

Maritime Jurisdictions and Crimes

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- Oceans have become frequent areas of violence caused by pirates and terrorists. These criminal groups disturb the shipping transportation by sea. Also the major Sea Lanes of Communication (SLOCs) are under regular threat by pirates and terrorists.
- Since 1980s incidence of crimes on the seas has been growing rapidly. Indian Ocean Region (IOR) is the most affected region of attacks on the ships and oil tanks passing from one country to another, or one region to another region.
- Southeast Asian countries of IOR like Indonesia, Singapore and Thailand are the victims of piracy and terrorism. Malacca Strait in this region has been the major area of maritime crimes.

- Most particularly western IOR – Red Sea, Horn of Africa and the Gulf region – is the worst affected region of violence. Terrorists, mainly Islamic groups like Al Queda and Islamic State (IS) are major agents of maritime crimes. Somalia, an East African county is the hotbed of aging piracy.

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Combating Piracy at Sea:anti –Piracy Laws and Conventions

- Several Acts and Conventions have been passed by the international community to prevent and combat piracy. These are from time to time reviewed and revised to effectively counter growing acts of armed robbery , called .
- Piracy is defined by the UNCLOS as a criminal act which is committed on the high seas. International Maritime Bureau (IMB) defines

piracy as the “act of boarding any vessel with the intent to commit theft or any other crime.”

- *Suppression of Unlawful Acts on Against the Safety of Maritime Navigation* (called SUA, 1988) is the most important anti-piracy law signed by many states. SUA includes following acts as crimes of piracy:
 - a. Seizing a ship by force and attack the crew of the ship
 - b. Destroy a ship or damage it or the cargo the ship is carrying
 - c. Damage the ship’s navigational, communication or any other equipment/ facilities that endanger the navigation or movement of the ship.
 - d. Threaten, injure or kill any person on the ship with the clear motive of attacking them.
- Pirates come in a group secretly and in an undetected manner. Their sole purpose is to

threaten and attack the crew of the ship, and kill some of them if they resist the pirates. Captured ship is diverted to a foreign country and then huge ransom is demanded from the crew or owners of the ship.

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Prosecution of Pirates

- Above different Conventions/Laws like SUA have laid down legal procedures or guidelines for punishing the captured pirates and the criminals involved in attacking or seizing a ship
- All the States which signed the SUA are advised to enact national laws to punish the pirates. States are mandated to provide clearly legal jurisdiction, conduct of investigation and prosecution of the pirates and other offenders.

- India signed the SUA. To provide domestic legal sanctity to SUA, India passed the *Suppression of Unlawful Acts against the Safety of Maritime Navigation* in 2002.
- In addition to the above Act, India introduced a more detailed Bill on anti-Piracy in the Parliament. It is passed by parliament and waiting for assent by President of India.

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Maritime Terrorism

- Maritime terrorism is attack on a ship, port, coastal cities or the people of a coastal country. Like piracy maritime terrorism also has become the frequent and violent crime on seas and coastal countries over the last three decades.
- Unlike piracy, maritime terrorism is an organized violent attack by religious groups against a country as an act of revenge. They do not attack for money. They are motivated by religious faith, ideologies or movements for a particular cause.

- Most of such terrorist acts have been conducted by Islamic Jihadi groups like Al Qaeda, *Lashkar-e- Toiba* (LeT), Taliban or their allied groups. Unfortunately states like Afghanistan, Pakistan and Gulf states support the Islamic terrorists by providing them bases, money, training and other facilities.
- International cooperation and diplomatic pressure to prevent those countries which are encouraging terrorism directly or indirectly is growing. India introduced in the UNO a Comprehensive Convention against Global Terrorism. India is the largest victim of global terrorism.

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International Conventions against Maritime Terrorism

- The SUA Convention (also called Rome Convention, 1988) provides for international action against acts of maritime terrorism. SUA includes many acts of violence against ships and shipping. ROME Convention prohibits acts of

violence that endanger movement of a ship on the seas, its destruction, and killing the ship's personnel and people aboard.

- Rome convention treats as maritime violence the use of a Ship as weapon by terrorists. Even in general deliberate violence on the seas is also recognized as a terror act by the Rome Convention.
- Rome convention mandates the governments to prosecute the maritime terrorists captured. It also obligates the governments to extradite a captured terrorist to another country where he originally committed terrorism.
- Rome Convention advises all the countries in the world to cooperate with each other to discourage, prevent and counter any act of maritime terrorism. Terrorism is recognized as violence against humanity.
