

## Terrorism on the High Seas: Subsuming Certain Acts of Maritime Terrorism under Piracy *Jure Gentium*

Patricia Cristina T. Ngochua

51 ATENEO L.J. 1160 (2007)

*SUBJECT(S): PUBLIC INTERNATIONAL LAW, CRIMINAL LAW*

*KEYWORD(S): TERRORISM ON THE HIGH SEAS, MARITIME TERRORISM,  
PIRACY JURE GENTIUM*

It is a common misconception to assume that piracy is a mere relic of the past, as piracy is still committed in many parts of the world, though on a less publicized scale. It is submitted that the customary definition of piracy *jure gentium* is at present, too narrow and inadequate to cope with the many acts of violence committed in the high seas, as argued by international law experts. Also, during the past few years, there has been an unprecedented increase in the conflation of piracy and maritime terrorism, which becomes a mores serious cause for concern considering the possible void or gap in the law.

While maritime terrorism and piracy are two separate offenses, with different elements required for their consummation, it can be argued that the private ends requirement in piracy is broad enough to accommodate acts with mixed motivations and that piracy *jure gentium* can subsume certain acts of maritime terrorism. In this light, the application of the “Private Ends Test” to acts of maritime terrorism may be instructive in determining whether the said acts were done for private ends, which is a necessary element of piracy. If such acts are categorized as done for private ends, then they may be subsumed under piracy *jure gentium*.