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## The Role Of International Law In Reducing hip Piracy In The Waters Of The Horn Of Africa

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**Abstract.** *The Horn of Africa waters are the busiest trade routes and are often passed by thousands of merchant ships worldwide. Merchant ships must overcome the threat of Piracy in the Horn of Africa waters, and the danger comes from Somalia, the center of pirate operations. This article discusses how international law, more precisely the United Nations Convention on the Law of the Sea (UNCLOS), reduces acts of ship piracy in the Horn of Africa waters, either in the form of court sentences or by sending patrol teams and forming military operations under the auspices of the U.N. or operating under UNCLOS law to combat Piracy. Piracy or ship hijacking is a universal problem that the international community must consider because the impacts it causes, of course, have a global impact and disrupt the stability of the world economy of international trade, that is why must be eliminated from their roots, namely the failed Somali government. The novelty in this study is the need for more literature discussing the role of international law in reducing acts of ship piracy in the Horn of Africa waters.*

**Keywords:** Piracy, Somalia piracy, International Law, UNCLOS, Horn of Africa

### 1. INTRODUCTION

The waters of the Horn of Africa can be said to be a very strategic and essential water area in the international world, especially in the economic aspect, a trade route often passed by merchant ships such as oil carriers or other merchant ships from various nationalities. The countries located in the waters of the Horn of Africa are Ethiopia, Djibouti, Eritrea, and Somalia; where these countries face multiple conflicts, including ship hijacking, famine, and government instability (Sansone, 2020, p. 4), which means that the situation near the territory of these countries is unstable. There is a high risk of conflict against ships of other countries or vessels sailing in the waters of the Horn of Africa. These ships must face many problems when passing through the waters of the Horn of Africa. Most of the security problems that occur in the waters of the Horn of Africa come from Somalia, especially in the Somalia region, which has become the center of terrorist activities and ship hijackings that threaten war and the stability of the country. The presence of these groups has additional effects on the country, such as poverty and displacement of civilians (Sansone, 2020, p. 6), So ships passing near Somali waters are more often affected by Piracy because the Somali region is the center of this illegal activity.

In the case of Somalia, due to the government's lack of enforcement of the law since the collapse of the Central Government in 1991, it is unrealistic to expect the country's laws or regulations to return to normal (Akar, 2022, p. 33), Somalia which is the center of piracy

activities is also caused by the lack of action of the local government in combating such actions, plus because Somalia has not fully recovered from the collapse of its central government in 1991. A country attacked from the outside can be rebuilt, but a country attacked from within is like poison consumed by the body; it will be difficult to recover, and when it recovers, it will not be the same as before; it can even have an "aftermath" or impact of the incident, and in this case the Somali government that collapsed in 1991 still has an effect until now which causes the country of Somalia to become unstable, with a vital and influential trade route, of course the impact of Piracy carried out by Somali pirates will certainly harm countries that pass through trade routes in the waters.

International law regulating maritime matters is UNCLOS (United Nations Convention on the Law of the Sea), an important international agreement regulating various issues ranging from a country's naval boundaries to illegal activities such as ship hijacking in the Horn of Africa Waters. Where according to UNCLOS the definition of "Maritime Piracy" is only intended for criminal activities carried out in the open sea, not in the waters of a country, without the consent of that country (United Nations Convention on the Law of the Sea, 1982 article 101 (a) ), so UNCLOS law does not apply to pirates who carry out their activities in the waters of their own country, to stop or intervene in taking action against the hijacking of a ship, permission must be requested from the country concerned first, and according to UNCLOS, maritime Piracy refers to acts of Robbery or violence committed against a ship or crew while they are sailing in international waters or waters belonging to a country (Ehiane, 2023, p. 3130), so actions such as making serious threats or causing damage to ships and crew are considered violations of the law and fall into the category of "maritime piracy" and can be intervened by either the government of that country or by a patrol team or group under the auspices of the U.N. and UNCLOS law.

The act of ship hijacking in Somali waters is different from ship hijacking activities in other areas because ship hijacking activities can occur every day; according to the World Bank, "since January 2005, Somali pirates have launched a total of 1,068 attacks." Moreover, 218 of the 1,068 attacks were successful, with the hostage-taking of 3,741 ship crews from various countries and ransom money of \$ 315 billion - \$ 385 billion U.S. dollars, and of course, there were some casualties from the attacks (World Bank, 2013), From the data we can see that the act of ship piracy is not a small thing, but instead has a considerable influence and is taken seriously by the countries involved, because we can see by taking the crew as a means of exchange or negotiation, and certainly will not hesitate to injure or even kill them if their wishes are ignored, forced to make the countries involved to comply with the wishes of the "pirates"

and can gain much profit. The novelty in this study is the lack of literature discussing the role of international law in reducing acts of ship piracy in the waters of the Horn of Africa.

## **2. THEORETICAL STUDIES**

### **UNCLOS**

The United Nations Convention on the Law of the Sea, or UNCLOS, is the primary basis or foundation upon which the legal framework for maritime activities applies. UNCLOS reflects customary international law that binds all states, parties, and non-parties (Marciniak, 2012); this means that UNCLOS itself has become an absolute rule that applies to both countries that ratify and countries that do not ratify UNCLOS; in other words, this law has become an international custom, and no country or non-party such as multinational companies feel burdened by UNCLOS law because before UNCLOS was legally established, legal practices such as freedom of navigation on the high seas or claims to state borders had been carried out by many countries. However, with the emergence of UNCLOS maritime law, the boundaries of a country's waters, the right to freedom of navigation, and protection in maritime activities are more practical. According to the WTO or World Trade Organization, around 90% of international trade occurs through the sea or waters using trading ships from various countries that transport necessary materials, either in the form of raw materials or finished materials, to complement each other's needs (Jukic, 2020, p. 1), so with the existence of international law such as UNCLOS which focuses on regulating maritime aspects in the international world, trade can be carried out more efficiently and practically, and of course with the protection of international law, countries carrying out their trade activities feel more comfortable..

As stated above, UNCLOS law covers all maritime activities, including illegal activities such as ship hijacking. Piracy is defined in Article 101 of UNCLOS as:

- (a)** any illegal act of violence or detention, or any act of plunder, committed for private purposes by the crew or passengers of a private ship or private aircraft, and directed: (i) on the high seas, against another ship or aircraft, or persons or property on board such ship or aircraft; (ii) against a ship, aircraft, persons or property in a place beyond the jurisdiction of any State;
  - (b)** any act of voluntary participation in the operation of a ship or aircraft with knowledge of the facts which make it a pirate ship or aircraft;
  - (c)** any act of inciting or intentionally facilitating any act described in subparagraph (a) or (b).
- (United Nations Convention on the Law of the Sea, 1982 article 101), dapat kita lihat dari definisi above, UNCLOS defines and categorizes the act of "piracy" in 3 main points, namely

acts of Piracy, participation in Piracy, and inciting or facilitating acts of Piracy, so any action carried out by the perpetrator, which in essence includes these three points, is already classified as an act of ship piracy and can be prosecuted by the country involved under UNCLOS maritime law, but we must remember and pay close attention to the wording of the UNCLOS law above, for example in part (a) it is explained that every act of violence carried out on the "High Seas" or "outside the jurisdiction of any country" which means that as long as the act of Piracy is carried out on the high seas and not within the waters of a country, then the country's trading ships that are affected by Piracy can be directly prosecuted by that country itself, but if the Piracy is carried out within the waters of a country, it cannot be intervened that easily and must first ask permission to enter the territory of that country, then in point (b), in essence someone who is consciously involved in the operation of a ship or aircraft that is clearly known to be a pirate ship or aircraft is also considered a perpetrator of Piracy, even though the person does not directly carry out acts of violence or Robbery, but he has contributed to the criminal act, and in point (c) which talks about actions that support the occurrence of Piracy, even though the perpetrator is not directly involved in acts of violence or Robbery, such as providing information to the "pirates".

### **Piracy or ship hijacking in the waters of the Horn of Africa**

Maritime Piracy has become a problem that must be paid attention to, especially in waters that are hotbeds of ship piracy activities, such as the Gulf of Aden or the waters of Somalia, which threaten thousands of ships that pass through these water routes daily. (Karawita, 2019, p. 102), So the issue of ship hijacking is not a tiny and unimportant thing to pay attention to; thousands of merchant ships sail through this route, and of course, from the many ships that sail, it is impossible that not one ship becomes a victim of Piracy, the impact of which is very detrimental and disrupts the economic stability of the countries involved, that is why this issue is critical especially for myself who studies International Relations, which of course must be familiar and understand topics like this, especially international issues or problems.

Pirates, or the word pirates, originated from ancient times, more precisely in the Caribbean Sea, the center of pirate activities where countries competed for power and control over the maritime domain. History records that the period from ancient times to the 19th century witnessed high levels of maritime Piracy along the coasts and oceans of Europe and America, but the incidence of Piracy only occurred after the 19th century, primarily recorded in the African Sea. In many ways, Piracy is said to have existed even before the advent of colonization (Boatemaah, 2021, p. 29).



**Figure 1.** illustration of a pirate map during their glory day ( Source:

<https://www.istockphoto.com/id/vektor/sketsa-peta-harta-karun-bajak-laut-dengan-laut-pulau-kapal-gm1304648704-395744863> )

We can see that even though the problem of "pirates" has existed for centuries, initially, the actions of pirates were not much different from the goals of modern pirates today, where to aim for wealth; pirates in the past also chose to become pirates because in the past there was no international law regulating maritime activities so that pirates felt free because there was no law binding them, and most also wanted to take revenge on the Spanish kingdom because of Spain's colonial policies. Even though it has existed for a long time, the issue of pirates is still critical and disturbing, and it has begun to spread and grow in the international world today.

The waters of the Horn of Africa are a strategic area for global trade because of the oil shipments from the Gulf countries that transit to Africa, Asia, and America; it is also one of the central sea and land trade routes for international trade. The Gulf of Aden is a vital water area for commercial shipping routes from the Indian Ocean to the Mediterranean Sea on the edge of the Suez Canal (Boatemaah, 2021, p. 1), so the areas in the Horn of Africa Waters all have a vital role, especially for ships carrying oil, oil can be said to be one of the primary fuels for this world because almost all vehicles still use gasoline and diesel. Most industries also still use petroleum; apart from that, merchant ships prefer to pass through the Horn of Africa Waters because it is faster and more effective and does not consume much travel costs.



**Figure 2.** Map of the Horn of Africa Waters Region ( Source: <https://images.app.goo.gl/5umXmwdWXMxU7xpf6> )

As explained above, the area that is the center of pirate activity is the country of Somalia and the waters of Somalia. Somali pirate actions began to appear since the collapse of the Siad Barre government center in 1991. The collapse of this central government, of course, made the Somali economy unstable, which led to poverty, which had an impact on the Somali people, and finally made the people have to look for other jobs to survive, most of which led to becoming fishermen (Boatemaah, 2021, p. 41), This means that in order to survive from the collapse of the central government of Somalia, people began to change their profession, most of whom became fishermen because Somalia's waters are pretty significant. Fishing requires little money, and their catch can also be sold or consumed directly to survive during the crisis.

The collapse of the central government also resulted in the defense and security of the Somali state being very weak and not being appropriately implemented, meaning that the 3,330km long Somali coastline, which is the longest coastline on the African continent with its borders unguarded due to an unstable government, which resulted in many foreign ships entering at will and disrupting the condition of the fish in Somali waters because the foreign ships were fishing illegally and depleting the fish stocks of Somali fishermen, as well as dumping waste carelessly. This made Somali citizens take action by hijacking foreign ships, which gave birth to Somalia as a center for Piracy (Karawita, 2019, p. 106), with an unstable government coupled with the actions of foreign countries fishing indiscriminately. Hence, it depletes the fish stock in Somali waters, and the indiscriminate disposal of waste makes Somali citizens take the path of violence to protect their waters and to survive in times of crisis. Starting from protests because of the actions of foreign ships that violate the law and enter Somali waters, until finally, it became a habit by the Somali people because Piracy is more profitable



than just catching fish every day. Their government has yet to recover fully, and the many corruption cases make pirate actions a mainstay of the people's economy. They are a mainstay of their country's economy, thus creating a dilemma for the Somali people. If they eliminate and strongly oppose pirate actions, their lives will be complicated and fall into poverty.



**Figure 3.** Somali pirates detained by Patrol team ( Source:

<https://www.cnbcindonesia.com/news/20240322162111-4-524567/bajak-laut-somalia-bangkit-dari-kubur-perdagangan-dunia-warning> )

From the image above, we can see that Somali pirates can hijack large ships even though they use simple boats because they are equipped with heavy artillery and a large weapons warehouse, making Somali pirates feared by merchant ships passing through the waters of the Horn of Africa.

Most of the perpetrators of ship hijacking in the Horn of Africa waters are believed to be in their late teens to early thirties. High unemployment rates resulting from inter-tribal rivalries, extremist groups, and other issues force young people to get involved in ship hijacking (Boatemaah, 2021, pp. 43-44); one of the reasons why Somali pirates continue to grow is because the average perpetrator of Piracy is a teenager who is ambitious to survive, where they can continue to fill their troops and will not lack human resources. After all, the Somali population has almost fallen into poverty, which causes people to choose a practical way out. Outside the context of being forced to participate in hijacking ships, the profits gained are also very large, so it makes them stay and not want to leave the group or community.

### **3. METHODOLOGY**

This article uses the library research method to search for and collect the required reading sources on international law, the waters of the Horn of Africa, and Somali pirates. Library Research, often also called library study, is a series of activities related to the method of collecting library data, reading and recording, and processing research materials (Zed, 2008, p. 3); by using the Library Research method, the author collects data from various sources and analyzes the data carefully.

The most dominant or prominent data in this study are UNCLOS and Somali pirates, both of which are crucial elements that form the foundation of this article. UNCLOS is essential because the theme of this article is maritime, and UNCLOS is the law that regulates all naval activities, including illegal activities such as ship hijacking. According to the author, pirates are also essential data. They are interconnected with the first data, namely UNCLOS, with pirates as the main problem in this article. Pirates are centered in Somalia, located in the waters of the Horn of Africa. UNCLOS and pirates also support each other in the context of being interconnected, as stated above, and international maritime law, which means regulating all sea areas in the global world, and pirates, which are an international problem with detrimental impacts because they hijack merchant ships from various countries or nationalities.

### **4. FINDINGS AND DISCUSSION**

Ship piracy is a criminal act that falls under international jurisdiction; each country has the responsibility to arrest anyone involved in Piracy, and the existence of UNCLOS provides a legal basis for carrying out such arrests, but it all still depends on the country itself whether they want to bring the perpetrators to court to be judge or if the country is firm in enforcing its laws (Karawita, 2019, p. 109), Even though UNCLOS is a tool to enforce the law in maritime areas, it all still depends on the country itself, whether the government is willing to pay a ransom, for example, or perhaps prioritize the goods being transported, the effectiveness of international law depends on the country implementing it.

Various countries form many groups or communities to combat ship piracy more efficiently, for example in 2008, the European Union (E.U.) launched a counter-piracy operation called NAVFOR EU-Atalanta along the coast of Somalia, which was followed by various countries that took part in this operation by providing naval vessels, patrol teams, surveillance aircraft, or military staff (European Union Naval Force Somalia, 2015). The function of creating the anti-piracy operation is to reduce the risk of merchant ships being



hijacked, and by creating this operation, solidarity and cooperative relations between the European Union countries that are taking part will also be increased.



**Figure 4.** anggota NAVFOR UE-Atalanta ( Source:

<https://images.app.goo.gl/qcFCoFUvtbpbJfsSA> )

This operation allows EU NAVFOR to arrest suspected pirates and seize all objects on the suspected vessel. Persons arrested during the operation can be prosecuted by any E.U. member state, neighboring states where the pirates were arrested, or third-party states. (European Union Navy Somalia, 2015). This means the EU NAVFOR operation has also become a platform for enhancing international cooperation in maritime security, intelligence sharing, and operations coordination. The transfer option is given to states that have captured pirates and are unwilling to exercise their jurisdiction; pirates can be transferred to any member state or third-party state willing to prosecute them (Treves, 2009), and the option to throw the court case to another country is legal, some countries prefer not to exercise their jurisdiction because not all countries have sufficient human resources, who are trained to handle cases of sea piracy. Of course, it will cost a lot. Besides, the operation aims not only to track and prosecute the pirates but also to destroy the piracy business, especially their economy. The E.U.'s action aims to share information with Interpol and EUROPOL (European Union Navy Somalia, 2008), so EU NAVFOR is not just an operation that is carried out when a ship is being hijacked. However, they are also trying to destroy the economic system of pirates, which is, of course, centered in Somalia, so that there is no more financial assistance that can support ship hijacking.

NAVFOR EU is not the only form of patrol team operating in the waters of the Horn of Africa, with the existence of UNCLOS as an international law that monitors and enforces justice, there is also Combined Task Force 151 or CTF 151, a multinational task force formed to monitor international maritime patrols in the Gulf of Aden and was formed in January 2009 and operates under the U.N., more precisely the United Nations Security Council Resolution

counter-piracy mandate where the mission of this force is to stop Piracy and armed Robbery at sea and engage with regional partners and other countries to build and improve relevant capacity capabilities to protect global maritime trade and ensure freedom of navigation (Boatemaah, 2021, p. 68), If NAVFOR EU is a patrol team that focuses on the center of ship piracy, namely Somalia, CTF 151 focuses more on securing the Gulf of Aden which is still part of the Horn of Africa Waters, and the task of this force is the same as NAVFOR EU to secure passing ships and stop acts of Piracy.



**Figure 5.** members of Combined Task Force 151 on duty

( Source: <https://images.app.goo.gl/9LHACdpTCaRBVV2z7> )

Countries that have led CTF 151 include Japan, Kuwait, Pakistan, the Republic of Korea, Singapore, Turkey, and the United States, which has expanded its scope of operations to include a broader range of maritime security operations supporting the Joint Maritime Force. Counter-piracy measures undertaken by the task force include "maintaining 24-hour active surveillance, reporting any activity of concern to appropriate authorities, use of deck lighting, razor wire, nets, fire hoses, electric fences, and surveillance and detection equipment, defense of the lowest access point, engaging in evasive maneuvers and expediting pirate attacks, and joining transit groups". (Combined Maritime Forces, 2015), The threat of Piracy in the Horn of Africa waters is not trivial and can indeed be ignored. This is in the Gulf of Aden, quite far from Somalia. However, the pirate system centered in Somalia has spread and grown more robust over time and developed not just a community or group but manifested into an "organization" and has a vast influence that proves that Piracy is an international threat that must be addressed immediately because the resulting impact is undoubtedly in the form of significant losses by

the countries involved if the act of Piracy is successful and not to mention the damage experienced by merchant ships.

The center of this problem started in Somalia. "It started in Somalia," meaning that security and military patrols are prioritized or carried out more often there. Another special force or team formed by countries and the U.N. is the Contact Group on Piracy off the Coast of Somalia (CGPCS), which focuses on coordinating international efforts to combat Piracy off the coast of Somalia (Ehiane, 2023, p. 3128), CGPCS is also under the auspices of the U.N., but the difference between CGPCS and NAVFOR EU or CTF 151 is more in the way they operate and stop Somali Piracy, where NAVFOR EU and CTF 151 are more directed at military activities or missions that are directly deployed in the field such as patrols around the Horn of Africa waters or thwarting ship hijackings, while CGPCS focuses more on being a forum or place for countries that are members of CGPCS to discuss strategies or problems related to ship hijacking and Somalia as the center.



**Figure 6.** CGPCS members who are running a meeting

( Source: <https://images.app.goo.gl/o7MJKzD3MCXTZCvR8> )

from the picture above, we can see the members of CGPCS who are having a discussion or meeting, and of course, they are discussing Somali pirates. The CGPCS was also created to share information and simultaneously as a place for high-level decision-making and international coordination. Hence, CGPCS is the brain of the operation to combat ship piracy.

As a foundation, UNCLOS formed many teams, troops, and organizations that regulate pirate activities in the Horn of Africa Waters. However, we see that until now, there are still ship hijackings in the Horn of Africa Waters; as we know, the source of the pirate problem comes from Somalia, apart from factors such as government collapse and poverty, another factor that is connected and is one aspect in the increase in Somali pirates is because of the

terrorist groups that occupy countries in the Horn of Africa Waters until now. Al-Shabaab is the main terrorist threat in the Horn of Africa Waters, attacking countries in the region and seizing Somali territory from the federal government. This group is waging a war of fear, kidnapping citizens, bombing civilian and military targets, and killing political dissidents. In areas controlled by al-Shabaab, the group uses militants and fear to rule and blackmail the Somali people to provide the crops and money they desperately need. In this area, the militants collect victims and implement their version of Sharia law, which they enforce with an iron fist. Al-Shabaab not only poses a major threat to the region as a whole, but its tactics of draining the Somali population have hampered economic development efforts, leaving much of the region mired in poverty (Sansone, 2020, p. 7) because the terrorist group is still in power makes the affected Somali citizens fall into poverty which will eventually lead to Piracy in order to survive. It is not surprising that the terrorist group cooperates with the pirates, such as selling weapons to pirates, which, of course, benefits both parties. So, the terrorism factor also plays a significant role in state security or indirectly helps develop pirate organizations in Somalia.

As for the civil war factor that is happening there, in this context, Somalia has been devastated by civil war and clan-based conflicts for the past two decades, with the addition of several tribal chiefs who control their territorial areas and fight each other (Maqsood, 2020, p. 33). That is why the country of Somalia and its "pirates" do not stop their actions. The many civil wars also threaten the security of the country. A corrupt country will undoubtedly be unable to control this because they prioritize their money. Finally, they (ordinary people) who are affected by the war must find any way to survive, primarily to finance the needs of their families in an unstable country.

We can see the role of international law and military operations launched by various countries in what way is it influential or not; we can say that the role of international law is not yet optimal but effective enough to reduce ship piracy activities throughout the Horn of Africa Waters if we pay attention to the actions of pirates, they benefit from ransom money or valuables that they loot, but more towards ransom money or ransom money flow, this is an essential aspect of pirate action. The ransom money is distributed to all parties who participate or enter the pirate organization; three different groups benefit from the results of Piracy, namely pirate groups who directly carry out their duties, pirate groups who invest in the piracy business, and local communities that provide services to pirates (Akar, 2022, p. 37), this is why pirates can be classified into an organization and not just a group, they have an organized system that runs all their activities. Based on the explanation above, three main groups play a significant role. The first is a group of pirate troops who hijack ships, starting from capturing

ships, negotiating, or taking hostages of ship crews. Usually, they get more wages because of the high risk. The second group is people who provide financial assistance to pirates, from completing their weapons, ships to be used, or the tools they need to hijack ships. The last is the local community or residents who assist, such as shelters or secret pirate bases. That is the one reason why the effectiveness of the role of international law is never maximized: because in an unstable country then, almost all people fall into poverty, and pirates provide great benefits, and most people do not want to eliminate pirates because their most considerable income comes from hijacking ships that can finance their daily needs.

Only a few countries have navies that can sail all the seas and oceans. However, not all of them are also involved in combating Piracy in all areas of the high seas because they do not consider it their legal obligation in the same way the obligation to prosecute Piracy by the country that seizes a pirate ship or aircraft must be prescribed. After all, the provision of UNCLOS about the possibility and not the obligation to prosecute pirates could mean that the country that must prosecute only sometimes has to sanction Piracy (Jukic, 2020, p. 286). This means that not all countries have to ratify the UNCLOS law, but all countries know that ship piracy is a universal crime and can be directly prosecuted by all parties involved. To prosecute Piracy must also be "prescribed" or by legal procedures, which is why many countries usually do not want to or throw to other countries to resolve court cases; as explained above, apart from the high costs, countries also have their own priorities and court cases like this mostly take a long time to complete.

According to some of the explanations above, we can see that if the role of international law is not optimal, it does not mean that it is useless or ineffective; the proof is that we can see that from year to year, the actions of pirates have begun to decrease. Let us try to take an example of a case; in 2008, Somali pirates hijacked the MV Faina ship carrying Ukrainian artillery weapons to Sudan, but the thing that worried the international community the most at that time was what if the weapons fell into the hands of Islamic militants who at that time were spreading terror in the Horn of Africa Waters. This situation was resolved with the Faina being released because it had paid a ransom of 3.2 million U.S. dollars. At the same time, in November 2008, another group of Somali pirates hijacked the MV Sirius Star. This Saudi Arabian supertanker was sailing about 450 miles around Kenya then. This incident is critical because the supertanker is the largest ship in history, ever hijacked by Somali pirates. Ultimately, the ship was released with a ransom of 3 million U.S. dollars (Galgano, 2024, p. 2). From both cases, we can see how serious the level of pirate threat is; if they succeed in hijacking a ship full of weapons like in the first case (which happened in 2008, a time when



Somali pirates were still very active), then their arsenal will be even more extensive. Their threat will be even more dangerous. International law plays an important role today, and UNCLOS is the foundation for the establishment of anti-piracy operations or anti-piracy organizations, which has also helped thwart ship hijackings over the years.

In the context of the case above, it happened in 2008, when Somali pirates were still very active. We can see the graph table that shows the Global development of ship hijacking activities carried out by Somali pirates from their inception until 2022,

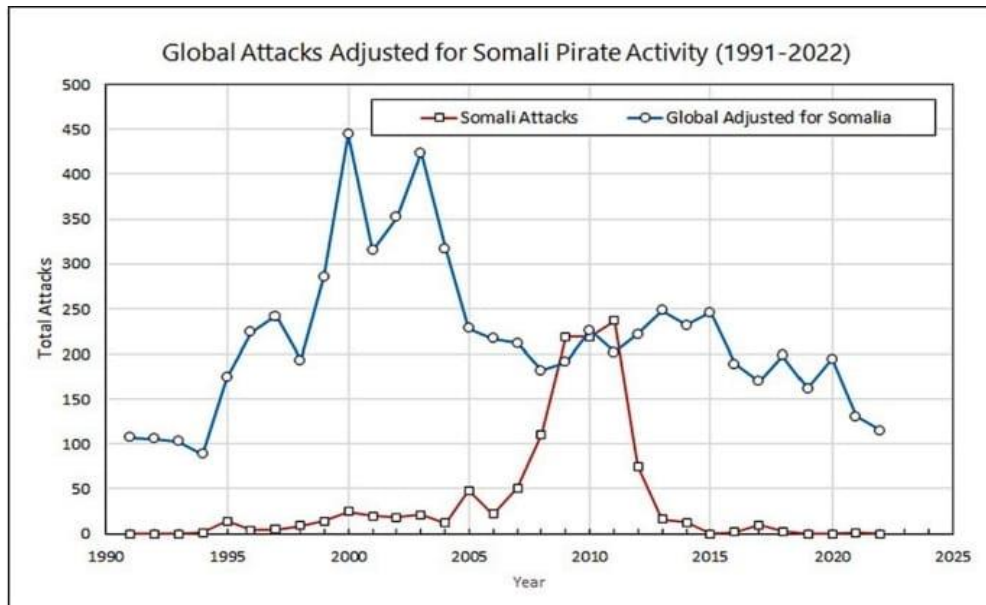


Figure 7. Global Somali Pirate Attacks Chart

Source: (Galgano, 2024, p. 6)

From the chart above, we can see how the role of international law in reducing the activity of ship hijacking by Somali pirates over the years, starting from the peak of the Somali pirates from 2000 to 2013 until 2022, which has been relatively calm and not as much as before. Although the action of Piracy decreased in 2024, it does not mean it is no longer there. It means that pirates are still an international threat that must be considered by countries that send their merchant ships through sea areas, especially the Horn of Africa Waters, and must be aware of the threat of pirates with their weapons that may be able to increasingly match the defense of ships in military operations now, because not only security can develop, but threats too.

## 5. CONCLUSION

The waters of the Horn of Africa are a strategic area that is always used and passed by trading ships from various countries to deliver goods, either raw materials or ready-to-use products. This water route is also known for active pirate attacks that can occur every day,



especially in the waters of Somalia, with thousands of ships passing through and can be targets for Piracy. To combat Piracy, many countries with UNCLOS law as their basis have formed anti-piracy military teams or troops that try to reduce these criminal acts. However, to stop pirate activities, we must uproot the root of this problem, namely its center in Somalia. It is not their headquarters of operations that we must stop first, but corrupt governments and conflicts such as tribal wars or terrorism that must be handled first so that the cause of the problem disappears, meaning rebuilding everything from the beginning, like uprooting dying plants and growing new healthy and fertile plants.

## REFERENCES

- Akar, C. (2022). The Development of Piracy in the Horn of Africa. *Journal of Marine and Engineering Technology*, 32-39.
- Arbar, T. F. (2024). *Bajak Laut Somalia 'Bangkit dari Kubur'*, *Perdagangan Dunia Warning*. Jakarta: CNBC Indonesia.
- Boatemaah, B. (2021). An Assessment of the Policies and Strategies in Adressing the Problem of Piracy in the Horn of Africa Since 2013. *Legon Centre For International Affairs and Diplomacy (LECIAD)*, 1-109.
- Bueger, C. (2016, Maret Rabu). *What future for the contact group on Somalia piracy? Options for reform*. Retrieved from Safeseas.net: <https://www.safeseas.net/what-future-for-the-contact-group-on-somali-piracy-options-for-reform/>
- Bunga, G. A. (2020). The Regulation of Piracy And Armed Robbery At Sea In International Law. *Jurnal Hukum dan Peradilan*, 425-448.
- Ehiane, S. O. (2023). Exploring Maritime Piracy and Somalia National Security. *Journal of Membrane Science and Technology*, 3128-3136.
- EU Naval Force. (2020, Desember Jumat). *Atalanta-ITS Alpino*. Retrieved from flickr.com: <https://www.flickr.com/photos/eunavfor/50677819433>
- Furian, P. H. (2024, Juni Sabtu). *Ilustrasi peta politik tanduk Afrika* . Retrieved from Istocckphoto.com: <https://www.istockphoto.com/id/vektor/peta-politik-tanduk-afrika-gm540589720-96563095>
- Galgano, F. A. (2024). Hostis humanis generis: Pirates and Global Maritime Commerce. *Research in Globalization*, 1-15.
- Jukic, S. (2020). Criminal Law Aspect of Piracy at Sea According to the UNCLOS with Refrence to the Croatian Legal System. *Scientific Journal of Maritime Research*, 282-290.
- Karawita, A. K. (2019). Piracy in Somalia: An Analysis of the Challanges Faced by the International Community. *Jurnal ilmu sosial dan ilmu politik*, 102-119.

- Maqsood, S. (2020). The Security Council and the Repression of Maritime Piracy: The Case of Somalia. *Transactions On Maritime Science*, 358-364.
- Nagina, R., Khan, A., & Usman, M. (2022). Legal Frameworks for Combatting Piracy Under International Law: Evolving Strategies and Challenges. *Asian Social Studies and Applied Research (ASSAR)*, 284-291.
- Petroni, R. (2023). Piracy and Robbery at sea, a threat to international security? *Center for International Relations and International Security*, 7-17.
- Sansone, M. (2020). Myriad of Security Challenges in the Horn of Africa Jeopardizing Economic Progress. *Journal of International Service*, 1-14.
- Seamartini. (2021, Maret Senin). *Ilustrasi peta bajak laut masa lampau*. Retrieved from Istockphoto.com: <https://www.istockphoto.com/id/vektor/sketsa-peta-harta-karun-bajak-laut-dengan-laut-pulau-kapal-gm1304648704-395744863>
- Shen, Z. (2023). A Study on the Legal Nature of Piracy Ransoms. *Science of Law Journal*, 33-41.
- Talha, A. A. (2023). The Snags of Maritime Piracy Facing the Maritime Trade: Implications for the Blue Economy and Maritime Laws. *Journal of Development and Social Sciences*, 2-13.
- Thompson, C. (2010, Maret Rabu). *U.S. Navy Photo*. Retrieved from Mass communication specialist: [https://en.wikipedia.org/wiki/Combined\\_Task\\_Force\\_151](https://en.wikipedia.org/wiki/Combined_Task_Force_151)
- Zed, M. (2008). *Metode penelitian Kepustakaan*. Jakarta: Yayasan Obor Indonesia.