Along with cowboys and knights in shining armour, the pirate is a classic romantic figure in the imaginations of protagonists. Indeed, the romance of the pirate extends to a broader audience than that, as the success of the recent film Pirates of the Caribbean demonstrates. However, the perception of a romantic pirate is a long way from the stereotype of a pirate in today’s international law. The Organisation for Economic Co-operation and Development (OECD) reports that, even in the positions taken by representatives at the conference from India, Japan, Indonesia, and the USA, that this is far easier said than done. Sensitivities to outside incursions into national waters and strong memories of historical conflicts create an environment that is in many ways inimical to the multilateral effort required to combat piracy. Nonetheless, urgent action is required. IOM data show that attacks have tripled in the ten years since 1995. Worse still, the violence of attacks is also growing (Ong 2003). In the first six months of 2005 alone there were 254 pirate incidents that resulted in 16 deaths, 51 injuries, 20 missing crew, and 193 hostages being taken. Up to 1000 vessels are affected each year, representing the whole picture, as many incidents of piracy go unreported.

In addition to the important research that needs to be conducted in the international context such as the context of pression of piracy in Asian waters, it is evident that too little is known about the economic, political, and social contexts of piracy. Who are pirates? What drives individuals to piracy? We can speculate too much activity on the high seas is linked to an upsurge in piracy, although we do not yet have studies that have examined that relationship in a careful way. We do know that there is a range of types of pirate activities, from small-scale land-hand attacks on boats at berth to sophisticated operations that hijack entire vessels in order to sell the cargo and the vessel, after having changed its name, using forged ownership papers. We do not, however, know much about the criminal networks that exist for the fencing of stolen goods and which are sufficiently well connected to know to whom to target particularly valuable vessels. Indeed, partici- pants in the conference raised the very real concern of bar- riers to cooperation that tasks are formidable in this context. In view of the post-11 September environment, Gerard Ong rightly observed that ‘ships can be dangerous too’ as vehi- cles for attacks on vital shipping lanes or sensitive environ- ments. In early September, the IOM reported that a recent upsurge of piracy in the Malacca Straits may be due to attempts by Ache rebels to fund their activities through ves- sel capture and hostage taking (ICC 2003b). While increas- ing state anti-piracy naval and coastguard capacity is impor- tant, its formulation of effective counter-piracy policies also requires that increasing research attention be directed at competing against ships within national waters are subject to the national legislation of the coastal states. The enforcement is also subject to the rules and regulations of the coastal states.

One of the key challenges of international counter-piracy cooperation is to help combat piracy. Hence, the international community has responded to these challenges. Most notably, the UN General Assembly, in its Resolution 55/22, declared 2001-2003 the International Year of the Child and established the Committee of Experts to examine and report on the situation of children in armed conflict. The resolution established the Committee of Experts and authorized the Secretary-General to designate a special rapporteur on the situation of children in armed conflict. The Committee of Experts and the special rapporteur are now responsible for monitoring and reporting on the situation of children in armed conflict in various countries, including Afghanistan, Iraq, and Pakistan. The Committee of Experts and the special rapporteur are also responsible for identifying and addressing the needs of children affected by armed conflict, including providing assistance to those in need and promoting the implementation of international instruments to protect the rights of children in armed conflict.

The IMO conforms to the United Nations Law of the Sea (Art. 100 Law of the Sea Convention). The meaning of ‘fullest extent’ is not, however, clearly defined (Chia 2003). Acts of violence or detention against ships within national waters are subject to the national legislation of the coastal states. The enforcement of the law of the sea is also subject to the rules and regulations of the coastal states.

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