

# Strengthening International Collaboration for Counter-Piracy Efforts

- Focusing on Counter-Piracy Operations Off the Coast of Somalia -

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## I. Introduction

That very peaceful trade and safe passage of ships, however, have been under serious threat by pirates in the Straits of Malacca and the Gulf of Aden. Ninety nine percent of the Republic of Korea's trade occurs on the high seas, and it is suffering a considerable impact on its trade as a result of the hijacking of Korean merchant ships by pirates. Many members of the international community are expressing grave concerns over the ever-expanding scope and frequency of pirate activity.

On the other hand, the Somali pirates of today are receiving large amounts of ransom for their kidnapped victims using small boats or vessels to hijack merchant vessels passing through adjacent waters, achieving their purpose through negotiations with shipping companies. As for who they kidnap, in the past they used to only kidnap crew members. These days, however, it is increasingly common for pirates to hijack both ships and cargos, killing crew members and throwing them overboard. World-wide, the frequency of piracy had been on the wane between 2003 and 2006, then from 2007 onwards there has been a spike in activity, centered around the waters in the Gulf of Aden. The Gulf of Aden is a crucial route, with 30 percent of global crude oil supplies and 12 percent of overall global trade passing through this area.<sup>1)</sup>

Piracy has been observed around the Cape of Good Hope in South Africa as well. This demonstrates that pirates are active in or near major shipping routes around the world.<sup>2)</sup> With piracy becoming an ever-present variable off the Somali coast, many countries have sent warships to the region, for securing ocean shipping routes and protecting their ships passing through these waters. The Republic of Korea has been deploying its

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1) ICC-International Maritime Bureau, *Piracy and Armed Robbery Against Ships*, Annual Report 1 (1 January-31 December 2008), pp. 5-6.

2) The Mozambique Channel, just like the Gulf of Aden, is a strategically critical area. Moreover, it is ideal for piracy, as there are many scattered small islands. "Extension of the Piracy Threat into the Mozambique Channel," at <http://www.idaratmaritime.com/wordpress> (Accessed July 23, 2012).

Chunghae (Anti-Piracy) Unit since 2009 to proactive protect the safe passage of Korean ships. As the bulk of Korean's international trade depends on ocean shipping routes, the endangering of these routes would result in a serious economic crisis.<sup>3)</sup>

The Chunghae Unit, which was first deployed in March 2009 to eradicate Somali piracy, succeeded in rescuing the *M/V Samho Jewelry* from pirates, through swift hostage rescue and counter-piracy operations in January 21, 2011. This operation, named 'Operation Dawn of Gulf of Aden,' was successful in an unprecedented manner in the history of similar maritime operations, resulting in the killing of 8 out of 13 pirates (the rest being arrested), and rescuing all 21 crew members onboard. However, many countries still pay huge amounts of ransom for the release of kidnapped hostages and hijacked vessels.

The continuing presence of such despicable pirate acts and the need for a credible response to these acts provided the underpinning of this paper. Therefore, this paper seeks to provide realistic counter-piracy approaches, based on an analysis of pirate activity in or near major ocean shipping routes, taking into account the fact that piracy poses a grave threat to political and social stability of the littoral states near the centers of pirate activity, peacetime security of ocean shipping routes, the maritime security environment, and the safety of crew members.

This paper thus far focuses on the following questions: What are the potential threats posed by pirates to the safety of shipping routes in the Straits of Malacca and Gulf of Aden? If so, then why was it the case that piracy has increased rapidly in frequency over the past 10 years? How can we apply the lessons learned from the 'Operation of Dawn of Gulf of Aden' to international community for preventing piracy acts around the ocean?

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3) The Republic of Korea is 7th-biggest exporter in the world. Given how 99.7 percent of its trade occurs via maritime shipping routes. Thus, it can be said that protection of these shipping routes is of utmost importance to Seoul.

## II. Overview of SLOCs and Pirates

### 1. Status and Value of SLOCs

Sea Lanes/Lines of Communications (SLOCs)<sup>4)</sup> are defined as "maritime routes through which war supplies and augmented troops are transported, by connecting operational units with bases"<sup>5)</sup> and "key maritime routes that connect various ports that are used for trading, provision of war materiel, or projection of naval power."<sup>6)</sup>

SLOCs are vital lifelines that must be secured or protected for the sake of maintaining the economic viability and capability to continue waging war of all states. In peacetime and wartime, these routes must be secured to guarantee the uninterrupted passage of war materiel, augmented troops. Mahan defined the relationship between the navy and shipping as one in which 'the need for the navy stems from the need for peaceful, uninterrupted shipping, and if such protection were unnecessary, then the navy would be rendered obsolete, and emphasized the protection of commercial shipping as the fundamental mission tasked to navies.'<sup>7)</sup>

Over half of global trade passes through the key shipping routes of East Asia, such as the Straits of Malacca, Sunda and Lombok Strait, etc.<sup>8)</sup>

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4) The term of sea lanes/lines of communications (SLOCs) is covering a variety of words such as maritime routes, sea routes, shipping routes, and sea lanes. Thus, SLOCs can be used as broad meaning for maritime security and strategy.

5) Kim Daljoong, "The Naval Power of Four Great Powers Surrounding the Northeast Asian Shipping Routes," in *Korea and Security of Shipping Routes* (1988), p. 147 and *The Republic of Korea Joint Chiefs of Staff, The Military Language Dictionary* (Seoul: ROK JCS, 1986), p. 75.

6) More specific contents are available at <http://en.wikipedia.org/wiki/Sealines> (Accessed 25 August, 2012).

7) Alfred T. Mahan, *The Influence of Sea Power Upon History 1660-1783* (Boston: Little, Brown and Company, 1890), pp. 28-36.

8) Sam Bateman, *Maritime Cooperation in the Asia-Pacific Region: Current Situation and Prospects* (Canberra: Strategy and Defense Studies Center Research, Australian National University, 1999), p. 1.

Eighty percent of the energy supplied to Korea, Japan and China, and 40 percent of global trade, pass through these Straits; thus, it would not be an overstatement to claim that Asian countries heavily rely on this route. As recently as 2012, it was estimated that around 30 percent of global pirate activity occurred in Southeast Asia, and the Straits of Malacca was home to the highest level of pirate activity in the world until 2004.

However, piracy in Southeast Asia has been on the wane since 2004. On the other hand, Africa is witnessing a sharp rise in piracy from 2007 onwards. In particular, acts of piracy have gone from 111 instances in 2008, 197 in 2009, and 192 in 2010, in the Gulf of Aden and other surrounding areas. Moreover, in 2012, piracy in these areas accounted for 52 percent of global piracy.<sup>9)</sup> Approximately 20,000 ships, civilian and military of all countries, pass through the Gulf of Aden each year, which is the key trading route for the Republic of Korea for trade with Europe. Through the Gulf of Aden, 30 percent of global trade is conducted. Around 40 Republic of Korea-flagged vessels pass through this region each month, the annual figure being around 500. Altogether, these vessels account for 26 percent of Korea's global trade.<sup>10)</sup> Considering the rapidly developing global economy and the Republic of Korea's high reliance on ocean shipping, it is anticipated that the volume of trade passing through these waters will continue to increase, and with this an increase also in the damages to Korean vessels. Mahan argued that the most important factor in strategy is communication, and all military organizations, both ground and maritime, must ultimately rely on communication over and through the seas, emphasizing that communication is the foundation of national power.<sup>11)</sup>

SLOCs must be protected at all costs, during both peacetime and

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9) ICC-IMB, *Piracy and Armed Robbery Against Ships*, Annual Report (January 2013), pp. 5-6.

10) Joshua Ho, "Piracy in the Gulf of Aden: Lessons from the Malacca Strait," *RSIS Commentaries* (January 2009).

11) Alfred T. Mahan, *Naval Strategy Compared and Contrasted with The Principles and Practice of Military Operations on Land* (Michigan: University of Michigan Library, 1915), pp. 11-12.

wartime for the survival of the state. The Straits of Malacca and Gulf of Aden, and other crucial straits are essential to this purpose. Thus, if these areas were to come under serious threat by pirates or terrorists, then the global economy as a whole would become adversely affected.<sup>12)</sup>

## 2. Analysis of Supranational Maritime Threats

From time immemorial, threats have always existed, both on the seas and ground, and these threats are intensifying with the passage of time. Piracy is occurring in areas of Africa and Southeast Asia, regions where political, social, economic, and military weaknesses abound and the rule of law is weak. Martin N. Murphy, the International Institute for Strategic Studies (IISS), cited the following seven causes of piracy: legal and jurisdictional weakness, favourable geography, conflict and disorder, under-funded law enforcement/inadequate security, cultural acceptability, permissive political environments, and promise of reward.<sup>13)</sup>

In the case of Somalia, it is divided into three *de facto* independent areas, under the absence of an authoritative and effective central government. Piracy resulting from corruption, political instability, and economic ruin is commonplace, and indeed, the seven causes listed above by Murphy all apply to the Somalian case. When ships containing high-value goods of strategic importance pass through the Somali waters, they provide attractive targets to pirates. Piracy is a transnational and omnipresent threat, becoming more and more severe in intensity.

The Straits of Malacca are relatively stabilized; in contrast, the Gulf of Aden has become home to the most severe and frequent acts of piracy.

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12) The Suez Canal and Sumed Pipeline accounted for 7.5 percent of all transport of global oil supplies. If these areas were to be blocked, ships must navigate an additional 6,000 miles through the Cape of Good Hope, leading to astronomical amounts of additional costs. [Http://en.wikipedia.org/wiki/Chokepoint](http://en.wikipedia.org/wiki/Chokepoint) (Accessed July 22, 2012).

13) Martin N. Murphy, *Contemporary Piracy and Maritime Terrorism: The Threat to International Security* (London: IISS, 2007), p. 13.

Moreover, the pirates in the latter area are showing signs of increasing organizational discipline, posing an even greater threat to ships passing through these waters.

According to a study by the International Maritime Bureau (IMB), it is believed that piracy is occurring in many major shipping routes across the world. When we look at the 2013 IMB Report on Piracy, acts of piracy are concentrated in the Gulf of Aden, Indian Ocean, and the Straits of Malacca as well as Indonesia. As for aspects worthy of further analysis, four ships passing through the Mozambique Straits came under attack from pirates from October to November of 2009. Considering that the location of these pirates was as far as 800 km away from the shore, it can be assessed that the scope of pirate threats is becoming ever wider.<sup>14)</sup> In fact, there is insufficient coordinated response to piracy in the southern African region, with a lack of coherent, effective, and sufficient naval and air patrol to counter the threat of piracy.

Maritime terrorism, separate from acts of piracy, can be conventionally defined as maritime violence, conducted for the purpose of achieving political ends. As for the types of maritime terrorism, here are the following: ① suicide attacks using small vessels, ② blackmail and threats accompanied by calls for concessions, ③ hijacking ships containing strategic goods and requesting political concessions, ④ placing explosive material in the major port facilities and shipping containers, and ⑤ attacking oil drilling facilities.<sup>15)</sup> Then, how exactly is maritime terrorism different from acts of piracy? A specified comparison can be found in Table 1.

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14) For more information, "Extension of the Piracy Threat into the Mozambique Channel," *Idarat Maritime* (February 28, 2011) at <http://www.idaratmaritime.com/wordpress> (Accessed February 8, 2013).

15) Baek Byung Sun, "Research on Maritime Supra-National Threats to the Shipping Routes of the Republic of Korea and Responses to These Threats," *National Strategy*, Vol. 16, No. 3 (2000), p. 95.

〈Table 1〉 Comparison of Maritime Supra National Threats Category

Category	Key Contents	Remarks
Acts of Piracy	<ul style="list-style-type: none"> <li>• Detaining crews and passengers of civilian vessels &amp; aircraft, as well as acts of violence against them (IMO definition)</li> </ul>	International waters, beyond national jurisdictions
	<ul style="list-style-type: none"> <li>• Using force, getting aboard ships and engaging in robbery and other criminal acts (IMB definition)</li> </ul>	International & territorial waters
Maritime Armed Robbery	<ul style="list-style-type: none"> <li>• Illegal acts other than those of piracy, within a specific national jurisdiction</li> </ul>	When ships are either anchored or at sea
Maritime Terrorism	<ul style="list-style-type: none"> <li>• Acts of violence to achieve political ends in the maritime environment</li> </ul>	Anywhere, any time

The nexus between Al-Shabaab and Somali piracy is complicated. For instance, unsubstantiated reports claimed that the pirates delivered a shipment of explosives and missiles to Hassan Abdulle Hersi, a veteran jihadist loyal to Al-Shabaab. The ransom paid for the hostages is being used by terrorists such as Al-Shabaab. It is unsubstantiated, but 20 and 50 percent of ransom money the pirates receive is given to Al-Shabaab.<sup>16)</sup> Al-Shabaab targets civilians and workers engaged in humanitarian assistance; it also engages in acts of terrorism in port facilities. Moreover, it is trying to topple the Transitional Federal Government (TFG) in Somalia by violent means.<sup>17)</sup> Indeed, the pirates active in the Gulf of Aden and Straits of Malacca, among other areas, can be linked to terrorists, thus making pirates a threat to international security.

Transnational criminal networks linked with pirates can, together with terrorist organizations, wreak enormous havoc on ships of various countries, including the United States. Maritime terrorism emerged as a

16) Brian Hesse, *Somalia: State Collapse, Terrorism and Piracy* (London: Routledge, 2011), p. 42.

17) Johnnie Carson, *Developing a Coordinated and Sustainable U.S. Strategy Toward Somalia*, Statement Before the Subcommittee on African Affairs of the U.S. Senate Committee on Foreign Relations, May 20, 2009.



serious issue in October 1985, following the hijacking of *Achille Lauro* by Palestinian terrorists.<sup>18)</sup> And the bombing of *USS Cole* (Aegis Destroyer, DDG 67) in 2000, and of French oil tanker *M/T Limburg* in 2002 further elevated the issue of maritime terrorism.<sup>19)</sup>

According to research, terrorists can paralyze ports by hijacking Liquefied Petroleum Gas (LPG) transport ships and using them as 'floating bombs' of sorts.<sup>20)</sup> For example, if one were to explode a ship containing 600 tons of LPG, then all living life and structures within the ship's 1,200 km radius would be utterly and completely destroyed.<sup>21)</sup>

In Indonesia, for example, the Free Aceh Movement began fighting for Acehese independence from Indonesia in 1976. The organization raised money through the capture and ransom of crews from vessels at the northern end of the Straits of Malacca.<sup>22)</sup> While this organization considered all ships passing through the Straits of Malacca as potential targets of attack, it was severely depleted practically by destruction and loss of manpower caused by the tsunami of 2004, and entered into negotiations with Indonesian government. If pirates and terrorist organizations such as Al-Qaeda closely cooperate and form a new supra-national terrorist network, such a network will have enormous potential to severely threaten regional and international security. Experts have come up with the following scenarios for maritime terrorism: ① blowing up large oil tankers and ships containing WMDs in the vicinity of seaports, ② obstructing the passage

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18) The Italian passenger ship *Achille Lauro* was going to Port Said from Alexandria on October 7, 1985 when it was hijacked by members of the Palestinian Liberation Front (PLF). The hijacking was conducted for the purpose of securing the release of Palestinian guerrillas by the Israeli Government.

19) On October 6, 2002, the French oil tanker *Limburg* was hit by a suicide terrorist attack by a boat laden with bombs. As a result, one crew member was killed, and 90,000 tons of crude oil was spilled into the ocean, creating environmental destruction.

20) Michael Richardson, *A Tier Bomb for Global Trade: Maritime Related Terrorism in An Age of Weapons of Mass Destruction* (Singapore: Institute of Southeast Asian Studies, 2004), pp. 112–114.

21) Ben Shepard, *Maritime Security Measures*, Jane's Intelligence Review, Jane's Information Group (March 1, 2003).

22) Murphy, *op. cit.*, p. 65.

maritime traffic by blowing up a large ship in the mouth of a major strait, and ③ attacking major facilities ashore from the sea. While it may be difficult to always precisely differentiate acts of piracy from acts of maritime terrorism, the purposes of these two types of acts differ from each other. Piracy occurs for the sake of economic, monetary gain, whereas maritime terrorism occurs for the sake of achieving specific political or religious ends. However, in the sense that they are both violent acts that threaten the safe passage of ships and security of nations, these two types overlap in significant aspects.

### 3. Definition and Types of Piracy

Piracy has existed since ancient times, and pirates have normally been little more than those engaged in unlawful depredation at sea. International law or politics typically refer more to the act (piracy) than to the individuals (pirates). And we will also seek to look into the definitions of piracy as proposed by domestic and international law.

#### A. Domestic Law

Most countries define pirates or armed robbers on the sea<sup>23)</sup> according to their domestic laws. However, the Republic of Korea's domestic laws do not provide criminal definitions of pirates or piracy. However, Korea does state in its Criminal Code, Article 340 (Maritime Robber) that anyone who

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23) IMO, Resolution A. 1026(26), "Armed Robbery Against Ships" is defined in the Code of Practice for the Investigation of Crimes of Piracy and Armed Robbery Against Ships (resolution A1025(26), Annex, paragraph 2.2), as follows: Armed robbery against ships means any of the following acts: 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 or property on board such ship, within a State's internal waters, archipelagic waters and territorial sea; and 2. any act of inciting or of intentionally facilitating an act described above.

uses force to forcibly hijack a ship on the seas or enter the said ship and unlawfully confiscate the property of others will be sentenced to life imprisonment or a minimum of seven years in prison. In essence, Korea defines armed robbery on the seas as an illegal act that unlawfully takes a ship or its cargo, or harms its crew members.<sup>24)</sup>

As shown, Korea does not have a separate definition for pirates in its Criminal Code. But it applies the concept of the crime of armed robbery on the sea to foreigners who commit crimes within, and against, Korean aircraft and ships outside of Korean territorial airspace and waters. Thus, any foreigner who commits acts of piracy (including attempted acts) aboard Korean vessels will be considered as a criminal offense under Korean law, warranting confinement and criminal punishment.

Other East Asian countries also apply domestic law differently from international law. The basic criterion distinguishing armed robbers on the seas from pirates is whether the criminal act occurred on territorial or international waters. International and domestic law differs also in the following respect: jurisdiction. In the case of domestic law, the sovereign state has jurisdiction, but international law states that all states can arrest, try and punish those responsible for committing the said criminal act.

International law classifies violence against and plundering of innocent individuals and their property explicitly as a crime of piracy. In contrast, Korean criminal law does not have explicit provisions for piracy *per se*, but rather applies the concept of armed robbery on the seas. Thus, Korea and other countries should follow the example of Japan and enact special laws on piracy.

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24) Article 340 of Criminal Code ① Anyone who uses force to forcibly hijack a ship on the seas or enter the said ship and unlawfully confiscate the property of others will be sentenced to life imprisonment or a minimum of 7 years in prison. ② If anyone who commits the crime harms a person, then he or she will be sentenced to life imprisonment or a minimum of 10 years in prison. ③ If anyone who commits the crime murders or causes death to an individual, or rapes women, then he/she will be hanged or sentenced to life imprisonment. Serial offenders will receive an aggravated penalty, and attempted offenses will also be punished.

## B. International Law

The definition of piracy in the realm of international law or international politics is provided by the International Maritime Organization (IMO) and IMB, both defining piracy as an attack on a ship. And Article 101 of the United Nations Convention on the Law of the Sea of 1982 (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;*
- 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).*

To summarize the above requirements, on international waters or outside the realm of national jurisdiction, individuals or ships (two-vessels requirement) become pirates when they illegally attack and detain other ships and personnel aboard these ships, and when they unlawfully plunder or take away goods possessed by the latter, to achieve private ends. But as is the case of Somali pirates, contemporary piracy also occurs in internal waters, territorial waters, and archipelagic waters. Thus, the definition provided by UNCLOS by itself is not wholly sufficient to define and contain piracy. And according to UNCLOS, if one were to illegally plunder goods carried by the vessel on which one is aboard, then this act would not qualify as piracy *per se*.

In contrast, the IMB defines piracy as an act of boarding any vessel with the intent to commit theft or any other crime and with the attempt or

capability to use force in furtherance of that act. Thus, the IMB definition of piracy is somewhat broader and more comprehensive than that of the IMO.<sup>25)</sup> According to the IMB definition, even if the two-vessels requirement is not met, the conditions for piracy are established.

Therefore, the IMO definition of piracy can become somewhat controversial, in light of the recent trends in piracy around the world. Piracy can occur not only on international waters or beyond specific national jurisdictions; it can also occur in territorial waters. According to the IMB, however, whether ships are in international or territorial waters is irrelevant, as is whether ships are anchored at port or at sea; all actual attacks or attempts at such attacks on these ships by pirates are defined as acts of piracy.

The reason why IMB defines piracy differently from the IMO is that over the course of history, acts of piracy have been frequent in waters within the jurisdiction of littoral states (territorial waters or Exclusive Economic Zones, EEZs). IMO adheres to the definition of piracy laid out by UNCLOS, but IMB defines piracy in a more realistic and comprehensive manner, regardless of the area in which the acts of piracy occurred.

Also, currently the IMB does not simply label piracy, but rather, piracy and armed robbery against ships, a more comprehensive terminology. And academics and officials in the international shipping industry accept the IMB definition as the more realistic, and thus plausible one. A counter-piracy center established in Malaysia announces every year statistics on acts of piracy that occurred per given year.<sup>26)</sup> Realistically, considering the actual worldwide patterns of piracy, and how it occurs in global shipping routes, international waters, and territorial waters, I believe that the IMB definition is best suited to defining piracy as it is in this day and age.

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25) Peter Chalk, *The Maritime Dimension of International Security* (Washington: RAND, 2008), p. 3.

26) For more details, Lee Seo-hang, *Piracy's International Political Dimension, Analysis of Major International Affairs* (Seoul: Institute of Foreign Affairs and National Security, 2009).

## 4. The Threat of Piracy to SLOCs and Impact on International Community

### A. Threat of Piracy to SLOCs

Major SLOCs, such as the Straits of Malacca and Gulf of Aden, are being severely threatened by pirate activity. In particular, the shipping routes connecting the Mediterranean, Suez Canal, Red Sea, Gulf of Aden, Arabian Sea, and the Indian Ocean are crucial to the well-being of the Republic of Korea and numerous other countries, yet are coming under intensifying threat by pirates. Why is piracy flourishing in the Gulf of Aden? More than any other factor, it is because the 3,300 km-long coastline of Somalia allows pirates to quickly approach ships they seek to hijack.<sup>27)</sup> Moreover, large amounts of trade pass through the Gulf of Aden, and more importantly, there are plenty of young men receptive to the siren call of piracy because of the excruciating poverty. The existence of corrupt government officials that employ a laissez-faire approach to piracy indirectly assists with burgeoning piracy in the region. According to the United States-based One Earth Future Foundation, the amount of ransom paid to the Somali pirates for the purpose of rescuing hostages and hijacked ships sharply increased from 150,000 dollars in 2005 to 3.4 million dollars in 2009, 4 million in 2010, and 4.97 million in 2011.<sup>28)</sup> The Ukrainian vessel *MV Faina*, hijacked on September 25, 2008, was carrying 33 Russian-made T-72 tanks, cannons, and ammunition. A situation arose in which these weapons could have been hijacked by Somali warlords or terrorists; however, ultimately a ransom of 3.2 million dollars was paid to the pirates, and the crews were released.<sup>29)</sup> However, in 2011 the Greek

27) Yoon Hyun Geun, "Somali Pirates' threats and Counter-Measures," *Academic Discussions and Analytic Papers*, Vol 17, No.1 (Seoul: National Defense University, 2009), p. 53.

28) "Sharp Rise in Pirate Ransom Costs," at <http://www.FT.com/Jan16,2011> (Accessed August 14, 2012).

29) In the aftermath of the *M/V Faina* incident, the United Nations Security Council adopted Resolution No. 1838. It "calls upon all states interested in the security of maritime

ship *MV Irene SL* was hijacked after passing through the Suez Canal, with a ransom of 13.5 million dollars paid to the pirates in return for the release of crew members. This so far was the biggest sum of ransom paid on record.<sup>30)</sup>

Piracy's rise almost everywhere in the world reflects the reality that the safety of major shipping routes is not assured. The increase in pirate activity around the major shipping routes disrupts and thus decreases international trade. The share of maritime trade in the East Asian countries' GDP increased from 47 percent in 1990 to 87 percent in 2006, and it can be argued that the safety of shipping routes is absolutely crucial to countries that rely heavily on trade. In the case of Japan, the protection of shipping routes is the primary duty of the Japanese Self-Defense Maritime Forces (JSDMF) as defined in the Japanese Maritime Strategy document of 2009.<sup>31)</sup> The Government of the People's Republic of China (hereafter China) has also called on its military, the People's Liberation Army, to actively protect critical issues related to national sovereignty, including the safeguarding of national growth and development.<sup>32)</sup>

The hijacking of ships by pirates results in economic losses and costs, including not only ransom paid to pirates but also higher shipping insurance costs, thereby affecting shipping companies adversely. With increasing frequency of hijacking, the global shipping industry has substantially raised insurance fees for the transport of freight for ships passing through high-risk areas. In particular, insurance writers at Lloyds' designated the Gulf of Aden as a high-risk area of concern, and are charging insurance fees that would be applicable to a war zone. The fees that must be paid by ships when passing through the Gulf of Aden

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activities to take part actively in the fight against piracy on the high seas off the coast of Somalia, in particular by deploying naval vessels and military aircraft.

[Http://www.en.wikipedia.org/wiki/MV\\_Faina](http://www.en.wikipedia.org/wiki/MV_Faina) (Accessed February 12, 2013).

30) February 8, 2012, Somali piracy costs \$7bn despite hijacks failed.

[Http://www.ft.com/intl/cms](http://www.ft.com/intl/cms) (Accessed January 12, 2013).

31) Alessio Patalano, "Japan: Britain of the Far East?," *The Diplomat* (January 18, 2011).

32) *China's National Defense in 2008* (Beijing: Information Office of the State Council of the People's Republic of China, January 2009), p. 5.

increased from 900 dollars in 2007 to 9,000 dollars in 2008,<sup>33)</sup> and skyrocketed to 150,000 dollars in 2010.<sup>34)</sup> To avoid burden, many vessels are now going through the Cape of Good Hope, thus resulting in higher transport and freight costs. Ships travelling from Saudi Arabia to the United States have to travel an extra 2,700 miles, and from Europe to the Far East the voyage takes an additional 15 to 20 days. These detours and increases in costs of shipping result in a 17 percent reduction in the total volume of global shipping, and by having to circumnavigate along longer routes the shipping industry incurs much higher costs than it would if it were to pass through the major SLOCs free of pirate influence.<sup>35)</sup> Statistics show that the shipping industry incurred around 660 to 690 million dollars worth of costs because of pirate activity. Around 270 million dollars had to be paid for additional fuel costs arising from acceleration of the vessels to avoid pirates when passing through high-risk areas, and 130 million for counter-piracy operations by vessels of 30 or so countries.<sup>36)</sup>

Moreover, if large ships were to sink into the ocean because of pirate activity in the mouth of the Suez Canal, an area linked to the Gulf of Aden, this by itself could have a tremendous impact on international maritime traffic. Currently, as of 2012 around 40 naval ships from 30 or so countries are conducting counter-piracy operations in the Gulf of Aden and the Indian Ocean, under the command of NATO, EU and CTF-151. According to a research institute, around two billion dollars is spent per year for counter-piracy operations. Also, pirates' hijacking of ships, lawsuits involving pirates, and reduction in global trade all amount to around seven billion dollars' worth of losses every year.<sup>37)</sup>

While the frequency of pirate attacks on ships passing through the

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33) Miles CosTello, "Shipping Insurance Costs Soar with Piracy Surge Off Somalia," *The Times*, 11 September 2008.

34) Anna Bowden, *Oceans Beyond Piracy: The Economic Costs of Maritime Piracy*, One Earth Future Foundation Working Paper (December 2010), pp. 10-11.

35) *Ibid.*, pp. 13-14.

36) One Earth Future Foundation, *Ocean Beyond Piracy: The Economic Cost of Somali Piracy 2011*, Working Paper (2011). pp. 1-2.

37) *Ibid.*, pp. 15-16.



Somali waters has increased, the frequency of actual pirate hijacking has been on a downward trend, thanks to more naval forces in the region and safety measures taken by the ships themselves. In 2009, there were 52 hijackings; however, 44 in 2010, and 28 in 2011.<sup>38)</sup>

## B. Possibility of Linkage Between Terrorists and Pirates

Piracy, when linked with terrorists, cannot be simply countered by paying ransom for hostages. According to the RAND Corporation's Terrorism Chronolog Database and the RAND-MIPT Terrorism Incident Database, incidents of maritime terrorism account for only two percent of all the terrorism incidents recorded over the past 30 years,<sup>39)</sup> however, the collateral damage and side effects of the terrorism are likely to be serious to the world directly and indirectly. Security officials say that there is a tendency for pirates and terrorists to share information on particular issues. For instance, the hijacking of *Dewi Madam* in March 2003 witnessed pirates threatening the crew members at gunpoint. The pirates used VHF communication equipment to block all communication to and from the vessel, and after hijacking the captain and chief mate, took charge of navigating the vessel for about half an hour.<sup>40)</sup>

This example does not prove to be significantly different from piracy; however, given how they approached and treated the crews and obstructed communications, it can be surmised that they were linked with, or trained by terrorist organizations. This is so because up to this point, pirates typically had received only a basic level of training, and the type of sophisticated techniques demonstrated by the pirates in the above example

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38) There were a record 237 attacks up from 212 in 2010 during 2011 but the proportion of successful attacks fell only 28 vessels were captured, compared with 44 in 2010. [Http://www.ft.com/Feb 9, 2012](http://www.ft.com/Feb 9, 2012) (Accessed March 10, 2013).

39) Peter Chalk, "Maritime Terrorism in the Contemporary Era: Threat and Potential Future Contingencies," *The MIPT Terrorism Annual 2006* (Oklahoma City, U.S.: National Memorial Institute for the Prevention of Terrorism, 2006) p. 21.

40) John F. Bradford, U.S. Navy, "The Growing Prospects for Maritime Security Cooperation in Southeast Asia," *U.S. Naval War College Review*, Vol. 58, No. 2 (Summer 2005), p. 72.

was markedly different from those in other incidents.

The Gerakan Aceh Merdeka, a criminal network operating from the Straits of Malacca, are deeply involved with illegal human trafficking, trade in illicit arms and other prohibited goods. This organization engaged in these acts in order to fund their struggles against the Indonesian Government.<sup>41)</sup> Islamic terrorist organizations, through the Celebes Sea, transport spies, explosives, and weapons among Indonesia, Malaysia, and the Philippines.<sup>42)</sup> While there is no explicit evidence of international terrorist organizations being directly or indirectly involved in piracy, American experts typically rate such a possibility to be very likely.<sup>43)</sup>

Pirates are becoming more and more violent, posing a significant problem. Pirates use rocket-launched grenades or portable anti-air weapons, and this can cause damage to the ship, resulting in spillages of oil or natural gas into the ocean. In *2010 ICC-IMB Annual Report*, of the 445 ships that pirates hijacked or attempted to hijack, 24 percent, or 107 ships, were oil containers or ships that contained hazardous materials.<sup>44)</sup>

Pirates attacked the Japanese tanker *Takayama* on April 22, 2008, which was passing through the Gulf of Aden. As a result, the ship was damaged, leading to oil leakages into the ocean.<sup>45)</sup> Pirates will continue to, in collaboration with terrorists, deliberately target oil tankers and ships containing hazardous material, leading to large-scale environmental pollution, which will have a regional and international impact.

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41) *Ibid.*, pp. 71-72.

42) John McBeth, "Across Borders: A New Generation of Terrorists is Training in the Philippines, and Traveling, A New Report Says," *Far East Economic Review*, July 22, 2004.

43) Lee Seo-hang, *op. cit.*, p. 11.

44) ICC-IMB, *Piracy and Armed Robbery Against Ships*, Annual Report (2010), pp. 37-99.

45) On April 21, 2008, Japanese oil tanker *Takayama* (150,053 tons) came under rocket attacks by an anonymous vessel 440 kilometers off the coast of Yemen, and its oil tanks catching fire and spilling oil into the ocean.

### III. Analysis of Global and Regional Piracy Patterns

#### 1. Regional Piracy Patterns

Areas in East Asia and Africa are hotbeds for pirate activity, because of the political and social instability in the surrounding countries. According to a report by International Maritime Bureau–Piracy Reporting Center (IMB–PRC), while there were 170 incidents of piracy in Southeast Asia in 2003, this figure was reduced to 102 in 2005, and 83 in 2006. Attacks in the South China Sea also fell from 31 in 2010 to 13 in 2011.<sup>46)</sup> The statistics for piracy submitted to the IMB, covering the period 2001 to 2010, piracy reached its peak in 2003, gradually declining afterwards. However, in the Somali region, we witness a rapid increase in piracy.

In particular, the figures shown in Table 2 demonstrate that piracy in Southeast Asia, Central and South America, which had accounted for almost half of all piracy around the world, is currently on a downward trend. However, piracy in Africa was actually increasing until 2011.

〈Table 2〉 The Status of Piracy per Region in 2003–2012<sup>47)</sup>

Region		'03	'04	'05	'06	'07	'08	'09	'10	'11	'12
Africa	Gulf of Aden	18	8	10	10	13	92	117	53	37	13
	Somalia	3	2	35	10	31	19	80	139	160	49
	Nigeria	39	28	16	12	42	40	29	19	10	27
	Red Sea	–	–	–	–	–	–	15	25	39	13
	Other	33	35	19	29	34	38	10	23	47	58
	Total	93	73	80	61	120	189	251	259	293	160

46) This included nine boarded vessels, three attempted attacks, and the hijacking of one tug and its barge.

47) As shown in Table 2, the Far East refers to China, Papua New Guinea, Solomon Islands, and Vietnam. 98 percent of the piracy in this area occurred in the South China Sea and the waters off the coast of Vietnam. Moreover, in Southeast Asia, 70~80 percent of piracy occurred in the waters near Indonesia and Malaysia.

Far East	Far East	19	15	20	5	10	11	23	44	23	7
Indian Ocean	Bangladesh	58	17	21	47	15	12	18	23	10	11
	India	27	15	15	5	11	10	12	5	6	8
	Sri Lanka	2	-	-	1	4	1	-	-	-	-
	Total	87	32	36	53	30	23	30	28	16	19
Southeast Asia	Indonesia	121	94	79	50	43	28	15	40	46	81
	Straits of Malacca	28	38	12	11	7	2	2	2	1	2
	Other	21	26	11	22	20	24	29	28	33	21
	Total	170	158	102	83	70	54	46	70	96	104
South America		72	45	25	29	21	14	37	40	25	17
Other		4	6	13	8	4	1	2	2	-	-
Total		445	329	276	239	255	292	404	443	453	307

Source: ICC-IMB, *Piracy and Armed Robbery Against Ships*, Annual Report 2003–2012 (January 2004–January 2013).

As for the reasons behind the decline in piracy in the Straits of Malacca is the growing stability, economic and political, of Indonesia and Malaysia. Moreover, with the Regional Cooperation Agreement on Combating Piracy and Armed Robbery (ReCAPP) reached by 16 countries in the region, such as Korea, Japan and China, and agreements to strengthen joint patrolling efforts in the region, we have witnessed notable improvements in security in the Straits of Malacca.<sup>48)</sup> In contrast, Africa has experienced a rapid increase in piracy, going against the global trend. In particular, piracy in the Gulf of Aden and the Somali waters has increased from 19 instances in 2008 to 139 in 2010, 160 in 2011. In 2010 alone, there were 259 instances of piracy in Africa, accounting for 58 percent of worldwide piracy. There were 192 instances of piracy in the Gulf of Aden and Somali waters, accounting for 80 percent of piracy in Africa. After ‘Operation Dawn of Gulf of Aden’ in 2011, piracies had rapidly decreased 46 percent from 293 in 2011 to 160 in 2012 under the help of

48) The ReCAPP was established in 2004 by 16 countries, including Bangladesh, Brunei, Cambodia, India, Indonesia, China, the Philippines, Singapore, Laos, Japan, Sri Lanka, Thailand, etc. It became effective as of September 4, 2006, and Korea became a signatory in April 2006. The Information Sharing Center (ISC) was established in Singapore, where cooperation is conducted in the legal and other administrative aspects for extraditing and trying pirates in courts, and cooperation is being conducted for the purpose of extraditing and trying pirates.

strong cooperation among related organizations, such as UN, combined naval forces and others.

Why are pirates so active near Somalia? In the post-1991 period, central government authority in Somalia has been virtually non-existent because of ongoing civil war, and policing authority over the maritime domain is very weak. Only around 80 pirates were active around 2005, but in 2011 this figure skyrocketed to around 300. Another reason behind the rapid increase in piracy in this region was the promise of bountiful economic benefits derived from ransoms placed on the hostages aboard the hijacked ships, and locals also have a favorable view of the pirates.

The problem also lies in the fact that pirates do not see their acts as criminal acts. The President of the TFG, Abdullahi Yusuf, has publicly authorized the counter-piracy operations of multinational navies in the territorial waters of Somalia, in accordance with UN Security Council Resolutions.<sup>49)</sup> That said, the TFG lacks the strong resolve to tackle piracy by attacking the headquarters of these pirates, which is located inland.

## 2. Organization of Pirates and Analysis of Piracy

Somali pirates are known for their organizational discipline. Normally, pirates are composed of a maritime militia that conducts the attacks, a ground militia that handles pre- and post-capture logistics, and a figurehead responsible for financing.<sup>50)</sup>

As Somalia is a tribal society, pirates can be divided along three tribal lines. ① The Darod tribe of the North, Puntland, ② Hawiye tribe of the middle regions, and ③ Dizil tribe of the southern Merkha region.

Including reserve members residing in the coastal areas, a total of around 1,500 participants are involved in each given piracy operations. As

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49) UNSCR 1816 (2008), UN Chapter VII, p. 7.

50) One Earth Future Foundation, *Piracy Ransoms—Conflicting Perspectives* (August 13, 2010), p. 4.

for the number of actual pirates aboard pirate ships, these figures are around 300 per day. However, once we include the top brass and personnel that assist with piracy in direct and indirect ways, approximately 3,000–5,000 personnel are known to be engaged in piracy.<sup>51)</sup> These pirates (and their assistants) typically come from the Puntland areas, their being relatively young, around 20 to 35 years of age. In the past, many members came from the Somali Coastal Guard, but nowadays many young men join the band of pirates to strike it rich, and many low-ranked pirates come from fishing backgrounds.

In Puntland, a semi-autonomous region which is in the northeast area of the country, piracy is at its most active off its coast. Pirates in this region have control over the local economy, and are gradually expanding their power through cultivating close ties with local government officials.<sup>52)</sup> Through such efforts, pirates are often revered as elite leaders in the local community, for their social status and contributions to the local economy.<sup>53)</sup> According to Admiral Hank Ort, who is overseeing counter-piracy operations in the region, the success of the Somali piracy industry is providing incentives for many young Somali men to partake in these efforts.<sup>54)</sup>

Piracy is also becoming more violent. According to the International Transport Workers' Federation, once crew members are hijacked by pirates, the pirates threaten to murder them, or even engage in torture.<sup>55)</sup> As an

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51) The Korean National Defense University PKO Center, *Somalia Democratic Republic Handbook* (Seoul: KNDU, 2010), p. 15.

52) "The Evolution of The Somali Piracy Business Model," at <http://feraljundi.com/somalia/MaritimeSecurity> (Accessed December 4, 2012). According to organizations monitoring the situation in Somalia, pirate leaders provide lobbying funds to politicians and receive protection in return. This also enables pirates to expand their sphere of operations and to engage in piracy in an unfettered manner.

53) Yoon, *op. cit.*, p. 45.

54) "Somali Pirates' Success Wins Recruits," at <http://www.ft.com/cms> (Accessed March 12, 2013).

55) James Bridger, "A Failed State, Small Boats and Big Money: The Expansion of Somali Piracy and the World's Response," *The Atlantic Council of Canada*, at <http://atlantic-council.ca/?p=2493> (Accessed March 11, 2013).

example, the operation to rescue hostages from the *Samho Jewelry* in January 2011 resulted in eight pirates being killed by special forces, and five being arrested. In the case of the United States and Russia, the rescuing of hostages has often resulted in the killing or arresting of many pirates by naval forces of the rescuing countries. Reuters says that pirates have vowed to correspond in equal measure if they were to find themselves in danger,<sup>56)</sup> and made threats to kill or maim crew members unless they obey the pirates' orders aboard the hijacked ship.<sup>57)</sup>

### 3. Special Characteristics of Somali Pirates

Piracy off the Somali coast typically involves hijacking ship and crews, and threatening to damage both unless a large amount of ransom is paid. Ransom that is paid in cash is the most important factor behind pirates becoming more encouraged to participate in piracy. In the Gulf of Aden, a 2.1 million km<sup>2</sup>-wide area, naval ships and aircraft of many countries are currently engaged in counter-piracy operations; in spite of this, however, they cannot guarantee absolute security of ships passing through these waters.

Up until several years ago, Somali pirates had used small, swift boats; nowadays, the trend is towards using hijacked ships and large fishing vessels as the mothership and gradually expanding their scope of operations. Piracy is becoming ever more sophisticated, emerging even as a paramilitary force. Pirates have obtained high-speed boats, are now utilizing IRIDIUM telecommunications systems, and are making use out of equipment such as weapons and ladders that can be used to engage in attacks against other ships.

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56) *Ibid.*

57) According to the captain of *Geummi 305*, who was released by the pirates after four months in captivity, his ship was used for piracy on four occasions during this time period.

As for ransom, while in the past it was only around several thousand dollars, nowadays ransoms can reach the figure of two to three million dollars, and they are on a rising trend. Looking at the example of the oil tanker *Sirius Star*, which was hijacked in 2008, the pirates in this case demanded a ransom of 25 million dollars, but negotiations brought it down to three million, and the hostages were released upon payment of this sum. While it is typical piracy to hijack a ship and demand ransom, recently some pirates have killed their hostages and deliberately damaged ships by attacking them. In the year 2009 alone, Somali pirates have plundered around 100 million dollars through their activities,<sup>58)</sup> and in 2011, around 159 million dollars were paid in ransom for 31 instances of piracy, making the average ransom per case around 4.97 million dollars.<sup>59)</sup>

### A. Attack Methods

Overall, pirates use similar methods to hijack ships nowadays to those they used in the past. However, this is not to say that methods have not evolved. In the past, pirates operated chiefly near the coast, and their weapons consisted of AK-47s. Pirates operating off the coast of Asia and South America had also used simple weapons, such as rifles and swords. The Somali pirates of the Gulf of Aden and nearby waters, however, also use automated rifles and RPGs, and are expanding their operations into areas over 1,000 miles away from the coast.<sup>60)</sup>

When assessing current piracy trends, in terms of weaponry and scope of operations, pirates have evolved in many different aspects. According to testimonies given by crew members who had been hijacked by Somali pirates, the pirates had many state-of-the-art weapons, and these, needless to say, are now posing a severe threat to the multinational navies

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58) "Somalia's Pirates: A Long War of the Waters," *The Economist*, 7 January 2010, at <http://www.economist.com/node/15214052> (Accessed February 5, 2013).

59) For the economic cost of Somali Piracy 2011, see One Earth Future Foundation, *Oceans Beyond Piracy*, p. 11.

60) *Ibid.*, pp. 37-99.



and the civilian ships passing through these waters.<sup>61)</sup> Another problem is that pirates are actually using the hijacked fishing and commercial vessels, as well as the crew members themselves, for piracy. As pirates of the past used small vessels and operated only near the coast, nowadays more and more ships are under the threat of pirates, as these pirates are now active in the Arabian Sea, the waters off the coast of Mozambique, Indian Ocean and even the waters west of the Maldives.<sup>62)</sup>

Some pirates clandestinely approach local officials or shipping industry executives in Britain or Yemen and obtain the shipping schedules in advance, which they use to attempt hijackings of high-value ships.

## B. Expanding Scope of Piracy and Diversification of Targets

Pirates are strengthening their arsenal, as demonstrated by many reports and testimonies by hijacked crew members. Recently, it was reported that pirates have begun using hijacked ships as their mothership, and are now expanding their area of operations to include the waters off the coast of Oman and Mozambique.<sup>63)</sup>

As recently as 2012, the Somali pirates operated mainly in the Gulf of Aden, and naturally ships passing through these waters were the main targets. Many countries deployed naval and air assets to the Gulf of Aden to engage in counter-piracy operations. As a consequence, pirates have sought to move away, or expand, into other areas, such as the Gulf of Oman, Indian Ocean, and Mozambique Channel.<sup>64)</sup> Because of this, the IMB recommended that ships steer at least 200 miles clear of the Somali coast; however, because pirates are also active beyond the 200-mile limit, this recommendation also did not ensure the safety of passing ships.

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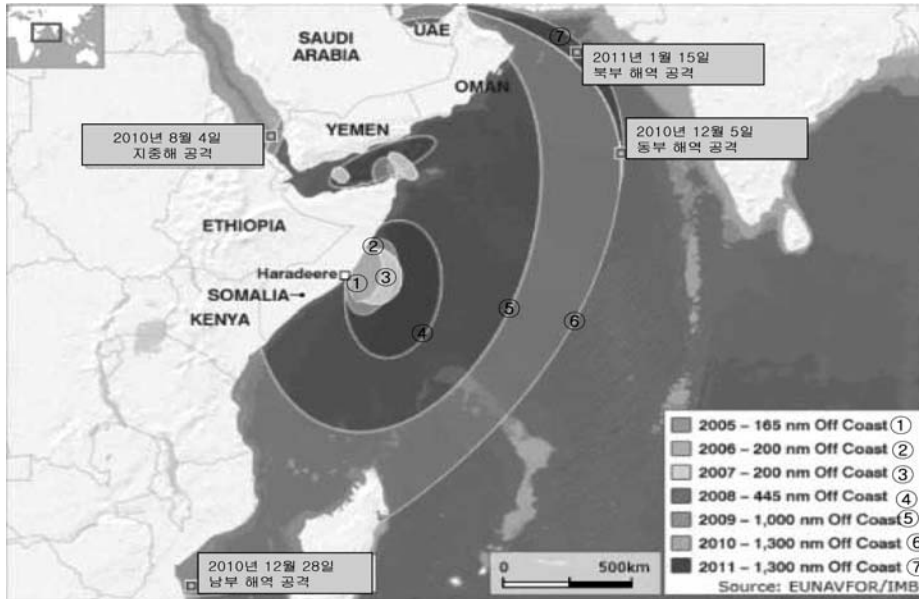
61) ICC-IMB, *Piracy and Armed Robbery Against Ships*, Annual Report, 2010, p. 19.

62) *Ibid.*, p. 19.

63) "Pirate Hijacking at Record High," *The Guardian*, January 19, 2011, at <http://www.guardian.co.uk> (Accessed December 12, 2013).

64) James Bridger, *A Failed State, Small Boats and Big Money: The Expansion of Somali Piracy and the World's Response*, The Atlantic Council of Canada, at <http://atlantic-council.ca?p=2493> (Accessed February 7, 2013).

〈Figure 1〉 Geographical Expansion of Major Pirate Attacks: 2005–2011



Source: *The Atlantic Council of Canada*.

The risk zone, which is the area in which a ship can expect attacks from pirates, expanded to areas that are 4,000,000 km<sup>2</sup> wide,<sup>65)</sup> and as Figure 1 shows, four ships were reported to be attacked by pirates at points as far as 1,300 miles away from a Somali port city, Haradeere, from 2010 to April 2011. According to an IMB report, Somali pirates were able to expand their area of operations because they could use the hijacked ships as their mothership.<sup>66)</sup>

#### IV. International Counter-Piracy Efforts and International Community's Response

How do we respond to piracy in the Gulf of Aden, and the Indian Ocean

65) *Ibid*.

66) [http://www.icc-ccs.org/Mail/piracy\\_al.php?newsid=20](http://www.icc-ccs.org/Mail/piracy_al.php?newsid=20) (Accessed December 24, 2012).

as a whole? First, we must approach the problem of piracy from the perspective of comprehensive security. The Republic of Korea relies on maritime shipping for 99 percent of its global trade; in light of this fact, it must be aware of the omnipresent risk of piracy around the globe. As the majority of ships carrying strategically important goods and materials for Korea must pass through the Straits of Malacca and the Gulf of Aden, counter-piracy operations are directly relevant to the security of the Republic of Korea.

Moreover, as terrorism is on the rise on a global scale, we must be cognizant of the increasing links between global terrorism and pirates. The increase in piracy over the course of time demonstrates that one nation cannot alone engage in effective counter-piracy. As it is the case with United Nations-sponsored peace-keeping operations (PKO), members of the international community must coordinate their efforts in tackling the piracy issue.

## 1. Increasing International Cooperation and Coordination

Ocean shipping routes, such as those that pass through the Gulf of Aden and the Straits of Malacca, are critical to the well-being of virtually all members of the international community, but particularly to those that have, like the Republic of Korea, a high reliance on global trade. And if ships embark on longer routes to their destination to circumvent piracy, this is not necessarily a choice, but a necessity, for the shipping companies and ships, one that accompanies more inefficiency and higher costs. In the past, pirates were the most active in the waters near Indonesia and the Straits of Malacca. As to why these regions are relatively quiescent nowadays in terms of pirate activity, the reason is the ReCAAP, a coordinated counter-piracy effort on a regional scale.<sup>67)</sup> The ReCAAP was initially agreed upon by Singapore,

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67) Led by Japan, 16 countries initially established ReCAAP, with the Information Sharing

Indonesia, and Malaysia in July 2004, and started off as a coordinated joint patrol operation throughout the entire Straits of Malacca.<sup>68)</sup>

The ReCAAP designated Focal Points per country, established Information Sharing Center and promoted international cooperation for capability-building, cooperation on arresting and exercising jurisdiction over pirates that fled to other countries' territorial waters, and generally curbing the activity of pirates and armed robbers. In doing so, it allowed for the littoral countries in the region to strengthen their maritime patrol operations via voluntary regional cooperation.<sup>69)</sup> This Agreement was significant in the sense that it allowed for signatory nations to cooperate in pooling maritime patrol assets (aircraft, warships, etc) for a common purpose, and was first of its kind in South Asia as a unified and coordinated multinational cooperative effort.

In November 2004, 16 countries including the Republic of Korea, China, Bangladesh, India, and Sri Lanka also became signatories to the ReCAAP.<sup>70)</sup> Also remarkable was the fact that Asian nations took the main lead in counter-piracy efforts. And the littoral states around the Straits of Malacca established a framework of close cooperation, by conducting joint counter-piracy operations. As a result of such active efforts, the 2010 ICC-IMB Piracy and Armed Robbery Against Ships Annual Report stated that prior to the ReCAAP, around 30 instances of piracy occurred each year in the region, until 2004. This figure, however, became reduced to 12 in 2005, and from 2008 to 2012 onwards only two per year. The active efforts put together by ReCAAP signatory states, collectively using their naval and air assets, were decisive in drastically reducing pirate activity, went a long way in ensuring the success demonstrated by this drastic reduction of piracy. Littoral states in the Straits of Malacca have concluded various agreements

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Center located in Singapore.

68) John F. Bradford, "The Growing Prospects for Maritime Security Cooperation in Southeast Asia," *Naval War College Review*, Vol. 58, No. 3 (Summer 2005), p. 68.

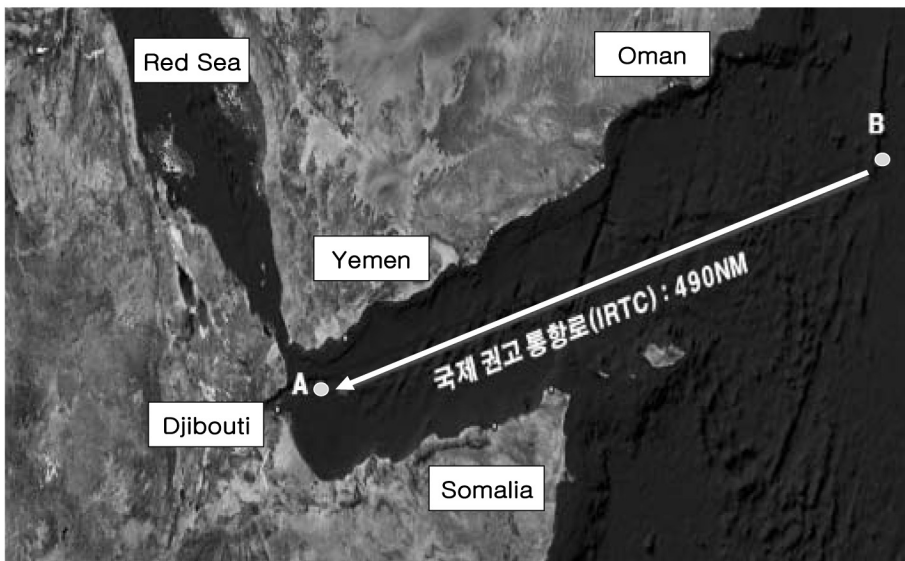
69) Mok Jin Yong and Kim Min Soo, *Improving Laws to Effectively Combat Piracy* (Seoul: Korea Maritime Institute, 2010), pp. 38-39.

70) Bradford, *op. cit.*, p. 69.

for the purposes of counter-piracy. For instance, MALSINDO (Joint maritime patrol operations), Eye-in-the Sky (airborne patrol operations) and other agreements have contributed greatly to drastically reducing piracy in the Straits of Malacca.<sup>71)</sup> The nations involved in counter-piracy operations in the Gulf of Aden are in the process of concluding agreements to facilitate joint operations, multinational exercises and information sharing.<sup>72)</sup> The main issue at stake, then, is to reproduce the success story we have seen in the Straits of Malacca and the Gulf of Aden.

In the Gulf of Aden, for the safe passage of trips, an International Recommended Transit Corridor (IRTC) with the length of 490 miles and width of 150 miles, was established as shown in Figure 2. It logically follows from this that, considering how much space the IRTC covers, one single country would have a very difficult time conducting operations. Indeed, for effective information sharing, searching and tracking of pirates, close multinational coordination is an absolute prerequisite.

〈Figure 2〉 The International Recommended Transit Corridor (IRTC) in the Gulf of Aden



71) *Ibid.*, p. 9

72) Vijay Sakhujia, *Security Threats and Challenges to Maritime Supply Chains*, Disarmament Forum, Two (2010), p. 9.

Currently, off the Somali coast naval ships and aircraft deployed from around 20 countries such as the United States, Japan, as well as EU and NATO nations are engaged in counter-piracy operations. The Republic of Korea has also been deploying its Chunghae Unit since 2009. The multinational forces in the region are under the command of the Combined Maritime Forces (CMF), in which the United States Navy 5<sup>th</sup> Fleet plays a major role. Within the CMF, there is the CTF-151 that specializes in counter-piracy, in addition to other naval and air assets deployed from Russia, China, and Japan.<sup>73)</sup> However, with or 30 or so naval and air assets deployed from around 20 countries, it is a virtually impossible task to effectively guarantee the safe passage of all ships passing through the Indian Ocean and the Gulf of Aden.

Fortunately, the ships under the protection of countries that have been deploying forces to the region are relatively safe from pirate attacks, and are thus less likely to be hijacked. However, to effectively counter pirates that are expanding their scopes of operations beyond the Gulf of Aden, countries must expand opportunities to get involved in escort operations. The escort itineraries of naval ships active in the region must be coordinated, and ships of all participating countries, not just one's own, must be escorted by the multinational navies. To make this possible, I believe that an information-sharing agreement that facilitates the sharing of information between the naval and air assets of the participating countries, as well as the expansion of airborne patrol with superior operational radius is crucial. And it goes without saying the integration of command structures and enhancement of staff organization are prerequisites for concluding and implementing such agreements.

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73) The Combined Maritime Forces (CMF) was established centered around the U.S. 5<sup>th</sup> Fleet, to guarantee maritime security in the Middle East and fight against extremist terrorism, violence, piracy, and human trafficking. Of the four Combined Task Forces (CTF) subordinate to the CMF, The CTF-151 is responsible for counter-piracy operations.

〈Table 3〉 Status of Countries currently involved in Counter-Piracy Operations off the Somali Coast

(As of January 2013)

Categories	Number of Ships	Countries	Established
CTF-151	3-5	15 (US, UK, ROK, etc)	Jan. 2009
CTF-465	6-12 (OPS Name: ATLANTA)	13 (EU States)	Dec. 2008
CTF-508	4-5 (OPS Name: Operation Ocean Field)	11 (NATO States)	Mar. 2009
Single OPS	20	ROK, US, Japan, China, Russia, India, Malaysia, Thailand, Indonesia	
Total	40	—	
MPA	Approx. 20	US, Spain, Germany, Luxembourg, Japan, Singapore, Portugal	

For countries whose powers are not yet sufficient to deploy naval power to the region, yet whose civilian ships pass through the Gulf of Aden and Indian Ocean on a regular basis, they contribute a regular amount of funds to the combined counter-piracy effort. This could be another way of ensuring that all parties concerned contribute to restoring stability in the Gulf of Aden.

## 2. Strengthening Counter-Piracy Legal Framework

The international community is engaged in multifaceted efforts to bring down the curtain on Somali piracy. The watershed moment for multinational counter-piracy efforts against Somali piracy was in April 2008, when the French-flagged large yacht *Le Ponant* was hijacked. On June 2 of the same year, the United Nations Security Council passed Resolution No. 1816, authorizing the entry of foreign naval ships into

Somali territorial waters for six months, and their use of all necessary means, including use of military force. Subsequently, six additional Security Council Resolutions were passed for the same purpose. Resolution No. 1851, adopted on December 15 of 2008, authorized the right of hot pursuit, which allows for the use of military force inland as well as on the ocean. Accompanying this was the strengthening of international cooperation in counter-piracy efforts, improving, for instance, legal aspects of such efforts. On the basis of UN Security Council Resolution, the Contact Group on Piracy off the Coast of Somalia (CGPCS) was established, comprised of around 60 countries and several international organizations, in order to effectively combine counter-piracy efforts.<sup>74)</sup>

By adopting the Resolution, UN Security Council sought to provide incentives for member states to take the initiative in counter-piracy efforts. Moreover, it sought to eliminate legal hurdles to exercising the right of hot pursuit. Lastly, the Security Council made a request to member states to make improvements to their domestic laws and procedures so that pirates and armed robbers could be properly punished. The summary of the contents of Security Council Resolutions for the purpose of combating piracy is shown Table 4.

<Table 4 > Current Status of UN Security Council Resolutions on Combating Somali Pirates

UNSCR	Adopted	Key Contents
No.1816	2 Jun '08	Temporary authorization of foreign military into Somali territorial waters for six months, starting from June 2, 2008.
No.1838	7 Oct '08	Request deployment of UN member states' warships and military aircraft to international waters in the vicinity of Somalia

74) Twenty two countries, including Korea, the United States, United Kingdom, and France, established the Contact Group on Piracy off the Coast of Somalia. This Group is engaged in multinational cooperation on information sharing and establishing legal frameworks for the punishment of pirates. The African Union, Arab League, European Union, IMO, NATO, and UN are also involved in this Group.

[Http://www.state.gov/t/pm/ppa/piracy/contactgroup/index.htm](http://www.state.gov/t/pm/ppa/piracy/contactgroup/index.htm) (Accessed January 24, 2013).



No.1846	2 Dec '08	Extension of the authorization provided by Resolution No. 1816 by one year
No.1851	15 Dec '08	Authorize all appropriate measures within Somalia – De facto authorization of use of military force inland (of Somalia), permission to track pirates inland
No.1897	30 Nov '09	Extension of authorization by Resolutions 1846 and 1851 by 12 months
No.1918	27 Apr '10	Request for amending domestic laws for punishment of pirates and armed robbers on the seas

Source: *UN Security Council Resolutions on Somali Piracy*.

As shown Table 3, the problem of contemporary piracy is one of the major threats to global security, warranting a coordinated regional response by way of multilateral agreements. This, however, is not sufficient; in order to effectively punish and contain piracy, there needs to be proper, comprehensive laws set in place for arresting and dealing with pirates.

First of all, there is the issue of how to deal with pirates after arresting them. In the past, because of differences between international law and domestic law of different countries, countries differed in how they legally prosecuted pirates. Up until this point, naval ships from 13 countries have arrested about 780 pirates active in the vicinity of Somalia; however, around 90 percent of these pirates had to be released, the reasons being the lack of incarceration facilities and problems of applying the law to the prosecution of these pirates.<sup>75)</sup> A bigger problem is that if the TFG declared that if the navies of other countries were to offer handing over captured pirates, it would not accept them. With regards to the establishment of a Somali anti-piracy court, the UN Special Advisor on Piracy Jack Lang said that 'special courts should be urgently established in northern Somalia and Tanzania to try suspected Somali hijackers and break the present cycle of impunity' in the January 2011 interview with *The Guardian*.<sup>76)</sup> The UN Security Council, in April 2011, adopted a Resolution

75) "Need for Piracy Courts for Somali Pirates," *Seoul Daily*, 26 January 2011.

76) "Somali Pirates should Face Special Courts, Says, UN Envoy," *The Guardian*, April 13, 2011, at <http://www.guardian.co.uk/world/2011/jan/26> (Accessed February 23, 2013).

authorizing the establishment of such special courts. Included in the Resolution are the illegalization of piracy by all countries, and the empowerment to prosecute pirates in any country, regardless of where the act of piracy actually occurred.<sup>77)</sup>

It could thus be argued that the said Resolution provided impetus for the international community in responding to piracy, especially off the Somali coast. It goes without saying that where such special courts are established, there needs to be the appropriate economic support for constructing and managing necessary facilities, as well as for personnel. Lang requested that shipping companies foot the bill of approximately 25 million dollars for the purpose of establishing special courts and strengthening the Somali judiciary and rule of law. According to Lang, this bill would be far cheaper than the multi-million dollar costs arising from piracy.<sup>78)</sup>

### 3. Strengthening Bilateral, Regional and Multilateral Maritime Cooperation

Currently, 30 or so naval ships and maritime patrol aircraft deployed from approximately 20 countries are conducting counter-piracy and ship escort operations. Naval ships deployed to this region are encouraged to pass through the IRTC, as mentioned in Figure 2, and provide escort to ships passing through this route. In spite of armed escort provided by naval ships, Somali pirate attacks on ships nearly doubled, from 111 cases in 2008 to 237 in 2011. Fortunately ships passing through the IRTC rarely get

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77) On January 21st of 2011, prior to the adoption of the Resolution, these four pirates were captured alive by the Republic of Korea Navy. On May 27th of 2011, these pirates were put on trial in Korean courts. The pirate who shot the captain of *Samho Jewelry* was sentenced to life imprisonment, and the rest to 13–15 years in prison. [Http://www.asiatoday.co.kr/news](http://www.asiatoday.co.kr/news) (Accessed September 25, 2012).

78) “UN Report calls for Piracy Courts in Somalia,” at <http://www.thenational.ae> (Accessed January 12, 2013).

hijacked by pirates, thanks to naval escort and patrol aircraft. That said, in areas outside the IRTC, pirates are still hijacking ships, in mockery of the multinational navies operating in the area. Compared to when multinational military assets were first deployed, nowadays there has been a two- or three-fold increase in the deployment of these assets to the Somali waters. Nevertheless, it must be taken into account that the area that these vessels or aircraft have to cover is very vast as well. And as naval ships must constantly re-stock their supplies by regularly visiting nearby ports, the actual number of naval ships conducting operations at sea at a given moment is less than the total number of ships. From this follows inevitable gaps in operations, leading some areas to be less patrolled than others. The Somali pirates, meanwhile, have also grasped the methods used by the navies in escorting civilian ships, and have honed their tactics accordingly; pirates now need only 15 to 30 minutes to attack and hijack one ship.<sup>79)</sup>

If that is the case, then, how should we best respond to the evolving threat of pirates? In light of the dire economic circumstances in Somalia, the number of Somalis who participate in piracy efforts to get rich quickly is set to increase. And because pirates are aware that piracy within the Gulf of Aden is likely to be faced with naval ships engaged in armed escort of civilian ships, they are currently in the process of shifting the focus of their piracy to the high seas. The situation thus calls for a re-adjustment of the deployment of naval and air assets, and additional multinationally-coordinated action must be taken in response to the evolving pirates.

In order to have effective surveillance of a vast area of the maritime domain, more focus should be placed on air assets with advantages in maneuverability and utilizing space, such as P-3 surveillance aircraft and

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79) Troisdorf Michael Stehr, "EUNAVFOR Somalia-ATLANTA-First Anniversary," *The European-Security and Defense Union*, Vol. 1 No. 5 (2009). The roles of the European Navy are as follows: protect vulnerable UN chartered vessels; deter and disrupt pirates/armed robbers; and monitor fishing activity in Somali waters.

unmanned aircraft, over naval ships that are bound to be limited in their speed and scope of actions. These air assets must bolster armed escort, apply pressure to piracy, and rapidly share updated information on the latest movement of pirates. Ultimately, however, the crux of counter-piracy operations lies not so much with those in the maritime domain as those that aim at attacking and eliminating the pirates' headquarters on land, as these headquarters engage in planning overall pirate operations and lead negotiations with shipping companies over hostages. .

#### 4. Measures to Enable Ship's Self-Protection and Defense

While the United Nations has adopted various Resolutions authorizing counter-piracy measures and many countries have sent in naval and air assets to the Somali waters, it is also vital for shipping companies and ships themselves to seek measures for self-protection. The IMO has prepared the Best Management Practices (BMP)<sup>80)</sup> to prevent pirate hijacking, with the purpose being to delay, avoid and prevent pirate hijacking in the waters off the Somali coast.

The major contents of BMP are as follows: the installation of 24-hour monitoring systems, barbed wire, nets, and electric fences.<sup>81)</sup> The Korean Ministry of Land, Transport and Maritime Affairs actively encourages Korean shipping companies to abide by the BMP recommendations.<sup>82)</sup> Indeed, abiding by these recommendations has resulted in actual cases

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80) For more details on BMP, IMO, *Best Management Practices for Protection Against Somalia Based Piracy* (August 2011).

81) Nineteen International institutions and organizations jointly developed the BMP in May 2010. And it was adopted at the 87th Maritime Security Committee of the International Maritime Organization.

82) Mok and Kim, *op. cit.*, p. 48.

where Korean ships escaped hijacking attempts by pirates. The *Hanjin Tianjin*, a Korean-flagged vessel, was carrying 20 crew members and navigating through the Indian Ocean when it almost got hijacked by pirates in the early morning of April 21, 2011, 250 miles east of Socotra Island. However, all crew members quickly relocated to citadels within the ship, in accordance with evacuation procedures, and thus were able to evade the pirates.

## V. Conclusion: Policy Recommendations

Pirates threaten the security of those on international waters, and are thus labeled as the common enemy of all mankind. All countries can thus exercise jurisdiction over these pirates. Recently, piracy in the East Asian waters such as the Straits of Malacca is gradually on the wane. As Asian countries have a shared interest in ensuring the safe passage of trips free of pirates, their resolve to eliminate piracy is indeed quite strong. This resolve provided the basis for the establishment of the ReCAAP Information Sharing Center, and as time passed, such efforts resulted in the drastic reduction of piracy. Upon detection of pirates, through this Center, information is instantly shared by all 17 member states, thus allowing their coast guards and navies to engage in immediate, and effective, counter-piracy operations.<sup>83)</sup>

Somalia, on the other hand, has been witnessing increasing piracy centered around the Gulf of Aden, with the continued state of anarchy following civil war in 2009. As instances of hijacking increased, many countries deployed naval and air assets in response. However, piracy continues to flourish, even managing to expand its area of operations. To

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83) *World Daily*, 19 July 2010. p. 8.

continue dealing with the problem, the United Nations Security Council has adopted several Resolutions to bestow legitimacy on multinational navies engaged in counter-piracy operations.

This paper seeks to provide the following policy recommendations, centered around the purpose of research mentioned earlier.

First, the fundamental root cause of Somali piracy comes from the utter lawlessness and severe economic difficulties arising from the collapse of the Somali state. Considering these circumstances, the efforts of the multinational navies can only be effective up to a point. Therefore, we need regional cooperation agreements, as well as comprehensive efforts that seek to remove the fundamental root of the piracy problem by rebuilding the Somali state.<sup>84)</sup> The United Nations must also provide the necessary political support so that political stability is restored to Somalia at the earliest point possible, and all relevant actors in the international community should sever all existing and future ties between pirates and terrorists.

Second, piracy is not a country-specific problem, but rather, a supra-national one. Just as the United Nations Security Council Resolution 1851 recommends the creation of a center in the region to coordinate regional information and increase regional capacity for counter-piracy purposes, and similar to the ReCAAP ISC set up in 2006, regional or United Nations-level centers and organizations should be established to coordinate and pool resources, know-how, and assets against piracy.

As I have mentioned in previous paragraphs, ReCAAP had the effect of dramatically reducing piracy in Southeast Asia. This proves that the establishment of a similar mechanism may very well have similar beneficial effects in the Gulf of Aden and nearby waters. Indeed, we have comprehensive and well-documented evidence that such regionally coordinated information-sharing and joint counter-piracy operations go a long way in weakening piracy. So while the situation in Africa certainly

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84) "U.S. Says It will Ease Limits on Aid to Somalia," *The Korea Herald*, August 2011, p. 15.

requires a regional center of sorts, given the weak motives for eradicating piracy on the part of the relevant littoral states in East Africa, a more incremental approach must be taken. Thus, the establishment of such a center should be undertaken gradually, only after securing a firmer consensus on the need for, and willingness to assist with the functions of, this center.

Third, contemporary piracy is just as likely to occur in territorial and inland waters as on the high seas. Given these developments, UNCLOS regulations are increasingly becoming limited in their application to piracy. The international community has recognized these growing limitations, and through organizations such as the IMO, is putting in its best efforts to prosecute pirates. Ultimately, revisions are to be made to UNCLOS if it were to remain a viable legal tool for combating piracy.

Fourth, concerning the tactical aspects, pirates use their land-based headquarters to utilize networks collecting information on multinational navies and coming up with counter-measures. The pirates active at sea use large ships that they have hijacked to expand their scope of operations to the high seas, and their activity is becoming more and more sophisticated, with state-of-the-art weapons, GPS systems, and satellite communications all forming a part of their arsenal. What is also a cause for concern is the increasing casualty rate of pirates during their confrontations with multinational navies while the pirates move back to the shore with, or on, their hijacked ships. This makes pirates more and more likely to use crew members as a human shield, if only in order to reduce their own casualties. For the purpose of responding to the sophisticated (and inhumane) tactics of the pirates, there must be more cooperation amongst the multinational navies actually in operation to share up-to-date, relevant information.

For the international community's efforts to become more effective against pirates, improvements ought to be made to the relevant legal framework and military capabilities. To do this, the United Nations should urge member states to deploy additional forces, and should set up an International Piracy Court (or something along these lines) capable of

prosecuting pirates arrested by the navies. This Court, or Courts for that matter, would be better off in countries adjacent to Somalia (such as Kenya and Tanzania) than in the home countries of the multinational navies, as it would pose significant obstacles, in terms of time, cost and efficiency, for the navies to bring the arrested pirates back to be put on trial in their home countries.

Lastly, as recommended by IMB, shipping companies are advised to establish automatic identification systems, to prepare for the scenario in which their ships navigate through high-risk designated areas. Also, in case pirates get on board ships, citadels should be established so as to facilitate the task of securing the safety of the crew members.

Neither maritime security nor piracy is exclusive to a specific country; only when there is the maximum degree of joint endeavors by all members of the international community will we be able to achieve safety of shipping from pirates and thus take a significant step towards global peace.

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## 요 약

## 해적퇴치를 위한 국제공조 확대 방안

### - 소말리아 해적퇴치 방안을 중심으로 -

김 덕 기\*

해적은 공해상 해상안전을 위협 한다는 점에서 ‘인류공동의 적’으로 규정되어 모든 국가가 이를 규제할 수 있는 보편적 관할권이 행사되는 범죄이다. 한국을 포함한 아시아 지역 국가들은 말라카해협 통항에 관해 깊은 이해관계를 갖고 있어 해적 소탕에 대한 의지가 강한 편이다. 이러한 의지는 2006년 ‘아시아해적퇴치정보공유센터(ReCAAP ISO)’의 창설에 밑거름이 되었으며, 아시아 지역에서 해적이 출현하면 동 센터를 통해 17개국 회원국으로 즉시 통보되고, 주변국의 해경과 해군이 유기적인 작전을 통해 해적을 효율적으로 퇴치하고 있는 모범사례다.

그러나 2009년 소말리아 내란에 따른 무정부 상태가 지속되면서 소말리아 및 아덴만에서의 해적활동이 극성을 부리기 시작했으며, 선박납치 행위가 급증하자 세계 각국에서 함정과 항공기를 파견하여 해적퇴치 활동을 전개하고 있으나 근절되지 않을 뿐만 아니라 해적의 활동해역이 확대되고 있다. 이러한 배경 하에 시작된 본 연구는 연구결과를 중심으로 다음과 같은 대응 방안을 제시한다.

첫째, 소말리아 해적의 근본원인은 국가의 붕괴에서 비롯된 치안부재와 열악한 경제사정 등 내부적인 요인이 크기 때문에 다국적 해군 활동으로 인한 근본적인 해적퇴치에는 한계가 있다. 따라서 국제적인 차원에서 ‘지역협력협정’체결은 물론, 소말리아 국가재건을 위한 노력이 함께 이루어지는 종합적인 대책이 필요하다. 그러나 보다 더 근본적인 해결책은 유엔차원에서 빠른 시간 내에 소말리아가 정치적 안정을 유지할 수 있도록 정치적 차원에서의 지원이 필요하며, 해적과 테러리스트가 연계됨으로써 국제문제로 확대되지 않도록 하는 노력도 병행되어야 한다.

둘째, 해적문제는 특정국가에만 해당되는 것이 아니라 초국가적인 문제임을 감안하여 유엔안전보장이사회 결의 제1851호에서 ‘지역 센터’ 설립을 권고하고 있

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는 것처럼 2006년 아시아 국가들이 설치한 ReCAAP ISO와 같은 형태의 지역국가 간 협력기구 또는 유엔 차원의 해적 전담기구를 설치하여 국제사회 공조 하에 해적에 대처하는 방안을 추진하는 것이 필요하다.

셋째, 최근 발생하고 있는 해적행위는 주로 항구 등 내수, 영해 등 연안국의 관할권이 행사되는 지역에서 발생하고 있어 유엔해양법상의 규정은 이러한 ‘해적’ 퇴치에 더 이상 효율적이지 못하다. 국제사회는 이러한 문제점을 인식하여 국제해사기구(IMO) 등 국제기구를 통해 영해내의 해적 처벌을 위해 최선의 노력을 기울이고 있다. 향후 궁극적으로는 유엔해양법협약의 개정을 통해 법적인 문제점이 개선되어야 한다.

넷째, 전술적인 측면에서도 지상에 기지를 두고 있는 해적들의 지도부가 그동안 쌓아 놓은 네트워크를 이용하여 다국적 해군에 대한 정보를 수집하고 대응방안을 강구함으로써 나름대로의 생존전략을 구사할 것으로 예상된다. 특히, 선박을 납치한 후 소말리아 연안으로 이동하면서 해군함정과 대치하는 과정에서 해적들이 살상을 당하는 사례가 증가함에 따라 지금까지는 피랍된 선박의 선원을 단순히 해적 활동에 참여시키거나, 항해지원을 위한 목적 등으로만 활용했는데, 앞으로는 해적들의 인명피해를 최소화하기 위해서라도 선원들을 방패막이로 활용할 가능성이 더욱 높아질 것으로 예상된다. 따라서 참가하는 해군함정 또는 부대간 해적들의 활동 관련 정보를 공유하는 등 사전에 정보를 획득하기 위한 협력을 강화해야 한다.

다섯째, 한국군함이 삼호주얼리호를 납치했던 소말리아 해적을 한국까지 데리고 와서 처벌하는 것은 불합리하고, 많은 문제점을 야기할 수 있기 때문에 향후 해적처벌을 위한 국제사법기구의 설치가 요구된다. 회원국 분담금으로 운영되는 유엔에 산하기관을 설치하여 소말리아 인접국에서 해결하도록 적극적인 노력을 경주할 필요가 있다.

마지막으로, 선박회사에서도 자국 선박이 위험구역으로 지정된 해역을 항해할 경우를 대비해서 선박자동식별 시스템 구축을 확대하고, 해적이 선박에 승선했을 경우를 대비해서 안전구역(citadel)을 설치하여 선원의 안전을 확보하는 등의 대책이 필요하다. 본 연구를 통해 해양안보는 어느 특정국가에게만 주어진 것이 아니며, 해적행위도 특정 국가의 선박을 대상으로 하는 것이 아니므로 각국 정부간 공동의 협력과 국제사회의 공조가 반드시 실현될 때 해적의 위협으로부터 선박의 안전과 국제사회의 평화가 실현될 수 있다는 것을 강조하고자 한다.

\* 주요 핵심 연구 주제어: 해적, 테러, 위협, 국제협력, 국제기구, 유엔해양법협약