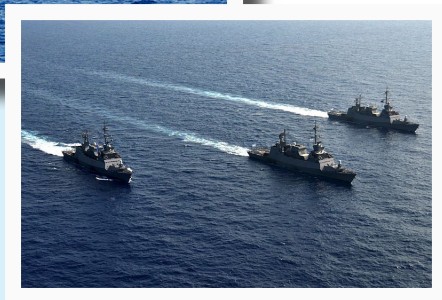
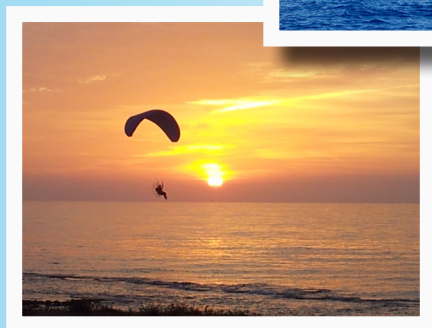
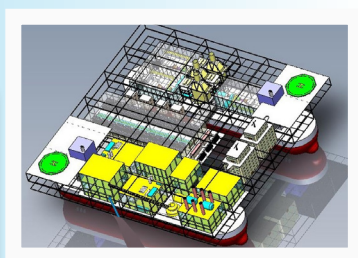


MARITIME STRATEGIC EVALUATION FOR ISRAEL 2016

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Chapter 17: Maritime Piracy and Armed Robbery at Sea

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Introduction

In 2016 the number of reported pirate attacks worldwide dropped to the lowest level since 1995. Despite this positive development, maritime piracy and armed robbery at sea still constitute a persistent threat to commercial shipping in a several regions of the world.¹ Piracy also puts seafarers at significant risk of injury and death. Thankfully, for the first time since 2005, no sailors were reported to have been killed by pirates last year. While no seafarers were killed, several were seriously injured and 62 were kidnapped, a three-fold increase from 2015.²

While Somali pirate attacks in the Gulf of Aden and western Indian Ocean have largely disappeared since 2012, pirates operating in Southeast Asia and West Africa continue to attack commercial ships on a regular basis. In 2016, the International Maritime Bureau (IMB) reported 191 actual and attempted pirate attacks globally. These included seven hijackings and 150 ships boarded.³ The interconnected system of international maritime trade means that insecurity at sea can effect countries far-removed from the site of actual pirate attacks. While piracy does not directly threaten Israel's maritime security at present, any resurgence of piracy in the Red Sea or the western Indian Ocean could negatively affect trade through the Port of Eliat.

- 1 The 1982 United Nations Convention of the Law of the Sea (UNCLOS) defines piracy as: *(a) 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 ship or a private aircraft, and directed: (i) on the high seas, against another ship or aircraft, or against persons or property on board such ship or aircraft; (ii) against a ship, aircraft, persons or property in a place outside the jurisdiction of any State...* Attacks which take place within the jurisdiction of a state are termed "armed robbery at sea." While this is an important legal distinction, for the sake of brevity, this report uses "piracy" to refer to attacks carryout in both international and territorial waters.
- 2 IMB, "International Maritime Bureau: Piracy and Armed Robbery Against Ships - Annual Report 2016"; IMB, "Piracy and Armed Robbery against Ships (1 January - 30 September 2012)"; IMB, "Piracy and Armed Robbery against Ships (2007)"; "ICC International Maritime Bureau: Piracy and Armed Robbery Against Ships - Annual Report 2005."
- 3 The International Maritime Bureau is a department of the International Chamber of Commerce. The IMB's Piracy Reporting Centre tracks pirate attacks worldwide. "International Maritime Bureau: Piracy and Armed Robbery Against Ships - Annual Report 2016," 7.

Global & Regional Issues

Today the two most pirate prone areas of the world are found in Southeast Asia – most notably Indonesia, Malaysia, and the Philippines – and the waters off Nigeria’s Delta region. Fifty-four percent of all reported actual and attempted attacks occurred in these two regions in 2016.⁴ These regions also experience the vast majority of attacks carried out against commercial ships while at sea, as attacks in other parts of the world, such as Peru and India, typically only occur against ships in port or at anchor. Although Nigerian and South Asian pirates both attack ships at sea for private gains, they differ from one another in terms of models of piracy employed. While the South Asian piracy model is to steal valuables from ships, West African pirates primarily employ a kidnap-for-ransom model.

Southeast Asia

The IMB reports 68 actual and attempted attacks in Southeast Asia in 2016. The majority of these attacks occurred in the waters around Indonesia. Most Southeast Asian piracy is relatively small-scale, with the majority of attacks carried out against ships at anchor or alongside. In instances where pirates take control of a ship while it is at sea, their objective is usual to steal valuables, rather than hijack the ship itself. Once gaining control of the ship, these pirates loot easily portable valuables, such as electronic equipment, jewelry, and cash, before disembarking. Although in the past Southeast Asian pirates have stolen entire ships for resale on the illicit market, these large-scale attacks have been rare in recent years.

The fact that Southeast Asian pirates do not typically kidnap crewmembers for ransom is a double-edged sword in terms of seafarer safety. Sailors are spared the dangerous and traumatic experience of being kidnapped; however, in some instances this can put crews at greater risk because pirates have no self-interest in protecting them.

Increased maritime security operations by local forces, such as the Indonesian Marine Police, as well as increased cooperation between regional actors, has led to a 53% decrease in the number of ships attacked in Southeast Asia in 2016, as compared to 2015. This decrease is driven primarily by a significant drop in the number of reported attacks in Indonesian waters (108 in 2015 vs. 49 in 2016). While this trend is encouraging, attacks in Indonesia have fluctuated significantly in the past. For example, in 2009 only 15 attacks were reported in Indonesian

4 Ibid., 5.

waters. By 2013 this number had risen to 106.⁵ The high level of yearly variation in the number of attacks makes any long-term predictions about Southeast Asian piracy trends challenging.

Nigeria

There were 36 actual and attempted attacks attributed to Nigerian pirates last year. This is a more than two-fold increase from 2015. Unlike the Southeast Asian pirates, who are interested largely in stealing valuables, Nigerian pirates primarily operate a kidnap-for-ransom enterprise. While they will also take easily lootable valuables from ships, this is not their primary objective. In the past Nigerian pirates have also targeted tankers in order to steal oil, which they resell on the illicit market. There were no successful attacks of this type reported in 2016.⁶

Kidnapping is inherently dangerous for crewmembers. While pirates do have a self-interest in keeping hostages alive so that they can be ransomed, this fact does not shield sailors from injury and even death.

After declining in 2014 and 2015, last year piracy off Nigeria returned to 2013 levels, both in terms of the number of ships attacked and crewmembers hijacked. While the Nigerian government has the primary responsibility for combatting piracy in the Gulf of Guinea, its maritime security forces have been unable to tackle the problem. As a result, it is likely that piracy will persist in the Niger Delta until the root causes of piracy in the region – poverty, corruption, environmental degradation, and political instability – are addressed.

Piracy & Trans-national Terrorism

Because piracy and political violence can stem from the same political and economic root-causes, the fear of a nexus between terrorist organizations and piracy has been a longstanding concern. This fear was most acute in Somalia in 2008, when reports warned of a burgeoning “unholy alliance” between the terrorist organization al-Shabaab and pirates. Not only was it feared that terrorist groups could use the proceeds from ransoms to fund their activities, but that pirates would train terrorists to carry out attacks at sea. While such ties are hypothetically possible, in the case of Somalia it appears that these fears were largely unfounded,

5 IMB, “International Maritime Bureau: Piracy and Armed Robbery Against Ships - Annual Report 2013.”

6 IMB, “International Maritime Bureau: Piracy and Armed Robbery Against Ships - Annual Report 2016.”

as no such alliance came to pass. Currently, there is no evidence to suggest cooperation between pirates and trans-national terrorist organizations is likely to arise in any of the areas where pirates are active.

Piracy and Israeli Maritime Security

Maritime piracy does not pose a direct threat to Israel's maritime and economic security at this time. Piracy is practically non-existent in Mediterranean, with the last reported attack occurring in 2011 off the Libyan coast. Although Somali pirates have attacked ships in the Red Sea in the past, their operational range never extended west much beyond the Bab el-Mandeb – the narrow chokepoint separating the Red Sea and the Indian Ocean.

Although piracy is not of immediate concern, much of Israel's maritime trade passes through one of three strategic choke points: The Straits of Gibraltar; the Bosphorus; and the Bab el-Mandeb. While the Straits of Gibraltar and the Bosphorus have enjoyed decades of stability, vessels passing through the Bab el-Mandeb faced a serious threat from Somali pirates between 2007 and 2012. During this period several merchant vessels transiting from Asia to Europe even chose to bypass the region altogether and proceed via the Cape of Good Hope.

While Somali piracy is currently dormant, both Somalia and Yemen suffer high levels of political instability and poverty. Together with the advantageous physical geography, these are the conditions that allow piracy to flourish. If Somali piracy returns to the levels witnessed as recently as 2011, when more than 200 attacks were reported each year, or Yemeni pirate organizations were to come about, Israel's maritime trade could be affected. For example, increased shipping insurance rates could increase the costs of using the port of Eliat, including the overall cost of bringing oil to market through the Eliat–Askelon pipeline.