A.

Piracy is internationally recognized as an act of terrorism. Burgess:  
Piracy Is Terrorism By DOUGLAS R. BURGESS Jr. Published: December 5, 2008 in New York Times Online http://www.nytimes.com/2008/12/05/opinion/05burgess.html

THE golden age of piracy has returned. Just as Henry Every and William Kidd once made their fortunes in the Red Sea, a new generation has emerged, armed with grenade launchers and assault rifles, to threaten trade and distract the world’s navies. With the recent capture of the Saudi supertanker Sirius Star, a crime that once seemed remote and archaic has again claimed center stage. And yet the world’s legal apparatus is woefully confused as to how to respond to piracy. Are the Somali pirates ordinary criminals, or a quasi-military force? The question is not insignificant. It has virtually paralyzed the navies called to police the Gulf of Aden. The German Navy frigate Emden, on patrol this spring to intercept Qaeda vessels off the Somali coast, encountered pirate vessels attacking a Japanese tanker. But since it was allowed to intervene only if the pirates were defined as “terrorists,” the Emden had no choice but to let the pirates go. Currently, 13 vessels are held by pirates in the Gulf of Aden, while the navies of a dozen nations circle almost helplessly. The legal confusion extends to what happens once pirates have been caught. In theory, any nation can shoulder the burden of prosecution. In fact, few are eager to do so. Prosecuting pirates puts enormous strain on a country’s legal system. A state whose ship was not attacked, and whose only involvement with the incident was as rescuer, might balk at being asked to foot the bill for lengthy and costly proceedings. Yet it might find itself forced to do so, if neither the victim’s nor the pirates’ state is willing. As Somalia has not had a recognized government since the early 1990s, the situation is all the more precarious for would-be capturers. The result is that ship owners, knowing that no rescue is imminent, pay the ransom. This emboldens the pirates further, and the problem worsens. Fortunately, there is a way out of this legal morass. Indeed, the law is very clear — we just seem to have forgotten about it. The solution to piracy lies in the very nature of piracy itself. The Roman lawmaker Cicero defined piracy as a crime against civilization itself, which English jurist Edward Coke famously rephrased as “hostis humani generis” — enemies of the human race. As such, they were enemies not of one state but of all states, and correspondingly all states shared in the burden of capturing them. From this precept came the doctrine of universal jurisdiction, meaning that pirates — unlike any other criminals — could be captured wherever they were found, by anyone who found them. This recognition of piracy’s unique threat was the cornerstone of international law for more than 2,000 years. Though you wouldn’t guess it from the current situation, the law is surprisingly clear. **The definition of pirates as enemies of the human race is reaffirmed in** British and American **trial law and** in **numerous treaties.** As a customary international law (albeit one that has fallen out of use since the decline of traditional piracy) it cuts through the Gordian knot of individual states’ engagement rules. **Pirates are not ordinary criminals. They are not enemy combatants.** They are a hybrid, recognized as such for thousands of years, and can be seized at will by anyone, at any time, anywhere they are found. And what of the Emden’s problem? Are **pirates [are] a species of terrorist**? In short, yes. **The same definition of pirates** as hostis humani generis **could also be applied to international organized terrorism. Both crimes involve** bands of **brigands that divorce themselves from their nation-states and form extraterritorial enclaves; both aim at civilians; both involve acts of homicide and destruction**, as the United Nations Convention on the High Seas stipulates, **“for private ends.”**

Targeted killing is a key part of current US policy. Masters:  
“Targeted Killings,” Jonathan Masters, Assoc. Staff Writer, Council on Foreign Relations. January 26th, 2012. <http://www.cfr.org/intelligence/targeted-killings/p9627>

**The U**nited **S**tates **adopted targeted killing** as an essential tactic **to pursue those responsible for** the **terrorist attacks** of September 11, 2001**.** The Pentagon and the Central Intelligence Agency have employed the controversial practice with more frequency in recent years, both as part of combat operations in Afghanistan and Iraq, as well as in counterterrorism efforts in Pakistan, Yemen, and Somalia. Since assuming office in 2009, Barack **Obama**’s administration has **escalated targeted killings**, primarily through an increase in unmanned drone strikes on [al-Qaeda](http://www.cfr.org/terrorist-organizations/al-qaeda-k-al-qaida-al-qaida/p9126) and [Taliban](http://www.cfr.org/afghanistan/taliban-afghanistan/p10551) leadership, but also through an expansion of U.S. Special Operations kill/capture missions. The successful killing of Osama bin Laden in a U.S. Navy SEAL raid in May 2011 and the September 2011 drone strike on Anwar al-Awlaki, an American-born Yemeni cleric and [AQAP](http://www.cfr.org/yemen/al-qaeda-arabian-peninsula-aqap/p9369) propagandist, are prime examples of this trend. The White House points to these outcomes as victories, but critics continue to condemn the lethal tactic on moral, legal, and political grounds. Despite the opposition, most **experts expect the U**nited **S**tates **to** **expand targeted killings in the coming years** as military technology improves and the public appetite for large-scale, conventional armed intervention erodes. The Defense Department’s [2013 budget request](http://www.cfr.org/us-strategy-and-politics/defense-budget-crossroads/p27318) highlighted the potential for such a transition with its plans to move away from troop-intensive counterinsurgency operations, toward a leaner, more agile fighting force that operates with a smaller footprint.

Aff prevents the USFG from using targeted assassinations. Targeted terror suspects don’t receive due process protections. Heymann:  
Law and Policy of Targeted Killing Gabriella Blum and Philip Heymann Assistant Professor of Law, Harvard Law School. James Barr Ames Professor of Law, Harvard Law School. June 27, 2010

Moreover, the fact that all **targeted killing operations in combating terrorism are** directed against particular individuals makes the tactic more reminiscent of a law enforcement paradigm, where power is **employed on the basis of individual guilt** rather than status (civilian/combatant)**.** Unlike a law enforcement operation, **however, there are no due process guarantees: the individual is not forewarned about the operation,** is not **given a chance to defend his innocence [or]**, and there is no **assess[ed]**ment **of his guilt by any** **impartial body.**

B.

Targeted killing is our best option to deter piracy through coercive limitations on organizational structure. Wilner:  
Alex S. Wilner [Center for Security Studies, ETH Zurich (Swiss Federal Institute of Technology), Zurich, Switzerland]. Targeted Killings in Afghanistan: Measuring Coercion and Deterrence in Counterterrorism and Counterinsurgency. 09 March 2010 Google Scholar

**The** very **threat of coercion forces leaders to worry about their safety, hinders their freedom** of movement, **and requires that they spend** time and **resources in avoiding their own death rather than planning the death of others.** In a 2004 letter to bin Laden, AQI’s al-Zarqawi stresses this persistent dilemma. “What is preventing us from making a general call to arms,” he protests, “is the fact that the country of Iraq has no mountains in which to seek refuge, or forest in which to hide. Our presence is apparent and our movement is out in the open. Eyes are everywhere.”44 **Leaders** in hiding **face the** related **problem of motivating and leading their followers; championing a cause from the frontline is far more effective than doing so from the safety of a bunker** or villa in a neighboring region. Likewise, by eliminating skilled facilitators, organizations become de-professionalized. Finding individuals that are able and willing to replace eliminated bombmakers and tactical planners, for instance, takes time, notwithstanding the fact that not just any substitute will do. Few individuals have the skill sets needed to design and build effective bombs that do not prematurely detonate or the leadership characteristics required to successfully manage a military organization. While reports suggest that many of today’s top terrorist leaders are highly educated individuals, holding graduate, legal, and medical degrees, this does not necessarily translate into solid military and strategic know-how. Furthermore, **attracting and recruiting the right people to a life of violent hardship** that invariably comes with joining a terrorist organization **can be difficult.** Even in the case of suicide bombings, **it is not enough to simply equip and send out a great many operatives** on suicide missions—**the individuals need to have the intellect and training to know where to go, who to target,** how and when to detonate their bombs, **and what to do in case of mishap.**

Targeted killing has empirically succeeded against Somali pirates and other international threats. Lehr:  
Peter Lehr. Somali Piracy: The Next Iteration. 2009. Google Scholar.

Thus, **not everybody is happy with the** seemingly **sluggish pace of current antipiracy operations.** Some hardliners even lobby for preventive land strikes in addition to more robust action at sea. **The** objective of such **strikes would** be to **destroy the pirates' infrastructure**, **and** to **eliminate** known **high-profile leaders** of pirate gangs. **Supporters of such strikes cite the targeted killing of al-Shabaab leader** Aden Hashi **Ayrow** in May 2008 as an example or the September 2009 strike against Saleh Ali Saleh Nabhan, a Kenyan involved in the Mombasa hotel bombing of November 2002. The French land strike at pirates involved in the *Le Ponant* hijack is also mentioned in this regard. **Broadening the scope of land strikes to include the destruction of pirates' infrastructure would be the next logical step**: without suitable boats… no piracy – for the hardliners, it's as simple as that.

C.

Somali Pirates threaten the safety of nuclear weapons and harm the economy. Kraska:  
By James Kraska and Brian Wilson feb 23 2011” combating piracy in international waters.”

**The seizure by Somali pirates** on september 25, 2008, **of the Faina, a** ukrainian-flagged **vessel transporting** 33 russian tanks and **depleted uranium** ammunition to kenya for consignment delivery to the sudan people’s liberation army **was startling** in its audacity and haul. Even more alarming, however, was the november hijacking of the 1,000- foot supertanker sirius star. The liberian- flagged vessel, owned by saudi arabia’s aramco, was carrying more than $100 million in oil to the united states when pirates seized the ship and its 25 crew members some 400 miles out to sea, then motored for the somali coast and dropped anchor. Admiral michael mullen, chairman of the joint chiefs of staff, was stunned by the capture, which sent shocks through global energy markets. The seizure of a supertanker was unprecedented, and the daring attack so far from shore suggested the pirates were using the shipping industry’s open-access automatic identification system to intercept merchant ships. Merchant ships on international voyages are required to transmitlocational data, but criminal gangs at sea operating commercial equipment can receive these signals as easily as do naval forces and maritime law enforcement—and use it to target ships. **Since January, more than 97 ships have been hijacked in** the **dangerous waters** off somalia and yemen, **and** the **ransom** for some vessels **can fetch into the millions** of dollars. **Maritime piracy is experiencing a renaissance** not seen since [barbados] the period of the barbary pirates. **Instability from maritime piracy in the Gulf of Aden is sending ripples throughout the global supply chain,** which is already reeling from the collapse of shipping rates brought on by the worldwide economic slowdown. **The Baltic Dry Index**, which measures the cost of shipping most commodities other than oil, **has** **plummeted** to its lowest level in six years and has fallen **93 percent** from its peak in may 2008. Indeed, the surge in piracy is coming at the worst time for the shipping industry.

It’s impossible to solve Somali instability as long as piracy exists; piracy destroys global food markets. Bowden:  
Anna Bowden, The Economic Costs of Maritime Piracy, One Future Earth Working Paper December 2010

Approximately 40% of piracy attacks have been on bulk carriers and general cargo vessels. 67 Together, these vessels carry the majority of the world’s food staples (such as rice and grain). **Pirate attacks on these vessels have direct consequences on the price of food, as** deliveries of **food** cargo **is delayed**, **or** in the case of perishable goods, **lost**. Since piracy has historically emanated from failed or developing nations, these effects on the price of food have severe consequences. For example, **in** countries like **Somalia,** where over half of the food consumed is commercially imported (in addition to humanitarian food aid), **food price inflation has** serious **financial and humanitarian impacts**. Abdinasir Aw Kombe, a Somali businessman who has had a boat hijacked, states that as pirates have increasingly targeted food cargo ships, **ship owners “are refusing to carry** our **[Somali] goods**,” **which has created shortages of basic goods**, such as rice, flour and sugar." In April 2010, a Somali food importer claimed that in less than a month, piracy had caused the price of a 50kg bag of sugar to increase from $30 to $34, wheat four from $18 to $22, and rice from $25 to $28. 68 **Rapid** food price **inflation** in such nations **may also lead to social unrest, riots, and** potentially, **conflict**. In August of 2010, African countries such as Mozambique and **Somalia** were **[was] extremely concerned about social instability resulting from the most rapid increase in food prices since** November **2009.**

Somali instability increases terrorism, which turns the AC. Menkhaus:  
[Ken Menkhaus](http://www.davidson.edu/academic/political/menkhaus.html), [Christopher Boucek](http://www.carnegieendowment.org/experts/index.cfm?fa=expert_view&expert_id=403) Terrorism Out of Somalia Carnagie Endowment for International Peace September 23 2010

The violence and **insecurity in Somalia**—the failed state on the edge of East Africa that serves as a gateway to the Arabian Peninsula—**spread beyond its borders through** **piracy**, arms deals, human trafficking, **and** **terrorism**. **The weak** transitional **government** backed by an African Union peacekeeping force **is unable to exert influence** outside the capital **and is at risk of being toppled by Islamist insurgents**. And fears recently rose that **Somalia’s instability could** directly **threaten** U.S., European, and African **security after al-Shabab, a militant group with links to al-Qaeda, claimed credit for** the brazen **terrorist attacks** **in Uganda** during the World Cup.

Empirics prove—poor, unstable nations breed terrorists. Solving piracy solves instability, which solves terrorism. Li:  
(Quan Li and Drew Schaub , “Economic Globalization and Transnational Terrorism: A Pooled Time-Series Analysis” - The Journal of Conflict Resolution, Vol. 48, No. 2 (Apr., 2004), pp. 230-258 - http://www.jstor.org/stable/3176252 Accessed: 26/07/2009 01:26)

**Based on a sample of 112 countries from 1975 to 1997, we find** interesting patterns of statistical association between economic globalization and transnational terrorist incidents. In general, trade, FDI, and portfolio investment of a country do not directly increase the number of transnational terrorist incidents inside its borders. **Economic development of the country** and its top trading partners **reduces the number of terrorist incidents inside the country.** To the extent that economic globalization promotes development, globalization can have an indirect negative effect on transnational terrorism. More important, economic openness, to the extent that it promotes **economic development**, **may actually help to reduce indirectly the number of transnational terrorist incidents** inside a country. Closing borders to foreign goods and capital may produce undesirable effects. **Economic closure** and autarky **can generate more incentives to engage in transnational terrorist activities by hindering economic development.**

AT International Law

Maritime piracy policies fall outside traditional due process protections in international law. Chapter VII of the UN Charter permits the use of targeted killing as per Resolution 1851. Gopalan:  
SANDEEP GOPALAN [head of the department of law at the National University of Ireland, Maynooth.]. . Put Pirates to the Sword. 2010. Google Scholar

Naval officers and others need not hesitate to use lethal force against pirates: **The** United Nations **[UN] Security Council passed resolution 1851** in December 2008 **authorizing states to take "all necessary measures**—that are appropriate in Somalia, **for the purpose of suppressing acts of piracy." This was issued under Chapter VII of the U.N. Charter and should serve as a sufficient legal basis to kill pirates.** Further, **the law of self-defense ought to cover the use of lethal force against pirates** boarding ships armed with lethal weapons.