheless, as the statistics so bleakly indicate, piracy and armed robbery against ships remain real and ever-present dangers to those who use the seas for peaceful purposes. So long as pirates continue harassing shipping, hijacking ships and seafarers, we are neither proud of, nor content with, the results achieved so far.

More needs to be done, including the capture, prosecution and punishment of all those involved in piracy; the tracing of ransom money; and the confiscation of proceeds of crime derived from hijacked ships, if the ultimate goal of consigning piracy to the realms of history is to be achieved. The theme of this rallying point is aimed at all those who can make a difference can focus their efforts.

CONCLUSION

The problem of piracy is increasing in some part of the world's ocean. It already poses a grave danger to safety of merchant shipping in several focal points of maritime trade and approaches to major ports. This problem cannot be allowed to fester because it will become progressively more difficult to resolve successfully. The problem of piracy should not be exaggerated. It should not be underestimated either. It is critically important that piracy in the focal points of maritime trade such as major international straits and their approaches is brought

under control soon. The problem of piracy is complex and its solution will require a comprehensive solution encompassing the use of both military and nonmilitary sources of power by the major powers and international community as a whole. This will require much time, patience and relatively large resources.

Current policies in countering the threats of piracy are timid, sporadic and incoherent. A comprehensive approach is badly needed in radically reducing the threat of piracy of east and west coasts of Africa, South and Southeast Asia. Another important objective should be to deter the emergence of piracy in other parts of the world's ocean. The military action alone cannot resolve the problem of piracy. It must be only a part of a much broad and comprehensive series of actions. The main causes of piracy are predominantly political, economic, and social. Hence, the long-term solution can be found only if the international community and regional governments make concerted efforts to solve the root causes of piracy. These actions would require much time and effort. In the meantime, governments directly affected by acts of piracy and international community must do everything possible to ensure the safety of maritime traffic in the pirate-infested area. This, in turn, require a decisive use of one's military forces aimed to destroy or neutralize major part of pirate network and thereby create conditions for ensuring safety of maritime traffic. A decisive use of force against pirates and their leaders and enablers ashore is also one of the keys for restoring the government legitimacy and authority over its territory.

Insufficient attention has been given to the responsibilities of flag states and ship-owners in preventing piracy. The depressed state of the international shipping industry has led to greater numbers of unemployed or underemployed ships and cost-cutting measures that are contributory factors to the increase in piracy. Flag states should be more proactive in ensuring ships are not vulnerable to attack, and the IMO might look more closely at the problem of sub-standard ships, their vulnerability to attack and the consequences of the shipping recession for maritime security. The choice of the theme 34th celebration of World Maritime Day will provide an appropriate rallying point around which all those who can make a difference can focus their efforts. In the meantime, the thoughts and prayers are with those seafarers, who, at present, are in the hands of pirates. May they all be released unharmed and returned to their families soon.

The United Nations, alliances (political and defence) of states, Governments acting collectively or individually, military forces, shipping companies, ship operators and ships' crews, all have a crucial part to play in order to rid the world of the threat posed by piracy in the vast expanse of the Indian Ocean. To alleviate

this unacceptable situation, no effort should be spared. Shipping companies must ensure that their ships rigorously apply the IMO guidance and industry-developed Best Management Practices in their entirety, so that, when venturing into the western Indian Ocean region, they comply with all the recommended measures: no ship is invulnerable, in particular those with relatively low freeboards and slow steaming speeds. And Governments need to back up their oft-stated concern over the situation by deploying military and other resources commensurate, in numbers and technology, with the scale of the problem and with a realistic chance of dealing with it effectively.

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