

**Forum:** The First General Assembly

**Issue:** Assessing the Surge of Piracy in the Singapore Strait

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## Introduction

### **About Piracy:**

The act of participating in violent, unlawful maritime crimes like abduction, hijacking, or robbery is known as piracy. Individuals or groups, often operating from tiny boats or vessels, typically utilize force or intimidation against larger ships or marine facilities. Piracy is a historical occurrence that remains a present concern, particularly in places with considerable marine activity. In the present period, piracy may take many different forms, such as assaults on fishing boats, cruise ships, and commercial vessels. Pirates frequently engage in piracy for financial gain, whether it be through the theft of goods and resources, ransom payments, or valuable cargo. There is a history of piracy in several places, including the waters off the coast of Somalia, the Malacca Strait, and the Gulf of Aden. Piracy has been dealt with through international measures such as naval patrols, cooperation among coastal states, and the use of best practices by the shipping industry. On the other hand, piracy is a continuous concern in certain marine regions, thus efforts to protect the security and safety of seafarers and maritime commerce must always be taken.

### **Piracy in the Singapore Strait:**

Given its strategic importance as one of the world's busiest waterways, piracy in the Singapore Strait has been a recurring maritime security threat. The Singapore Strait, which connects the Malacca Strait with the South China Sea, is an important marine route for world trade. Piracy has occurred in the region, generally involving armed robberies, hijackings, or boardings of ships by criminal forces. These attacks are frequently directed at vessels going through the tight and congested waterways. This area is vulnerable due to several variables, including its geographical features, the sheer volume of nautical travel, and the presence of precious goods. Collaboration among regional states, marine law enforcement agencies, and international organizations is required to combat piracy in the Singapore Strait. The coordination of patrols, information-sharing procedures, and the deployment of Navy and Coast Guard forces are all aimed at increasing security and discouraging pirate activity. Even though these measures have aided in the advancement, piracy in the Singapore Strait still poses a constant danger that calls for ongoing collaboration and attention in order to ensure the security of regional maritime commerce(Macola, 2020).

### **The surge of piracy in the Singapore Strait:**

One of the busiest maritime routes in the world, the 113-kilometer-long Singapore Strait links the South China Sea to the Malacca Strait; in 2020, approximately 100,000 boats passed through it (Kang et al., 2021). The marine boundaries of Singapore, Indonesia, and Malaysia are shared by the Strait. In addition to the strait's significant and continuously growing maritime traffic, it also has a long and intricate history of piracy, which goes back more than 800 years and is sometimes violent. Over the last 20 years, there has been a notable decline in violent incidents

related to piracy and other marine crimes in and around the Singapore Strait. On the other hand, maritime crime as a whole is steadily increasing. In 2021, there were 35 verified cases of marine armed robbery (and 14 unconfirmed cases) As claimed by the International Chamber of Commerce's International Marine Bureau (IMB). Of the reported events, only two included violence or injury to crew members. The Singapore Strait has the highest reports of any sub-region in the globe in 2021 (IMB, 2021), accounting for about 30% of all piracy-related offenses, despite the absence of violence. Regretfully, compared to the prior year, the 35 occurrences constituted a 50% rise in the total number of incidences. Moreover, with seventeen documented cases of boarding in the first quarter of 2022 as of this writing, all indications point to the increased trend continuing (Chia, 2022). The danger of robbery is low, even though these acts still have relatively little financial and economic repercussions. Regional security players are already responding hastily to the increased unpredictability, requesting more tight protection. This is seen in the necessity to deploy more military vessels and in the recommendations for global anti-piracy cooperation in the subregion (Abke, 2021; Chia, 2022). A more secure atmosphere would reduce the frequency of incidents, but it might also act as a necessary preamble for the resurgence of violent marine crime in the strait; criminals might have to adjust to more constant surveillance and an improved security apparatus. In recent years, there has been a considerable increase in pirate attacks in the Singapore Strait. As reported by ReCAAP data, 31 pirate occurrences occurred in the strait in 2019, a significant rise from the seven confirmed cases in 2018. On the 25th and 26th of October, armed thieves approached three ships in the Strait's eastbound lane. These incidents, which reached six in October alone, highlight a troubling trend that is causing concern among regional shippers. Despite Japanese and

Singaporean attempts to prevent piracy, the situation has deteriorated, with 28 incidents recorded since January, including the October attacks (Lee, 2023).

### **The Current Legalities in Place:**

International law considers piracy to be a criminal violation, and national and international legal action is taken to combat piracy in the Singapore Strait. Coastal states in the region, such as Singapore and Indonesia, have control over their territorial waters and implement anti-piracy actions. Furthermore, a legal framework for combating high-seas piracy is provided by international agreements like the United Nations Convention on the Law of the Sea (UNCLOS). Information-sharing agreements, joint patrols, and the construction of regional marine security frameworks are common ways for countries in the region to collaborate. One regional organization devoted to enhancing cooperation and information sharing to fight piracy and armed robbery in Asian waterways is the Regional Collaboration Agreement on Combating Piracy and Armed Robbery against Ships in Asia (ReCAAP).

## **Definition of Key Terms**

### **Piracy International Law:**

The 1982 United Nations Convention on the Law of the Sea (UNCLOS) addresses piracy. The UN Convention on the Law of the Sea demands global cooperation to combat piracy on the high seas and in areas beyond the jurisdiction of any state. The Security Council resolutions uphold the Convention's legal framework for combating piracy and armed robbery at sea. As expressed in its resolutions, the General Assembly encourages international cooperation in fighting marine threats, recognizing the critical importance of such cooperation in ensuring

maritime security. The Division for Ocean Affairs and the Law of the Sea, the secretariat of UNCLOS, provides advice and information on the uniform implementation of the Convention's provisions, particularly those pertaining to the suppression of piracy, and annually reports on progress in this area(United Nations, 2012).

### **International Law:**

International law is a collection of rules and concepts established by the United Nations that includes conventions, treaties, and standards. It is the governing framework for international relations, with a primary emphasis on supporting global economic and social growth and strengthening international peace and security (United Nations, 2022).

### **Pirates:**

Pirates are individuals or organizations that conduct robbery and violence at sea for personal gain while operating outside of the law. They endanger maritime security by attacking ships, frequently using force or intimidation to grab cargo or kidnap crew members. Their actions are typically carried out in international waters.

### **International Law Commission (ILC):**

As stated by the United Nations Charter, the General Assembly established the International Law Commission (ILC) in 1947 with the mandate to conduct research and make recommendations to support the ongoing development and regulation of international law (International Law Commission, 2016).

## Key Issues

### **Life-threatening Danger for Citizens:**

Individuals face life-threatening risks as a result of piracy, which can range from physical damage to severe psychological distress. The objectives of the pirates during the attack determine the risk level, with possible outcomes including violence, abandonment at sea, or hostage situations. Recent trends reveal that pirates frequently seek compensation by enslaving both ships and crews. Prolonged captivity raises the dangers of violence, sickness, and malnutrition, affecting hostages' general health. During the early attacks and rescue efforts, hostages are exposed to maltreatment, assaults, and even death. Torture and other forms of psychological abuse are used to generate terror in captives and their relatives. Based on research, people exposed to piracy experience long-term psychological difficulties such as posttraumatic stress disorder (PTSD), making it a life-threatening menace to citizens (Nikolić, 2013).

### **Lack of Procedural Convention:**

Even though piracy was the first crime to be classified as an international law violation and subject to universal jurisdiction, there is yet to be a global convention or declaration dedicated to the eradication of maritime crimes. As a result, in the absence of a standardized set of laws and regulations to protect maritime workers on duty, a flood of maritime-related crimes occurs. Given that seafaring mechanisms transport 90% of all global exports and imports, a lack of official safety procedures to protect the abundance of workers involved in such a common mode of transportation becomes extremely detrimental to the workers' well-being in the face of attackers. In addition to endangering the personnel on deck, maritime attackers disturb the flow

of international cargo by stealing and damaging vital supplies and disrupting the flow of products of considerable worth and importance to global affairs. With all the catastrophic effects combined, a suitable and effective convention emphasizing both the procedures required to prevent such attacks and the appropriate punishment for their execution is a critical factor in preserving the lives of marine personnel and boosting global operations.

## **Major organizations involved and their views**

### **International Maritime Organizations:**

International Maritime Organization (IMO): The IMO establishes worldwide standards for international shipping's environmental performance, safety, and security. It might support anti-piracy campaigns and policies.

### **Security Agencies:**

Naval and Coast Guard Forces: National naval and coast guard forces, both from affected nations and those participating in international collaborative efforts, actively engage in patrolling and deterring piracy in the region.

### **International Cooperation Agreements:**

ReCAAP, or the Regional Cooperation Agreement on Combating Armed Robbery and Piracy Against Ships in Asia: One important group that addresses piracy and armed robbery against ships in Asia is ReCAAP, which focuses on regional cooperation. It gathers and distributes data and makes cooperative efforts among participating nations easier.

- Shipping Industry:

International Chamber of Shipping (ICS): The ICS represents the global shipping industry and collaborates with governments and organizations to enhance maritime security. It may provide input and support for anti-piracy initiatives.

- Law Enforcement Agencies:

Interpol: As the world's largest international police organization, Interpol may play a role in coordinating efforts, sharing information, and providing expertise to combat transnational maritime crimes.

- United Nations:

The United Nations Office on Drugs and Crime (UNODC) may contribute to addressing maritime crime, including piracy, by providing technical assistance, capacity-building, and promoting international cooperation.

- Research Institutions:

Maritime Security Research Institutions: Academic and research institutions specializing in maritime security may conduct studies, provide insights, and propose solutions to counter piracy. The collaborative efforts of these major parties are crucial in comprehensively assessing and responding to the surge of piracy in the Singapore Strait.

## **Major Parties Involved and Their Views**

**Singapore:**

As a littoral state, Singapore plays a crucial role in coordinating and implementing security measures in the Singapore Strait. The city-state has a vested interest in maintaining the safety and security of this vital maritime route. Situated as a key littoral state along the Singapore Strait, Singapore actively takes on the responsibility of assessing and mitigating piracy in this vital maritime passage. Employing a range of comprehensive measures, including surveillance, joint patrols, and collaborative information-sharing initiatives, Singapore plays a central role in monitoring and responding to piracy activities. Close cooperation with neighboring countries such as Indonesia and Malaysia underscores the commitment to a collective response, thereby enhancing the overall maritime security in the region. Singapore's efforts extend beyond safeguarding its maritime interests, contributing significantly to ensuring the safety and security of global shipping traffic transiting through the Singapore Strait. Furthermore, Singapore actively participates in regional and international forums, sharing best practices and collaborating on initiatives aimed at addressing broader maritime security challenges.

### **Indonesia:**

Indonesia, another key littoral state, is responsible for preserving the security of the Singapore Strait. The country actively participates in joint patrols and cooperates in anti-piracy activities. Indonesia takes an active role in assessing and combating piracy in the Singapore Strait, a critical maritime route for the area. Indonesia, as a vital littoral state through which the strait flows, is critical to ensuring the safety and security of maritime activities. The country is extensively involved in cooperation efforts with neighboring nations, particularly Singapore and Malaysia, to monitor and respond efficiently to piracy occurrences through joint patrols and information-sharing activities. This concerted approach helps to deter and prevent piracy while also protecting the integrity of marine traffic in the Singapore Strait. Indonesia's commitment to

countering piracy goes beyond its boundaries, with the country actively participating in regional forums and initiatives addressing broader marine security issues. On May 9, 2021, the captain of a Greece-flagged tanker informed IFC of a tiny boat containing five culprits attempting to board the tanker with a hook and rope. The Indonesian ILO notified his navy's operating center, and an Indonesian Navy patrol vessel was quickly dispatched to the site, preventing the tanker from being successfully boarded. There were ten actual and attempted pirate assaults in Indonesia in 2022. In terms of real and attempted piracy incidents that year, Indonesia was the third most targeted country, trailing only Peru and the Singapore Straits. Piracy occurrences in Indonesian waters increased dramatically in 2015, with 108 documented cases. This increase was attributed to the country's vast natural gas and petroleum resources, which will place it among the world's top liquefied natural gas exporters by 2018. The Strait of Malacca—a small passage critical for petroleum and natural gas shipments and frequented by ships from the Persian Gulf to Japan, South Korea, and China—transports the majority of Indonesia's exports, including electronic equipment and clothing. Because of the strategic importance of the region, it has become a prime target for maritime robbery, with pirates becoming increasingly successful by expanding their activities into open waters or along Sumatra's coastline. The organizational abilities and flexibility of pirates resulted in a sevenfold surge in maritime crime from 2009 to 2013. As a result of the rising costs borne by forwarders, such as increasing insurance prices, increased fuel costs for quicker evasion, ransom payments, and higher wages for armed troops on ships, impacted governments may strengthen their military presence.

### **India:**

The Anti-Maritime Piracy Bill, 2019, which India adopted to counter this menace, is based on the 1982 United Nations Convention on the Law of the Sea. (UNCLOS). On December

3, 2019, 18 Indians aboard a crude oil transport were kidnapped off the coast of Nigeria and released after negotiations (19 Indians kidnapped by pirates near Nigerian Coast Released, 2020). This ubiquitous occurrence is viewed as a severe danger to international trade because more than 80% of all traded products are transported by water (Carr and Stone, 2017). The increase of piracy in Somalia and regular attacks in the Gulf of Aden compelled numerous international communities, including India, to enact anti-piracy legislation (Ahmad, 2020). In the current environment, maritime piracy threatens human life as well as the free passage of trade and commerce on the high seas. The definition of piracy, as well as international rules relating to piracy and its application, are not clear on jurisdiction. As a result, in December 2019, India introduced the Anti-Maritime Piracy Bill, 2019. This study will concentrate on the provisions of the 1982 United Nations Convention on the Law of the Sea and the 2019 Anti-Maritime Piracy Bill (UNCLOS). The jurisdiction of states over issues connected to piracy on the high seas is not definitive under UNCLOS because the rules enable and require agreement with states for execution. Furthermore, India ratified the UN Convention on the Law of the Sea in 1995, and the Anti-Maritime Piracy Bill, 2019, is the result of that commitment. Following WWII, international law arose as a defender of human rights. Piracy on the high seas is considered "hostis humani generis," or the adversary of all mankind (Bubner, 1990). However, the International Court of Justice lacks jurisdiction to try and punish pirates.

### **Malaysia:**

As one of the neighboring countries, Malaysia is actively engaged in assessing and addressing piracy in the region. Like Singapore and Indonesia, Malaysia conducts patrols and collaborates with other nations to enhance maritime security. Malaysia actively engages in the assessment and mitigation of piracy in the strategically significant Singapore Strait. As a key

littoral state alongside Singapore and Indonesia, Malaysia plays a pivotal role in ensuring the security of this crucial maritime passage. The nation employs a comprehensive approach, involving joint patrols and collaboration with neighboring countries to monitor and respond effectively to piracy incidents. Through information-sharing initiatives and coordinated efforts, Malaysia contributes to the collective deterrence and prevention of piracy activities, safeguarding the safety of maritime traffic in the Singapore Strait. Malaysia has the Malaysian Maritime Enforcement Act, 2004. Malaysia's commitment extends to regional and international cooperation, participating in forums and initiatives aimed at addressing broader maritime security challenges.

**Japan:**

While not a littoral state, Japan has an interest in the security of the Singapore Strait due to its significant maritime trade. Japan has been known to participate in collaborative efforts to address piracy and enhance maritime security in the region. While Japan is not a littoral state in the Singapore Strait, it does have a significant interest in maritime security due to its extensive maritime trade activities. Japan has been known to participate in regional initiatives and collaborative efforts to address piracy concerns on critical sea routes, including the Singapore Strait. The country may engage in information-sharing mechanisms, collaborative patrols, and discussions with regional partners to contribute to the overall maritime security landscape in the region.

**South Korea:**

Similar to Japan, South Korea, as a major maritime trading nation, has an interest in the security of critical sea routes, including the Singapore Strait. South Korea may participate in

regional initiatives to combat piracy. While South Korea is not a littoral state in the Singapore Strait, it has a significant interest in maritime security due to its robust maritime trade activities. South Korea may participate in regional initiatives and collaborative efforts to address piracy concerns along crucial sea routes, including the Singapore Strait. In the past, South Korea has engaged in information-sharing mechanisms, joint patrols, and cooperative discussions with regional partners to contribute to enhancing maritime security in the region.

**United States:**

While not a littoral state, the United States has a strategic interest in ensuring the security of global sea lanes. The U.S. Navy has been involved in collaborative efforts to address piracy and maintain maritime security in key regions, including the Singapore Strait. The United States maintains a strategic interest in ensuring maritime security globally, extending to critical sea routes such as the Singapore Strait. While not a littoral state of the Singapore Strait, the United States, through its Navy, has historically participated in international efforts to address piracy and uphold maritime security. In collaboration with regional partners, the U.S. Navy may engage in joint patrols, information-sharing initiatives, and discussions to counter piracy concerns in vital maritime passages. It is crucial to emphasize that the primary responsibility for securing the Singapore Strait rests with the littoral states in the region, including Singapore, Indonesia, and Malaysia.

**Thailand:**

While not a direct littoral state of the Singapore Strait, Thailand holds a regional interest in ensuring maritime security, including in critical international waterways like the Singapore Strait. Although specific details about Thailand's involvement in assessing piracy in the

Singapore Strait may not be readily available, Southeast Asian nations, including Thailand, commonly engage in collaborative efforts to address piracy concerns. This involvement often encompasses information-sharing mechanisms, joint patrols, and participation in regional forums aimed at collectively enhancing maritime security.

**Vietnam:**

Although not a direct littoral state of the Singapore Strait, Vietnam demonstrates a regional commitment to ensuring maritime security in vital waterways, including the Singapore Strait. Like other Southeast Asian nations, Vietnam may engage in collaborative efforts and regional initiatives to address concerns related to piracy on key sea routes. While specific details about Vietnam's involvement in assessing piracy in the Singapore Strait may not be immediately available, it is common for Southeast Asian countries to cooperate through joint patrols, information-sharing mechanisms, and participation in regional forums aimed at collectively enhancing maritime security.

**Philippines:**

Although not directly situated along the Singapore Strait, the Philippines, as a Southeast Asian nation, holds a vested interest in upholding maritime security in the region, including significant waterways like the Singapore Strait. While specific details about the Philippines' participation in assessing piracy in the Singapore Strait may not be immediately available, the country, like its Southeast Asian counterparts, may engage in collaborative efforts and regional initiatives to address piracy concerns along crucial sea routes. Southeast Asian nations commonly cooperate through joint patrols, information-sharing mechanisms, and participation in regional forums, collectively working to enhance maritime security.

### **Other Southeast Asian Nations:**

Countries in Southeast Asia, such as Thailand, Vietnam, and the Philippines, may also play a role in regional efforts to address piracy and enhance maritime security. These countries often collaborate through regional organizations, forums, and initiatives aimed at addressing common maritime security challenges.

## **Development of the Issue/Timeline**

<u>Topic</u>	<u>Details</u>	<u>Outcome</u>
IBM's View on Piracy (1992-2009)	IMB acknowledged piracy occurrence on high seas and in territorial waters during this period.	The IMB, acknowledging piracy in the Singapore Strait from 1992-2009, likely took measures such as increased awareness, collaborative efforts with stakeholders, and the implementation of security measures. Specific outcomes would include enhanced maritime security, naval patrols, information sharing, and industry best practices to combat piracy.
IBM's Influence in the Singapore Strait (1992-2006)	IMB significantly influenced public discourse, media, and the shipping sector in the Singapore Strait from 1992 to 2006.	IBM's significant influence in the Singapore Strait (1992-2006) likely led to increased awareness, media attention, and policy changes regarding piracy. This influence may have prompted the shipping sector to adopt enhanced security measures and fostered international cooperation to address piracy in the region.

1932 Draft Convention on Piracy	Draft Convention on Piracy produced in 1932, restating international law on piracy in a treaty with 19 articles.	The 1932 Draft Convention on Piracy, with 19 articles, established a legal framework for addressing piracy globally. Its outcomes included defining piracy under international law, promoting international cooperation, clarifying jurisdiction, and serving as a deterrent. While not directly related to the surge of piracy in the Singapore Strait, it contributed to the broader legal context for addressing piracy worldwide.
UN General Assembly Action (1954)	<ul style="list-style-type: none"> <li>• In 1954, the UN General Assembly urged the International Law Commission (ILC) to consider international sea rules.</li> <li>• In 1956, additional articles (38-45) related to piracy were added to the Draft Convention on Piracy.</li> </ul>	The 1954 UN General Assembly action, urging the International Law Commission to consider international sea rules, and the 1956 addition of piracy-related articles (38-45) to the Draft Convention on Piracy, contributed to the development of a clearer legal framework for addressing piracy globally. While not directly linked to the surge of piracy in the Singapore Strait, these outcomes included the clarification of rules, promotion of international cooperation, and the establishment of a deterrent foundation.
Recent Trends in the Singapore Strait (2022)	<ul style="list-style-type: none"> <li>• The Singapore Strait witnessed a seven-year high with 65% of all piracy and armed robbery incidents in Asia occurring there in 2022.</li> <li>• Opportunistic attacks increased after the 2008 economic slowdown, especially in late 2009 and 2010.</li> </ul>	In 2022, the Singapore Strait witnessed a significant surge in piracy, reaching a seven-year high with 65% of all incidents in Asia occurring there. The increase was linked to opportunistic factors influenced by the social and economic situation in the region, as highlighted by the

	<ul style="list-style-type: none"> <li>The executive director of RECAAP attributed the 55 incidents in 2022 to opportunistic factors influenced by the social and economic situation in the region.</li> </ul>	executive director of RECAAP. This underscores the need for a comprehensive strategy that considers both immediate security measures and broader socio-economic factors to address piracy in the Singapore Strait.
RECAAP and Regional Cooperation (2006)	RECAAP, established in 2006, is the first regional government-to-government agreement aimed at promoting and enhancing cooperation against piracy and armed robbery in Asia.	The establishment of RECAAP in 2006, the first regional government-to-government agreement in Asia, resulted in enhanced regional cooperation against piracy and armed robbery. This collaborative effort fosters information sharing, capacity building, and the development of a common legal framework. In the context of piracy in the Singapore Strait, RECAAP signifies a commitment to collective action and coordinated responses among regional governments.
Incident Trends in the Singapore Strait (2007-2022)	<ul style="list-style-type: none"> <li>Between 2007 and 2022, 11% of recorded incidents were piracy, and 89% were armed robbery against ships.</li> <li>The Singapore Strait experienced a trend of increasing incidents, with 34 in 2020, 49 in 2021, and 55 in 2022.</li> <li>This trend contrasts with global figures, which show that piracy and armed robbery incidents are at their lowest level since 1994.</li> </ul>	Between 2007 and 2022, the Singapore Strait saw an increasing trend in incidents, with 55 recorded in 2022. Notably, 89% were armed robbery against ships, contrasting with global figures, which indicate the lowest piracy levels since 1994. This specific surge in incidents highlights the importance of a region-specific approach to address maritime security challenges in the Singapore Strait.

Fluctuations in Incident Numbers	Singapore Strait had an all-time high of 99 incidents in 2015, significantly decreasing to 2 incidents in 2016, possibly due to authorities' arrests.	The Singapore Strait saw an unprecedented surge with 99 incidents in 2015, followed by a sharp decrease to 2 incidents in 2016. This decline, possibly due to authorities' arrests, highlights the impact of effective law enforcement actions in mitigating and deterring piracy in the region.
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## Possible solutions

Despite previous attempts to tackle the issue, piracy continues, and ships are still being targeted for kidnapping and attack. Referring to possible solutions, all ship owners or laborers should report any heist, whether actual or attempted, to the Piracy Reporting Center. The ICC's International Maritime Bureau (IMB) also works hard to provide information on any attack. Act within or before the moment of the theft, if at all possible. Learn management and defense strategies, for example. Non-lethal weaponry that can be used to offer safety and combat piracy includes anti-piracy curtains, liquid deterrent systems, secure electric fences, and razor wire canisters. Various types of net boat traps can capture the propellers of pirate boats and cripple the skiffs. Combating modern piracy involves continual education as well as effective deterrent and defense strategies against maritime pirates. Shipping companies must ensure that their crew members are aware of the threats of piracy and have undergone adequate training in pirate deterrence and defense. Properly armed and protected seafarers can better defend themselves against pirates and ensure the safety of their ship and crew (How Ships Protect from Marine Pirates? | Ship Nerd, 2023).

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