# 7 India

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#### Introduction

With 80 per cent of India's external trade and 90 per cent of energy trade passing through the Indian Ocean region, New Delhi recognises that the economic growth, prosperity, stability, and collaboration of the region is interlinked with the security of the maritime domain. For India, a free, open, and rules-based Indo-Pacific is important for the economic development of not only the region but also the wider global community.<sup>2</sup> Emerging transnational challenges such as climate change, the COVID-19 pandemic and widespread deprivation of resources make it imperative for countries to cooperate for regional and global solutions.<sup>3</sup> Finding solutions to common problems, building cooperation on transnational threats and prospering together with the sharing of global goods requires countries to harmonise and align their approaches towards the Indo-Pacific region. While several regional and extra-regional countries have released their Indo-Pacific strategic documents outlining key threats, opportunities and strategies. India has a vision document but still lacks a White Paper, doctrine, or strategy concerning the Indo-Pacific. This chapter contends that New Delhi has a solid, multifaceted maritime approach enunciated in the seven pillars of India's Indo-Pacific Initiative (IPOI). It argues India's approach towards maritime security and governance aligns with the Blue Security approach of its like-minded regional partners that seeks a rules-based maritime order and structures.

Apart from economic motivations, a wide range of challenges and opportunities that emerge from and within the maritime domain have shaped India's maritime approach. The chapter briefly presents the country's key maritime interests and objectives, its domestic and foreign policy strategies to achieve peace, growth, and development and to leverage maritime resources sustainably in the region, and highlights some of the gaps that need attention in the years to come.

## India's view of its key maritime interests and priorities

Despite its powerful, historical maritime presence, Indian security has remained predominantly land-centric. After an era of 'sea-blindness' in Indian foreign policy-making, the leadership is acknowledging its maritime history and also its tradition of shipbuilding, cultural, and economic exchanges as a maritime nation as well presenting a blue print for maritime led development.<sup>4</sup>

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India's contemporary maritime policy has been driven by its main goal of achieving economic development through exploring its geographical potential in the maritime domain.<sup>5</sup> The Indian peninsula with its coastline of approximately 7517 km has nine coastal states, and four union territories (including island territories) that face the Bay of Bengal in the East, the Indian Ocean in the South and the Arabian Sea in the West. The country shares its maritime borders with Pakistan, Bangladesh, Myanmar, Sri Lanka, and Maldives.

Indian coastal regions are huge economic assets. The major and non-major ports facilitated the establishment of special economic zones across several coastal industrial cities. Similarly, increased import of crude oil and liquefied natural gas (LNG) and offshore oil installations have led to the emergence of oil refineries in several coastal cities. Not to mention, Indian coastlines also house several strategic installations such as naval bases, nuclear power plants, satellite, and missile launching ranges and 12 majors as well as over 200 non-major ports that handle 90 per cent of India's maritime trade. India also sits astride crucial global chokepoints on both its Eastern and Western seaboard, which leads to consistent challenges such as maritime piracy and attacks, including those witnessed in early 2024. The Indian Ocean Region (IOR) has the highest density of maritime traffic of any ocean through the Malacca Strait and therefore, protection of sea lines of communication (SLOCs) is vital.

India also faces complex security threats emanating from the maritime domain such as the issues of drug and arms trafficking occurring between the Golden Crescent (Iran, Pakistan, and Afghanistan) and the Golden Triangle (Myanmar, Thailand, and Laos). The issues became acute during and after the pandemic when land borders between countries were sealed, shifting the trafficking to porous and unhindered waters surrounding the country. Illegal migration from conflict-prone neighbouring states such as Bangladesh and Myanmar to the Northeastern part of India has now shifted from land to sea.8 Illegal, unreported and unregulated (IUU) fishing and other maritime crimes are other serious issues where regional countries including India<sup>9</sup> face legislative, jurisdictional, and resource impediments that limit India's ability to tackle it at the regional levels, as discussed later. Disruptive technologies such as drones that are available to non-state actors have added to the complexities for seafarers. It is pertinent to add that rising sea levels and climate change related disasters due to global warming has become a constant reality to all coastal nations in the region including India. 10 To tackle these issues, countries need a unified approach towards the maritime domain.

### India's strategies and approaches to defend maritime interests

India's maritime interests evolved from the coast to the high seas due to interconnected issues. The holistic development of India's coastline and maritime sector envisioned under *Sagarmala Project* in 2015 was transformed into an overarching *Maritime Vision 2030* covering over 150 initiatives using ports and coastal infrastructure for the country's economic well-being and growth. It also became a full-fledged regional and global initiative focused on maritime security.

Under the United Nations' approach towards the use of ocean resources for economic growth and sustainable development of the planet, the Government of India released its *Vision of New India by 2030*<sup>11</sup> in February 2019 that envisions India becoming \$5 trillion economy by utilising the Indian coastline and ocean waters for development through port projects.<sup>12</sup>

India's draft of its *Blue Economy Policy*<sup>13</sup> envisages the optimal utilisation of all sectors of the maritime domain (living, non-living resources, tourism, ocean energy, and so on) for the sustainable development of coastal areas. Currently, several initiatives are informed, guided by, and support the country's Blue Economy vision ranging from shipbuilding to fisheries development to deep ocean missions, and other critical maritime sectors. In October 2023, the Prime Minister Narendra Modi unveiled the '*Amrit Kaal Vision 2047*', the long-term blueprint for the Indian maritime blue economy. The blueprint outlines strategic initiatives aimed at enhancing port facilities, promoting sustainable practices, and facilitating international collaboration.<sup>14</sup>

Realising that socio-economic development also requires safeguarding India from threats emanating from seas. The Security and Growth for All in the Region (SAGAR) initiative became the country's Indian Ocean operating template in the maritime domain. Announced in 2015 by Prime Minister Modi, SAGAR envisages the security of Indian territorial and maritime interests in the IOR as well as making its capabilities available to help other countries in the region.<sup>15</sup> India seeks to avail its geographical position and other endowments such as size, economy, and the largest democracy in the world with its aspirations to be the 'net/preferred security partner' in the region, to present itself as a suitable regional partner for likeminded countries seeking peace, stability, and growth in the region. It also became the vehicle for the delivery of global public goods within and outside the region. In May 2020, Mission Sagar, under Vision SAGAR was India's initiative to deliver COVID-19-related assistance such as vaccines to countries in the IOR. India has sought to present itself as a proactive partner to regional countries in supporting them with Humanitarian Assistance Disaster Relief (HADR) and Search and Rescue (SAR) operations and similar activities during crises, albeit with its limited resources. India has been actively playing a role as first responder, including assisting following a cyclone in Myanmar, fighting in Sudan, and assisting with food shortages in Afghanistan and health demands in Africa. 16 Over the years, the Indian Navy has established a role for itself in providing assistance during natural disasters and human-made crises such as the recent Houthi attacks on ships in the Red Sea.

India's *Indo-Pacific Oceans Initiative (IPOI)* can be seen as the next step in its maritime approach, connecting it to the larger region. IPOI resonates with similar strategies of various like-minded countries such as Japan, stressing that the region must be a free, open, and *inclusive* Indo-Pacific region—'FOIIP' building on 'FOIP'. It draws on existing regional cooperation architecture and mechanisms to focus on seven central pillars conceived around—*Maritime Security; Maritime Ecology; Maritime Resources; Capacity Building and Resource Sharing; Disaster Risk Reduction and Management; Science, Technology and Academic Cooperation;* and *Trade Connectivity and Maritime Transport.* <sup>17</sup> Based on these pillars,

IPOI seeks multi-shareholder cooperation with like-minded countries on various priority areas for cooperative and collaborative solutions to the common challenges in the region. 18 Australia-India IPOI is one such programme where the two countries are working together on the Maritime Ecology pillar.<sup>19</sup>

A recognition of the fallouts of climate change and sea-level rise that has threatened the flora, fauna, and coastal communities but also led to an increasing number of natural disasters year-on-year, led India to seek a global partnership under Coalition for Disaster Resilience Infrastructure Initiative (CDRI) at the UN Summit in 2019.<sup>20</sup> CDRI aims to 'promote resilience of new and existing infrastructure systems to climate and disaster risks'. It also provides a transnational, regional strategy and approach for assisting developing and even developed states of the Indian Ocean that struggle to address some of these emerging issues on their own.

With an aim of building international cooperation in the maritime domain, Prime Minister Modi hosted a high-level open debate at the United Nations Security Council (UNSC) in August 2021, putting forward the five basic principles of maritime security, namely free maritime trade, the peaceful resolution of maritime disputes based upon international law, responsible maritime connectivity, collectively combatting maritime threats posed by non-state actors and natural calamities, and preserving maritime environment and resources.<sup>21</sup>

India's approach towards safeguarding its maritime rights and interests is a work in progress. From a security perspective, the terrorist attack on Mumbai on 11 September 2008, demonstrated India's mismanaged approach towards its coastal and maritime security. This rude shock brought change towards maritime security and shaped its current architecture, and the legislative, executive and operational pillars of India's maritime security framework within its jurisdictional waters.

Legislatively, India's domestic maritime regulation architecture is primarily based upon its Territorial Waters, Continental Shelf, Exclusive Economic Zone, and Other Maritime Zones Act (also called the Maritime Zones of India Act, 1976 or MZI Act, 1976 that provides for matters relating to these zones). While India ratified United Nations Convention on the Law of the Sea (UNCLOS) in 1995, the MZI Act follows similar limits to maritime zones as UNCLOS.

The revised MZI (Regulation of Fishing by Foreign Vessels) Act 1981 authorised Indian Coast Guard (ICG) officers to investigate only foreign fishing vessels in India's exclusive economic zone (EEZ). The EEZ refers to an area of the ocean, generally extending 200 nautical miles (230 miles) beyond a nation's territorial sea, within which a coastal nation has jurisdiction over both living and nonliving resources. In the face of emerging maritime threats, in addition to the Navy, these domestic legislations were revised to empower the coastguard and navy to Visit, Board, Search and Seize (VBSS) suspicious vessels within India's internal waters, territorial sea, EEZ and continental shelf, and to make arrests in cases of piracy within the EEZ. These laws have multiplied the powers of maritime law enforcement agencies.

At the execution level, the Group of Ministers (GoM) Report on National Security in 2001 led to several institutional shifts over the years and India welcomed its first National Maritime Security Coordinator (NMSC) in February 2022 headed by Vice Admiral G Ashok Kumar (Retd). The constitution of the NMSC under the office of the National Security Advisor establishes a 'whole-of-government approach to "enable multi-agency coordination" to evaluate issues and facilitate development and implementation of maritime-related policies'. Currently, India has as many as 28 institutions working in maritime-related sectors that include departments within central ministries, authorities, academic and research institutions as well as state-level authorities, operating from different locations. NMSC administers between these maritime institutions for a coherent maritime approach. The Multi Agency Maritime Security Group (MAMSG) headed by National Security Advisor Doval also has been established to develop common protocols, standard operating procedures and an operational framework among various stakeholders to 'build a very strong maritime system'. 23

Operationally, there exists a three-tiered law enforcement structure comprised of the Marine Police, the Coast Guard and the Indian Navy for maritime surveillance and patrolling of Indian waters. As part of coastal security mechanisms, the Coastal Surveillance Network (CSN), as well as 38 additional radar stations and eight mobile surveillance systems have been installed along the coastline and island territories by the ICG.

The re-emergence of 'maritime consciousness' at the multilateral level has been supported by India's member or observer status in several maritime-related organisations/bodies/structures such the Indian Ocean Rim Association (IORA) and the Indian Ocean Naval Symposium (IONS). India has also initiated other groupings, such as the Goa Maritime Conclave (GMC). To address the challenges of piracy in the Western Indian Ocean, it had joined several multilateral initiatives such as the Contact Group on Piracy off the Coast of Somalia (CGPCS), Diibouti Code of Conduct Jeddah Amendment (DCOC JA), Group of Friends of the Gulf of Guinea (G7++FOGG), Regional Cooperation Agreement on Combating Piracy and Armed Robbery against Ships in Asia (ReCAAP) to name a few. Most of these initiatives have now broadened their scope to cover a range of illegal activities at sea such as smuggling, maritime terrorism, IUU Fishing and so on to ensure a holistic maritime security approach. India's multilateral engagements with other organisations such as the Quad and ASEAN are seen as a way for India to collaboratively work on maritime security issues and deliver global goods in order to secure supply chains, strengthen Maritime Domain Awareness (MDA), and protect undersea cables. The International Maritime Organisation (IMO) defines MDA as 'the effective understanding of anything associated with the maritime domain that could affect . . . security, safety, economy, or environment'. Within the multilateral engagements on maritime cooperation, issue-based trilateral initiatives between India-France-Australia, India-Indonesia-Australia, and others have been seen as emerging and welcome phenomena. In recent times, India has been voicing its maritime concerns such as the threat of maritime militia, dangerous use of coast guards, militarisation of disputed features, and so forth in the East and South China

Sea. While it is seeking to enhance capabilities against 'grey zone warfare' on land and cyber domain the leadership needs to recognise the threat in the maritime domain as well. Several recent incidents involved threats to maritime rights and assets in the South China Sea and even Europe, and there is little reason to think that such issues cannot expand to the larger Indo-Pacific region in the future.

At the bilateral level, India carries out numerous bilateral and multilateral military exercises in several formats to enhance interoperability and cooperation with the maritime law enforcement forces of other countries. Over the years, both the scope as well as participation in these exercises have increased, highlighting the commonality in maritime vision between India and its like-minded partners.

## Gaps in India's approach

The security capacities of the militaries and law enforcement agencies across the world are the result of a combination of factors, including their legislative powers, jurisdictional responsibilities, institutional structures, their capabilities in areas such as resources, training and exposure, and the interconnectedness between the different agencies overlooking specific domains and their abilities to share information.

There have been gaps in India's maritime-related legislative frameworks that have affected its capacity to effectively deal with Blue Security issues. For example, India's MZI Act 1976 lacked focus on the High Seas, and that ties the country's hands when it comes to India's maritime governance on issues beyond national jurisdictions, i.e. EEZ. However, jurisdictional gaps are being recognised and rectified gradually. The issue of piracy within the EEZ was considered and rectified by the Maritime Anti-Piracy Act 2023. The Act became the first domestic legislation making the act of piracy and related crimes punishable within the jurisdictional waters for both Indian and foreign nationals. The Act provides a template to follow for other nations facing the issue.

Operationally, the Indian Navy is focussing on more infrastructure and capabilities to become truly *a Blue Water Navy* and to support the country's *Blue Economy* objectives. India aims to become a 170–180 ship navy by the year 2028 from 140 ships currently.<sup>25</sup> Apart from being responsible for a wide range of Blue Security tasks, India is tasked with safeguarding maritime borders, controlling marine pollution, environmental preservation as well providing SAR to distressed mariners. Besides, with more budget for naval assets and shipbuilding capabilities, the Indian maritime strategy needs to develop a strong industrial base to support maritime trade and naval power.<sup>26</sup>

Marine Police has been referred to as the 'weakest link' in Indian coastal security.<sup>27</sup> Since its inception, there has been a lack of focus towards marine policing in the country and therefore a policy or doctrine providing legislative and jurisdictional powers has yet to appear. Marine Police remains short of resources, training and other capacities to carry out the responsibility of inland and coastal marine policing, which forces the Coast Guard to deliver these duties in addition to their duties to safeguard the waters of the EEZ. The resource and training of

maritime law enforcement officers is one area where India can cooperate with its like-minded Indo-Pacific partners to build international standards and interoperability capabilities.

India is taking cautious steps towards international cooperation in the maritime security and governance domain. Strengthening its footprint in the Western Indian Ocean, India joined the Combined Maritime Forces (CMF) in November 2023<sup>28</sup> after being an observer for a year since August 2022<sup>29</sup> and also became an observer of the Indian Ocean Commission (IOC). However, maritime cooperation in the Eastern part of the Indo-Pacific needs both military cooperation and maritime institutional/mechanism strengthening. India is a member of the Western Pacific Naval Symposium, regularly participates in US-led MILAN exercises and undertakes regular maritime security exercises in the bilateral and multilateral format with its partners such as Australia, ASEAN and Japan. Nevertheless, the maritime challenges specific to each subregion require its template for defining, resolution and cooperation on issues. There is immense potential in working on issue-based cooperation in the maritime domain where India and its partners can work together. Institutions like IORA recognise the right pillars for cooperation but lack the political will and funding to make it effective. Additionally, there are several existing regional, and international mechanisms such as FAO's Port States Measures Act (PSMA), United Nations Office on Drugs and Crime, World Customs Organisation-Container Control Programme (UNODC WCO-CCP), Container Security Initiative (CSI), and others that New Delhi can work with to improve risk management and strengthen supply chain resilience. Cooperating with such initiatives can avoid duplication of efforts and gain cooperatively from both resources and training aspects for India and other countries.

#### Recommendations and conclusion

Firstly, producing a Maritime Policy/Strategy establishing its interests, threats, and challenges as well as highlighting an all-of-government approach towards India's maritime security and development vision could be a helpful start. This will help in recognising and delineating individual strengths and requirements, necessary for effective collaboration. Secondly, India can collaborate with its regional partners in pooling resources needed for coastal surveillance such as patrol boats, communication systems, training, and capacity building and capability enhancement. The interoperability and collective sharing of resources will also contribute to creating greater awareness in the maritime domain that is required for effective governances of the Indo-Pacific. Similarly, international business cooperation on technology and related investment in the shipbuilding industry and critical infrastructure can overcome individual domestic shortages. Thirdly, in addition to its international engagements, India should seek active participation in international maritime regulatory and governance institutions to build robust and efficient maritime frameworks and architectures. This includes in the Biodiversity Beyond National Jurisdiction (BBNJ), seabed, and developing climate change resilient mechanisms for small islands and coastal states. Lastly, while maritime trade, scientific research and technology studies have

been receiving financial support, the academic pursuits in maritime history, security, law, and governance are still in the nascent phase. Therefore, a Indo-Pacific research funding pool to study and re-establish old historical and cultural connections and address emerging maritime challenges and solutions would be beneficial for building better narratives around the Indo-Pacific construct.

India's maritime vision is a holistic, sustainable approach towards economic growth, development and governance through transparency of oceans and cooperation between countries.<sup>30</sup> With that aim, there has been a gradual and integrated approach towards safeguarding the maritime domain that is consistent and aligns with an accepted rules-based order. Its larger goal seeks the inclusion of all Indo-Pacific nations in maritime mechanisms and processes and envisions the growth and security of all in the region. The Indo-Pacific holds immense promise as a region of sustainable development and equitable prosperity. A collective Blue Security approach would provide opportunities to shape the Indo-Pacific region for addressing the common challenges, building shared commitment to the sustainable use and protection of resources as well as managing competition and mitigating conflicts in the maritime domain peacefully.

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