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The forgotten pirates: Iraqi and Iranian pirates in the Arabian Gulf who have never been reported to the International Maritime Organization (IMO)

1. Introduction

The Arabian Gulf is one of the most important waterways in the world as it is the only way in and out for the vessels of the nations in the area who are the major crude oil exporters. Since oil production accounts for almost %90 of the economic output of the Gulf States, any maritime threats in the Arabian Gulf would cause serious damage to the national economies of the Arabian Gulf Cooperation Council (GCC) states¹. One of the potentially major maritime threats is piracy which could 1) block the strait of Hormuz thereby stopping navigation in and out of the Arabian Gulf which would not only harm the economies of the GCC states, but also harm the consumers of oil by increasing oil prices; and/or 2) cause damage by attacking the oil tankers and seizing their cargo, which would cause similar damage to the GCC states' economy and to the world economy². Such potential threats could come from Somali pirates when their operations reach the Arabian Sea and block the strait of Hormuz from the south, and in the literature, Somalis are generally seen as the most likely source of this threat. However, what is not discussed in the literature is that the threat could come from Iraqi or Iranian pirates in the northern and central areas of the Arabian Gulf. The reason why commentators have not discussed this possibility is that while there are many reports of Somali pirates operating in the Arabian Gulf recorded by the International Maritime Organization (IMO) in its records for the years 2003-2015, there are no reports recorded by the IMO of Iraqi or Iranian pirates operating in the northern and central Arabian Gulf during 2003-2012. Yet fieldwork carried out for this research revealed that both Iraqi and Iranian pirates were active at this time. Fieldwork carried out in 2012 and 2013 in the Arabian Gulf involving interviewing stakeholders in maritime security positions such as navies, private maritime security companies, oil tanker companies, coastguards and government officials, identified a significant number of piracy attacks in the North of the Arabian Gulf (the waters between Kuwait and Iraq), conducted by Iraqi pirates, and also piracy attacks in the Central area of the Arabian Gulf (the waters between Qatar and

¹ The GCC states are Kuwait, Saudi Arabia, Qatar, Bahrain, United Arabs Emirates and Oman.

² Oil tankers and product tankers are the ships most attacked by Somali pirates, according to International Maritime Organization (IMO) piracy reports between 2010 and 2015.

Bahrain), conducted by Iranian pirates. None of these piracy attacks by Iraqi and Iranian pirates were mentioned in the IMO piracy and armed robbery reports.

There are four possible reasons why those piracy attacks were not reported to the IMO. 1) The attacks were not serious as the pirates attacked to get cash, personal valuables such as mobile phones, and GPS devices. 2) The Iraqi and Iranian pirates rarely harmed the victims as they did not use heavy weapons or guns like the Somali pirates, but they only used knives when boarding. 3) The GCC governments did not report the attacks to avoid triggering an increase in the cost of shipping insurance and to avoid scaring off international investment. 4) The GCC states dealt with such piracy cases effectively resulting in containing piracy in the Arabian Gulf to a minimal level.

In this article, we will discuss these four reasons in analysing the Iraqi and Iranian piracy attacks in the northern and central areas the Arabian Gulf, examining the motives, the causes, the consequences, the tactics, and the responses to this type of piracy, and suggesting the best strategy to deal with it. Most of the data and information provided in this paper were gathered during the field work in 2012 by face-to-face interviews, along with official reports on piracy statistics by the local coastguards and navies in the GCC.

2. Methods

In this section I will demonstrate the methodology followed to obtain all the information and data collected in this study. Also I will describe how this data were examined.

2.1 Data collection

The first step to obtain this study is to dig into different sources in the literature, especially in the IMO piracy and armed robbery reports to find out how much of all of the piracy attacks have already been mentioned. To the best of my knowledge none of the piracy attacks in the Arabian Gulf region was mentioned ever in the IMO piracy reports from 2003 to recent.

The method followed for the data collection was within a fieldwork (semi structured interviews and reports, documents and archives observations) in the Gulf region. The fieldwork started in Kuwait, Qatar, Bahrain and United Arabs Emirates. The fieldwork was conducted in summer 2012.

The interviews conducted were with Kuwaiti coastguards, Kuwaiti navy, Kuwaiti oil tankers, Kuwaiti maritime security private companies, the Kuwaiti courts' library in the Kuwaiti Ministry of Justice, the Qatari coastguards, the Bahraini navy, the CTF 150, the CTF 151, the CTF 152 and private maritime security companies in Dubai.

2.2 Data analysis

After transcribing all the data gained out of the interviews and after the input all the evidences and piracy attacks reports requested from the interviewees such as the Kuwaiti coastguards, the Qatari coastguards and the Kuwaiti courts. I have imported all; the data and the transcripts into NVIVO software which is a software to analyse and model the qualitative data. After creating the model out of the NVIVO I have compared the model with the literature using also NVIVO and discussed all the variables analysed in this study.

3. Results

3.1 Statistics of maritime piracy in the north and central Arabian Gulf

There are two different locations where Iraqi and Iranian piracy took place in the Arabian Gulf, as illustrated in Figure 1: the North of the Arabian Gulf in the waters between Kuwait and Iraq, and the Central area of the Arabian Gulf in the waters between Qatar and Bahrain.

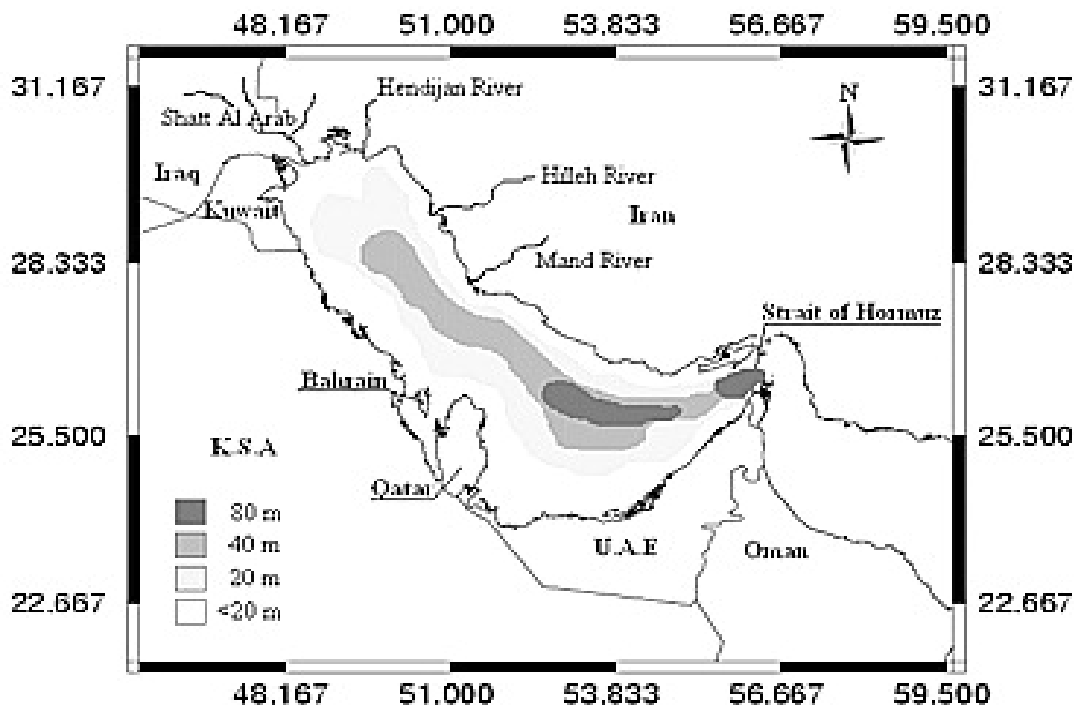


Figure 1 The map of the Arabian Gulf Source: (NOAA national centers for environmental information (NCEI), 2012)

3.1.1 Maritime piracy in the north of the Arabian Gulf

After the removal of the Iraqi regime in 2003, Iraq became a failed state and as is the case in failed states, the security situation became weak on land and also at sea. Piracy increased rapidly in 2003 in the waters between Iraq and Kuwait. Table 1 shows the number of piracy attacks conducted by Iraqi pirates against Kuwaiti ships in the north of the Arabian Gulf:

Table 1 Maritime Piracy Attacks in the North of the Arabian Gulf conducted by Iraqi Pirates against Kuwaiti Ships (Source: the Kuwaiti Coastguards).

Year	2003	2004	2005	2006	2007	2008	Total
Piracy attacks	1	31	24	6	5	0	67
Piracy attempts		4					4
Piracy with murder		1					1
Captured pirates		1					1

As shown in Table 1, the piracy attacks occurred in the north of the Arabian Gulf between 2003 and 2008 after the failure of the state system in Iraq in 2003.

3.1.2 Maritime piracy in the central area of the Arabian Gulf

Maritime Piracy existed and increased to its peak in the central area of the Arabian Gulf in the waters between Qatar and Bahrain between 2008 to 2012 against Qatari and Bahraini ships, conducted by Iranian pirates who travelled all the way from the coasts of Iran to Qatari or Bahraini waters to attack and steal ships in the area. Table 2 shows all the attacks conducted by the Iranian pirates:

Table 2 Piracy attacks conducted by Iranian Pirates against Qatari and Bahraini Ships in the Central of the Arabian Gulf Between 2008 to 2012 (Source: the Qatari Coastguards)

Year	2008	2009	2010	2011	2012	Total
Piracy attacks	9	8	13	3	4	37
Piracy attempts						
Piracy with murder						
Captured pirates						

From Table 2, we can see that the total number of Iranian piracy attacks which occurred between 2008 and 2012 in the central area of the Arabian Gulf was 37, and that such attacks have been contained since 2012 after the enhancement of the Qatari maritime forces, as we will demonstrate later in this paper.

By comparing table 1 and 2 we can summarise that the Iraqi pirates in the North and the Iranian pirates in the Central of the Arabian Gulf use a minimal level of violence as we can see that within all the attacks happened in this region only one murder was conducted by the Iraqi pirates. Also the two groups of the pirates never conducted a kidnap for ransom in the Arabian Gulf. Concluding that the Iraqi and the Iranian pirates are one of the less dangerous pirates in the world when comparing them to the Somali pirates in the Indian Ocean or the pirates in the Asian region.

3.2 Motivations for maritime piracy in the north and central Arabian Gulf

Interviews of the stakeholders of maritime piracy in the Arabian Gulf, including Kuwaiti Naval officers, Kuwaiti Coastguards, oil tanker companies, Iraqi pirates, Iranian pirates, intelligence officers, maritime private security companies and the commanders of the Coalition Task Forces (CTF) 150, 151 and 152³ in the U.S base in Bahrain led to our conclusion that most of the motivations behind piracy in the northern and central areas of the Arabian Gulf are purely financial. Reasons for reaching this conclusion are as follows:

1. Attacks in the north of the Arabian Gulf increased in 2003 when Iraqi security became weak after the Allied invasion of the country, and state weakness is a typical cause of financial crime.
2. Piracy in the central area of the Arabian Gulf began when poverty increased in Iran as a result of the crisis 2007 in the Iranian economy, at a time when the maritime forces in Qatar and Bahrain were insufficient compared to the size of the area and the number of Iranian pirates.
3. The level of violence used by the Iraqi and the Iranian pirates was minimal and there was no intention to harm the victims.
4. The Iraqi and Iranian pirates boarded the ships in the area to steal cash, cell phones, food, GPS devices and other valuables, not to kidnap victims.
5. The weapons used to attack the ships were knives not guns or explosives, indicating there was no terrorist motive.
6. The targets were generally Kuwaiti and Qatari fishing vessels operated by international labour from Bangladesh, Egypt and Pakistan, indicating that there was no ideological motive such as anti-Westernism.

3.3. Causes of piracy in the north and central Arabian Gulf

Maritime piracy existed in the north of the Arabian Gulf conducted by Iraqi pirates between 2003 and 2007, after which it was contained and rapidly decreased to a minimal level. Similarly, piracy in the central area of the Arabian Gulf conducted by Iranian pirates existed between 2008 and 2012, after which it was contained and rapidly decreased. Why did these periods of piracy occur? This section explains the causes by making use of the theory of rational choice. According to rational choice theory, Gullen and Agnew (2006, p. 1) state that

³ The Coalition Task Forces (CTF) 150, 151 and 152 are naval task forces composed of several navies in the world under USA Command from the U.S. base in Bahrain, whose mission is to counter piracy and maritime terrorism in the Arabian Gulf and the Indian Ocean (Forces, 2016)

“crime occurs when the benefits outweigh the costs and when people pursue self-interest in the absence of effective punishments”, meaning that crime is a rational and freely-willed choice. Applying this theory to maritime piracy means focusing only on the financial benefits of the high value of ransoms or stolen goods, and ignoring political, religious and ideological factors. According to this theory, pirates are self-interested individuals, intent on personal gain – an assumption made by Law (2011, p. 10) about Somali pirates: “the majority of Somali pirates are criminally minded”. Piracy is a typical robbery, hijack, kidnap or murder crime, and the only feature which makes it distinctive is that piracy is conducted at sea. On this theory, piracy is distinguished from terrorism: it has no wider dimensions but is purely the result of self-interest. We explain in the next sections how Iraqi and Iranian pirate’s motives are purely financial due to the very weak economies of Iraq between 2003 and 2007 and in Iran between 2008 and 2012, which led to widespread poverty and hunger as well as diminished state capacity to maintain law and order.

3.4 The causes of piracy in the North of the Arabian Gulf

Iraq was a failed state in 2003 after the Western allied operation removed the regime. This led to a rise in the crime rate in Iraq as state failure resulted in reduced security, a shrunken economy, and increased poverty. The heightened crime rate included a rise in piracy attacks. The only waterway into Iraq is via the north of the Arabian Gulf where most of the villages on the south of Iraq work on fishing. Because of the absence of an Iraqi navy, the Iraqi fishers and villagers in the south of Iraq started to operate at sea as pirates, attacking and stealing ships in the area, especially Kuwaiti fishing dhows.

Why did the Iraqi pirates not engage in kidnap for ransom as did the Somali pirates in the south of the Arabian Gulf and in the Indian Ocean? They could easily have kidnapped and dragged the hostages to the failed Iraqi state at that time and then negotiated over ransom. The answer to this question is complicated. According to our fieldwork, three factors must exist before the strategy of ransom for kidnap becomes viable. First, there must be state failure so the pirates can easily drag the hostages ‘home’ without being chased. Second, there must be a hate factor between the pirates and the seafarers. In the case of the Somali pirates, hatred was generated because of illegal foreign fishing and marine environmental damage from chemical waste dumping by western vessels in Somali waters. Third, there must be a geographical advantage such as a long coastline, which enables the pirates to operate more freely and avoid security forces at sea.

Looking at the Iraqi piracy case, we can see that the first condition - state failure - was met, but not the second condition - there was no hate factor between the Iraqis and the Kuwaiti seafarers as issues such as illegal fishing or chemical waste did not exist – nor the third condition - there was no geographical advantage from the Iraqi pirates perspective as the Iraqi coastline is relatively short, and Iraqi fishermen and pirates operate in limited areas of water.

3.5 The causes of piracy in the central area of the Arabian Gulf

The causes of Iranian piracy in the central area of the Arabian Gulf are different from the causes of Iraqi piracy in the north. Iran suffered from an economic crisis since the revolution in 1979 as the Iranian regime was punished by UN sanctions, and this increased poverty and hunger which raised levels of crime and piracy. However, Iran is a successful state which has strong security forces including a powerful navy and coastguards. This made Iranian pirates travel south all the way to Qatar where the Qatari and Bahraini navies are less powerful than the Iranian Navy. The Iranian pirates also avoided the waters of Saudi Arabia, United Arab Emirates and Oman as those states have more powerful navies and coastguards. The same question arises of why the Iranian pirates did not adopt a kidnap for ransom strategy. The answer is that there are two missing conditions which discouraged Iranian pirates from kidnapping for ransom. First, unlike Somalia and Iraq (in 2003-07), Iran was a successful state with reasonable security meaning that the pirates were unable to kidnap and drag the hostages easily to Iran as they would be chased and detected by the Iranian authorities. Second, there was no hate factor between Iranian pirates and Qatari or Bahraini seafarers as no issues such as of illegal fishing and chemical waste existed in the Arabian Gulf. The only condition favouring ransom that did exist in the Iranian piracy case was the geographical advantage that Iran has one of the longest coastlines in the area. However, this factor alone would not be sufficient to make kidnap for random piracy attractive to Iranian pirates.

3.6. The consequences of piracy in the north and central Arabian Gulf

The consequences of Iraqi and Iranian piracy in the northern and central areas, respectively, of the Arabian Gulf were relatively slight as the pirates sought only to steal cash, cell phones and other personal valuables, rather than boats or cargo. Moreover, the level of violence was low, since the Iraqi pirates only carried knives as weapons, and although some of the Iranian pirates carried rifles and machine guns, they used them only to force the targets to reduce speed or to scare victims when they board the target vessels. The fact is that Iraqi and Iranian pirates are much less dangerous than Somali pirates or the pirates in South of

Asia, because they do not usually damage the ships of the victims or harm the victims physically.

3.7 The tactics of the pirates in the north and central Arabian Gulf

The Iraqi and Iranian pirates used different tactics. Iraqi pirates used two types of tactics in attacking ships in the north of the Arabian Gulf. First, some of them used small, fast boats to perform hit and run operations. The hit-and-run pirates were not fishermen but opportunists who came all the way from the south of Iraq to the fishing areas of the Kuwaiti waters seeking easy and specific targets. This type of pirate can be detected by RADAR as they usually travel at fast speed, in zigzag moves, moving quickly from area to area looking for targets. Such manoeuvres would not be performed by fishermen because Iraqi fishermen remain in one place for long time. Second, the other type of Iraqi pirates are fishermen who normally remain in Iraqi fishing areas along with other fishing boats and they attack the Kuwaiti ships when they see a chance and find an easy target. These Iraqi pirates prefer to attack and board the dhows and ships at anchor as they are easier to board and take less time to board, steal and run. This type of pirate is harder to differentiate from ordinary fishermen by RADAR, but they can be detected by several factors, including a large number of the crew on-board (the normal crew number on an Iraqi fishing wooden dhow is seven, so more than this number would be considered suspect). Two other suspicious factors are when they carry weapons on-board, and when they do not carry fishing gear.

In the central area of the Arabian Gulf, Iranian pirates also used the hit-and-run strategy similar to some of the Iraqi pirates. Unlike Iraqi pirates, however, one of the Iranian pirates' tricks used to avoid being attacked by the Qatari coastguards was to target ships adjacent to the 12 nm border and tie the target ship with a rope to drag it out of territorial Qatari waters into international waters. This strategy gave Iranian pirates more time to board and steal goods, because Qatari coastguards would not be able to chase them in the international waters where they have no legal jurisdiction, and if they did so, this would be a lost case in court. In such circumstances, the coastguards usually contacted the Qatari navy to chase the pirates in international waters, but the delay involved in doing so, gave the pirates time to get away. Another difference between Iranian and Iraqi pirates is that Iranian pirates prefer to attack target ships underway. A further difference is that because most Iranian boats near Qatari waters are suspected of piracy even if they are fishing, the Iranian pirates sometimes use the Qatari flags to camouflage their piratical activities forces in the area.

3.8 Responses to piracy in the north and central Arabian Gulf

The responses by the authorities to Iraqi and Iranian pirates in the Arabian Gulf are different. With regard to Iraqi pirates in the north of the Arabian Gulf, the Kuwaiti government engaged in a strategy to deal with the pirates as soon as the piracy started after the removal of the Iraqi regime in 2003. To challenge the first category of the Iraqi pirates (the small, fast boats carrying out hit-and-run attacks) the Kuwaiti government activated the RADAR system in the area tracking all the ships in the north of the Arabian Gulf, monitoring their movements. The RADAR system picked up any boat that came from the Iraqi side with more speed than usual or moving from area to area or by making zigzag movements at sea. Kuwaiti coastguards and navies cooperated with the new Iraqi government and its navy and coastguards to track and monitor all ships in the area and to exchange all report of suspects. For the second category of Iraqi pirates (the static fishermen who lie in wait for Kuwaiti ships to pass) the Kuwaiti coastguards and navy randomly inspected Iraqi ships in the area to check if they had more crew than usual, or whether they carried fishing apparatus or guns. This strategy drastically decreased piracy in the north of the Arabian Gulf rapidly until it was eliminated completely by 2007.

With regard to the Iranian pirates in the central Arabian Gulf, the response of the authorities was different. Because of the lack of naval units in the central Arabian Gulf, the Iranian units were able to attack ships nearby the 12nm borders where the coastguards cannot chase them but call on the navy units which take longer to respond, resulting in the pirates getting away. To deal with this problem, the Qatari government started a new project in 2010, which involved establishing, training and engaging more coastguards and naval units at sea, integrating them into a new huge convoy to guard Qatari waters. Also the Qatari navy employed naval helicopters which could arrive at piracy locations within minutes of attacks. This new project virtually eliminated piracy in the central Arabian Gulf by 2012.

4. Discussion

This discussion focuses on a single issue – the reporting of piracy incidents to the IMO. One response to piracy in the north and central Arabian Gulf that was common to both areas was that of not reporting incidents of pirate attacks to the IMO: Kuwait did not report Iraqi pirate attacks and Qatar did not report Iranian pirate attacks. This was an unusual response, in that generally across the world pirate attacks are recorded and reported to the IMO (IMO, 2016),

though Marex (2016)⁴ stated “70% of the piracy attacks in the Gulf of Guinean is never reported” which suggests that non-reporting may be more common than hitherto thought. Liwång *et al.* (2013, p. 101) noted that “all piracy incidents must be reported to the International Chamber of Commerce (ICC) and to the International Maritime Bureau (IMB)”. It raises an important question – are states ever justified in breaching international law by failing to report piracy incidents to the IMO? One argument in favour of non-reporting is that secrecy may help to reduce piracy. Applying this argument to the case of the north and central Arabian Gulf it could be claimed that secrecy helped to fight piracy by preventing its escalation in the way Somali piracy, which was given huge publicity, escalated in the south Arabian Gulf. Announcing the danger of piracy in any area results in commercial ships taking precautions including the use of protection convoys and armed guards. This is what happened in the case of Somali piracy, where massive media coverage resulted in ships in the area using e protection convoys and armed guards. However, this resulted in Somali pirates arming themselves more heavily and becoming one of the most brutal and dangerous type of piracy in the world in terms of the weapons used, the level of violence employed, and the amount of ransom demanded. By declining to report piracy incidents, the argument runs, Kuwaiti and Qatari coastguards almost certainly helped to reduce the extent and severity of piracy attacks in the north and central Arabian Gulf during 2003-2012. Another argument in favour of secrecy is that publicity can give rise to copycat piracy attacks by marginalised and disaffected groups of people (as claimed by several interviewees during my fieldwork in 2012). Another consideration is that the reports of piracy attacks may be over-exaggerated: Liwång *et al.* (2013, p. 101) claimed “there is over-reporting by the commercial ships in the Somali basin and the Gulf of Aden as they report everything at sea which makes the maritime scene inaccurate by reporting all the skiffs and ships in the areas as suspects of piracy”. Finally, there is an economic argument - that secrecy may avoid an increase in the cost of shipping insurance, and the risk of scaring away international investments. Hastings (2009, p. 217) pointed out that “reporting the piracy attacks increased the ships’ insurance premiums”, and that “many companies don’t report the piracy attacks when there are no human losses and they deal with kidnappers and ransoms without reporting them”. Also Marex (2016)⁵ stated that “70 percent of the piracy attacks in the Gulf of Guinean never reported” which shows that this problem is common in several piracy infected regions.

⁴ Marex (2015) *Chronic under-reporting of piracy*. Available at: <http://www.maritime-executive.com/article/chronic-under-reporting-of-piracy> (Accessed: 17 September 2016)

⁵ Marex (2015) *Chronic under-reporting of piracy*. Available at: <http://www.maritime-executive.com/article/chronic-under-reporting-of-piracy> (Accessed: 17 September 2016)

However, a counter argument is that failure to report piracy incidents to the IMO is a breach of international law which weakens the already fragile authority of that law and of the UN which gives the IMO its legitimacy. The IMO is an international organization set up in 1948 under a UN Convention, and it carries legal power to obtain data on piracy attacks from the 175 states (which include Kuwait and Qatar) who have signed the Convention. Also, it could be argued that the evidence that secrecy helps to reduce piracy attacks is highly conjectural. It may be that media publicity generates determined efforts by states to step up their anti-piracy operations, which, despite the temporary escalation of the conflict, is the most effective way of eliminating piracy in the long-term. Some commentators argue that this is precisely what happened in Somalia, where piracy attacks have fallen dramatically in recent (as claimed by some of the interviewees during my fieldwork in Kuwait, Qatar and Bahrain in 2012 such as the coastguards, the navies and the CTF officers).

5. Conclusion

This article has identified and analysed scores of piracy incidents, which occurred during 2003-2007 the north Arabian Gulf by Iraqi pirates and in 2008-2012 in the central Arabian Gulf by Iranian Pirates, none of which were reported to the IMO. The article showed how the motives of both Iraqi and Iranian pirates were financial; that the causes of their piracy in both cases was self-interest, at a time of a failed state in Iraq and weak naval forces in Qatar and Bahrain; that the consequences of both Iraqi and Iranian piracy were comparatively slight; that their tactics were different in that Iraqi pirates targeted ships at anchor whereas Iranian pirates targeted ships underway and dragged them into international waters; and that the responses by the authorities to Iraqi and Iranian piracy were different – Kuwait used RADAR and inspection to detect and detain Iraqi pirates, whereas Qatar used helicopters to combat Iranian pirates. On the central question of why and with what justification Kuwait and Qatar declined to report these pirate attacks to the IMO, our view is that it all depends on circumstances: in each situation of pirate attacks, a risk analysis should be carried out to determine whether secrecy or publicity would be less likely to escalate the number of attacks. It may be that where pirate attacks are relatively slight, secrecy should be the rule, but where piracy attacks are severe, publicity should be the rule.

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