The Maritime Piracy Humanitarian Response Programme

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The piracy situation off the coast of Somalia has grown in recent years. The international response is tackling the problem in a variety ways and the pirates are adapting and evolving in reaction. Recently, this has included the pirates engaging in increasingly brutal treatment of hostages and violent hijacking tactics. The Maritime Piracy Humanitarian Response Programme (MPHRP), established on the 29th September 2011, aims to help seafarers and their families with the "humanitarian aspects of a traumatic incident cause by piracy attack…or being taken hostage". The MPHRP intends to address all three phases of a piracy incident: pre-incident, during an attack and post incident, through their 'Good Practice Guidelines' (GPG) , development of training modules, access to professional aftercare, seafarers rights telephone helpline and resources to increase access to information (MPHRP website).

The MPHRP defines piracy as a problem under the humanitarian paradigm as, according to the programme, piracy causes detrimental psychical and psychological suffering to seafarers and their families. In this essay, the MPHRP will be examined along with organisations with a similar role to determine the effectiveness of the program and highlight the main concerns of whether the programs actions are in fact consistent with this paradigm, or if it has economic rather than humanitarian motives at its core.

The Human Cost of Piracy

The economic cost of Somali piracy is well known, in contrast the 'human cost' receives less attention. Initially, there was a 'gentleman's agreement' with the pirates and hostages were treated relatively well as they were seen as commodities to be traded for ransom (Bahadur 2011). Recently, however, there appears to be a 'new breed of gunslinger pirates' that employ more violent tactics to force shipping companies to pay a higher ransom and speed up negotiations. This escalation of brutality seems to have become the norm (Bahadur 2011 para.4). The period that seafarers are being held hostage has increased from ~ 5 months to an average of > 7 months and sometimes 2 years. Incidents of abuse, torture and fatalities are on the rise (Hurlburt 2011 pp.10). Treatment is "crossing the line from savagery into torture" according to Peter Swift, MPHRP's chair (Help for Piracy Victims 2011 para.2)as hostages are being used as human shields, beaten, subjected to mock executions and forced to endure appalling conditions. According to the Human Cost of Somalia Piracy report (HCSPR), 23% of hostages report both abuse and being used as human shields by pirates (Hurleburt 2011 p.3). Initially there was strong resistance by officials to acknowledge hostages being tortured, but this changed in 2011 with BIMCO, the International Chamber of Shipping, INTERCARGO, INTERTANKO and the International Transport Workers' Federation all publically recognising and declaring that the pirate's treatment of crew members amounts to torture (Hurleburt 2011 p.29)

It is difficult to determine the extent that torture and abuse occurs in hostage situations in Somalia, as most officials and companies are not willing to share details and reports about the treatment hostage's experience. Shipping companies add to the problem by making their employees sign confidentiality agreements to prevent them talking about their experiences at sea to help lowering the fear of mutiny (The Hidden Cost of Piracy 2011). Most seafarers are not fully aware of the extent of the danger they are facing, as the relevant information is controlled by private agencies and flag states, which are under no obligation to disclose this information.

According to the HCSPR, released three months prior to the launch of the MPHRP, the potential for long-term physical and psychological trauma suffered by seafarers is considerable. Simply having to transit through pirate infested waters causes seafarers a considerable amount of stress and such risks would be considered unacceptable in any other industry. Family members also suffer, and in some cases have died due to anxiety at the thought of losing a loved one to pirates (Help for Piracy Victims 2011). The actual hostage experience itself is extremely distressing for piracy victims and there have been reports of hostages dying due to malnutrition and lack of medical care or committing suicide. As well as being subject to physical abuse, hostages may also be psychologically abused. Hostages report they had to live in a "state of terror" in cramped "unspeakable" conditions (Save Our Seafarers 2011). Recently, hostages are forced to collaborate with the pirates in further attacks, or used as human shields to deter naval attacks (Shapiro 2011).

The result of these direct threats to seafarer's life and safety creates the potential for long-term problems and post-traumatic stress disorder. Being under the pirate's complete control is particularly distressing and likely to produce long-term problems, which can include substance abuse and depression. Seafarers can be traumatised to the extent that it takes them years to recover and return to sea, and in rare cases seafarers do not recover and resort to suicide (Help for Piracy Victims 2011). The Seamen's Church Institute (SCI) indicates that seafarers, even those that have not experienced an attack, have increased anxiety about the potential for an attack, but still return to sea due to families or even entire villages relying on their income (SCI 2012).

Victim's families are being increasingly targeted to pressure shipping companies or to provide ransom payments. Pirates phone the families and threaten to kill them if the ransom is not paid quickly or beat the seafarer while the family listens over the phone (The Hidden Cost of Piracy 2011). Families are often kept uninformed and unsure as to who to turn to for information, often only receiving information from press releases (Hurlburt 2011 p.11). Many live in remote villages without internet access, or have to travel to different organisations looking for support and information (Help for Piracy Victims 2011). As a result, families can lose faith in the government and the shipping company, and are often in a state of constant fear and uncertainty, which can cause them long term problems. When hostages are released, the residual problems that they suffer can also directly affect their loved ones (Hurlburt 2011 p.3), such as aggression and substance abuse.

MPHRP Proposed Solutions to the Human Cost of Piracy

According to Dr. Gibson, a psychosocial to the MPHRP, the MPHRP intends to 'harden' sailors in a similar way that the Best Management Practises (BMP) (2011) prepares ships against attacks, through training and sharing information before sailing. This hardening would help sailors better handle the psychological reactions they may experience during attack and hostage situations, reducing the negative consequences of attacks. By giving seafarers and their families the knowledge that there is a plan in place to support them, fears of being 'forgotten' can be reduced. The MPHRP aims to build up sailors and their families 'resilience' to the stress caused by piracy incidents through training and informed preparation prior to attacks and as a result it envisions that only a small number of victims will need professional assessment and planned treatment on integration (Help for Piracy Victims 2011).

The Good Practice Guide

The MPHRP proposes a range of actions to minimise suffering and facilitate the recovery of seafarers who have fallen victim to pirates. A 'Good Practice Guide' (GPG) provides guidance to shipping companies and manning agents on how to implement practices that will reduce the stress of both the crew and their families. The GPG is split into three phases: pre-crisis, during an attack and post- crisis. It maintains that if companies adequately train and prepare their crew for an attack and hostage situation then the crew cope better. The GPG deals with sailor's potential anxiety and fears regarding sailing in piracy infested water, placing emphasis on leadership and team cohesion of the crew during an attack, hostage situation and in aiding recovery. The GPG also addresses potential pirate tactics and what seafarers can expect if they are taken hostage, and how companies can help recovery immediately after the crew is released and through follow up medical and psychological care.

The GPG advocates helping seafarer's families through the use of a Family Liaison Representative(s) who is in constant contact with a family member that the seafarer has nominated. Poor communication between shipping companies and the hostage families has been highlighted as one of the main causes of concern and stress for family members. These representatives will bridge this gap and provide information about pirate attacks to the family before the media, as well as addressing families' questions and concerns. The representative can also help the family prepare for when the hostage is released, and any psychological reactions the seafarer may experience.

Although the GPG addresses some of the key concerns regarding seafarer welfare but, in a similar fashion to the BMP, it is still up to the shipping companies and manning agencies to introduce these measures and procedures. Unless this occurs then the GPG is of little use. It is also difficult to determine how successful these measures are, as the GPG has only recently being introduced. Additionally the GPG fails to address several important issues, including fully disclosing the risks involved with tactics such as using citadels and the pirates use of torture.

Citadels

The GPG advocates the use of citadels (strongholds) to limit seafarer's feelings of vulnerability by providing a "safe area". However, seafarers need to be aware of the limitations of such citadels. The crew may have to wait in the citadel for hours or even days waiting for reinforcements to come to their defence, if naval forces come at all (EU NAVFOR 2011). The pirates also employ various tactics to break into citadels including trying to smoke the crew out, threatening to kill hostages from another ship and even successfully breaking into a citadel using welding equipment (Gloystein & Saul 2011). These tactics substantially increase the stress suffered by the crew trapped inside, and highlight that the crew should not harbour the false expectation that they are completely safe within a citadel.

Torture

According Roy Paul (Chair of MPHRP), abuse and torture "appear to be isolated occasions" (Help for Piracy Victims 2011). However, the incidents of torture and abuse are increasing as stated by the HCSPR (Hurleburt 2011 pp. 10-17), which found that in 2010 the crew's of up to 21 vessels out of the 53 taken hostage suffered abuse or torture when captured by pirates in increasingly violent attacks. Officially statements have also referred to there being "regular manifestations of systematic torture" (Operation Commander of EU NAVFOR, Major General Howes cited in Freeman 2011). Therefore, it seems clear that pirates are violating a fundamental human right of the seafarers on more than 'isolated occasions'. This should not be trivialised or underplayed by the MPHRP. Furthermore, the extent to which seafarers can be made 'resilient' (Gibson cited in Help for Piracy 2011) to the psychological and physical trauma of torture is questionable and it could be argued that the MPHRP have failed to recognise the full extent of the harm suffered by piracy victims and the impact this will subsequently have on them.

Potentially, this downplaying of the extent torture occurs could be due to the MPHRP mainly dealing with cases where hostage negotiations are relatively trouble free. These are negotiations that involve professional negotiators who are able to make the crew's welfare a condition for ransom payment, and shipping or insurance companies with the ability to pay the ransom. This is in contrast to problematic situations, such as where negotiations stall. These include situations where the shipping company is unable or unwilling to pay a professional negotiator or ransom, or if the crew increasingly refuse to comply with the pirates demands. Such events can lead to torture being employed to speed up the negotiation processes and to increase the ransom (Bueger 2012). One hostage recounts how 4 months of failed negotiations resulted in "physical and mental torture" and the crew started to lose hope and "dreamt of death" (Help for Piracy Victims 2011). Such discrepancies create an 'A and B class'of hostages. A class hostages are from the west or seafarers that crew large, well insured and privately protected vessels; whereas class B hostages are seafarers from poorer countries, such as Burma, Yemen, the Philippines and India and from companies that lack appropriate insurance or cannot pay ransom costs (McConnell 2012).

When companies or countries are unable or unwilling to comply with ransom demands the hostages are in an extremely vulnerable position and it falls on their families to raise the funds to pay the ransom. This obviously places an extreme amount of stress and anxiety on families, who are all too aware that whilst their loved one is in the pirate's

custody they will be subjected to abuse and torture. These families are often economically reliant on the hostage seafarer and come from poor communities, and therefore have to raise funds through public campaigns (Simmons 2012, Bueger 2012). A side effect of families paying ransoms is that the incentive for piracy is not removed.

The GPG referring to torture cases as isolated, and stating that if seafarers comply with the pirates they are "generally treated better", induces a false sense of security in the crew that torture will not occur if they comply. This also risks placing blame on the hostages if they are tortured, as they may be seen as having been uncompliant. In a hostage situation, the seafarer's health and welfare are often treated as commodities to be negotiated and bought with the ransom. Seafarers are effectively treated as objects, which creates feelings of helplessness and vulnerability. This is compounded by the GPG and MPHRP rhetoric of "hardening" seafarers which effectively objectifies the seafarers, decreasing their sense of importance and individual worth.

This use of language to downplay the severity and danger of pirate attacks appears to be a trend in official guides, such as the BMP and the EU NAVFOR's guide (Surviving Piracy). The NAVFOR's guide even goes as far as to imply that seafarers may be to blame for any mistreatment by pirates, as it tells seafarers to "accept" they will be held in captivity for an extended period of time. Any mistreatment could be seen as the seafarers not properly 'accepting' that they would be held. The MPHRP has attempted to address this through its GPG but it still doesn't fully cater to seafarer's information needs and risks, and continues to treat them as objects.

Workshops

The MPHRP has also partnered with other organisations, particularly in giving workshops and courses. These include the NATO Shipping Centre's (NSC) counter piracy workshops (2011) where the MPHRP played a role in emphasising the need for participants to be aware of the need to employ the BMP, and of adequately preparing the crew to better help them cope and recover. The MPHRP has also trialled its Pre-Departure Piracy Awareness Training (2011) course with support from the MPHRP's industry partners. This course encourages the BMP to educate participants about the ships vulnerabilities while the GPG is utilised to demonstrate the crew's vulnerability in cases where there is the danger of a pirate attack. The course also illustrates the best ways to cope during a crisis and in dealing with a hostage situation. The measures taken by the manning agency in the pre/during/post attack periods are also covered to help provide reassurance. The workshops and courses have been positively received both by the participants and representatives of shipping companies and manning agencies. One of the main advantages is that the workshops have occurred in a number of countries with dominant maritime industries, enabling the MPHRP to reach a greater audience and hopefully encouraging more companies to implement the GPG. However, these workshops still only reach a very small number of seafarers, their workshop in the Ukraine (2012), for example, was attended by just over 120 people, mostly shipping companies, ship owners, ship management companies and security companies, showing the MPHRP's focus on the larger, wealthier side of shipping.

Criticisms of the MPHRP

There are, however, some serious flaws to the MPHRP. For a start, the MPHRP is based in London, while the majority of seafarers and their families affected by piracy are thousands of miles away. Only 6% of hostages come from developed countries with 7% of hostages coming from India and 42% coming from other countries that are not members of the Organisation for Economic Cooperation and Development (Hurleburt 2011 p.28). The seafarers nationality can affect the response of navies and countries, and with the majority of hostages coming from developing countries there is often little attention or public outcry for these hostages (Hurleburt 2011 p.28). To add to this, there are cultural, language and accessibility problems involved with seafarers from underdeveloped countries. The MPHRP psychologists cater for the main languages but they do not cover all languages and dialects of seamen and their families and so support is further denied (Manu 2011).

Furthermore, the hardships are not over when hostages are released from pirate captivity. The delivering of ransom and the release process is often a particularly dangerous time for hostages as pirates are stressed and agitated (Surviving Piracy) and so can be especially unpredictable. Class B hostages suffer especially badly on release as

local authorities often lack the means to get the hostages home and in some cases hostages have been left stranded in remote regions (Bueger 2012). It is in these situations that seafarers need most support, and it is this group that is often overlooked and ignored. The MPHRP seems to be continuing this trend, as the GPG focuses on shipping companies and manning agencies that can afford to put the suggested methods in place and provide the psychological support seafarers need, and ignore the class B hostages.

The hostage crew and their relatives need information about negotiations and the families need to be kept up to date with the crew's condition. Families are, however, normally left in the dark (Mikhail 2010) and this can lead to added anxiety, particularly if they receive phone calls from the pirates. Negotiations take place in a closed circle between shipping companies, their lawyers, negotiators and the pirates (BBC 2009) for fear of negatively impacting the negotiation process. Generally, information released that is not directly related to negotiations (such as information about the crew's welfare) is controlled by the pirates and used to influence the ransom negotiations (Hurlburt 2011 p.20). Therefore, the MPHRP in its current form cannot offer adequate support to the hostage's families.

There also appears to be a tendency for lead actors to under-report and downplay the violence and number of attacks faced by seafarers, especially in regards to attacks on small vessels and fishing boats which are generally not reported. This is mainly due to sensitivities towards the victims, military restrictions, liability concerns and fear of retribution (Hurlburt 2011 p.23). It is difficult to see how the MPHRP can address and overcome these issues, but it is clear that there is a need for effective reporting on the nature of these crimes in order to increase public support and apply pressure on governments to address the root of the problem (Hurlburt 2011 p.27).

The MPHRP does not appear to address the main need of the hostages and their families, and that is compensation. Many sailors are the economic provider for their families but are left traumatised by their ordeal and unable to return to sea (Manu 2011). Shipping companies shoulder the financial costs caused by piracy and often cannot afford to pay the crew their wages (Mikhail 2011). Since 2006, pirates have held over 4,500 seafarers hostage, many of whom may not have received their wages or been reimbursed for personal property stolen by the pirates (SCI 2010). The MPHRP has recognised this need in speeches given at its launch (Help for Piracy 2011), identifying sailors concerns over "whether their wages would still be sent home" (Paul) and their "fear of lack of financial support to maintain their family's needs" (Gibson) as well as mentioning the issue in the GPG. The MPHRP has, however, failed to fully address this issue as it only makes recommendations for shipping companies and manning agencies with no follow up actions. The MPHRP also does nothing to help seafarers from undeveloped countries whose companies cannot afford to pay them compensation or wages in the event of an attack. This causes seafarers added anxiety, court cases and in the most severe cases, suicide (Help for Piracy Victims 2011) as in many cases seafarer's families or villages are being supported by their wages (Garfinkle cited in Hurlburt 2011 p.19). Sailors need economic help and support after a piracy attack in order to recover, and the MPHRP should therefore adopt some measures such as setting up a compensation fund or providing legal aid.

Legally, there also needs to be a greater effort to enforce seafarer's rights (Hurlburt 2011 p.21) and help restore to them a sense of justice and closure. Piracy was criminalised under the United Nations Law of the Sea (1982) when it was not a problem so it was an abstract notion. It was therefore criminalised without there being an effective enforcement mechanism. As such the crime of piracy falls under universal jurisdiction so any State can prosecute pirates and Security Council resolutions have urged States to "criminalise piracy under their domestic law" and to "favourably consider the prosecution of suspected and imprisonment of convicted pirates" although it does go on to acknowledge the absence of sufficient laws, prosecution venues and incarceration facilities required to achieve this (resolution on piracy 1976 (2011)). This lack of effective enforcement means that 90% of pirates that are captured by international forces are released (UN Security Council 2011). This is mainly due to the high cost involved in trials and incarceration, resulting in only 1.47% of piracy cases being prosecuted internationally from 1998-2009 (Kontorovich &Art 2010) which is well below the global average of 33% for other crimes (Harrendorf et al 2010). Nationally, countries such as Kenya and the Seychelles are reluctant to prosecute pirates as their justice systems are already overloaded with convicted pirates. Many families are disappointed and disillusioned by this lack of prosecution and it has been described as one of the most "abject, shameful aspects of the pirate scourge" (Gibson cited by Redmond 2011).

Many international shipping companies are responding to the piracy threat by employing armed guards on their vessels in an attempt to deter pirate attacks and protect their crew. However, this can in fact place seafarers at greater risk. There is the misconception that pirates avoid attacking ships carrying armed guards. This is not the case, as highlighted when three British armed guards were forced to jump overboard when they failed to prevent pirates hijacking a vessel (The Independent 2008). Peter Swift (MPHRP chairman) (InterManager 2011b)has voiced concerns that arming commercial vessels will cause governments to stop providing naval support, especially when many of the States involved are subject to budget cuts and stretched resources. This could lead to a scenario where vessels are forced to protect themselves without international support in international waters which would further increase seafarer's feelings of vulnerability if they believe their government has abandoned them. Seafarer's risks are also increased as pirates are more frequently returning fire and engaging in shootouts with armed security, which is particularly dangerous if the ship happens to be carrying oil or other volatile cargo. This is subjecting seafarers to a situation only present in active war zones (Hurlburt 2011 p.14), and risks the possibility of greater abuse in retaliation if captured. This potential for escalating the violence of piracy attacks, coupled with the risk of losing government support and protection, means seafarers could potentially be left in a more dangerous and higher risk situation. However, seafarers have voiced a desire for armed guards as they feel more secure with them on board (Simmons 2012), which is understandable given the perceived success armed guards are considered to have had. Armed guards are expensive for shipping companies to employ and there is no regulatory standard established. This could lead to companies taking the 'discount' option and hiring less experienced guards (Simmons 2012). The MPHRP could help prevent this by stressing the dangers of armed security on commercial vessels in its workshops and GPG in order to increase awareness of the risks involved and establish a protocol and regulatory standard of armed security if companies insist on their employment.

More cynical, are accusations that the MPHRP is a 'fraud' and does not provide what sailors need (Mikhail 2011). Instead it has been described by a seafarer as "nothing more than a useless feel-good initiative" to make money and promote its influence (Manu 2011). The apparent western orientation of the MPHRP causes many Asian seafarers to distrust it, with the accusation that "London… has benefited tremendously from piracy and has milked the holy cow for years". Asian seafarers have been described as "cannon fodder" to piracy (Manu 2011 para.12, Mikhail 2011) highlighting the economic divide between seafarers from developed and underdeveloped countries. Western insurance and security companies actually benefit hugely economically from piracy. Hostages from developed countries are generally treated better thanks to professional negotiators and rich shipping companies and so developed countries are perceived to get all the economic benefit from piracy whilst suffering the least cost (One Earth Future 2010).

Partnerships and Similar Organisations

The Seamen's Christian Institute (SCI) plays a similar role to the MPHRP in protecting sailor's rights and is conducting its own study into the impact of piracy and producing its own set of guidelines. This study aims to help clinically assess sailors after a piracy incident, support families during hostage incidents and triage short and long term mental health treatment and will be greatly beneficially to the MPHRP in helping it re-evaluate and improve the services it offers to seafarers. So far, the study has found that one of the biggest challenges to supporting piracy victims is the stigma of mental health problems, which deters seafarers from taking advantage of therapy due to their fear of losing their jobs or not securing further employment. This needs to be effectively addressed or measures involving psychologists to help hostages recover from their ordeal are next to useless (SCI). This stigma could be compounded by the seafarer's culture or nationality, such as in Ukraine, where a bottle of vodka is seen to be better than going to the doctor due to the perceived shame attached to mental health issues (Dimitrevich 2011). The MPHRP does attempt to address this through advocating psychologists through its GPG, but it is debatable how much of an affect this will have in removing cultural barriers.

The SCI has set up a Center for Seafarers Rights (CSR) which provides professional legal services for seafarers. It runs the only free legal-aid service exclusively for the needs of merchant mariners and educates seafarers on their rights. This service is highly important as it enables seafarers who have been in a hostage situation to be able to legally pursue compensation and wages that may be withheld by the shipping company. The MPHRP could employ a similar service to help seafarers address their economic concerns and ensure seafarer's rights are legally upheld.

The SCI's guidelines to help seafarers cope with pirate attacks begins with the anticipation of an attack and continues through to the release of hostages. Like the GPG, it highlights the need for anticipatory training and understanding of piracy tactics. It also suggests cultural sensitivity training so the crew can avoid offending and angering the pirate attackers. The guide stresses the importance of clear communication both with the seafarers and the company, and with the company and the seafarer's families. There is also recognition that follow up care may be required and recommends identifying suitable professionals in the seafarer's home community, who should be placed on standby. The guide makes an additional provision that medical examination and treatment should be kept private so as not to impede the seafarer's chances of future employment. There are also additional requirements for training seafarers to recognise warning signs of post-traumatic symptoms on their return to sea, contacts should any of the symptoms occur, and a psychological assessment three months after release.

The SCI views the GPG as complementing their guide and believes it to be an important resource for "planning assessing and caring for those who may be or have been affected by piracy" and "commends" them for its production (SCI). Furthermore the SCI looks to collaborate with the MPHRP in the future which could help to produce a reviewed and updated guide presenting a unified response to treating the humanitarian side of piracy. A single guide would also aid clarity in helping shipping companies and manning agencies better protect seafarers.

The MPHRP has already begun proceedings to collaborate with the Italian organisation Centro Internazionale Radio Medico (CIRM) which provide a 24hr on call doctor to assist seafarers. The CIRM has received an increasing number of piracy related calls and is conducting a research programme into the psychological effects on seafarers and their families of piracy incidents (MPHRP at CIRM 2012). The MPHRP is also looking to work with countries to set up national MPHRP bases. So far, Ukraine has announced that it is currently working on a national MPHRP and the MPHRP have appointed a local executive secretary. Setting up national MPHRP bases may be a more effective and culturally sensitive way to address seafarer's needs in piracy situations as there is less of a geographical, language and cultural divide (Anti-Piracy Workshop 2012).

The NSC has been a partner on the steering committee for developing the MPHRP as NATO states that it recognises the need to support those who are most affected by piracy, that is seafarers and their families. NATO supports the MPHRP through the NSC's involvement in providing feedback and recommendations during the development of the GPG and by partnering with the MPHRP in giving and developing five joint- workshops (to date) (NSC works with the Humanitarian Aspect 2012) . The NSC also supports and observes the MPHRP's GPG (NATO Attends the Launch of MPHRP 2011) this collaboration ensures that the BMP and the GPG complement each other and do not provide contradicting or detrimental advice.

Conclusion

The MPHRP continues to focus and concentrate its efforts on shipping companies and manning agencies, disregarding the needs of poor seafarers piloting small vessels and shipping boats at risk of pirate attacks. This oversight could be due to the difficulties in identifying and reaching these seafarers, particularly as attacks are often not reported. This is despite the funding for the MPHRP coming from the International Transport Workers' Federation (ITF) and the Seafarers' Trust Charity which aim to support and help seafarers worldwide, ensuring adequate regulation of the shipping industry and protecting their rights, "regardless of their nationality or the flag of their ship"(ITF).

As well as increasing brutality, piracy has grown and evolved in a variety of different ways, which increase the danger seafarer's face. This is primarily due to ransom payments continuing to rise and so there is a growing incentive for pirates (Hurleburt 2011 p.25). Pirates are increasing the range of their attacks by using captive crew to conduct attacks on their own hijacked vessels. There are increased incidents of 'revenge and retaliation' occurring as both the international community and the pirates have defaulted on the terms of the hostage/ransom agreements. This results in seafarers being less likely to be released and being subject to abuse based on their nationality, particularly if the seafarer is from a country such as India which has openly declared war on piracy. Additionally pirates have started to move hostages off the hijacked vessel or split the crew making it increasingly complicated for ship owners to negotiate their release. These changing tactics imply that piracy is going to continue to expand and adapt, despite

international efforts, and so the only way to adequately protect seafarer's rights is to address the root of the problem. The MPHRP is attempting to bolster seafarers against the worst of the harm during attack and hostage period, but there effect is limited. Their efforts in this area are having some positive effect and providing a degree of help and support to some of the victims of piracy but there is still a significant amount to be done in this area. The programs focus appears presently to be somewhat misplaced in concentrating on the areas that carry the most economic incentives, i.e., big shipping companies from the developed world. The MPHRP needs to extend its reach to protect seafarers from poor communities, provide legal and financial support to piracy victims and increase pressure on governments to actually address the cause of the piracy problem.

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