

STATEMENT OF  
CAPTAIN RICHARD PHILLIPS, MASTER  
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TO THE  
SUBCOMMITTEE ON MERCHANT MARINE INFRASTRUCTURE,  
SAFETY AND SECURITY  
OF THE  
COMMITTEE ON COMMERCE, SCIENCE AND  
TRANSPORTATION  
ON  
PIRACY ON THE HIGH SEAS: PROTECTING OUR SHIPS, CREWS  
AND PASSENGERS  
MAY 5, 2009

Mr. Chairman and Members of the Subcommittee:

I am Captain Richard Phillips. I am a graduate of the Massachusetts Maritime Academy, I have been a member of the International Organization of Masters, Mates & Pilots Union since 1979, and I am a licensed American merchant mariner. I was the captain of the MAERSK ALABAMA when it was attacked by pirates off the coast of Somalia on April 8th. Thankfully, that episode ended with the successful return of the ship, its cargo of US food aid for Africa and, most importantly, my crew. All of us have returned home safely and for that my entire crew and I are deeply appreciative of the actions taken by the Administration, the Department of Defense and, most especially, the US Navy, the Navy SEALs and the crew aboard the USS Bainbridge. All of the US military and government personnel who were involved in this situation are clearly highly trained and motivated professionals. I want to use this opportunity to again say “thank you” to everyone involved in our safe return.

I want to thank the management of Maersk and Waterman Steamship Corp. who handled the situation, the crew and our families with great care and concern.

Equally important, I want to publicly commend all the officers and crew aboard the MAERSK ALABAMA who acted with their typical professionalism in response to this incident. The Deck Officers who are members of the Masters, Mates & Pilots Union, the Deck Officer and Engineers who are members of the Marine Engineers’ Beneficial Association, and the unlicensed crew who belong to the Seafarers International Union are dedicated merchant mariners. They are typical of America’s merchant seamen who are well-trained and ready to act to protect the interests of our country.

In fact, I want to make sure that everyone understands that due to the quick response by the crew, led by Chief Engineer Mike Perry and Chief Mate Shane Murphy, the pirates never – I repeat, never – took control of the MAERSK ALABAMA. The entire crew did what American mariners are always ready to do – put themselves at risk to protect their vessel and its cargo. Chief Engineer Perry, Chief Mate Murphy and the entire licensed and unlicensed crew of the MAERSK ALABAMA deserve our thanks and praise.

I am honored to come before you and your Subcommittee, Mr. Chairman, to discuss my views on making commercial shipping safer, and worldwide sea lanes more secure from the threat of piracy. Under your leadership, this Subcommittee can play a key role in focusing attention on this issue and in developing solutions to the problem of piracy.

I need to make clear at the outset that I am unable to discuss various specific details of the incident itself because of the ongoing investigation and pending legal action against one of the pirates. But I've had a lot of time to think about the difficult and complex issues of protecting vessel, cargo and crew in crime-ridden waters. Therefore, the focus of my comments will be my beliefs, based on my years of experience at sea, as to what can or should be done to respond to piracy and to protect American vessels and crews.

I should also say at the outset that my personal opinions may differ in some ways from other recommendations you have heard before and may hear from others. Nevertheless, I do believe that all of us in the maritime industry agree that we must work together to address this complex problem, and that we must keep the crew, cargo and vessel safe.

I believe for example that most people agree that the best solution to protecting U.S.-and foreign vessels from the threat of piracy is to end piracy itself. This will require an intensive international effort to address the root causes of piracy within Somalia and that this effort will undoubtedly be long and difficult. But unless the root causes of piracy are addressed, it will continue to expand and to evolve into a greater and greater threat for American and foreign seamen.

Along these same lines, as Congress considers what steps should be taken to protect American vessels and crews, I would ask that you remember the approximately 300 foreign mariners who are still being held captive by pirates. Like the crew of the MAERSK ALABAMA, these merchant seamen were simply trying to do their job but unlike our families, their families are still living with the stress and the pain of not knowing if or when their loved ones will be returned home safely.

Unlike most nations of the world, the United States has the capability to protect its vessels and their crews from piracy. And our government should do so. But at the same time, we should use every resource at our disposal to encourage the international maritime community to come together in support of a strong international response to piracy. In this way, all mariners, American and foreign, will have the same protection and a better chance of being able to do their jobs in peace.

Of course, until there is an international agreement to combat piracy or we get to the day when the threat of piracy no longer exists, there is an immediate need to protect American vessels and their crews. This need should first and foremost be met by our government because I believe it is the responsibility of our government to protect U.S.-flag vessels which are, by definition, an extension of the United States. So, it follows that the most desirable and appropriate response to piracy is for the United States government to provide protection, through military escorts and/or military detachments aboard U.S. vessels. That said, I am well aware that some will argue that there is a limit to any government's resources - even America's. In fact, due to the vastness of the area to be covered – and the areas of threat are continually growing larger - our Navy and the coalition of other navies currently positioned in the Gulf of Aden region may simply not have the resources to provide all the protection necessary to prevent and stop the attacks.

So what other things can be done?

In my opinion, the targets – that is, the vessels – can be “hardened” even beyond what's being done today to make them even more structurally resistant to pirates. In addition, more can be done in terms of developing anti-piracy procedures, tools and training for American crews. I do however want to emphasize that contrary to some reports that I've heard recently, American mariners are highly trained and do receive up-to-date training and upgrading at the private educational training facilities jointly run by the maritime unions and their contracted shipping companies. I believe that discussions are underway now between the industry and government on the details of specific proposals to harden the vessels (the specifics of which should remain

secret) and I am confident that we will soon have additional methods for protecting vessel and crew. And while they will be an improvement, there is no way they can be foolproof.

As for armed security details put aboard vessels, I believe that this idea could certainly be developed into an effective deterrent. My preference would be government protection forces. However, as long as they are adequately trained I would not be opposed to private security on board. Of course, I realize that very clear protocols would have to be established and followed. For example, as a captain, I am responsible for the vessel, cargo and crew at all times. And I am not comfortable giving up command authority to others... including the commander of a protection force. In the heat of an attack, there can be only one final decision maker. So command is only one of many issues that would have to be worked out in for security forces to operate effectively.

Finally, I've also heard the suggestion that all we have to do to counter piracy is "just arm the crews". In my opinion, arming the crew cannot and should not be viewed as the final and only solution to this problem. Rather, arming the crew should be viewed as only one component of a comprehensive plan and approach to combat piracy. To the extent we go forward in this direction, it would be my personal preference that only a limited number of individuals aboard the vessel have access to effective weaponry and that these individuals receive special training on a regular basis. I realize that even this limited approach to arming the crew opens up a very thorny set of issues. I'll let others sort out the legal and liability issues. However, we all must understand that having weapons on board merchant ships fundamentally changes the model of commercial shipping and we must be very cautious about how it is done. Nevertheless, I do believe that arming the crew, as part of an overall strategy, could provide an effective deterrent under certain circumstances. I believe that a measured capability in this respect should be part of the overall debate about how to defend ourselves against criminals on the sea.

While there are many new ideas and much discussion going on about how to deal with piracy, I would respectfully ask the Subcommittee to be mindful that the seafarers I've met and worked with over my career are resourceful, hardworking, adventurous, courageous, patriotic and independent. There are in fact a great many other Masters, Mates, Engineers and crew who have

the knowledge and insight to help this Subcommittee and the Congress address the issue of piracy. In fact, I am pleased to let you know that one such individual, Captain James Staples, is with me today and is available to answer the Committee's questions. Captain Staples is also the Master of an American flag commercial vessel and he has the seafaring and command experience and perspective that the Committee may find helpful.

In closing, I would say again that no one person has all the answers. Merchant mariners want whatever help you can offer to make the sea lanes more secure and our work environment safer. But we realize that while preparation is absolutely critical, not every situation can be anticipated. And, as merchant mariners, we accept this as a part of the seafarer's life. So, I will just close with a request for you to please continue to include us in your discussions and debates.

Thank you for this opportunity to speak and I look forward, as does Captain Staples, to answering your questions.