



Universal Maritime Solutions Pte Ltd  
No. 21 Bukit Batok Crescent, WCEGA Tower, #28-70, Singapore 658065

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## **WEEKLY THREAT ADVISORY NO. 680**

(10 - 16 Oct 2024)

### **Summary of Threat Activities and Conclusion**

- 1.** Pirate and maritime crime activity in East Africa and the Indian Ocean HRA saw an increase in the number of attacks in the HRA. For the first time, we may be seeing evidence of a joint pirate action group and the Iranian-back Houthis against commercial shipping. There was one report of attacks arising from political conflicts or piracy-related activities during the reporting period.
- 2.** RED SEA. On 10 October, Houthi missiles targeted a Liberia-flagged product tanker while underway approximately 70 nm southwest of Hodeidah, Yemen.
- 3.** Based on the geographical development, the forecast is that the piracy situation will get worse as the conflict between Israel, the Hamas, the Hezbollah, the Houthis, Iran and other Arab factions intensifies. The attacks by the US and UK against Houthi targets in Yemen will only deepen and magnify the problems. In the meantime, pirate and criminal syndicates operating in Somalia will exploit the turmoil and chaos to conduct opportunistic attacks against defenceless commercial shipping.
- 4.** There have been some calls by some ignorant commercial bodies that do not understand the threat deeply and well enough to call for the removal of AST onboard commercial vessels due to concerns that the onboard AST might cause an incident with approaching naval craft. While the concerns are reasonable, the proposed solution to remove the onboard AST is highly unprofessional and dangerous. Implementing it would make the commercial vessels concerned 'sitting ducks' in the face of attacks by Somali pirates who take advantage of the chaos and distractions caused by the conflict. Some intelligence sources have established that some pirate action groups are working in cahoot with the Houthis. Therefore, we should see the increased attacks by Somali pirates linked with the Houthi activities in the Red Sea and the Arabian Sea. For this reason, UMS HQ instructed how UMS Maritime Marshals will respond and behave when confronted with this situation.
- 5.** All vessels in the vicinity are, therefore, to exercise caution and report any suspicious activity to UKMTO.



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6. In the latest quarterly report by UKMTO, it was reported that there has been an increased incidence of suspicious sightings compared to a year ago before the lifting off of the HRA by commercial shipping bodies. Intelligence agencies have unanimously agreed that there would be attempts by pirates' syndicates to exploit hopefully a relaxed attitude by the shipping community, and today we are seeing the manifestation of the situation happening. In other words, the possibility of a successful hijack can only be prevented if vessels have on-board armed security teams (AST) to deter and if necessary, prevent any attack and boarding by pirates.
7. The main message of the Quarterly Reporting by UKMTO is that piracy has been suppressed but not eradicated. So long as the socio-politico-economic problems of Somalia and Yemen are unresolved, the threat of piracy against commercial shipping will remain.
8. All Masters and UMS Maritime are advised to remain vigilant. The increased piracy-related activities in the waters of the Indian Ocean and East Africa/Red Sea have, in fact, been anticipated by intelligence agencies by the removal of the HRA by world commercial bodies but not by the War Committee, which assessed that the present situation has inadvertently increased the threat level.
9. UKMTO and other intelligence agencies have noticed increased activities by unmanned aerial vehicles (UAV). This recent development brings a new equation and range of challenges to the safety of commercial vessels transiting in waters that are prone to pirates' attacks in the Northern Indian Ocean and Southern Red Sae and maritime security operations. UMS HQ repeats the article on the subject in paragraph 31 given its importance in understanding the capabilities of UAV in maritime security operations (in particular paragraph 31.6) for a detailed exposition.
10. The hijacks of product tanker MONJASA Reformer and Success tanker in West Africa waters remind all stakeholders that we cannot be complacent and take security nonchalantly. A successful hijack is an incident waiting to happen if ship owners, Masters and onboard Maritime Marshals are not serious about security, thus jeopardising their crew members' lives and their family interests. A vessel transiting in waters that can possibly be attacked by pirates without armed security protection has a high risk of being hijacked. Therefore, an armed



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security team cannot be over-emphasised for the safety of the crew members on board.

### **11. 2024-001-Southern Red Sea, Bab el Mandeb Strait, Gulf of Aden, Northwestern Indian Ocean, Somali Basin, Arabian Sea, Gulf of Oman, Strait of Hormuz, and Persian Gulf-Threats to Commercial Vessels**

- 11.1. This advisory replaces and cancels U.S. Maritime Advisory 2023-011 and U.S. Maritime Alert 2024-001B
- 11.2. Issue: Regional conflict, military activity, and piracy pose significant threats to commercial vessels operating in the above listed geographic areas as evidenced by recent Houthi attacks and Somali piracy activity. The U.S. government is continually assessing the maritime security situation in the region to safeguard freedom of navigation, ensure the free flow of commerce, and protect U.S. vessels, personnel, and interests. The recent standup of Operation Prosperity Guardian is one of many examples of U.S. and international cooperative maritime security operations within this region. The following are currently deemed to be the most pressing threats to U.S.-flagged and U.S.-affiliated commercial vessels throughout this region.
- 11.3. **Houthi Hostile Actions:** Commercial vessels transiting the Southern Red Sea, Bab el Mandeb Strait, and Gulf of Aden are at an elevated risk of hostile actions from the Houthis. Hostile actions include one-way Unmanned Aerial Vehicle (UAV) attacks; ballistic and cruise missile attacks; small arms fire from small boats; explosive boat attacks; and illegal boardings, detentions, and/or seizures. There have been at least 30 separate Houthi attacks on commercial vessels and one Houthi seizure of a commercial vessel in these areas, affecting over 55 nations since November 19, 2023. In November 2023, the Houthis conducted a helicopter-borne landing and seizure of a Bahamas-flagged commercial vessel in the Southern Red Sea. Entities claiming to be Yemeni authorities have also attempted to direct commercial vessels in the Southern Red Sea to divert to Yemen. These threats pose both direct and collateral risks to U.S.-flagged and U.S.-affiliated commercial vessels transiting in international shipping lanes, or otherwise operating in these areas.



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- 11.3.1. U.S.-flagged commercial vessels operating in these areas are advised to remain as far as possible from Yemen's territorial sea without compromising navigational safety. Crewmembers should be especially vigilant when at anchor, operating in restricted maneuvering conditions, or proceeding at slow speeds.
- 11.3.2. Coordinate voyage planning with U.S. Naval Forces Central Command (NAVCENT) Naval Cooperation and Guidance for Shipping (NCAGS) and consider their recommendations and guidance whenever possible. NAVCENT NCAGS stands a 24-hour watch and has the latest information on the current maritime security threats and the operational environment in this region.
- 11.3.3. The route taken through these areas, and timing of the transit, remains at the discretion of individual companies and vessel Masters. Transiting these areas during hours of darkness may frustrate efforts to target vessels.
- 11.3.4. Adherence to all U.S. and international requirements and guidance regarding operation of AIS remains the responsibility of individual companies and vessel Masters. Ships operating with AIS switched on and off have both been the object of Houthi attacks. Switching AIS off makes it marginally more difficult to track or target a ship but may also hinder the ability of coalition forces to provide support.
- 11.3.5. U.S.-flagged commercial vessels are advised to provide hourly positional email updates to the NAVCENT NCAGS detachment when transiting these areas.
- 11.3.6. Maritime operators are advised to alert their crews to the fact that all electronics signals from their vessels pose a risk to maritime operations.
- 11.3.7. A missile strike on a Marshall Islands-flagged commercial tanker in the Gulf of Aden on January 26, 2024 resulted in a significant onboard fire. U.S.-flagged commercial vessels carrying flammable, explosive, or otherwise hazardous cargoes are strongly advised to



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reconsider transit through these areas. However, if planning voyages through these areas, vessels should take all prudent safety precautions, including thoroughly preparing for emergency responses, and considering carriage of additional safety and damage control preparedness supplies and equipment, such as those needed to extinguish fires.

11.3.8. If hailed on VHF by the Houthis, or entities claiming to be Yemeni authorities, and instructed to alter course to Al Hudaydah or another location on the northwest coast of Yemen, U.S.-flagged commercial vessels should ignore the VHF call and continue their passage if safe to do so.

11.3.9. If the Houthis seek to board U.S.-flagged commercial vessels in these areas, the ship's Master should, if the safety of the ship and crew would not be compromised, decline permission to board, noting that the vessel is proceeding in accordance with international law, as reflected in the Law of the Sea Convention.

11.3.10. When combined with evasive maneuvering, vessels transiting these areas with armed security details onboard have successfully deterred boarding by individuals in approaching small craft. The decision whether to embark a contracted armed security detail and assessment of associated risks is the responsibility of individual companies and vessel Masters, who are responsible for establishing use of force guidance and pre-planned responses for vessels carrying contracted armed security details.

11.3.11. If Houthis board a U.S.-flagged commercial vessel without a contracted armed security detail onboard, the crew should not forcibly resist the boarding party. Refraining from forcible resistance does not imply consent or agreement to that boarding.

11.3.12. When operating in these waters, U.S.-flagged commercial vessels should maintain a vigilant lookout at all times. If U.S.-flagged commercial vessels observe or hear a suspected UAV or missile or observe a small boat approaching with apparent hostile intent,



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crewmembers not needed for the safe navigation and operation of the vessel should be relocated to a safe space until the threat has passed. Additional precautions should be taken to ensure small boats are kept at a safe distance whenever possible.

11.3.13. In addition to U.S. Maritime Alerts and this Advisory, interim industry transit advice for the Southern Red Sea and Gulf of Aden has been established by Combined Maritime Forces (CMF). CMF guidance messages are available on the Maritime Global Security website at [maritimeglobalsecurity.org/geography/goa-etc/](https://maritimeglobalsecurity.org/geography/goa-etc/).

11.4. **Iranian Illegal Boarding/Detention/Seizure:** Commercial vessels transiting the Persian Gulf, Strait of Hormuz, Gulf of Oman, and Arabian Sea are at risk of being illegally boarded and detained or seized by Iranian forces. Recent incidents include the April 2023 Iranian seizure of a Marshall Islands-flagged vessel in the Gulf of Oman, the May 2023 Iranian seizure of a Panama-flagged vessel in the Strait of Hormuz, and the January 2024 Iranian seizure of a Marshall Islands-flagged vessel in the Arabian Sea. Iranian forces attempted to seize one Marshall Islands-flagged vessel and one Bahamas-flagged vessel in the Gulf of Oman during July 2023, but were prevented from doing so by U.S. Naval Forces. Iranian forces have utilized small boats and helicopters during boarding operations and have attempted to force commercial vessels into Iranian territorial water

11.4.1. If hailed by Iranian forces, U.S.-flagged commercial vessels should provide vessel name and flag state and affirm that they are proceeding in accordance with international law as reflected in the Law of the Sea Convention.

11.4.2. If Iranian forces seek to board a U.S.-flagged commercial vessel navigating these waters, the ship's Master should, if the safety of the ship and crew would not be compromised, decline permission to board, noting that the vessel is proceeding in accordance with international law, as reflected in the Law of the Sea Convention.

11.4.3. If Iranian forces board a U.S.-flagged commercial vessel, the crew should not forcibly resist the boarding party. Refraining from



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forcible resistance does not imply consent or agreement to that boarding.

11.4.4. It is recommended that vessels in the Persian Gulf remain as far as possible from Iran's territorial sea without compromising navigational safety. When transiting eastbound in the Strait of Hormuz, it is recommended that vessels transit close to Oman's territorial sea.

11.4.5. Industry transit advice for the Arabian Gulf, Strait of Hormuz, and Gulf of Oman was established on 9 November 2023, and can be found on the Maritime Global Security website at [maritimeglobalsecurity.org/geography/goa-etc/](https://maritimeglobalsecurity.org/geography/goa-etc/).

11.5. **Piracy and Armed Robbery Against Ships:** Recent cases of piracy pose a threat to commercial vessels operating in the Gulf of Aden, Arabian Sea, and Somali Basin, and Northwestern Indian Ocean. Since November 2023, there have been three boarding/hijacking incidents, representing the first such attacks against commercial shipping in the region since March 2017. Pirates may utilize captured fishing vessels as motherships to target vessels operating hundreds of miles from the coast of Somalia. In November 2023, one Liberian-flagged vessel was boarded in the Gulf of Aden; in December 2023, one Malta-flagged vessel was hijacked in the Arabian Sea; and in January 2024, one Liberia-flagged bulk carrier was boarded in the Indian Ocean. Specific case details are available via the Office of Naval Intelligence's weekly "Worldwide Threat to Shipping" product at <https://www.oni.navy.mil/ONI-Reports/Shipping-Threat-Reports/Worldwide-Threat-to-Shipping/>.

11.5.1. The Best Management Practices to Deter Piracy and Enhance Maritime Security in the Red Sea, Gulf of Aden, Indian Ocean and Arabian Sea (BMP5), and Maritime Global Security website at: <https://www.maritimeglobalsecurity.org> should be consulted prior to operating in the above listed geographic waters.

11.5.2. Transit by yachts and privately owned sailing vessels through the region is hazardous and may result in capture. The U.S. Government advises against all operation of yachts and pleasure



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craft in these areas. American citizens abroad should inform the nearest U.S. embassy or consulate of their plans to transit the area and/or update their information via the Smart Traveler Enrollment Program at: <https://step.state.gov/step/>. Yachting guidance can be found at: <https://on-shore.mschoa.org/reference-documents/advice-for-sailing-vessels>.

11.5.3. **UAVs:** Outside of the Southern Red Sea, Bab el Mandeb Strait, and Gulf of Aden, UAV attacks also pose a threat to commercial vessels in the Persian Gulf, Strait of Hormuz, Gulf of Oman, and Arabian Sea. The most recent attacks were on a Malta-flagged vessel in the Arabian Sea in November 2023, and on a Liberian-flagged vessel in the Arabian Sea in December 2023.

- If U.S.-flagged commercial vessels observe or hear a suspected UAV, crewmembers not needed for the safe navigation and operation of the vessel should be relocated to a safe space on the vessel until the threat has passed.

11.6. **Limpet Mines:** Limpet mines have been used to damage commercial vessels on multiple occasions in recent years and are primarily a threat to commercial vessels in the Persian Gulf, Strait of Hormuz, and the Gulf of Oman. Limpet mines, or similar improvised explosive devices, can be attached to vessel hulls, above or below the waterline, via swimmers or small boats, while a vessel is berthed, at anchor, or underway.

11.6.1. When operating in these waters, U.S.-flagged commercial vessels should maintain a close lookout and remain vigilant for suspicious activity to include the approach of swimmers or small boats. Close attention should be given to the vessel's waterline, especially at slow speeds, at anchor, and when moored.

11.6.2. If a mine has been, or was attempted to have been, attached to a vessel, crewmembers not needed for the safe navigation and operation of the vessel should be relocated to a safe space on the vessel until the threat has passed.

11.6.3. **Guidance:** U.S.-flagged commercial vessels operating in these waters are advised to exercise caution, review security measures,





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and monitor VHF Channel 16. To afford best protection in the region, U.S.-flagged commercial vessels are also advised to in the event of any attack, incident, or suspicious activity, immediately:

15.6.3.1. Activate the Ship Security Alert System

15.6.3.2. Contact the U.S. Fifth Fleet Battle Watch

15.6.3.3. Contact UKMTO

15.6.3.4. Simultaneously register with both the United Kingdom Maritime Trade Office (UKMTO) and the IMSC watch 24 hours prior to entering the Indian Ocean Voluntary Reporting Area by sending UKMTO and IMSC, via a single e-mail, the Initial Report from Annex D of (BMP5). Include the estimated times of arrival at the Suez Canal, Bab el Mandeb Strait (BAM), and Strait of Hormuz (SoH) in line 10 of the report and add line 14 for comments as needed (e.g., speed restrictions or other constraints, anticipated time of entering/exiting the SoH Traffic Separation Scheme; an outline of the navigation plan for operating in the SoH and Persian Gulf, etc.). Utilize other reports included in Annex D of BMP5 as necessary.

15.6.3.5. Vessels operating in this area are advised to include both NAVCENT NCAGS and the IMSC watch on all updates or incident report emails. By including both as addressees on each email, awareness will be enhanced without creating an additional reporting burden.

15.6.3.6. Conduct a pre-voyage risk assessment and incorporate appropriate protective measures into vessel security plans.

15.6.3.7. The Maritime Global Security website at <https://www.maritimeglobalsecurity.org/> offers industry issued best practices and guidance to mariners by geographic region and provides contact and subscription information for regional maritime security reporting centers, particularly in high risk-areas.



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15.6.3.8. Answer all VHF calls from coalition navies. Vessels should be aware that U.S. and other coalition naval forces may conduct maritime awareness calls, queries, and approaches to ensure the safety of vessels transiting these listed waters.

15.6.3.9. Due to the risks of piracy, kidnapping, hijacking, and robbery while operating within U.S. Coast Guard designated High Risk Waters, U.S.-flagged commercial vessels are required to comply with the Guidelines for U.S. Vessels Operating in High-Risk Waters contained in U.S. Coast Guard Maritime Security Directive 104-6 (Rev 8) and comply with their Coast Guard approved Vessel Security Plan annex on counter piracy. The U.S. Coast Guard Office of Commercial Vessel Compliance announced in the Federal Register in August 2021 the availability of Revision 8 to Maritime Security (MARSEC) Directive 104-6. U.S. vessel owners and operators who needed to act under previous versions of MARSEC Directive 104-6 should immediately contact their local Coast Guard Captain of the Port or District Commander for a copy of Revision 8.

15.6.3.10. Per 33 CFR 101.305, report all suspicious activities, breaches of security, and transportation security incident events involving U.S. vessels or persons to the U.S. Coast Guard National Response Center. Additional U.S. Coast Guard port specific requirements may be found in Port Security Advisory 1-22 at <https://www.dco.uscg.mil/Portals/9/DCO%20Documents/InternationalPortSecurity/Port%20Security%20Advisory/PSA%20%201-22%20Remove%20Cote%20d'Ivoire.pdf?ver=6DzYOEswAJQVh7ld4c0ycQ%3d%3d>.

### 15.7. Contact Information:

a) Fifth Fleet Battle Watch: [cusnc.bwc@me.navy.mil](mailto:cusnc.bwc@me.navy.mil) or + 973-1785-3879.

b) NAVCENT NCAGS:  
+973-1785-0033 (Primary/Watch Desk), +973-3940-4523 (Alternate), or [m-ba-navcent-ncags@us.navy.mil](mailto:m-ba-navcent-ncags@us.navy.mil).

c) IMSC: [m-ba-ims-c-bwc@us.navy.mil](mailto:m-ba-ims-c-bwc@us.navy.mil) or +973-1785-8412/8192/8193. IMSC organizational information is available at <https://www.imscentinel.com/>.



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d) UKMTO: [watchkeepers@ukmto.org](mailto:watchkeepers@ukmto.org) or +44 (0) 2392 222060. UKMTO advisories and warnings are available at <https://www.ukmto.org/>.

e) U.S. Coast Guard National Response Center: +1-800-424-8802.

f) USCG NAVCEN: [www.navcen.uscg.gov/contact/gps-problem-report](http://www.navcen.uscg.gov/contact/gps-problem-report) or +1-703-313-5900.

### **12. Maritime Advisory 2022-007-Gulf of Guinea-Piracy/Armed Robbery/Kidnapping for Ransom.**

12.1. Issued on 6 July 2022. This revised advisory cancels U.S. Maritime Advisory 2022-001. Issue: Piracy/Armed Robbery/Kidnapping for Ransom (KFR) serves as a significant threat to U.S.-flagged vessels transiting or operating in the Gulf of Guinea (GoG) as well as U.S. mariners onboard a vessel or transiting to or from a vessel in the GoG. Guidance: Mariners transiting this area should visit the Maritime Domain Awareness for Trade-Gulf of Guinea MDAT-GoG) website at <https://gog-mdat.org/home> and the NATO Shipping Centre website at <https://shipping.nato.int/nsc/operations/global-maritime-risk/west-africa-gulf-of-guinea> for additional information on threats and specific recommendations for their vessels.

12.2. Additionally, the “Best Management Practices to Deter Piracy and Enhance Maritime Security Off the Coast of West Africa including the Gulf of Guinea” (available under the Geography – Gulf of Guinea pull-down menu at <https://www.maritimeglobalsecurity.org/>) provides additional guidance and resources for operating in this area. For any maritime industry questions about this advisory, contact [GMCC@uscg.mil](mailto:GMCC@uscg.mil). This Advisory will automatically expire on 2 January 2023

**13.** U.S. Maritime Advisory 2023-001-Gulf of Guinea-Piracy /Armed Robbery/ Kidnapping for Ransom Issued on 3 January 2023. This revised advisory cancels U.S. Maritime Advisory 2022-007. Issue: Piracy/Armed Robbery at Sea/Kidnapping for Ransom (KFR) serve as a significant threat to U.S.-flagged vessels transiting or operating in the Gulf of Guinea (GoG) as we as U.S. mariners onboard a vessel or transiting to or from a vessel in the GoG. Guidance: Mariners transiting this area should visit the maritime Domain Awareness for Trade-Gulf of Guinea (MDAT-GoG) website at <https://gog-mdat.org/home> and the NATO Shipping Centre website at



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<https://shipping.nato.int/ncs/operations/global-maritime-risk/west-africa-gulf-of-guinea> for additional information on threats and specific recommendations for their vessels. Additionally, the “Best Management Practices to Deter Piracy and Enhance Maritime Security Off the Coast of West Africa including the Gulf of Guinea” (available under the Geography – Gulf of Guinea pull-down menu at <https://www.maritimeglobalsecurity.org/>) provides additional guidance and resources for operating in this area. For any maritime industry questions about this advisory, contact [GMCC@uscg.mil](mailto:GMCC@uscg.mil). This Advisory will automatically expire on 2 July 2023.

14. Pirate and maritime crime activities in West African waters are at a low level. No reports of piracy or crime at sea were made during this period.
15. In other parts of the world, there were no reports of piracy or crime at sea during the reported period.
16. BANGLDESH: On 13 October, two robbers boarded the forward deck of an anchored bulk carrier in Kutubdia Anchorage.
17. MEXICO: On 14 October four armed robbers boarded an off shore supply vessel operating approximately 5 NM northeast of Sanchez Magallanes in the Bay of Campeche.
18. The navies of China, Japan, India, Russia, Korea and Iran continue to provide escort naval services to their flag vessels due to the continued presence and danger posed by Somalia-based piracy threats. These efforts, combined with the increased deployment of armed maritime marshals on board commercial shipping, have significantly reduced the success of Somalia-based piracy in the HRA in hijacking commercial vessels of late but not the presence of pirate groups operating in the HRA. International Intelligence Agencies’ assessment is that the existing presence of Somali-based piracy threats can easily be translated to successful hijacks as were experienced in 2009/2010/2011 should these preventive measures be eased off by all stakeholders.

### **Instructions and Piracy Related News**

#### **19. Warning for Red Sea, Bab el-Mandab Straits and Gulf of Aden**

- 19.1. There have been numerous attacks and suspicious approaches reported near the southern entrance to the Bab el Mandeb Strait during the reporting period. Levels of pirate activity in the Indian Ocean remain elevated, with five hijacks reported since March 2017 (MT ARIS 13, CASAYR II



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NO.30, AL KAUSAR, SALAMA 1 and OS 35). The threat of further attacks and hijacking remains high. All Masters are advised to exercise heightened vigilance within the High Risk Area (HRA), stringently implement BMP4 and liaise closely with embarked armed security teams (AST) and regional authorities. If not making calls in Yemen, it's recommended by UKMTO that vessels should use the IRTC and western lane of the Traffic Separation Scheme (TSS) in the Bab el Mandeb / southern Red Sea region, to provide a greater lee from Yemen. Further such incidents and hijackings are likely to take place, and all vessels transiting this region are advised to remain vigilant. While international naval patrols and anti-piracy measures on-board commercial vessels have practically eradicated Somali piracy since its peak in early 2011, poverty coupled with other factors that motivate pirates remain and some vessels transiting this region may have increasingly become complacent in the belief that the piracy threat had diminished.

- 19.2. While the international community has over the past several years taken significant steps in order to improve security in the region, including boosting naval forces in the area and requiring ships to take protection measures, including reporting in and out of high risk areas, sailing at top speed as far away as possible from the Somali coast and travelling with armed escorts on-board, the threat of an attack and hijacking remained as the real root of the cause on the ground in Somalia has never been properly addressed. After five years without a successful attack, analysts say that complacency may have set in and this week's successful hijacking is likely to result in potential copycat attacks, as pirate action groups head-out in a bid to successfully hijack a commercial vessel. Masters are advised to remain vigilant at all times inside the HRA and are advised to adhere to strict guidance and protective measures as set down in BMP5. Sailing yachts should avoid transiting the HRA. Past activity has demonstrated that pirates will attack both large and small yachts transiting this region. While successful attacks and hijackings of merchant vessels have significantly decreased over the past two years, the possibility of attacks and the successful hijacking of sailing vessels continue to remain high. This is due to the reduction of revenue sources from pirated merchant vessels and the fact that sailing yachts are vulnerable and easier targets. PAG's continue to conduct "soft approaches" on merchant ships transiting the area. Skiffs have approached vessels in order to probe the reaction of the crewmembers and any possible Privately Contracted Armed Security Personnel (PCASP) on-board. If the



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pirate approach does not elicit a response, the pirates will likely proceed with an attack, in which additional skiffs may participate. Vessels transiting the greater Gulf of Aden region should operate under a heightened state of alert. This is due to increasing tensions in the region, which in turn can escalate the potential for direct or collateral damage to vessels transiting the region. These threats may come from a number of different sources such as missiles, projectiles, or waterborne improvised explosive devices. Houthi rebels have claimed responsibility for the 1 October 2016 attack on a UAE vessel.

19.3. UMS HQ advises all vessels transiting this region to report any hostile activities immediately. Somali pirates have recently shown an ability to mount hijacking expeditions far out into the Gulf of Aden and the Indian Ocean, and inshore traffic might be an easier target. EUNAVFOR spokesperson Commander Jacqui Sherriff said that the recent series of attacks against commercial shipping again highlights the need for vigilance and adherence to self-protection measures (by the deployment of on-board AST) and compliance to Best Management Practices (BMP) 5. It is crucial that Somali pirates are denied opportunities to attack vessels so that there will be no chance of a successful hijack. One successful hijack is one hijack too many because it will encourage and motivate more Somalis to taking up piracy!

19.4. CMF and EUNAVFOR and intelligence agencies have warned of increased complacency amongst stakeholders which may give rise to opportunities for piracy action groups and organizations funding piracy activities to revive the threat.

### **20. Actions to be Taken when a Vessel with On-Board UMS Maritime Marshals is Approached by a Naval Craft.**

20.1. On 16 Dec 23, in the face of increased attacks from pirate action groups and approaches from naval craft, UMS HQ issued the orders on actions to be taken when a naval craft approaches a vessel. These orders were issued to all Team Leaders, and they were further personally briefed by the UMS Operation Officer because of the importance of the subject and the requirement that these orders be fully understood and complied with.

20.2. UMS Maritime Marshals onboard a vessel are to protect the vessel and crew members from pirate action groups. They are equipped with weapons and equipment to handle the threat posed by pirate action groups and **ARE NOT MEANT TO DETER NOR OPPOSE ANY NAVAL CRAFT THAT MAY**



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**APPROACH THE VESSEL FOR WHATEVER PURPOSES. The Orders is repeated in the paragraphs below.**

20.3. If a naval craft approaches our vessel, the following actions will be taken.

20.3.1. The Team Leader is to alert and discuss the approach of the naval craft with the Master.

20.3.2. The Master must notify the vessel's owner/HQ of the situation.

20.3.3. The team Leader will notify the UMS Operations Officer/UMS HQ.

20.4. If the naval craft asks the vessel to stop, the Master will take the appropriate action, as per his discussion with his HQ.

20.4.1. Based on the decision to stop, the Team Leader will immediately give orders to his Maritime Marshal(s) to unload and clear their weapons.

20.4.2. **NO WEAPON WILL BE LOADED.**

20.4.3. **UNDER NO CIRCUMSTANCES WILL ANY MEMBER OF THE MARITIME MARSHAL TEAM SHOW HIS WEAPON TO DETER THE NAVAL CRAFT, FIRE WARNING SHOTS, OR FIRE ANY SHOT AT THE APPROACHING NAVAL VESSEL. THE TEAM LEADER IS TO ENSURE THIS IS CLEARLY BRIEFED AND UNDERSTOOD TO HIS TEAM MEMBERS. THERE MUST BE NO DEVIATION FROM THIS ORDER.**

20.5. When the vessel stops as ordered and naval personnel come on board, UMS Maritime Marshals will take the following actions:

20.5.1. All Maritime Marshals should keep low on the deck and cover their head with both hands, with their hands visible. They will all be together, lined up side by side.

20.5.2. On no account should any Maritime Marshal make any movement that could be misinterpreted as hostile actions. Their individual weapon should be placed on deck next to the Maritime Marshal, and at no time should any Maritime Marshal handle his weapon.

20.5.3. Do not take any videos or photographs.



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- 20.5.4. All Maritime Marshals should be ready to be questioned on their identity and roles. They will answer the questions truthfully and cooperate fully with the naval personnel on board.
- 20.5.5. The Team Leader will be the spokesperson of the Maritime Marshal Team, working closely with the Master.
- 20.6. Remember to be cooperative and calm. There is no need to be unduly concerned as the vessel and crew members, including the Maritime Marshal Team, have not committed any wrongdoing.
- 20.7. After the naval personnel depart and the vessel resumes its mission, the Team Leader reconstitutes the Team to continue the mission.
- 20.8. The Team Leader will report the matter to UMS HQ accordingly

### **21. Piracy in the Indian Ocean HRA has NOT Been Eradicated**

- 21.1. UMS HQ has always maintained this position not to give stakeholders a sense of false security. The current development of piracy raging its ugly head again in the waters off Somalia and in the Indian Ocean is testimony to the accuracy of our analysis.
- 21.2. The decision by world shipping bodies such as BIMCO and the like has given the wrong perception that piracy in the Indian Ocean HRA has been eradicated. **Nothing can be further from the truth!**
- 21.3. Piracy threats have been reduced due to the strong presence and sustained effort by naval forces, namely EUNAVFOR and the US-led Combined Military Force (CMF) and the deployment of armed security teams (AST) onboard commercial vessels. The deployment of ASTs onboard commercial vessels since the peak of the piracy threat in 2008 has proven effective, as no vessel with an AST has ever been hijacked.
- 21.4. Naval and intelligence agencies think pirate syndicates lie low due to the strong deterrence and are involved in other forms of criminal activities, such as drug smuggling. These pirate and criminal syndicates have not been wiped out, and given the correct circumstances and environment, they can get their acts together quickly.
- 21.5. The pirate syndicates are privy to the announcement of the lifting of the HRA. They could view the situation in 2023 as a golden opportunity to resume their proven lucrative 'business'. The current political situation in the Middle East is a significant distraction to the naval forces that will not focus





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their attention and presence on the more critical military problems with the Iranian-backed Houthis.

21.6. Given Somalia's poor socio-economic situation, thousands of Somalians will be more than happy to take up arms to hunt and hijack commercial vessels again. The lack of local law enforcement to prevent piracy activities will make this revival a strong possibility. Therefore, the comeback scenario cannot be discounted and is a likely possibility.

21.7. Therefore, from a risk assessment point of view, the risk level in 2024, if deterrence measures are removed, the risk of piracy in 2024 will be objectively higher than in the last 5-6 years.

21.8. **Low piracy threat does not mean NO PIRACY THREAT!**

### **22. Present Tactics Employed by the Houthis and What We Should Do**

22.1. UMS HQ recently studied the profile of attacks against commercial vessels and made the following observations.

22.2. They comprised attacks on commercial vessels by 2-3 skiffs with about 5-9 armed personnel on board (POB). Some vessels have ladders to suggest their intention to board the vessels.

22.3. They approached the commercial vessels, exchanged fires, and then kept a stand-off distance of about 1-2nm.

22.4. In some cases, one or more unmanned surface vessels (USVs) would strike the vessels.

22.5. This is what is happening.

22.5.1. The POB on board the skiffs could be either pirates working with the Houthis or Houthi personnel themselves.

22.5.2. The approach to a vessel is, in military terms, "recce by fire." The objective is to ascertain if the vessel is protected by armed personnel on board because a vessel that is not protected by armed personnel could be easily boarded and hijacked. If they confirmed



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that the vessel was not protected, they would simply try to board the vessel.

22.5.3. Once they confirmed that the vessel is protected, after exchanging fires they will withdraw if they are just pirates not working with the Houthis.

22.5.4. If the POB are pirates working with the Houthis or Houthis personnel themselves, they would withdraw to a stand-off distance of about 1-2nm and continue trailing the vessel. Why?

22.5.5. The POB would use their laser designator(s) to guide the USV(s) to engage the commercial vessel. These laser designators have an effective range of about 1-2nm and the further the target is, the less accurate the designation of the USV will be against the target vessel. For this reason, have you noticed that these attacks always happen in daylight hours because the POB does not have night capabilities to designate their lasers at night or in poor visibility?

22.6. What must we do?

22.6.1. Apply the current SOP when responding to Alert Grey and Alert Red. **The vessel should be transiting at maximum speed.**

22.6.2. After the withdrawal of the skiffs and if the skiffs are still trailing the vessel, it suggests that the threat has not disappeared. Be ready to respond to an attack against USV. UMS HQ has issued an SOP on how to destroy an approaching USV. To perfect this drill, UMS maritime marshals should conduct training and rehearsals regularly as part of their anti-piracy drill.

22.6.3. **The vessel must continue to transit at maximum speed to make it more difficult for the laser designators to designate our vessel.**

22.6.4. After the skiffs' withdrawal, the personnel in the citadel should not remain there as the threat (if any) is different, and they should



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remain at a location above the vessel's watermark. This presupposes that all Masters have designated this location and approved it by their respective Company Chief Security and Safety Office.

### **23. U.S. Hits Five Houthi Missile Sites with Bunker-Buster Bombs**

- 23.1. On the night of October 17, the U.S. Air Force mounted an attack on five targets in Houthi-controlled Yemen using bunker-busting bombs. It appears to be the first time that the U.S has used this class of weapon since war broke out in the Middle East last October.
- 23.2. Lloyd Austin, the US defense secretary, announced that the US aircraft used in the raid were B-2 stealth aircraft, one of the few heavy bombers in the US inventory capable of launching the GBU-57 Massive Ordnance Penetrator. The GBU-57 weighs 30,000 pounds and is designed specifically to attack deep bunkers, penetrating to depth before exploding. Previous recent US and UK attacks on targets in Yemen have been carried out by lighter attack aircraft unable to carry such heavy ordnance.
- 23.3. "This was a unique demonstration of the United States' ability to target facilities that our adversaries seek to keep out of reach, no matter how deeply buried underground, hardened or fortified," said Austin in a statement. "I authorized these targeted strikes to . . . protect and defend U.S. forces and personnel in one of the world's most critical waterways."
- 23.4. The five targets were in the Sanaa capital area and the Houthi stronghold of Saada in the north, but were not specifically identified in Secretary Austin's announcement. However, they are likely to include three missile force locations on the southern outskirts of Sanaa area - Jabal Attan, Al Hafa and Nandayn.
- 23.5. These three barrack areas each housed a missile brigade from the 1980s onwards, each with access nearby to deep bunkers developed from natural caves. Two of these brigades were equipped with SCUD missiles, which gave the Yemeni armed forces operational familiarity with ballistic missile systems, expertise that is being leveraged to this day. These locations were repeatedly targeted by the Saudis in an attempt to halt missile attacks



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on Saudi Arabia prior to the ceasefire in 2022. But these strikes were largely ineffective because the Saudis had been denied offensive ordnance that could penetrate the depths of such cave complexes.

23.6. The target in Saada is likely to have been an underground tunnel complex eight kilometers east of the airfield in Saada, which in recent satellite imagery appears to be still be busy with construction activity. Another known missile storage facility near Taiz towards the south appears not to have been targeted in this round of strikes.

23.7. The US strikes are noteworthy for a number of reasons. They demonstrate a determination to curtail continuing long-range Houthi strikes on merchant vessels in the Red Sea and Gulf of Aden areas, which have used both ballistic missiles and drones. The Houthis have recently threatened to expand their offensive activities by attacking shipping targets in the Eastern Mediterranean as well, and have demonstrated that with newly-supplied Iranian missiles, they have the range to do so.

23.8. But the strikes also demonstrate to the Houthis' friends in Tehran what a GBU-57 strike in Iran might be able to achieve, specifically if such weapons were used against Iranian deep-buried nuclear and missile facilities. The attack therefore strengthens the United States' deterrent posture, and is a demonstration of what the United States might be capable of if Iranian actions were to escalate and draw in the United States.

23.9. The US attack also seeks to achieve what Israel might otherwise feel it might need to do on its own in order to reduce the increasing threat posed by the Houthis. The US attack therefore serves both US and Israeli interests, but may also be playing a role in covert, backchannel negotiations which (recent history suggests) are still going on between the United States and Iran. It also serves the more public discussion between policymakers in Washington and Tel Aviv, through which the US is seeking to de-escalate the current conflict.

## **24. "Legal Finish" in Maritime Security is Too Often Lacking a Legal Start**

24.1. "Legal Finish" is a term that has become commonplace in maritime security circles around the world. It refers to the process of putting a



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maritime law enforcement action through a legal mechanism – whether a prosecution, administrative proceeding or other adjudication – that formally assesses offenses under national law and where appropriate, penalizes perpetrators. Legal finish has rightly been identified as crucial because merely disrupting illicit activities does little to deter future criminal conduct; only enforcing legal consequences changes the risk-reward calculus for nefarious actors. The problem, however, is that with all the focus on the legal finish, many states, international organizations, and “capacity building” partners have forgotten the legal start.

24.2. Maritime law enforcement is not a linear process, it is a cycle that starts and ends with the law. Recognizing its recursive nature is essential to establishing clear, consistent, and effective law enforcement and security operations.

24.3. To begin with, the law is the framework by which the maritime domain is assessed. Armed with the legal framework, maritime watchstanders can monitor and surveil the maritime domain, looking for any anomalies. Once they find those anomalies, however, a rigorous analytical process is needed to ensure that information is turned into understanding –about both what is happening on the water and what can be done about it. That analytical process, therefore, relies heavily on understanding the law. The key questions are:

24.3.1. Is the anomaly desirable or undesirable? (Not all anomalies are undesirable).

24.3.2. If it is undesirable, is it legal or illegal? (Not all undesirable matters have been addressed by the law).

24.3.3. If it is illegal, is it actionable or not? (Does the state have the authority and jurisdiction to do something about it?)

24.3.4. If it is actionable, is it achievable or not? (Does the state have the right physical capacity and capability to interdict the matter?)

24.3.5. Even if it is undesirable, illegal, actionable, and achievable, would interdicting the matter be wise? (Is it worth the fuel, is it worth the risk, could there be geopolitical blowback, etc.?)

24.4. If the answer to any of these questions is “no,” then there should still be consideration of one additional question: “Is there anything else that



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could be done?" Watching the situation further, notifying other agencies, issuing a notice to mariners, or contacting neighboring states are all on the long list of other things that might be worth doing, short of pursuing an interdiction.

24.5. If the analysis suggests that an on-the-water operation might be warranted, then the analysts must have access to some sort of mechanism for sharing information with the proper decision-makers. Whether it is operative within an agency or across agencies, that cooperative mechanism must be repeatable (so there is consistency in how things happen), documentable (so there is a chance to learn from both successes and mistakes), and structured in such a manner that adequate information gets to the appropriate decision makers efficiently.

24.6. Once decision-makers have information about an anomaly that is undesirable, illegal, actionable, achievable, and worth pursuing, it is up to them to decide whether to conduct an operation. If they choose to do so, the operation must be planned and executed in a manner consistent with the law. That requires not only a clear understanding of the authorities that the respective agencies have for law enforcement, and the limitation of enforcement jurisdiction in the maritime domain, but also a sufficient grasp of all the elements of an offense to be able to identify and document those elements at sea. The collection and preservation of evidence in the maritime space is crucial, especially since revisiting a "crime scene" at sea is rarely, if ever possible. Thus, understanding the law at the operational stage – both in the sense of what the law enforcement officers do and concerning what they notice and record – is vital to legal finish. But that understanding is usually in the hands of completely different people than those responsible for the legal finish.

24.7. Importantly, arrests of people do not happen at sea. While it is possible to arrest a vessel, the suspects themselves are detained at sea and brought back to shore. Only once on shore are they handed over to land-based authorities who, on reviewing whatever evidence has been collected, then conduct an arrest or initiate an administrative proceeding. An arrest would then trigger the start of a prosecution, adjudication, and, if successful, penalization of the case. An administrative proceeding would similarly assess some sort of penalty. In either case – both considered to be "legal finish" –



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the personnel responsible are almost always different than the ones involved in every prior step of the process. All too often, however, most of the support, training, capacity building, attention, and funding has gone to this final stage, while the role of the law and legal advisors has been ignored in all the others.

24.8. Legal advisors are rarely, if ever, part of the process of monitoring and surveilling the maritime domain, analyzing anomalies, sharing information, planning operations, or even executing operations. They are sometimes – but rarely – consulted regarding evidence collection and preservation. Usually, the first time lawyers are brought into the maritime security cycle is for the legal finish, and it is left to them to kick-save any legal mistake or oversight that has been made at any previous point in the cycle. There is only so much, however, that can be fixed at the end of the process. Additionally, there may have been operational options that would have been more impactful if legal consultations had occurred earlier. Maritime law is strange and it affords some rights and opportunities that are sometimes hard to believe. Operators may miss out on more effective operations due to a lack of legal input at that stage.

24.9. Because maritime law enforcement is a cycle rather than a linear process, it does not end if one of the steps breaks down or even if all of them are successful through to prosecution. The final step is to revisit the starting point – the law – to ensure that it is fit for purpose. Law has two main functions: to constrain bad action and to enable good. If the law does not address an undesirable activity occurring in the maritime domain, it should be expanded or amended. If that law is not creating space for “good,” economically productive, and desirable activities, it should also be amended. While maritime law enforcement focuses on “the bad,” governing the maritime domain requires recognizing a balance between the two. Only stamping out the bad is not possible; there must be ample opportunities for good, lawful activities as well – especially when they are vital to a state’s economic security.

24.10. To be most effective, therefore, in both promoting good activities and stopping bad ones, the law must be seen as a tool or an asset for law enforcement – much the way a ship, radar system, or even a weapon would be seen. To be as impactful as possible, the law must be calibrated for the security operating environment. But even perfect law will be virtually



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worthless unless those who understand it and know how to use it are involved from the start of the maritime security cycle. Relegating the law to the legal finish phase betrays a lack of appreciation for the centrality of the law to the entire cycle, and sets up the state for failure.

24.11. Legal finish is incredibly important. But so is the legal start. If operational lawyers are not recognized as playing a vital role in all the phases leading up to the handover to land-based authorities, the prospects of both effective operations and successful legal finish are being undermined. So, for all the good attention that has been paid to prosecutors and judges, as well as to the work of coast guard and navy lawyers in support of those prosecutions or administrative proceedings, much more must be done to back up and start integrating sound legal advice throughout the maritime security cycle. While this can be a challenge, as operational cultures tend to not be welcoming to legal advisors, it is not about disrupting missions and operations with annoying legal points. It is about enhancing missions and operations by safeguarding the likelihood of their success. As simple as it sounds, we must not lose sight of the reality that legal finish needs a legal start.

### 29. **West Africa**

29.1. Unlike the presence and substantial involvement of international navies, numbering more than 43 countries and the legit deployment of armed security team (AST) onboard commercial vessels transiting the East Africa and Indian Ocean HRA, the situation in the West Africa HRA is about just the opposite. Nigerian government laws and regulations prohibit the deployment of ASTs other than those brokered by local security companies that used personnel from the Navy, which the government has declared as not supported by it. Besides the Nigerian Navy, no other naval forces provide security and deterrence to the pirates managed by criminal syndicates operating from Nigeria.

29.2. In other words, the waters and ports around Nigeria are almost a perfect hunting ground for the local criminal syndicates. Given this situation, the threat of piracy at this point of time is higher and more dangerous than that posed by Somali pirates in the East Africa and Indian Ocean HRA, although depending on the continued presence of the navies of EUNAVFOR and CMF





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and the other independent naval forces and the continued use of on-board ASTs, the situation may quickly reverse. Somali pirates still have the intent, skills, and resources to attack merchant ships. Fundamentally naval forces and intelligence agencies have repeatedly called for continued vigilance and preparedness in the fight against the threat of piracy at both the East Africa and Indian Ocean HRA and the West Africa HRA. Ignoring these warnings places one's business, vessels, and crew members at risk!

30. UMS HQ advises all stakeholders never to take the security and safety of their vessels and crew members for granted. **CURRENT LOW PIRACY THREAT doesn't mean NO PIRACY THREAT!**
31. ***Remember Always "Be Vigilant, Be Safe and Never Be Sorry"***

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