

New Maritime Crime: An Introduction

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ABSTRACT

Due to a lack of understanding and a lack of willingness, we are currently experiencing two waves of maritime crime. The first is linked simply to our increased dependence on the maritime sector, but also to a fivefold increase of exchanges of international goods by sea. The second, which is in the process of building up and will be just as destructive, is linked to overcapacity—to there being too many tools for conducting maritime activity and not enough demand for them.

Keywords: Maritime Crime, Hybridization

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RESUMEN

Debido a la falta de comprensión y voluntad, actualmente estamos experimentando dos olas de delitos marítimos. El primero está vinculado simplemente a nuestra mayor dependencia del sector marítimo, pero también a un aumento de cinco veces de los intercambios de bienes internacionales por mar. El segundo, que está en proceso de construirse y será igual de destructivo, está vinculado a la sobrecapacidad, ya que existen demasiadas herramientas para llevar a cabo actividades marítimas y no hay suficiente demanda para ellas.

Palabras clave: crimen marítimo, hibridación

新海事犯罪：导论

摘要

由于缺少足够的理解和意愿，目前全球正经历两轮海事犯罪。第一轮犯罪直接与对海事部门的日渐依赖性相关，但也

与国际海运货物贸易增加五倍这一事实存在联系。第二轮犯罪还在发展中，但也会变得与第一轮犯罪一样具有破坏性：其与过量生产有关，即用于从事海事活动的工具供给过多，但却没有足够的需求。

关键词：海事犯罪，混合（Hybridization）

An area unfamiliar to the general public, the maritime sector is present in every aspect of our modern society. Since the 1970s, our post-modern world has been continually increasing its dependence on the maritime sector, to the point that today it has become invisible for most people living on land simply because it is visible *everywhere*. If every item with a link to the maritime sector was taken off our shelves, our market places would only be left with 10 percent of their supplies. And as for this remaining 10 percent of items, it is highly likely that their production is either dependent on an input product imported by sea or relies on a feature or innovation from the maritime sector.

Concepts within the cyberworld, which the general public and experts are exploring today, can be transposed perfectly to the maritime world. Or rather to be exact, it is actually the other way around: what initially happens in the maritime world results in the same determining factors in the cyberworld. The maritime world is therefore a unique laboratory of the globalization and internationalization that have been taking place over the last few decades. However, in order to fully understand this world, we must be able to interpret it.

When it comes to crime and the analysis of criminology, the cyberworld and the maritime world share exactly the same characteristics. Although the maritime world has many specific features, the mechanisms of crime within it remain “criminal” rather than being specifically “maritime.” This means that tackling these mechanisms does not necessarily require a huge amount of technical skill. All we need to do is take a proper look and be willing to take action.

Due to a lack of understanding and a lack of willingness (since the driving forces behind the global economy must not be restricted, and to a certain extent neither must its deregulation under the guise of liberalization) we are currently experiencing two waves of crime. The first is linked simply to our increased dependence on the maritime sector, but also to a fivefold increase of exchanges of international goods by sea. The second, which is in the process of building up and will be just as destructive, is linked to overcapacity—to there being too many tools for conducting maritime activity and not enough demand for them.

Like a silent bomb, crime is exploding, eroding, and destroying. But it is also gaining a foothold and gradually filtering into the practices of those who have,

until now, conducted their activities legally. And all this is being met with a deafening silence.

What is interesting about the maritime world is the wealth of conceptualizations that it offers, at least once the frameworks of interpretation become clear. These include concepts such as the hybridizations that are currently being developed by Jean-François Gayraud, the maritime crime balloon, or quite simply the fact that it is a driver behind the development of prospective criminal intelligence, applied within the maritime sector. Of course, over the long term there are constants, with some hybridizations having already developed in the past. But what makes these hybridizations different today is that they are all happening at the same time, and across an immense geographical area. They are also accompanied by the development of the military component, reminiscent of the mechanisms behind the previous wave of hybridization between criminal activity and terrorism.

The two main state organizations in France that are working today to tackle maritime crime, the Gendarmerie Maritime and the Navy (Marine Nationale), the former being used to carry out the work of the latter, are faced with two significant challenges. First, they need to develop a strategy of knowledge that enables them to tackle the dark figure of maritime crime and, behind this, mobilize both private actors and state actors and partners. Second, they need to develop conceptual tools and, most importantly, focus as best they can on developing intelligence tools. Criminal intelligence, necessarily forward-looking and so difficult to implement in the French context, is a key part of this effort.

Developing a strategy of knowledge involves investing in high-level intellectual and conceptual technology, which must not be confused with the processing of big data. The great opportunity that we have here, in state action at sea developed by the French Navy, is that whatever the national or international policing dimension, once we are aware of a threat, we have maritime operators that know how to combat it. Making use of this capacity and of this police and military culture is a fighting capacity that is itself hybrid, and is therefore perhaps a natural response to a criminal threat that is in the process of becoming hybrid itself. It is however very important not to confuse the fight's policing nature with its military nature, since even though both use the same means, the professional conduct of the action remains firmly police-based rather than war-based.