

## The Curse of Modern Piracy

Good afternoon. It is a great pleasure to be with you today, although I wish I was able to tell you about something more pleasant and positive about modern shipping, than the subject which Erik has prescribed. But piracy casts a long shadow over the shipping industry and it is important that as many people as possible know about it know about this exceedingly nasty 21<sup>st</sup> century phenomenon.

It is really quite difficult to persuade people who are remote from the shipping industry (although in truth we all depend upon it), of the realities of modern piracy. Pirates – we think – that’s Johnny Depp and his extravagant films. Our children or grandchildren go to “pirate” themed parties. If we think about piracy at all, it is being offered pirate DVD’s off a barrow in Peckham Market, or our streetwise children ignoring copyright laws and downloading pirated music for their iPods. Piracy – we don’t really have them ranging the seven seas, or do we?

Last September I was present at an interesting encounter at the London Docklands Museum, which is an excellent place you really ought to visit, if you haven’t done so already. When you go in, you will see a gift shop, strategically placed between the elevators and the exit and a well lit display of books about piracy in its most romantic derivation. You will find pirate hats, and wooden swords and the latest Johnny Depp DVDs. The reason for this is that the museum is quite naturally cashing in (and I couldn’t blame them) because it is located but a short distance away from Execution Dock, where some of these miscreants, several hundred years ago, had met a grisly end.

On my visit last September I waded through the children trying to persuade their parents to buy pirate paraphernalia and took the lift to the third floor to meet a real expert on modern piracy. His name was Chirag Bahri, and he was the Indian second engineer on a chemical tanker that had been in the hands of Somali pirates for some eight months before its owners had managed to ransom it and its crew.

For the whole of his captivity, Mr Bahri and this crew were treated with routine brutality by their captors, regularly beaten, subject to mock executions, with weapons being discharged close to them, along with a range of unspeakable tortures. The master and chief engineer were stripped and frozen close to death in the ship’s cold store. The Indian nationals in the crew were selected for specially brutal treatment on account of the Indian Navy’s successes at capturing pirate craft. Some of the crew, he disclosed, suffered what I believe is called “Stockholm syndrome” , becoming sympathetic to their captors, such was their ordeal.

As an engineer, Mr Bahri was required to keep the ship’s services running and when there was some mechanical glitch, or when he attempted to tell the pirates he couldn’t run the generator on the chemical cargo, he was savagely beaten. He had been quite badly injured, and he hadn’t managed to return to sea when we met him last September.

At present there are around 290 seafarers held by Somali pirates in similarly frightful conditions on captured ships anchored off the coast of Somalia. At its peak, about three years ago, there were not far short of 800, in some 30 ships. One ship has been in pirate hands for more than two years and at least one crew member of its 24 man crew has committed suicide. All have been held in a forward compartment of around 5m square in appalling conditions, and they are ill and starving. The owners of the ship have gone into liquidation and there is no-one to pay the ransom.

That, if you like is a very brief picture of the plague of piracy that is afflicting all shipping making a transit across the Western Indian Ocean and Gulf of Aden, coming to and from Asia, the Persian Gulf, the Indian sub-continent and Australia, all these thousands of ships funnelling up and down the Gulf of Aden in and

out of the Red Sea and Suez. These are some of the busiest sea routes in the world. And it is along the south side of the Gulf of Aden and around the easternmost extremity of Africa around its horn, that are to be found the Puntland tribes, from where the present scourge of piracy originates.

We tend to think that piracy is something that is a relic of the past, but the truth is that as a crime it has never completely gone away. It survived on the China coast until the communists killed it off, and even today you take your life in your hands in a small craft in the Sulu Sea in the Philippines. The Malacca Straits was a hive of pirate activity, which saw even big ships attacked in transit, mainly from lawless elements in Sumatra, until quite recently, when Singapore, Indonesia and Malaysia buried their differences and started to effectively police the waters.

And more recently still, the West African coast and Gulf of Guinea has become a dangerous place, with heavily armed gangs attacking shipping and offshore activities. Very nasty people they are too.

But the Somali pirates are the ones most shipping people focus upon at present. You can argue that the Puntland tribes of Somalia have always been a lawless bunch. When I was at sea, running up from Australia and hoping to make a landfall on Cape Guardafui, if we couldn't detect the light, we used to say that it was because the locals had eaten the lighthouse keepers. Usually it was because sandstorms were obscuring the lighthouse, but our jokes were not entirely without foundation, because on numerous occasions the tribesmen would capture the keepers, hold them until the Middle East Lighthouse Service had paid them off and sometimes smash up the light for good measure.

But the piracy began about ten years ago, when the Puntland fishermen became aware that because of the political meltdown in Somalia and the ongoing wars in that failed state, big foreign fishing boats were swooping down on the coastal waters and sweeping up all the fish. The fishermen, who were well-armed as a matter of course, and doubled as drug and people smugglers in and out of the Arabian peninsular, put to sea and started to capture the big foreign fishing boats, holding them to ransom until large sums had been paid by their mainly Asian owners.

From then they "graduated" to the capture of merchant ships, working out very quickly that merchant ship crews were small in number and could be easily subdued if they could get aboard. This was done by equipping their fast outboard powered grp skiffs with a light aluminium ladder with a hooked end which could be thrown over the rail, while the gang kept the ship's crew's heads down with some ill aimed fire from the Kalashnikovs they carried, or even a round from a Rocket Propelled Grenade. They found that "low and slow" ships, with low freeboard and a modest wash, were easier targets and would generally ignore ships like the fast container liners, or gas carriers running in excess of 20 knots, which would be obviously harder to board.

They were highly successful, ironically, at intercepting and capturing smallish bulk carriers carrying aid cargoes to Somalia, but gradually emboldened by their success, started to attack ships on passage through the Gulf of Aden. They also started to dramatically increase their range, using captured ships (mainly fishing vessels and dhows) as "motherships, towing their skiffs and which were able to range right out towards the Indian coast, the Seychelles and Chagos archipelago, throughout a vast sea area. And while as fishermen, they were pretty ill equipped, they were soon able to use satnav and pick up the Automatic Identification Systems of merchant ships with their stolen equipment.

They even managed to successfully intercept and board more than one large merchant ship running down from the Gulf to the Cape of Good Hope, even capturing a fully laden Very Large Crude Carrier, pootling along at 8 knots in the belief that they were so far from the Somali coast that they were safe. Nobody made that mistake again.

Quickly a well-organised system of capture, with a passage to an offshore anchorage and demands for ransom, with extortion and threats to harm the crew reinforcing the negotiations, was put in place. They found that nothing succeeded like putting a tortured crew member on the line, or getting them to call their nearest and dearest to put pressure on the owners to speed up the negotiations. Typically the owners, using professional negotiators would try and negotiate the ransom downwards, and eventually an acceptable sum would be put together in high denomination dollar bills and airdropped over a pre-selected collection point.

The ship, along with its traumatised crew, would then hopefully be released, although the pirates were not above “reprisals” by keeping back certain crew members from nations which had given them trouble. It is well-organised crime with a substantial cashflow, and by 2008, it had become a major problem. Seafarers were being tortured routinely, occasionally murdered and there was (and is) a substantial climate of fear associated with any Indian Ocean passage. It’s not what people go to sea for.

Defences against pirates were somewhat slow to develop, with shipowners and merchant mariners perhaps naively assuming that the combating of piracy was a government matter and their flag states needed to be rather more active. Originally, people were encouraged to “keep a good lookout”, deploy high pressure water and lock accesses from the main deck. There were experiments with electric fences and acoustic devices. A British Bank Line ship managed to beat off an attack by dropping old railway sleepers into the path of pursuing skiffs. There was a heroic and successful defence by the Chinese crew of a heavy lift ship who allowed the pirates to board, then attacked them with Molotov cocktails made of beer bottles. Gradually, merchant ships have hardened their defences, with enormous quantities of razor wire around the rails and any accesses barred and strengthened.

What has become known as “Best Management Practice” has been adopted, with ships checking in to a unified command structure in the region, reporting attacks promptly and staying in the safe corridor which has been established in the Gulf of Aden. Particularly vulnerable ships have been given naval escorts by some flag states, or with naval protection parties embarked. Shipowners have been encouraged to provide secure internal “citadels” where crews can retreat upon being boarded, where they can remain safely until naval forces can recapture the ship.

The pirates, for their part, have got a lot wiser with experience. They co-operated in attacks from more than one quarter, they found that the use of motherships gave them a stable firing platform from where an attack could be mounted and a ship persuaded to stop for boarding. When a mothership was stopped by a naval unit, they had no hesitation in dragging out one of the hostage crew of the ship and threatening to kill him if the navy did not back off.

Governments, which in another age would have clearly mounted what we would call a “punitive expedition” and done for the pirate villages once and for all, have been very reluctant to robustly engage the pirates. A coalition of the European Union, Nato, and a number of Asian and other countries have put warships into the area, chiefly in the Gulf of Aden, and established a safe corridor in which merchant ships can be well protected. They have undoubtedly been very effective at preventing successful attacks, although the pirates still try.

However ships are more vulnerable further from the corridor, out into the Indian Ocean and Arabian Gulf, which is a huge sea area. A naval officer told me that it was like trying to police the whole of western Europe with twenty patrol cars and the risk is that once a ship is boarded and the crew dragged out of their citadel - the pirates having used explosives on more than one occasion – any naval force is loth to attack, lest the hostages be harmed.

There was one notable occasion two years ago when a South Korean tanker was boarded, but her extraordinarily brave master managed to help in the recapture of his ship by Korean marines, despite being

shot five times and nearly losing his life. He was given a special award by the International Maritime Organisation last year.

Naval forces do capture pirates, although rather than stringing them up from the yardarm as they would once have done, there is sometimes a reluctance to prosecute them and they are frequently just disarmed and put ashore on their home coast. Rules of evidence, human rights, fear that the pirates will claim asylum and an unwillingness to get involved in tortuous legal processes, seem to have played their part.

There is no justice to be had ashore in Somalia, although there have been successful prosecutions in Kenya and the Seychelles, using aid money to provide prisons etc. A number of pirates have been sent down for very long sentences in the US, India and Korea. There has been something of a recent breakthrough in the European Naval forces which have been given leave to attack pirate resources ashore in Somalia and a few weeks ago there was a modest but successful EU NAVFOR helicopter attack on pirate craft drawn up on the beaches.

There has been a gradual move towards the employment of armed guards aboard ship, with a growing number of governments grudgingly giving permission to what was being undertaken, whether they agreed or not, by people who had simply lost patience. It is said that no ship carrying out BMP has been taken but it is absolutely true that no ships with armed guards embarked have been captured. A number of security firms offering ex members of armed forces have been providing this protection for some time.

Politicians and lawyers don't like the idea of guns on merchant ships, even though there has been quite a change of attitudes in the crews, who would take all the armed protection they can get. Lawyers, who tend to be terribly risk averse give warnings about what happens if the armed guards shoot the cook by mistake, or each other and it has to be said that there has been one case this year, where Italian marines shot up an Indian fishing boat, with ongoing complications.

It is not always a black and white case, with thousands of small fishing boats in the area, fishermen themselves often carrying guns and often doubts in the minds of those aboard ship as to whether it is a pirate approaching at speed, or a fisherman rushing his catch to market (or protesting about damage to his nets). Wayports, notably those in Egypt and South Africa object to ships carrying arms and make life difficult for them.

The present situation is better than it has been, with around 290 crew and 8 merchant ships in pirate hands. Last year there were 237 incidents as opposed to 219 in 2010, although the number of successful attacks fell from 49 to 28. Ships are better protected, more aware and the protection is better organised. Last week, for instance, there was only one approach reported by NATO, although the SW Monsoon, which makes life difficult for small craft, is now blowing.

But there is no genuine, permanent success when crews are exposed to real fear of attacks, locked down in their accommodation, wreathed in razor wire and practising rushing into their citadels and barring the door, double watches for days on end. It's not just the crews, but their relatives at home, worrying themselves sick about the voyages their loved ones are undertaking.

There is also a huge cost, which now aggregates to billions of dollars, if you count the cost of diversion of ships around the Cape, the added insurance costs, the cost of armed guards, the use of the navies and the cost of ransoms and the lost earnings of ships in pirate hands.

Cynics say that nothing is going to be done to sort out the situation until the pirates successfully capture a passenger ship or grab a few western crews, and point out that if it had been a couple of airliners with Americans or Europeans that had been grabbed by the pirates, it would be a very different story. They will

say that nobody will notice until there are empty shelves in developed nation supermarkets, because seafarers won't take ships to sea.

Mariners worry about the realpolitik of the situation, with stories of the Americans, going gently with the Puntland tribes, because they act as a buffer to the Al-Shaabab gangs associated with Al Qaeda in the south of the country. They worry about people like David Cameron and others making suggestions that ransoms should not be paid or should be made illegal, and the possibility that naval protection will be gradually withdrawn because of its considerable cost.

They also worry because they don't think that people outside the industry have any comprehension of what the scourge of piracy is doing to their lives. It's not what they went to sea for, and something they should not have to face in the 21<sup>st</sup> century. And that ladies & gentlemen, is the end of my gloomy story. Thank you for listening.

Michael Grey

**Chislehurst Golf Club Lunch 13<sup>th</sup> June 2012**

