FORUM: First Committee of the General Assembly (DISEC)

QUESTION OF: Combating piracy in southeast Asia

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POSITION: Deputy Chair

INTRODUCTION

"Pirates wearing a black eye patch and burying treasure chests of jewels may be the stuff of musical theatre and legends, but that romantic notion of old-time buccaneers is far from the truth"- Mann 2001

The Southeast Asian sea with special regards to the Strait of Malacca is one of the most important ocean routes for seafarers all around the globe. Vessels from all over the world are using the Strait of Malacca as the main sea lane into the South China Sea and the harbours of Asian countries, accounting more than 20% of the shipped world trade is going through this chokepoint every day. That is why the Strait of Malacca is being used by more than 2000 Vessels a day.

The fact is that more than 90% of the world trade is being shipped and thereby is a major influencer of the world's daily life and its economy. It is of high importance that every shipment is being delivered to the recipient, in order to limit economic damage.

There are already many anti-piracy groups and many frameworks, which are limiting piracy, but still in 2018 the International Maritime Bureau (IMB) reported 174 incidents worldwide and around 40 in the Southeast Asian sea, half of the incidents in Southeast Asia happened around the coast of Singapore and at the southern end of the Strait of Malacca. Even though there has been a decrease of piracy over the last decade, the problem is still present and very shocking.

But what exactly are the root causes for the high number of incidents every year? The three main causes are probably, the huge number of unemployed people, growing poverty and slow economic development in Asia. These three causes make it very hard for Asian countries to finance an anti-piracy effort. Also, for many helpless people in Asia, either if they are unemployed or they simply don't have enough money for their family, piracy is a risky but lucrative business, that is why many people are attracted by the promising amount of money or food.
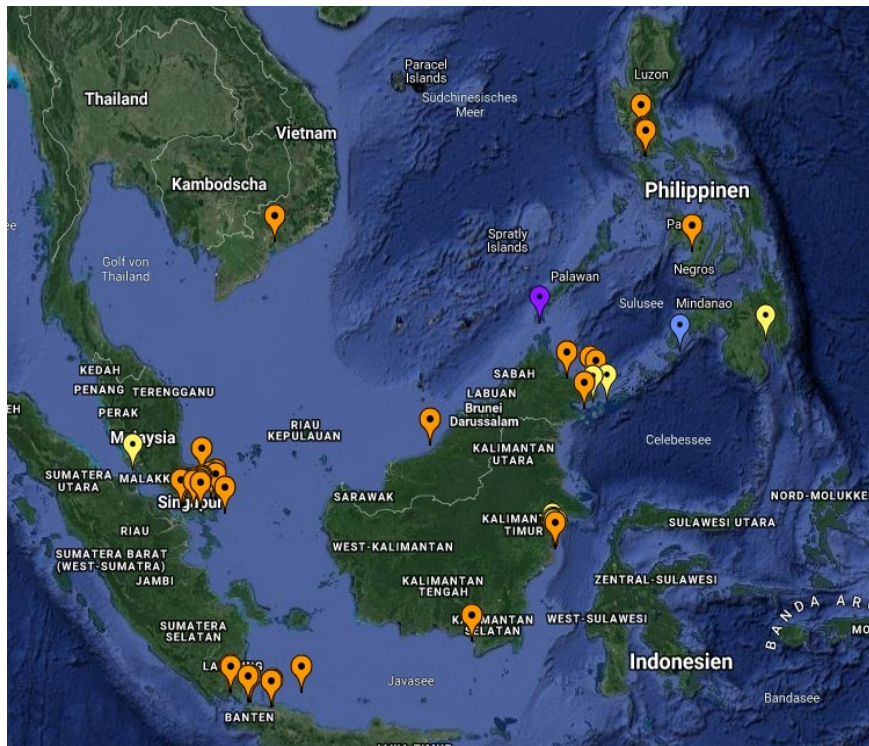
Explanation: Yellow: Attempted Attack; Orange: Boarded; Blue: Fired upon; Purple: Suspicious vessel

BACKGROUND INFORMATION

History

The Strait of Malacca has always been a "Hotspot" for piracy, already in the 14th century, this Strait was an important political tool for pirates and furthermore it was very lucrative. A Chinese traveller mentioned a situation of being attacked in one of his books; more than 600 years ago.

Before the 19th century, the waters of Malaysia were a key factor for the political struggles in Southeast Asia. In that time the piracy began to spread even further in this area. At that time pirates were aiming for spices and jewellery, whereas nowadays oil, food and minerals are the main sources of income for pirates.

Incidents in 2019 (abstract)

- 23.05.2019: Indonesia; 7 people boarded a bulk carrier, noticed by duty watchman, attackers threatened the crew with knives, ship's store stolen

- 18.05.2019: Malaysia; many people illegally boarded a ship and stole the properties

- 31.05.2019: Malaysia; an unauthorized person on the forecastle, officers were threatened with a knife as they arrived, nothing stolen

- 30.06.2019: Indonesia; robbers stole ship's properties from a bulk carrier

Previous Attempts to solve this issue

There are two big attempts to solve this issue, the first one was launched in 2006 in Singapore and is called "ReCAAP Information Sharing Center", the Vision was to promote and enhance cooperation against piracy and armed robbery against ships in Asia. The problem with this idea is that it is just an agreement and not every Southeast Asian country joined the agreement.

The second major attempt was made by a program named "Oceans Beyond Piracy" initialized by "One Earth Future", their vision is to reduce the violence at sea, and to explain the world the situation of piracy. Furthermore, their idea of illuminating the issue to the seafarers seems to have a positive impact, since they are taking courses offered by the IMB, which led to a decrease of 23 per cent from 2016 to 2017.

Possible Solutions

One of the solutions regarding this issue is to initialize a regional based cooperation on Maritime Piracy, this cooperation could be founded on a multilateral maritime regime in order to reduce piracy in Southeast Asia. Even though multilateralism isn't that big in Asia yet, this issue could be a perfect one to tackle regional problems with greater regional cooperation. The cooperation could also be transferred to the regional effort on Counterterrorism and naval cooperation.

As mentioned above many people tend to become pirates because of their limited resources and the lucrative business. Moreover, the naval fleet is too small to face the challenges of the pirates today. That is why a multilateral regime regarding piracy could be a good solution to this issue.

DEFINITION OF KEY TERMS

Piracy: Article 101 of the United Nation Convention on the Law of the Sea (UNCLOS) from the 10th of December 1982 declares Piracy as follows:

"(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)   (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)."

https://www.un.org/depts/los/convention_agreements/texts/unclos/unclos_e.pdf

Sea Lane: A Sea Lane is a route that is being used by many vessels very frequently. Often these Sea Lanes are the main trade routes.
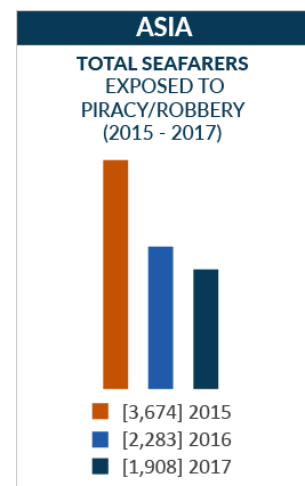
Vessels: A vessel is a large boat or ship. For example, cargo vessels or patrol vessels.

Maritime: Maritime describes the human activity at the sea and the sea with all of its life.

Kidnapping/Hijacking: Kidnapping describes the act of taking a person away illegally by force and demanding money for releasing them. Hijacking means to take control over a ship or vessel that does not belong to him or her, often this act goes hand in hand with kidnapping the crew and is being done with weapons.

ISSUES

- Weak governance

- Increase of terrorism

- Decrease of trade in Southeast Asia

- Tension between states, because of bad cooperation

- Spread of organized crime

- Human costs

ASIA

TOTAL SEAFARERS EXPOSED TO PIRACY/ROBBERY (2015 - 2017)

- [3,674] 2015
- [2,283] 2016
- [1,908] 2017

MAJOR COUNTRIES AND ORGANISATIONS INVOLVED

- Indonesia

- Thailand

- Malaysia

- Singapore

- Philippines

- Vietnam

● China

● Japan

QUESTIONS DELEGATES SHOULD CONSIDER

Did your country or state sign and ratify the UNCLOS?

What is my country's situation concerning piracy?

How is your delegation planning to combat piracy?

Are there any special legitimations connected to piracy in my country?

Which anti-piracy organizations does my country support?

USEFUL LINKS/SOURCES:

1. United Nations Convention on the Law of the Sea

   https://www.un.org/depts/los/convention_agreements/texts/unclos/unclos_e.pdf

2. Maritime Piracy 2017 (Oceans Beyond Piracy)

   http://oceansbeyondpiracy.org/reports/sop/se-asia

3. IMO

   https://imo.libguides.com/c.php?g=659460&p=4655525

4. Multilateral Cooperation

   http://citeseerx.ist.psu.edu/viewdoc/download?doi=10.1.1.458.337&rep=rep1&type=pdf

5. IMB/ICC

   https://www.icc-ccs.org/

6. General Overlook on Wikipedia

   https://en.wikipedia.org/wiki/Piracy_in_the_Strait_of_Malacca

7. More detailed insight into the issue

   https://time.com/piracy-southeast-asia-malacca-strait/

   (All sources were lastly accessed on the 8th of July)