

# SOUNDINGS

## Prepare to Repel Boarders *Piracy in the 21st century*

Seafarers and commercial marine interests are now re-experiencing a very old marine peril – piracy – which can be traced back to the mists of maritime commerce. Piracy is a marine peril that has been covered in marine insurance policies for centuries. It is a problem with many dimensions, but is solvable with the proper application of old fashioned seafaring knowledge and new technology.



Much of the writing and recent international press has focused on the geopolitical issues underlying the rash of piracy incidents arising from the horn of Africa and Gulf of Aden where a large of portion of the world's commerce transits en route from the Indo-Pacific Basin to the massive markets in North America and the European Union. Globalization and 90% of worldwide trade has lead to increased importance of commercial shipping. This threat has served to heighten awareness of the importance of shipping to global trade.

The world's navies have little or no problem in responding to these 'new' threats. What is needed is a solution for the commercial shipping sector. In some cases naval assets are able to help. This was the case during the recent attack on the US-flagged containership *Maersk Alabama*. But navies cannot be in all places at all times. In the case of the *Maersk Alabama*, vessel modifications intended to mitigate such threats were ineffective in keeping the pirates from boarding. The problem needs to be considered more closely from a risk management standpoint – in terms of prevention, protection, mitigation, and response. Seafarers, naval architects, law enforcement agencies, marine insurers, ship owners and managers, marine insurers, and naval forces all have a stake in the problem and need to have a say in developing innovative solutions.

Maritime nations are going to need the capability and capacity to respond to these asymmetric (low tech) threats with technological innovation and training, and with naval force. The NATO led Coalition Naval Task Forces 150 and 151 have morphed into a piracy convoy protection force and will continue to evolve as the international rule of law and the Law of the Sea Convention attempts to catch up with the reality which is taking place in the waters off the Horn of Africa.

While the international community figures out what to do about pirates, seafarers in the waters of the Horn of Africa and other pirate-prone waters will continue to go about their shipboard duties as they have for centuries. These seafarers, the older ones anyway, have never forgotten that an integral part of seamanship is the ability to "repel boarders." Seamanship is both an art and a science and we need to give seafarers the latest in technology to allow them to solve problems and adapt to a changing asymmetrical threat world. What is very old is now very new.

Joe Spears is a maritime barrister and Principal of the Horseshoe Marine Group in West Vancouver, British Columbia, and is a frequent speaker of maritime issues.