

LETTER FROM THE SECRETARY-GENERAL

Respected delegates of the International Maritime Organization,

Piracy has always been and despite the efforts of the global community still is a critical security threat since the inception of global trade in the 18th century. Today, due to the geopolitical developments such as Houthi rebellion in Yemen caused a shift in global shipping lines towards farther and more perilous waters of Africa which resulted with piracy increased in these waters despite it had sharply declined after 2018. This constitutes a real emergency for global economy since insurance rates for transportation of goods raise exponentially due to both piracy resurging in the Horn of Africa and Houthi rebels threaten the safe passage from Suez Canal. That is why numerous industrial nations have interests in preventing or mitigating the consequences. Yet again, such phenomenon can be utilised as perfect pretext for interfering internal and regional political affairs of states that are located within the area.

Therefore, this situation can be read a crisis in two respective sides. On one hand, great nations have to happen to protect their trading interests and press over a solution that prevent the collapse of global economy since this kind of an increase in transportation price could destabilise the delicate balances of global free market economy. On the other hand, countries in the region may have find themselves in a geopolitical struggle in respect to both increased pressure and challenges on their national sovereignty under the plea of piracy. Delegates must bear these facts in mind when coming up with solutions to this ever-present threat.

As closing remark, I would like to thank the under-secretary-general of International Maritime Organization, Eren Eroğulları and his academic assistant, Dilara Öztürk for preparation of this study guide.

Respectfully,

Secretary-General
Çağdaş Başar Bahar

LETTER FROM THE UNDER-SECRETARY-GENERAL

Esteemed participants,

I hereby welcome you all to this annual session of Istanbul University Model United Nations Conference. Besides the academic team empowering it, considering the vision put into the progress, this session of ours is to become a legendary one. Therefore, I would like to express my utmost gratitude to our Secretary-General Çağdaş Başar Bahar, Deputy-Secretary-General Berat Çağan Dürtek, my Academic Assistant Dilara Öztürk and our organization team and further club members in terms of making this event possible for all.

Our committee, the International Maritime Organization, is the UN body mostly tackling security and commercial issues which are to harm global shipping. As such, we have preferred to focus on the agenda of "Piracy concerning Africa" during our 4 days. It is our goal to serve you with the best academic assistance, and let you cover the global economic and political importance of marine studies and shipping matters.

Before ending my words, I would like to encourage all of our delegates in terms of keeping in touch for all information within this study guide which you could not exactly understand. We are here to respond to you and serve with on-the-spot answers. Wishing everyone a memorable 4-days-progress to everyone.

Best regards,

Under-Secretary-General

Eren Eroğulları

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I. INTRODUCTION

A. Introduction to the Committee

It has long been recognized that the best way to improve safety at sea is by developing international regulations that are adhered to by all shipping nations. From the mid-19th century onwards, numerous such treaties were adopted. Shipping is a truly international industry, and it can only operate effectively if regulations and standards are agreed upon, adopted, and implemented globally. The International Maritime Organization (IMO) serves as the primary forum for this process on a global scale. Several countries proposed establishing a permanent international body to promote maritime safety more effectively, but it was not until the formation of the United Nations that these hopes were realized.

In 1948, an international conference in Geneva adopted a convention formally establishing the Inter-Governmental Maritime Consultative Organization (IMCO). The organization came into force 10 years later, holding its first meeting in 1959. In 1982, IMCO was renamed the International Maritime Organization (IMO), and it began its significant role within the UN framework. As a specialized agency of the United Nations, IMO is the global standard-setting authority for the safety, security, and environmental performance of international shipping. Its main role is to create a regulatory framework for the shipping industry that is fair, effective, universally adopted, and universally implemented.

Article 1(a) of the IMO Convention summarizes the organization's purposes: "to provide machinery for cooperation among Governments in the field of governmental regulation and practices relating to technical matters of all kinds affecting shipping engaged in international trade; to encourage and facilitate the general adoption of the highest practicable standards in matters concerning maritime safety, efficiency of navigation, and prevention and control of marine pollution from ships." The organization is also empowered to address administrative and legal matters related to these purposes. The mission of IMO, as published by the UN, is "to promote safe, secure, environmentally sound, efficient, and sustainable shipping through

cooperation. This will be accomplished by adopting the highest practicable standards of maritime safety and security, efficiency of navigation, and prevention and control of pollution from ships, as well as through consideration of related legal matters and effective implementation of IMO's instruments with a view to their universal and uniform application."

The organization's first task was to update the International Convention for the Safety of Life at Sea (SOLAS), the most significant treaty pertaining to maritime safety. This was achieved in 1960. Subsequently, IMO focused on the facilitation of international maritime traffic, shipping load lines, and the carriage of dangerous goods, while also revising the system for measuring ship tonnage. Although safety remains IMO's primary responsibility, new challenges have emerged over the years, including maritime trade lane congestion, port and facility limitations, container-related issues, industry imbalances due to macroeconomic factors and international politics, and maritime pollution. While maritime pollution is a significant focus for IMO, it is not included in the agenda of the current meeting and thus will not be discussed in this document.

Shipping is a crucial component of any future sustainable economic growth program. Through IMO, the organization's Member States, civil society, and the shipping industry are working together to ensure a continued and strengthened contribution towards a green economy and sustainable growth. Promoting sustainable shipping and maritime development is one of IMO's major priorities in the coming years. Energy efficiency, new technology and innovation, maritime education and training, maritime security, maritime traffic management, and the development of maritime infrastructure are all areas where IMO will develop and implement global standards, reinforcing its commitment to providing the institutional framework necessary for a green and sustainable global maritime transportation system.

B. Introduction to the Topic

Somali pirates have resumed their attacks, leading to a sharp increase in piracy incidents around the Horn of Africa in recent months. This escalation is adding to the

existing concerns for shipping vessels, government forces, and private security engaged in conflicts with Houthi rebels in the Red Sea.

According to the Royal United Services Institute (RUSI), an independent think tank, the past three months have seen more piracy in the Horn of Africa than at any point in the last six years. Pirates have been demanding high ransoms for seafarers or vessels and robbing ship passengers.

Piracy off the coast of Somalia had been declining after reaching a peak in 2011, when Somali pirates launched 212 attacks. Between December 2010 and March 2022, the United Nations Security Council (UNSC) passed seven resolutions targeting Somali piracy. These resolutions allowed foreign naval and air forces to patrol Somali waters and authorized the European Union Naval Force Operation Atalanta, along with a U.S.-led task force, to use "all necessary means to repress piracy and armed robbery at sea.

Piracy poses a significant financial burden on the global economy. A widely cited 2013 World Bank study estimated that piracy costs the global economy around \$18 billion annually.

According to the UNSC, the anti-piracy measures enforcing the freedom of navigation off the coast of Somalia quietly expired after the last renewal, which extended for three months beyond December 3, 2021.

Since last November, about 20% of Somali piracy-related incidents have targeted merchant vessels, according to Dan Mueller, lead analyst for the Middle Eastern Region at maritime security firm Ambrey. On December 14, the International Chamber of Shipping reported the hijacking of a Handymax bulk carrier, marking the first successful hijacking of a vessel off the coast of Somalia since 2017. Pirates have also been attacking fishing vessels, mostly Iranian, as well as many small boats like skiffs.

II. THEORETICAL FRAMEWORK

A. Concept of Maritime Commerce and its Current Issues

Maritime commerce has been the backbone of global trade for centuries, evolving with advancements in technology and changes in global economic dynamics. In the modern world, the seas serve as the primary highways for international trade, facilitating the movement of vast quantities of goods and resources. This essay explores the current volume of maritime commerce, examining the statistics, key trade routes, major commodities, and the impact of recent global events, including Houthi attacks, the temporary closure of the Suez Canal, and the relocation of trade routes to the piracy-prone Horn of Africa.

1. The Scale of Maritime Commerce and Major Trade Routes

As of the latest data, over 80% of global trade by volume and more than 70% by value is carried by sea. According to the United Nations Conference on Trade and Development (UNCTAD), the global seaborne trade volume reached approximately 11 billion tons in 2022. This represents a substantial recovery from the COVID-19 pandemic's impact, which saw a significant dip in 2020 but a subsequent rebound as economies began to recover.

The global fleet that supports this immense trade consists of over 95,000 commercial vessels, including container ships, bulk carriers, oil tankers, and specialized vessels. The total deadweight tonnage (DWT) of the world fleet stands at around 2.1 billion tons, illustrating the capacity and scale required to sustain global maritime commerce.

The efficiency of maritime commerce relies heavily on a network of strategic trade routes and chokepoints. The most significant of these include:

The Straits of Malacca: One of the busiest maritime passages in the world, linking the Indian Ocean with the South China Sea and the Pacific Ocean. Approximately 25% of the world's traded goods pass through this strait.

The Suez Canal: A vital link between the Mediterranean Sea and the Red Sea, facilitating trade between Europe, Asia, and the East Coast of North America. In 2022, the Suez Canal Authority reported a record 1.17 billion tons of cargo passing through the canal.

The Panama Canal: Connecting the Atlantic and Pacific Oceans, the Panama Canal is crucial for trade between the East Coast of the United States, Latin America, and Asia. The Panama Canal Authority recorded around 516 million tons of cargo transiting the canal in 2022.

The Strait of Hormuz: A critical route for oil and gas exports from the Middle East, with around 21 million barrels of oil passing through daily, representing roughly one-third of the world's seaborne oil trade.

1. Impact of Recent Global Events

The maritime commerce landscape is continually influenced by global events and trends. Some of the most significant recent factors include:

COVID-19 Pandemic: The pandemic disrupted global supply chains, leading to port congestion, labor shortages, and a temporary decline in trade volumes. However, by 2022, the industry had largely rebounded, driven by pent-up demand and economic recovery.

Geopolitical Tensions: Conflicts such as the Russia-Ukraine war have had substantial impacts on maritime trade, particularly in regions reliant on Black Sea ports. The closure of these ports has necessitated rerouting and adjustments in global trade patterns.

Houthi Attacks and Red Sea Conflicts: The ongoing conflict in the Red Sea region, particularly involving Houthi rebels, has heightened risks for vessels navigating these waters. Attacks on ships have disrupted maritime traffic, prompting some shipping companies to seek alternative routes. These disruptions have increased insurance costs and necessitated heightened security measures, impacting the overall efficiency and safety of maritime trade in the region.

Temporary Closure of the Suez Canal: The Suez Canal's blockage in March 2021 by the Ever-Given container ship highlighted the vulnerability of global trade routes. This incident caused significant delays and rerouting of vessels, leading to temporary shifts in trade routes. While the canal was quickly reopened, the incident underscored the importance of contingency planning in maritime logistics.

Relocation of Trade Routes to the Horn of Africa: The strategic importance of the Horn of Africa has grown as shipping companies seek alternative routes to avoid conflict zones. However, this region has seen a resurgence of piracy, particularly off the coast of Somalia. According to the Royal United Services Institute (RUSI), piracy incidents in the Horn of Africa have surged to their highest levels in six years. Pirates are demanding high ransoms for seafarers or vessels and robbing ship passengers, adding significant risks and costs to maritime operations.

3. Major Commodities

The composition of seaborne trade is diverse, encompassing a wide range of commodities:

Containerized Cargo: Accounting for over 60% of global seaborne trade by value, containerized cargo includes manufactured goods, electronics, apparel, and consumer products. The global container trade volume was approximately 188 million TEUs (twenty-foot equivalent units) in 2022.

Bulk Commodities: This category includes iron ore, coal, grain, and other raw materials essential for industrial production. In 2022, the bulk trade volume was around 5.5 billion tons.

Oil and Gas: Energy commodities are pivotal in maritime trade, with crude oil, refined petroleum products, and liquefied natural gas (LNG) making up a significant portion. The total volume of seaborne oil trade was about 2.1 billion tons in 2022.

Liquefied Natural Gas (LNG): With the shift towards cleaner energy, LNG trade has been growing rapidly. In 2022, the global seaborne LNG trade reached around 500 million tons.

3. Impact of Global Events on Trade Routes

The interplay of geopolitical events and maritime logistics has necessitated shifts in trade routes:

Horn of Africa and Piracy: With increased piracy incidents off the Somali coast, shipping companies are forced to adopt costly security measures or consider longer alternative routes, impacting operational efficiency and costs. The resurgence of piracy has particularly affected the routes transiting the Bab el-Mandeb Strait, a critical chokepoint linking the Red Sea to the Gulf of Aden.

Suez Canal Alternatives: The temporary closure of the Suez Canal demonstrated the need for alternative routes such as the Cape of Good Hope, although longer and more expensive. This incident has prompted discussions on expanding or creating alternative canals and infrastructure improvements to handle similar crises in the future.

Red Sea Conflict: The security risks in the Red Sea due to Houthi attacks have led to increased shipping costs and insurance premiums, with some vessels opting for safer but longer routes around Africa, thereby increasing transit times and fuel costs.

The current volume of commerce over the seas reflects the essential role of maritime transport in sustaining global trade and economic growth. With over 11 billion tons of goods transported annually, the industry's scale and complexity are immense. Strategic trade routes, diverse commodities, and the impacts of global events, including piracy, geopolitical conflicts, and infrastructural vulnerabilities, all play critical roles in shaping maritime commerce. As the world navigates these challenges, the maritime industry must continue to adapt and evolve, ensuring the seamless flow of trade across the world's oceans despite the evolving risks and uncertainties.

B. Concept of Maritime Piracy

Maritime piracy has a long and storied history, emerging alongside the development of maritime trade and naval warfare. Piracy has impacted commercial shipping for nearly as long as the world's oceans and seas have been utilized for trade.

Before the Geneva Convention on the High Seas was adopted in 1958, piracy was defined in various ways under international law. Many foreign legal experts believed that certain elements were necessary to classify an act as maritime piracy:

- a) An act committed by force of arms
- b) A connection of the offence with the sea
- c) The existence of a danger for all.

In essence, piracy was understood as any act of violence against people and goods committed by a private vessel against another vessel at sea without proper authorization.

The first legal definition of piracy was established at the Convention on the High Seas in 1958 and later reaffirmed at the UN Convention on the Law of the Sea in 1982. According to Article 15 of the 1958 Convention and Article 101 of the 1982 Convention, the following actions are recognized as piracy:

(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).

1. Categorisation of Pirate Activities

According to these Conventions, actions committed by a military or government ship, or by a government aircraft whose crew has mutinied and taken control, are considered equivalent to piracy.

Recognizing the close connection between maritime piracy and other criminal acts committed on the high seas, the international community has adopted several regulations to combat them. Notably, the 1988 Convention for the Suppression of Unlawful Acts (SUA) against the Safety of Maritime Navigation and the 1988 Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms on the Continental Shelf have been established.

The International Maritime Organization, which has been actively addressing piracy issues, categorizes piracy into three types:

Low Level Armed Robbery (LLAR):

These are typically small-scale gangs operating independently, preferring swift raids where they seize easy loot such as money or valuables. Often, the crew only realizes the loss after the raiders have vanished. Light thrust and hacking weapons, as well as firearms, may be utilized, posing a danger not only to ship crews but also potentially causing serious consequences, such as discharging firearms on board a tanker. Attacks of this nature typically target ships at anchor or vessels nearing port, allowing the gangs to swiftly board, loot, and escape. This category of pirates generally avoids serious confrontation during their actions, and instances have been recorded where they retreat empty-handed upon encountering organized resistance from the crew.

Medium Level Armed Assault and Robbery (MLAAR):

Organized criminal groups, often with connections to port personnel, conduct these attacks. They frequently survey potential targets in harbours and execute raids using automatic weapons and sometimes anti-tank grenade launchers from speedboats in coastal waters. Well-armed pirates equipped with automatic weapons and modern speedboats can seize a ship, steal various types of property, and depart

freely. Ships targeted in such attacks may find themselves without a watch officer or navigator, heightening the risk of accidents near shore. Initially, pirates used primitive methods to halt ships, but over time, they acquired modern speedboats, enabling interception and seizure of vessels on the high seas. Analysis of such pirate attacks has revealed that perpetrators often have a background in military training.

Major Criminal Hijack (MCHJ):

This category involves significant investment in the planning and execution of the attack. International organized groups undertake these acts of piracy, targeting ships carrying high-value goods. They employ modern satellite navigation and communication systems, maintain networks of agents, and possess extensive contacts across various levels of government.

In the reports issued by the International Maritime Organization (IMO) concerning piracy incidents, various types of pirate attacks can be identified for their value and intention.

Piracy incidents involving the hostage-taking of individuals for ransom payments have become increasingly common since 2009. For instance, in December 2009, Somali pirates seized the Chinese bulk carrier De Xin Hai and received a ransom of \$4 million. The money was airlifted onto the vessel's deck by helicopter, after which the pirates departed, leaving the ship discovered 700 miles east of the Horn of Africa. Similarly, in the same year, pirates released the Greek ship "Ariana," along with its 24 Ukrainian crew members, after the ship owner paid a ransom of \$2.8 million. These incidents highlight the growing trend of pirates targeting vessels for monetary gain through hostage-taking. Another form of piracy involves the hijacking of oil and fuel tankers with the intention of selling the cargo. In these cases, pirates specifically target vessels to siphon off oil and fuel for resale on the black market.

Since 1982, the IMO has been publishing incident reports on piracy and armed robbery against ships, utilizing data provided by Member Governments and relevant international organizations. The threat posed by piracy and armed robbery has been a longstanding concern for the IMO, with various regions experiencing heightened

activity at different times. In recent years, the focus has shifted to piracy off the coast of Somalia, in the Gulf of Aden, and the wider Indian Ocean. Consequently, the IMO has been implementing strategies to enhance maritime security in West and Central Africa, aligning with regional maritime security agreements.

Over the years, the IMO, in collaboration with the shipping industry, has developed and implemented numerous anti-piracy measures to mitigate the adverse effects of piracy worldwide. The heightened threat posed by Somali-based pirates has led to widespread adoption of armed security guards on commercial vessels transiting East African coastal waters. However, the decision to employ Private Contracted Armed Security Personnel (PCASPs) is complex, as there are no specific international regulations or standards governing their use. This lack of clarity, coupled with the varying quality and competence of security contractors, poses challenges for ship owners, operators, and managers.

As exemplified by the Maersk Alabama incident in April 2009, despite adherence to regulations aimed at preventing pirate attacks, vessels remain vulnerable to piracy. In this incident, the US-flagged vessel Maersk Alabama was hijacked in the Gulf of Aden, despite compliance with all relevant regulations. The pirates managed to board the vessel, taking Captain Richard Phillips and several crew members hostage. Despite resistance from the crew, the pirates escaped with Captain Phillips in a lifeboat. The incident underscores the adaptability of pirates and the need for additional precautions beyond regulatory compliance.

III. PIRACY IN THE HORN OF AFRICA

A. Historical Background of the Piracy in the Horn of Africa and its Causes

The period between 2005 and 2012 is often referred to as the "Golden Age of Somali Piracy." During these years, piracy off the coast of Somalia surged, becoming a significant threat to international maritime trade and prompting a concerted global response. This essay explores the factors that led to the rise of Somali piracy, its impact on global shipping, and the measures taken to counter this threat.

1. Background and Causes

The 2004 Indian Ocean tsunami battered Somalia, already reeling from 13 years of civil war. This disaster compounded the existing hardship caused by foreign trawlers relentlessly depleting Somali fish stocks. With their livelihoods destroyed, many impoverished coastal communities were driven to piracy.

Pirate groups were a complex web. Local affiliates, often residing in the affected communities, would capture crews. Multilingual translators, frequently recruited from the Somali diaspora, negotiated ransoms with victims' companies or families in their native tongues. At the top of these networks sat kingpins like Mohamed Abdi Hassan, nicknamed "Afweyne" ("Big Mouth"). Afweyne and his ilk siphoned off massive shares of successful ransoms, laundering the proceeds through intricate financial networks within and beyond Somalia.

All in all, several factors that contributed to the emergence of Somali piracy in the early 2000s can be summarised as:

Political Instability: Somalia has been in a state of civil war since the early 1990s, resulting in a lack of effective central government. This political vacuum created an environment where criminal activities, including piracy, could thrive without fear of government intervention.

Economic Hardship: Widespread poverty and lack of employment opportunities drove many Somalis to piracy as a means of livelihood. The lucrative nature of ransom payments made piracy an attractive option for many.

Illegal Fishing and Toxic Waste Dumping: Foreign fishing vessels exploited Somalia's unprotected waters, depleting local fish stocks. Additionally, reports of toxic waste dumping by foreign companies created environmental and health hazards. Many Somali fishermen, unable to compete with illegal fishing, turned to piracy, initially under the guise of protecting their territorial waters.

Geographical Advantage: The strategic location of Somalia along major shipping routes, such as the Gulf of Aden and the Indian Ocean, provided ample opportunities for pirates to target vessels.

2. Peak of Piracy Activities (2008-2011)

Somali piracy peaked in 2011 with a staggering 212 attacks on merchant vessels. This posed a significant financial and strategic threat to global shipping and commerce. According to the World Bank, the cost to the shipping industry between 2005 and 2012 was estimated at a staggering \$18 billion annually.

The height of Somali piracy occurred between 2008 and 2011, characterised by:

Increased Attacks: Somali pirates launched hundreds of attacks annually, targeting vessels of all types, from small fishing boats to large container ships and oil tankers. In 2011 alone, there were 237 reported pirate attacks off the Somali coast.

Ransom Demands: Pirates held crews and ships for ransom, often demanding millions of dollars. The average ransom payment increased dramatically during this period, with some payments reaching as high as \$9 million.

Sophisticated Operations: Pirates operated with increasing sophistication, using mother ships to extend their range, employing advanced weaponry, and utilizing GPS technology. They often worked in organized groups with clear hierarchies and logistics support.

Impact on Shipping Costs: The threat of piracy led to higher shipping costs due to increased insurance premiums, the need for private security personnel, and longer routes to avoid high-risk areas. The International Maritime Bureau estimated that piracy cost the global economy between \$6 billion and \$12 billion annually.

3. International Response at that Time

The rise of Somali piracy prompted a robust international response, including:

Naval Patrols: International naval coalitions, such as the Combined Task Force 151, NATO's Operation Ocean Shield, and the European Union Naval Force (EUNAVFOR) Operation Atalanta, were deployed to patrol high-risk areas and escort vulnerable vessels. These naval forces conducted anti-piracy operations, disrupted pirate activities, and captured suspected pirates.

Legal and Diplomatic Efforts: The United Nations Security Council passed several resolutions, including UNSC Resolution 1851, authorizing international forces to enter Somali territorial waters to combat piracy. Efforts were also made to establish legal frameworks for prosecuting pirates, often in neighbouring countries like Kenya and Seychelles.

Industry Measures: The shipping industry adopted various self-protection measures, such as the Best Management Practices (BMP) guidelines, which provided advice on evasive manoeuvres, the use of barbed wire, and the deployment of armed security personnel on board.

Community Engagement and Development: International aid focused on addressing the root causes of piracy by improving economic conditions and promoting stability in Somalia. Programs aimed at providing alternative livelihoods for potential pirates were implemented, although with varying degrees of success.

B. Reemergence of Piracy in the Horn of Africa

Piracy, unfortunately, has resurfaced in the Horn of Africa, with the past six months witnessing heightened activity compared to the past six years. Various internal and external factors contribute to this recent surge in pirate attacks.

The region of Puntland, both historically between 2005 and 2011 and in the present day, has served as a significant source of pirate crews due to its geographical location and political status. Positioned closest to global shipping lanes, Puntland's population relies heavily on its abundant fisheries. Operating as an autonomous

region within Somalia, Puntland maintains a decentralized security apparatus. Unlike breakaway Somaliland, which seeks international recognition, or the state collapse seen in southern and central Somalia, Puntland opts for a regional government characterized by corruption and a historical tolerance for maritime crime, including piracy, trafficking, and illegal fishing.

The Puntland Maritime Police Force (PMPF) is tasked with combating piracy in the autonomous region. However, as piracy declined, the PMPF shifted its focus to broader security provision, noted Nicolas Delaunay, the east and southern Africa project director for the International Crisis Group. Recent internal turmoil in Puntland, sparked by violent clashes in the state capital, Garowe, exacerbated by disputes over constitutional amendments and President Said Abdullah Deni's term extension, has further weakened law and order. This internal instability has created an opportune environment for piracy to stage a resurgence.

The external dynamics, particularly the role of EUNAVFOR's Operation Atalanta, also play a crucial role. With piracy in the Horn of Africa virtually eradicated between 2016 and 2023, EUNAVFOR's vigilance in the region naturally waned. Anti-piracy efforts shifted focus to the Gulf of Guinea, with the prevailing belief that piracy risk in the Horn of Africa had significantly diminished. In this context, Somali pirates appear to have exploited the perceived vulnerability of EUNAVFOR's presence in the region.

In September last year, expert Peter Viggo Jakobsen, from the Royal Danish Defence College, evaluated piracy operations in the Horn of Africa as involving 'high risks' and 'few rewards'. This assessment largely holds true – recent attacks on shipping have failed to achieve their primary objective of securing a ransom, with only the Al-Meraj being successfully hijacked and guided back to the Puntland coast. Consequently, the risks associated with interception by foreign naval forces are elevated, while the likelihood of successful piracy endeavours is considerably diminished compared to the peak of Somali piracy more than a decade ago.

However, despite these heightened risks, Somalia continues to grapple with ongoing

challenges such as prolonged droughts and rampant illegal overfishing. These issues have inflicted substantial economic losses on the Somali economy, estimated at up to \$300 million annually. Against this backdrop, the allure of a substantial ransom payout remains enticing, particularly for young, underemployed fishermen with families to support and limited prospects for economic advancement. Despite the slim odds of securing such a significant sum, the potential windfall represents a compelling incentive for individuals facing dire socio-economic circumstances.

IV. PIRACY IN THE HORN OF AFRICA AND MEASURES TAKEN BY THE INTERNATIONAL MARITIME ORGANIZATION

The International Maritime Organization (IMO) has played a crucial role in addressing piracy in the Horn of Africa, especially as the region became a hotspot for pirate activities in the early 2000s. Recognizing the severity of the threat, the IMO has implemented a series of actions and guidelines to mitigate the impact of piracy on international shipping. One of the significant milestones was the adoption of the Djibouti Code of Conduct in January 2009. This regional agreement, endorsed by states in the Western Indian Ocean and the Gulf of Aden, focuses on the repression of piracy and armed robbery against ships. It encourages member states to cooperate fully in sharing information, interdicting pirate vessels, and prosecuting those involved in piracy. Furthermore, the IMO has issued various resolutions and circulars, such as MSC.324(89), which emphasizes the implementation of Best Management Practices (BMP) for ship operators to deter pirate attacks. These practices include measures like vessel registration with the Maritime Security Centre – Horn of Africa (MSCHOA), reporting to the United Kingdom Maritime Trade Operations (UKMTO) in Dubai, and implementing preventive, evasive, and defensive measures while transiting high-risk areas. The IMO has also facilitated technical assistance and capacity-building initiatives, helping coastal states enhance their maritime law enforcement capabilities. Additionally, the organization has supported the deployment of naval forces from various countries to the region, forming international coalitions like the European Union Naval Force (EUNAVFOR) Operation Atalanta, which patrols the waters off the Horn of Africa to deter and respond to pirate threats. Through these comprehensive efforts, the IMO has significantly contributed to reducing the incidence of piracy in the region, although continuous vigilance and adaptation of strategies are necessary given the evolving nature of maritime threats.

A. The Djibouti Code of Conduct

The Djibouti Meeting aimed to review and adopt the draft text of an instrument focused on combating piracy and armed robbery against ships in the Western Indian Ocean and the Gulf of Aden. This draft was initially prepared during a Sub-regional

meeting on piracy and armed robbery, organized by the International Maritime Organization (IMO) in Dar es Salaam, United Republic of Tanzania, from April 14 to 18, 2008.

The Djibouti Code of Conduct, adopted under the auspices of IMO, doesn't have specific articles in the traditional sense. However, it outlines key principles and recommended actions for signatory states to follow in the fight against piracy off the Horn of Africa. Here are the most important aspects of the DCoC:

Regional Cooperation and Information Sharing:

- **Information exchange:** The DCoC emphasizes the importance of establishing a system for sharing information on suspected pirate activity in real-time. This allows for a coordinated regional response to identify and deter piracy threats.
- **Joint patrols and operations:** Signatory states are encouraged to conduct joint patrols and operations in high-risk areas to deter piracy and apprehend pirates. This pooling of resources strengthens regional maritime security.
- **Prosecution of captured pirates:** The DCoC stresses the importance of developing a legal framework for the prosecution of captured pirates. This ensures accountability and discourages future piracy attempts.

Strengthening National and Regional Capacities:

- **Maritime law enforcement:** The DCoC encourages signatory states to develop their maritime law enforcement capabilities. This includes training personnel, acquiring patrol vessels, and establishing effective legal frameworks for prosecuting piracy offenses.

- **Shore-based measures:** The DCoC recognizes the importance of addressing piracy at its root causes on land. This includes promoting good governance, sustainable development, and alternative livelihoods for coastal communities potentially drawn to piracy.

International Cooperation and Support:

- **Technical assistance:** The DCoC calls for international cooperation in providing technical assistance to signatory states. This support can involve training for law enforcement personnel, sharing best practices, and providing resources for patrol operations.
- **Financial assistance:** The DCoC recognizes the need for financial support from the international community to help states implement the Code's provisions. This can involve funding for equipment, training programs, and infrastructure development in coastal communities.

The DCoC is a non-binding instrument, but it has played a significant role in fostering regional cooperation and promoting best practices in combating piracy off the Horn of Africa. Its focus on information sharing, coordinated patrols, legal frameworks, and addressing root causes remains crucial for maintaining maritime security in the region.

B. MSC.1/Circ.1333/Rev.1 Concerning Recommendations to Governments for Piracy and Armed Robbery Against Ships

Some important clauses of the aforementioned circular shall be provided below.

1. Self-Protection

(3) Ships can and should take measures to protect themselves from pirates and armed robbers. These measures are recommended in MSC.1/Circ.1334. While security forces can often advise on these measures, and flag States are required to take such measures as are necessary to ensure that owners and masters accept their

responsibility, ultimately it is the responsibility of owners, companies, ship operators and masters to take seamanlike precautions when their ships navigate in areas where the threat of piracy and armed robbery exists. Flag States should make shipowners/companies aware of any United Nations Security Council, International Maritime Organization (IMO), or any other United Nations resolutions on piracy and any recommendations therein relevant for the shipowner, ship operator, the master and crew when operating in areas where piracy or armed robbery against ships occur.

(4) With respect to the carriage of firearms on board, the flag State should be aware that merchant ships and fishing vessels entering the territorial sea and/or ports of another State are subject to that State's legislation. It should be borne in mind that importation of firearms is subject to port and coastal State regulations. It should also be borne in mind that carrying firearms may pose an even greater danger if the ship is carrying flammable cargo or similar types of dangerous goods.

2. Non-arming of seafarers

(5) For legal and safety reasons, flag States should strongly discourage the carrying and use of firearms by seafarers for personal protection or for the protection of a ship. Seafarers are civilians and the use of firearms requires special training and aptitudes and the risk of accidents with firearms carried on board ship is great. Carriage of arms on board ships may encourage attackers to carry firearms or even more dangerous weapons, thereby escalating an already dangerous situation. Any firearm on board may itself become an attractive target for an attacker.

3. Use of privately contracted armed security personnel

(7) The use of privately contracted armed security personnel on board ships may lead to an escalation of violence. The carriage of such personnel and their weapons is subject to flag State legislation and policies and is a matter for flag States to determine in consultation with shipowners, companies, and ship operators, if and under which conditions this will be allowed. Flag States should take into account the possible escalation of violence which could result from carriage of armed personnel on board merchant ships, when deciding on its policy.

4. Action plans

(10) Flag States should develop action plans detailing the response to be taken on the receipt of a report of an attack and how to assist the owners, companies, managers and operators of a ship in case of a hijacking. A point of contact through which the ships entitled to fly their flag may request advice or assistance when sailing in waters deemed to present a heightened threat and to which such ships can report any security concerns about other ships, movements or communications in the area, should be provided.

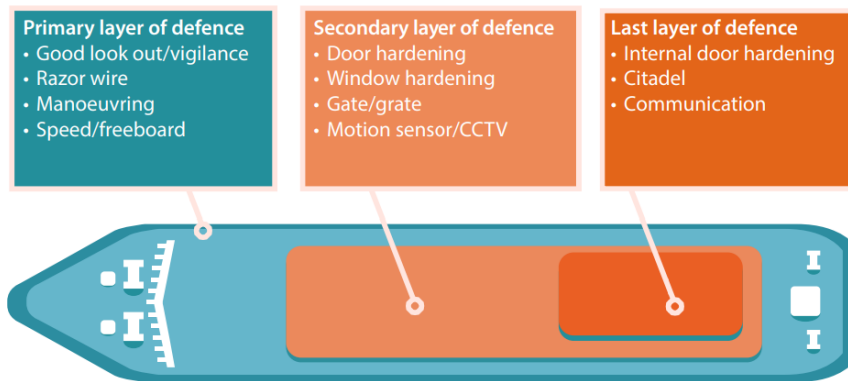
(11) All national agencies involved in preventing and suppressing piracy and armed robbery against ships should take appropriate measures for the purpose of maximizing efficiency and effectiveness and, at the same time, minimizing any relevant adversity. The coastal State/port State should also establish the necessary infrastructure and operational arrangements for the purpose of preventing and suppressing piracy and armed robbery against ships.

C. MSC.1/Circ.1601/Rev.1 Concerning Best Management Practices for Counter Piracy

Although this circular provides pre-sailing best management practices, for the purposes of clarity, this guide will focus on actual measures to be taken during sailing high-risk waters.

1. Section 7: Ship Protection Measures

Companies may wish to consider making further alterations to the ship beyond the scope of this guidance, and/or provide additional equipment and/or manpower as a means of further reducing the risk of attack. If pirates and armed robbers are unable to board a ship they cannot hijack it. The effective implementation of these SPMs has proven successful in deterring and/or delaying attack.



An example of “layered” defence

These practices include deploying watchout decoys to make sure that the crew is looking more numerous than actually it is; using razor wires and water foam to prevent boarding to the ship, utilising Close Circuit Television (CCTV) cameras to increase vigilance, hardening citadel doors to prevent hijacking of the vessel until the help arrives and so on.

2. Section 8: Action on Attack and/or Boarding

There are a number of specific actions that may be taken if the crew suspects the ship is under an attack. A ship could quickly come under attack with little or no warning at any time. This reinforces the need for good lookout, both visual and radar. Attackers using weapons seldom open fire until they are very close to the ship e.g. two cables. Using whatever time available, no matter how short, to activate any further additional protective measures and plans will make it clear to the attackers that they have been seen, and that the ship is prepared and, will resist attempts to board. When a ship is at anchor it is unlikely that attackers can be detected and

determined as threatening with sufficient warning to enable the ship to get underway and without exposing crew members on the upper deck (particularly the forecastle and bridge wings) to danger.

An approach by small craft may be a prelude to an attack. The Master should be ready to:

- If underway, increase speed and manoeuvre away from the approaching small craft as much as possible to open the distance between the ship and the attackers. Thereafter, steer a straight course to maintain maximum speed. Consider evasive actions if the circumstances dictate and allow.
- Minimise crew movement and confirm the ship's personnel are in a position of safety or warned to be ready to move.
- Activate the ship security alert system (SSAS) which will alert the company and flag state. Put out a distress alert.
- Activate the Emergency Communication Plan.
- Maintain contact with the relevant reporting centre preferably by telephone for as long as it is safe to do so. On receipt of information in relation to an attack, the reporting centre will inform the appropriate national maritime operations/law enforcement centre and in some cases military if in the area and should ensure all other ships in the immediate vicinity are aware of the event.
- Place the ship's whistle on auto to demonstrate to any potential attacker that the ship is aware of the attack and is reacting to it. Initiate the ship's pre-prepared emergency procedures such as activating water spray and other appropriate self-defence measures.
- Ensure that the Automatic Identification System (AIS) is switched ON.
- Confirm external doors and, where possible, internal public spaces and cabins, are fully secured.

When under attack, the following actions should be taken, as appropriate:

- Make a distress call on VHF and all available means.
- Confirm the attack has been reported to the relevant reporting centre.
- Confirm the SSAS has been activated.
- If underway, commence small alterations of course whilst increasing speed to deter the boarding craft from lying alongside the ship in preparation for

boarding. These manoeuvres will create additional wash and make the operation of small craft difficult. To avoid a reduction in speed, large alterations of course are not recommended.

- All crew, except those required on the bridge or in the engine room, move to the safe muster point or citadel. The crew should be given as much protection as possible should the attackers get close enough to use weapons.

If the ship is boarded then the following actions should be taken:

- Stop the engines and take all way off the ship if possible and navigationally safe to do so.
- All remaining crew members to proceed to the citadel or safe muster point. The whole concept of the citadel approach is compromised if any of the crew are left outside before it is secured.
- Ensure all crew are present in the citadel/safe muster point.
- Establish communications with the company and any relevant military/law enforcement authority.

If attackers take control of the ship, violence or the threat of violence is often used to subdue the crew. The chance of injury or harm is reduced if the crew are compliant and cooperative, and the following considered:

- STOP ALL MOVEMENT WHEN THE ATTACKERS HAVE TAKEN CONTROL AND TRY TO REMAIN CALM.
- Offer no resistance once the attackers reach the bridge and the crew have not moved to a citadel. The attackers will be aggressive, highly agitated and possibly under the influence of drugs or alcohol. When directed, all movement should be calm, slow, and very deliberate. Crew members should keep their hands visible at all times and comply fully. This will greatly reduce the risk of violence.
- Leave any CCTV or audio recording devices running.
- Do not take photographs.
- DO NOT attempt to confront the attackers.

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- DO NOT make movements which could be interpreted as being aggressive.
- DO exactly what they ask and comply with their instruction.

V. BEING A REPRESENTATIVE IN THIS COMMITTEE

A. Why Delegates Can Collaborate?

When participating in this committee, it is crucial for delegates to consider how states of varying economic statuses and regional affiliations might approach the issue. Perspectives and priorities can differ significantly between high-income and low-income countries, as well as between African and Western states.

High-income states that have strategic use of trade-routes such as the Horn of Africa, primarily focus on the economic and security implications of piracy. For these countries, piracy poses a significant threat to international trade, leading to increased insurance premiums and disrupted supply chains. Ensuring the safety of their vessels and crews is paramount, prompting substantial investment in naval patrols and advanced security measures. High-income states often advocate for robust international laws and regulations to prosecute pirates effectively. They may provide financial and logistical support for regional anti-piracy initiatives, such as the Djibouti Code of Conduct, and push for enhanced naval cooperation in high-risk areas. Additionally, these countries frequently offer training and resources to build the capacity of low-income states to combat piracy.

In contrast, low-income states and landlock countries, particularly those in the region, grapple with the severe economic hardship caused by piracy. Local economies, especially those dependent on fishing, also suffer greatly from pirate activities. Weak governance and limited resources make it challenging for these countries to combat piracy effectively, and they often prioritize ensuring internal security and stability. Low-income states seek development aid and international assistance to address the root causes of piracy, such as poverty and unemployment. They emphasize the need for development programs that tackle socio-economic drivers of piracy and advocate for more international support in terms of funding, training, and resources to strengthen their maritime security capabilities. Promoting regional cooperation and sharing information are also key strategies for these states.

These being said, African states that located around the Horn of Africa have unique concerns regarding regional stability and the direct impact of piracy on local communities. Piracy threatens regional economic development and security, with local fishing and maritime industries particularly affected. Many African states require international support to build their capacity to monitor and secure their territorial waters effectively. These states strongly support regional initiatives like the Djibouti Code of Conduct and seek increased regional cooperation to combat piracy. They emphasize the importance of international assistance for capacity building, including training and equipping local maritime forces, and advocate for economic aid and development programs aimed at addressing the root causes of piracy.

High volume trader states such as France, UK, USA, China and so on, focus on protecting global trade routes and ensuring the safety of their vessels and nationals. Piracy in the Horn of Africa threatens international trade, prompting these states to support or enhance military presence in the region through naval patrols and anti-piracy operations. These countries are strong proponents of international legal frameworks and enforcement mechanisms to combat piracy and prosecute offenders. They also provide development assistance and support governance reforms in affected regions to address the underlying causes of piracy.

Collaborative efforts among states are essential for effective anti-piracy measures. Multilateral cooperation, such as information sharing and joint naval operations, enhances maritime security and response capabilities. Partnerships between high-income and low-income states can build the latter's capacity to combat piracy through training, resources, and technological support. Policy development should take a holistic approach, addressing both immediate security concerns and long-term socio-economic root causes of piracy. Ensuring inclusivity in the development and implementation of anti-piracy policies allows all affected states, regardless of income level, to have a voice in the process.

By understanding and considering the diverse perspectives and priorities of different types of states, delegates can engage in more informed and effective negotiations.

This approach will lead to comprehensive and sustainable solutions to the issue of piracy in the Horn of Africa, benefiting all parties involved.

B. Why Delegates Can Compete?

In the context of international politics, aforementioned high volume trader states can leverage the resurgence of piracy in the Horn of Africa as a strategic opportunity to increase their influence in the region. This approach encompasses various dimensions of geopolitical and economic interests, security concerns, and international relations dynamics.

High-income states, often with significant global trade interests, view the threat of piracy as a critical issue that disrupts international shipping routes and poses risks to their economic stability. By taking a proactive stance against piracy, these states can justify increased military presence in the region. Naval patrols and anti-piracy operations not only secure their maritime interests but also serve as a demonstration of their military capabilities. This enhanced presence allows high-income states to project power and establish a stronger foothold in strategically important waterways, such as the Gulf of Aden.

Furthermore, high-income states can position themselves as indispensable partners in regional security through their technological and financial superiority. By offering advanced surveillance technology, training programs, and financial aid to low-income and regional states, high-income countries can foster dependencies that reinforce their influence. These states often tie their assistance to political and economic conditions that align with their broader strategic objectives, thereby shaping the political landscape in the region.

From a diplomatic perspective, high-income states can use their involvement in anti-piracy initiatives to build coalitions and enhance their leadership roles in international forums like the United Nations and the International Maritime Organization (IMO). They can champion the development of robust international laws and regulations against piracy, positioning themselves as global leaders in maritime security. This leadership extends their soft power, allowing them to influence policy and decision-making processes within international bodies.

The provision of development aid to address the socio-economic root causes of piracy also serves as a tool for high-income states to increase their regional influence. By funding infrastructure projects, education, and economic development programs, these states can create long-term dependencies that translate into political leverage. This aid often comes with strings attached, such as aligning recipient countries with the donor's foreign policy goals or opening up local markets to foreign investments.

In addition, high-income states can exploit regional instability caused by piracy to justify broader security interventions. By framing their actions as part of a global effort to combat terrorism and organized crime, they can garner international support and legitimacy for their presence. This narrative allows them to engage in broader security operations that extend beyond anti-piracy efforts, further consolidating their influence in the region.

The resurgence of piracy also provides high-income states with opportunities to engage in public-private partnerships with multinational corporations that have vested interests in secure shipping routes. These collaborations can lead to increased investments in maritime infrastructure and security technologies, creating economic ties that bolster the influence of high-income states over regional economies.

In summary, high-income states can strategically use the resurgence of piracy in the Horn of Africa to enhance their geopolitical influence through increased military presence, diplomatic leadership, economic aid, and strategic partnerships. By addressing both immediate security concerns and long-term socio-economic issues, these states can create a multifaceted approach that consolidates their power and influence in the region.

On the other hand, Coastal states of the Horn of Africa must navigate the complex dynamics of international politics when addressing the resurgence of piracy. These states, often marked by limited resources and socio-political instability, face unique challenges and opportunities in their efforts to combat piracy and its root causes.

For these coastal states, the immediate concern is the direct threat that piracy poses to their security and economic stability. Piracy disrupts local economies, particularly

those dependent on maritime activities such as fishing and trade. The presence of piracy also deters foreign investment and tourism, further exacerbating economic hardships. Coastal states, therefore, must prioritize strengthening their maritime security capabilities. This involves enhancing their naval and coast guard operations, investing in surveillance technology, and improving coordination with international anti-piracy efforts. However, given their limited resources, these states often rely heavily on international aid and partnerships.

Engaging with high-income states and international organizations like the International Maritime Organization (IMO) provides coastal states with essential support. However, this support can come with political and economic strings attached. Coastal states must carefully negotiate these partnerships to ensure that the aid and assistance they receive do not undermine their sovereignty or lead to over-dependence. By actively participating in international forums and asserting their needs and perspectives, coastal states can work to shape the terms of these partnerships to their advantage.

The socio-economic root causes of piracy, such as poverty, unemployment, and political instability, require comprehensive and long-term solutions. Coastal states need to invest in economic development programs that provide alternative livelihoods to those at risk of turning to piracy. This includes improving education, creating job opportunities, and developing infrastructure. International assistance in these areas is crucial, but coastal states must also develop their own sustainable strategies to reduce dependence on foreign aid.

Politically, coastal states can leverage the issue of piracy to strengthen their regional cooperation and solidarity. By forming alliances and joint initiatives with neighbouring countries, they can enhance their collective bargaining power in negotiations with high-income states and international bodies. Regional cooperation can also improve the effectiveness of anti-piracy measures through better information sharing, coordinated patrols, and joint training exercises.

Coastal states must also address internal governance issues that contribute to the

persistence of piracy. Corruption, weak law enforcement, and ineffective judicial systems undermine efforts to combat piracy. Strengthening governance structures, enhancing transparency, and ensuring the rule of law are critical steps toward creating an environment where piracy is less likely to thrive. International partners can support these efforts through capacity-building programs and technical assistance, but the impetus for change must come from within the states themselves.

Moreover, coastal states can use the issue of piracy to garner international attention and support for broader development needs. By highlighting the link between piracy and underdevelopment, they can advocate for comprehensive international strategies that address both security and socio-economic challenges. This approach can attract a wider range of international stakeholders, including non-governmental organizations and private sector partners, who can contribute to sustainable development initiatives.

In summary, coastal states of the Horn of Africa must adopt a multifaceted approach to address the resurgence of piracy. This includes strengthening maritime security, engaging in strategic international partnerships, investing in socio-economic development, enhancing regional cooperation, and improving governance. By effectively navigating the international political landscape, these states can not only combat piracy but also promote long-term stability and development in the region.

VI. QUESTIONS TO BE COVERED

- What new maritime security initiatives can the International Maritime Organization introduce in response to the resurgence of piracy?
- What further actions can the International Maritime Organization take to enhance its effectiveness in combating piracy in the Horn of Africa?
- How can we further leverage geopolitical dynamics to mitigate piracy activities in the region?
- What more can be done to assess and mitigate the economic impact of piracy on international trade and local economies?
- How can international legal frameworks be strengthened or adapted to more effectively combat piracy in the region?
- What additional measures or amendments can be incorporated into the Djibouti Code of Conduct to improve its effectiveness?
- How can regional cooperation be further enhanced to combat piracy more effectively?
- What additional technologies or advancements can be leveraged to monitor and prevent piracy more effectively?
- How can the IMO strengthen its collaboration with other international organizations and stakeholders to combat piracy more effectively?
- What improvements can be made to the BMP guidelines to enhance their effectiveness in protecting ships from pirate attacks?

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