

EDITORIAL

Dear Readers,

We would like to invite you to participate in our discussion forum on the topic of "Maritime Security as a Challenge for German Maritime Trade - Discussion of the PiraT Project's Recommendations for Policy and Economy". On the podium it is planned to have Daniel Hosseus from the German Ship owners' Association (VDR), Niels Annen, SPD, Burkhardt Müller-Sönksen, MdB, FDP among others.

The event will take place to mark the release of our project's final publication. You can find more information about the book [here](#).

In this issue we report to you on lectures and point out other publications.

Your suggestions and comments are highly welcomed by us.

Sincerely,

Your PiraT Team.

Invitation to Discussion Event on 2 July 2013 at the IFSH

Herewith we would like to invite you cordially to the discussion forum on the topic of "Maritime Security as a Challenge for German Maritime Trade - Discussion of the PiraT Project's Recommendations for Policy and Economy"

The event will take place to mark the release of our project's final publication. After a summary presentation for the recommendations of the project partners, commentary will be given by:

- Daniel Hosseus from the German Shipowners' Association (VDR)
- Niels Annen, SPD and
- Burkhardt Müller-Sönksen, MdB, FDP.

A debate with the audience is planned for the conclusion

Authors of the recommendations come from the IFSH, BLS, DIW, TUHH und ISZA. The event will be held on 2 July 2013, 18:00-20:30, in the conference room on the second floor of the building housing the Institute for Peace Research and Security Policy at the University of Hamburg (IFSH). The discussion can be continued informally when light refreshments are served at the conclusion of the event.

We would greatly look forward to welcoming you at the event at the IFSH and [request an RSVP by 30 June](#).

There is no admission fee, and places are limited.

Directions to the IFSH can be found [here](#). Invitation as PDF can be downloaded [here](#).

We offer personal registration at <http://www.maritimesecurity.eu/en>.

Lectures and Events

On 8 November 2012, Heinz Dieter Jopp held a lecture on the topic "Piracy and Maritime Terrorism as Challenges for Maritime Trade" at the **German Society for Navigations and Marine History** in Hamburg.

Dr. Patricia Schneider welcomed a group of 45 senior students from the **Graf-Stauffenberg Gymnasium in Florsheim**, accompanied by a youth officer and two teachers to the IFSH on 18 January 2013. The job of a peace researcher and the development of the phenomena of piracy and maritime terrorism and (inter-) national responses were intensely discussed.

On 15 February 2013, Prof. Dr. Blecker took part in the podium discussion at the **LOGISTRA Forum at the 2013 LogiMAT Trade Show in Stuttgart** and gave a lecture on supply chain security.

Prof. Dr. König opened the discussion forum "Maritime Talks 2013," that took place on 9 March 2013 at the **International Maritime Tribunal (ITLOS)** in Hamburg, with around 80 experts from shipping, politics and administration. Professor König is president of the International Foundation for the Law of the Sea (IFLOS), which hosts the event annually.

Heinz Dieter Jopp gave a lecture on 21 March 2013 on "Piracy and Maritime Terrorism as Challenges for Maritime Trade Security" at the **Lions Club Blankenese** in Hamburg.

The **Konrad Adenauer Foundation** organized a multi-day intensive seminar for PhD students from various disciplines in Hamburg. Within this framework, Dr. Patricia Schneider gave the introductory lecture on 22 March 2013 on

interdisciplinary projects in practice and academic work.

On 4 April 2013 Heinz Dieter Jopp spoke about "Piracy yesterday and today. Impact on International Maritime Navigation" at the **Hamburg Museum of Ethnology** to the friends of the museum.

Between 9-10 April 2013 the **annual congress of the Association of Security Engineers** took place in **Leipzig**, with the theme "Security Needs Constructive Solutions". Dr. Patricia Schneider gave a lecture during a panel for the security research program of the Federal Government on the results and recommended actions for politics and economics from the PiraT joint project "Piracy and Maritime Terrorism as a Challenge for Maritime Trade Security".

The **Helmut Schmidt University** together with the German Navy held a succession of events on the topic of piracy. On 13 April 2013 Dr. Patricia Schneider briefly led and moderated a panel discussion at HSU on the subject, together with Vice-Admiral (ret.) Hand-Joachim Stricker (President of the DMI), Christoph Lauer (Association of German Shipowners) and Captain Peter Irminger (ZASS International).

The **Hamburg International Maritime Museum Hamburg (IMMH)** held a succession of events on the topic of "Piracy Then and Now" as part of the 'Long Night of Museums' Program. On 13 April 2013 Dr. Patricia Schneider gave a lecture on "Modern Pirates" to the various museum visitors.

On 3 May 2013 at the **34th German Protestant Church Congress** in Hamburg Dr. Patricia Schneider attended a panel discussion

At the **Fish Auction Hall** under the title "Störtebecker looked different: Piracy today".

On the 7 May 2013 Dr. Patricia Schneider held a lecture in Elsfleth on board of the ship "**Großherzogin Elisabeth**" at the closing event of the course on Maritime Security Management of the **University of Public Administration in Bremen**.

Prof. Dr. Doris König lead a conversation on 5 June 2013, during a conference organized by **the ZEIT Foundation Summer Salon "Parlando"** at the Bucerius Law School, with the director of the Hamburg Museum, Dr. Lisa Kosok about "Piracy yesterday and today - Piracy: Unsinkable".

New Publication

Hans-Georg Ehrhart/ Kerstin Petretto/ Patricia Schneider/ Thorsten Blecker/ Hella Engerer/ Doris König (Eds.) (2013): **Piraterie und maritimer Terrorismus als Herausforderungen für die Seehandels-sicherheit Deutschlands. Politik, Recht, Wirtschaft, Technologie**, Nomos Verlag, 368 Pages, 59 €, Paperback, ISBN 978-3-8487-0249-7. [Further information](#).

Book Outline

After an **Introduction** by the Editors (1) follows the chapter entitled "**Conceptual Foundations**" (2). There Hans-Georg Ehrhart initially elucidates the fundamental concept of '**Security Governance**' in dealing with risks (2.1). The State alone can no longer face traditional threats effectively, but rather work together with international and private actors in a partly non-hierarchical relationship. The concept proves its use by classifying and illustrating descriptively the characteristics, forces, forms, dimensions, and control mechanism cooperation. Due to the complex constellation of actors and problems, this approach is especially suitable as a basis for the cooperation of the different disciplines participating in the Pirat research project.

In the second section of the "**Maritime Violence: Risk and Risk Management**" chapter (2.2) Patricia Schneider discusses the notion of security and presents the risk mode jointly

developed and refined for the project. The classical risk model for the objective assessment of the risk of maritime violence and the probability of occurrence, and in the extent of damage, were complemented and clarified by the bilateral vulnerability, motivation, and capacity of the perpetrator.

In the third chapter the project partners develop the possible **Indicators for the Assessment of Risk in the Maritime Domain**. Indicators are supposed to help in timely and precisely recognizing violence phenomena, thereby enabling early warning and enabling corresponding defensive measures. The project partners defined various meanings for the measurable qualitative and quantitative influences in this respect. The IFSH (3.1) made a contribution from political science, the BLS (3.2) from law, the DIW (3.3) from economics, and the TUHH (3.4) from the perspective of security technology. The ISZA (3.5) aimed to find an approach for the development of indi-

cators regarding the scenario design of future analysis.

The focus of the fourth chapter is the “**Threat faced by Germany**”. Initially, Kerstin Petretto introduces the **contextual conditions of piracy** and clarifies actual conditions. She thereby analyzes various manifestations of piracy, for example in the Horn of Africa, West Africa and South East Asia, including recent respective counter measures. She concludes that the focus of the reactions to piracy is too often focused on the short term effective containment of attacks, while mid- and long term attempts come short. In conclusion, she deals with the threat faced by Germany and discusses awareness of the phenomenon in Germany.

In section 4.2, “**Context and Attack Numbers of maritime terrorism**”, Patricia Schneider defines the concepts and thereafter conducts an empirical analysis of past attacks and terror groups, frequency, regional distribution and victim count. There are no groups that commit maritime attacks exclusively, they are all land based. The number of attacks, that number in the hundreds, and the ramifications, is relatively small when compared to the absolute number of terrorist attacks. This has no significance for possible future catastrophic consequences of maritime terror attacks. However, past attack could serves as examples for future ones. Repeated threats to strategic trade routes should be consistently paid high attention.

In the next section entitled “**Supply Chain Dangers**” (4.3), Niclas Jepsen and Thorsten Blecker present the framework of seaborne freight transport and elucidate on the supply chain dangers at sea caused by piracy and maritime terrorism. For Europe and Germany,

the transatlantic, Suez-Indian and Cape routes are the most significant. The most important Choke Points include the Strait of Dover, the Strait of Gibraltar, the Gulf of Aden and the Straits of Malacca. The Authors discuss whether the north-east passage is an alternative for freight transport between Europe and the Far East. Thus they pose the question, whether it is worth it, despite the higher transport costs, to avoid dangerous regions, and reduce dependence of crucial routes.

This view is complemented by an overall perspective in chapter 4.4. “**Economic Dimensions**”. Hella Engerer notes therein that for Germany as an export oriented economy, the security of intercontinental sea routes is a central requirement for stabile supply chains. German cross-border maritime traffic has increased strongly quantitatively in recent years. About 29% of all German cross-border traffic is maritime. Of the traded goods transported from Germany by sea, some 60% are transported as so called 'short shipping'; added to that 14% (received) and 16% (sent) of good volumes are transported over long distances, which were previously known to traverse secure sea lanes. Thus, the up to 25% of goods are transported through less secure sea routes. In recent times, German imports from Asia have also increased. It is also expected that trade with Asia, likely to be classified as insecure, will continue to rise. With regards to a potential risk of piracy and maritime terrorism, the extent of the volume of goods transported through unsafe routes will play less of a role in the near future. Rather, it will come down to the type of goods traded and to the potential of a loss of freight in affected sectors. Thus for Germany, the import of (energy) resources plays an important role. In terms of

exports, the security of trade routes will above all be of central importance for export oriented industries (motor, machinery).

In the fifth chapter, Doris König and Tim René Salomon analyze the **legal framework for dealing with piracy and maritime terrorism**. They take a look at the various legal levels – from human rights (5.1), to the **European legal framework** (5.2), and to the **legal position in Germany** (5.3). They also discuss the challenge that **private security companies** in the maritime realm face in terms of legally reinforcing and securing their activities (5.4). They also show that the international legal regime for combating of piracy, in comparison to that in dealing with maritime terrorism, is far more advance already, due to the longer history of the phenomenon. Nevertheless, according to the authors, their remain uncertainties in the fight against piracy, like the legality of ransom payments, the respect for the fundamental rights of the suspects, and regulatory gaps, such as with regards to foreign employees on German flagged ships.

According to König and Solomon, the German contribution to the EU mission is legitimate. As part of the Atalanta mission, the mandate of the Bundeswehr is however unclear, whether to declare the mission as being defensive, and the need for the separation of military and police forces is taken into account sufficiently. Among other things, they suggest the need to change the make-up of the mission in view of the Bundeswehr's foreign missions. The use of private security companies must be regulated according to the flag state's legal system. If they are armed, it might be regarded as a violation of peaceful passage. Should it violate the weapons law of a coastal state, it could also lead to problems with in-

surance. The biggest challenge is the missing part of the equation – a partly distinct set of rules for different quality standards for private security services.

The authors recommend, inter alia, a harmonization of EU rules as well as the monitoring of European fishing activities. In August 2013, a German law will enter force that regulates the approval of private security services on board ships sailing under the German flag. The authors criticize the corporate-related audit. They hold that the concerns regarding the criminalization of the use of violence (weapons) by security service providers are unnecessary.

Chapter 6 highlights "**Dealing with Piracy and Maritime Terrorism**". Next, Hans-Georg Ehrhart, Heinz Dieter Jopp, Roland Kaestner, Kerstin Petretto and Patricia Schneider lay out the state structures and actors dealing with "**The Fight against Piracy**" (6.1) and "**Defending against Maritime Terrorism**" (6.2) in Germany, and analyze their deficits. In both cases the responsibility does not lie with one singly ministry alone, but rather with a variety of ministries and agencies. In addition, there is an entanglement of powers between the federal and state governments. Jurisdictional disputes often arise to ambiguous regulations and responsibilities. To support a stronger network of departments, instead of ad-hoc reactions better data collection and the development of a holistic approach to maritime terrorism, including the clarification of federal-state powers is necessary.

Patricia Schneider analyzes the responsibilities in the **fight against maritime terrorism** (6.2), which are characterized by fragmented competence structures. The establishment of the Maritime Security Centre (MSC) was an im-

portant step for a better coordination of action. It is not only one coordination site, but also brings together expertise and serves as a contact for ship owners and ship command. In addition to strengthening the MSC, the cross-border Crisis Management Exercise (LÜKEX) provides, inter alia, an exercise platform for testing and improving cooperation structures. Despite some progress that could lead to a maritime security strategy, there still exists today no holistic German security policy, among other things due to ministerial rivalry. In terms of a potential impact of maritime terrorism and the economic importance of maritime trade for Germany, the relevance of maritime security is emphasized beyond threats of piracy.

In section 6.3 Max Gössler highlights **the economic actors affected by piracy**. First, the results of a survey of insurers and ship-owners are presented, that was carried out as part of the PiraT project with a common questionnaire from the partners, under the auspices of the DIW. The surveys showed, inter alia, that the respondents highlighted cost factors, especially security measures, higher insurance premiums and rising salaries for the crew. The owners rely in particular on the bypassing of vulnerable areas, a high speed and the training of the crew. In conclusion, the results of the survey are evaluated under a micro-theoretical view. It is also recommended to provide pirates with incentives for legal work, which corresponds to the logic of a trade-off between minimizing risk vs. profit maximization.

Passive defense measures on ships that are offered by a growing number of companies are playing a growing role. In the section **"Threat Level for Ships and Defense Technol-**

ogies" (6.4) Thorsten Blecker and Niclas Jepsen introduce technologies for defending against attacks on vessels in the temporal sequence of detection, delay, and defense. Their review of costs, benefits and feasibility of various technologies is based largely on interviews and discussions with experts in the field and on different attack scenarios at sea. The research results show, however, that ultimately only a relatively small selection of presented technologies can actually be recommended.

With a view to the future, Heinz Dieter Jopp and Roland Kaestner describe **"Potential Developments in Maritime Violence by 2030"** in chapter 7. The study focuses on the methodology of future analysis (7.2), the "Results of Historical Analysis and Future Analysis" (7.3), and "Possible Development Scenarios" (7.4). The historical analysis helps to identify structurally favorable conditions for the occurrence of maritime violence. It thus supports the considered scenarios and the political, economic and social situations that maritime violence either advanced or inhibits. The authors regard government, non-state actors as well as mixed actor forms in terms of political, economic or mixed motives. The geographical locations, sea routes, trade flows and demographic trends are taken into account. Social legitimacy is a further important aspect that can significantly influence the occurrence of maritime violence. Increasing trade flows in particular to Asia, unstable regions such as sub-Saharan Africa, as well as an increasing prevalence of non-state actors facilitate the emergence of maritime violence.

In the concluding chapter **"Security Governance - Options for Action against Maritime Violence"** (8), the publishers reconcile the

main findings and recommendations from the previous chapters and present concrete op-

tions for dealing with the risks originating from piracy and maritime terrorism.

Additional New Publications

Hans-Georg Ehrhart/ Heinz Dieter Jopp/ Roland Kaestner/ Kerstin Petretto (2013) : **Piraterie als Herausforderung. Europäische Antworten, globale Perspektiven**, Nomos Verlag, 214 Pages, Paperback, ISBN 978-3-8487-0247-3. [Further information](#).

Bruns, Sebastian/ Petretto, Kerstin/ Petrovic, David (Eds.): **Maritime Sicherheit**, Wiesbaden (VS-Verlag), 2013. [Further information](#).

Tim René Salomon (2013), **Rechtliche Dimensionen des maritimen Raumes**, in: Bruns/Petretto/Petrovic (Eds.), Die maritimen Dimensionen von Sicherheit, Wiesbaden, VS-Verlag, 2013, pp. 53-69.

Tim René Salomon (2013), **Mutual Legal Assistance between States in Criminal Matters**, in: R. Wolfrum (Ed.), The Max Planck Encyclopedia of Public International Law, Oxford University Press, 2013, online edition, www.mpepil.com.

Patricia Schneider/Matthias Winkler (2013): **The Robin Hood Narrative: A Discussion of Empirical and Ethical Legitimizations of Somali Pirates**, Ocean Development & International Law (ODIL), Vol. 44, Issue 2, 2013, pp. 185-201 (double blind peer-reviewed), [full text online](#).

Patricia Schneider (2013): **Maritimer Terrorismus: Tätergruppen und Anschlagstypen 1968-2010**. PiraT Working Paper Nr. 13 (2011, updated February 2013), Hamburg, [full text online](#).

Patricia Schneider (2013): **Piraterie und Recht. Zum Urteil im Hamburger Piratenprozess**, in: if – Zeitschrift für Innere Führung, 1/2013, pp. 20-25, [full text online](#).

Hans-Georg Ehrhart (2013): **Maritime security and piracy as challenges for the EU and Asia: Lessons from EU experiences**. ZEUS-Working Paper 3, April, [full text online](#).

Contact

Institute for Peace Research and Security Policy at the University of Hamburg (IFSH)
 c/o Dr. Patricia Schneider
 Beim Schlump 83
 D-20144 Hamburg
 Tel.: +49 40 86 60 77 20
 E-Mail: info@maritimesecurity.eu
 Web (in German): www.maritimesicherheit.eu
 Web (in English): www.maritimesecurity.eu
 Editing and Layout:
 Patricia Schneider, Dan Brenner, Eckhard Schlopsna