Maritime Piracy in the Modern Era

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Abstract

Despite the great civilizational progress in the world and the presence of international organizations, international courts and laws, high-capacity means of monitoring and surveillance, aviation, effective weapons and equipment, maritime piracy has reappeared in many regions of the world, especially in the Southeast Asian region as well as the Arabian Sea region, where the methods and methods of maritime piracy have evolved through different eras, this phenomenon began to grow until it reached the modern era with the collapse of the Somali government and the outbreak of civil war, which reflected negatively on Somalia and the Arabian Sea region.

Keywords: *Piracy, Seas, Ships, Somalia, Navigation, Gulf of Aden.*

INTRODUCTION

The crime of maritime piracy has emerged since ancient times and has passed through ages of prosperity and stagnation throughout history, depending on the movement of trade and maritime navigation, pirate activity has flourished since large ships began sailing long distances from the coasts, during the modern era, the crime of maritime piracy reappeared again, as it was characterized by a high degree of seriousness, especially in the Arabian Sea region / off the coast of Somalia and the Gulf of Aden.

THE HISTORICAL DEVELOPMENT OF MARITIME PIRACY IN THE MODERN ERA

The modern era of maritime piracy begins from the middle of the nineteenth century until now[i], which was for many political and economic reasons, the truth is that the crime of maritime piracy was weak at the beginning of the modern era, it has no wide spread and maritime piracy no longer represents a real threat to maritime navigation, especially after the Paris Declaration in 1856 AD*, which stipulated the immunity of the goods of the enemies by neutral boats, except for war contraband, and this declaration is considered a cancellation of permissible piracy[ii], with the international efforts made to fight the slave trade between Africa and America, the presence of naval military patrols in the Atlantic, Caribbean and Pacific regions, and the cooperation of major countries to combat piracy, maritime piracy disappeared and disappeared until (1945), due to the seriousness of the fight against the major Powers after noticing its danger, which they supported before that and used it in previous periods, and there were only some individual attacks on commercial ships[iii] especially in the Red Sea and the seas bordering China, and these

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actions were different from others that prevailed before that period, pirate gangs were gathering information about the ship they intended to loot, crew and build, and other information and then the pirates infiltrate the ship in the form of passengers or on the basis of work within its crew and remains only the task of delivering weapons and ammunition to its surface and after sailing is controlled and seized[iv].

In the middle of the twentieth century, after World War II (1945), maritime piracy returned again, where it appeared in the form of organized gangs that take refuge from the sea and attack transport, fishing and trade ships, relying on force and violence and in a more heinous way than before[v] as happened in March (1960) the anti-Cuban revolution blew up a Belgian ship called La Coper, and this incident resulted in many victims, in March 1963, the Soviet merchant ships Lavov and Baku were also attacked within Cuban territorial waters[vi], in 1965, about a hundred pirates attacked the Greek ship "Ekos" in the waters of Southeast Asia when it was on its way from the Philippines to Europe[vii], in the eighties of the twentieth century, piracy operations became repeated in many regions of the world, such as the China Sea, in South-East Asia, such as the Strait of Malacca, the coasts of Singapore, Thailand, the Philippines, Vietnam and Indonesia, and in the coasts of Brazil[viii], maritime piracy continued to increase from year to year in the nineties of the twentieth century and the beginning of the twenty-first century, where it has become one of the most important and serious problems that threaten humans, navigation, ships and goods transported by sea[ix], the statistics and reports of the International Maritime Organization (IMO) confirm the extent of the exacerbation of this phenomenon, the number of incidents of international armed maritime piracy committed in 1997 against ships reached 252 incidents[x], in which 51 crew members were killed, 30 injured and 42 hostages were hijacked, in 1998, pirates attacked a ship in Chinese waters bound for Shanghai, they hijacked the ship after killing all the sailors and dumping their bodies in the South China Sea[xi], in 2000, there were 471 incidents of piracy in various regions of the world[xii].

A number of pirates were arrested in the Arabian Sea, the Gulf of Aden and the Horn of Africa*, later, in addition to the investigation into the attacks on the Kohl and the tanker Limburg, detailed training and planning procedures related to piracy and terrorism networks specifically designed to target maritime security were unveiled[xiii], in the late nineteenth century, the Somaliland region was living on piracy due to harsh economic conditions, the British authorities in Aden were providing generous annual financial donations to the sultans of the Somali region in exchange for stopping piracy and protecting British ships that were passing through their shores from any attack, as the Somali coast was safe during the Italian occupation (1869-1960) the case continued to be so during thirty years of the life of the Somali state, where there was not a single piracy incident, according to analysts of the phenomenon, and Arab and African researchers and diplomats agree that the phenomenon of maritime piracy in the Gulf of Aden was the result of the failure of the Somali state and its collapse in 1991[xiv], then warlords gangs and tribal militias took control of different parts of Somalia, they were unable to fill the vacuum left by the collapse of the State, but a devastating civil war began, which provided an opportunity for foreign fishing vessels to invade the shores of Somalia early to plunder the abundant bounties at sea[xv], piracy began as a defensive act by Somali fishermen in the face of foreign fishing vessels and the emergence and emergence of the phenomenon of piracy is linked to the internal political situation in Somalia[xvi], the data indicated that those carrying out the piracy operation are a group of Somalis who previously worked in the Somali army and the pirates began their lives (as coast guards), they also say they are tribal elders and protect their coasts from European fishing vessels that come to fish for tuna illegally within the territorial waters of Somalia, gradually, this activity moved to the stage of piracy after it became entice its owners to receive huge sums as ransoms for the ships they hijacked[xvii].

The first piracy attempt took place in March (1995), when militias fired mortar shells at a British yacht called (Longobarda) in the Gulf of Aden, they tried to board the yacht but for the approach of the Canadian Navy (Fred Rickton) that was passing by the place[xviii] in January 1998, militias in north-eastern Somalia seized a Bulgarian ship linked to a Syrian vessel, assisted in the negotiation by clan elders and businessmen in Bosaso[*], the crew and ship were released in February for $110,000, since then, the Puntland administration in northeastern Somalia has offered to license fishing vessels on the condition that it commit to what it calls "proper fishing operations"[xix],the cities of El and Harardhir are the largest pirate strongholds, where you come from three main cities:

1-   Mogadishu

2-   The city of Bosaso

3-   The city of Dusumareb, one of the cities of Puntland as well[xx].

By the late nineties, the Somali coast had become a perilous route for ships with increasing incidents of piracy by some fishermen[xxi], with the phenomenon of maritime piracy in many regions of the world such as the seas of the Philippines, Indonesia, Thailand, Laos, Vietnam and Nigeria however, it has reached in the Gulf of Aden region and the eastern coast of Somalia to a high degree of danger due to the fact that piracy operations are not limited to intercepting ships and looting their cargo and the valuables carried by crew and passengers, rather, developments lead to the taking of hostages, the hijacking of ships and the demand for ransom for their release, which leads as a result to a threat to the security of international navigation and local, regional and international stability[xxii], it is noticeable that the acts of maritime piracy in the twenty-first century have taken new dimensions that alarm and threaten one of the most important shipping routes in the world despite the great civilizational development in the world and the presence of international organizations, international courts and laws, highly capable means of monitoring and surveillance, advanced naval forces equipped with the latest effective weapons, the acts of maritime piracy have returned to rearing their head again, especially after the piracy attacks in the waters of Southeast Asia, as pirates roam the seas freely and loot passing ships by force of arms, often, piracy operations spread in East Africa, off the Somali coast adjacent to the Gulf of Aden, the entrance to the Red Sea and the western Indian Ocean, and extended east to the Omani shores[xxiii], the International Maritime Bureau has announced an increase in piracy off the coast of Somalia and in 2008 there have been several cases of kidnapping, including[xxiv] the hijacking of the Ukrainian cargo ship Faina M/VFaina on September 25 See image (1) which was on its way to the Kenyan port of Mombasa carrying a cargo of tanks, ammunition and other Soviet-made weapons, it was captured by about 50 armed pirates who led it to its anchorage in front of the now-closed port of Hobuyo, just south of the port of Eyl, the most famous and important port in the piracy of the Horn of Africa, and also a giant Saudi oil ship Sirius Star, M/VsiriusStar, which is 330 meters long (see picture (2) and is up to 3 times the size of a conventional aircraft carrier and was carrying on board about two million tons of crude oil worth about 100 million US dollars, the hijacking took place 450 nautical miles off the coast of Kenya, which was en route to the United States and forced the tanker to sail to its anchorage in the Somali port of Harardhir, it was released on 9 January 2009 after paying a ransom of US$3.5 million, and the hijacking of this ship has an impact on the development of the capabilities of Somali pirates[xxv].

The hijacking of a French ship carrying French tourists and a Jordanian-flagged ship called Victoria in May (2008) carrying (4200) tons of sugar as humanitarian aid (Danish) to the residents of Mogadishu and an Egyptian ship and another Yemeni ship (MV. Onia) hijacked from the Gulf of Aden[xxvi].

Image (1) Ukrainian Ship Faina(M/Vfaina)

Source: Talks to free the Ukrainian ship hijacked off Somalia, Al Jazeera Media Network, 2008, accessed on 15/8/2022, at the link: https://www.aljazeera.net/amp/news/arabic/2008

Image (2) Saudi Arabia's Sirius Star

Source: Pirates announce the release of the Saudi oil tanker Sirius Star, Al-Eqtisadia newspaper, 2009, accessed on 15/8/2022, at the link: https://www.aleqt.com/2009/01/09/article-182336.htm

The activity of Somali pirates has gone beyond the usual places such as the Gulf of Aden or the eastern coast of Somalia to reach the southern part of the Red Sea, the Bab al-Mandab Strait and the eastern coast of Oman, thus, maritime piracy moved to the Gulf of Aden and the Arabian Sea by the Somalis[xxvii], in 2009, after an attempt to hijack the American ship by pirates, the Americans succeeded in killing three pirates, the international attitude towards pirates has changed, as it has become offensive, and at the same time piracy operations increased in the first quarter of 2009, where the International

Bureau of Maritime Navigation in London recorded that the number of attacks reached (80) incidents of maritime piracy in Somalia[xxviii], in 2010, Somali pirates in the Gulf of Aden hijacked the Russian oil tanker Moscow Univer City, where the ship was stormed about (350) nautical miles east of the island of Socotra at the entrance to the Gulf of Aden, the oil tanker was heading eastward when it was attacked and eventually reached China, it had 86,000 tons of crude oil worth $50 million, which was liberated with its crew of 23 sailors by the heavy anti-submarine ship Marshal Shabo Shnikov from Somali pirates[xxix].

The pirates were able to expand their activities through the use of their main ships or by hijacking ships that they used to attack other ships, the main ships being larger and more durable and allowing pirates to sail to areas far beyond the coast of Somalia[xxx].

The Puntland region is of great importance to pirates and includes the Puntland region in northeastern Somalia in the Nogal region See map no. (1) it has extensive autonomy and has been semi-independent of Somalia's central government since 1998, historically known as the country of Punt, the word punt means incense because these areas are famous for the incense trade, its capital is also called Geroy, and its area is estimated at more than 212,000 km2 and constitutes approximately a third of the area of Somalia and its inhabitants are Somali and do not distinguish them from the rest of the population of Somalia ethnic or cultural specificity, they speak the Somali language along with Arabic and English and after the capital Geroy, the city of Bosaso occupies an important place in the region because it is its beating commercial heart by embracing an important port and one of its most important economic sources is livestock and marine wealth, and the Puntland region is famous for being the stronghold of Somali pirates[xxxi] most Somali pirates come from the Somali region of Puntland and range in age (20-30) years and they are professionalizing this profession for the abundant money generated by piracy on them[xxxii], the categories of pirates can be divided into three main sections:

-        Local Fishermen: They are the masterminds of piracy operations due to their skill and extensive experience in the sea.

-        Militia Element: those who have worked with local armed movements and former war commanders.

Map (1) The Geographical Location of the Puntland Region and the Most Important Ports of Somalia
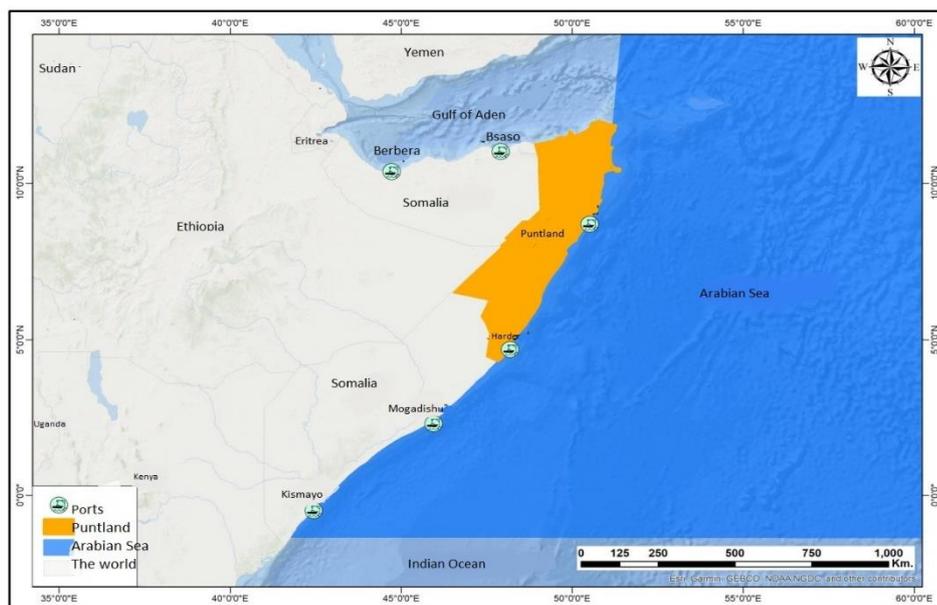
Source: From the work of the researcher based on:

- Esri , Garmin ,GEBCO ,NOAA NGDC ,and other contributors.

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- Technical Experts: They are the tactical tool for piracy operations due to their expertise in information technology, computers, operation of navigational sites, advanced military equipment and satellite phones, reports indicate that pirates obtain their weapons through Yemen and the Somali capital Mogadishu and are transported by militiamen to Puntland to be paid for by intermediaries[xxxiii], these pirates practice their work in a precise and focused manner, both in terms of capabilities and in terms of the method and method of attacking ships, as the facts indicate that the pirates use the latest equipment and means to carry out their work, they use boats* fast and very sophisticated operating from mother ship** laser day and night vision devices and small radar monitoring devices are available. Armed with machine guns, grenade launchers, rocket launchers and naval mines, they threaten to use them, place them on the sides of the ship and detonate them if their demands are not met, and guidance systems linked to satellites, they also use phones that operate with the system (JPS) linked to satellites to determine and direct the locations of ships, they are highly skilled in the use of computers and navigational devices[xxxiv], which is useful in directing the boats to their target, determining the locations of the ships for them, and even warning them of warships so that they hide on small islands or go out of the place of maneuver, they also use shoulder-borne air defense systems, there is great cooperation and support between pirate groups in the exchange of information and weapons and providing protection for some of them, with the presence of traders cooperating with pirates to discharge the cargo of hijacked ships of goods on the black market, whether those goods are oil, foodstuffs or otherwise, there is also a secret cooperation with international banks with secret numbers that monitor the money obtained from the ransom demanded by the representatives of the pirates[xxxv] they are at a high level with contacts with foreign embassies, as well as the presence of representatives of pirates who deliver information to news agencies even half an hour before the hijacking of a particular ship, and even the matter reached the appointment of an official spokesman for them[xxxvi] pirates methods of attacking merchant ships indicate advanced levels of tactics and flexibility together, as the ship usually attacks the target with a cell of (10) armed pirates distributed over three speedboats, the cell is led by a pirate associated with a warlord on the opposite coast, and the target ship is usually tricked into starting with distress calls or pirates appearing as fishermen, as soon as they approach it, it is shot to force it to slow down while pirates climb its roof to drive it to its anchor in front of a friendly coastal city like El, the ransom demand for the release of the ship then begins in large sums and it takes an average of five weeks to negotiate and bargain in which the ship remains crewed at its new anchor[xxxvii], the International Maritime Organization has identified three forms of work carried out by pirates:

A- Robbery Using Light Weapons: They are small thefts using weapons and often committed in ports or near the coast against fishermen or hikers at sea, and the International Maritime Organization defines this type of robbery as a suicide attack located along the coast and carried out by very powerful boats led by criminals and armed thieves in the seas, they usually carry knives, and their goals are generally cash, especially in the iron boxes found in each vessel as well as expensive personal items[xxxviii].

B- Theft and Moderate Armed Assault with or Without Kidnapping: violent attacks and robberies resulting in serious injury or death, they are carried out by highly organized gangs, usually heavily armed, and work for a parent vehicle, generally benefiting from accomplices on the ground, this form of piracy poses a serious threat to navigation, in particular the neutralization, immobilization or seizure of seafarers[xxxix].

C- Serious Criminal Kidnapping: a serious act in which the offence of kidnapping is committed, where the pirates seize the boat and then disguise it first, then register it with a false name and hijack its cargo or toss it into the sea, the organization has defined this

type of piracy as "planned international criminal activities, at its disposal important resources and using gangs of well-trained and heavily armed men, they are willing to use firearms, and they also have GPS phones connected to satellites" and it is worth noting that the organization estimates the number of pirates scattered along the Somali coast at about (1100) individuals[xl].

Pirates distribute themselves according to their environment and the nature of the fortified terrain of the countries near them, Asian pirates mostly focus on shipping lanes between China and India, as for the Atlantic pirates since the Golden Age, raiding the complex network of shipping lanes that were called the "triangular trade" and developed themselves as the needs and offers of the markets changed[xli].

CONCLUSION

Piracy in the modern era has increased significantly compared to previous eras, it has spread in different places in the world and in a different way from previous historical stages, and piracy operations have evolved with the development of technology, despite the great technical progress that prevails in the contemporary world and the existence of international treaties and international law regulating maritime navigation to reduce the phenomenon of piracy, however, the phenomenon still exists, especially in troubled areas with limited security, whether in Africa or Asia, what is happening on the Somali coast does not depart from this general context.

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∗ Pirate boats are made of materials that cannot be detected by ship devices at safe range, which indicates that the planning of piracy operations is carried out in a professional manner and is planned by professional personnel.

∗∗ Mother ship: A large ship usually used as a means of transporting, carrying or towing smaller ships, boats, aircraft or submarines to an area in the depth of the sea in order to achieve the objectives assigned to them and in the context of this study the term refers to the use of pirates rather large ships (mother ships) in order to carry or drag small boats to deliver them to remote maritime areas that can not reach them themselves and where they intend to attack other ships within the acts of piracy.

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