

# **Indian Presidency of the UN Security Council: Strengthening of a Comprehensive Maritime Security Normative Framework and Developments**

Bimal N. Patel\*

Abstract:

*In August 2021, India assumed the Presidency of the UN Security Council during which period discussion of maritime security in a holistic manner featured prominently on its agenda. While the Council had addressed maritime security issued in a fragmented manner a comprehensive debate on challenges to maritime security such as piracy, armed robbery at sea, maritime terrorism, narcotics trade took place for the first time at the Council during India's Presidency. The Presidential Statement issued by India sheds light on the range of issues discussed and cements the position of importance of maritime security as an integral part of broader international peace and security. This article presents a brief appraisal from an international law perspective of the issues concerning maritime security that received the resourceful attention of the Council. While the importance of maritime security issues and recent developments in that regard are presented in the article, from a wider institutional perspective it also countenances a reason to conclude that elected members of the Council can and should play a critical role in the Security Council which discharging its mandate to maintain international peace and security.*

During its presidency of the Security Council in August 2021, the Security Council for the first-time discussed issues and challenges pertaining to global maritime security in holistic manner. First of all, the Security Council discussion on holistic approach to maritime security became reality during the presidency of India. The Council had been discussing and attempting to generate solutions for 'piracy,'<sup>1</sup> 'narcotics

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\* Member, UN International Law Commission; Vice-Chancellor, Rashtriya Raksha University (RRU), India; Member, National Security Advisory Board of India. The author expresses gratitude to Digvijay Rewatkar, Assistant Director, RRU Center for International Law, Abhinab Sarkar and Manish Singh, Research Associates, School of Integrated Maritime and Coastal Security for their valuable suggestions and editorial assistance.

<sup>1</sup> Bilateral instances of accusations of violation of maritime law under the ambit of seizing of country's oil tanker is also reported. For example, Iran in May 2022 strongly protested the seizure of the cargo of crude oil from a

trade<sup>2</sup>, besides some other aspects of maritime security challenges, earlier, but comprehensive debate on maritime security eluded in its agenda items till August 2021. If we look at the Council efforts, then by virtue of its various geographic and thematic discussion agenda items, it has passed resolutions on different aspects of maritime security in a relatively fragmented manner. For example, it has passed resolutions 1772 (2007) and 1816 (2008) in relation to piracy off Somalia, 1526 (2004) and 1735 (2006) on maritime terrorism, 1540 (2004) and 1718 (2006) as a part of its non-proliferation discussions. While the Council's efforts have been substantial towards tackling of these issues, Indian Presidency in August 2021 decisively augmented its resourceful attention. These included piracy,<sup>3</sup> armed robbery at sea,<sup>4</sup> terrorists' travel and use of sea to conduct crimes and acts against shipping, offshore installations, critical infrastructure, and other maritime interests, transnational organised crime, deplorable loss of life and adverse impact on international trade, among others. A detailed analysis of the Presidential Statement issued at the end of the Security Council meeting unequivocally encompassed and reaffirmed the importance of maritime security as an integral part of the international peace and security for which the Council has a primary responsibility under the UN Charter. It was observed that the maritime security found the context-specific meaning which had been missing so far in the maritime security debates among the policy-makers and scholars alike.

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tanker anchored in Greece, and Iranian Ports and Maritime Organization called Greece's actions to support the U.S. seizure of the oil "an act of piracy" while demanding that the Greek government fulfil its international obligations under maritime law. US defended by saying that the vessel was smuggling sanctioned Iranian oil.

- <sup>2</sup> Illegal trafficking of drug is taking place in Europe and individual country, especially in EU, has been witnessing this worrying trend. France has been at the forefront particularly with regard to the tackling of drug trafficking taking place through the Gulf of Guinea into Europe.
- <sup>3</sup> Piracy remains perhaps the most important maritime security challenges. It is difficult to discern the line between armed activities and piracy. For example, Ukraine in March 2022 stated that Russia's armed aggression from the sea is accompanied by piracy of the Russian Navy in the territorial waters and the exclusive maritime economic zones of Ukraine. It claimed that the search and rescue ship Sapphire, the ship Athena, the ship Princess Nicole were seized through pirate acts of the Russian Navy. Ukrinform, 'Ukraine calls on partner countries to condemn piracy of Russian Navy in Black Sea' (Ukrinform, 11 March 2022) <<https://www.ukrinform.net/rubric-ato/3416522-ukraine-calls-on-partners-to-condemn-piracy-of-russian-navy-in-black-sea.html>> accessed 26 September 2023.
- <sup>4</sup> Armed robbery, although less reported in the public or scholarly analysis, has been happening in several countries. For example, in May 2022, armed pirate robbed offshore construction vessel off Tabasco, Mexico. Armed pirates robbed offshore platform in the Bay of Campeche in June 2022.