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STATEMENT OF

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BEFORE THE

SUBCOMMITTEE ON

COAST GUARD AND MARITIME TRANSPORTATION

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

U.S. HOUSE OF REPRESENTATIVES

ON

EFFORTS TO COMBAT PIRACY

APRIL 10, 2013

Mr. Chairman, Ranking Member Garamendi, distinguished members of the subcommittee, I am Rear Admiral Joe Kuzmick appearing today on behalf of the Chief of Naval Operations. As a member of the CNO's staff in the Operations, Plans, and Strategy Directorate, I am happy to have the opportunity to appear before your committee and discuss the U.S. Navy's ongoing efforts to counter piracy on the high seas.

At the start of this century, maritime piracy was at a relatively low level and received little attention in the international community. When individual piracy acts did occur, the affected nation pursued its own counter-piracy efforts as part of its ongoing criminal prevention and prosecution efforts. The increase in piracy in the Strait of Malacca in 2003 and 2004 garnered worldwide attention and concern, but the affected nations in the region largely handled it. However, piracy off the Somalia coast changed the worldwide perception of the problem.

Somali Piracy off the Horn of Africa

Between 2005 and 2007, Somali pirates hijacked a number of vessels within 200 nautical miles of the Somali coast. By 2007 and 2008, pirate attacks off the coast of Somalia had begun to escalate dramatically. Motivated by escalating ransom payments that eventually grew to reach millions of dollars, more and more Somali men turned to piracy. As a result, piracy evolved from a fairly ad hoc, disorganized effort to a highly developed criminal enterprise. Somali pirates were able to improve their capabilities and expand their area of operations further and further from the Somali coast. At their peak, pirates could operate for weeks at a time up to 1,200 nautical miles from the Somali coast in shipping lanes off the Horn of Africa. At its maximum, the pirate operating area comprised an area more than 2.85 million square nautical miles, an area larger than the United States.

From 2008 to 2009, the number of successful pirate hijackings increased from 44 to 52, while the total number of piracy incidents (successful hijackings and unsuccessful attacks) more than doubled from 86 to 181. In 2010, the trend line remained relatively constant with 51 successful hijackings and 182 overall piracy incidents. By 2011 the trend

reversed with the number of piracy incidents dropping to 166 and dropping further to only 32 in 2012. Likewise, the number of successful hijackings declined by 74 percent from 27 vessels in 2011 to only seven vessels in 2012 making 2012 the year with the lowest level of pirate activity since 2006. As of April 1 of this year, Somali pirates are holding only two vessels and sixty crewmembers hostage, a significant decline from the over 30 vessels and over 600 crewmembers held in early 2011.

The decrease in both the number of attacks and successful hijackings can be attributed to a number of factors including the implementation of Best Management Practices (BMP), an increasingly robust multinational naval presence and the increased use of Privately Contracted Armed Security Personnel (PCASP) on merchant vessels.

Many vessels transiting near the Horn of Africa now adhere to Best Management Practices (BMP), an industry-developed set of guidelines for transiting merchant vessels to prevent pirate attacks. BMPs include the use of concertina, razor wire, and water hoses; transiting at speeds above 16 knots; use of ship citadels; and avoiding high-risk areas. Although BMPs are not always successful in deterring and preventing piracy attacks, implementing the recommendations significantly decreases the likelihood of being hijacked.

Critical to the decline in piracy has been the deployment of naval forces. The U.S. Navy is engaged in Horn of Africa counter-piracy operations under Commander, Task Force (CTF) 151. CTF 151 is a multinational task force established in January 2009 to conduct counter-piracy operations under a mission-based mandate throughout the Combined Maritime Forces (CMF) area of responsibility to actively deter, disrupt and suppress piracy in order to protect global maritime security and secure freedom of navigation for the benefit of all nations. In addition to the United States, 14 countries currently participate in CTF 151: Australia, Bahrain, Canada, France, Jordan, Republic of Korea, Netherlands, Pakistan, Saudi Arabia, Singapore, Spain, Thailand, Turkey, and the United Kingdom. CTF 151 is presently commanded by Thailand. It has been commanded by Denmark, Korea, Pakistan, Turkey and the United States. The command staff is

comprised of personnel from a number of coalition countries, and manages daily operations from a command ship.

Coalition naval forces are frequently able to locate, intercept, and take into custody Somali pirates associated with failed attacks on merchant vessels. On occasion, naval forces have successfully disrupted Somali pirate attack groups departing Somalia on hijacking missions. As a result, fewer Somali pirate attack groups have been operating off Somalia. In addition to our efforts, there are two coordinated multinational naval patrols off the Horn of Africa. NATO is engaged with Operation OCEAN SHIELD and the European Union has Operation ATALANTA. Other national navies, including several from Asia and the Middle East, conduct counter-piracy patrols and escort operations as well. These are independent from the CTF 151 efforts but are coordinated through participation in Shared Awareness and Deconfliction (SHADE) meetings in Bahrain to provide working-level opportunities for navies to come together to share information and deconflict efforts to counter Somali piracy in the greater Horn of Africa.

At the peak point of operations, up to 30 vessels from as many as 22 nations were engaged in counter-piracy operations in the region. International naval forces have thwarted pirate attacks in progress, engaged pirate skiffs, and successfully taken back hijacked ships during opposed boardings. We have worked together to create safer shipping lanes through the Gulf of Aden for commercial shipping vessels by establishing the Internationally Recommended Transit Corridor (IRTC) in 2009. Coalition naval forces maintain a robust presence in the IRTC which has helped reduce the number of attacks within the Gulf of Aden.

While Best Management Practices provide an increased level of protection against pirate attacks, and naval operations have provided an effective deterrent to attacks in major shipping channels, Somali pirates were still able overcome these defensive measures, specifically in areas outside major shipping channels. As a result, ship owners increasingly turned to PCASP because of their effectiveness in preventing pirate boardings. To date, no vessel with a PCASP has been successfully hijacked by Somali pirates. There are no official statistics on how many vessels transiting the region have PCASPs; however, based

upon self-reporting from these vessels, we assess approximately 50 percent or more vessels likely have PCASPs. Since January 2012, 23 of the 28 attacks on vessels were successfully repelled by PCASPs. Suspected pirates also aborted planned attacks after encountering PCASPs in an additional 76 incidents. Furthermore, pirates do not appear to be attempting to change their tactics or procedures to overcome PCASPs. To the contrary, it appears pirates are consciously avoiding vessels with PCASPs and looking for more vulnerable vessels.

In addition to the overall decrease in the number of pirate attacks and the number of successful hijackings, the combined effectiveness of BMPs, international naval presence and PCASPs has made a positive impact throughout the region. There has been no reported pirate activity in the Mozambique Channel since December 2010; there have been no confirmed attacks or hijackings in the Red Sea since September 2011; there has been no pirate activity within 300 nautical miles of India in 2012 or 2013; there has been no hijacking in the Gulf of Aden since October 2011; and there has been a significant decrease in pirate activity off of Kenya and Tanzania.

Although the pirate success rate – that is, the number of successful hijackings compared to the total number of attacks – decreased from 28 percent in 2009 and 2010 to 16 percent in 2011, the pirate success rate did increase to approximately 22 percent in 2012. The success rate most likely increased because pirates are now probing vessels for armed security before launching an attack. If the pirates identify armed security on a vessel, they will normally leave the area and search for a more vulnerable target. As a result of this probing, there is a higher likelihood that pirates will attack vessels with no PCASP onboard, thus increasing their chances of boarding or hijacking the vessel.

Despite the increase in success rate in 2012, the data from 2013 is very encouraging. So far this year, there have been no successful hijackings or attacks. While two vessels this year were approached by pirates, the presence of PCASPs in both cases caused the pirates to turn away before commencing an attack. To be clear, this remarkable success is a direct result of the increased use of Armed Embarked Security Teams, an

increased Coalition naval presence, and effective implementation of Best Management Practices by industry.

Armed Robbery and Piracy in the Gulf of Guinea

There are many differences between maritime crime conducted by Somali-based pirates when compared with acts in the Gulf of Guinea. Whereas the majority of attacks conducted by Somali pirates take place in international waters, the majority of attacks in the Gulf of Guinea occur within the territorial sea of the coastal nations. The methods of profiting also differ. The overwhelming majority of Somali pirate attacks are "hijacking for ransom" where the vessel, cargo and crew are held for ransom. In the Gulf of Guinea, hijackings for fuel theft, robberies, and kidnapping crew members for ransom are the most common types of incidents. Two factors contribute to the limited number of "hijacking for ransom" in the Gulf of Guinea. First, unlike Somalia, coastal nations in the Gulf of Guinea have functional navies, coast guards or other constabulary forces capable of conducting law enforcement operations within their territorial waters. Second, these forces are able to exercise some control over their maritime domain eliminating any potential "safe haven" at sea to hold pirated ships.

Prior to 2005, the number of incidents in the Gulf of Guinea regularly exceeded and often doubled the number of attacks off the coast of Somalia. Recently, the number of incidents in the Gulf of Guinea has declined from 104 incidents in 2011 to 86 incidents in 2012. The number of incidents in the Gulf of Guinea so far in 2013 has remained commensurate with levels seen in 2011 and 2012 with 22 incidents as of March 21.

Armed robbery and piracy in the Gulf of Guinea includes both kidnapping for ransom and hijacking to steal cargo. Each method is likely perpetrated by distinct groups, given the difference in target selection and tactics employed. The criminals are displaying an ability to overcome increases in regional security patrols and changes in oil industry vessel traffic routes. Gulf of Guinea piracy tactics are evolving in the face of increased coastal security patrols by the Nigerian Navy and their partnerships with other regional navies to address piracy. Additionally, the operational sophistication and ability to target

specific vessels has improved. Gulf of Guinea armed robbery and piracy tactics are evolving in 2013, to include the use of mother-ships (a tactic seen in pirate activity off the Horn of Africa). Nigerian criminal gangs continue to kidnap high value foreign hostages from vessels transiting or operating near the Niger Delta. The average time a hostage is held until a ransom is paid is two to four weeks. Indications are that ransoms are increasing, which will likely perpetuate the problem.

Gulf of Guinea criminals targeting petroleum tankers off the coast of Benin in 2011 shifted some of their hijacking operations further west to the Togo and Cote d'Ivoire in 2012 in part due to the joint Nigerian/Benin naval patrols and the fact that mariners were likely attempting to avoid the Benin coast where many of the previous hijackings occurred. Hijackings are now taking place further from the coast, including into international waters where local authorities will be more challenged to respond. Criminals behind the tanker hijackings are likely acquiring information illegally that allows them to target specific vessels based upon their cargo.

In the Gulf of Guinea, limited naval and maritime law enforcement capabilities and presence will continue to hamper efforts to reduce the threat in the region. The use of private PCASPs, which could help reduce attacks, is prohibited outright by some countries bordering the Gulf of Guinea while in others, if a company chooses to use a PCASP, the PCASP must be from the host nation owning the territorial waters. Although these "host nation" PCASPs may be available, they are not widely employed by the shipping industry when operating in the Gulf of Guinea because of their ineffectiveness and corruption.

Partnerships and Capacity Building in Africa

Just as the characteristics of piracy and armed robbery at sea differ between Somalia and the Gulf of Guinea, so too do the efforts to combat them. Since most of the attacks occur within the territorial sea of coastal states, naval patrols in international waters have little effect. Rather, a robust program of Theater Security and Cooperation exercises and events aimed at promoting the professionalism, sustainable capability, effectiveness

and interoperability of coastal states navies, coast guards, and other constabulary forces provides a more effective means of countering this threat.

From November 2007 to May 2008, USS FORT MCHENRY and HSV SWIFT deployed to the Gulf of Guinea to conduct focused training and maritime collaboration on a regional scale. These two ships, along with an international staff, made repeat visits to multiple nations including Senegal, Liberia, Ghana, Cameroon and Sao Tome and Principe. This initiative was subsequently christened Africa Partnership Station (APS).

African Partnership Station is a comprehensive international approach designed to build maritime security in Africa in a collaborative manner. Working together with partner nations, governments, NGOs and the private sector, U.S. Naval Forces Africa (NAVAF) uses APS as its principal vehicle to promote maritime security in Africa. APS is an umbrella program whereby U.S., European and other international partners cooperate and synchronize efforts with African partners to increase maritime security and maritime domain awareness in Africa. APS is now a year-round, maritime capacity building continuum which progresses from basic training to exercises and then leading into combined law enforcement operations.

NAVAF has developed and hosts four regional maritime security exercises around the African continent. The goal is to enable participating forces to effectively patrol their territorial waters and exclusive economic zones to address maritime crime and piracy. Exercise OBANGAME EXPRESS focuses on the Gulf of Guinea region and has been conducted annually since 2010. The sixteen countries participating in 2013 were Belgium, Benin, Brazil, Cameroon, Cote d'Ivoire, Equatorial Guinea, France, Gabon, Netherlands, Nigeria, Republic of Congo, Sao Tome and Principe, Spain, Togo and the United States.

Exercise CUTLASS EXPRESS, conducted annually since 2011 and most recently conducted in November 2012, focuses on maritime security in the Indian Ocean and Gulf of Aden. This year's exercise took place at sea in the vicinity of Djibouti, Djibouti; Port Louis, Mauritius, and Dar Es Salaam, Tanzania with coordination among regional

maritime operations centers. Participating countries included Djibouti, Mauritius, Mozambique, the Netherlands, the Seychelles, Tanzania, Uganda, and the United States.

SAHARAN EXPRESS is an exercise conducted annually since 2011. The most recent exercise was completed in March 2013. This annual exercise focuses on increasing counter-piracy capabilities and deterring maritime crime in West Africa. During SAHARAN EXPRESS 2013, ten ships, four aircraft, and four maritime operation centers were operated by participating nations to achieve common maritime security goals. Participating nations in SAHARAN EXPRESS included Cape Verde, Cote d'Ivoire, France, The Gambia, Liberia, Mauritania, Morocco, the Netherlands, Portugal, Senegal, Sierra Leon, the United Kingdom and the United States.

The final exercise in the NAVAF African Partnership Series, PHOENIX EXPRESS, is a multinational exercise between Southern European, North African, and Unites States naval forces focused on safety and security in the Mediterranean Sea.

African Maritime Law Enforcement Partnership (AMLEP) is the operational arm of APS. AMLEP in a combined, interagency law enforcement operation using U.S. Coast Guard boarding teams and U.S. or international maritime assets in conjunction with host nation boarding teams to conduct underway patrol operations in the host nation territorial seas and Exclusive Economic Zones. Under the AMLEP model, while the combined boardings are conducted at sea, the host nation assumes responsibility for any arrests and resulting criminal prosecutions. In 2012, NAVAF conducted AMLEP operations with Cape Verde, Sierra Leone, the Gambia and Senegal. Additionally, NAVAF is currently preparing for potential AMLEP operations with a number of other West African nations.

Piracy in Southeast Asia

Southeast Asia comprises more than 1.6 million square miles of ocean and over 25,000 archipelagic islands with over 17,000 in Indonesia alone. Nearly one quarter of the world's commerce and half its oil pass through the Strait of Malacca and South China Sea. Maritime crime and piracy in Southeast Asia primarily revolve around illicit activities such as cross-border smuggling, drug/weapons trade, human trafficking, and

trafficking of illicit resources. From 2007 to the present, nearly 700 maritime crime and piracy incidents have been reported in Southeast Asia. Maritime criminals tend to operate primarily in high-traffic areas. The majority of the reported events in this area are quickly executed, non-confrontational "smash and grab" operations. Most incidents in Southeast Asia occur while vessels are anchored or berthed and are conducted by robbers seeking to steal a ship's stores or the crew's personal belongings. Hijackings and hostage taking incidents are rare. Southeast Asia piracy and maritime crime declined almost 30 percent during 2012 from 178 incidents in 2011 to 126 incidents in 2012.

Piracy and maritime crime in Southeast Asia bears more similarities to the Gulf of Guinea than the Horn of Africa. A significant number of attacks in Southeast Asia occur within the territorial seas of coastal nations. "Hijacking for ransom" events are virtually non-existent. The purposes of the attacks are numerous: crew robbery, cargo theft, vessel theft, smuggling, and kidnapping crew members for ransom. Like the Gulf of Guinea, Southeast Asian nations have functional navies, coast guards or other constabulary forces capable of conducting law enforcement operations and exercising control over the respective nations' maritime domain. Accordingly, the United States Navy has focused efforts in Southeast Asia on Theater Security and Cooperation events in an effort to strengthen partner nation maritime law enforcement capabilities.

United States Seventh Fleet has led the effort to enhance area nations' ability to combat piracy and maritime crime. Southeast Asia Cooperation and Training (SECAT) is an annual multinational exercise held at Changi Naval Base, Singapore. The exercise highlights the value of information-sharing and multilateral cooperation in maritime interdiction scenarios, including counter-piracy. Participating nations in 2012 included Brunei, Indonesia, the Philippines, Singapore, Thailand and the United States. Additionally, Commander, Seventh Fleet conducts annual bilateral Cooperation Afloat – Readiness and Training (CARAT) exercises with various ASEAN nations. In 2012, the United States conducted CARAT exercises with Bangladesh, Brunei, Cambodia, Indonesia, Malaysia, the Philippines, Singapore and Thailand. The at-sea phases of CARAT focused on maritime intercept (MIO) operations, counter-piracy, anti-smuggling and, maritime law enforcement.

The threats that piracy and maritime crime pose to the United States, our international partners, and the industry and seafarers who make their living at sea are multi-faceted. The response to these threats requires a broad array of operational capabilities, skills and competencies, and the support and expertise of numerous U.S. government, international, and commercial entities. The United States Navy plays a unique role, and remains committed to working with our fellow government agencies, our international partners, and with industry to forge long-term solutions for regional maritime safety and security.

Thank you for the opportunity to testify, and I look forward to your questions.