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# PIRACY AND TERRORISM: POSSIBILITIES OF COLLABORATION

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# Introduction

Piracy, in all its forms, is in no way a new crime. It has existed since heads of state wore powdered wigs, to the suits and national garments of today. Following their raising day, the US Marines fought Berber pirates and subsequently defeated them, greatly reducing pirate operations in Gibraltar and the Mediterranean strait.[1] The same marines still engage with pirates, like age-old enemies, only now off the coasts of Somalia rather than Libya.

Similarly, terrorism has existed over the centuries, in all shapes and forms. One man's terrorists are another man's freedom fighters, as the saying goes. Bhagat Singh, an Indian revolutionary and icon, was regarded as a terrorist by the British authorities.

Yet, we have never seen a large-scale collaboration between pirates and terrorists, for many a reason. Pirate and terror operations rarely happened in the same region, and the years of activity differ. The same cannot be said for today's world as pirates and terrorists have begun to collaborate and at some points, act the same.

# Differences between Piracy and Terrorism

Pirates and terrorists are two different players when it comes to international relations

A terrorist is:

A person who uses unlawful violence and intimidation, especially against civilians, in the pursuit of political aims.[2]

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[1] Miller, Christopher . "Avast! How the US Built a Navy, Sent In the Marines, and Faced Down the Barbary Pirates | AP US History Study Guide from The Gilder Lehrman Institute of American History." Avast! How the US Built a Navy, Sent In the Marines, and Faced Down the Barbary Pirates | AP US History Study Guide from The Gilder Lehrman Institute of American History. Accessed November 7, 2022. http://ap.gilderlehrman.org/history-by-era/age-jefferson-and-madison/essays/avast-how-us-built-navy-sent-marines-and-faced-down-.

[2] Oxford Learner's Dictionaries | Find definitions, translations, and grammar explanations at Oxford Learner's Dictionaries. "Oxford Learner's Dictionaries | Find Definitions, Translations, and Grammar

Ideology plays a big role in demarcating a terrorist from a murderer, or in this case, a pirate. Terrorist usually kills for ideological purposes, and their motives lay between pushing their ideology forward or revenge attacks for any violence used against them. Pirates, on the other hand, are described as:

> A person who attacks and robs ships at sea.[3]

While contemporary pirate has also established themselves on land and in cyberspace, conventional pirate operates entirely at sea. Secondly, a pirate's goal is to plunder and earn money through piracy. Pirates do not have any underlying ideological goal and use piracy to achieve their daily sustenance goals. Piracy is a means to an end for pirates, it is nothing more than a daily wage job for them. Unlike terrorists, who may refuse to cooperate with certain powers or forces due to ideological or political differences, piracy is a profit-driven activity.

## Collaboration or Coincidence?

In recent years, terrorist groups have begun targeting seaborne targets. This phenomenon is referred to as "Samundari jihad": An Islamic-based terror plot with sea-based assailants.[1] Terrorists are trained to sail and navigate coastal waters, manufacture and conceal bombs, blend in with local fishermen, and wreak havoc in public places. An example of this form of Samundari jihad was the 26/11 attacks, where seaborne terrorists landed on the shores of Mumbai and rained havoc upon the city for three days. Terrorists have also turned their sights on merchant ships, oil tankers, warships and coastal establishments, raising the possibility of a bold attack in the littorals.[4] While these attacks bear an uncanny resemblance to pirate tactics, a key factor of difference is the result of the attack. Terrorists strike to kill, while pirates strike to rob. A ship and its crew may be physically safe and sound following a pirate attack, but the same cannot be said for after a terrorist attack.

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Explanations at Oxford Learner's Dictionaries." Accessed November 6, 2022. https://www.oxfordlearnersdictionaries.com/.

[3] Ibid.
[4] Hamilton, Karine. "The Piracy and Terrorism Nexus: Real or Imagined?" *The Piracy and Terrorism Nexus: Real or Imagined?* November 2010. https://doi.org/10.4225/[7]5/579865c940270.

The form of these attacks also differs. Terrorist tactics on seaborne targets include

1) Suicide attacks on vessels.

2) Hijacked ships used as "weapons" against port infrastructure.

3) Attacks on supertankers from the air by using explosive-laden small aircraft.

4) Attacks using underwater demolition teams or suicide bombers.[2]

On the other hand, pirates keep the destruction or damage of the captured ship as a last resort option. Pirates hold the ship, its crew and its cargo, hostage until the owner of the ship pays the necessary ransom. In some cases, the ship itself is stolen and used as a pirate ship or a hold for their stolen goods.

However, there is proof of collaboration between pirates and terrorists. Though not congruent, there is an overlap of the spheres of interest between the two groups. As highlighted earlier, terrorists have begun operating in the high and littoral seas using pirate tactics. Similarly, certain pirate groups have begun supporting certain politically active groups, by either supplying them with monetary aid or arms and ammunition.

When the M/V Pen rider, an oil tanker registered in Malaysia, was hijacked off the coast of Malaysia in May 2003 and three crew members were held prisoner, there was an early indication of a connection between terrorists and pirates.[5] After ship owners paid $100,000 to free the crew, it was revealed that the attackers were associated with the Free Aceh Movement, an insurgent group operating in Indonesia.[6] The receipt of a ransom of $1.2 million by the Somali pirates to free a Spanish fishing vessel and 26 hostages in 2008 provided more proof of a possible link between terrorists and pirates: reportedly, the Al-Shabaab terror group had received a five per cent cut.[7] A year later, when the terror group hired pirates to smuggle in members of Al Qaeda to Somalia, the terror-piracy linkage seemed virtually certain.[8]

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[5] Ibid.
[6] Ibid.
[7] Ibid.
[8] Ibid.

In recent years, terrorists and pirates have seemed to draw closer, although the exact nature of their collaboration is not clear. Somali pirates and terrorists are said to have worked together in arms trafficking, and Al-Shabaab is said to have even trained pirates for 'duties' at sea.[9] An investigation by the United Nations (UN) in 2017 found evidence of collusion between pirates and the Al-Shabaab, including the possibility that pirates helped the latter smuggle weapons and ammunition into Somalia.[4]

In Southeast Asia, too, violence at sea has touched a new high, particularly in the Sulu and Celebes Seas, where Abu Sayyaf (ASG), a radical extremist group with close links to the Islamic State (IS) has expanded its operations.[10] The ASG's brutal tactics have led many observers to view the attacks as acts of terrorism, not armed robbery.[11] The IS has also made its presence felt in West Asia and North Africa, where rebel Houthi forces have intensified their attacks on naval and civilian targets belonging to the Saudi and Emeriti coalition in the Red Sea.[5]

Another example of piracy and terrorism collaborating comes from East Asia. Abu Sayyaf (ASG), a radical extremist group with close links to the Islamic State (IS) has become highly active in the Sulu and Celebes seas. Abu Sayyaf's turn to piracy has resulted in millions earned via ransom payments. Its cadres have used the revenue earned for pirate activities to expand the radical organisation's presence in Southeast Asia.

# Extent of Collaboration

With evidence of collaboration established, the question of the extent of the collaboration rises. The Danish Institute for International Studies (DIIS)[12], in their report on Piracy, maritime terrorism and naval strategy, write:

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[9] Ibid.
[10] Ibid.
[11] Ibid.
[12] Møller, Bjørn. "Piracy, maritime terrorism and naval strategy", Danish Institute for International Studies, 2009. https://www.files.ethz.ch/isn/96541/2009-02_%20Piracy_maritime_terrorism_and_naval_strategy.pdf

It is entirely conceivable that certain groups might also turn to piracy as a source of funds for their terrorist (or insurgent) activities, even though it is unknown to what extent this is the case.[13] There certainly does not seem to be any very clear connection between the two, and a rational terrorist group would probably (ceteris paribus) prefer legal sources of income to criminal ones.[14]

However, we have seen examples of terrorist groups participating in the trade of illicit goods. This leads them to earn money and funds through the illegal trade of drugs and weaponry. In 2017, the drug economy in Afghanistan reached levels even higher—unprecedented anywhere in the world at least since World War II. Very high levels of opium production, though, had characterized Afghanistan's opium poppy economy since 2002. But neither opium poppy cultivation nor heroin production was only a post-2001 phenomenon in Afghanistan; each was robust and steadily expanding during the Taliban era.[15] Therefore, pirates give terrorists an easy market to purchase/ sell goods and services. Pirates can purchase weaponry and vessels from terror fronts that manufacture them or even sell them arms that they either stole or purchased from local manufacturers. Along with this, training can be given to or learnt from either side.

Due to both these groups being non-state actors, the depth of this collaboration is murky, but hypotheses from organisations across the world agree that the collaboration is growing.


# Dangers of Collusion

As individual actors, both pirates and terrorists have been extremely disruptive to the global socio-economic and political order. Terrorists in Iraq, Syria, Lebanon and Afghanistan have led to a collapse of everyday life. Terror has invited foreign actors into the middle east and has been the reason for their extended stay. Groups such as ISIS, Al Qaeda, Hezbollah, and many of their splinter groups have been huge hindrances in the quest for peace in the middle east. Democratically elected governments are unable to stay in power

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[13] Ibid.
[14] Ibid.
[15] Felbab-Brown, Vanda. "Pipe Dreams: The Taliban and Drugs from the 1990s into Its New Regime." Brookings, September 15, 2021. https://www.brookings.edu/articles/pipe-dreams-the-taliban-and-drugs-from-the-1990s-into-its-new-regime/.

partly due to the threat and influence of terror groups in the middle east. In other parts of the world, terror groups have created a de facto state of their own, with local villages under their control. These "captured" territories have been subject to some of the worst human rights abuses in the modern day. Groups in Africa, such as Boko Haram and Al Shabab, operate on similar tactics and are a huge part of the reason why many countries in West, Central and East Africa face political strife and economic collapse.

The estimated cost of the toll and physical damage of the 9/11 terrorist attacks. Including indirect effects such as economic impact (estimated at $123 billion) and increased spending on homeland security, the total impact is estimated to be around $3.3 trillion[16]. This is the overall cost of just one terrorist strike, albeit one of the deadlier ones. In the year 2019, across the world, suicide bombings, mass shootings and cybercrime has stolen or destroyed 26.4 billion U.S. dollars.[17]

Piracy is less of a drain on the global economy compared to terrorism, but it makes up for it in the threat to global sea traffic and increase in costs of security. Global insurer Zurich estimates the annual cost of piracy to the global economy at $12 billion a year and, according to the International Maritime Bureau's Piracy Reporting Centre (IMB PRC), global piracy and armed robbery numbers increased 20 per cent in 2020.[18]

These numbers will only increase if global terrorism and piracy are left unchecked and unhindered. The red sea will remain costly to travel through due to increased instances of piracy from the horn of Africa and Somalia, along with the violent Houthi rebel group in Saudi Arabia. The same can be said for the straits of Malacca and Sunda, where the ASG can spread operations and congest or even (if possible) outright block sea traffic.

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[16] Carter, Shan, and Amanda Cox. "One 9/11 Tally: $3.3 Trillion." One 9/11 Tally: $3.3 Trillion - Interactive Feature - NYTimes.com, September 8, 2011. https://archive.nytimes.com/www.nytimes.com/interactive/2011/09/08/us/sept-11-reckoning/cost-graphic.html.
[17] Statista. "Global Economic Costs of Terrorism 2019 | Statista." Accessed November 4, 2022. https://www.statista.com/statistics/489649/global-economic-costs-of-terrorism/.
[18] Dunsavage, Jeff. "Triple-I Blog | Piracy Is Still a Risk; Pandemic Hasn't Helped." Triple-I Blog | Piracy Is Still a Risk; Pandemic Hasn't Helped, August 10, 2021. https://www.iii.org/insuranceindustryblog/piracy-is-still-a-risk-pandemic-hasnt-helped/#:~:text=Global%20insurer%20Zurich%20estimates%20the,increased%2020%20percent%20in%202020.

# International Response

The international response to piracy and terrorism has been individual. Piracy and terrorism are treated as two separate non-state actors, which they rightfully are. However, the collaboration of several states over issues of both terrorism and piracy has tremendously helped in reducing the joint impact of both. Maritime terrorism, or sea-based terrorism, has been on the decline since the involvement of multiple navies from states both inside and outside of the Indian Ocean Region (IOR).

## India

India on its part is actively engaged in anti-piracy operations in the Gulf of Aden and the Eastern Arabian Sea. The Indian Navy (IN) commenced anti-piracy patrols in the Gulf of Aden in October 2008 and since then a ship has been deployed continuously.[19] The IN ships escort merchant ships through the 490 nautical miles long Internationally Recommended Transit Corridor (IRTC) and thus far 50 IN warships have been deployed. As on 15 Mar 15, a total of 40 attempts have been successfully thwarted by the IN ships on patrol. IN has safely escorted 3075 merchant ships manned by nearly 22,448 Indian sailors as on 15 Mar 15.[20] In response to the increased activity of the INS Tabar, India sought to augment its naval force in the Gulf of Aden by deploying the larger INS Mysore to patrol the area. Somalia also added India to its list of states, including the U.S. and France, which are permitted to enter its territorial waters, extending up to 12 nautical miles from the coastline, to check piracy.[21]

## North Atlantic Treaty Organisation (NATO)

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[19] FAQ | Department Of Defence. "FAQ | Department of Defence," November 3, 2022. https://www.mod.gov.in/dod/faq?page=1#:~:text=India%20on%20its%20part%20is,ship%20has%20been%20deployed%20continuously.
[20] https://www.indiannavy.nic.in/content/anti-piracy-operations
[21] https://web.archive.org/web/20081216075642/http://ibnlive.in.com/news/india-gets-the-right-of-hot-pursuit-in-somali-waters/78607-3.html?from=rssfeed

NATO Operation Ocean Shield was NATO's contribution to international efforts to combat piracy off the Horn of Africa, which ran between Aug. 17, 2009, and Dec. 15, 2016.[22] NATO's role was to provide naval escorts and deterrence posture in the region while increasing cooperation with other counter-piracy operations, which was carried out in full compliance with the relevant UN Security Council resolutions.[23] Command and Control of the operation were exercised by the NATO military chain of command, with the Supreme Allied Commander Europe (SACEUR) delegating operational command to NATO Maritime Command in Northwood, United Kingdom. NATO Allies provided ships and maritime patrol aircraft to NATO Standing Maritime Groups, which in turn assigned several ships, on a rotational basis, to Ocean Shield.[24]

## European Union (EU)

The EU has also been extremely active in protecting its shipping from Somali Pirates and their allies. The EU has set up a Naval Force: EU Naval Force (EU NAVFOR) Somalia under whose wing Operation 'Atalanta' plays a vital role in the EU's Common Security and Defence Policy. It supports the Federal Government of Somalia in the combined effort for peace and stability in Somalia and the Horn of Africa and the development and improvement of Maritime security in the region.[25]

Since its launch in 2008 as the first EU naval operation, EU NAVFOR Somalia:

1) Holds a 100% success rate in protecting WFP vessels delivering humanitarian aid to internally displaced refugees in Somalia.[26]
2) Ensures the protection of vulnerable vessels within the Area of Operations.[27]
3) Deters prevents and represses acts of piracy and armed robbery at sea off the coast of Somalia.[28]

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[22] mc.nato.int. "Operation OCEAN SHIELD." Accessed November 4, 2022. https://mc.nato.int/missions/operation-ocean-shield.aspx.
[23] Ibid.
[24] Ibid.
[25] Home | EUNAVFOR. "Home | EUNAVFOR." Accessed November 4, 2022. https://eunavfor.eu/.
[26] Ibid.
[27] Ibid.
[28] Ibid.

4)  Cooperates and responds to illicit maritime flows, including illicit trade financing terrorism.[29]

5)  Supports the EU Integrated Approach for Somalia and the Horn of Africa together with its two EU sister missions, EUCAP (European Conference on Antennas and Propagation) Somalia and EU TM (European Union Training Mission in Somalia) Somalia, the EU Delegation to Somalia and the EU Special Representative to the Horn of Africa.[30]

6)  Acts as a fundamental tool in the EU's Naval Diplomacy for the Indo-Pacific.[31]

7)  Cooperates and supports all international organisations, naval forces and independent deployers present in the Area of Operations, such as CMF and EMASOH.[32]

8)  Provides a unique legal framework to transfer pirates to regional states for their prosecution.[33]

# Japan

To defend Japan-affiliated ships from piracy in the waters off the coast of Somalia and the Gulf of Aden, two Japan Maritime Self-Defence Force (JMSDF) destroyers started providing direct escort to Japan-affiliated ships in March 2009.[34] In June of that same year, JMSDF P-3C patrol aircraft also started conducting warning and surveillance missions. The Anti-Piracy Measures Act, passed in July of that year, allowed for the protection of all nations' vessels against piracy to deal with piracy responsibly and efficiently.[35]

Using JMSDF destroyers, the Deployment of Surface Force for Counter-Piracy Enforcement (DSPE) carries out counterpiracy operations (one destroyer dispatched).[36] Direct escort of private boats through the

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[29] Ibid.
[30] Ibid.
[31] Ibid.
[32] Ibid.
[33] Ibid.
[34] Laird, Robbin. "Counter-Piracy Operations by Japanese Self-Defense Force - Second Line of Defense." Second Line of Defense, March 18, 2020. https://sldinfo.com/2020/03/counter-piracy-operations-by-japanese-self-defense-force/
[35] Ibid.
[36] Ibid.

Gulf of Aden and zone defence in designated locations in the Gulf of Aden are two ways the DSPE works to secure the safety of ships travelling in the area.[37] Onboard the JMSDF destroyer are members of the Japan Coast Guard (JCG).[38]

Using JMSDF P-3C patrol aircraft, the DSPE engages in counter-piracy operations (two aircraft dispatched). In the flying zone, which is chosen in consultation with CTF (Commander, Task Force) 151 headquarters, the unit performs warning and surveillance missions and verifies any suspicious vessels.[39] At the same time, the unit gives information to JMSDF destroyers, foreign naval ships, and civilian vessels, reacting as needed by, for example, promptly confirming the area's safety.[40] The data amassed by JMSDF P-3Cs is regularly shared with other relevant organisations and plays a key role in preventing acts of piracy and disarming ships that are thought to be pirate ships.[41]

To improve the operational efficiency and effectiveness of the DAPE, activities such as maintenance of the facility are carried out by the DGPE. In addition to this, coordination with the Government of Djibouti, the U.S. government, and governments of other countries which are operating in Djibouti, is an important task.[42] To strengthen coordination with the units of other countries engaged in counter-piracy operations and enhance the effectiveness of the JSDF's (Japanese Self Defence Forces) counter-piracy operations, the MOD (Ministry of Defence) has dispatched JSDF personnel to the CTF 151 Headquarters since August of 2014.[43] From May to August 2015, JSDF personnel assumed command of CTF 151 for the first time. The fourth commander is currently in office.[44]

# DISASTER RELIEF OPERATIONS

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[37] Ibid.
[38] Ibid.
[39] Ibid.
[40] Ibid.
[41] Ibid.
[42] Ibid.
[43] Ibid.
[44] Ibid.

In response to the damage caused by the heavy rain in Djibouti, a part of JSDF originally deployed for anti-piracy operations conducted water pumping in elementary schools and junior high schools as one of the international disaster relief operations from November 26 to December 2, 2019.[45]

The counter-piracy operations by JSDF have been highly praised by the international community. For example, national leaders and others have expressed their gratitude, and JSDF has also been repeatedly well-received by the United Nations Security Council Resolution.[46]

Although the number of acts of piracy occurring in the area has currently hovered at a low level, because the assumed root causes of piracy such as terrorism and poverty of Somalia remain unresolved and because the government of Somalia's incapability to crack down on piracy, there is no great change in the situation which calls for counter-piracy operations.[47]

The MOD/JSDF will continue its utmost efforts to conduct counter-piracy operations.[48]

# Conclusion

Terrorism and piracy have seen an increase in collaboration over the years, and as the situation continues to worsen, the interdependency will only continue. This is troubling news for the international community as, even though a lot of work has been done to combat both these groups, they are nowhere close to the eradication of either. The spread and sponsorship of terrorism and the availability of piracy as an option to fight poverty are not easy to stop. Piracy and terrorism have deep-rooted issues that the international community must attempt to fix, as the benefits are in their favour. While increased military action against both groups has led to a global decline, it has also cornered these groups, which could make them more dangerous. The simple fact of "there is nothing to lose" gives them incentive enough to commit drastic and dangerous acts of violence, and a joint attack by pirates and terrorists would be devastating to the global economy. The joint operations conducted by nearly all the countries of the world, including all the

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[45] Ibid.
[46] Ibid.
[47] Ibid.
[48] Ibid.

Permanent 5 countries of the United Nations (UN), need to expand out of the military domain and into the socio-economic domain of the conflict and its causes.

Piracy and terrorism, therefore, are in collaboration. And as a global community, the UN must understand and act against this threat.

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