Piracy may be viewed as a North-South issue since pirate attacks predominantly originate from south-nations, while the majority of international shipping and the norms which label piracy an illegal act originate from north-nations. The two regions of the globe with the highest incidences of maritime piracy are Asia and Africa. This paper will compare and contrast pirate activity in these regions as well as the deep cultural roots which may provide for localized acceptance and even support for what is otherwise considered an illegal act.
Maritime Piracy: North versus South

Introduction

The two regions of the globe with the highest incidences of maritime piracy are Asia and Africa. This paper will compare and contrast pirate activity in these regions as well as the global response to this maritime security threat. Piracy is as old as seafaring. Markets drive commerce and thus drive shipping. Wherever ships travel the opportunity for piracy exists. The frequency of pirate attacks has waxed and waned across the span of history and the swashbuckling stereotype of films has been updated and replaced by a very modern variant of piracy. The International Maritime Organization (IMO) estimates that over 90% of the world’s trade is transported by sea.¹ That is a lot of pirate targets without even considering the smaller targets. Given the extensive systems of ports which support this trade² and many miles of coastline that rim the oceans there is an almost limitless amount of places for pirates to operate from.

Maritime piracy has deep cultural roots which may provide for localized acceptance and even support for what is otherwise considered an illegal act. This paper will look at the historical origins of piracy. Since a history of maritime piracy could fill volumes of work or a work could be devoted to just a particular area or group of pirates, this paper will only offer select illustrative examples. It is not intended to be a complete history. Additionally, the information which is available must also be considered in context. As many have noted, the label “pirate” is an evolving concept and has been applied to many throughout history for political or economic reasons. Historical records written by pirates themselves are scarce.

While most states unanimously agree that piracy is illegal, willingness to get involved in enforcing the international laws which prohibit piracy depends on complex considerations. When pirate prey is international shipping and the risk of attack becomes too high, international attention demands counter-piracy actions be taken. Piracy may be viewed as a North-South issue since pirate attacks predominantly originate from south-nations, while the majority of international shipping and the norms which label piracy an illegal act originate from north-nations.

Definitions of Piracy

The general definition of piracy is robbery or illegal violence at sea. Most of the time, piracy is a crime of opportunity. Pirates must have a target ship and ships are found in port and along shipping lanes. As early as trade occurred by sea, piracy also occurred. Ships with limited navigational abilities would travel near shorelines and those who inhabited the shore would intercept the ship and benefit from the cargo. Such raids were a normal part of survival and economic development during the early history of man.

The term pirate comes from the Latin *pirata* and from the Greek *peirates* meaning attacker. In describing archaic Eastern Mediterranean societies, Alfred P. Rubin claims “The word ‘peirato’ and its derivatives seem to be applied to traditional Eastern Mediterranean societies operating in ways that had been accepted as legitimate for at least a millennium.”\(^3\) In ancient times, Greco-Roman laws, developed for and by the Greeks and Romans to instill order and further their economy were either not recognized and/or understood by non-Greco-Roman societies. By means of Roman hegemony, Roman rules and laws were imposed on those they traded with or conquered. This became the base of Western culture. Rubin goes on to explain that the first recorded references were “not bound to ‘piratical’ acts on the ‘high seas,’ but to a conception of ‘piratical’ villages forming a society [*poleis*] on land that refused to accept Roman supremacy.”\(^4\) Thus the label pirate was as much about an older tradition which was originally viewed as legitimate being no longer acceptable to the new order.

In early times protection of merchant shipping was provided by a combination of great empire power and the power of mercantilism. The ability of the large mercantile companies to have what were essentially their own private navies disappeared as the mercantile companies either ceased to be commercial entities or were transformed into modern corporations.\(^5\) This left enforcement of order on the seas to state powers with capable naval forces. For many years the British navy was unmatched upon the seas. More recently a combination of United States and Soviet naval power dominated the oceans. Today the most effective control is with cooperative international efforts.

Piracy should not be confused with Privateering whereby a privately operated vessel is authorized by a legal government to prey on enemy shipping. This authorization was communicated with a commission or a letter of marque which provided instructions for the conduct of the privateer. The privateer was allowed to keep a portion of whatever they captured as their payment for the services provided. In essence, the use of privateers was an economical way to compensate for lack of naval power. English privateering began in the 1200’s when Henry III issued the first privateer commissions to vessels from certain English


\(^4\) Ibid., 8.

ports to attack the French. The commissions specified that half of what was captured was to be paid to the King. This wartime practice of commissioning private ships became common practice among western powers as an adjunct to naval power and was adopted by other cultures that interacted with European colonial expansion. It should be noted however, that while the European powers clearly recognized their own privateers they often labeled the privateers of their opponents as pirates.

Additionally, during peacetime a letter of marque might be issued to allow individuals “to seek redress for depredations they suffered at the hands of foreigners on the high seas.” The first letter of marque was issued in 1295 and directed against Portugal. A letter of marque would authorize the ship to seize something of equal value from a ship of the same nation as the ship which had caused their depredation. These two practices were easily confused and sometimes difficult to distinguish from piracy.

Janice E. Thompson claims that “Privateering commissions represent an effort by the state to both exploit and control individual violence in the international system.” Privateers operated at their own expense which saved the state money on warships, as well as the crew to man them, and the state shared in the profit of their exploits. While the use of privateers was an accepted aspect of warfare and naval warfare was frequent, it was not a continuous state of affairs. During times of peace, some privateers just carried on as pirates. While this activity was not sanctioned by the state, as James Cable said, “the factors that had encouraged the employment of privateers in time of war aggravated the difficulty of suppressing them in time of peace.”

Endemic naval warfare was over by 1815 and British naval supremacy was established. British Admiralty law reigned supreme and formed the base for international agreements. Focus now turned to the task of eliminating piracy. By 1856 international agreements began to outlaw privateers in accordance with international maritime law. France, Britain, Russia, Prussia, Austria, Sardinia (Italy) and the Ottoman Empire (Turkey) were all parties to the Treaty of Paris which formally ended the Crimean War. Attached to the treaty was the Paris Declaration Respecting Maritime Law signed by the same signatories. This declaration abolished the practice of employing privateers. Not all states agreed with this direction, significantly, the United States argued that privateering was way for weak navies to defend

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6 Ibid., 22.
7 Ibid.
8 Ibid.
9 Ibid., 145.
11 Ibid.
12 Thomson, 70-71.
against more dominant navies.\textsuperscript{13} However, by the turn of the century, states had banished privateers to the annals of history.\textsuperscript{14} Section VII of the Hague Convention of 1907 spelled out the requirements for merchant vessels to be employed as warships which required the ship to be placed under proper naval authority. Thus, the ability to legally employ violence on the high seas was relegated solely to state powers.

What remained, and has never been totally eliminated is piracy. There is international agreement on the definition of piracy on the “high seas.” Every nation has a responsibility to take action against this crime. However, piracy in territorial waters and ports is the responsibility of the sovereign nation. National laws and rules regarding piracy vary just as how capably these are enforced vary. The willingness of these powers to get involved in anti-piracy efforts has waxed and waned depending on a multitude of factors. In some cases the government might even have been complaisant with the pirates.

Eventually, although it is not clear exactly when, the concept of piracy which began for political purposes as a means of justifying warlike naval activity came to be associated with criminal activity on the high seas. This is apparent in the current internationally excepted legal definition. The legal definition is the result of much international debate and compromise, and is therefore technically more discriminating than the general definition. The mostly widely accepted legal definition of piracy is Article 101 of the 1982 United Nations Convention on the Law of the Sea (UNCLOS):

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 inciting or of intentionally facilitating an act described in sub-paragraph (a) or (b).\textsuperscript{15}

\textsuperscript{13} Other nations that did not follow the Paris Declaration of Maritime Law were Spain, Mexico, Venezuela, Uruguay and Bolivia.

\textsuperscript{14} Thomson, 76.

\textsuperscript{15} IMO website “Piracy and armed robbery against ships”
The legal definition is not the most utilitarian as it imposes two constraints on the issue. First it limits piracy to actions which are taken for private gain. Second it limits piracy to the high seas. Both limitations deserve more discussion.

The first limitation attempts to draw a distinction between maritime piracy and maritime terrorism. Martin N. Murphy credits the distinction between maritime piracy and maritime terrorism as a result of the hijacking of the Santa Maria in 1961. Because this act of piracy was politically motivated, “Modern legal thinking was reluctant to label the act one of piracy and therefore, retrospectively, it was labeled terrorism.” Murphy contends that many commentators do not agree which this categorization of these acts. Specifically he states; “In the view of James Cable, the noted diplomat and naval historian, the difference between piracy and terrorism is artificial, one that is not recognizable in practice.” Additionally as Eric Ellen points out “very often, the identity of the attackers is in doubt and their motives unclear.”

Limiting piracy to acts on the high seas respects the sovereignty of individual states but if those states do not have their own piracy laws this limitation puts the incidents which occur in littoral waters or ports outside of a legal definition. The majority of incidents do occur either portside or within territorial waters. While the limitation of the high seas is politically sensitive of state jurisdictions it leaves vessels vulnerable in waters where states are unable or unwilling to properly police these criminal actions. English courts defined piracy as “any armed violence at sea which is not a lawful act of war.” In an attempt to find a more pragmatic definition of piracy, the International Maritime Bureau (IMB) defined piracy as “An act of boarding or attempting to board any ship with the intent to commit theft or any other crime and with the intent or capability to use force in the furtherance of that act.” The IMB used that definition until 2009 when The IMO defined armed robbery against ships as:

.1 any illegal act of violence or detention or any act of depredation, or threat thereof, other than an act of piracy committed for private ends and directed against a ship or against persons of property on board such a ship, within a State’s internal waters, archipelagic waters and territorial sea;

.2 any act of inciting or of intentionally facilitating an act described above.

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19 Murphy, 8.
20 Ellen, 237.
Since 2009 the ICC IMB Piracy Reporting Center provides quarterly and annual reports on “Piracy and Armed Robbery Against Ships,” using the 1982 United Nations Convention on the Law of the Seas (UNCLOS) definition of piracy and the IMO definition of armed robbery. These two definitions and the data provided in the ICC IMB annual reports will be used for the purposes of this paper.

**African Piracy**

Pirate activity from the shores of Africa has a long history. As trade through the Mediterranean increased so did incidences of piracy. The earliest recorded pirate attacks involved Phoenician ships in the seventh century BC. Similarly, Greek and Roman mariners who traveled the Mediterranean were also victims of piracy. Early mariners navigated by remaining relatively close to the shorelines and thus were easy targets for those who lay in wait behind headlands. These incidences of piracy were clearly simple targets of opportunity. It is unclear that the concept of piracy even existed during this time frame. In his book, *The Law of Piracy*, Alfred P. Rubin says:

> the fundamental Greek and Roman conception of “piracy” distinguished between robbers, who were criminals at Roman law, and communities called “piratical” which were political societies of the Eastern Mediterranean, pursuing and economic and political course which accepted the legitimacy of seizing the goods of persons of strangers without the religious and formal ceremonies the Romans felt were legally and religiously necessary to begin a war.

While Rubin is making this case about the communities of Eastern Mediterranean people “whose views of law and intercommunity relations appear to have reflected millennium-long tradition that had become an obstacle to Roman trade...” the same argument...
can undoubtedly be made for other communities of coastal people who took advantage of passing ships.

The crusades secured the Mediterranean for European shipping. As trade continued to flourish in the Mediterranean, ships continued to be targets for pirates, but now a religious element was present. The crusades were responsible for producing military-religious orders. The Knights Hospitaler, who later became known as the Knights of Malta were an example of this. They began as a religious order in Jerusalem and received approval of the Pope in 1113. As Richard Platt describes them; “The Hospitalers were among the most single-minded of the crusading warriors, and were to continue the Holy War long after the Crusades had ended.”

The Knights were expelled from Jerusalem by Islamic forces. Following the fall of the Kingdom of Jerusalem they took up residence on Cyprus in 1291. Taking advantage of the strategic position of the island, the Knights built a naval fleet to “protect pilgrims on the sea route to the Holy Land.” In 1307, they sailed their fleet to Rhodes, by 1310 they had completed the acquisition of Rhodes and moved their seat there. They remained in Rhodes from the early fourteenth century into the sixteenth century. Already a military order they became even more militarized as they were forced to fight off Islamic invaders. Located at a strategic point between the West and East, the Knights used their powerful naval force to fight many battles in the eastern Mediterranean. However, they eventually surrendered Rhodes to Sulieman the Magnificent in 1522 following a six month siege.

The Knights roamed around Europe until 1530 when, with the approval of Pope Clement VIII, they were granted Malta by Holy Roman Emperor, Charles V, (also Charles I, King of Spain). Settled on Malta, the Knights fortified the island and resumed their naval activity. They continued to take part in naval battles against the Ottoman Empire’s powerful fleet as well as against the Barbary Corsairs of the North African coast.

The North African coast had been colonized by the Phoenicians, Greeks and Romans. It was briefly controlled by the Byzantine Empire during the sixth century. However, by 711 most of the coastline was under Arab rule. One notable exception was Norman controlled Tripoli. Many of the coastal towns harbored pirates who preyed on passing ships but incidents were

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28 Platt, 78.
29 Knights of Malta website.
30 Ibid.
31 Ibid.
32 A corsair was an oar powered galley vessel. Oar power, typically made possible by 80-90 slaves, made the vessels highly maneuverable. When sail powered vessels were becalmed in light winds they were at the mercy of these oar powered ships. The slaves on the Barbary Corsairs were primarily Christian salves while those on the Christian Galleys, typical of the Knights Hospitalier and such, were primarily Muslim.
relatively low. During the sixteenth century European powers were able to briefly control and fortify the major ports. With the fall of Tripoli to the Ottoman Empire in 1551, the major ports of the Barbary Coast were returned to Muslim control.

With the return of Muslim control, the scene was set for the “Barbary Pirates” to flourish. The “Barbarossa” (Italian for Redbeard) bothers were responsible for making the ports of the Barbary Coast bases for corsairs. In 1504, the older brother, Oruç Reis, a privateer for the Ottoman Empire who had frequented the Barbary Coast, made a port call in Tunis and came to an arrangement with the Sultan of Tunisia to use the port facilities as a base for his operations. In exchange for the use of the port, the Sultan would receive one fifth of everything captured by Oruç Reis. Following the death of Oruç Reis, ironically in a land battle against Spanish forces, his younger brother, Kheir-ed-din, took his place and continued corsair operations. The Barbary States became formidable military powers which preyed upon Christian shipping in the Mediterranean. Nations with powerful navies negotiated with the Barbary States for immunity for their shipping. Nations lacking adequate naval power paid tribute for immunity. Richard Platt describes the situation: “The major European maritime nations always had a duplicitous attitude to Barbary. In public, they deplored the corsairs and demanded concerted action to suppress them. Privately, though, they conceded that the corsairs were acting in their commercial advantage by harming the maritime interests of smaller states. So, inevitably, moves to suppress the corsairs smacked of sham and half-hearted saber rattling.”

By the end of the Napoleonic Wars it was clear that the Barbary corsairs only served their own interests. Additionally, public opinion on slavery was swinging to the anti-slavery camp and this included the use of slaves to power galley ships. British naval forces pounded Algiers in 1816 and forced the Bey to release 1,600 slaves. In 1830, the French occupied Algiers and Barbary Corsair operations were effectively stopped.

While western history commonly refers to the Barbary Corsairs as the “Barbary Pirates” they operated in much the same way as other European privateers. Meanwhile the Christian Corsairs, primarily operating out of Malta, were seen as privateers who paid a portion of their take to those who wrote their commissions. As always the line that divides a pirate from a privateer was a very thin line or perhaps a very wide gray line. Letters of marque were often interpreted with “considerable discretion.” Just as Barbary Corsairs sometimes attacked ships whose nations had negotiated immunity, Christian Corsairs occasionally attacked Christian

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33 Platt, 80.
34 Ibid., 81.
35 Ibid., 91.
36 Ibid.
37 Ibid., 97.
shipping. To borrow an often used phrase about rebels and freedom fighters: One man’s pirate is another man’s privateer. While, the corsairs have ceased to operate their legacy remains as a reminder of how cruel and unpleasant piracy can be. As always, a crime of opportunity, but also what was viewed as a means to right what appears to be an injustice whether religious or otherwise.

While this discussion of historical African piracy is focused on the Mediterranean, this is not to imply that this was the only area of piracy near the African continent. As already mentioned, piracy is an opportunist crime so where there are targets of opportunity there are incidents of piracy. Yet the situation is the Mediterranean is perhaps best documented. The Mediterranean was a crossroads for trade and that meant there were plenty of ships transiting it. It is less clear at what level piracy occurred around the other coastal areas of Africa. During the “Golden Age of Piracy” there were documented pirate attacks along other portions of the African coast, but these were the work of Western pirates who plied the seas for targets of opportunity.

While piracy was essentially eliminated from the Mediterranean, piracy is never truly eliminated. Contemporary piracy from Africa occurs along the entire African coast in varying degrees depending on a multitude of variables. The majority of the acts of piracy occur in the Gulf of Guinea on the west coast of Africa or in the Gulf of Aden and off the coast of Somalia on the east coast of Africa. However, the occurrence of these incidents varies greatly over time. Thirty years ago West Africa was had the highest rates of piracy anywhere in the world. Just a few years ago, that claim belonged to Somali where the reported piracy rates reached unprecedented levels. Now the Somali piracy rates have been significantly reduced and the highest levels of reported piracy for Africa are once again in the Gulf of Guinea, primarily off the coast of Nigeria. The following table summaries the reported events from 2009 to 2013.39

38 The “Golden Age of Piracy” is an invention of historians and generally refers to the timeframe beginning in the mid 17th century and lasting into the early 18th century. Cordingly refers to this time frame as the Great Age of Piracy. It refers primarily to the exploits of pirates of the Western world.
39 The data for this table was taken from the ICC IMB Piracy and Armed Robbery Against Ships annual report for 2013. For purposes of this table, Northern Africa consists of incidents reported for Algeria and Egypt; North West Africa consists of incidents reported for Morocco, Guinea, Guinea Bissau, Sierra Leone, Liberia and the Ivory Coast; South West Africa consists of incidents reported for the Democratic Republic of Congo and Angola; East Africa consists of incidents reported for Mozambique, Tanzania and Kenya; Gulf of Guinea consists of incidents reported for Gabon, Togo, Benin, Nigeria, Cameroon and Gabon.
All of the incidents listed for the Red Sea, Gulf of Aden and Somalia are attributed to Somali Pirates.\(^{40}\) Up until last year, it is clear that Somali pirate incidents outnumbered the total incidents in all the rest of Africa. While it is difficult to determine the exact origin of these attacks, they began in the early 1990’s following the political disorder that resulted from the ouster of Muhammad Siad Barre, the socialist dictator who was overthrown by clan-based warlords. Early on, Somali pirate attacks were a focus of concern because of the heavy weapons (e.g. mortars and grenades) which were used against ships transiting the coast as well as those in port.\(^{41}\) These may have been supplied by the civil war which was ravaging the country resulting in a near total breakdown of a functioning government. The pirates sometimes presented themselves as Somali Coast Guard officials. It is possible they actually were corrupt law enforcement officials.\(^{42}\) Given the breakdown of Somali governance, past government officials would need an alternate means of supporting themselves.

Attacks by Somali pirates began in coastal waters and gradually increased in range as the pirate tactics evolved. Here is the warning in the IMB annual report for 2000:

Somalian waters continue to be a risk prone area for hijackings. Ships should keep at least 50 nm and if possible 100 nm from the Somali coast. Ships not specifically calling at Somali ports should avoid approaching the Somali coast. Armed pirates in speedboats and gunboats open fire on ships / yachts and rob or hijack them. Some crew had been injured or killed in the past. Communications including the VHF in these waters should be kept to a minimum.\(^{43}\)

In 2005 there was a significant increase in Somali pirate attacks. The IMB warnings reported that Somali pirate attacks had been reported as far away from the shore as 400nm.

\(^{40}\) Some of the incidents reported in other parts of the world were also attributed to the Somali Pirates. Specifically in 2009 there was one incident in the Arabian Sea, one incident in the Indian Ocean, four incidents in Oman; in 2010 there were two incidents in the Arabian Sea; in 2011 there was one incident in Oman.\(^{41}\) Ellen, 240.

\(^{42}\) Ibid.

The pirates were using larger vessels, or ships, which they had obtained or were holding hostage to function as “mother ships.” This tactic significantly increased the range of the pirates. Ships not calling on any Somali ports were advised to maintain their track at least 200 nautical miles from the Somali coast.44

By January 2009, Somali pirate activity increased enough to capture global attention, and international action was demanded. Incidences of pirate attacks off the coast of Somalia and in the Gulf Aden had reached unprecedented levels for modern times. Equally, unprecedented was the global response. Combined Task Force (CTF) 151 was established with a specific piracy mission-based mandate under the authority of United Nations Security Council Resolutions (UNSCRs) 1816, 1838, 1846, 1851 and 1897.45 In addition to the member nations who formally comprise the CTF, other nations have contributed naval assets to the anti-piracy mission to create a level of international naval cooperation never before seen. And while many have argued that piracy cannot be stopped at sea because the root causes come from the shore, the efforts of this international naval cooperation gradually made an impact on the situation once their operations became more effective.

The Somali pirate attacks peaked in 2011. That year the IMB Piracy Reporting Centre received a total of 237 incident reports attributed to Somali pirates.46 The pirates continued to employ “mother ships” and their range of attacks were attributed to an “extended geographical area from the southern part of the Red Sea in the west to 76° East longitude and beyond in the east. Incidents in the past have also been reported off the coast of Oman/Arabian Sea in the north extending southward to 22° South.”47

During the last few years the Somali pirate attacks have significantly decreased. The IMB attributes this drop to increased active military action, both at sea against suspected skiffs and ashore anti-piracy operations, as well as increased preventative measures – specifically the latest Best Management Practices (BMP) including the use of armed guards onboard ships.48

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47 Ibid.
48 ICC-IMB Piracy and Armed Robbery against Ships Report – Annual Report 2013, 22. Best Management Practices against Somalia Based Piracy (BMP) were developed by the International Maritime Bureau (IMB) in conjunction with a host of many other interested maritime organizations in 2010. The current version of these practices BMP4 (version 4) went into effect in August 2011 and is subtitled Suggested Planning and Operational Practices for Ship Operators, and Masters of Ships Transiting the High Risk Area. BMP4 is available for download as a pdf file on the “Advice for Masters” tab of the International Chamber of Commerce (ICC) website: https://www.icc-ccs.org/piracy-reporting-centre/advice-to-masters (accessed 29 Dec 2014). Armed guards are also sometimes referred to as Privately Contracted Armed Security Personnel (PCASP).
The Gulf of Guinea region is responsible for the next highest levels of African piracy and with the significant decrease in Somali piracy it became the area with the highest level in 2013. There the predominant perpetrators are Nigerian Pirates, operating out of Lagos, although there have also been spikes of activity from Benin and Togo and there are occasional incident in the waters of other Gulf of Guinea nations. The IMB describes all of these pirates as well armed and violent.\(^{49}\)

### Asian Piracy

Martin N. Murphy describes Southeast Asia as the “ideal environment for piracy and one where pirate traditions go back virtually uninterrupted to the fifth century."\(^{50}\) Just like coastal Africa, where there is access to the water and passing ships, piracy will occur. If the Mediterranean is the crossroads of European trade, Southeast Asia is the crossroads for global trade. When European colonizers arrived in Asia in the 18\(^{th}\) century, they found piracy to already be embedded in the culture as a way of life.

Edward Presgave, the registrar of Imports and Exports at Singapore, authored a report on piracy in 1828. John Falconer credits Presgave’s report as the first attempt to record a factual accounting of piracy in the waters around Singapore.\(^{51}\) In Presgave’s opinion, piracy was the result of the collapse of the Malay Empire of Malacca in the 16\(^{th}\) century at the hands of the Portuguese. After being ousted from Malacca, the Sultan Mahmud established the Johor-Riau Empire on the southern tip of the Malayan peninsula. While displacing a population certainly might add motivation for piracy, as Martin states, piracy was likely a way of life in the archipelago long before there was a significant European presence in the region. “It is a region where pirates can hide in the creeks, small rivers and mangrove swamps that puncture the coast, and amongst the thousands of other small craft that ply their innocent trade between the islands.”\(^{52}\) Even a boat laden with a day’s catch of fish could be a target for someone who would rather take someone else’s catch than expend the effort to fish for themselves. Yet, increased trade by European power surely increased the targets for piracy.

By the early 19\(^{th}\) century, the southern end of the straits of Malacca was renowned for piracy and the colonial powers continually struggled to control it. While the European’s were motivated by commerce and its expansion, the Asian way of life was different. The Sultans saw commerce as beneath them but felt piracy was their birth right.\(^{53}\) There is certainly a parallel

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\(^{49}\) ICC-IMB 2013, 21.
\(^{50}\) Murphy, 72.
\(^{52}\) Murphy, 72.
\(^{53}\) Falconer, 190.
between this attitude and the attitude of those who inhabited the coastal areas of the Mediterranean. Both believed passing ships to be fair game.

The rivalry between the Dutch and British for colonial power was not helpful to improving the piracy situation in Southeast Asia. However, in 1824 these two European powers signed the Treaty of London which effectively divided the area into two separate spheres of influence. Britain retained the Malayan Peninsula and the Dutch were granted the area around Sumatra. This effectively ended the Johor-Riau Empire.\(^{54}\) Provisions within the Treaty of London called for cooperation to suppress piracy, conversely commercial competition prevented these efforts from being truly effective. Gerrit Knapp provides an example of this when he credits Dutch supremacy in Indonesia as manipulating Papuan pirates. As he says;

...robbery and barter were two complementary sides of one activity. For a long time, this activity was intrinsic to the political economy of the area. In such circumstances, violence was lingering never far beneath the surface. Those persons acting as pirates, the aggressors as it were, were certainly not part of a marginal criminal group on the fringes of society. On the contrary, the phenomenon was taken for granted and member of the elite were often heavily involved.\(^{55}\)

The waters of Southeast Asia were not the only region where piracy thrived. David Cordingly credits the Far East as having “piracy on a massive scale.”\(^{56}\) Specifically he mentions the Ilanun pirates of the Philippines who savagely attacked shipping and coastal villages until they were eliminated by a naval expedition in 1862.\(^{57}\) The South China Sea is another region with a rich history of piracy. The Moro Pirates, as so known as the Sulu Pirates inhabited the small islands in the Sulu Island chain. They were Muslim outlaws of the southern Philippines who engaged in piracy primarily against the Spanish as early as the 16\(^{th}\) century. Religious motivation was partially responsible for the wars that ensued in this region. While some of these pirates\(^{58}\) functioned as privateers in these wars others were outright pirates. Across the four centuries of the Spanish-Moro Conflict, the Spanish were never able to fully suppress them.

The customs and traditions for the communities of Chinese that inhabit the coastal areas of the South China Sea are very different from those of their western counterparts. Along

\(^{54}\) Ibid., 193.

\(^{55}\) John Kleinen and Manon Ossewijer, “Pirates, Ports, and Coasts in Asia,” Chapter 1 Introduction to Pirates, Ports and Coasts in Asia: Historical and Contemporary Perspectives, edited by John Kleinen and Manon Osseweijer (Singapore: ISEAS and IIAI, 2010), 11. Quote is credited to Garrit Knaap.

\(^{56}\) Cordingly, xvi.

\(^{57}\) Ibid.

\(^{58}\) For more on the history of the Sulu pirates see Stefan Eklöf, Pirates in Paradise: A Modern History of Southeast Asia’s Maritime Marauders (Copenhagen: NIAS Press, 2006).
the rivers and in the ports of southern China there were floating villages where the entire community lived and worked on boats. “Petty piracy,” as described by Dian H. Murray was a survival tactic for those who had no other means to survive within society and there are examples of it throughout history. In China, where fishing is a seasonal pursuit, petty piracy was a means to supplement the meager income of fishing. “During the summer when fishing was poor and dangerous, financially pressed fishermen took advantage of the southerly winds to sail north and plunder along the coast. Then, with the changing winds and the approach of the fall, they would sail south, return home, and resume their fishing.”

Traditionally the women worked, fished and traded alongside the men. As David Cordingly states “It was not unusual for women to command the junks and to sail them into battle.” Thus it is not surprising that a woman, Mrs. Cheng assumed command of one of the largest pirate communities. She and her husband created a confederation of pirates which at its height was composed of over fifty thousand pirates. By 1805 this confederation of pirates completely dominated the coastal waters of Southern China. When her husband died in 1807, Mrs. Cheng took over command of the confederation. Cordingly describes their activity as follows:

They attacked fishing craft and cargo vessels as well as the oceangoing junks returning from Batavia and Malaysia. They lived off the provisions and equipment which they plundered at sea, and when these supplies proved insufficient they went ashore and looted the coastal villages. They frequently ransomed the ships which they captured, and they ran a protection racket in the area around Canton and the delta of the Pearl River.

The concept of a protection racket is not unique to Chinese piracy, but it does demonstrate that this form of piracy was endemically a part of these societies. The existence of Chinese piracy may be partially contributed to the internal focus of the Chinese empires. Traditionally, because of geopolitical considerations, The Chinese focused more on threats from the land than from sea. China was domestically focused with little interest in the development of overseas trading arrangements. As Murray states: “…the goal was more to limit the impact of the coastal region and its ability to cause trouble than to co-opt its potential energies in outward expansion or a search for wealth and power.” There were exceptions to this when the political situation in China did favor political piracy, but this was the exception rather than the norm.

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60 Cordingly, 75.
61 Ibid., 76.
62 Murray, 213.
These are but a few examples of historical Asian piracy. One theme that is again clear is that the definitions of “pirate” and “piracy” are somewhat open to interpretation. Not only did European colonial powers introduce their western form of laws to a region which had previously functioned with their own societal rules and norms, but they also biased what little written records exist of this activity. Adrian B. Lapian cautions that colonial records of piratical raids should not be taken as fact since the line between sea people and sea robbers is not clear. 63 Additionally, as Alfred Rubin writes in the preface to The Law of Piracy; “The use of the term ‘piracy’ as a justification for military action seemed to me inconsistent with its use in courts of law...” 64 While colonial powers might have labeled a particular activity piratical, in some cases as a justification for their actions, from the perspective of those engaged in the activity it was a defensive response to the infringement of western imperialism on their way of life.

The geographic area of Asia is large and the coastal regions vast. There were plenty of places where boundaries were not definitive and when contested, jurisdictions overlapped. In remote places, communities could easily exist outside state-based norms and here those who would be label as pirates could exist within a world of their own. Perhaps one of the best examples of this is Giang Binh (or Jiangping as it was known in Chinese) a region where the Sino-Vietnamese border was poorly defined during the latter part of the 18th century. Giang Binh is located in the Red River Delta area at the mouth of a small unnavigable river. The land is agriculturally poor and unsuited to farming. The area backs up to nearly impenetrable mountains. Robert J. Antony describes it as the most notorious clandestine port of this era. From 1780 until it was razed by royalist troops fighting the Tay Son rebels in 1802, it was a lively border town that specialized as a black market, handling stolen goods and provisioning pirates who utilized the port. Antony describes it as an “integral node in the vibrant shadowy economy that crisscrossed the South China Sea, linking and forming an extensive network of licit and illicit trade.” 65 At its height, Giang Binh was the hub or an extensive network of black markets and ports friendly to pirates which stretched southward along the Vietnamese coast and northward up the Chinese coast. 66

Contemporary piracy in Asia continues to make Asian waters risky for Mariners. Most of the piracy occurring in SE Asia happens where there are concentrations of ships, especially in areas where the geography and congestion of ships require the vessels to slow down their transit. There is certainly plenty of coastlines which might harbor pirates. Stefan Eklöf

63 Kleinen and Ossewijer, 10. Quote is credited to Adrian B. Lapian.
64 Rubin, xiii.
compares the SE Asia coastline as the equivalent of several times the length of the equator.\footnote{Eklof, 3.} Here the incidents are primarily opportunistic and are conducted by fisherman and other mariners looking to supplement their meager incomes.\footnote{Ellen, 239.} Piracy in the Philippines is an exception to this. The incidents are primarily in the waters off the island of Mindanao and are largely attributed to the inability of the Philippine government to maintain control is an area that is in conflict with Muslim separatists.\footnote{Ibid., 240.} Piracy in the South and East China Seas is more complex involving multiple countries and various local criminal syndicates.\footnote{Ibid., 239.} The table below summaries the reported events from 2009 to 2013.\footnote{The data for this table was taken from the ICC IMB Piracy and Armed Robbery Against Ships annual report for 2013.}

<table>
<thead>
<tr>
<th>Location</th>
<th>2009</th>
<th>2010</th>
<th>2011</th>
<th>2012</th>
<th>2013</th>
</tr>
</thead>
<tbody>
<tr>
<td>Indonesia</td>
<td>15</td>
<td>40</td>
<td>46</td>
<td>81</td>
<td>106</td>
</tr>
<tr>
<td>Malacca Straits</td>
<td>2</td>
<td>2</td>
<td>1</td>
<td>2</td>
<td>1</td>
</tr>
<tr>
<td>Malaysia</td>
<td>16</td>
<td>18</td>
<td>16</td>
<td>12</td>
<td>9</td>
</tr>
<tr>
<td>Myanmar (Burma)</td>
<td>1</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Philippines</td>
<td>1</td>
<td>5</td>
<td>5</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td>Singapore Straits</td>
<td>9</td>
<td>3</td>
<td>11</td>
<td>6</td>
<td>9</td>
</tr>
<tr>
<td>Thailand</td>
<td>2</td>
<td>2</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>SE ASIA Subtotal</td>
<td>46</td>
<td>70</td>
<td>80</td>
<td>104</td>
<td>128</td>
</tr>
<tr>
<td>China</td>
<td>1</td>
<td>1</td>
<td>2</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>South China Sea</td>
<td>13</td>
<td>31</td>
<td>13</td>
<td>2</td>
<td>4</td>
</tr>
<tr>
<td>Vietnam</td>
<td>9</td>
<td>12</td>
<td>8</td>
<td>4</td>
<td>9</td>
</tr>
<tr>
<td>FAR EAST Subtotal</td>
<td>23</td>
<td>44</td>
<td>23</td>
<td>7</td>
<td>13</td>
</tr>
<tr>
<td>Total</td>
<td>69</td>
<td>114</td>
<td>103</td>
<td>111</td>
<td>141</td>
</tr>
</tbody>
</table>

Highest levels of reported Asian piracy incidents occur in Indonesia. If as Michael N. Murphy said; “Southeast Asia is the ideal environment for piracy,” Indonesia is the most ideal given its geography as an archipelagic nation. Indonesia consists of over 17,500 islands (only about 6,000 of which are inhabited) and about 34,000 miles of coastline.\footnote{CIA World Factbook “Indonesia” page last update June 22, 2014 https://www.cia.gov/library/publications/the-world-factbook/geos/id.html (accessed 29 Dec 2014). Murray cites other figures saying the coastline is about 50,000 miles and that even the Indonesian government is unsure of how many islands make up the archipelago (Murphy, 73).} Although Indonesia is concerned about maritime security, their assets are limited and piracy is not necessarily their primary maritime security concern.\footnote{Murphy, 73.} In some areas their control is tenuous at best. Added to
these issues is the problem of government corruption, “a common problem amongst agencies in the region charged with maritime law enforcement...”74 Most of the reported incidents which occur in Indonesian anchorages and territorial waters are low-level opportunistic robberies. However the increasing rate of these incidents is reason for concern and the IMB has been working with the Indonesian Marine Police to improve maritime security in these high risk areas.75 The Indonesian Marine Police have designated certain anchorages where they will perform increased patrols; these are listed on the ICC website.76

The geography of the Philippines and Malaysia are similar to Indonesia although neither of them is as vast in scope.77 Murphy suggests that piracy in the Philippines is likely as big or bigger of a problem but the incidents are unreported.78 Throughout the Philippine-Indonesia-Malaysia “tri-border” region, casual killing of fishermen and local traders unfortunately seem to be regular occurrences. Protection fees are common. Piracy does not stop at the shorelines and coastal settlements have also been raided and forced to pay protection fees. Adding complexity to this region is the Philippine Mindanao and Malaysian Sabah region which is effectively linked by the Sulu island chain. Stefan Eklöf believes this probably “the most dangerous maritime area in the world.”79 Here the tradition of piracy was never suppressed by the Spanish, and what control the American occupation imposed, vanished with Philippine independence. Anthony Davis has suggested that there are six individual groups of armed pirates who operate in this region some of them with links to the Abu Sayyaf Group (ASG).80

The piracy situation in the Straits of Malacca and Singapore are a very different issue. Here freedom of navigation and safe passage is of vital interest to many nations. John S. Burnett describes the five-hundred-mile passage of the Malacca Straits as “the commercial umbilical connecting Europe, the Middle East, and the Indian subcontinent to Asia and the Pacific.”81 Roughly a third of global commerce travels through these straits.82 While, piracy incidents in the straits are lower because of coordinated international efforts to control piracy, these passages are not risk free and as the table above indicates. Incidents still occur. The IMB 2013 annual report says in its warning about the Malacca Straits; “the number of attacks have

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74 Ibid., 74.
75 ICC-IMB 2013, 24.
78 Murphy, 75. Murphy states that Eric Ellen and others have also cast doubt on the reliability of reported figures.
79 Ibid., 77 citing: Stefan Eklöf, Pirates in Paradise, p. 43.
82 Ibid., 13.
dropped substantially due to the increase and aggressive patrols by the littoral states authorizes since July 2005.” In both areas, Malacca and Singapore Straits, ships are warned to maintain anti-piracy/robbery watches and be vigilant.

Reported incidents in the South China Sea have dropped significantly. In between 1993 and 1995 piracy in this region was second highest, behind only Indonesian incidents. The region of greatest concern is formed by a triangle from Hong Kong and Macau to Luzon Island in the northern Philippines and to Hainan Island, the southernmost province of China. This area is called the Hong Kong-Luzon-Hainan (HLH) triangle. Many of the incidents here involved organized criminal activity and even more noteworthy, official Chinese patrol craft were often involved. One explanation for why this activity significantly decreased in 1995 is that the Chinese government reigned in the local administration because these piracy incidents were harming China’s international reputation and were a challenge to Chinese authority. Yet in 2003, Burnett described the South China Sea as “a lawless, disputed no-man’s-land where ships are frequently hijacked by pirates in the employ of organized crime syndicates for the precious cargoes they carry.” Some of these waters still remain risky and the ICC website warns mariners to remain vigilant “in the vicinity off Anambas/Natuna/Mangkai islands/Subi Besar/Merundung areas.”

Certainly, one of the most important developments to come about because of piracy in Asia was the establishment of the ICC IMB Piracy Reporting Centre (PRC) in Kuala Lumpur, Malaysia. The PRC has already been referred to numerous times throughout this paper, but it is appropriate here to devote a bit more space to acknowledging how the centre came to be. Alarmed by the increasing incidences of piracy, the IMB established the PRC in 1992 as a free service to mariners. While not specifically stated, another driving factor may have been the increasing probability that unchecked piracy operations might lead to an environmental disaster with far reaching consequences to those who depend on the sea for their livelihood. Murphy discusses two pirate events that could have resulted in a disaster. The first was in 1991 when, following a pirate attack, the Eastern Power, a fully loaded Very Large Crude Carrier (VLCC), steamed out of control in the Phillips Channel south of Singapore for 15-20 minutes.

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83 ICC-IMB 2013, 21.
84 Ibid.
85 Murphy, 94.
86 Ibid.
87 Ibid., 95.
88 Burnett, 12-13.
91 Murphy, 154.
The second incident occurred in 1992. A pirate attack left the *Valiant Carrier* on fire, steaming out of control, and close to the shore of Sumatra with a full load of furnace oil.\(^9^2\) Aware of the incredible environment destruction caused by the Exxon Valdez oil spill in Prince William Sound, Alaska in 1989, it is hard to image that the potential for such a disaster occurring as a result of piracy did not contribute to the IMB taking action to establish a means for attacks to be reported and acted upon more quickly. The Piracy Reporting Centre is a 24 hour operation. It functions as a non-governmental organization and is capable of being the first point of contact for mariner reports of pirate or armed robbery activity, not only in Asian waters, but globally.

Another cooperative international organization which has developed to deal with the threat of piracy in Asia is The Regional Cooperation Agreement on Combating Piracy and Armed Robbery against Ships in Asia (ReCAAP).\(^9^3\) Unlike the ICC’s IMB Piracy Reporting Centre, ReCAAP is the first regional government-to-government agreement to promote and enhance cooperation against piracy and armed robbery in Asia. The agreement to form ReCAAP was finalized on 11 November 2004, and the organization entered into force on 4 September 2006. There currently are 20 nations who are Contracting Parties.\(^9^4\) ReCAAP’s Information Sharing Centre (ISC) was established 29 November 2006 and has since been recognized as an International Organization. The ISC uses a secure web-based information network system to exchange information between the contracting parties. This network allows ReCAAP “Focal Points” (each contracting party designates a focal point) to be linked to the ISC and each other around the clock. They are able to exchange information about piracy incidents, support anti-piracy capacity building efforts and negotiate cooperative arrangements.

In the event of a piracy incident, the ISC is are able to facilitate appropriate responses: “The agency receiving the incident report will manage the incident in accordance to its national policies and response procedures, and provide assistance to the victim ship where possible. The agency will in turn, inform their ReCAAP Focal Point which will submit an incident report to the ReCAAP ISC and its neighbouring Focal Points.”\(^9^5\) The ISC attempts to validate and maintain accurate information on piracy incidents. They provide greater detail of the incident than the

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\(^9^4\) The twenty Contracting Parties to ReCAAP are Australia, the People’s Republic of Bangladesh, Brunei Darussalam, the Kingdom of Cambodia, the People’s Republic of China, the Kingdom of Denmark, the Republic of India, Japan, the Republic of Korea, the Lao People’s Democratic Republic, the Republic of the Union of Myanmar, the Kingdom of the Netherlands, the Kingdom of Norway, the Republic of the Philippines, the Republic of Singapore, the Democratic Socialist Republic of Sri Lanka, the Kingdom of Thailand, the United Kingdom, the United States of America and the Socialist Republic of Viet Nam. [http://www.recaap.org/AboutReCAAPISC.aspx](http://www.recaap.org/AboutReCAAPISC.aspx) (accessed 30 Dec 2014).

IMB and try to following up on each incident to monitor law enforcement response.\(^96\) The centre is also responsible for analyzing the statistics of piracy and armed robbery incidents to develop a better understanding of the situation in Asia. Lastly they cooperate with other organizations and parties via information sharing, joint exercises, and other forms of cooperation, as appropriate, and agreed by the Contracting Parties.\(^97\) This includes hosting workshops and participating in conferences to share lessons learned, including best management practices for anti-piracy efforts. ReCAAP provides a strong example of why international cooperation is important on an issue as complex as piracy.

**Comparisons and Differences**

Obviously there are some similarities in all maritime pirate incidents. One commonality necessary for piracy to take root in an area is a maritime tradition which provides the necessary skill set. Murphy says that trading patterns are one of the factors that determine the acceptability of piracy. He posits that “piracy has deeper roots in Southeast Asia than in West Africa because important trading routes have bisected Southeast Asian archipelgos for centuries, making piracy there a way of life that has been established for generations, often on a clan or family basis.”\(^98\) Piracy does not exist if there are no ships to plunder. Therefore, the shipping routes are just as significant. The Mediterranean is another area where the trading routes have a long history. At the same time, new shipping routes create new opportunities for piracy. The development of the petroleum industry and the shipment of oil is a major part of the global economy. Oil shipments now cross the globe. West Africa has a significant role in the shipment of oil, so while the trading routes from West Africa may not have the same long a history as other routes, they create an environment ready for contemporary piracy.

Both Asia and Africa have plenty of relatively small incidents which occur as opportunities present themselves. The data on these events is probably highly under reported. These are the sort of piracy and armed robbery events that require relatively no equipment, can happen quickly and the transgressor can be on their way again. Larger attacks may still be relatively simple, the common thread here is often a lack of proper governance, as in Somalia, or compliant authorities who either look the other way or are themselves involved. This type of event is common to both Asia and Africa. Violent piracy is also common between Asia and Africa. Asia has a longer history of violence and for many years this violence was perhaps a distinguishing characteristic of Asian piracy, particularly in the South China Sea. However, with the proliferation of small arms, pirates often have weapons and now may operate at a more

\(^96\) Murphy, 66.
\(^97\) Ibid.
\(^98\) Murphy, 42.
destructive and sophisticated level,\textsuperscript{99} even in Africa. In 2008, Noel Choong, the director of the IMB’s PRC said: “Five or six years ago, when pirates attacked, they used machetes, knives, and pistols. Today, they come equipped with AK-47s, M-16s, rifle grenades, and RPCs.”\textsuperscript{100}

The longer piracy is allowed to occur in a location the more sophisticated the pirate operations may become. Some of the most sophisticated pirate operations are those in the South China Sea where piracy has raged for centuries. There the complexity involves syndicates of organized criminals. The more recent development of piracy off Somalia offers a window into the evolution of piracy. Pirate raids began in the early 1990’s in fast moving skiffs and advanced to pirate organizations using “mother ships” as bases to extend their operations. Just as anti-piracy concepts have evolved to deal with the threat of piracy, so too have the pirate tactics evolved. In his book \textit{Pirate Alley}, RADM Terry McKnight compares this evolution to “a game of whack-a-mole on steroids playing out over 2.6 million square miles of ocean.”\textsuperscript{101} McKnight goes on to say the pirates “adapt, they struggle, they face horrific odds, and they recognize that success will change their lives in ways unlike anything else available to them.”\textsuperscript{102} The lack of economic opportunity is another common thread between African and Asian piracy. Chalk cites the Asian financial crisis in the late 1990’s as being one of the causes for increased piracy in Southeast Asia.\textsuperscript{103} In a boarder sense, the causes for African and Asian piracy all come from problems on the land.

\textit{Conclusions}

Piracy may be viewed as a North-South issue since pirate attacks predominantly originate from south-nations, while the majority of international shipping and the norms which label piracy an illegal act originate from north-nations. Both Africa and Asia are south-nations which were subjected to the imperialistic expansion of the European powers. When the Europeans arrived they brought their concepts of laws with them. They imposed their rules and norms and at the very least attempted to impose their values on the local societies. Many times, these actions were implemented with a set of double standards. Piracy in the name of privateering was considered to be legal, at least if the privateering was in the interest of the European powers. If however, it was in the interest of the native people, it was seen as piracy and justified military action to eliminate it.

Piracy has roots in the ancient world where taking from others was seen as a legitimate means of survival. In its most general definition piracy is robbery or illegal violence at sea.

\textsuperscript{99} Chalk, 13.
\textsuperscript{100} As quoted in Chalk, 14.
\textsuperscript{102} Ibid.
\textsuperscript{103} Chalk, 11.
Most of the time, piracy is a crime of opportunity. In other instances, piracy is a highly organized criminal activity. The internationally excepted definition of piracy is at best a compromise among interested parties subjected to political pressures. It does not change the issue from being a very possible risk across the globe. Traditional or historical piracy was considered to have ended with the end of the “Golden Age of Piracy.” In reality, piracy has never ceased to exist. Its prevalence varies based on complex considerations. Today, contemporary piracy is a very real and present danger for the maritime industry. A globally connected world depends on maritime shipping to transport vast amount of materials and goods. Increased shipping transits means increased opportunities for piracy.

Even contemporary piracy trends wax and wane. Thirty years ago West Africa was had the highest rates of piracy anywhere in the world. In 1981, The International Maritime Organization (IMO) declared the Nigerian coastline to be the most dangerous worldwide.\(^\text{104}\) By the 1990’s attention shifted to Asia where there was concern that piracy rates in the Straits of Malacca would spin out of control.\(^\text{105}\) Come the new millennium and the piracy rates in Somalia began to take center stage. By 2009, Somali piracy composed more than 50% of worldwide reported pirate incidents. In 2011 it peaked at nearly 54% of worldwide reported pirate activity. In the latest IMB annual report, reported Somali piracy incidents make up less than 6% of the world total while reported pirate incidents in the Gulf of Guinea comprise over three times that amount or more than 18% (over 75% of those were Nigerian). Asian piracy activity has almost continually increased as a percentage of worldwide reported incidents. A more complete comparison of the percentage of worldwide incidents which occur in Africa and Asia is provided in the table below:\(^\text{106}\)

<table>
<thead>
<tr>
<th>Percentage of World Incidents</th>
<th>2009</th>
<th>2010</th>
<th>2011</th>
<th>2012</th>
<th>2013</th>
</tr>
</thead>
<tbody>
<tr>
<td>Africa</td>
<td>64.88</td>
<td>57.98</td>
<td>66.06</td>
<td>49.16</td>
<td>29.92</td>
</tr>
<tr>
<td>Somalia</td>
<td>51.71</td>
<td>48.76</td>
<td>53.76</td>
<td>25.25</td>
<td>5.68</td>
</tr>
<tr>
<td>Gulf of Guinea</td>
<td>14.81</td>
<td>26.83</td>
<td>12.96</td>
<td>12.68</td>
<td>18.75</td>
</tr>
<tr>
<td>Asia</td>
<td>16.83</td>
<td>25.62</td>
<td>23.46</td>
<td>37.37</td>
<td>53.41</td>
</tr>
</tbody>
</table>

Maritime Piracy is here to stay. Despite increased international cooperation and some very real progress with anti-piracy efforts there is still plenty of piracy to go around. Naval cooperation, whether it is an effort of neighboring littoral states, as in SE Asia, or a truly international effort, as off the east coast of Africa, has a role to play. Organizations such as the IMB’s PRC and ReCAAP allow for the effective sharing of information in a timely manner. While the efforts of these organizations are important, they are often reactive – after the incident.

\(^{104}\) Ellen, 240.
\(^{105}\) Ibid, 239.
\(^{106}\) Analysis of the data in the IMB Annual Report for 2013. Again a reminder that the analysis is only as good as the data and there are real issues with the data.
Oceans Beyond Piracy (OBP) is a relatively new organization. It is a project of the One Earth Future Foundation and describes itself as a “developing a stake-holder driven approach to addressing maritime piracy.” OBP is a publically funded, non-profit organization located in Colorado, USA. The goals of the organization are to mobilize the stake-holders in the maritime industry, to form public-private partnerships which promote long term solutions, and to create sustainable deterrence based on the rule of law. Stood up in 2010, it is too soon to be able to evaluate the impact of OBP, but organizations and efforts like this are necessary if there is any hope of eliminating maritime piracy. This is especially true because while the issue is maritime piracy, the causes are shore based and truly very complicated.

Piracy in Africa and Asia is a complex issue with a long history. This paper has merely scratched the surface of this topic, but hopefully it provided some new insight into the issue.

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