

EDITORIAL

Dear Readers,

Due to their growing global significance, public attention has increasingly focused on maritime terrorism and piracy in particular. Up until the 14th of November 2011, 397 pirate attacks were registered worldwide. In addition, 10 ships and 243 hostages are currently being held by Somali pirates. The joint project PiraT addresses this issue. During the past 19 months, the partners of the joint project have analysed different aspects of the objective insecurity-situation and subjective insecurity-perceptions in connection with maritime security and published 12 working papers so far. In particular, the multi-disciplinarity of the project consortium permits a comprehensive view on piracy and maritime terrorism. It is not only political, technical and economical aspects that have been analysed, but also, for example, legal aspects. In addition to analysis of contemporary piracy and security technologies, this newsletter also provides survey results regarding the risk perceptions of ship owners and insurers.

Your suggestions and feedback are as always, most welcome.

Sincerely,
Your PiraT-Team

Theft, Robbery and Extortive Hostage-taking in the Maritime Sphere – An Analysis of Contemporary Piracy.

- PiraT Working Paper No. 8 published -

The main focus of current reports and debates concerning piracy is on the hostage taking by Somali pirates. In comparison to other violent attacks at sea, such incidents not only present a higher security risk for seafarers, but also put the maritime economy under great pressure. Thus, the smooth running of the global supply chain is disrupted to a far greater extent by hostage taking than by the other incidents, primarily robberies, which are taking place elsewhere.

Nevertheless it is also essential to understand the other forms of piracy as all of them have one aspect in common. As with their equivalents on land, thefts, robberies, kidnappings and hostage-takings can never be entirely prevented. However, multi-layered measures which are adapted to the respective local context, particularly in the fields of prevention and prosecution, can help to decrease these incidents noticeably. Therefore, there is all the more reason to confront the causes and contextual conditions of this form of crime and to highlight the motivations of the actors and their respective organizational structures.

Written by Kerstin Petretto, PiraT-working paper No. 8, published at the end of July 2011 endeavours to undertake this task. By examining piracy in the Horn of Africa, in West Africa and in Southeast Asia and taking into account geographical, political, economic and socio-cultural factors, it analyses the regional characteristics of piracy. Furthermore, this working paper introduces the reader to governance

structures on a regional and global level, the extension and improvement of which will be decisive a factor in the medium to long term reduction of piracy.

The aim of this paper is firstly to give a critical overview of the highly diverse phenomenon of piracy and secondly to identify indicators which can help to improve the risk assessment for maritime traffic. Last but not least, it provides a basic framework for developing and improving risk reduction strategies in order to enhance the national and international response to piracy.

Analysis of security technologies for the detection and delay of piracy and maritime terrorism attacks.

- PiraT Working Papers No. 9 & 10 published -

Measures to combat piracy and maritime terrorism can be divided into different categories. Radar equipment for instance can affect a vessel's ability to detect attacks (category 1). Delay (category 2) summarises measures decelerating attacks such as an electric fence on the ship's rail (see figure).



Source: rotec GmbH (2010)

The crew or external vessel protection teams can (category 3) respond to attacks e.g. with the use of water cannons (see figure).



Source: CTF-151

Firstly, in working papers No. 9 and No. 10, security technologies for the detection and delay of attacks were analysed. A further working paper on reaction technologies will follow in early 2012.

The various security technologies were analysed regarding costs, benefits and feasibility. In order to gain a reasonable estimation of costs, both manufactures and users were interviewed. An expert workshop was conducted to validate the initial findings of the PiraT-project regarding benefits and feasibility. In this survey the applicability and suitability of the identified technologies in combating piracy and maritime terrorism were validated by group discussions and scenario analysis.

The experts identified and recommended appropriate technologies and equipment for the purpose of detecting and delaying attacks by pirates or terrorists at sea.

Although the identified technologies are generally suitable to combat both pirates and terrorists, the workshop participants agreed that the threat posed by maritime terrorism is extremely difficult to evaluate. Accordingly this leads to imprecise estimates of the risk of maritime terrorism.

While the number of annual pirate attacks is increasingly high, cases of maritime terrorism are rare. This means that the hazards in different regions can be assessed quite reliably. However, in comparison, the very few cases of maritime terrorism and the high variety of possible attack scenarios do not permit such an assessment.

Piracy and maritime terrorism from the ship-owner's perspective – survey results.

- PiraT Working Paper No. 11 published -

In conjunction with the partners of the PiraT Project, a survey was conducted in the first quarter of 2011 as part of the project. It was designed to collect information from shipping companies with regards to perceptions, ex-

pectations and implications of maritime terrorism and piracy. The questionnaire covered the following topics: assessment of the current and future security situation, personal experiences regarding piracy and maritime terrorism, insurance coverage, multilateral coordination and measures to combat piracy, as well as information about the companies being asked.

The questions regarding the assessment of the security situation confirmed that the risk of piracy is considered very high and, according to the results, especially in areas threatened by Somali pirates. The ship owners further believe that the risk will increase in the coming years. In comparison, they do not expect an increase in the threat of maritime terrorism and believe that, on a whole, that the danger is much less. Around half of the respondents have already been personally affected by piracy. The number of attacks in total and per company has been increasing steadily since 2005. Most attacks have taken place in the Gulf of Aden and off the east coast of Africa, followed by South America. However, the incidents in South America differ from piracy in Somalia in that they mainly involve theft rather than kidnapping and ransoms which rarely play a role. The section regarding insurance coverage shows that the vast majority of German ship owners are insured by foreign companies, particularly for the areas of kidnap, ransom and war. 80% of those who are insured against these risks do so using foreign insurance companies. The most popular reason given for the decision to use such companies were because of a better price performance ratio and good experiences with foreign insurers in the past. The lack of offers from German insurers is also a factor. Amongst the consequences of piracy and maritime terrorism, rising insurance premiums is considered the most relevant cost factor caused by piracy and maritime terrorism, followed by costs for danger defence and wage premiums for crews.

Most ship-owners believe that multilateral international actions aimed at combating piracy and maritime terrorism to be insufficient. Ship-owners consider measures such as the military escort, the expansion of the area of operations in the Indian Ocean and other convoy journeys as "good" to "very good". However, almost all respondents regard sovereign armed security guards onboard of the ships as the best measure to protect their fleet. In order to implement such measures however, there is need for clarification of the legal situation as the respondents currently see large deficits on both a national and international level. Private security guards were evaluated positively, due to the legal insufficiencies concerning armed private security forces, but military support remains the favoured option. In addition, the ship-owners were asked to evaluate specific measures and actions for defence. Most measures were rated poorly but the panic room, the electric fence and the engine blocking system were, at the time of the survey, considered the best. However in open answer fields the respondents made clear, that specific measures are not able to reduce the risk alone, but need to be used in an elaborate security management system. Air surveillance and advanced radar systems for hazard detection were rated as the most effective measures. In order to protect ships and crews from pirates and terrorists the ship-owners are of the opinion that avoiding danger zones and driving at top speeds are still the best solutions.

In conclusion, the survey revealed that ship-owners are of the opinion that (multi-)national measures to combat piracy need to be better coordinated and more consistently implemented. They further believe that the law should be clarified as to whether armed escort is allowed on board. However, in the open answer fields show that ship owners emphasize that neither these measures nor an improvement in the coordination of operations will eradicate the problem of piracy. It is in-

stead the problems on land that need to be addressed.

Piracy and maritime terrorism from the insurance industry's perspective – survey results.

- PiraT Working Paper No. 12 published -

In addition to the survey questioning ship-owners, a further survey was conducted as part of the PiraT project. German insurance companies were also questioned with regards to perceptions, expectations and impact of piracy and maritime terrorism. The 12th working paper of PiraT gives a description of the results.

The survey reveals that insurers perceive the risk of piracy to be more significant than the risk of maritime terrorism. The area of marine hull insurance has been largely transferred to war insurance. Figures regarding losses incurred as a result of piracy show that the number of attacks, as well as the value of the losses, have increased significantly during the past 5 years, especially in the past few years. In 2010 the insurers experienced more and higher losses than in between 2005-2009. However, the survey reveals that it is not necessary to alter the insurance conditions, as the risk of piracy can be adequately covered through war risk premiums.

With regards to defence measures, it is clear, that single measures cannot reduce the risk of being attacked by pirates independently. According to the open answers, it can be concluded that elaborate security management systems are necessary to prevent a ship from being attacked successfully by pirates. However, panic rooms and engine blocking systems seem to be the best measures. Organizational wise, bypassing high danger areas and joining a convoy are rated much better than other measures onboard, e.g. increasing the number of crew members per ship.

From the insurer's point of view, efforts of the ship-owners to minimize the risk of piracy are regarded as most promising. In contrast, actions of states, national and international organisations and institutions are rated poorly. The efforts of the German state, the European Union and the international union to combat piracy and minimize the risk are evaluated as insufficient. Generally, armed security guards are regarded as the most effective measure of defence to protect merchant ships.



Source: EUNAVFOR

Furthermore, one respondent noted that the legal situation with respect to quality assurance needs to be clarified.

In conclusion, insurance companies regard the use of armed protection guards onboard in combination with technologically more advanced detection measures and air surveillance as the most effective strategy to protect ships from being successfully attacked by pirates. However, they make clear that in the long term the only way to solve the piracy in and around Somalia is by solving the origins of the problem on land.

EU Security Governance, Somalia, Piracy.

- International Conference, September 2011 -

On the 29th and 30th of September 2011, the IFSH, together with the Friedrich-Ebert-Foundation (FES), held an international conference on the topic 'EU Security Governance in the Post-National Constellation: Conceptual, Empirical and Practical Challenges.' Security Governance, which is a central theme of

the PiraT-Project, was discussed in six panel s and was considered from conceptual, empirical and practical perspectives. Dr. Hans-Georg Ehrhart (Head of the Centre for European Peace and Security Studies at the IFSH and also project co-leader of PiraT) and Kerstin Petretto (researcher at the IFSH) gave a presentation on 'Operation Atalanta as Part of the EU's Comprehensive Approach to Somalia: A Case Study in EU Security Governance.'

Activities/ Presentations/ Conferences

TUHH

Thorsten Blecker: Presentation „Developing an understanding of Supply Chain Security Management“, Future Security 2011, Berlin, 5th September 2011.

Niclas Jepsen: Presentation "Development of indicators to evaluate a vessel's vulnerability to pirate attacks and packages of appropriate technological protection systems" Future Security 2011, Berlin, 6th September 2011.

Andrea Resch: Presentation "Maritime Security - Expert evaluation on physical protection technologies for ships", Hamburg International Conference of Logistics 2011, Hamburg, 8th September 2011.

IFSH

Kerstin Petretto: Presentation „A Challenge for the ESDP: Somalia and Piracy“, Green European Summer University, Frankfurt/Oder, 8th September 2011.

Patricia Schneider: Presentation „Maritimer Terrorismus und Security Governance: Tätergruppen, Anschlagstypen und ergriffene Abwehrmaßnahmen“, 3. Offenen Sektionstagung Internationale Politik der Deutschen Vereinigung für Politische Wissenschaft (DVPW), Munich, 6th October 2011.

Kerstin Petretto: Participation in the international conference "Combating Piracy Week", London 18-20th of October, organised by Hansson Wade.

Hans-Georg Ehrhart/Kerstin Petretto: Presentation „Piraterie am Horn von Afrika – was tun?“, Nacht des Wissens, Hamburg, 29th October 2011.

Patricia Schneider: Presentation „The Transnational Governance of Maritime Security“ in conjunction with the HSKF and the excellence cluster „Normative Orders“ at the conference titled "The transnational Governance of Violence and Crime Governance", held by the Goethe Institute, Frankfurt am Main on the 4-5th of November 2011.

Patricia Schneider: Participation International Conference on Piracy at Sea (ICOPAS 2011), Malmö, 17th bis 19th October 2011.

BLS

Doris König: Presentation "Piraterie und Strafverfolgung" as part of the „Deutsch-Französischer Juristentag“, Hamburg, 9th September 2011.

Doris König: Presentation "Legal Problems of Fighting Piracy: The German Perspective", German-Japanese Symposia at Max Planck Institute for Comparative and International Private Law "Germany and Japan: A Legal Dialogue between Two Economies", Hamburg, 21st and 22nd October 2011

Tim René Salomon: Participation "Piraterie und ihre Bekämpfung", Berlin, 26th September 2011.

Tim René Salomon and Sebastian Tho Pesch: Participation „Bremer Konferenz zum maritimen Recht“, Bremen, 6th. and 7th October 2011

Tim René Salomon: Participation "International Conference on Piracy at Sea" (ICOPAS 2011), Malmö, 17th until 19th. October 2011

Tim René Salomon: Participation „4. Maritime Expertengespräch des Deutschen Marinebunds“, Laboe, 17th November 2011.

New Publications (Selection)

New Working Papers, downloads:

<http://www.maritimesecurity.eu/en/publikationen/workingpapers.html>

Petretto, Kerstin (2011): **Diebstahl, Raub und erpresserische Geiselnahme im maritimen Raum – Eine Analyse zeitgenössischer Piraterie**. PiraT-Working Paper on Maritime Security No. 8, Hamburg.

Blecker, Thorsten/ Jepsen, Niclas/ Will, Thomas/ Kretschmann, Lutz (2011): **Analyse von schiffsbezogenen Sicherheitstechnologien zur Detektion von Angriffen im Kontext von Piraterie und maritimem Terrorismus**. PiraT-Working Paper on Maritime Security No. 9, Hamburg.

Blecker, Thorsten/ Will, Thomas/ Jepsen, Niclas/ Kretschmann, Lutz/ Resch, Andrea (2011): **Analyse von schiffsbezogenen Sicherheitstechnologien zur Verzögerung von Angriffen im Kontext von Piraterie und maritimem Terrorismus**. PiraT-Working Paper on Maritime Security No. 10, Hamburg.

Engerer, Hella/ Gössler, Max (2011): **Piraterie und maritimer Terrorismus aus Sicht deutscher Reeder – Ergebnisse einer Befragung**. PiraT-Working Paper on Maritime Security No. 11, Hamburg.

Engerer, Hella/ Gössler, Max (2011): **Maritimer Terrorismus und Piraterie aus Sicht der deutschen Versicherungswirtschaft – Ergebnisse einer Befragung deutscher Transportversicherer**. PiraT-Working Paper on Maritime Security No. 12, Hamburg.

Further Publications:

Verbundprojekt PiraT (2011): **Ergebnisse der Fragebogenaktion und Kommentierung**.

Salomon, Tim René (2011): **Private Security Companies against Somali Pirates – Arms Race as a Questionable Strategy**. Legal Tribune Online.

Salomon, Tim René (2011): **Streamlining the Legal Basis for Maritime Security Providers**. BOFAXE No. 396D.

Neumann, Thilo/ Salomon, Tim René (2011): **Kein Krieg vor Somalia (“No war off the coast of Somalia”)**. Journal of International Law of Peace and Armed Conflict / Humanitäres Völkerrecht – Informationsschriften 3/2011, p. 165 – 172.

Kolb, Andreas S. / Salomon, Tim René / Udich, Julian (2011): **Paying Danegeld to Pirates – Humanitarian Necessity or Financing Jihadists**. Max Planck Yearbook of United Nations Law, Vol. 15 (2011), S. 105-164.

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