Counter-piracy Initiatives

Piracy is a grave threat to public safety and order on the seas. In particular, for Japan, which depends on maritime transportation to import most of its resources and food necessary for its survival and prosperity as a maritime nation, it is an important issue that cannot be ignored. The United Nations Convention on the Law of the Sea states that all nations shall cooperate to the fullest possible extent in the repression of piracy, so it is necessary for Japan to actively fulfill its international responsibilities.

1 Basic Approach

The Japan Coast Guard (JCG), one of the law enforcement agencies in Japan, is primarily responsible for coping with piracy. However, in case that it is deemed extremely difficult or impossible for the JCG to cope with piracy by itself, the Self-Defense Forces is supposed to take actions against it.

2 The Situations of Piracy Incidents and Initiatives by the International Community

Incidents have continued to occur in waters off the coast of Somalia and in the Gulf of Aden, involving pirates armed with machine guns and rocket launchers. Piracy off the coast of Somalia and in the Gulf of Aden is a threat to the international community, including Japan, so it is an issue that should be dealt with via cooperation among the international community. (See Fig. III-2-3-1)

Successive United Nations Security Council resolutions1, such as United Nations Security Council Resolution 1816, which was adopted in June 2008, have requested various countries to take actions to deter piracy off the coast of Somalia and in the Gulf of Aden; in particular, to dispatch of their warships and military aircraft.

To date, approximately 30 countries, including the U.S., have dispatched their warships to the waters off the coast of Somalia and the Gulf of Aden. Moreover, in December that year, the European Union (EU) decided to commence an anti-piracy operation (Operation Atlanta), escorting vessels transporting supplies for the United Nations World Food Programme (WFP) and patrolling the waters in the area; in addition, the North Atlantic Treaty Organization (NATO) has been conducting its own antipiracy operation (Operation Ocean Shield) since August 2009.

All countries continue to treat piracy off the coast of Somalia and in the Gulf of Aden as a matter of serious concern, even now, and both the EU and NATO decided to extend the time frame of their activities to the end of 2014.

Fig. III-2-3-1 Piracy Incidents Off the Coast of Somalia and in the Gulf of Aden (Comparison with Southeast Asia)

Notes: 1. The data is based on a report by the International Maritime Bureau (IMB) of the International Chamber of Commerce (ICC).
2. Regarding piracy cases that have occurred off the coast of Somalia and in the Gulf of Aden in 2013, approximately 160 cases of piracy have been reported as of late June.

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1 The other United Nations Security Council resolutions calling for cooperation in deterring piracy are Resolutions 1838, 1846, and 1851 (adopted in 2008), Resolution 1897 (adopted in 2009), Resolutions 1918 and 1950 (adopted in 2010), Resolutions 1976 and 2020 (adopted in 2011), and Resolution 2077 (adopted in 2012).
3 Japanese Initiatives

1 Legislation Concerning Anti-piracy Activities

In March 2009, after receiving the approval of the Prime Minister based on a Cabinet decision under the provisions of Article 82 of the Self-Defense Forces Act, the Minister of Defense gave the order for Maritime Security Operations in order to protect Japan-affiliated vessels from acts of piracy.

Following this order, two Japanese destroyers (Sazanami and Samidare) departed from Japan and began escorting Japan-affiliated vessels in the same month. Moreover, to conduct more effective anti-piracy operations over an extensive marine area, an order was given in May to dispatch P-3C patrol aircraft, and these aircraft commenced warning and surveillance operations in the Gulf of Aden in June the same year.

In order to deal appropriately and effectively with acts of piracy by punishing, deterring and cracking down on such acts, regardless of the nationalities of those involved or the flag states of the vessels concerned in view of the United Nations Convention on the Law of the Sea, Japan subsequently enacted the Act concerning the Punishment of Acts of Piracy and Measures to Deal with Acts of Piracy (the Anti-Piracy Measures Act) in July the same year.

This law made it possible to protect the vessels of all nations from acts of piracy, regardless of their flag states; moreover, it became possible to use weapons to a reasonable extent, if no other means were available, in order to halt vessels engaging in acts of piracy, such as approaching civilian vessels.

See Reference 42, 43, 67, 68

2 Activities by the Self-Defense Forces

(1) Achievements

The two destroyers are currently escorting civilian vessels back and forth across the Gulf of Aden. The escort method firstly involves forming the convoy at the assembly point (there are two assembly points for escorting designated at the eastern and western ends of the Gulf). When the convoy sails across the Gulf of Aden, the destroyers guard the front and rear of the convoy; and helicopters carried on the destroyers also watch the surrounding area from the sky. In this way, the ships take around two days to sail the 900km or so distance across the Gulf of Aden, all the while making absolutely certain that the convoy is safe and secure, day and night. Moreover, there are eight JCG officers aboard the destroyers and the Self-Defense Forces cooperate with the JCG to enable them to conduct judicial law enforcement activities, as required. As of April 30, 2013, not a single vessel has come to any harm from pirates under the protection of the destroyers that had escorted 3,068 vessels, and they have passed safely across the Gulf of Aden. In this body of water, which is a major artery for the economy not only of Japan, but also of the whole world, the escort activities undertaken by the Self-Defense Forces provide a tremendous sense of security.

During the non-monsoon season (March - May, September - November), when the area within which acts of piracy become active because of the calmer seas, the escort route is extended by approximately 200km to the east. (See Fig. III-2-3-2)

In addition, the maritime patrol aircraft (P-3C) based in the Republic of Djibouti makes use of their excellent cruising capability in conducting surveillance operations in the Gulf of Aden, which covers an area as large as the territory of Japan. The P-3Cs taking off from Djibouti watch whether there are suspicious boats among numerous ships navigating in the Gulf.

If required, they conduct judicial police activities, such as arresting and questioning pirates.
At the same time, they provide information to the destroyers engaging in escort activities, the naval vessels of other countries and civilian vessels sailing through the area, responding by such means as confirming the safety of the surrounding area immediately, if requested. The Self-Defense Forces which is dispatching two P-3Cs conduct warning and surveillance activities almost every day, while cooperating with other countries which are also dispatching maritime patrol aircraft to the area.

The information gathered by the Self-Defense Forces P-3Cs is shared with the units dispatched to the area by countries such as the U.S. and other related organizations engaging in anti-piracy activities, and is making a significant contribution to deterring acts of piracy and disarming vessels suspected of being pirate ships.

Moreover, in conducting these anti-piracy operations, as well as guarding the P-3Cs and other equipment at the operational facility, Ground Self-Defense Force personnel also serve at the headquarters of the air units, forming the first joint force in the history of the Self-Defense Forces. In addition, the Air Self-Defense Force has formed an airlift squadron to support these activities, consisting of transport aircraft (C-130H) and multipurpose support aircraft (U-4).

(See Fig. III-2-3-3)

(2) The Necessity of Continuing Anti-piracy Operations

Although the number of acts of piracy occurring in the waters off the coast of Somalia and in the Gulf of Aden declined substantially in 2012, compared with 2011, the situation still remains unpredictable, in light of the previous high level of pirate activity. Moreover, the Japanese Shipowners’ Association and other entities are still requesting the Self-Defense Forces to continue their anti-piracy operations; in addition, international...
organizations such as NATO and the EU have decided to continue their operations. Therefore, there is no great change in the situation in which Japan must carry out its anti-piracy operations.

(3) Running the Self-Defense Forces Operational Facility in Djibouti
In order to operate the Deployed Air Units for Anti-Piracy Operations in an efficient and effective manner, the Ministry of Defense and Self-Defense Forces established an operational facility in the northwestern zone of Djibouti-Ambouli International Airport, and the facility commenced operations in June 2011.

Moreover, as anti-piracy operations have gained momentum, the new Djibouti Local Coordination Center was opened in July 2012, in order to deal with the increase in local liaison and coordination duties with the government of Djibouti and the various foreign military units and organizations.

4 Praise for Japan’s Endeavors

The anti-piracy operations by the Japan Self-Defense Forces have been highly praised by the international community, with national leaders and others expressing their gratitude. Moreover, the MSDF, which is engaging in anti-piracy operations off the coast of Somalia and in the Gulf of Aden, has received many messages from the captains and shipowners of the vessels that its units have escorted, expressing their gratitude that the ships were able to cross the Gulf of Aden with peace of mind and asking them to continue escorting ships there. From the first to the 13th unit, a total of 2,370 messages have been received.

Thus, the SDF have contributed to the safe passage of vessels, with no acts of piracy whatsoever taking place to date during their escort activities.

<Message from a Ship’s Captain to the 13th Dispatched Unit >
“On behalf of my crew, I would like to express my gratitude for your escort. Thanks to your professional escort, we were able to cross the most dangerous waters safely, without any worries at all. Furthermore, I am proud of the duties that you are fulfilling, cooperating with the navies of other countries to escort defenseless merchant ships. I am confident that your activities will assist in stabilizing this lawless area, ensuring safe navigation. Please accept my best wishes for you and your crew.”
On July 24, 2012, the Local Coordination Office in Djibouti was established to carry out the task of liaison and coordination with the Djibouti authorities and other relevant organizations required for supporting the maritime and air units deployed for anti-piracy operations to conduct such operations.

Among the related background issues was an increase in the flight squadron commander's contact with foreign military forces and senior government officials and local relations activities since the start of the operation of the SDF's base of activities in Djibouti in June 2011. Another problem was a lack of sufficient opportunities for an exchange of opinions between the deployed maritime unit, which was away from Djibouti for a long time due to its escort mission, and relevant organizations. The establishment of the Local Coordination Office is intended to resolve these problems by having the office act as the representative of the deployed air and maritime units and perform a variety of external coordination work. From the perspective of forming a network of human contacts, the term of office for staff members of the Local Coordination Office is set at around one year, longer than the term for other dispatched personnel.

Military forces dispatched from many countries, including the United States and France, are stationed in Djibouti. The Local Coordination Office exchanges opinions not only with the Djibouti authorities but also with foreign military forces and carries out coordination work necessary for facilitating anti-piracy operations. All staff members of the Local Coordination Office are devoting themselves to coordination work under the blazing sun so as to contribute to facilitating anti-piracy operations as representatives of Japan with a resolve never to feel shy of communicating with officials from other countries.