

Forum: General Assembly (GA1)

Issue: Addressing the continued threat of piracy towards international shipping

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Introduction

In 1982, the United Nations Convention on the Law of the Sea (UNCLOS) was opened for signature. Establishing a framework for governing the use of the world's oceans, several articles of the UNCLOS were dedicated to addressing the issue of piracy. Among them, article 101 defined piracy as “any illegal acts of violence or detention, or any act of depredation, committed for private ends by the crew of the passengers of a private ship or a private aircraft...on the high seas against another ship or aircraft...[and] any act of voluntary participation in...a ship or of an aircraft with knowledge of facts making it a pirate ship or aircraft.”

One factor making piracy an imminent danger to global stability is that it sparks multiple issues alongside its direct impacts on international shipping, including human rights, economic, and security threats. Piracy often involves crew members of a ship being held hostage, inevitably leading to fatalities. Under fear of piracy and armed robbery, companies pay more for insurance for vessels operating in high-risk regions. Ultimately, all impacts contribute to security threats against local governments and, eventually, the global community. For instance, when governments are prompted to reinforce naval security measures against piracy, political tension between nations over territorial waters arises due to arguments regarding military presence, sovereignty, etc.

An existing threat since the Age of Sail, piracy threats toward international shipping have never received sufficient global attention to be effectively diminished. Instead, piracy is escalating to a new level of violence and disruption against traveling vessels. In 2023, the Global Integrated Shipping Information System (GISIS) of the International Maritime Organization (IMO) received 150 reports of incidents of piracy and armed robbery against ships, an approximately 15% increase from data in 2022. As the world undergoes continuous waves of technological innovation, piracy poses greater threats to international shipping by utilizing recent technologies. In 2024, the International Maritime Bureau's Piracy Reporting Centre (IMB PRC) warned that Somali pirates are now capable of locating vessels up to 1,000 nautical miles from the Somali coastline with newly acquired Global Positioning System (GPS) technology. This phenomenon intensifies the fight against piracy, calling for humans to collectively work on alleviating the effects of piracy on international shipping.

Definition of Key Terms

Piracy & Armed Robbery at Sea

The definition of the crime of piracy is contained in article 101 of UNCLOS, which reads as follows:

“Piracy consists of any of the following acts:

- (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;
- (b) any act of voluntary participation in the operation of a ship or of an aircraft with knowledge of facts making it a pirate ship or aircraft;
- (c) any act of inciting or of intentionally facilitating an act described in subparagraph (a) or (b).”

Note that terms “armed robbery at sea” and “armed robbery against ships” refer to such acts committed within the territorial sea of a State.

Ransom Payment

Providing a sum of money or other assets to secure the release of a kidnapped individual. A motivating factor of piracy.

Theft of Cargo

Taking cargo of a ship. A motivating factor of piracy.

United Nations Convention on the Law of the Sea (UNCLOS)

“The United Nations Convention on the Law of the Sea was adopted in 1982. It lays down a comprehensive regime of law and order in the world's oceans and seas establishing rules governing all uses of the oceans and their resources. It embodies in one instrument traditional rules for the uses of the oceans and at the same time introduces new legal concepts and regimes and addresses new concerns.”

Maritime Domain Awareness (MDA)

“The effective understanding of anything associated with the maritime domain that could impact security, safety, the economy or the marine environment.”

Exclusive Economic Zone (EEZ)

“The exclusive economic zone is an area beyond and adjacent to the territorial sea, subject to the specific legal regime established in this Part, under which the rights and jurisdiction of the coastal State and the rights and freedoms of other States are governed by the relevant provisions of [the UNCLOS].” In the EEZ, “the coastal State has sovereign rights for the purpose of exploring and exploiting, conserving and managing the natural resources” whilst all other States, “whether coastal or landlocked, enjoy the freedoms of all internationally lawful uses of the sea.”

Vessel Traffic Service (VTS)

A range of shoreside systems including sending information and managing traffic of a port. VTSs are implemented “to provide active monitoring and navigational advice for vessels in particularly confined and busy waterways.”

Background

Piracy and its impacts on international shipping have a complex background of interconnectedness with economic and political issues. With a long history to trace, piracy’s development through the years into the modern form must be thoroughly comprehended to face the issue with adequate preparation. It is vital for us to understand that piracy’s impacts on international shipping, consequentially the trading network of this globalized world, are closely related to each individual’s life. We must recognize the vulnerability of our world and the fundamental causes of chaos.

History

Piracy thrived throughout the Age of Discovery (15th - 17th century). By the mid-17th century, the Golden Age of Piracy unfolded as European powers engaged in races for overseas colonies, relying on maritime transport for trade and communication. The First Barbary War (1801 - 1805) was the first demonstration of modern clashes between piracy powers and the international community. Tensions rose in early 1801 when the United States of America refused to pay an increased amount of tribute to the Barbary States, who actively engaged in piracy against European and American merchant ships in the Mediterranean Sea. The US ultimately won the war, ending the requirement of tribute payments to the Barbary States. After World War II, the late 20th century stepped into contemporary history, and piracy became more intertwined with modern political interactions in regions such as the Strait of Malacca. As the world advanced into the 21st century, a drastic increase in piracy and armed robbery incidents was recorded. At its peak, piracy and armed robbery incidents reached approximately 550 cases in 2011. Despite a general decrease in incidents recently compared to the 2010s, the 2020s are currently witnessing piracy's acquisition of advanced technology and uncontrolled usage.

Causes of piracy

Understanding the root causes of piracy is crucial to fundamentally tackling the issue. Therefore, this section will outline some driving factors of piracy.

Economic hardship

For many people, piracy is a method of survival. In many countries, great portions of their populations endure poverty and lack economic opportunities. Illegal activities then become people's way to ensure the survival of themselves and their families. Not only piracy but also other crimes such as theft and robbery are often driven by poverty and lack of legal sources of income.

Political instability and weak governance

Political instability and weak governance further fuel the flourishing of illegal activities. Political instability frequently creates power vacuums of governance and law enforcement. For instance, when the central government of Somalia collapsed in 1991, piracy prospered. No authority was present to enforce maritime laws and plan shipping routes. The pirates rampaged the West Indian Ocean off the Somali coast until today.

Criminal and terrorist networks

Organized networks between piracy, crimes, and terrorism further complicate piracy issues. With the support the criminal organizations or terrorist groups, pirates possess greater power such as access to advanced technology and information. This makes it harder for governing bodies to tackle piracy as it connects to a more complex system of crimes. Similarly, revenue from piracy, in the form of stolen cargo and ransom payment, supports criminal networks in other illicit activities. Somali pirates are known for their cooperation with al-Shabaab, a Sunni Islamist militant group that has pledged allegiance to al-Qaeda. This has deteriorated conditions and increased risks for ships traveling through the West Indian Ocean as al-Shabaab often takes radical approaches against others, corresponding to their insurgency attempts and the pirates need for wealth.

Geography and global trade

Some busy geographic locations of trade provide pirates with opportunities. Narrow straits with high maritime traffic are often locations pirates focus on. For example, the Red Sea, connected to the Suez Canal and the Bab al-Mandab Strait, has been targeted by the Houthi movement since 2023. On November 19th, 2023, the Houthis hijacked a commercial ship in the Red Sea, alarming the international community. Accordingly, the UN Conference on Trade and Development reported that Suez Canal traffic has dropped by 42% since the Houthi attacks. Other regions crucial to economic connections such as the Strait of Malacca have also been particularly targeted.

Potential issues

Delegates must also recognize certain limitations on intergovernmental collaboration and government capacity to address piracy issues.

Disputes

Whilst all nations hope to work towards diminishing piracy for the sake of trade and security, the national interest of territorial sovereignty may be placed above global security. In many disputed waters, it will be difficult to ask a certain government to reinforce naval security measures as interpretations over whom the waters belong to could arise. Unfortunately, many piracy and armed robbery incidents occur in disputed waters, such as the South China Sea, where China, Vietnam, the Philippines, Malaysia, and Brunei all have conflicting claims over the Sea. If one particular government is asked to implement naval security measures in the Sea, it will be, to some extent, recognizing the country's sovereignty over the region. If naval forces in the region are reinforced, other countries may view the act as trespassing or even invasion.

Capacity

As previously addressed, piracy often thrives due to political instability and weak governance, implying that a nation's capacity in military and economy plays a vital role in controlling and eliminating piracy. However, since most countries suffering from severe piracy, such as Somalia, have barely enough capacity to provide acceptable living conditions to their people, it will be hard to require the countries to divert their attention to additional issues such as piracy. Thus, delegates are reminded to keep in mind the capacity and capability of countries to conduct certain actions against piracy.

Major Parties Involved

Nigeria

Geographically, Nigeria's coastline spans across a major portion of the Gulf of Guinea, an active hub for Afro-American trade across the Atlantic Ocean, but also a hotspot for armed robbery at sea. Of the nations in the region, Nigeria's waters have been frequently cited as the epicenter of pirate activities. For Nigeria, the issue of piracy further extends beyond immediate threats to shipping. Being a nation heavily dependent on the exportation of resources such as oil, natural gas, and agricultural products, the stability as well as safety of trade routes in the long term can save billions annually in shipping costs.

Venezuela

As a result of the Bolivarian Revolution, poverty, inflation, and shortages of everyday necessities have become ever so prevalent in Venezuela, leading to the unemployment of thousands of fishermen and rising cases of piracy off the Venezuelan coast. It is important to note that most pirates were previously fishermen working

under the nation's once successful fishing industry. The sheer size of said industry contributes to the gravity of the issue; being previously home to one of the largest tuna ship fleets in the world, it is frightening to estimate how many ships have now been repurposed as pirate vessels.

Somalia

While increased patrols have greatly reduced the number of pirate attacks in what was once the most notorious spot of piracy cases, Somalian pirates have been making a quiet return in the Gulf of Aden. Since the creation of the Federal Government of Somalia in 2012, much of the previous disorder came under authority with the help of foreign intervention, ridding itself of being categorized as a failed state. However, the government of Somalia still has yet to gain full control of its waters, now designated as a fragile state. This loose control grants foreign companies the prime chance to exploit Somalia's largely untapped fishing industry, threatening local fishing communities and driving more into the path of piracy.

Indonesia

Indonesia has been an avid member in regional anti-piracy cooperative initiatives such as the Malacca Strait Patrols, a joint operation between Indonesia, Malaysia, and Singapore to enhance maritime safety in the Malacca Strait. Being one of the busiest maritime shipping lanes globally, the Malacca strait is at constant threat of pirate attacks. As a result, Indonesia recognizes the importance of ensuring safety throughout the strait and has strived towards enhancing maritime security in the area. Despite many efforts, Indonesia still struggles with corruption within its law enforcement agencies, undermining much of the nation's achievements in maritime security.

International Maritime Organization (IMO)

The International Maritime Organization (IMO) is an agency established by the United Nations in 1948 to address potential issues dealing with ship safety, navigation, environmental impact, and training of personnel. With 175 members, the organization covers topics greatly exceeding to simply the response to human threat, the organization has put equally as much attention to aspects such as regulating safety features on shipping vessels, minimizing environmental impact caused by maritime operations, and facilitating cooperation amongst countries to build a strong political framework that governs shipping.

International Chamber of Commerce (ICC)

The International Chamber of Commerce operates on three main functions surrounding international trade and investment: establishing rules, policies, and arbitration when disputes arise. The rules established by the ICC are widely accepted amongst trading companies to ensure fair practices.

Regional Cooperation Agreement on Combating Piracy and Armed Robbery against Ships in Asia (ReCAAP)

The Regional Cooperation Agreement on Combating Piracy and Armed Robbery Against Ships in Asia (ReCAAP) is a regional agreement between governments exclusive to Asia. With 21 member states, the ReCAAP aims to facilitate information exchange, capacity building, as well as cooperative arrangements among member states.

Timeline of Events

Date	Description of event
September, 1994	The hijacking of the <i>Bonsella</i> is commonly considered to be the earliest instances of modern piracy off the Somali coast. The pirates, when questioned, initially identified themselves as members of the coast guard. This was later seen as an attempt to justify their actions by claiming they were enforcing Somalia's sovereignty and maritime laws against illegal fishing.
November 11, 2004	Regional Cooperation Agreement on Combating Piracy and Armed Robbery against Ships in Asia (ReCAAP) was formalized following the 2000 Asia Challenge Conference in Tokyo, Japan.
August 29, 2005	Carrying over 30,000 metric tons of petrochemicals, the <i>Bunga Melati 5</i> was hijacked a few miles off the coast of Yemen. The pirates, after successfully seizing the vessel, prohibited any form of communication made by the crew to alert the authorities. The Malaysian government alongside the vessel's shipping company worked together across a several-week long negotiation that resulted in the release of the ship alongside its crew.
April 4, 2008	<i>Le Ponant</i> , a commercially operated French luxury yacht, was hijacked by Somali pirates while passing through the gulf of Aden. All 30 crew members were held captive as the vessel was forcibly redirected towards Somalia. A ransom of €1.7 million was paid in exchange for the safety of the crew. The incident sparked a series of increased naval patrol in the area and brought light to the vulnerability of maritime operations.
April 8, 2009	A year on from the hijacking of <i>Le Ponant</i> , a U.S.-flagged cargo ship named the <i>Maersk Alabama</i> was similarly hijacked in the Indian Ocean. The captain of the ship, Richard Phillips, offered himself as hostage to protect the rest of the crew. The U.S. response was quick, sending several naval vessels to a standoff on the following day. Tensions only ended subsequent to a SEAL operation that led to the deaths of three pirates. After the incident, national awareness of piracy as an issue skyrocketed as the

	U.S. had not experienced a successful seizure of its vessels since the early 19 th century.
August 17, 2009	NATO's Operation Ocean Shield is launched to combat piracy off the Horn of Africa and in the Gulf of Aden.
May 28, 2014	A prime example of the pirates' efficiency, the attack on <i>Orapin 4</i> , a Thai tanker on course to Indonesia, was executed with remarkable speed. The ship was seized and, over the course of ten hours, reported the theft of approximately 3,700 metric tons of fuel from the tanker. After the successful operation, the pirates practically vanished with \$1.9 million worth of stolen fuel.

Previous Attempts to Resolve the Issue

NATO's Operation Ocean Shield

First initiated in 2009, Operation Ocean Shield was the direct response towards increasing instances of piracy in the Indian Ocean; specifically, the Somalian coast. At its center, the operation prioritized safeguarding shipping vessels through high-risk zones over actively interdicting in missions against suspected pirates. Nonetheless, many missions were still followed through, leading to an increase in arrests and prosecutions of pirates in the area. Accordingly, the presence of NATO forces in the area showed strong correlation to the steep decline of successful pirate attacks alongside hijackings along the coast.

Maritime Security Centre Horn of Africa (MSCHOA)

The horn of Africa refers to the protruding land mass on the continent's East coast which separates the Red Sea and the Gulf of Aden. Unlike other organizations, MSCHOA was created in 2009 with the sole purpose of combatting pirates. What separates MSCHOA is its unique relationship with private shipping companies. Shipping companies are encouraged to register their vessels to MSCHOA when crossing high-risk areas. In exchange, the vessels would be escorted by naval forces.

The Best Management Practices (BMP)

The Best Management Practices act as the set of guidelines designed to provide shipping companies with vessel operators capable of responding to threats of piracy and terrorism. The practices follow a few major components, the planning stage, ship operators are required to analyze and select routes that avoid known piracy zones; the training of the crew, ensuring all members are capable of distinguishing suspicious behavior and taking part in safety precautions in a piracy scenario; ship hardening and access control, implementing physical barriers as well as limited access to critical portions of the ship in case of an attack; strong communication, build direct

communication with naval forces and maritime security organizations; and the employment of licensed, armed personnel on board the vessel.

Possible Solutions

Data Analysis from Surveillance

Since piracy, to a lot of people, acts as both their sole source of income and their full-time job, it must indicate that many pirates are likely to follow similar patterns of movement as any other employee of society would follow. This includes the time of day at which they begin pirating as well as the time of day at which they end. By using satellite surveillance to learn the pirates' sleep and rest schedule, vessels operators can effectively reschedule to avoid encountering them. Additionally, satellite surveillance also serves the obvious benefit of tracking real-time vessel movement across the world, allowing for easier detections of suspicious activity. Moreover, through rewatching surveillance, shipping organizations can analyze and conclude the types of ships that appear more appealing to piracy and therefore, modify their own ships to fit the opposite look.

Community Outreach

A non-direct way of combatting piracy is community outreach. Nonetheless, the effects of setting up community building activities and opportunities for communication may prove to be even more effective than that of conventional efforts. The key causes of piracy stem majorly from a combination of economic, social, political, and environmental factors. Namely, poverty and unemployment. Therefore, one of the main activities on offer during community outreach would be skill training workshops. Within these workshops, individuals will learn to equip themselves with skills relevant to the local industries, such as fishing and farming. As a result, the local people have more opportunities to live and are not forced into life in piracy.

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