



## Piracy Reports in 2004

July - September

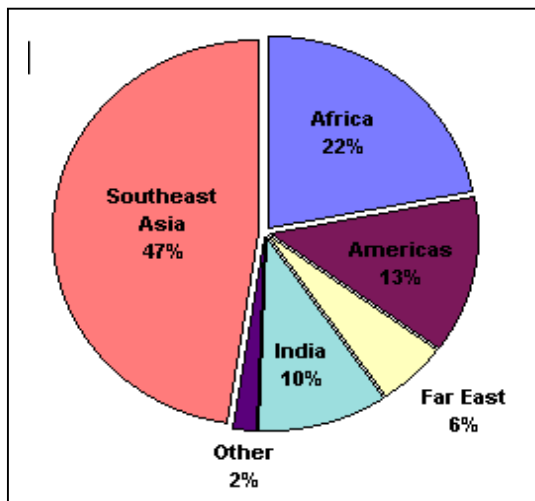
By [Mark Bruyneel](#)

### Number of Attacks so far in 2004

So far most of the attacks that have been reported to the International Maritime Bureau (IMB). The first quarterly report of the IMB<sup>54</sup> contained information on 79 incidents. This number is slightly higher than that which I predicted based on the IMB weekly reports for this period: 75.

In the second quarterly report of the IMB<sup>55</sup> a further 103 incidents were reported bringing the total to 182. After the first half of this year further incidents have been reported in the Weekly Piracy Reports published at the Web site of the International Chamber of Commerce. The total reported incidents in the Weekly reports<sup>56,66,67,68,70,57,58,59,60,61,62,63,64,65</sup> after the first half year: 50.

If I make an estimate for the whole period the total number for the first 26 weeks becomes slightly different:  $(\{4 * 0,125 + 46\} / 82,70 * 100 = 56,227 + 182)$  **238**. The estimate turned out to be on the low side: when the 3<sup>rd</sup> Quarterly report<sup>69</sup> of the IMB appeared At the end of October the total reported was: **251**. The graphic below shows the number of piracy attacks by region up until now as reported by the IMB or IMO:



The first 5 reports of this year by the International Maritime Organisation (IMO) for January<sup>44</sup>, February<sup>45</sup>, March<sup>46</sup>, April<sup>47</sup> and May<sup>48</sup> 2004 contain details on 151 incidents reported for these months.

If you compare the incidents from the nine months of 2003 with those for the nine months of 2004 it appears that the asian area shows a marked trend:

Attacks by Countries	2003	2004
Indonesia	87	70
Malacca Straits	24	25
Malaysia	5	8
Myanmar (Birma)		1
Philippines	12	3
Singapore Straits		8
Thailand	1	4
South China Sea		8
Viet Nam	10	3
China	1	2
Hong Kong, China		1
Total	140	133

The current number of attacks has diminished a bit but the pirates seem to have shifted to attacking vessels in other locations: from Indonesia and the Philippines to the Singapore Straits and South China Sea. The vessels attacked in Asia less often fly Asian flags:

Attacks in Asia by flags	2003	2004
Indonesia	7	12
Malaysia	16	10
Philippines	4	1
Singapore	15	16
Thailand	3	3
Viet Nam	1	3
Hong Kong, China	7	2
China	1	1
Japan		1
Myanmar		1
North Korea		1
South Korea	1	1
Taiwan	2	
Total	57	52

This slight shift towards attacking less Asian vessels can be analysed further. I have tried to find out which Asian companies

own, operate, manage or charter the vessels that were attacked in the Asian region. To do this I have used shipping registers, the Equasis database as well as sources on the internet like company websites, etc. While this is a difficult thing to do since shipping information changes often and is rapidly outdated I feel that despite this I can present a good estimation in the following table <sup>1</sup>:

<b>Attacks on vessels owned by Asian Companies located in:</b>	<b>2003</b>	<b>2004</b>
Indonesia	5	9
Malaysia	7	7
Philippines	1	1
Singapore	21	21
Thailand	3	2
China	2	1
Hong Kong, CHina	7	5
Japan	13	12
South Korea	2	1
North Korea		1
Taiwan	3	1
Total	64	61

When the shipowner and the manager or operator are located in different countries I have chosen to list the incident under the country of the manager or operator. I have asked the IMB how they determine when to list a vessel under what company's country for table 13 on page 14 of the 3<sup>rd</sup> quarterly report but have not received an answer. In most cases in my own table the vessel is listed under the manager's or operator's country of it's head office.

The next table shows attacks on ships in Asia owned by companies located in non-Asian countries.

<b>Attacks on vessels owned by not-Asian Companies located in:</b>	<b>2003</b>	<b>2004</b>
Algeria	1	
Australia	2	
Bahamas	1	
Belgium	1	
Brasil	2	1
Brunei		1
Canada	2	
Chile		1
Cyprus	2	2
Denmark	1	2
France	4	
Germany	6	3
Greece	15	9
India	5	4
Iran	2	2
Isle of Man	1	
Italy	1	2
Liberia		
Maldives	1	
Monaco	2	3
Netherlands	3	4
New Zealand		2
Norway	2	
Pakistan		1
Panama	2	1
Poland	1	
Saudi Arabia		1
Switzerland		
Turkey		3
UAE		2
United Kingdom	2	3
USA	3	2

The table above shows no definite pattern of companies whose vessels were targeted.

I hesitate to draw conclusions based on these last two tables but it would appear that the Asian pirates may be focusing more on local vessels. From the last two tables it would appear that there is an increase in attacks in Asia on vessels owned or controlled by companies in Indonesia. Attacks on vessels managed, or operated by Singapore Malaysia or Japan have stayed roughly the same. Intra-Asia trade therefore appears to have been affected at roughly the same level as last year. The vessels are often smaller though: more tugs, supply ships and fishing trawlers are attacked.

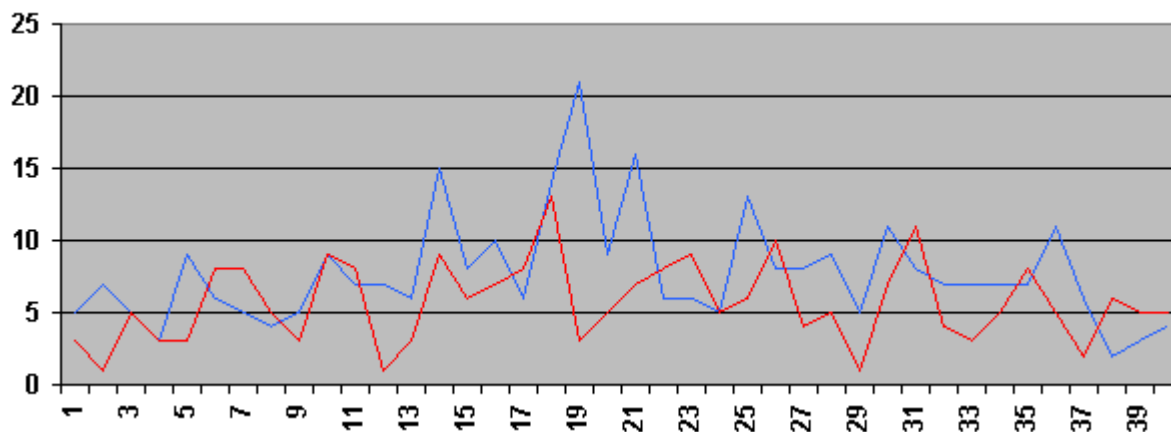
A recent newspaper article in The Star by Nathaniel Xavier<sup>75</sup> reports on the fifth tri-annual international IMB meeting on

<sup>1</sup> In the previous report, for the period April – June, Viet Nam and Cambodia were still included but I have now revised /changed the way I have determined which company is listed in the table based on what type they are in the following order: operator (1), manager (2), shipowner (3) or the charterer (4). The company that operates the vessel is listed unless unknown and after which the other companies follow in order of numbers indicated.

piracy and maritime security. At the meeting the possibility of a link between pirates and terrorists was discussed. Maritime experts concluded that there was no link between the two as yet. The possibility of something like this remains according to Brian Jenkins despite no current evidence. Personally I still think this is unlikely because terrorists' aims are very different from those of pirates. For example: an attack on a tanker and subsequently blowing up this ship with cargo in a harbour would have large negative repercussions for maritime trade in the region including a decrease in targets for pirates. A very sharp increase in maritime security because of such an attack would make it more difficult for pirates to operate. In the same article Malaysian Marine Police chief SAC II Abdul Rahman Ahmad says that piracy is also not linked to organised crime but I think this is unlikely. This is contrary to my belief that some pirates do indeed operate in gangs

and have links to other organized criminal gangs. Recently there were even reports of a large-scale protection racket: many Malaysian fishermen apparently paid for a 'safe pass'<sup>1,2</sup>. A recent article by Mak Joon Num<sup>43</sup> mentions that the operation apparently has links to Indonesian criminals / pirates.

According to John Bradford maritime violence is already a big problem in Asia<sup>73</sup> and often politically motivated. He considers maritime terrorism to be a reality and not a question of when and where. According to him organisations like the Moro Islamic Liberation Front (MILF), the Abu Sayyaf and the Free Aceh Movement (GAM) have all been involved in maritime attacks. Unfortunately he does not offer proof that terrorist organizations are involved in many piracy incidents. That is why I am still not convinced that the abovementioned groups are regularly involved in piracy.



Graphic: Weekly reports compared



**Some of the more notable piracy incidents in the third quarter of 2004 are:**

1) A particularly violent attack occurred on Sunday 11 July when a tug was sailing in the Bangka Strait Southeast off Sumatra. An unknown number of pirates attacked the vessel and threw overboard the

10 crew members. One crew member was later rescued by a passing tug while the fate of the other nine Indonesian crew remains unknown. The tug is hijacked and still missing<sup>72,9</sup>.

2) Another remarkable incident involved people from the village of Kerema, Papua New Guinea. Pirates struck last week when the general cargo Agutoi Chief (?), ran aground on sandbars near the Gulf of Papua province capital of Kerema. Villagers from Kerema, armed with guns and knives,

supposedly boarded the vessel and threatened the crew before stealing goods. The stolen goods included food and supplies. The theft was reported to the authorities and a special police unit flew to the Gulf province. Kerema and surrounding villages were raided by the police after which 35 people were charged under the country's Piracy Act. The pirates / villagers were caught red handed as they tried to sell the stolen goods<sup>13</sup>. So far the incident has not turned up in any reports by either the IMO or the IMB.

3) Another piracy incident in Papua New Guinea involved five men armed with three home-made guns and a bush knife. The ro/ro Huris (353 gt, built 1977) was held up at the Ah Tam wharf in Rabaul on 26 July. The pirates escaped with a substantial amount of money in cash and cheques. The Huris is owned by Agmark Pacific Limited and was returning from a voyage to Buka and had just docked when the armed men entered the vessel between 03:30 and 04:00 local time. The pirates appeared to be expecting the vessel and knew what they were looking for. The Master and crew were tied up after which they searched the ship. After locating a hidden steel compartment they forced the Master to unlock it. The pirates took the money and checks and escaped immediately. There was a substantial amount hidden which was earned trading cocoa at the previous port of Buka. So far the pirates remain free and have not been caught<sup>15</sup>. So far the incident has not turned up in any reports by either the IMO or the IMB.

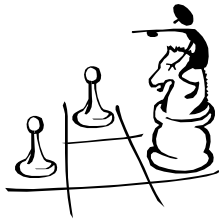
3) The Patraikos II is currently the subject of investigation after pirates dressed in military fatigues attacked it. The vessel arrived sometime in July this year but was denied permission to anchor at the Freetown harbour. The Pilot House reportedly advised the crew to move back 12 nautical miles off the coast where the vessel would be safe until given the authority to anchor. Since July 29, 2004, the vessel was at anchorage as advised. On Aug 2 a group of unidentified people dressed in military fatigues launched their attack. The pirates are said to have made away with \$245,000 in cash and about

\$200,000 worth of goods. Three of the crewmembers were reportedly wounded while taking cover in one of the cabins. The alarm was raised but no help came forward. The Pilot House at Freetown harbour called the navy to intervene, but they reportedly were unable to do so due to a lack of fuel. The incident is currently the subject of police investigation<sup>16,38</sup>.

4) Andrea Botha reported<sup>35</sup> on the attack on and kidnapping of 25 Bangladeshi fishermen who were fishing in the Sunderbans. The pirates have demanded 25,000 Taka for the release of each fisherman. The total amount is approximately 10,000 dollars. One of the fishermen was released to deliver the ransom message. Their fate remains unknown as I have not yet come across any new reports on the incident. According to the Hindustan Times<sup>20</sup> it is uncertain how many fishermen are held for ransom. The Bangladeshi police is currently investigating the abductions.

5) In another incident reported by the United News of Bangladesh<sup>30</sup> pirates attacked a bridal party underway by boat to a wedding on 23 September. The boat left Nayergaon in Matlab and was going to Berkota village in Kachua upazila when she was attacked. Several people were beaten indiscriminately and were looted from their possessions at gunpoint. Several members of the party were later admitted to a hospital for treatment of their injuries.

6) In another incident off Hiron Point adjacent to the Sundarban on September 27 pirates attacked the fishing trawler FV Aminul Islam<sup>32</sup>. The trawler was on its way home with its catch when they were fired upon by the pirates. 4 fishermen were injured. 11 of them jumped overboard and were rescued 12 hours later by another fishing trawler. The pirates looted 12,000 to 14,000 pieces of hilsha and nets and after which they left taking the trawler and two fishermen. The fate of the two fishermen remains unknown.



#### ♣ Measures taken/proposed:

1) An article in The Times of India reports on a request by the three littoral states to become involved in providing security for the Malacca Strait. The External Affairs Minister Natwar Singh reacted positively to the request<sup>3</sup>. It appears India may also become involved in part of the security arrangements.

Details on such plans have yet to be discussed, however. Indonesia, however, says it has only agreed to the current co-ordinated patrols because it fears that the piracy problem may otherwise be used as a pretext to foreign intervention. Indonesian Admiral Sondakh even downplayed the level of piracy and crime in the Strait<sup>12,10</sup>. Economic motives are considered the main reason for some nations wanting to increase security in the Straits. A recent article in The New Straits Times<sup>40</sup> has argued that from a legal point of view there is no reason to fear immediate outside intervention. Under the United Nations Convention on the Law of the Sea third parties can not conduct patrols in the Malacca without being invited by Malaysia or Indonesia.

Whatever the reasons may be for establishing the co-ordinated patrols all three nations started the patrols on 20 July<sup>11,8</sup>. It is to be hoped that in due time the co-ordinated patrols may be turned into joint patrols where boats of all three nations may pursue criminals across territorial waters.

Malaysia and Singapore have announced in The Star<sup>14</sup> that they intend to seek more ways to co-operate further.

One of the things recently discussed at a meeting between Singapore and Malaysia is the placement of guards on commercial vessels transiting the Malacca Strait<sup>25,26</sup>. The presence of additional security personnel on board ships may deter attacks by pirates. Depending on the number of guards, their armament and

training this may be true. It may, however, also cause an increase in violence used when attacking ships. The director of the IMB has argued that this form of security should only be attempted if there are no alternatives<sup>34</sup>. The security measure may be doomed, however, if shipowners have to pay for the added protection. A brief calculation of the costs for minimal 24-hour security would quickly be higher than the freight earnings of many shipowners.

According to Indonesia, Thailand will soon join the three nations currently conducting patrols in the Strait. Discussions are currently held between Indonesia and Thailand over patrols in the overlapping waters in the Andaman sea at the western entrance to the Malacca Strait<sup>19,18</sup>. Other Asian nations are also invited to help by Indonesia. So far, Brunei, India and the Philippines have also expressed an interest<sup>17</sup>. Further meetings between the nations will determine the level of involvement in current Malacca Strait security arrangements. Indonesia is also interested in increasing existing military co-operation with Russia<sup>23</sup>. The Indonesian Navy has started developing military-technology co-operation over the past two years which includes the purchase of helicopters, armoured personnel carriers and other equipment.

2) Mak Joon Num has written a newspaper article<sup>43</sup> in which he argues for a more land-based approach to eliminating the piracy problem. He cites examples from the past why this approach will be more successful. The measure of patrolling the Straits is too defensive a measure and will, in the long run, not be effective enough. A more socio-economic approach to eliminating the reasons for piracy should be combined with destroying piracy bases will prove more effective. This echoes my own thoughts exactly but will be hard to do since it will not be easy to improve economic conditions and also the rule of law in this region. More intelligence is needed on the activities to find and catch pirates as well as find their bases of operation.

3) A newspaper article in the China Daily reports on the China-

ASEAN Prosecutors-General conference which was held in the first half of July this year in Kunming, China. It remains to be seen how soon the discussions will result in more effective co-operation in the areas of information collection, access, exchange, and transmission. China wishes for more closer co-operation and a regional legal framework to be able to fight cross-border crimes more effectively<sup>5</sup>.

4) The Straits times reports that the new Malaysian Maritime Enforcement Agency (APMM) will probably start operating in March 2005. The initial focus of the Agency will be primarily the area within 50 nautical miles off its coast. The rest up until the 200 mile exclusive Economic Zone will be guarded by the Malaysian Navy. Eventually the APMM will take over from the navy<sup>6</sup>.

Other recent efforts by Malaysia to increase security are<sup>71</sup>:

- New and amended traffic separation schemes
- Amended for vessels navigating the Malacca and Singapore Straits
- A mandatory ship reporting system in both Straits
- A new and upgraded aids to navigation.

Another initiative taken by Malaysia is the formation of a new commando unit and an intelligence unit. The new units would be stationed in 5 locations depending on intelligence reports: Sandakan, Penang, Johor Baharu and two other locations. Equipped with modern equipment both units would be deployed to combat crime in the area and to quickly respond to reported incidents<sup>22</sup>.

5) The US military commander General Charles Wald has proposed helping securing the Gulf of Guinea in recent talks with West African and Nigerian officials. Nigeria is Africa's biggest oil producer which faces big problems with oil smugglers and pirates. Oil production in the West African region has increased since the United States and nations from Europe and Asia are increasingly looking for alternatives to oil from the Middle East suppliers. Two thirds of Nigeria's current output of oil goes to America. At the moment the US is holding talks

with Nigerian officials on how to become involved in monitoring and securing the Gulf<sup>7</sup>. The initiative is probably part of a US proposal for an African Coastal Security Program<sup>36</sup>. According to Governor James Ibori of the Delta State the fact that it is difficult to combat pirates and criminals is in part due to a lack of funding the Nigerian Navy, Army and Air Force. He says that too little funding goes to these federal agencies who are now ill-equipped to deal with the criminals in the creeks and waterways of the Delta. More funds could be used for more equipment, and manpower as well as increased logistics<sup>50</sup>. Combatting pirates and criminals is a huge task which requires also good intelligence and response from maritime security agencies at a local level. Good intelligence may not be easy to come by as is exemplified by calls for an inquiry into the recent killing of 29 alleged sea pirates<sup>51</sup>. There have also been accusations against security agencies, who are part of the Joint Task Force, that they are operating high-handedly and have killed innocents as well as pirates and also have displaced many families<sup>49,52</sup>. On 12 August it was announced in the Vanguard<sup>53</sup> that more military forces will be deployed soon in the Niger Delta. Three additional armed services would be deployed, including naval warships and gunships.

To increase security the Federal Government has recently acquired 13 new Almarine patrol boats. The boats were officially handed over to the Marine Division of the Nigerian Police Force and are to be used mainly in the riverine parts of the country. Four existing patrol boats were also repaired and are now ready to be used again. The government is looking into acquiring more boats as well as spare parts to maintain current boats<sup>33</sup>. To this end more staff will also be trained to operate and service the patrol boats. Right now the Navy has been ordered to intervene in the region to catch pirates and smugglers and increase security but eventually the Marine division of the Police will take over again<sup>42</sup>. Let's hope that in addition to increasing security in the region the underlying causes for these criminal activities are also addressed.

Nigeria is currently planning to set up a joint security outfit for its sea ports<sup>37</sup>. The outfit would include the Police, Navy, Nigerian Ports Authority, the Nigerian Maritime Academy and the Nigerian Shipper's Council. The new outfit is an attempt to stop the rivalries between the government agencies and, if successful, may provide increased security for the sea ports.

In the meantime it is reported by News24.com<sup>39</sup> that the Shell Oil company has started evacuating personnel from the Niger Delta. According to Shell the growing insecurity of the Niger Delta, due to recent clashes between government forces and armed bandits, has led to the decision to evacuate non-essential personnel.

6) Singapore has recently announced it has started negotiations with the USA to establish a defense accord. Defense Minister Tony Tan has also stated his support for the military presence of the USA wherever it operates in the world<sup>41</sup>. Begi Hersutanto in the Jakarta Port has criticized this decision by Singapore as not increasing security and stability in the region but probably having precisely the opposite effect. The defense accord may increase friction between Asian nations. The security co-operation which was established through the Asean may be in danger as well. Also, US involvement may decrease security as it, and its allies, are increasingly targeted by terrorists. Much depends on the details of the defense accord which is now being worked out between Singapore and the USA.

7) After earlier discussions with India by Singapore, Indonesia and Malaysia it seems likely that India will soon join the co-ordinated patrols by these countries<sup>27</sup>. Until recently Malaysia did not agree with the idea of involving India in the security efforts. Malaysia's attitude appears to have changed and is now discussing the details for its help in protecting shipping in the Malacca Strait.

8) Another attempt to increase security in the Asian regions is the military exercises being held by the countries of the Five Powers Defence Arrangements (FPDA)

pact<sup>29</sup>. The exercises this year focus on anti-piracy and anti-terrorist operations. The exercises involve the detection and capture of hijacked ships. During a period of 16 days these exercises will be conducted in the South China Sea. The FPDA consists of Australia, Great Britain, Malaysia, New Zealand and Singapore. The annual exercises were originally conducted to maintain their ability to work together in case of war and to protect Malaysia and Singapore. The FPDA now appears to be intent on creating a new role for itself in the Asian region<sup>28</sup>.



#### Success against pirates:

1) A recent attack by pirates was foiled by the Philippines Navy in the Sulu sea. The pirates were wearing uniforms and pretended to be from customs and coast guard when they approached the tug boat Pacific Wyvern<sup>55</sup>. One pirate had a military weapon and tried to hide below deck. When the pirates spotted three armed Philippine Navy personnel on board the tug they abandoned the attack and fled<sup>4</sup>.

2) Seven people have been detained under suspicion of being the pirates who attacked the ACX Hibiscus (18502 gt, built 1997) on 20 August. The vessel left Singapore that day and was en route to Manila when she was attacked Southeast of Midai, Natuna. Seven pirates armed with firearms raided the vessel while two more accomplices were waiting in the boat. Equipment and personal belongings were stolen, including money, binoculars and the outboard motor. Afterwards the ship's communication equipment was disabled and the pirates escaped in their wooden boat. The crew was left unharmed. After repairing the communication equipment the captain managed to contact the Indonesian Navy. The news was then disseminated to all patrol units in order to carry out pursuit based on the data and characteristics of the perpetrators. On 21

August it is reported that 4 alleged pirates were caught by the Midai Sea Security Group (UGK) Patrol Unit, from the Western Fleet Command. At around 15:00 local time, the UGK Patrol stopped the motorized vessel "Libra". After examining all of its contents and passengers four people strongly suspected of being pirates, with the initials DAH, IN, AS and US, were detained. Several pieces of evidence, namely binoculars, a global positioning system (GPS), one No 1311 map, a black bag, a 40 horsepower out-board motor, two drums of petrol and four sets of head gear (were also confiscated). Three others were arrested later, said Capt. Kadir, a navy spokesman<sup>21,24</sup>.

3) the Indonesian navy stopped an attack on a Korean-registered vessel on 27 July. The ship, the MV Han Jian Tampa, with 18 crewmen aboard, was paralysed by engine trouble when she was attacked by pirates. Using several small vessels the pirates circled the ship and fired at it. The captain alerted the Indonesian Navy which sent a patrol vessel to the scene. It stayed there until the merchant ship could move again<sup>74</sup>.

4) On 30 September<sup>31</sup> it was reported that the people on trial for the attack on the USS Cole were found guilty by a Yemeni judge. 2 of the men were sentenced to death for orchestrating the attack. The others received sentences of 5 - 10 year.

**Date: 21 November 2004**

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