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The Maritime Dimension of International Security

Terrorism, Piracy, and Challenges
for the United States

Peter Chalk

Prepared for the United States Air Force

Approved for public release; distribution unlimited



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Summary

Maritime Piracy

Scope and Dimensions

A total of 2,463 actual or attempted acts of piracy were registered around the world between 2000 and the end of 2006. This represents an annual average incident rate of 352, a substantial increase over the mean of 209 recorded for the period of 1994–1999.

The concentration of pirate attacks continues to be greatest in Southeast Asia, especially in the waters around the Indonesian archipelago (including stretches of the Malacca Straits that fall under the territorial jurisdiction of the Jakarta government), which accounted for roughly 25 percent of all global incidents during 2006.

Factors Accounting for the Emergence of Piracy in the Contemporary Era

Seven main factors have contributed to the general emergence of piracy in the contemporary era. First and most fundamentally, there has been a massive increase in commercial maritime traffic. Combined with the large number of ports around the world, this growth has provided pirates with an almost limitless range of tempting, high-payoff targets.

Second is the higher incidence of seaborne commercial traffic that passes through narrow and congested maritime chokepoints. These bottlenecks require ships to significantly reduce speed to ensure safe passage, which dramatically heightens their exposure to midsea interception and attack.

Third, and specifically relevant to Southeast Asia, has been the lingering effects of the Asian financial crisis. Not only did this event exert a stronger “pull factor” on piracy—with more people (including members of the security forces) drawn to maritime and other crime—it also deprived many littoral states of the necessary revenue to fund effective monitoring regimes over their coastlines.

Fourth, the general difficulties associated with maritime surveillance have been significantly heightened as a result of the events of September 11, 2001, and the concomitant pressure that has been exerted on many governments to invest in expensive, land-based homeland security initiatives.

Fifth, lax coastal and port-side security have played an important role in enabling low-level piratical activity, especially harbor thefts of goods from ships at anchor.

Sixth, corruption and emergent voids of judicial prerogative have encouraged official complicity in high-level pirate rings, which has impacted directly on the “phantom ship” phenomenon.¹

Seventh, the global proliferation of small arms has provided pirates (as well as terrorists and other criminal elements) with an enhanced means to operate on a more destructive and sophisticated level.

The Dangers of Piracy

The dangers associated with contemporary piracy are complex and multifaceted. At the most basic level, attacks constitute a direct threat to the lives and welfare of the citizens of a variety of flag states. Piracy also has a direct economic impact in terms of fraud, stolen cargos, and delayed trips, and could potentially undermine a maritime state’s trading ability.

Politically, piracy can play a pivotal role in undermining and weakening regime legitimacy by encouraging corruption among elected government officials. Finally, attacks have the potential to trigger a major environmental disaster, particularly if they take place in crowded sea-lanes traversed by heavily laden oil tankers.

¹ The *phantom ship* phenomenon involves the outright hijacking of oceangoing vessels and their reregistration under flags of convenience for the purposes of illicit trade.

Terrorism

Over the past six years, there has been a modest yet highly discernible spike in high-profile terrorist attacks and plots at sea. These various incidents have galvanized fears in the West that terrorists, especially militants connected with the international jihadist network, are moving to decisively extend operational mandates beyond purely territorially bounded theaters.

Five main factors explain the presumed shift in extremist focus to water-based environments. First, many of the vulnerabilities that have encouraged a higher rate of pirate attacks also apply to terrorism.

Second, the growth of commercial enterprises specializing in maritime sports and equipment has arguably provided terrorists with a readily accessible conduit through which to gain the necessary training and resources for operating at sea.

Third, maritime attacks offer terrorists an alternate means of causing mass economic destabilization. Disrupting the mechanics of the contemporary “just enough, just in time” cargo freight trading system could potentially trigger vast and cascading fiscal effects, especially if the operations of a major commercial port were curtailed.

Fourth, sea-based terrorism constitutes a further means of inflicting mass coercive punishment on enemy audiences. Cruise ships and passenger ferries are especially relevant in this regard because they cater to large numbers of people who are confined in a single physical space.

Finally, the expansive global container-shipping complex offers terrorists a viable logistical conduit for facilitating the covert movement of weapons and personnel in two critical respects. First, because much of the maritime trading system is designed to be as accessible and flexible as possible (to keep costs low and turnover high), there is no strong incentive to enact a stringent (and disruptive) regime of security measures. Second, the highly complex nature of the containerized supply chain, combined with the ineffectiveness of point-of-origin inspections, creates a plethora of openings for terrorist infiltration by providing extremists with numerous opportunities to “stuff” or otherwise tamper with boxed crates.

A Terrorism–Piracy Nexus?

Complicating the maritime threat picture is growing speculation that a tactical nexus could emerge between piracy and terrorism. One of the main concerns is that extremist groups will seek to overcome existing operational constraints in sea-based capabilities by working in conjunction with or subcontracting out missions to maritime crime gangs and syndicates.

The presumed convergence between maritime terrorism and piracy remains highly questionable, however. To date, there has been no credible evidence to support speculation about such a nexus emerging. Just as importantly, the objectives of the two actors remain entirely distinct.

That said, the possibility of a possible conflation between piracy and terrorism has informed the perceptions of governments, international organizations, and major shipping interests around the world. There have been persistent reports of political extremists boarding vessels in Southeast Asia in an apparent effort to learn how to pilot them for a rerun of 9/11 at sea. Indeed, such a specter was a principal factor in driving the Lloyd's Joint War Council to briefly designate the Malacca Straits as an area of enhanced risk in 2005.

Relevance to the United States

The United States has been at the forefront of several moves to upgrade global maritime security over the last five years, including

- the Container Security Initiative
- the International Ship and Port Facility Security (ISPS) Code
- the Proliferation Security Initiative (PSI)
- the Customs-Trade Partnership Against Terrorism.

In addition to these measures, the United States has been instrumental in instituting regional maritime security initiatives and capacity building in areas recognized as vital to U.S. counterterrorism strategy.

On the positive side, these initiatives have helped to lend a degree of transparency to what has hitherto been a highly opaque theater. On the negative side, these programs suffer from three critical shortfalls as presently configured:

- They are limited in scope.
- They are largely directed at strengthening the security “wall” around commercial seaborne traffic, paying scant attention to contingencies that do not involve containerized cargo.
- With particular reference to the ISPS Code, there is still no definitive means of effectively auditing how well extant measures are being implemented by participating states or, indeed, to gauge their overall utility in terms of dock-side security.

Policy Recommendations

At the policy level, there are at least four major contributions that the United States could make to better safeguard the global oceanic environment, including the following: (1) helping to further expand the nascent regime of post-9/11 maritime security; (2) informing the parameters of bilateral and multilateral maritime security collaboration by conducting regular and rigorous threat assessments; (3) assisting with redefining mandates of existing multilateral security and defense arrangements to allow them to play a more effective and inclusive role in countering maritime (and other transnational) threats; and (4) encouraging the commercial maritime industry to make greater use of enabling communication and defensive technologies and accept a greater degree of transparency in its corporate structures.

In more specific terms, U.S. funds and support could be usefully directed at (1) boosting the coastal monitoring and interdiction capabilities of states in areas of strategic maritime importance; (2) actively supporting the International Maritime Bureau’s piracy reporting center in Malaysia; (3) augmenting port security management; and (4) sponsoring research into cost-effective initiatives for better securing ships and oceanic freight.