Piracyâ€™s Impact on International commerce, Law and Diplomacy Panel

Description

Lesson learned: Sit near a power plug, and once logged into the conference Wi-Fi, donâ€™t drop the connection, lest the others load it to capacity, and you have to scribble notes the rest of the day.

LCDR Claude Berube, USNR, USNA Professor in the Political Science Department was the moderator.

Robert Gauivin, executive director, Piracy Policy, USCG HQ began the comments:

It is the USâ€™ responsibility to fight piracy. Also noted, it is the requirment of the US merchant vessels to have a defensive plan in place â€“ a Vessel security Plan. They need to have a security detail, which can or may not be armed, and may or may not be contracted.

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Outside the lifelines of the US flagged vessels, then units like Task Force 151 and other nations provide assistance. His work involves inter-agency coordination/cooperation: State, DoD, DOT, USCG, etc.

Ships install a Ship Security Alert System (SSAS), which, when activated brings the US Federal resources to bear in the situation.

His group works with shipping company security officers. and also works issues with where captured pirates would be prosecuted (more in later commentary).

CAPT Mark Tempest, USNR (Ret) and maritime lawyer: Itâ€™s all about sovereign rights. Privateers operate in the name of a body of people who are recognized in International Law as being able to grant the authority for these people to raid commerce, specifically in history, to fund this designating body, be they local rulers, or a nation state.

Pirates, on the other hand, are functionally â€œsea robbersâ€• and there has been a long history of â€œlow grade sea robberyâ€• for a very long time. coupling this with the lunch speakerâ€™s comments, that has applicability to yhe current conditions in the area off Somalia.

mark went on to discuss the model of â€œPrize courts,â€• where captured vessels were assessed for value. The side note is the â€œjudgeâ€• also got a percentage, so this method became less used as pirates figured they could sell the goods and the vessel and get the money for themselves, with out the middle man fees of the court. More margin (follow the money). â€œItâ€™s all about the money in Somalia. Money is power in Somalia.â€•

Prosecuting â€œpirates:â€• Just where do you do this? With a variety of laws and human rights concerns in the many nation states involved in the law enforcement look at this situation you have to consider the nationality of:

- Vessels Flag of registry
- Master
- Crew

- Cargoâ€™s owner(s)
- Insurer
- Union (if involved)

Thatâ€™s a long list of choices, and then how to make them fit each circumstance for the best response in the prosecution.

More later on this panelâ€¦gotta head to the gate for the flight.

Category

1. Economics
2. History
3. INternational Relations
4. Leadership
5. Maritime Matters
6. Military History
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Tags

1. international law
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