STUDY NOTES · BASIC CONCEPT

What is Maritime Security, Piracy and the Role of the Indian Navy in Protecting Sea Routes?

Defence & Security

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Introduction

Maritime security is an essential component of national security because countries depend on seas and oceans for international trade, energy supplies, transportation, fisheries and strategic connectivity.

For India, maritime security is particularly important because of its long coastline, island territories, extensive maritime interests and geographical position along major Indian Ocean shipping routes.

Threats such as piracy, armed robbery at sea, maritime terrorism, trafficking, illegal fishing and attacks on commercial vessels can disrupt trade and threaten human life.

The Indian Navy, Indian Coast Guard, coastal police and international maritime organisations play complementary roles in addressing these challenges.

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What is Maritime Security?

Maritime security refers to the protection of maritime territories, shipping routes, ports, vessels, seafarers and marine resources against threats arising at sea.

It includes both military and non-military activities.

Major components of maritime security

1. **Protection of shipping:** Safeguarding commercial vessels and cargo from piracy and armed attacks.
2. **Coastal security:** Protecting coastlines, ports, harbours and coastal communities.
3. **Freedom of navigation:** Ensuring lawful passage through international maritime routes.
4. **Counter-terrorism:** Preventing terrorist infiltration and attacks through maritime routes.
5. **Combating illegal activities:** Addressing trafficking, smuggling, illegal fishing and other maritime crimes.
6. **Search and rescue:** Locating and rescuing people in distress at sea.
7. **Protection of maritime infrastructure:** Securing ports, offshore energy installations and undersea communication cables.

What is Piracy?

Piracy is a form of maritime crime involving unlawful acts such as violence, detention or depredation against ships or persons and property on board, under the conditions specified in international law.

Piracy can threaten seafarers, disrupt commercial shipping and increase transportation and insurance costs.

Piracy under UNCLOS

The United Nations Convention on the Law of the Sea (UNCLOS), 1982, establishes the international legal framework for addressing piracy.

Article 101 of UNCLOS defines piracy. Its key elements generally include:

1. An illegal act of violence, detention or depredation.
2. The act being committed for private ends.
3. The involvement of the crew or passengers of a private ship or aircraft.
4. The act being directed against another ship or aircraft, or persons or property on board.
5. The act occurring on the high seas or in a place outside the jurisdiction of any state.

The definition also covers certain acts of voluntary participation in operating a pirate ship and inciting or intentionally facilitating piracy.

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Piracy versus armed robbery against ships

Piracy and armed robbery against ships are related but legally distinct concepts.

Basis	Piracy	Armed robbery against ships
Location	Generally occurs on the high seas or outside the jurisdiction of any state	Occurs within a state's internal waters, archipelagic waters or territorial sea
Legal framework	Defined under Article 101 of UNCLOS	Addressed through applicable national laws and relevant international cooperation
Jurisdiction	UNCLOS provides for universal jurisdiction over piracy on the high seas	Primarily falls within the jurisdiction of the coastal state
Examples	A pirate attack on a vessel on the high seas meeting the UNCLOS definition	An armed attack against a vessel inside a state's territorial waters

Important for UPSC: Not every attack on a vessel automatically qualifies as piracy under UNCLOS. The location and other elements of the legal definition matter.

Why Is the Arabian Sea Strategically Important?

The Arabian Sea forms part of the north-western Indian Ocean and connects the Indian subcontinent with the Gulf region, eastern Africa and wider international shipping networks.

Strategic importance

1. **Energy security:** Important maritime routes connect India with major oil and gas suppliers.
2. **International trade:** Commercial vessels transport energy, manufactured goods, agricultural commodities and other cargo.
3. **Connectivity:** Sea routes support India's commercial and diplomatic engagement with West Asia and Africa.
4. **Naval operations:** The region is important for surveillance, maritime patrols and protection of shipping.
5. **Regional stability:** Insecurity at sea can affect several countries because maritime routes cross national boundaries.

Threats to shipping in this region may increase freight rates, insurance premiums and delivery times, creating wider economic consequences.

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Role of the Indian Navy

The Indian Navy is responsible for India's maritime military preparedness and contributes to the protection of national maritime interests.

Major functions

1. Maritime surveillance

Naval ships, aircraft, helicopters and other surveillance systems help monitor maritime activity and identify suspicious vessels.

2. Anti-piracy operations

The Navy can deploy warships and specialised personnel to respond to piracy incidents, protect vessels and assist in rescuing hostages.

3. Search and rescue

Naval assets can help locate people in distress, evacuate casualties and provide emergency assistance.

4. Protection of sea lines of communication

The Navy helps safeguard important maritime routes through patrols, deployments and cooperation with other countries.

5. International cooperation

The Navy participates in joint exercises, information-sharing and coordinated maritime operations with partner countries.

6. Humanitarian assistance and disaster relief

Naval vessels can provide transportation, medical assistance and emergency supplies during disasters and humanitarian crises.

What Are MARCOS?

MARCOS stands for **Marine Commandos**, a specialised force of the Indian Navy.

They are trained for demanding maritime and special operations.

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Major roles of MARCOS

1. Maritime counter-terrorism.
2. Hostage rescue and specialised intervention.
3. Special reconnaissance.
4. Operations in maritime and coastal environments.
5. Selected counter-infiltration and other special operations.

Their training and equipment enable them to operate in challenging maritime environments. However, the specific tasks assigned during an operation depend on the mission, available intelligence and operational requirements.

Other Indian Agencies Involved in Maritime Security

India's maritime security depends on coordination among multiple institutions.

Institution	Major role
Indian Navy	Maritime defence, naval operations and protection of national maritime interests
Indian Coast Guard	Maritime law enforcement, coastal security, search and rescue, and marine environmental protection

Institution	Major role
Coastal Police	Policing and security within their jurisdiction along coastal areas
Ministry of Ports, Shipping and Waterways	Port-related policy and maritime transport administration
Directorate General of Shipping	Regulation of merchant shipping and related maritime administration
National Maritime Security Coordinator	Facilitates coordination among relevant agencies on maritime security matters
Information Fusion Centre–Indian Ocean Region	Supports maritime information-sharing and awareness among participating partners

These institutions have different mandates. Effective maritime security requires clear responsibilities, timely intelligence-sharing and coordinated responses.

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International Legal Framework for Maritime Security

1. United Nations Convention on the Law of the Sea, 1982

UNCLOS is often described as the legal framework governing the world's oceans.

It addresses maritime zones, navigation, marine resources, the marine environment and piracy.

Key provisions relevant to piracy:

- **Article 100:** Duty to cooperate in the repression of piracy.
- **Article 101:** Definition of piracy.
- **Article 105:** Seizure of pirate ships on the high seas and the courts' role in deciding penalties, subject to the Convention.
- **Article 107:** Specifies which vessels may carry out seizures on account of piracy.

2. International Maritime Organization

The IMO is a specialised agency of the United Nations concerned with safe, secure and efficient shipping and the prevention of pollution from ships.

It develops international conventions, standards and guidance relevant to maritime safety and security.

3. International Convention for the Safety of Life at Sea (SOLAS)

SOLAS is a major international treaty concerning the safety of merchant ships.

Its provisions include maritime security measures intended to protect ships and port facilities against security threats.

4. International Ship and Port Facility Security Code (ISPS Code)

The ISPS Code establishes a framework for ship and port-facility security under the SOLAS framework.

It includes security assessments, plans and designated responsibilities for covered ships and port facilities.

What Is Maritime Domain Awareness?

Maritime Domain Awareness (MDA) refers to the effective understanding of maritime activity that may affect security, safety, the economy or the marine environment.

It helps authorities identify suspicious behaviour and respond to potential threats.

Major tools supporting MDA

1. Coastal radar networks.
2. Automatic Identification System (AIS).
3. Long-range identification and tracking systems, where applicable.
4. Satellite imagery and remote sensing.
5. Maritime patrol aircraft and naval surveillance.
6. Information-sharing among national and international agencies.

Important distinction: AIS helps identify and track participating vessels, but it is not a complete security solution. Information may be missing, inaccurate or deliberately manipulated, so authorities may need to combine multiple sources.

Major Challenges in Combating Piracy

1. Vast Maritime Areas

Patrolling large stretches of ocean requires substantial ships, aircraft, personnel and surveillance resources.

2. Limited Governance in Some Coastal Regions

Weak law enforcement, political instability and economic insecurity in certain coastal areas can create conditions that enable piracy.

3. Identification and Intelligence

Authorities must distinguish suspicious activity from legitimate fishing, shipping and other maritime operations.

4. Jurisdictional Complexities

An incident may involve a vessel registered in one country, crew members from several countries and an attack in waters connected to another jurisdiction.

5. Hostage Safety

Rescue operations must balance the need to neutralise attackers with the safety of hostages and other crew members.

6. Prosecution and Evidence

Arresting suspected pirates is only one part of the process. Investigators must collect admissible evidence, establish jurisdiction and ensure lawful treatment of suspects.

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Measures to Strengthen Maritime Security

1. **Improve surveillance:** Integrate radar, satellite data, maritime patrols and vessel-tracking information.
2. **Strengthen regional cooperation:** Expand information-sharing and coordinated operations among Indian Ocean countries.
3. **Build coastal capacity:** Support coastal states in improving maritime policing, legal systems and emergency response.
4. **Protect merchant vessels:** Encourage appropriate security assessments, reporting procedures and compliance with applicable international guidance.
5. **Improve rescue preparedness:** Conduct exercises and strengthen coordination between naval forces, coast guards and civilian agencies.
6. **Ensure legal accountability:** Investigate incidents properly and prosecute offenders under the applicable legal framework.
7. **Address underlying causes:** Support lawful livelihoods, governance and regional development in vulnerable coastal communities.

How Does a Maritime Rescue Operation Work?

A maritime rescue or anti-piracy operation may involve the following broad stages:

1. **Detection:** Authorities receive a distress call or identify suspicious activity.
2. **Assessment:** Intelligence is collected to establish the vessel's location, the nature of the threat and the condition of the crew.
3. **Deployment:** Appropriate naval or coast guard assets are sent to the location.

4. **Interception:** The responding force locates and approaches the vessel while assessing operational risks.
5. **Securing the vessel:** Trained personnel work to control the threat and protect hostages and crew members.
6. **Medical and humanitarian assistance:** Rescued persons are checked for injuries and provided necessary support.
7. **Investigation and legal action:** Evidence is preserved, suspects are handled under applicable law, and jurisdiction is determined.

The exact sequence depends on the threat, weather, vessel condition and available intelligence.

Conclusion

Maritime security is essential for protecting seafarers, maintaining freedom of navigation and safeguarding India's economic and strategic interests. The Indian Navy, MARCOS, Coast Guard and international partners contribute through surveillance, rescue operations, law enforcement support and cooperation.

A durable response to piracy requires more than naval intervention. It also needs reliable maritime information, effective legal frameworks, regional cooperation and the capacity to investigate and prosecute maritime crimes.

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