

OPRF MARINT Monthly Report

October 2008



CONTENTS

Major Events in October 2008

1. Information Digest

1.1 Security

Special report : Ukrainian ro-ro ship and follow-on information

1.2 Military

1.3 Diplomacy and International Relations

1.4 Shipping, Resources, Environment and Miscellaneous

2. Intelligence Assessment

Piracy and Armed Robbery against Ships: Report until third quarter in 2008 (1 January - 30 September)

Enclosure : Information by OPRF on the status of Hijacking incidents off Gulf of Aden and Somalia in 2008 (As of November 16)

This monthly report is edited/ summarized by publisher and staff writers based on published news resources.

Each resource is referenced with bracket below each title and is displayed as link URL on the last page of this report.

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Major Events in October 2008

Security: In October, piracy attacks continued to increase in the Gulf of Aden and off the coast of Somalia. Responding to this situation, several nations including NATO and EU members dispatched naval combatants to the areas, and full-scale countermeasures [against the piracy] by the international community were taken. While the United Nations (UN) Security Council adopted a new resolution, the international shipping circle issued an urgent appeal among others.

On October 23, the International Maritime Bureau (IMB) issued a report on piracy and armed robbery against ships in the world during the three quarters of the year (1 January – 30 September 2008). As for the points of the report, we have taken them up in 2.1 Analysis in this OPRF MARINT Monthly Report. As for information, we have attached as an appendix “Status of Hijacking Incidents in Gulf of Aden and off Somalia (as of November 16, 2008) to this report made by using information from various sources.

On November 14, the Nippon Foundation with the OPRF held “Emergency Meeting for Anti-piracy Measures off Somalia” in Tokyo, and issued a proposal for emergency, which was delivered to the government on November 18. For information, we have carried a full text of the proposal at the back of this report.

Military: On October 3, the US Defense Department notified Congress of the total sum of 60 billion dollars in possible arms sales to Taiwan. On October 6, a US Defense Department spokesman said China had notified the US that Beijing canceled or postponed several upcoming senior military level visits and other cooperative military-to-military exchanges between the two countries.

On the 5th, the Russian naval force of nuclear-powered missile cruiser, accompanied by an anti-submarine destroyer, as well as a reconnaissance vessel and a support ship entered the Mediterranean through the Strait of Gibraltar before heading to Venezuela. The aim appears to be to demonstrate to the NATO countries that Russia is once again back in business as a blue-water power.

On the 19th, Indo-US bilateral naval exercise “Malabar 08” began in the Arabian Sea. The scope of Malabar exercise included diverse activities, ranging from gun-firing and fighter combat operations from aircraft carriers, to combating the scourge of terror, through Maritime Interdiction Operations exercises. The first annual Malabar exercise was commenced in 1992. In 2007, five countries - India, US, Australia, Japan and Singapore – participated in the Malabar exercise.

On the 28th, Naval chief Admiral Habibollah Sayyari said Iran opened new naval facilities in the town of Jask east of the Strait of Hormuz, which would enable Iran to block the entry of an “enemy” into the Gulf if need be.

Diplomacy and International Relations: Norway sent a naval frigate to Svalbard in the Arctic for the first time to “show the flag” over the sovereignty in the Arctic Circle.

On the 14th, at a ceremony on Heiziazi / Bolshoi Ussuriysky Island, China and Russia jointly unveiled boundary markers, signaling the resolution of a territorial dispute along their 4,300-kilometer border for more than a century.

Shipping, Resources, Environment and Miscellaneous: The Egyptian daily, Middle East Times, dated October 21 reports that the piracy attacks in Somalia are shaking confidence in the safety on the Suez Canal, citing that the Egyptian government expects an international community will find a swift solution to the problem of piracy.

On the 27th, the Panama Canal Authority (ACP) announced its performance figures for the 2008 fiscal year (FY08) (October 2007 – September 2008). It reveals a marginal decline in total transits and tonnage when compared to FY 07. However, the Canal also experienced growth in tanker and passenger transits.”

On the 28th, a deep-water port opened to ships and traffic on a man-made island on the Yellow Sea in east China's Jiangsu Province. The Yangkou Port is connected to the mainland by a 13-kilometer (km) vehicular bridge. So far, only one berth at the port is operational for ships weighing 10,000 tons or less. Once construction on the rest of the project is complete, the port is expected to help handle massive amounts of cargo flowing in the Yangtze River Delta region.

On the 31st, the St. Petersburg-based shipyard, Russia's oldest, Admiralty Shipyard, moved a new enhanced ice-class tanker from a dry dock to a wet dock for the final stages of construction work. A 70,000-deadweight enhanced ice-class tanker will be used in the oil field operated by Gazprom subsidiary.

1. Information Digest

1.1 Security

October 1 “EU agrees to start patrols off Somalia” (BBC News, October 2, 2008)

On October 1, French Defense Minister Herve Morin said the European Union (EU) agreed to establish an anti-piracy security operation off the coast of Somalia. At least eight countries have agreed to take part in the patrols, which are planned to start in November. More countries want to take part in the operations.

October 2 “374 crew members held by pirates in Somalia” (Risk Intelligence, Press Release, October 2, 2008)

According to press release of the Risk Intelligence, Danish organization analyzing maritime security issues, on October 2, during the month of September 2008, a total of 374 people of all nationalities were held by pirates in Somalia, which is the highest number of hostages at one given time for many years. In 2007 a total of 292 seafarers were noted to be held captured in the various areas in the world. On average, hijacked crews in Somalia are held for ransom for five weeks before being released. Two people have been reported dead during September’s piracy spree. “Pirates are not interested in killing seafarers indiscriminately; they are interested in obtaining ransoms. For them, piracy is a business, although an illicit one. Currently, the evidence is clear - they are unfortunately relatively successful at what they’re doing,” says Mr. Hansen.

In addition, while admitting that Somali piracy needs long term solution, Mr. Hansen says as follows.

- (1) Recently there have been attempts by some commentators to connect piracy to Islamic militants; however, Risk Intelligence’s research does not support this claim. Also, despite the increased international attention being focused on the problem and the fact that several countries have deployed warships to the area, the risk of piracy in these waters is not expected to decrease in the coming months.
- (2) More warships will have a significant short term effect, but it will not solve the problem. There is a clear connection between the instability of the Puntland (around Horn of Africa) and Galmudug (around mid-part facing the Indian Ocean) provinces and the increased number of piracy attempts. To stop or reduce piracy in these areas, a long-term solution to Somalia’s ailments is needed, and the security problem must be confronted at its source – ashore.
- (3) Pirates make around one million US Dollars (USD) on average for every vessel they seize, which is a far greater financial return than fishing or farming in a country with an average income of 600 USD per year. Thus, we cannot expect these piracy incidents to stop before there is a recovery of law and order in Somalia.

October 2 “Piracy incidents off east of Malaysia” (Lloyd’s List, October 2, 2008)

On the late evening of October 2, about 70 miles northeast of Tioman on the east coast of Malaysia, eight pirates attacked the Panama-registered chemical tanker, *Sun Geranium*. Boarding the tanker, the pirates tied up two seafarers on the bridge. Later the pirates tied up the master in his cabin before stealing his money and leaving the vessel. Two days before this incident, Panama-registered bulk carrier, *JKM Muheiddine* was boarded on the early morning of September 30 by at least seven pirates armed with long knives, while steaming in the South China Sea about 64 miles east of the Malaysian island of Tioman. Tying up the master and the crew, they stole their possessions and the money.

Although there is no conclusive evidence as yet, it appears that the same group of pirates was probably involved in these two incidents, according to the ReCAAP. There have been six incidents of piracy in the area this year.

October 3 “Somali pirates attack 4 ships” (AFP, October 4, 2008)

Noel Choong, head of the International Maritime Bureau’s (IMB) Piracy Reporting Center in Kuala Lumpur, announced Somali pirates attacked four ships on October 3. The first ship attacked was a United Arab Emirates bulk carrier (with 28 crew-members), heading from Europe to Asia. The ship was attacked by pirates armed with guns, but the master took evasive maneuvers and a coalition helicopter arrived and chased the pirates away. Less than an hour later, a gang armed with rocket-propelled grenades attacked a Philippine-owned chemical tanker (with 12 crew-members) heading from the Middle East to Asia, but was chased away by a warship operating in the vicinity. In the third incident pirates targeted a crude-oil Italian tanker but were foiled when the ship’s master took evasive action. The final incident occurred when pirates armed with machine guns forced a Taiwanese container ship (with 20 crew-members) to halt. The ship deployed fire hoses to retaliate and managed to escape.

It was not known if the same gang was responsible for all the attacks. Three hijacked vessels were released a few days ago and it now appears this group of Somali pirates are looking for ships to hijack again, Choong said.

October 4 “Pirates attack ship in Singapore Strait” (ReCAAP Incident Report, October 4, 2008)

On the 4th, three masked robbers armed with parangs (long knives) boarded the Malaysian-registered ship, the MV *Sin Huat* from a steam boat. The *Sin Huat* was under way from Singapore to Sibul, Sarawak in the Singapore Strait. The robbers damaged the VHF handset, stole the ship master’s computer and cash, and the crew’s personal belongings before escaping. The ship master reported the incident to the Singapore’s Port Operations Control Center (POCC).

October 5 “Somali Islamic insurgents demand part of weapons onboard” (The Mercury, October 6, 2008)

Islamist insurgents, the Al Shabaab group, had demanded the hijackers to be given some of

the weapons aboard a Ukrainian ship, but the pirates holding it had refused it, a local official in Somali capital of Mogadishu said on the 5th. Al Shabaab group had also received a five percent cut of the 1.5 million US dollars paid out for a Spanish ship released several months ago, a resident said. They were also expecting a share of money paid out for the Ukrainian ship and two Greek ships held at Hobyo, he said.

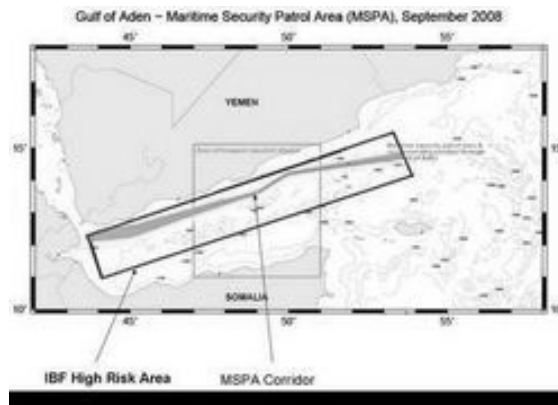
Al Shabaab group is influential in the southern part of Somalia, and US regards it is a terrorist organization linked to Al-Qaeda.

October 6 “Malaysian Defense Ministry evacuates roles of warships dispatched” off Somalia (New Straits Times, October 6, 2008)

The presence of three Royal Malaysian Navy (RMN) warships dispatched to Somali maritime area had helped in the release of the two hijacked Malaysian-flagged tankers and their crew at the end of September, Defense Ministry public relations director said on the 6th. In addition, the director said that it was the first time the armed forces were involved in military operations other than war (MOOTW) in a foreign territory, some 7,000 kilometers away. He took pride in saying, “We are now able to join countries like France, Canada, Denmark, Germany, Britain, Spain and the United States in showcasing our maritime crisis-management capability.” The spokesperson added, although the matter was being discussed, of three vessels dispatched, an amphibious assault vessel KD *Inderapura* and a frigate KD *Lekiu* would return home, escorting the two tankers which were released. However, a multi-role support ship KD *Mahawangsa* will remain in the maritime area in the Gulf of Aden.

October 7 “IBF: Gulf of Aden declared a high risk area” (PR-inside.com, October 7, 2008)

Following an ad hoc meeting of the International Bargaining Forum (IBF) Warlike Operations Areas Committee in Singapore on October 7, the IBF agreed to establish a 'high risk area' covering the major part of the Gulf of Aden with immediate effect. According to the Memorandum of Agreement agreed at the meeting, seafarers on ships covered by IBF Agreements will be provided a bonus equal to 100 percent of their basic wage while the vessel is in transit in the 'high risk area.' Additionally, the normal rates of death and disability compensation for seafarers will be doubled during this period. These conditions also apply to crews on ships covered by ITF agreements but whose owners are outside the IBF.



Map showing high risk area covered by the 100% pay bonus agreement

Source: PR-inside.com, October 7, 2008

<http://www.pr-inside.com/sailors-get-double-pay-as-gulf-r848087.htm>

October 7 “UNSC adopts resolution for anti-piracy measures in Somali waters” (UN Security Council Resolution, October 7, 2008)

On October 7, the UN Security Council unanimously adopted the resolution 1833 regarding anti-piracy measures in Somali waters. This resolution notes with concern at its beginning of a statement that: (1) The acts of piracy and armed robbery at sea threaten the prompt, safe and effective delivery of humanitarian aid to Somalia as well as the commercial route in this area; and (2) The piracy attacks carried out in a larger area off the coast of Somalia are increasingly violent with using heavy weapons and mother ships among others.

The current resolution emphasizes, first of all, that peace and stability in Somalia, the strengthening of State institutions, and establishment of the rule of law among others are necessary to create the conditions for a full eradication of piracy and armed robbery at sea. As a countermeasure to piracy attacks, the resolution urges States and regional organizations to continue to protect the World Food Program (WFP) maritime convoys, which is vital to bring humanitarian assistance to Somalia.

At the same time, from the understanding that increasing incidents of piracy and armed robbery will exacerbate further the domestic situation in Somalia, the resolution 1838 calls upon the member States that are concerned about maritime security to take countermeasures against piracy incidents under Chapter VII of the Charter of the UN through (1) participating positively in the fight against piracy on the high seas off the coast of Somalia, in particular, by deploying naval vessels and military aircraft; and (2) taking necessary measures in accordance with international law by deploying naval forces and fighter aircraft of the member States on the high seas and airspace off the coast of Somalia. On that occasion, the resolution calls on member States to cooperate with the Transitional Federal Government (TFG) of Somalia.

In addition, the resolution specifies its intention of extending the authority provided to a State in the resolution 1816 for an additional period from the previous six-month period.

Note : As for Resolution 1838, refer to URL below:

<http://daccessdds.un.org/doc/UNDOC/GEN/N08/538/84/PDF/N0853884.pdf?OpenElement>

October 7 “ASF appeals to UN & other organizations to take strong anti-piracy measures” (New Straits Times, October 12, 2008)

In the statement on October 7, the Asian Ship-owners Forum (ASF), a grouping of ship-owner associations in the region, says ships crossing the Gulf of Aden continue to be attacked despite the Coalition members' best efforts, due to inadequate resources and lack of proper rules of engagement among the members of the Coalition forces. ASF groups seven ship-owner associations from Australia, China, Taiwan, Hong Kong, Japan, South Korea and the Federation of ASEAN Ship-owners' Associations, comprising shipping associations in ASEAN. The gist of the statement is as follows.

- (1) The ASF appeals to the United Nations (UN), the International Maritime Organization (IMO) and all maritime nations to exercise strong political will to combat this problem.
- (2) The ASF urges governments to commit to increased number of deployed warships in the Gulf of Aden.
- (3) The ASF advises all ship masters to exercise the utmost vigilance and caution when transiting or trading to all pirate prone areas.

October 7 “Dutch send second warship to escort WFP transports” (Radio Netherlands, October 8, 2008)

The Dutch government has decided to send a frigate to protect UN' World Food Program (WFP) transports against pirates, which is expected to arrive off the Somali coast by the end of October. It is the second time this year that the Dutch navy has been active in the region, following the previous deployment from April to June.

October 7 “S. Korea studying to send warship to Somali waters” (Yonhap News, October 7, 2008)

South Korea is considering dispatching a navy ship to waters off Somalia to protect its fishing and cargo ships from piracy, and consultation among related ministries are under way on the issue, Seoul's Foreign Minister Yu Myung-hwan said on the 7th. According to a source, one proposed idea is to send a navy ship, possibly the *Yi Sun-shin* class destroyer (4,800 tons) commissioned in 2003. But the Defense Ministry is taking a cautious stance, citing logistical problems among others. Commenting that nothing has been decided on the issue, the Defense Ministry source said, “It is a matter that requires review from various aspects. Only basic-level consultations are under way as one of many options.”

【Related Story】

“ Korea decides to send warship to Somalia ” (Chosun Ilbo, October 30, 2008)

On the 29th, South Korean Foreign Ministry official said government agencies agreed to send a Navy ship to Somalia with a view to joining international efforts to maintain marine safety and protecting Korean ships from piracy. He said government agencies including the Defense Ministry which had been hesitant have now come round to the idea. Meanwhile, Korea sent a fact-finding

mission to Somalia on October 27 to look at the particulars. The mission will give check local conditions, including the area where the ship would be sent and the possibility of cooperation with the international combined naval operations command. The ship will most likely be dispatched early next year since it is subject to parliamentary approval. The *Yi Sun-shin* class destroyer is being mentioned as a candidate. Also, the Navy's UDT/SEAL commandos will likely be aboard. The ship would probably join the Combined Task Force 150.

October 8 “Somali pirates freed Japanese-related vessel” (Maritime Global Net, October 9, 2008)

On the 8th, Somali pirates released the Japanese-controlled, Panama-flag chemical tanker MT *Irene* (which had been hijacked on 21 August). The 19 crew members are safe, and the ship is now heading toward Fujairah in the United Arab Emirates. Somali pirates reportedly received a ransom of 1.6 million US dollars to release the MT *Irene*. (Reuters, October 10)

October 9 “NATO Maritime Group decides to send fleet to Somalia” (American Forces Press Service, October 9, 2008)

On the 9th, NATO Defense Council decided to send its Standing Naval Maritime Group (SNMG) to the waters off Somalia. According to a spokesman for the alliance, SNMG will be dispatched to the area within two weeks. The NATO force will escort World Food Program ships in response to requests from the United Nations as well as patrol the waters around Somalia. The NATO ships will work with all allies who have ships in the area now.

October 9 “Somali pirates hijack Panama-flagged ship” (Reuters, October 10, 2008)

On 9 October, a Panama-flagged general cargo, MV *Wail*, was hijacked in the waters between the Yemeni Island of Socotra and Bosasso in Puntland, state minister for northern Somalia's semi-autonomous Puntland region said on October 10. Laden with cement and with a crew of 11 consisted of nine Syrians and two Somalis, the *Wail* was en route to Bosasso from Oman.

【Related Story】

“Puntland autonomous government frees hijacked ship by force” (AP, October 14, 2008)

According to a Puntland autonomous government official, security soldiers of a regional government freed MV *Wail* with gun blazing on the 14th. In a gun battle one soldier was killed and three wounded. No hostages or pirates were hurt. The pirates surrendered when they ran out of ammunition.

October 10 “Somali pirates release Japan-related ship” (Shiptalk, October 10, 2008)

On October 10, the Philippine Foreign Ministry (PFM) said Panamanian-flagged ship, MV *Stella Maris* (bulk carrier) operated by Japan, was released on the 9th. (The ship was hijacked on 20 July.) The *Stella Maris* is with a crew of 20 Filipinos. According to the PFM, all crew members

are well and safe, and their ship is sailing to Muscat, Oman.

At present, more than 270,000 Filipinos are working on foreign vessels, accounting for about one-third of the world's shipping crew. According to the PFM, as of October 10, 47 Filipinos on three other ships are still in the hands of Somali pirates. Labor Secretary Marianito Roque, meanwhile, said the Philippine Overseas Employment Administration approved a resolution doubling the salary of Filipino sailors passing through dangerous waters. He said the agency also gave Filipino crewmen the option to disembark at the nearest safe port before their vessels sail through dangerous waters like the Gulf of Aden off Somalia's coast. Recruiting agencies and ship owners agreed to abide by the government's decision, he said.

October 10 “Somali pirates release Iranian ship” (Indian Express, October 11, 2008)

On the 10th, Somali pirates released an Iranian bulk carrier, MV *Iran Deyanat* with a crew of 29, including three Indians. All crew members were freed safe after 49 days since the ship was hijacked on 21 August.

October 10 “IMO, Shipping Industry have talks” (Maritime Global Net, October 13, 2008)

On the 10th, International Maritime Organization (IMO) Secretary-General invited the heads of the Round Table (BIMCO, ICS/ISF, Intercargo and Intertanko), and of the International Transport Workers' Federation (ITF) to a meeting on piracy. The following is the gist of the appeals in the conference.

- (1) The meeting called for sustained coordination between all naval forces operating in the area, as well as establishment of clear rules of engagement that would enable military assets to intervene effectively to protect shipping in future.
- (2) The meeting appealed for an extension of the mandate given in United Nations Security Council resolution 1816 that is due to expire on December 1, 2008.

Additionally, the meeting agreed on a number of specific measures to be taken by the IMO and the participating organizations, individually and collectively, to mobilize support and action from all sides in a position to assist.

October 11 “Somali pirates hijack Panamanian-flag ship” (Maritime Global Net, October 13, 2008)

On the 11th, Somali-based pirates hijacked a Panamanian-flag chemical tanker MV *Action in* the Gulf of Aden, which has 20 crew members on board.

October 15 “Britain studying new law for anti-piracy measures in Somalia” (The Times, October 15, 2008)

The Royal Navy is to be given the power to seize and arrest suspected pirates in the Gulf of Aden under new emergency legislation which has been examined, senior defense sources have disclosed. The British Foreign and Commonwealth Office is talking to the Government of Somalia

about drawing up a memorandum of understanding to allow Royal Navy warships to enter Somali territorial waters in pursuit of pirates and hand over captured suspects to the Mogadishu authorities. Currently, naval forces in the area are operating in accordance with international law and a UN resolution. This, however, does not allow for the arrest and handover of suspects. The proposed legislation would authorize United Kingdom (UK) enforcement officers to board, seize, detain and arrest suspected pirates.

October 15 “Somali pirates hijack Panama-flagged ship” (MARINELOG, October 15, 2008)

On the 15th, Somali pirates hijacked a bulk carrier flying a Panamanian flag, MV *African Sanderling* (58,798DWT), in the Gulf of Aden. Operated by the Philippines, the bulk carrier was sailing from the Middle East to Asia with 21 crew members when it was seized. According to the International Maritime Bureau (IMB), this latest hijacking brings the number of attacks in the maritime areas of the Gulf of Aden and Somalia in 2008 to 83 and a total of 29 ships have been hijacked.



MV *African Sanderling* (58,798DWT)

<http://www.pbase.com/smera/image/77616602>

October 15 “NATO ships head through Suez” (Reuters, October 15, 2008)

On the 15th, passing through the Suez Canal, warships from a NATO task force were bound for the Gulf of Aden, a NATO spokesman for the alliance said. They were expected to start operations within two weeks. NATO task force is expected to cooperate with the US led CTF-150 which is operating in this area and the European Union (EU) task force which is to be sent in December. It is the first time that the NATO's fleet is deployed to the Indian Ocean in history, including the Cold War period.

According to the News Releases from NATO Allied Maritime Component Command Naples dated October 15, NATO fleet comprises seven vessels -- a destroyer (ITS *Durand de la Penne*) from Italy, a frigate (FGS *Karlsruhe*), and a supply ship (FGS *Rhon*) from Germany, frigates from

Greece (HS *Themistokles*), Turkey (TCG *Gokova*) and Britain (HMS *Cumberland*), and a U.S. destroyer (USS *The Sullivans*). Standing NATO Maritime Group 2 (SNMG2) is scheduled to visit Bahrain, Kuwait, Qatar and the United Arab Emirates. SNMG2 currently comprises ships from Germany, Greece, Italy, Turkey, United Kingdom and United States. Command of SNMG is assumed on rotation by contributing nations and currently is Rear Admiral, Italian Navy.

【Related Story】

“ NATO Fleet starts escort mission for WFP aid ship” (NATO Allied Maritime Component Command Naples, News Releases, October 27)

On the 27th, the NATO Task Group of Operation Allied Provider has begun escort duties for a World Food Program (WFP) aid vessel and established a naval presence in the assigned operational area. Operation Allied Provider is conducted by a Task Group from the Standing NATO Maritime Group 2 (SNMG2), commanded by Rear Admiral of Italian Navy. The mission assigned to the operation is to conduct maritime operations off the coast of Somalia in order to allow WFP to fulfill its mission of providing humanitarian aid and to help deter, defend and disrupt against pirate activities in the area of operations. The operation is conducted in response to the request by the United Nations Secretary General and in support of UN Security Council resolutions 1814, 1816 and 1838.

At present, the Greek frigate is currently escorting a WFP chartered vessel en route from a port in Southern Africa to Somalia. In the past few days the Italian destroyer escorted a merchant vessel chartered by the African Union (AU) while en route to a port in Somalia. The British frigate has been conducting surveillance in its assigned area.

October 16 “Somali pirates release Thai-flagged ship” (Lloyd’s List, October 16, 2008)

On the 16th, Somali released Thai-owned ship, MV *Thor Star*, 64 days after it was last hijacked. A Thoresen Thai Agencies spokesman gave no details about whether any ransom had been paid to release the vessel and crew. The physical condition of the crew is reported be good.

Separately, there is no knowledge about the Hong Kong-flagged MV *Stolt Valor* which was imposed a deadline by Somalia pirates to pay a ransom of 2.5 million US dollars by October 16. The ship was hijacked on September 15. The crew comprises 18 Indians, including the master, two Filipinos, one Russian and one seafarer from Bangladesh.

October 16 “India decides to send warship to Gulf of Aden (Shiptalk, October 16, and Telegraph UK.com, October 17, 2008)

On October 16, India decided to deploy a warship to patrol the Gulf of Aden and escort Indian merchant vessels. Indian defense ministry spokesman announced, “The government has approved to dispatch naval ships to the Gulf of Aden immediately to patrol the routine shipping route of the Indian flagged vessels between Salalah in Oman and Aden.” The patrol by the navy will be carried out in coordination with the Directorate General of Shipping, who will keep

Indian flagship vessels informed in case they want to travel in the Indian Ocean along with Indian Navy ship. "The presence of an Indian Navy warship in this area will be significant as Gulf of Aden is a major strategic choke point in the Indian Ocean region and provides access to the Suez Canal through which the sizeable portion of India's trade flows," a defense ministry said. "The presence of the Indian Navy in the area will help to protect our sea borne trade and instill confidence in our seafaring community, as well as function as a deterrent for pirates," the ministry stressed. This is the first time the Indian Navy has been tasked with patrolling international waters. The Indian Navy is keen on playing a bigger role in the region under the aegis of the United Nations (UN). It is also keen to provide a helping hand to the UN's World Food Program (WFP) which is responding to urgent humanitarian needs in Somalia.

The Indian warship will be carrying helicopters and marine commandos. Naval officials said that while its deployment to the Gulf of Aden formulated a nascent anti-piracy strategy, the government would not allow the navy to execute "hot pursuit" missions after pirate vessels. Permission to pursue a pro-active strategy in this regard would only be accorded on a case by case basis only after collective consultation with the defense, foreign, law and shipping ministries, officials said. (Telegraph UK.com, October 17, 2008)

October 16 "Somali pirates release Korean-flagged vessel" (Shiptalk, October 16, 2008)

On the 16th, a South Korean bulk carrier, MV *Bright Ruby*, was freed along with its 22 crew members. Set free, the crew of eight South Koreans and 13 Myanmar citizens were picked up by a U.S. naval vessel, official in Seoul said. Foreign Ministry spokesman declined to say whether a ransom had been paid. Hijacked on September 10 in the Gulf of Aden, the *Bright Ruby* was released after an elapsed time of 36 days.

October 16 "US civil guard company offering escort service to merchant ships in Gulf of Aden" (Deseret News, October 16, 2008)

According to officials of the North Carolina-based civil security guard company, Blackwater Worldwide, Blackwater is in talks with several companies about protecting ships traveling through the Gulf of Aden. Blackwater executive vice president and other company leaders are former Navy SEALs. The executive vice president says they have the capability to protect shipping companies. Blackwater is offering the MV MacArthur (with a crew of 14 and a helicopter pad) as an escort for ships. The MacArthur and helicopters won't be armed, although workers will carry guns, Mathews said. The company will need a State Department license to sell its services to a foreign government or business.

October 19 "Somali pirates demand approx. \$1.26 million ransom for release of Hong Kong-flagged vessel operated by Japanese" (The Times of India, October 19, 2008)

According to sources at the shipping company, Somali pirates have demanded a ransom of 60

million Rupees (About 1.2 million US dollars) to release Hong Kong-flagged chemical tanker MT *Stolt Valor*. Company sources have also revealed that there are 15 hijackers on board the MT *Stolt Valor* and it could take up to another week before the release of all those captive on aboard. Of all crew members aboard MT *Stolt Valor*, 18 are Indians.

【Related Story】

“ Follow-on status about hijacked Japanese-owned ship” (Shiptalk, October 20, 2008)

On October 20, Andrew Mwangura of the East African Seafarers' Assistance Program told Xinhua by telephone that crew members in the MT *Stolt Valor* have received food, water, and other humanitarian needs, which succeeded after the pirates allowed it on board after on-and-off talks. Mwangura said MT *Stolt Valor* with 18 Indians on board is still anchored off the east coast of Somalia near the town of Eyl. There are reported to be six other hijacked vessels at anchor close to MT *Stolt Valor*. Sources said the vessel's Japanese owners have appointed a professional negotiator to engage into a dialogue with the hijackers. The sources also said the MT *Stolt Valor*'s owner is in regular contact with the ship and is speaking to the Captain and other people on board the vessel on a daily basis.

October 20 “Malaysian navy ships return form Gulf of Aden” (Bernama, October 20, 2008)

Of three Malaysian warships dispatched to Gulf of Aden on Operation Fajar mission, a frigate KD *Kekiu* and a replenishment ship KD *Inderapur* returned to home-port, escorting two tankers on October 20. Another RMN ship, the KD *Mahawangsa*, is still in the Gulf of Aden to monitor the situation.

October 20 “Somali pirates hijack Indian vessel” (AP, October 21, 2008)

Noel Choong, head of the Kuala Lumpur-based Piracy Reporting Center (PRC), says the Indian dhow with a crew of 13 was reported to be hijacked off Somalia on the 20th. No further details were immediately available.

October 21 “Malaysian DPM suggests suggest curb on ships in Malacca Strait” (AP, October 21, 2008)

On the 21st, Malaysian Deputy Prime Minister (DPM) Najib Razak proposed limiting the number of vessels that can enter the Malacca Strait amid worries that rising congestion could spark accidents. According to DPM Najib Razak, currently, more than 70,000 vessels pass through the Malacca Strait a year, which is a sharp increase from about 44,000 in 1999. DPM Najib Razak said, “Malaysia believes there is an ultimate tipping point for maritime transit in the straits, beyond which further increases would become not only risky but also too dangerous and costly.” DPM Najib Razak pointed out some researchers estimate that more than 120,000 vessels might use the Malacca Strait annually by 2015 if curbs are not introduced. Malaysia will discuss

the issue with Indonesia and Singapore, he added.

October 21 “Russian ship passes Suez” (AP, October 21, 2008)

Moving through the Suez Canal on the 21st, a Russian navy’s missile frigate, *Neustrashimy* entered waters off Somalia to join a surveillance group monitoring Ukrainian vessel MV *Faina*, Russian Navy spokesman said. The spokesman refused to comment on the speculation that Moscow could use force to free the crew of MV *Faina*.

At present, U.S. warships have been surrounding MV *Faina*, aiming to prevent the pirates attempting to offload the ship's cargo of 33 tanks and other weapons. The pirates have lowered an initial ransom demand from 20 million US dollars (USD) to eight million USD.

October 22 “French navy captures piracy suspects” (BBC News, October 23, 2008)

Having captured eight (although other reports put the figure at nine) suspected pirates on board two small boats in the Gulf of Aden, French marine handed them over to the authorities in semi-autonomous Puntland regional officials in northern Somalia, Puntland’s presidential adviser said. They dropped all their weapons in the water before they were caught. France has launched two operations to suppress piracy by force so far.

October 23 “Russia asks Somalia authorities for ‘freedom to tackle’ pirate problem” (RIA Novosti, October 23, 2008)

Russia has asked Somalia for “freedom to tackle” the country's pirate problem, the Russian Foreign Ministry said on the 23rd. “To ensure freedom of action in the fight against piracy directly in Somali territorial waters, the Russian Foreign Ministry has asked for consent from the Somali Republic's Transitional Federal Government to grant the Russian Federation the status of a ‘cooperating state,’”the ministry said. A Russian navy’s missile frigate, *Neustrashimy* is en route to east African waters to join an international naval group, which has surrounded a Ukrainian ship. The *Neustrashimy* missile frigate is tasked with protecting Russian vessels and foreign ships with Russian crewmembers from potential pirate attacks.

October 23 “Somali pirates attack Singaporean-flagged vessel of Kenya” (Shiptalk, October 24, 2008)

On the 23rd, a Singapore registered ship, MV *Kota Hening*, was attacked by suspected Somali pirates in three speed boats in Kenya’s territorial waters, 180 nautical miles from Mombasa port. Although armed pirates fired several shots at MV *Kota Hening*, they did not cause much damage to the ship. The ship, with 22 crew members — four Indians and 18 Indonesians — and 330 containers on board, arrived safely at Mombasa port afterwards.

October 24 “EU Parliamentarians question dispatch of EU anti-piracy flotilla” (Shiptalk, October 24, 2008)

Although the European Parliament agreed to dispatch the European Union (EU) flotilla of

combating Somali piracy on the 24th, some members of Parliament questioned the motives of the EU military mission, as follows. (1) There are very serious concerns about piracy on the high seas, especially off the “Horn of Africa.” This requires coherent, sustained international naval action, with an unambiguous chain of command and political control, and robust rules of engagement. Clearly NATO is best able to mount such an operation on behalf of the UN. (2) The EU has no useful military role to play in this, their involvement will just add confusion and complicate matters. All EU countries planning to contribute frigates and destroyers to the “EU military mission” are already members of NATO, and contributing ships for anti-piracy operations.

October 28 “Five piracy attempts per day occur in Gulf of Aden” (U.S. Naval Forces Central Command, Combined Maritime Forces, Press Release, 127-08, October 29, 2008)

On the 28th, five piracy attempts occurred in the Gulf of Aden, and they were all unsuccessful as a result of evasive maneuvering conducted by the commercial shipping vessels. Even when shots were fired during two of these attacks, the crews of commercial shipping vessels conducted evasive maneuvering and used fire hoses to repel their attackers. The U. S. Combined Maritime Forces established a Maritime Security Patrol Area (MSPA) on August 22. Since its establishment of the MSPA, Coalition units, CTF-150, have deterred more than two dozen attacks in the area. In addition to Coalition naval forces, ships and aircraft from several other nations to include a NATO task force are operating in the region. While there is no formal agreement between the CTF-150 and other navies, they have been communicating with each other and sharing information to more effectively patrol the area.

October 29 “EU issues plan to send warships to Somali waters” (AP, October 28, 2008)

On the 28th, the European Union (EU) announced details of its planned anti-piracy patrols off Somalia's coast, saying at least four warships backed by aircraft would begin policing the dangerous waters in December. The EU flotilla will eventually take over patrolling the area from NATO ships. Already 10 EU governments have volunteered ships or aircraft to the EU force, the EU official said. Several non-European nations, including India, Malaysia and Singapore, have also expressed interest in joining the EU force, he said.

October 29 “Somali pirates hijacks bulk carrier of Turkish shipping company” (Maritime Global Net, October 30, and Shiptalk, November 1, 2008)

On the 29th, Somali pirates hijacked a bulk carrier, MV *Yasa Neslihan* (82,849 DWT), which is registered by Marshall Islands, and chartered by Turkish Shipping Industry. There are 10 Turkish nationals on board the carrier, which was carrying iron ore from Canada to China. Contacting the company by telephone from the ship on November 1, the captain said the pirates have not harmed the crew but gave no details. For the ship which Somali pirates hijacked, she is the largest.



MV *Yasa Neslihan* (8 万 2,849DWT)

<http://www.vesseltracker.com/en/ShipPhotos/8019-Yasa-Neslihan-9286566.html>

October 31 “Indian Defense Ministry to work with world navies to check piracy” (newkerala, October 31, 2008)

On the 31st, at an interview in the Naval Commander's Conference, Indian Defense Minister A.K. Antony said, “In consultation with the Indian Navy, the defense ministry has taken up the matter with the Ministry of External Affairs (MEA) to evolve a procedure so that all navies of the world can work together to check piracy.” The Indian Navy has already deployed a warship in the Gulf of Aden to conduct anti-piracy patrols along the route Indian merchant vessels normally take during their passage between Salalah in Oman and Aden. When asked if the Indian Navy will be given rights to prosecute pirates operating in Somalia's territorial waters, Antony said: “We have got in touch with the MEA and are trying to find operational details of it.” When asked about a Hong Kong-registered MV *Stolt Valor* with 18 Indian sailors hijacked and taken hostage on 15 September, Sureesh Mehta said: “The ship does not belong to us and the country has not come to us, so we do not have any jurisdiction. We are ready to work with regional navies to check piracy in the region.” The Indian Navy is keen on playing a bigger role in the region under the aegis of the UN as well as providing a helping hand to the UN's World Food Program (WFP).

October 31 “EU implements close support protection system for merchant vessels” (ICC Commercial Crime Service, October 31, 2008)

On the 31st, the European Union (EU) initiated a ‘Close Support Protection’ system for vessels transiting the Gulf of Aden. The French navy will be the first to offer this service for three months. The French Navy is able to provide protection teams onboard two merchant vessels at a time. Only two vessels will have the protection teams onboard upon request. Protection is free. However, technical agreement between ship-owners and French navy has to be established prior to the protection team being embarked. The rest of the ships intending to follow this group of protected vessels can do so without the protection teams onboard. The presence of the warships will deter pirates from attacking any vessels in the group. Ships have the option either to follow

the group of protected vessels or to transit via the established Maritime Security Patrol Area (MSPA) in the Gulf of Aden. In either way, masters using the MSPA and those following the group of protected vessels are not relieved of maintaining a strict 24 hour lookout using all available means.

Special report

Ukrainian ro-ro ship MV *Faina* (Belize-flagging) and follow-on information

On September 25, Somali pirates hijacked a ro-ro vessel MV *Faina* (Belize-flagging) chartered by the Ukrainian Tomex Odessa, which was bound for Mombasa, Kenya. Defense Minister Yury Yekhanurov confirmed that 33 Russian T-72 tanks and a substantial quantity of ammunition were aboard. Below is the status over the MV *Faina* which has been noted since last time.

1. Riddle over destination of cargo shipment

It is reported that a shipment of 33 tanks and military equipment on board the MV *Faina* was headed to Sudan, not Kenya. On October 3, Kenyan police arrested Andrew Mwangura, the Program coordinator of the Kenyan chapter of the East African Seafarers' Assistance Program. He was charged with issuing false information in connection with cargo loaded in the MV *Faina*. Mwangura was the first person to announce that the Ukrainian ship was carrying cargo headed for Southern Sudan, but Kenyan government stated that the cargo belonged to the Kenyan government. According to the Kenyan police, Mr. Mwangura was arrested because "he knew too much" about the hijacked ship and its cargo. The arrest of Mr. Mwangura appears to be a cover-up of Kenya government's role in breaking an International arms embargo on Southern Sudan. (Shiptalk, October 6, 2008)

Regarding who owns the tanks aboard Ukrainian ship, British publication, *The Economist*, dated October 9, outlines it as follows.

- (1) Much will turn on the real meaning of the acronym "GOSS," evident as the buyer on the manifest. Most people take this to mean the "Government of South Sudan." On the other hand, the Kenyan government says it means the Kenyan army's "General Ordinance Supplies and Security," proving that the tanks were going to Kenya. But that does not necessarily mean they were not going on to south Sudan. Kenya has no history of using Soviet equipment. According to a Russian source, the only Russian arms Kenya has bought in recent years have been Kalashnikov rifles. The Kenyan parliament demands a thorough investigation into this matter, including a trip to Ukraine.
- (2) According to some reports, another 100 T-72 and T-55 tanks may have been shipped to south Sudan through the Kenyan port of Mombasa in the past year. If it be a fact, it raises further questions. Have all suspicious arms shipments reached south Sudan or have some been stockpiled in Kenya? Who paid for them? In either way, if the Ukrainian ship ever reaches Mombasa after it is released, Kenya will have to take delivery of the T-72s to where they were destined for.

On the other hand, according to the local newspaper dated October 5, as a talk of an official in Mogadishu, the capital of Somalia, Islamist insurgents, the Al Shabaab group, had demanded the hijackers to be given some of the weapons aboard a Ukrainian ship, but the pirates holding it had refused it. At present, they are said to be expecting a share of money paid out for the Ukrainian ship and two Greek ships held at Hoby. Al Shabaab group is influential in the southern part of Somalia, and US regards it is a terrorist organization linked to Al-Qaeda. (The Mercury, October 6, 2008)

2. Whereabouts of ransom negotiations

Following are several reports over the negotiations on ransom. On October 1, Andrew Mwangura, an official of the East African Seafarers Assistance Program, said the negotiations between the Ukrainian owners and the pirates were still going on over the phone. The gunmen are said be demanding 20 million US dollars (USD) to release the MV *Faina*. Mwangura said negotiations will continue long as it is regarded that the Ukrainian company may not pay all the money. (Shiptalk, October 1, 2008)

In an editorial on the Russian Web site, *Maritime Bulletin-Sovfracht*, dated on October 7, it is reported that Ukraine should settle the piracy incident accordingly, adding, "Let's talk it straight, Somali piracy is a business." Regarding the release of the Ukrainian ship *Faina*, the points are as follows. (1) The only way to release crew unharmed is to pay a ransom. However, paying an excessive amount of ransom will influence the incidents which are under negotiation or which may occur in future. Therefore, it should be dealt with an appropriate sum of money. (2) The vessel and cargo have insurance. Although the insurance against piracy is at maximum two-three million US dollars (USD), pirates are reportedly asking for 20 or 30 million USD. (Maritime Bulletin-Sovfracht, October 7, 2008)

On October 9, a spokesman for the bandits who hijacked a Ukrainian ship threatened to destroy the ship after three days from October 10 if no ransom is paid. The spokesman said to The Associated Press (AP) over satellite telephone, "We held a consultative meeting for more than three hours today (on the 9th) and decided to blow up the ship and its cargo — including us — if the ship owners did not meet our ransom demand." (AP, October 10, 2008) However, the Ukrainian is safe even after a deadline for ransom has expired, said spokeswoman for the U.S. 5th Fleet on October 15. The U.S. Navy says Somali pirates have not followed through with their threat to blow up a Ukrainian ship. (AP, October 15, 2008) Pressing the Ukrainian government to pay the ransom to the pirates, relatives of the crew on the hijacked Ukrainian ship are threatening to have a meeting with President Viktor Yushchenko on the 13th. (Shiptalk, October 13, 2008)

3. Future prospects

Regarding the release of MV *Faina*, pirates threatened to blow up the ship, and tense situations continued. However, so far, the situation seems to be at a deadlock. On the other hand, under the circumstance where the US navy and Russian warships are surrounding the MV *Faina*, there is information below, which suggests that a possibility of releasing the ship by use of force

could not be avoided.

According to the Associated Press (AP) report dated 1 October, the Transitional Government of Somalia has given permission to foreign armed forces to take action against Ukrainian-owned ship. According to the AP report, the Somali Foreign Ministry's acting permanent director said, "The international community has permission to fight with the pirates." In a radio broadcast Somalia's president said, "The government has lost patience and now wants to fight pirates with the help of the international community." (AP, October 1, 2008)

Russia has asked Somalia for "freedom to tackle" the country's pirate problem, the Russian Foreign Ministry said on October 23. "To ensure freedom of action in the fight against piracy directly in Somali territorial waters, the Russian Foreign Ministry has asked for consent from the Somali Republic's Transitional Federal Government to grant the Russian Federation the status of a 'cooperating state,'"the ministry said. (RIA Novosti, October 23, 2008)

How can the release of MV *Faina* be realized from now on? Is there any use of force for a solution, or with what amount of ransom will it be solved? In either case, ways of settlements will significantly influence upon the piracy issues in the Gulf of Aden and off the coast of Somalia. Also, the destination of delivering tanks and other military equipment will be regarded with attention.



Photographs: Situations after hijacking: Crew (Above left); naval vessel and helicopter watching MV *Faina* (Above right); Pirates' boats (Below left); Pirates on fore-deck of MV *Faina* (Below right)

Sources: All photographs from World News, Slideshow
http://article.wn.com/view/2008/10/12/Pirate_showdown_looms/

1.2 Military

October 1 “U.S. Senate approves upgrade of S. Korea's arms purchase status” (Yonhap News, October 2, 2008)

On October 1, the US Senate approved a bill elevating South Korea's Foreign Military Sales (FMS) status by the US government to that held by NATO, Japan, Australia, and New Zealand, or “NATO plus Three.” Hereby, regarding the defense equipment sales to South Korea which are required to be notified to Congress, the bill raises the limit from over 14 million US dollars (USD) to above 25 million USD and cuts the congressional screening period from 50 days to 15.

October 3 “Pentagon notifies Congress of possible arms sales to Taiwan” (Channel News Asia, October 4, 2008)

On October 3, the Pentagon notified Congress of the total sum of 60 billion dollars in possible arms sales to Taiwan. The proposal involves 330 advanced Patriot missiles (PAC-3s), 30 AH-64D Apache Longbow attack helicopters, 31 submarine launched Harpoon missiles, and 182 Javelin guided-missile systems among others. It would be the first time that the United States has sold PAC-3s and submarine-launched Harpoon missiles to Taiwan. Congress has 30 days to raise objections to the proposed sales.

【Related Story】

“ China cancels military contacts with US” (AP, October 7, 2008)

On October 6, a US Defense Department spokesman said China had notified the US that Beijing canceled or postponed several upcoming senior military level visits and other cooperative military-to-military exchanges between the two countries.

October 5 “Russian fleet enters Mediterranean Sea via Gibraltar” (The Times, October 6, 2008)

On the 5th, the Russian naval force of nuclear-powered missile cruiser, *Peter the Great*, accompanied by the *Admiral Chabanenko*, an anti-submarine destroyer, as well as a reconnaissance vessel and a support ship entered the Mediterranean through the Strait of Gibraltar before heading to Venezuela. The aim appears to be to demonstrate to the NATO countries that Russia is once again back in business as a blue-water power. On the other hand, considering that these Russian warships are Cold War “legacy ships,” this is a case of naval diplomacy rather than a demonstration of capability. The Russian naval force is due to call at the Libyan port of Tripoli and the Syrian port of Tartus.

October 13 “India, Indonesia hold joint patrol” (The Jakarta Post, October 13, 2008)

The navies of India and Indonesia are conducting a three-week-long coordinated patrol. During this period, two navies will participate in joint exercises in the Andaman Sea to improve

interoperability. This event has taken place twice every year since the signed deal in August of 2002, and proves to benefit both countries by countering piracy, poaching, smuggling, and other crimes in the area.

October 14 “Chinese warships visit Vladivostok” (Xinhua, October 16, 2008)

A Chinese navy squadron, consisting of the *Sovremenny* class destroyer, *Tai Zhou* (7,940 tons) and the guided missile frigate, *Ma Anshan* (3,400 tons), arrived at the Russian Far East sea port of Vladivostok on the 14th. The two ships stay at the port for four days.

October 15 “Indonesia navy to install radar in Tarakan” (The Antara News, October 15, 2008)

On the 15th, Indonesian Navy Chief of Staff Admiral Tedjo Edhy Purdijatno said that one of the 8 radars donated by the United States government will be installed in Tarakan, East Kalimantan to secure the waters of Sulawesi Sea and to support ASEAN maritime security. The Navy is currently conducting survey on prospective locations in Makassar Strait and Sulawesi Sea for remaining US radars.

October 19 “Indo-US bilateral naval exercise begins” (Thaindian News, October 19, 2008)

On October 19, Indo-US bilateral naval exercise “Malabar 08” began in the Arabian Sea. The scope of Malabar exercise includes diverse activities, ranging from gun-firing and fighter combat operations from aircraft carriers, to combating the scourge of terror, through Maritime Interdiction Operations exercises. During Malabar 08, the US Navy will be represented by the *Ronald Reagan* Strike Group (RRSG), which will include USS *Ronald Reagan*, a nuclear powered aircraft carrier, USS *Chancellorsville*, USS *Gridley*, USS *Decatur*, USS *Thach* and USS *Bridge*, an underway replenishment tanker. In addition, one submarine, USS *Springfield* and one P3C Orion aircraft will also participate in the exercise. The Indian Navy will be represented by, INS *Mumbai*, an indigenous Delhi Class guided missile destroyer, INS *Rana*, four guided missile frigates, an underway replenishment tanker, one submarine, and fixed and rotary wing aircraft are also scheduled to participate in the joint exercise. The first annual Malabar exercise was commenced in 1992. In 2007, five countries - India, US, Australia, Japan and Singapore – participated in the Malabar exercise.

October 28 “Iran opens new naval base east of Gulf” (BBC News, October 28, 2008)

Iran has opened new naval facilities in the town of Jask east of the Strait of Hormuz, which would enable Iran to block the entry of an “enemy” into the Gulf if need be, Naval chief Admiral Habibollah Sayyari said on the 28th. The Strait of Hormuz is the world's most important chokepoint, and about 20 percent of oil traded worldwide passes through the narrow waterway.



http://news.bbc.co.uk/2/hi/middle_east/7694947.stm

1.3 Diplomacy and International Relations

October 9 “Norway sends frigate to Arctic to wave flag” (Aftenpsten, October 9, 2008)

Norway has sent a naval frigate to Svalbard in the Arctic for the first time to “show the flag” over the sovereignty in the Arctic Circle. The Royal Norwegian Navy frigate, *Otto Sverdrup* was delivered in April this and will be one of five new *Fridtjof Nansen*-class frigates built in Spain for the Norwegian Navy.

October 14 “China, Russia hold joint ceremony of unveiling boundary markers” (AP, 14 October 2008)

On the 14th, at a ceremony on Heiziazi/Bolshoi Ussuriysky Island, China and Russia jointly unveiled boundary markers, signaling the resolution of a territorial dispute along their 4,300-kilometer border for more than a century. According to the agreement on July 21, Russia hands over to China Tarabarov Island and a half of Bolshoi Ussuriysky Island (about 375 sq.m.) in the Amur River. Tarabarov will be turned into Yinlongdao (Silver Dragon) Island. Chinese will call half of Bolishoi Ussuriysky Heixiazidao (Black Bear Island) (As for this matter, please refer to 1. 3 Diplomacy & International relations in OPRF MARINT Monthly Report July 2008.)

1.4 Shipping, Resources, Environment, and Miscellaneous

October 10 “Seadrill takes delivery of deep water semi-submersible” (Energy Current, October 10, 2008)

On the 10th, Norway's Seadrill took delivery of the deep water semi-submersible West Hercules from Daewoo Shipbuilding & Marine Engineering Co.'s shipyard in South Korea. West Hercules has a three-year contract with Husky Oil China Ltd. for operations, and the unit will commence operations to drill on the Liwan discovery in South China Sea within the next 30 days. West Hercules has a water depth capacity up to 3,000 meters. It will be Seadrill's first deepwater drilling operations offshore China.



West Hercules

Source: Energy Current, February 6, 2008

<http://www.energycurrent.com/index.php?id=2&storvid=10889>

October 21 “Somali piracy shakes confidence in Suez Canal route” (Middle East Times, October 21, 2008)

The Egyptian daily, *Middle East Times*, dated October 21, reports that the piracy attacks in Somalia are shaking confidence in the safety on the Suez Canal, the gist of which is as follows.

- (1) The Egyptian government fears a downturn in revenues from the canal, which is a hefty foreign currency maker. The canal brings in money of as much as 500 million US dollars to Egypt, which is the nearly 10 percent of nation's foreign currency income. If the piracy problem deteriorates further, the Cape Horn route could become the main passageway for cargo.
- (2) Head of the Suez Canal Authority Captain Ahmed Fadl has denied the effects caused by piracy to the waterways, saying they have no bearing on Suez Canal business. “The Somali piracy does not and will not affect navigation in the Suez Canal. Most passing ships are the big vessels that are committed to the safe navigation course, and the pirates with their small boats can't board them,” he said. Contrary to Fadl's assertions, a high-ranking source close to the Suez Canal Authority told that the threat from pirates is directly linked to the volume of traffic which uses the canal. He added: “It is clear that we are worrying about the status of

the canal, especially in light of the statistics that are showing that some [companies] are already diverting their routes.” A little fewer than 2,000 ships pass through the canal every month carrying a variety of goods from the Middle East and Asia to markets in Europe and the United States. But statistics show a drop in canal revenues in the last two months, from 504.5 million US dollars (USD) in August to 469.6 million USD in September; whereas the number of ships slipped from 1,993 in August to 1,872 in September.

- (3) Regarding the key which shakes confidence of the Suez Canal, everyone agrees that security in the Gulf of Aden and the seas off the “Horn of Africa” is essential. And although worries are high, Cairo is placing its hope that international efforts will find a swift solution to the very tense situation.

October 27 “ACP announces performance figures for FY 2008” (Maritime Global Net, October 27, 2008)

On the 27th, the Panama Canal Authority (ACP) announced its performance figures or “operational metrics” for the 2008 fiscal year (FY 08). It says: “Year-end (October 2007 – September 2008) statistics reveal a marginal decline in total transits and tonnage when compared to FY 07. However, the Canal also experienced growth in core segments, most notably tanker and passenger transits.” Total Canal transits decline by 0.1 percent (%) – from 14,721 to 14,702. Panama Canal/Universal Measurement System (PC/UMS) tonnage decreased 1.1% – from 312.9 million PC/UMS tons to 309.6 million PC/UMS tons. On the other hand, tanker traffic jumped this year by 4.8% – from 1,972 to 2,067 transits. Tanker tonnage also increased 8.6 percent. The Canal also saw an increase in passenger vessel transits – up 17.6% from 205 to 241 transits due to higher frequencies of smaller cruise ships. Transits by dry bulker were slightly up from 2,406 to 2,420 transits. While on the other hand, container transits dropped from 3,622 to 3,544 in FY 08.

October 28 “Deep-water port opens in China's Jiangsu Province” (Xinhua, October 28, 2008)

On the 28th, a deep-water port opened to ships and traffic on a man-made island on the Yellow Sea in east China's Jiangsu Province. The Yangkou Port is connected to the mainland by a 13-kilometer (km) vehicular bridge. So far, only one berth at the port is operational for ships weighing 10,000 tons or less. Once construction on the rest of the project is complete, the port is expected to help handle massive amounts of cargo flowing in the bustling Yangtze River Delta region. According to statistics from the Ministry of Transportation, more than 40 percent of China's port transportation volume is concentrated in the Yangtze River Delta region. Based on the port's construction plan, it will be able to dock ocean-going ships weighing 300,000 tons by 2013. The port will be able to accommodate heavy cargo such as containers, crude oil, iron ore and LNG, according to the port's developer, the Yangkou Port Development and Investment Co. Ltd. Before the Yangkou Port, there was no major port on the 1,000-km coastline between Shanghai and Lianyungang Port in Jiangsu. Petro China, China's largest oil producer, kicked off its liquefied natural gas (LNG) receiving station project at the port in May, taking advantage of the

port's prospective transportation capacity. The eight billion yuan (1.2 billion U.S. dollars) LNG project is scheduled to be completed by 2011. The station will have an annual handling capacity of 3.5 million tons of LNG, making it an important energy backup source for Shanghai and Nanjing, provincial capital of Jiangsu.

October 31 “Russian new icebreaker enters final stages of construction” (RIA Novosti, October 31, 2008)

On the 31st, Russia's Admiralty Shipyard moved a new enhanced ice-class tanker from a dry dock to a wet dock for the final stages of construction work. The St. Petersburg-based shipyard, Russia's oldest, is building a 70,000-deadweight enhanced ice-class tanker, designed to ship oil from an Arctic oil field operated by Gazprom subsidiary. “Not every country is capable of constructing such unique vessels. Such a tanker is highly desirable for operations in Arctic conditions. The vessel will go to sea next summer,” said general director of the Admiralty Shipyard. They will be able to operate in temperatures of minus 40 degrees C, breaking ice up to 1.5 meters thick without an icebreaker escort.

2. Intelligence Assessment

Piracy and Armed Robbery against Ships: Report until third quarter in 2008 (1 January – 30 September 2008)

On October 23, 2008, the International Maritime Bureau (IMB) published a report on the maritime piracy and armed robbery during the first three quarters of the year 2008 (between January 1 and September 30) (hereafter the report) through the Piracy Reporting Center (PRC) based in Kuala Lumpur, Malaysia.

The piracy and armed robbery have been described by IMB as “act of boarding any vessel with the intent to commit theft or any other crime and with the intent or capability to use force in the furtherance of that act.” This definition includes actual and attempted acts regardless of the situation where the vessels are in ports, anchorages, or navigation, excluding an act of theft by persons who are not armed with knives.

Below are main points of the report. In enclosure, regarding the status of hijacking incidents in the Gulf of Aden and off Somalia in 2008, we have summarized it in a chart after having analyzed data in the report and other related information.

1. Characteristics viewed from numbers and locations of actual attacks (including attempted cases)

The number of the attacks reported during the first three quarters (hereafter, the same period) of 2008 was 199. Of them, 146 were accomplished cases, which included 31 hijacks and 115 boarding. Of a total of 53 attempted cases, were 23 firing attacks and 30 boarding. Compared to 198 cases during the same period of 2007 (263 cases throughout the year 2007), the number of cases during the same period of 2008 has increased by one case, which is nearly the same as the one in the previous year. The number of these cases is smaller, compared to the number of 251 during the same period in 2004 (335 cases throughout the year) which recorded the highest number in the past five years, and 205 cases during the same period in 2005 (276 cases throughout the year). This information shows that the trend during the same period in 2007, which showed an increase compared to the previous year for the first time in the past five years, continues.

The IBM is regarding there are other unreported attack cases except them, and advising all masters of the vessels, shipping owners and other related persons to report piracy incidents and armed robbery cases to the PRC.

As shown in Table 1, looking from the locations of the incidents, of 199 cases noted by the end of the third quarter of this year, 151 cases-- three-thirds of all cases have occurred in the eight locations of the maritime areas. In order of higher numbers of incidents, as many as 51 cases (10 cases during the same period of 2007) are overwhelmingly noted in the Gulf of Aden. Combining these cases with 12 cases (26 cases throughout the year) off Somalia gives 63 cases in the area

around the “Horn of Africa.” This occupies nearly one-third of all incidents occurred, which indicates the area off Somalia is the most dangerous place in the world. Looking at 63 cases per every quarter of the year, while there were six cases (five in the Gulf of Aden and one in Somalia) in the first quarter, and 18 cases (14 in the Gulf of Aden and four in Somalia) in the second quarters, 39 cases (32 in the Gulf of Aden and seven in Somalia) have been noted in the third quarter. Particularly, an increasing number of hijacking incidents is distinct in August and September (refer to chart in enclosure). Additionally, the number of incidents until the third quarter extensively overwhelms the 44 cases occurred throughout the year of 2007, which shows abnormality in the area in 2008.

Regarding the locations of the incidents, the report says Somali pirates are now attacking vessels in the Gulf of Aden from their bases on the coast of northern Somalia. Once the attack is successful and the vessel hijacked, the pirates tow the vessel to anchor close to the Somali coast and thereafter demand a ransom for the release of the crew and vessel. Also, the report indicates that the pirates have resumed attacking vessels off the east coast of Somalia. The attacks are now on the two fronts: Gulf of Aden and East Coast Somalia. In addition, Somali pirates are armed with automatic weapons, including RPG (Rocket Propelled Grenade) and are very dangerous. The IBM maintains its advice that the vessels passing this area should keep away from the Somali coast more than 250 nautical miles.

Nigeria holds second spot with 24 reported incidents, which nearly equal to 26 cases during the same period (42 cases throughout the year in 2007). Of them at least 20 attacks have taken place in Lagos. The report regards there is a lot of under reporting from this area. The pirates are violent, board the vessels underway or at the anchorage, rob the crew, and take them as hostages. As many as 14 cases were noted off the eastern coast of Tanzania, which is increasing from nine cases noted during the same period in 2007. In case of Tanzania, piracy incidents are concentrated in the port of Dar Es Salaam and its surrounding waters.

In the waters around Indonesian archipelago, 23 cases were noted, which is decreasing drastically from 37 cases during the same period in 2007. In case of Indonesia, it is peculiar that the sea areas of incidents are scattered over to Anambas Island (South China Seas), Natuna Island (South China Sea), Belawan (Sumatra Island), and Jakarta Tanjung Priok. In case of Indonesia, piracy against ships is primarily for robbery of property, and is less violent. There are a large number of attacks, which go unreported. The IBM evaluates that Indonesia is bringing down the overall number of attacks down, year on year.

Of eight locations, remaining three maritime areas are in Asia. Of ten cases (seven cases during the same period in 2007) in India, most of them were attacks made while the vessels were anchored in Kandla northwest of India facing the Arabian Sea. Nine cases (13 during the same period of 2007) were noted in Bangladesh, and the number shows a decreasing trend. Most of attacks occurred while the vessels were anchored or berthed in Chittagong Port. Eight cases (four cases during the same period in 2007) were noted in Vung Tau in Mekong Delta, Vietnam. As for other areas in Asia, seven cases (seven during the same period in 2007) were noted in Malaysia, mostly in the maritime area around Tioman Islands in South China Sea. There were six cases

(two cases during the same period in 2007) in the Philippines, which occurred mostly in Manila Port, Tapul Island and Parang in Sulu Sea, among others. There is one case in Myanmar (None during the same period in 2007).

Also, two cases (both attempted) were noted in the Malacca Strait, which shows number of incidents was halved from four cases during the same period in 2007(seven cases in a whole year). There were two cases (of them one was actual) in the Malacca Strait, which was less than three cases noted during the same period of 2007 as well as throughout 2007 respectively. One actual case was boarding the tug boat while steaming.

2. Characteristics viewed from the Activities

According to the report, the number of the actual attacks during the first three quarters of 2008 was 146, of which 14 cases (16 cases during the same period of 2007) occurred while the vessels were berthed; 73 cases (77 cases during the same period of 2007) happened while the ships were anchored; 58 cases (32 cases during the same period of 2007) took place while they were steaming; and one case (seven cases during the same period of 2007) was not stated. On the other hand, of 53 attempted attacks, two cases (one case during the same period of 2007) while the boat was berthed; six cases (16 cases during the same period of 2007) while anchored; and 45 cases (49 cases during the same period of 2007) while steaming, were noted.

In Indonesia, Vietnam, Bangladesh and Nigeria where the actual attacks most frequently occurred, the most of the incidents happened while the vessels were anchored. There were 11 cases (a total of 21 cases) in Indonesia, five cases (seven cases during the same period of 2007) in Vietnam, six cases (9 cases during the same period of 2007) in Bangladesh, and 10 cases (20 cases during the same period of 2007) in Nigeria. However, in Somalia, all of eight actual attacks occurred while the vessels were steaming, which is reflecting uniqueness that the pirates in this area are using “mother vessels.” In case of Tanzania, all of 14 attacks noted were actual ones, half of which were made while anchored or while the vessels were steaming.

The ports and anchorages, where three or more attacks were reported during the first three quarters of 2008, total 11 in the world. Of 11 cases, the highest number of 20 cases was noted in Lagos in Nigeria, which is followed by 10 cases in Dar Es Slam in Tanzania and eight cases in Chittagong in Bangladesh. In Asia, five cases (seven cases during the period of 2007) in Belawan in Indonesia, four cases (three cases during the period of 2007) in Tanjung Priok in Indonesia, and four cases (three cases during the period of 2007) in Vung Tau in Vietnam were noted.

3. Ship damaged by types

To look at 199 attacks during the first three quarter of 2008 by types of the vessels involved in the incidents, the highest number was 40 containers (39 during the same period of 2007); the second was 35 for chemical tankers (35 during the same period of 2007); the third was 33 bulk carriers (22 during the same period of 2007); the fourth was 26 general cargo ships (26 during the same period of 2007); and the fifth was 16 crude oil tankers (22 during the same period of 2007). The others are nine tugs/tug & barges (six during the same period of 2007), seven trawlers

/fishing boats (12 during the same period of 2007), seven yachts (seven during the same period of 2007), five tanker LPG's and refrigerated vessels respectively (four LPG's and five refrigerated vessels during the same period of 2007).

The number of attacks on vessels by type indicates a trend over the years. The transition of hijacking incidents by Somali pirates are as shown in information in attached sheet (enclosure). Among all types of vessels, the bulk carriers are most frequently attacked. On average, bulk carriers hijacked are more or less with 10,000 – 20,000 tons. Among the large bulk carriers hijacked was the Panama-flagged MV *Capt Stephanos* with 74,000 tonnage owned by the Greek shipping company, which was attacked on September 21. Somali pirates also hijacked MV *Yasa Neslihan*, a Marshall Island-flagged bulk carrier with 82,849 tons in the Gulf of Aden on 29 September.

On average, Somali pirates have targeted for hijacking ships with low sides, low speed (below 15 knots) without a complement of full crew (of more or less 20 members), and the ro-ro vessel, MV *Faina* (Belize-flagged) operated by Ukrainian shipping company was a rare case. On 21 April 2008, a very large crude oil carrier (VLCC) "*Takayama*" (150,000 GT) of NYK was fired and hit by a small suspicious boat in the Gulf of Aden. Although it is regarded to be difficult to hijack such a VLCC like "*Takayama*," fire by a hit, if it goes up in flame, will cause a catastrophe.

4. Types of violence to the crew and arms used

As shown in Table 2, regarding the types of violence inflicted upon the crew, a total number of persons who were violated during the first three quarters of 2008 has drastically increased and doubled to 637, compared to 286 during the same period of 2007. Particularly, kidnap and ransom cases during the first three quarters of 2008 significantly increased to 581 from 172 during the same period of 2007.

Looking at the violence by location, of 581 kidnap and ransom cases, we note 395 in the Gulf of Aden and 137 in Somalia occupy most part of violence in these categories. The hijacking incidents in these waters reflect a feature that demands ransom in exchange for releasing the ships and crews. Apart from these areas, there were 15 in Malaysia, 12 in Nigeria and 10 in Indonesia. Also, those who were kidnapped were nine in Nigeria, and three in Somalia.

Looking at the violence by the types of arms used by pirates, as the Table 3 indicates, of a total of 199 cases at the end of the third quarter of 2007, 76 attacks were made by gun. In view of the attacks from geographical locations, 44 attacks were most significantly noted in the Gulf of Aden, followed by 10 cases in Somalia. Here, a striking feature of pirates in this maritime area, who have automatic firearms including RPG, is noted. On the other hand, in Indonesia, there are ten cases of using knives, compared to three cases of using guns, and attacks by using knives are increasing in other Asian countries. Robbing property of ships and crews is a common feature of pirates in Asia.

Table 1: Trends of incidents (including the attempted cases) that frequently occurred in Asia and other areas during the annual three quarters of the recent five years

Locations	2004	2005	2006	2007	2008
Indonesia	70	61	40	37	23
Malacca Straits	25	10	8	4	2
Malaysia	8	3	9	7	7
Philippines	3		3	2	6
Singapore Straits	8	7	3	3	2
Thailand/Gulf of Thailand	4	1	1	2	
South China Sea	8	4	1	3	
Vietnam	3	8	3	4	8
Bangladesh	15	14	33	13	9
India	10	12	3	7	10
Gulf of Aden	5	8	9	10	51*
Somalia	1	19	8	26	12
Nigeria	18	14	9	26	24
Tanzania		4	2	9	14
Sub Total Jan-Sept**	251	205	174	198	199
Total at year end**	445	335	276	239	

Source: Made from Table 1 in the Report, pp.6-7.

Note *: No attack in the Red Sea has been reported. Also, attacks in this maritime area were made by Somali pirates.

Note **: Each total number of attacks during the first three quarters of the year and throughout the year includes all targeting maritime areas in this report.

Table 2: Types of violence to crew, January-September 2004-2008

Types of Violence	2004	2005	2006	2007	2008
Hostage	186	259	163	172	581
Kidnap	N/A	12	20	63	9
Threatened	29	10	14	4	4
Assaulted	10	3	2	21	5
Injured	51	19	13	21	22
Killed	30	-	6	3	9
Missing	21	12	-	2	7
Total Jan-Sept	327	315	218	286	637

Source: Made from Table 8 in the Report, p.13.

Table 3: Types of arms used by geographical location, January-September 2004-2008

Locations/Types of Arms	Armed with Guns	Armed with Knives	Other Weapons	Not Stated
Indonesia	3	10	1	9
Malacca Straits				2
Malaysia	4	2		
Philippines	2	3		1
Singapore Straits		1		1
Vietnam		4		4
India		3		7
Bangladesh	1	3	1	4
Gulf of Aden	44			7
Somalia	10			2
Nigeria	8	8	2	6
Tanzania		8		6
Sub Total*	76	54	4	65
Total Jan-Sept*	199			

Source: Made from Table 10 in the Report, p.14.

Note*: Number of attacks includes all targeting maritime areas in the report.

Enclosure: Information by Ocean Policy Research Foundation on the Status of Hijacking Incidents off
Gulf of Aden and Somalia in 2008 (As of November 16)

Highjacked	Date	Date released (Days held)	Crew (killed)	Vessel	Flag State
<i>Svitzer Korsakov</i>	2.1	3.18(46)	6	Tug	St.Vincent & Grenadines
<i>Brum Ocean</i>	4.1	4.1(1)	34	Fishing vessel	Yemen
<i>Playa De Bakio</i>	4.2	4.25(23)	26	Fishing vessel	Canary Islands
<i>Le Ponant</i>	4.4	4.11(7)	30	Passenger Vessel	France
<i>Al-Khaleej</i>	4.21	4.21(1)	16		UAE
<i>Victoria</i>	5.17	5.23(6)	21	General Cargo	Jordan
<i>Amiya Scan</i>	5.25	6.24(30)	9	General Cargo	Antigua & Barbuda
<i>Lehmann Timber</i>	5.28	7.7(40)	15	General Cargo	Gibraltar
<i>Rockall</i>	6.23		3		
<i>Stella Maris *</i>	7.20	10.9 (81)	20	Bulk Carrier	Panama
<i>Yenagoa Ocean</i>	8.4		8	Tug/Supply Vessel	Panama
<i>Thor Star</i>	8.12	10.16 (64)	28	Bulk Carrier	Thailand
<i>Bunga Melati Dua</i>	8.19	9.29 (40)	39 (1)	Chemical Tanker	Malaysia
<i>Iran Deyanat</i>	8.21	10.10 (49)	29	Bulk Carrier	Iran
<i>BBC Trinidad</i>	8.21	9.11 (20)	13	Bulk Carrier	Antigua & Barbuda
<i>Irene *</i>	8.21	10.8 (47)	19	Tanker	Panama
<i>Bunga Melati Lima</i>	8.29	9.27 (28)	41	Chemical Tanker	Malaysia
<i>Carre D'as IV</i>	9.2	9.15 (13)	3	Yacht	Venezuela
<i>Al Mansourah</i>	9.3	9.27 (24)	25	Bulk Carrier	Egypt
<i>Bright Ruby</i>	9.10	10.16 (36)	21	Bulk Carrier	South Korea
<i>Stolt Valor *</i>	9.15	11.16 (62)	22	Chemical Tanker	Hong Kong
<i>Great Creation</i>	9.17		25	Bulk Carrier	Hong Kong
<i>Centauri</i>	9.18		25	Bulk Carrier	Marta
<i>Capt Stefanos</i>	9.21		19	Bulk Carrier	Bahamas
<i>Faina</i>	9.25		21(1)	Ro-Ro vessel	Belize
<i>Genoius</i>	9.25		19	Chemical Tanker	Liberia
<i>Wail</i>	10.9	10.14 (5)	11	General Cargo	Panama
<i>Action</i>	10.11		20	Chemical Tanker	Panama
<i>African Sanderling *</i>	10.15		21	Bulk Carrier	Panama
<i>Yasa Neslihan</i>	10.29		20	Bulk Carrier	Marshall Island
<i>CEC Future</i>	11.7		13	General Cargo	Bahamas
<i>Stolt Strength</i>	11.10		23	Chemical Tanker	Philippines
<i>Stolt Venture</i>	11.11		21	Chemical Tanker	Philippines
<i>Karagol</i>	11.12		14	Chemical Tanker	Turkey

Highjacked	Date	Date released (Days held)	Crew (killed)	Vessel	Flag State
<i>Tian Yu.8*</i>	11.13		24	Fishing Boat	China
<i>Chemstar Venus*</i>	11.15		23	Chemical Tanker	Panama

Sources: "Piracy And Armed Robbery Against Ships: 1 January – 30 September 2008," ICC International Maritime Bureau, October 2008, pp.51-65., and Hans Tino Hansen, "Somalia Piracy Background Briefing," Version 1.3, RiskIntelligence, October 13, pp.4-5.
<http://www.riskintelligence.eu/gfx/somalia%20briefing%20%20october%202008%20version%201.3.pdf>
 In addition to the above-listed sources, we have also used data from other sources of information for compiling this table.

Note 1: Blanks in the columns of Type of Vessel and Flag State show no data are available.

Remarks*: in the column of the ship name highjacked indicates the vessel is Japanese-related. .
Stella Maris and *Irene* are related to Koyo Kaiun Shipping Company, and *African Sanderling* is to Nagashiki Steamship Company. *Stolt Valor* is also related to the Japanese shipping company. *Chemstar Venus* is related to the Iino Marine Service Company. *Tian Yu.8* (Tuna fishing boat) belongs to China's Tianjin Ocean Fishing Company, and the captain of the ship is Japanese.

Information: On November 14, the Nippon Foundation and Ocean Policy Research Foundation (OPRF) held “Emergency Meeting for Anti-piracy Measures off Somalia” in Tokyo, and made a proposal for emergency as follows. This proposal was delivered as a document to Director, Global Ocean Research Policy (GORP) (Sogo Kaiyo Seisaku Honbu in Japanese) who is Prime Minister and Defense Minister on November 18, and Vice-Director, GORP who is Minister in charge of Ocean Research Policy, Vice-Director, GORP who is Construction and Transport Minister on November 20.

Proposals for Japan’s Response to Piracy off Somalia Issued after Emergency Meeting for Anti-piracy Measures off Somalia

In order to secure the sea-lane which is vital to the national existence, and from the standpoint of cooperating for the maintenance of peace and security in the international community, Japan, as a nation, should tackle positively as a nation the prevention (prevention, deterrence and suppression) of acts of piracy which are occurring frequently in the waters off Somalia.

For this purpose, Japan should:

1. Work further with the international community toward tackling prevention of piracy which frequently occurs off Somalia at the United Nations (UN) Security Council, UN General Assembly, and other related international conferences among others.
2. Dispatch military forces consisting of naval vessels of the Japanese Maritime Self Defense Force and others to the waters off Somalia in consideration of the situation off Somalia and UN Security Council resolutions 1816 and 1833.

In view of increasing and deteriorating situation caused by the piracy off Somalia, dispatching the naval vessels of the Japanese Maritime Self Defense Force among others should be implemented in the quickest way possible.

- a. For this purpose, first of all, under the current law, in order to monitor and grasp the situation, Japan should immediately dispatch the naval vessels and others to the international waters off Somalia. Naval vessels and others shall operate under Article 100 of “UN Convention on the Law of the Sea” (Duty to cooperate in the repression of piracy) and provide information to the naval vessels of other nations. Additionally, there are no particular restrictions to the target-vessels in the research and survey activities.
- b. In doing these activities simultaneously, the Government shall grasp the status in which piracy acts against other vessels are being conducted by piracy boats in the waters on the spot, and, after confirming whether it meets the necessary conditions of ordering the “maritime policing operations” in Article 82 in the Japanese Self Defense Force Law, and shall decide an order of the actions to take appropriate measures.

On this occasion, by applying Article 18 in the Japan Coast Guard Laws to the case, the naval vessel may request for assistance from nearby persons and vessels to a disaster and rescue at sea, arrest of criminals at sea and other emergencies. Also, by applying Article

17.1 in the Japan Coast Guard Laws to the case, the naval vessel may stop, visit and inspect the vessels or questions the persons. Additionally, by applying Article 18 in the Japan Coast Guard Laws to the same case, the naval vessel may make a vessel suspend her departure, or deviate from her pre-determined route, or move to a designated place. This is approved in Article 105 and Article 107 in the “UN Convention on the Law of the Sea.”

As for the use of arms, by applying Article 7 in the Police Duties Execution Law, in case there are ample reasons necessary for the arrest of criminals, prevention of escape, and protection of oneself or other individuals or prevention of resistance to execution of duties, it shall be approved within a limit judged to be reasonably necessary in accordance with the situation.

Additionally, the targets shall be the vessels flying Japanese colors, ships with Japanese crews, or flag of convenience ships controlled by Japanese shipping companies as well as the vessels carrying cargoes which are inbound or outbound Japan.

- c. When an issue of order of “maritime policing operations” is expected to continue for a long period, or, when it is not considered to be fully effective in the international cooperation to prevent piracy acts within an limit authorized during the activities, we should respond to establish in the quickest way possible the special law -“Maritime Prevention Law (tentative)”- to tackle the piracy off Somalia. By the special law, we shall conduct a warning shot at an area in the vicinity of the ship, firing at its hull, and firing to disable the navigation of the vessel that is attempting to commit piracy in order. By allowing permission to fire to inflict damage to the pirates that resist on board inspection by force, we shall be able to conduct effective activities within a framework of international cooperation for the maritime security.

By the special law, foreign vessels carrying no Japanese-related cargoes shall be targets of control.

Also, before establishing the special law, necessary examination should be made so as to be able to exercise legislative jurisdiction together with exercising executive jurisdiction.

The vessels dispatched shall make efforts to exchange information with naval vessels and others of other nations as well as to conduct coordinated operations in order to prevent piracy.

3. The increasing piracy is one of primary factors of causing internal disorder and deterioration of the security in Somalia. While urging the international community to work for assisting reconstruction of Somalia, Japan should propose various assistance to stabilization of domestic life and security in Somalia by providing funds and technologies to the anti-poverty measures including construction of industrial basis in the coastal area of Somalia which is a hotbed of piracy, radar facilities for surveillance and prevention of piracy and other equipment.
4. Considering the situation, supply operations by the naval vessels of the Maritime Self Defense Force in the Indian Ocean are international activities of ocean security, which should be continued further.
5. The procedures decided on the basis of this proposal should not only be limited to piracy off

Somalia but also be applied to other areas in accordance with the requirements.

6. The pirates operating beyond the national border are a common enemy of mankind, who threaten the peace and security of the world. The response to pirates should be taken as the activities of international peace enforcement or law enforcement, which should be advocated to the UN Security Council by taking the initiative.

The above proposal was announced at the Emergency Session for Anti-piracy Measures off Somalia held in Tokyo on 14 November 2008.

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