



Maritime Security in Indo-Pacific: International Law, Great Power Competition and Future of Regional Order

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Abstract:

Indo Pacific has become the main geopolitical and geo-economic arena of twenty first century, connecting two oceans, Pacific and Indian Oceans, with some of world's most strategic sea-lanes. This area is responsible for about two-thirds of all global sea-borne trade and for a significant amount of all energy-related shipping to and from the world. Maritime security is therefore a key regional and extra-regional issue for both. Meanwhile, strategic competition between big powers such as US and China has escalated tensions over maritime sovereignty, freedom of navigation, military presence and interpretation of international law. Legal norms and strategic competition in Indo-Pacific have converged in a new legal triangle of institutional arrangements, which has made it a hotspot. This article examines relationship between maritime security, international law and great power competition in shaping future regional order in Indo-Pacific. It critically evaluates legal framework established under United Nations Convention on Law of Sea (UNCLOS) (1982), while assessing effectiveness of international legal mechanisms in addressing contemporary maritime disputes and further explores strategic roles of various countries alongside emerging security arrangements such as Quadrilateral Security Dialogue (QUAD) and AUKUS. Employing a qualitative doctrinal and analytical research methodology, this research synthesizes international legal instruments, judicial decisions, scholarly literature and contemporary policy documents to evaluate evolving patterns of maritime governance.

Keywords: Indo-Pacific, Maritime Security, International Law, UNCLOS, Great Power Competition, Freedom of Navigation, South China Sea, Regional Order.

Introduction

The Indo-Pacific is the key strategic area of modern world. The area, which spans many of world's busiest maritime trade routes, important chokepoints and economically dynamic states, is home to many of Indian Ocean's critical maritime trade routes and chokepoints. The Indo-Pacific is not just a geographical concept but a geopolitical concept in which states are increasingly understanding Indo-Pacific in terms of questions of security, trade, diplomacy and international law. (Brewster, 2018) Its increasing importance is evident in major powers' strategic documents such as those of USA, China, India, Japan, Australia and European Union—each of which has developed its own Indo-Pacific vision, reflecting its own geopolitical interests and shaping the emerging regional order. Maritime security is a major issue in this developing strategic landscape. About 80–90% of volume of global merchandise trade and vital maritime chokepoints like Straits of Malacca, South China Sea, Lombok Strait and Bab el-Mandeb are essential for international trade and global energy security. ((UNCTD), 2024) The unhindered movement of maritime trade is essential not only for economic interests but also as an integral part of peace, stability and sustainable development, both nationally and internationally. As a result, territorial conflicts, a new breed of maritime terrorism, piracy, illegal fishing, and even possibility of a war between countries in region have effects that reach far beyond Indo-Pacific. Competition between United States and China has been heightened, thus making Indo-Pacific region more strategic. United States remains steadfast in its message on freedom of navigation, alliance networks and a rules-based international system, while China has been increasingly asserting itself in the South China Sea through military modernization, expanding naval deployments, infrastructure development within Belt and Road Initiative and like. (Kaplan, 2010) This rivalry has transformed maritime spaces into arenas of strategic competition where legal interpretations frequently intersect with military deterrence and geopolitical calculations. United Nations Convention on Law of Sea (1982) which came into force in 1994 is one of most important legal bases of maritime affairs. UNCLOS is often called “constitution for oceans” and it sets out a comprehensive set of rules for territorial seas, exclusive economic zones (EEZs), continental shelves, navigation rights, marine environmental protection and dispute settlement mechanisms. (Kraska, 2011). Notwithstanding its widespread

acceptance, there are still divergent views on UNCLOS, especially in context of historic maritime rights, militarisation in EEZs and freedom of navigation. The South China Sea Arbitration Award in 2016 in Philippines versus China, confirmed the legal framework of UNCLOS, but also revealed advantages and disadvantages of international adjudication particularly the difficulties of enforcement when its decisions are ignored by the major powers. (Arbitration, 2016).

There are also a wide range of non-traditional maritime security challenges in Indo-Pacific region. Despite the significant international counter-piracy efforts, piracy is still a threat to commercial shipping, especially in the Indian Ocean and Southeast Asia. Illegal, Unreported, and Unregulated (IUU) fishing threatens marine biodiversity, food security and livelihoods of coastal communities. Maritime security landscape is not only complicated by maritime terrorism, transnational organized crime, cyber threats to ports and shipping infrastructure, environmental degradation, but also by climate change-induced maritime challenges. (Bateman, 2019) The multidimensional threats highlight that maritime security is not limited to naval competition, but is also related to economic, environmental, legal, and human security. To meet changing demands, regional and extra-regional actors have established new institutional frameworks and partnerships. Quadrilateral Security Dialogue (QUAD) is an initiative of Security Dialogue between India, Japan, Australia and the USA to foster a Free, Open and Inclusive Indo-Pacific in areas of Maritime Domain Awareness, Humanitarian Assistance and Infrastructure and Emerging Technologies. In same way, AUKUS is an expression of an evolving alliance between Australia, UK and US, especially in field of advanced defence technology and undersea capabilities. Meanwhile, ASEAN, now through ASEAN Outlook on Indo-Pacific, persists in promoting inclusive regionalism, dialogue and respect for international law and strives to maintain strategic autonomy despite increased great power competition. These changes can be explained differently in terms of theoretical frameworks from realism, liberal institutionalism and constructivism. For realists, Indo-Pacific is viewed mostly in terms of politics of balance of power and strategic competition, where military strength and deterrence are the key factors. Liberal institutionalists believe that international institutions, legal norms and economic interdependence can reduce conflict and promote cooperation. Constructivists, by contrast, emphasize influence of shared norms, identities, and regional institutions on state actions and organization of sea. (Keohane, 1984) These theoretical approaches offer a holistic understanding of law, power and institutions in Indo-Pacific. The writing method used in this article is qualitative and doctrinal with an analytical approach, which includes systematic analysis of international legal documents, judicial decisions, literature, policy documents and reports by international bodies. This study's main thesis is that UNCLOS is the basis of global maritime governance but its success is increasingly reliant on political will, cooperation between states and adherence to it by the latter. Geopolitical competition intensifies, new tactics of 'grey zone warfare' emerge, waters become militarized and nature of non-traditional maritime threats grow more complex, highlighting weaknesses in current governance framework. To maintain the stability of the region in long-run, it is necessary to bolster international legal institutions, build confidence, increase awareness of sea, improve regional cooperation and keep strategic competition within framework of international law.

2. Conceptualizing Maritime Security and Indo-Pacific:

Since end of Cold War, concept of maritime security has changed considerably. Maritime security in modern age is far more complicated than it was in era of naval power and territorial defence and protection of sea lines of communication (SLOCs) and today includes issues of piracy, maritime terrorism, illegal, unreported & unregulated (IUU) fishing, transnational organized crime, environmental degradation, cyber threats to maritime infrastructure and strategic implications of great power competition. (Till, 2018) At the same time, concept of Indo-Pacific as a strategic geopolitical zone has given a new form to global security discourse, integrated Indian and Pacific oceans into a single maritime theatre and brought two parties to table. The study of relationship between maritime security and Indo Pacific should be integrated approach of International Relations, international law, strategic studies and maritime governance. Although maritime security is often referenced in policy and academic work, there is no definitive definition of maritime security. Concept is defined differently in various states and organizations, depending on their strategic priorities, legal requirements and geographical needs. IMO typically equates maritime security with protection of ships, ports, offshore installations, cargo and maritime infrastructure against unlawful acts such as piracy and armed robbery and terrorism. Modern research however, takes a more expansive view and covers protection of maritime trade, marine resources, human security, environmental sustainability and regional stability. (Klein, 2011) Christian Bueger argues that maritime security is a multidimensional concept situated at intersection of four interconnected dimensions such as National security; marine environmental protection; economic development and human security. (Bueger, 2015) This framework shows that besides aspects of security in military domain, there are also aspects of security in governance domain, sustainable development domain and international cooperation domain. Likewise Geoffrey Till defines maritime security as maintenance of good order at sea through regulation of law, presence of good naval forces, international cooperation and security of maritime commerce. In addition to naval forces, Geoffrey Till contends, good airtime security requires strong legal institutions that can control actions of states and safeguard public interest in sea. (Till, 2018) The concept of maritime security has now grown to include traditional and non-traditional security threats. The concept of Indo Pacific emerged in early twenty first century, but has its intellectual roots in earlier geopolitical thinking which stressed interdependency of Indian and Pacific Oceans. The idea became more popular due to speech by former Japanese Prime Minister Shinzo Abe's Confluence of Two Seas in 2007, where he focused on strategic cooperation between democratic maritime powers. The idea then began to be embraced by the big powers. US formally adopted Indo-Pacific framework in its Free and Open Indo-Pacific (FOIP) strategy. The strategic importance of Indo-Pacific was reflected in development of

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other Indo-Pacific strategies, including those of Australia, India, Japan, European Union, France, Germany and United Kingdom. The Indo-Pacific is a reimagining of previous Asia-Pacific as Indian and Pacific Oceans are one and same strategic system. Regional economies are linked via maritime trade. Security challenges transcend geographical boundaries. Great power rivalry is spreading to both oceans. Today, Indo Pacific includes almost 60% of global GDP, around two-third of global economic growth and a number of the busiest maritime trade lanes of the world. (Medcalf, 2020)

The Indo-Pacific region is of unparalleled geopolitical and economic importance. Around 80-90 per cent of international merchandise trade by volume and more than 70 per cent by value is carried out through maritime sector. (UNCTAD, 2024) Many of these shipping routes traverse are South China Sea; Strait of Malacca; Sunda Strait; Lombok Strait; Taiwan Strait and Indian Ocean. These sea routes provide trade links between East Asia, South Asia, Middle East, Europe, Africa and North America. Any disturbances of these shipping routes would have a huge impact on global supply chains, energy markets and international trade. There are some of the most crucial energy transportation corridors in Indo Pacific. A significant share of world's oil and liquefied natural gas (LNG) imports to economies of East Asia goes through Strait of Malacca. The energy importing countries such as China, Japan, South Korea and India are highly vulnerable to vital shipping links through these strategic choke points. Thus, maritime security is directly related to national energy security and economic stability. Several critical maritime chokepoints lie within Indo-Pacific such as Strait of Malacca; Bab el-Mandeb; Strait of Hormuz; Lombok Strait; Sunda Strait and Mozambique Channel. Any control or disruption of these passages could be of geopolitical and economic consequences. This is due to their strategic significance and is why both regional and extra-regional powers have kept a naval presence.

Studying maritime security, one needs to be familiar with big IR theories. Realist scholars suggest that the nature of maritime security is a reflection of competition among states seeking state interest in a world of international anarchy. This is the point of view that naval power deters aggression. Sea control is a strengthening of national security. There is a struggle for strategic influence between great powers. Maritime alliances counter rising competitors. Realist expectations about power transitions and strategic rivalry are reflected in current US-China competition. The current US-China competition is an example of realist expectations on power transitions and strategic rivalry. (Mearsheimer, 2001) Liberal institutionalists emphasize importance of International law; regional institutions; economic interdependence and confidence-building measures. The lack of uncertainty is addressed, cooperation is promoted and peaceful dispute resolution made easier with help of various institutions like UNCLOS, ASEAN, IMO, Indian Ocean Rim Association (IORA). Robert Keohane states that international institutions lower costs associated with transactions and promote rule-based cooperation between states. (Keohane, 1984) Constructivists believe that in addition to material force, norms, identities and laws are critical to maritime security. Regional organizations play a role in raising expectations on the issues of freedom of navigation, peaceful dispute settlement and respect of international law and maritime cooperation. There is a need to emphasize the role of normative frameworks in addition to military force in constructivism. The traditional security issues of maritime areas are still very salient in Indo-Pacific. These include matters of territorial Disputes, naval modernization and Freedom of Navigation. The issues for which there is no resolution include South China Sea; East China Sea; Taiwan Strait and northern Indian Ocean. Numerous conflicts revolve around sovereignty over islands; maritime boundaries; Exclusive Economic Zones and Continental shelf rights. In context of Naval modernization, major powers are on path of continuous growth of their naval power with development of Aircraft carriers, Nuclear submarines, Ballistic missile systems, Long range surveillance, and Maritime drones. China has been rapidly modernizing its navy and other nations including USA, India, Japan and Australia have responded accordingly. International trade and maritime stability depends on freedom of navigation. Issues regarding military operations in EEZs have led to legal and diplomatic conflicts, especially in South China Sea. United States routinely holds Freedom of Navigation Operations to counter what it deems as "excessive maritime claims.

The Indo-Pacific also confronts numerous non-traditional security challenges such as piracy, illegal, unreported and unregulated (IUU) Fishing and maritime terrorism, organized Crime and cybersecurity. The level of piracy has fallen in some areas because of effective anti-piracy patrols by the navies, but attacks are still being carried out in some parts of Southeast Asia and western Indian Ocean. The problems of piracy are the following; commercial shipping, crew safety, insurance costs and International trade. Economic losses; environmental degradation; food insecurity and diplomatic tensions are caused by IUU fishing. A single estimate by Food and Agriculture Organization (FAO) suggests that illegal fishing costs \$640 million in United States alone each year, not to mention billions of dollars worldwide. Potential targets for maritime terrorist groups are: Passenger ferries; Commercial vessels; Offshore energy installations; Ports. The attacks in Mumbai in 2008 were a good example on how maritime routes could be used for terrorist purposes, and the security implications of such an attack. Maritime trafficking is used by transnational criminal organizations for Drug trafficking, Human trafficking, Arms smuggling and Wildlife trafficking. This is achieved by a close cooperation between countries in fighting these activities. The digitization of ports and shipping has created new vulnerabilities. Cybersecurity threats to port management systems, navigation technologies, shipping logistics and maritime communications could have a major impact on global trade.

International law is the main law, which regulates behavior in sea. The important legal instruments are United Nations Convention on Law of Sea (UNCLOS), Convention for Suppression of Unlawful Acts against Safety of Maritime Navigation (SUA Convention), International Ship and Port Facility Security (ISPS) Code and IMO Convention. They control navigation rights; Maritime boundaries; Environmental protection; Piracy; Maritime safety and peaceful settlement of disputes. But as the interpretations and implementation are varied, it creates legal uncertainty. Maritime

security plays a pivotal role in future order in Indo-Pacific. S. maritime governance is conducive to economic integration, strategic stability, regional cooperation and sustainable development. On the other hand, maritime conflicts could develop into a military escalation, economic disruption, alliance polarization and strategic instability. An international law and great power competition is thus one of the most critical challenges facing Indo-Pacific regional order.

3. International Legal Framework Governing Indo-Pacific Maritime Domain: UNCLOS, Freedom of Navigation, Maritime Jurisdiction & Peaceful Settlement of Maritime Disputes:

Law of sea in maritime domain for Indo-Pacific is a complex legal framework that tries to balance the sovereign rights of coastal countries with interests of international community. With increasing competition in South China Sea, East China Sea, Taiwan Strait and Indian Ocean, international laws and principles have emerged as primary tools for addressing disputes, safeguarding navigation, protecting marine resource and maintaining regional peace and stability. It is grounded in United Nations Convention on Law of Sea (Nations, 1982) which is referred to as “constitution for oceans” due to its broad overarching regulations for maritime zones, right to navigate, protection of marine environment and dispute settlement. (Rothwell, 2016) UNCLOS is almost universally accepted, but its application has come under increased dispute. There have been divergent views about historic rights, military use of Exclusive Economic Zones, artificial islands and freedom of navigation, leading to lot of legal and diplomatic disputes. The most comprehensive legal instrument, which deals with maritime affairs is called UNCLOS. The Convention is signed by over 165 States Parties and European Union and it codifies customary international law, as well as provides detailed provisions on maritime jurisdiction, navigation, marine scientific research, fisheries, environmental protection, and dispute settlement. (Churchill, 2022) UNCLOS has three general goals, which support peaceful use of oceans; balancing rights of coastal states with freedoms enjoyed by all states; The provision of legal certainty for maritime governance. Comprehensive in nature, it is now the foundation of modern international maritime law. Maritime zones and the rights and obligations inherent therein are some of most important aspects to which UNCLOS contributes clarity. According to Article 3, coastal states may draw a territorial sea up to 12NM from their baselines. In territorial sea, coastal state has sovereignty as in land, except for right of innocent passage of foreign ships. (UNCLOS, Arts. 2–19). In Indo-Pacific, issue of innocent passage has sometimes come up with some coastal countries attempting to impose additional notification/authorization requirements on foreign military vessels. Under UNCLOS, Art. 33, contiguous zone is a zone of 24 nautical miles from baseline available to coastal states to prevent and punish violations concerning customs, immigration, fiscal issues and sanitary regulations. Exclusive Economic Zone is 200 nautical miles (nm) from baseline (UNCLOS, Arts. 55–75). The coastal states have sovereign rights in EEZ over exploration and exploitation of natural resources, fisheries management, offshore energy development, marine scientific research and Environmental protection. Other states have other freedoms however, such as navigation; overflight; laying submarine cables and laying pipelines. One of most contentious issues regarding EEZs in Indo Pacific maritime law is interpretation of military activities in EEZs. The United States typically holds that it has a right to collect military surveillance and intelligence in EEZs of coastal states, while China believes some military activities must be conducted with coastal state's consent. UNCLOS also acknowledges rights of coastal state over continental shelf including seabed resources beyond territorial waters and, in certain situations, beyond 200 nautical miles (Arts.). 76–85). These provisions are especially major in case of states that want to tap into offshore hydrocarbons and seabed minerals. There are a number of Indo-Pacific maritime disputes which overlap continental shelf claims.

The principle of freedom of navigation is one of the most ancient ones of international maritime law. UNCLOS maintains this balance between sovereignty of coasting states and the preservation of this. The freedoms of navigation are the following; commercial shipping; naval movement; overflight; international straits freedoms; high seas freedoms. United States is a strong supporter of these principles including implementation of Freedom of Navigation Program (FONOPs) that conducts actions designed to confront maritime claims that are not in accordance with international law. China, on the other hand, says that some foreign military operations in the vicinity of its alleged maritime zones pose a threat to country's security. Such legal disputes are still causing incidents between naval units in South China Sea. Maintaining freedom of navigation is still important because around 1/3 of world's sea trade is conducted in South China Sea. UNCLOS sets up regime of transit passage for international straits used for international navigation. In Indo-Pacific, examples are Strait of Malacca, Sunda Strait and Lombok strait. Transit passage helps ensure uninterrupted and speedy passage for ships and aircraft and restricts coastal countries from blocking international transit. The continuous flow through these chokepoints is essential for security of global economy because they hold strategic significance.

With the help of technology, a state can build an artificial island or military installations on top of submerged features. UNCLOS points out the difference between Naturally formed islands; Rocks; Low-tide elevations; Artificial islands. Artificial islands are not regarded as creating territorial seas or EEZs or continental shelf rights (UNCLOS, Art. 60). It was especially important in conflicts over China's reclamation efforts in South China Sea. One of most challenging questions faced in Indo-Pacific maritime governance is legal nature of reclaimed maritime features. South China Sea Arbitration, a 2016 ruling by Permanent Court of Arbitration (PCA) is most notable contemporary legal ruling on Indo-Pacific maritime conflicts. The Philippines started arbitration in Annex VII of UNCLOS against China's over-ambitious maritime claims reflected by Nine-Dash Line. Under UNCLOS, Tribunal drew a number of ground-breaking conclusions that China's historic rights claims were without legal footing. The disputed Spratly Islands did not meet criteria of full islands to grant 200-nautical-mile EEZs. Many water features were only low tide elevations or rocks. China infringed on Philippines' sovereign rights by interfering with fishing and petroleum exploration activities. The environmental damage resulted from land reclamation activities carried out by China, which violated UNCLOS obligations. China challenged the

jurisdiction of Tribunal and declared Award “null and void”. Peaceful dispute resolution is a major theme of UNCLOS. Part XV provides several mechanisms such as Negotiation, Mediation, Conciliation, Arbitration and judicial settlement. Disputes can be referred to International Tribunal for Law of Sea (ITLOS); International Court of Justice (ICJ); Arbitral tribunals under Annex VII and Special arbitration under Annex VIII. These institutions play an important role in the peaceful development of international maritime law. International Maritime Organization (IMO) supplements UNCLOS by providing international standards related to maritime safety, security, pollution prevention and shipping regulation. The SOLAS Convention and MARPOL Convention and ISPS Code are some of important instruments of IMO. The ISPS Code, adopted after September 11 attacks, has vastly improved maritime security by improving port security and requiring ships to be identified. Thus IMO has a crucial role to play in tackling non-traditional maritime security threats.

4. Great Power Competition in Indo-Pacific: Strategic Rivalry, Maritime Geopolitics and Future of Regional Order:

Indo-Pacific is the main theater in Great game of 21st century. The vast geopolitical, geo-economic and military importance of area is due to its strategic sea routes, rich marine resources, technological centers and its developing economies. Most importantly, it is a focus of intersection of interests of powers established and emerging and often clashing. Maritime security in Indo-Pacific is thus no longer just about traditional naval competition but is a reflection of wider strategic competition in terms of international law, regional institutions, economic statecraft, technological innovation and military modernization. The primary stakeholders of this strategic scenario are US, China, India, Japan, Australia and Association of Southeast Asian Nations (ASEAN). Similarly, UK, France and Germany, as well as European Union and Canada, have also been more active with extra-regional actors—they have deployed navies, signed strategic partnerships and instituted Indo-Pacific policy frameworks. These are changes that have ushered Indo Pacific into a dynamic geopolitical arena of cooperation and competition. The offensive realist view sees this as natural growth in power seeking of great powers to maximize their influence in strategically significant areas in order to survive in a world of anarchy. (Mearsheimer, 2001) Liberal institutionalists, on the other hand, suggest that liberal institutions, international law and economic entanglements can help to dampen rivalry and promote peaceful cooperation. (Keohane, 1984) The modern-day Indo Pacific has elements of both: strategic rivalry has been increased, but multilateral institutions remain important in managing conflict and building confidence.

United States has been the main maritime power in Indo Pacific since the end of Second World War. Beyond military superiority, its goals include ensuring freedom of navigation, maritime commerce, alliance security and preservation of what it labels a “free, open, secure and prosperous Indo-Pacific”. Indo-Pacific region has been identified as centre of global economic growth and strategic competition in US Indo-Pacific Strategy (2022). An open maritime order is important, Washington says, not only because 20% of the world's trade passes through South China Sea, but also because of economic risks that would emerge if it were otherwise. American maritime strategy focuses on protection of freedom of navigation, maintenance of balance of power in region, deterrence of military coercion, support for allies and partners, protection of international maritime law, securing global supply chains and enhancing maritime domain awareness. US maintains considerable naval forces with bases in Japan, South Korea, Guam, Singapore and Diego Garcia and headquartered in Japan with US Seventh Fleet. Its alliances, such as with Japan, Australia, South Korea and Philippines, are one of the most striking features of Indo-Pacific security architecture, are key to its success Freedom of Navigation Program, launched in 1979, is one of Washington's most visible legal and strategic programs. FONOPs are naval exercises that are carried out without notification in maritime waters that are disputed by maritime claims. These are viewed as legal maneuvers and not military provocations, but China often reads them as purposeful actions designed to challenge its claims. US states failure to challenge over-ambitious maritime claims would slowly erode customary international law on shipping.

China's incredible economic shift has come hand-in-hand with unparalleled modernization of its Navy. President Xi Jinping has made many statements about China's dream to be a “strong maritime power,” knowing that protection of sea is vital to country's economic development, energy security and national revitalization. The sea strategy of Chinese government is based on several pillars; protecting sovereignty rights and interests of sea; expanding naval force construction; safeguarding security of maritime resources; protecting security of sea lanes; integrating military and civilian maritime forces; Belt and Road Initiative (BRI) and maritime Silk Road. PLA Navy has overtaken USA Navy to become largest navy in terms of vessels in world. China has also extended its capabilities in anti-access/area denial (A2/AD) that makes it more difficult for foreign military forces to operate near the country's coastline. The most contentious maritime policy of China is related to its growing territorial claims in South China Sea. Beijing has been expanding its physical footprint in disputed maritime features through construction of islands, deployment of military bases and ships to waters and establishment of maritime militias. China says that its historical rights come before UNCLOS. But Permanent Court of Arbitration dismissed these historic claims saying that there was no legal basis to Nine-Dash Line under UNCLOS. (Arbitration, 2016) China has steadfastly denied Award and is continuing to expand its sea presence.

Maritime security is being seen as a key component of India's national security and regional power. Cooperative security for Indian Ocean is a key aspect of Prime Minister Narendra Modi's Security and Growth for All in Region (SAGAR) doctrine. The strategic interests of India include Protection of Sea Lines of Communication, countering maritime terrorism, energy security, disaster response and blue economy development and naval modernization. Indian Navy has grown immensely with introduction of Aircraft carriers. Maritime patrol aircraft and Long-range surveillance systems; Nuclear submarines. India also wants to enhance its maritime cooperation with USA, Japan, Australia, France and

ASEAN nations. It has also been a member of Quadrilateral Security Dialogue (QUAD), a grouping of United States, India, South Korea and Australia, which underscores growing worries about China's growing influence in Indian Ocean.

Japan, an island country that relies heavily on maritime trade, attaches special importance to maritime security. Japan's total foreign trade is carried out by sea, accounting for about 99 percent of volume. This means any disturbance in South China Sea or Strait of Malacca would have considerable impact on Japan's economy. The topics that are important to Japan are Freedom of navigation, Rule of law, peaceful dispute resolution, maritime capacity building, Regional connectivity. Japan has beefed up its own Maritime Self-Defense Force and is beefing up defense cooperation with United States, Australia, India and Association of Southeast Asian Nations. As well, Tokyo has emerged as a major source of maritime capacity building support via coast guard training, patrol vessels and maritime surveillance technologies.

Australia occupies a unique strategic position linking Indian and Pacific Oceans. Its 2023 Defence Strategic Review identifies Indo-Pacific as Australia's primary strategic environment. Key elements of Australia's maritime strategy are Regional deterrence; Alliance cooperation; Maritime domain awareness and Cyber resilience and Advanced defense technologies. Australia's decision to join AUKUS is one of its biggest strategic ones. AUKUS will enable Australia to acquire conventionally-armed nuclear-powered submarines and deepen cooperation in areas of Artificial intelligence; Quantum technologies; Underwater systems; Cybersecurity and Electronic warfare. Australia sees these capabilities as essential responses to a more competitive security environment in the region. The Association of Southeast Asian Nations (ASEAN) is at the heart of Indo Pacific region. It has many of its members who have overlapping maritime claims in South China Sea and also have extensive economic ties with China and security alliances with the United States. Therefore, ASEAN wants to maintain strategic autonomy; inclusive regionalism; Peaceful dialogue; International law and regional stability. ASEAN Outlook on Indo-Pacific (2019) calls for cooperation, not confrontation. ASEAN are in favor of provisions of UNCLOS, Freedom of navigation, Peaceful dispute settlement and Maritime connectivity and Sustainable development. But sometimes, internal differences within respective member countries obstruct capacity of ASEAN in making a coordinated response on South China Sea dispute. The Quadrilateral Security Dialogue (QUAD) is the alliance of United States, India, Japan and Australia. While it is not an official military alliance, QUAD is more and more cooperating on the areas of Maritime domain awareness, Infrastructure, Disaster relief, Critical technologies, Supply chain resilience and Cybersecurity. China often sees QUAD as an effort to check its growth. QUAD members deny that, pointing to their commitment to a free and open Indo-Pacific, not confrontation. The AUKUS agreement between Australia, United Kingdom, and the United States (US) marks a major step in the Indo-Pacific region's security cooperation. It aims to develop sophisticated submarine technology. Artificial intelligence, cyber technologies, Quantum computing, undersea warfare and Hypersonic systems. AUKUS has reshaped regional strategic dynamics and sparked discussion on nuclear proliferation and stability. European powers are increasingly aware of the strategic importance of Indo-Pacific. Permanent military presence in the region by France, as a result of its overseas territories. Germany, Netherlands, Italy and European Union have issued Indo-Pacific strategies focusing on the Rule of law, Freedom of navigation, Sustainable connectivity, Maritime security and Climate resilience. The developments reflect globalization of Indo-Pacific Geopolitics. Economic statecraft is becoming a key component of great power competition. The main areas are Port infrastructure investment, supply chain, rare earth mineral production, semiconductor production, undersea communication cables and digital infrastructure. The Belt and Road Initiative (BRI) has been used to fund many ports in Indo Pacific such as in Pakistan, Sri Lanka, Myanmar and South East Asia. Responses by the United States and its partners include programs to incentivize investment in quality infrastructure and resilient supply chains. Maritime strategy is thus now an integral component of economic competition. Intensifying strategic competition generates both opportunities and risks. Positive things have been seen such as greater maritime capacity building, more investment in regional infrastructure and more cooperation in the Navy and strengthening of maritime domain awareness. However, there remain serious risks of military escalation, accidental naval encounters, arms races, strategic mistrust and economic fragmentation and pressure on smaller regional states. Whether there is strategic competition in a future regional order, in which international law and institutional debate play a pivotal role, is a major question.

5. Maritime Disputes and Regional Flashpoints in Indo-Pacific: International Law, Strategic Rivalry, and Security Implications:

One of the major drivers of strategic instability in Indo-Pacific is maritime disputes. At same time, region has turned into epicentre of world's economic growth and maritime trade, yet faces overlapping, territorial claims, unresolved maritime borders, and naval modernization and growing military competition. These disputes are not merely political squabbles over division of political space; they are the first ones concerning sovereignty; they are disputes over access to fisheries, over access to offshore energy resources, over control of strategic sea lanes and distribution of power in international system. Indo Pacific is further strengthened by several of the world's most vital maritime chokepoints in region like South China Sea, Taiwan Strait, Strait of Malacca, East China Sea and Indian Ocean sea-lanes. They are used for transportation of trillions of dollars of trade each year and have a major portion of world's oil and liquefied natural gas (LNG) shipping. Any conflict or uncertainty of law that results from such a military action has ramifications that extend far beyond the region. (Kaplan, 2010)

The South China Sea is the most important and complicated maritime dispute in current international system. It stretches around 3.5 million square kilometres, is home to key sea lanes and is one of the busiest trade routes in world. This area is considered to contain major hydrocarbon, fisheries and other marine resources. These waters are used by more than one-

third of the world's maritime trade, estimated at over several trillion US dollars a year. ((UNCTD), 2024) This has far economic and geopolitical repercussions when it comes to competing sovereignty claim. China, Philippines, Vietnam, Malaysia, Brunei and Taiwan are main claimants. These conflicting claims to a number of islands, reefs, shoals and low-tide elevations are mainly in Spratly Islands, Paracel Islands, Scarborough Shoal and Pratas Islands. China's claim (Nine-Dash Line) covers about 90% of South China Sea. Beijing claims that historical usage, ancient navigation and longstanding administration substantiates these claims. Other claimant states disagree, however and argue that maritime rights can only be decided based on UNCLOS and not on historical claims.

The most significant event in international maritime law has been issuance of Award in Philippines versus China by Permanent Court of Arbitration (PCA). Tribunal came to a number of important conclusions including historical rights claims of China under Nine-Dash Line have no legal foundation in UNCLOS. Any disputed Spratlys that have been claimed in any way are not entitled islands that can create Exclusive Economic Zones (EEZs). Some of the activities in China were infringing on Philippine sovereign rights. There was much environmental harm in large-scale reclamation of land. Chinese law enforcers hindered lawful Philippine fishing operations. Under current UNCLOS, Award is legally binding, but China has refused jurisdiction and results of Tribunal. The arbitration is one of most important judicial interpretations of modern international law of marine affairs and remains to have an impact on diplomatic and legal issues relating to marine sovereignty. South China Sea has been hugely militarized in last ten years. China has turned several reefs into heavily fortified artificial islands featuring Airfields, missile systems, radar installations, naval facilities, Deep-water ports and Military logistics infrastructure. Meanwhile, US has increased freedom of Navigation Operations, joint military exercises, intelligence, surveillance and reconnaissance operations and naval deployments with allies. Japan, Australia and UK have also from time to time conducted naval operations to showcase support for international maritime law in region. This escalation of military presence has raised likelihood of accidental encounters, misjudgment and escalation of crisis.

Another key maritime dispute between China and Japan is East China Sea. The major dispute is for control of Diaoyu Islands (also known as Senkaku Islands) in dispute between China and Japan. The islands have significance for their potential hydrocarbon resources, productive fisheries, strategic maritime location and control of adjacent EEZs. China says that historical evidence shows that it had long-held sovereignty. Japan insists that islands were legally a part of Japan in nineteenth century and are still effectively under Japanese control. US acknowledges Japanese administration and does not have an official stance on ultimate sovereignty. US-Japan Security Treaty is not limited to Japanese islands, however and guarantees security to territories under Japanese administration, adding to strategic dimensions of dispute. Taiwan Strait has emerged as one of world's geopolitical flashpoints. Strait is an important shipping route on the international waterways, linking East China Sea to South China Sea. China sees Taiwan as part of its territory and has reiterated goal of eventual reunification. On the other hand, Taiwan has its own democratic system, armed forces and economic system. Increased military activity has included air defence identification zone (ADIZ) incursions, naval patrols, large-scale military exercises, missile demonstrations and joint operations involving more than one branch of military. United States does not have a policy on whether country will keep supporting Taiwan's defense, and it has been selling weapons to Taiwan under Taiwan Relations Act. The legal issues of navigation through Taiwan Strait are legal issues related to international straits, freedom of navigation and regional stability issues. If Taiwan were to fall to Taiwan's conflict, it would likely have a strong economic impact around the world, as it is a key player in the global semiconductor industry.

Indian Ocean traditionally has been considered as fairly stable strategic region but recently it is becoming a competitive region. It is important in terms of Maritime trade, Energy transportation, Strategic chokepoints, naval logistics and undersea communication cables. Around 80% of Chinese imported oil makes its way through Indian Ocean before it transits Strait of Malacca. As a result, Beijing has been able to increase its presence in the region in form of investments in ports, naval deployment, anti-piracy missions and maritime infrastructure projects. China's naval base in Middle East's port city of Djibouti is a sign of Beijing's growing maritime influence. India on its part, considers Indian Ocean as core of its national security. Its sea policy aims to maintain regional peace and stability by building a modern navy, establishing maritime diplomacy, security cooperation and capacity-building among smaller island nations. Strategic China-India competition is increasingly shaping Indian Ocean as a maritime battleground. The Indian Ocean is an increasingly vital arena of maritime competition between India and China as they continue to compete strategically. One of most strategic sea passages in world is the Strait of Malacca. Transects Indian Ocean to Pacific Ocean and transports energy, container, bulk commodities and commercial shipping. The narrow path is used by about 1/4 of all traded goods around the world. It is very susceptible to maritime terrorism, blockades, maritime accidents and piracy and international cooperation is vital. Singapore, Malaysia and Indonesia work closely together on the security of the Strait by conducting joint patrols and sharing information.

6. Maritime Security Challenges in Indo-Pacific: Piracy, Illegal Fishing, Maritime Terrorism, Grey-Zone Operations, Cybersecurity and Climate Change

The emergence of Indo-Pacific as most strategic sea space in the world is also because of rising great power competition and growing number of traditional and non-traditional maritime security threats. Maritime security in modern world is not only about interstate naval competition, but is also a wide-ranging security issue that poses threats to international trade, human security, environmental sustainability and regional stability. These include piracy, armed robbery at sea, Illegal, Unreported and Unregulated (IUU) fishing, maritime terrorism, trafficking in narcotics and persons, cyberattacks on maritime infrastructure, climate change, marine pollution and increasing use of grey-zone tactics by state and non-state

actors. These are threats that are often not of military type, but international in nature and scope, and have to be dealt with on an international level. They also highlight close links between maritime governance and international law and regional security. According to Bueger (2015), maritime security is a multi-faceted concept that includes all aspects of security, such as national security, economic security, environmental security and human security. Thus, there is a need for a multi-layered approach to maritime security in Indo-Pacific, involving enhanced naval forces, legal frameworks, technological advancements, and intelligence sharing and regional institutional collaboration.

6.1. Piracy and Armed Robbery at Sea:

Piracy is one of the most ancient and perennial evils deserving of human commerce. Piracy is defined under Article 101 of United Nations Convention on Law of Sea (UNCLOS) as “any act of violence, detention or depredation committed for private ends by crew or passengers of a private ship against a ship or persons and property on board for purposes of commercial or business advantage, economic benefit or private satisfaction not justified by law or with proper authorization.” While global piracy activities have decreased since early 2000s, challenges remain in Indo Pacific region, notably in Strait of Malacca, Singapore Strait, South China Sea and Western Indian Ocean. Theft, kidnapping and armed robbery of commercial shipping vessels passing through highly trafficked waters is becoming a common feature of attacks, according to reports from the International Maritime Bureau (IMB). Piracy has a number of impacts on maritime security, including a rise in shipping and insurance prices. It disrupts global supply chains and threatens safety of seafarers. Piracy deters investments in maritime businesses and weakens trust in maritime governance in the region. Therefore multi-national counter piracy operations off coast of Somalia proved that co-ordinated naval patrols, information sharing and international legal cooperation can be very effective in fight against piracy. The lessons learnt from these operations are still applicable to Indo-Pacific. According to UNCLOS, all states have universal jurisdiction in relation to piracy on high seas (Articles 100-107). States must cooperate in suppressing piracy, board pirate ships and prosecute pirates. Complementary legal instruments are Convention for Suppression of Unlawful Acts against Safety of Maritime Navigation criminalising acts of violence against ships and maritime infrastructure. Although such laws exist, enforcement is variable and many coastal states either do not have the necessary naval resources or judicial capacity or domestic legislation to effectively prosecute piracy.

6.2. Illegal, Unreported and Unregulated (IUU) Fishing

One of the most serious non-traditional maritime security threats in Indo Pacific today is Illegal, Unreported and Unregulated (IUU) fishing. Food and Agriculture Organization (FAO) estimates the economic losses at billions of dollars per year due to IUU fishing and its impact on marine biodiversity, coastal livelihoods and food security. Some of world's richest fishing grounds are located in Indo-Pacific, with South China Sea, Bay of Bengal and western Pacific areas especially rich in them. Millions of livelihoods and a major contribution to regional economies are dependent on these waters. But over-exploitation and poor enforcement and other maritime claims have increased illegal fishing practices. IUU fishing is not only an environmental or economic problem, but also a strategic problem. Fishermen's boats may be deployed to reinforce maritime rights, to collect intelligence or to assist in the support of maritime militias sponsored by state. This makes it harder to draw a line between civilian and strategic maritime operations and can be a challenge for application of international law. There are legal tools for combating IUU fishing, such as UNCLOS, FAO Port State Measures Agreement (2009) and regional fisheries management organisations. However, their effectiveness is still hampered by problems with implementation and inadequate enforcement capacity.

6.3. Maritime Terrorism:

Maritime terrorism is the use of violence at sea with political, ideological or religious motives. Commercial shipping, passenger ferries, ports/harbours, offshore oil and gas installations, naval vessels and undersea communication cables are potential targets of terrorist attacks. Attacks on USS Cole in Yemen in 2000 and terrorist attacks in Mumbai in 2008 were examples of successful sea-borne infiltration of India. As maritime trade grows in importance especially for global commerce, impact of major port or strategic chokepoint attacks can result in significant economic consequences beyond immediate vicinity of attacked port. The main legal means of combating maritime terrorism is the Convention for Suppression of Unlawful Acts against Safety of Maritime Navigation (SUA Convention) with 2005 Protocol. These instruments criminalize ship seizures, passenger, crew violence, and any ship carrying terrorist or weapons of mass destruction. Adopted by International Maritime Organization (IMO) after attacks of 11 September 2001, International Ship and Port Facility Security (ISPS) Code enhanced international security standards for identification, risk assessment and security of ships and port facilities.

Indo Pacific has huge maritime space which offers scope to transnational criminal networks for drug trafficking, Human trafficking and migrant smuggling, arms trafficking, wildlife trafficking, Illegal exploitation of marine resources and Money laundering. Poor governance, lack of surveillance systems and porous maritime borders make it easy for criminal groups to exploit maritime routes. These activities infringe on the competence of the state, promote corruption and pose threats to regional security. Intelligence sharing, coordination between maritime police and judicial cooperation among littoral countries are needed to combat maritime crime. One of hallmarks of today's Indo-Pacific maritime competition is the growing advent of grey-zone tactics which are deliberately employed to achieve strategic objectives while not meeting the threshold of conventional armed conflict, making it difficult for attribution in both legal and military terms. This can involve deployment of maritime militias and coercive coast guard operations, swarming of disputed features by

fishing vessels, construction of artificial islands, administrative enforcement measures, information and disinformation campaigns and Economic coercion. These operations take advantage of the ambiguity in international law and pose difficulties with regard to the notions of attribution, proportionality, and lawful response. Maritime militias are supposedly civilian fishing vessels that work in concert with state officials. They have been used to claim maritime territories and for tracking the movements of foreign navies and to block their operations by competing nations. They are civilian by appearance, which adds to complexity of application of IHL and law on use of force, including those around 'combatant' status, 'attribution' and state responsibility.

Maritime industry is undergoing fast-paced digital transformation. Satellite navigation systems, Global positioning Systems (GPS), Electronic Chart Display and information Systems (ECDIS), automated cargo management, port management software, artificial Intelligence and cloud computing are increasingly being used by modern ports, shipping companies and vessels. These technologies are useful for increasing efficiency but they also introduce new vulnerabilities. Cyberattacks can affect Port operating systems, Shipping logistics, Navigation systems, Maritime communications and financial transactions, as well as Container management. NotPetya is a prime example of a cyberattack in 2017 that had a serious impact on maritime industry, including shipping giant Maersk. The International Maritime Organization (IMO) guidelines on Cyber Risk Management promote inclusion of cybersecurity in safety management system of shipping companies and port authorities. But the implementation of these measures is uneven, especially in developing countries. Climate change has become a growing threat to maritime security, functioning as a threat multiplier. Sea level rise, coastal erosion, ocean warming and climate extremes impact sea-based infrastructure, fisheries and livelihoods for coastal communities. Small Island Developing States (SIDS) in Indo-Pacific are especially vulnerable to a number of risks such as loss of habitable land, Damage to ports and coastal infrastructure, Salinization of freshwater resources and increase in disaster risks. Climate change poses multiple legal issues related to concept of airtime baselines, Exclusive Economic Zones (EEZs), sovereignty over shrinking islands, marine environmental protection and climate-induced migration. International law provides some guidance on these matters, but more is needed to be developed through state practice and international negotiation.

Maritime critical infrastructure is defined as Commercial ports, Offshore oil and gas platforms, Undersea communication cables, LNG terminals, Naval bases and Shipbuilding facilities. International internet and financial messages are transmitted in overwhelming majorities in undersea communication cables. Damage to these systems—whether accidental or deliberate could have significant consequences for global communications and economic stability. International cooperation is thus crucial to enhance surveillance, resilience and rapid response capacities. Securing maritime environment is dependent on Maritime Domain Awareness (MDA) – ability to detect, monitor and understand activities in maritime domain. Modern MDA is a combination of Satellite surveillance, Coastal radar systems, Automatic Identification Systems (AIS), unmanned aerial systems, Artificial Intelligence, Information-sharing platforms. Examples like Indo-Pacific Partnership for Maritime Domain Awareness (IPMDA) show increase of regional collaboration efforts on the challenges of transparency and illegal maritime activities. There are a number of different initiatives that States and regional organisations have taken up to tackle maritime security challenges. Such mechanisms include ASEAN maritime cooperation mechanisms, Indian Ocean Rim Association (IORA), Regional Cooperation Agreement on Combating Piracy and Armed Robbery against Ships in Asia (ReCAAP), QUAD maritime cooperation programmes, combined Maritime Forces (CMF) and International Maritime Organization programmes. These frameworks facilitate information sharing, joint naval exercises, capacity building, Technical assistance, Humanitarian assistance and disaster relief (HADR) and Search and rescue cooperation. These efforts have strengthened resilience at regional level, but there is still a need for greater coordination and harmonisation of legal aspects

7. Emerging Security Architectures in Indo-Pacific: QUAD, AUKUS, ASEAN, Minilateralism and Future of Regional Maritime Governance:

In past decade, there has been a tremendous change in architecture of security equation in Indo Pacific. States are negotiating new security cooperation arrangements due to increased great power tensions, increasing importance of maritime trade, territorial disputes and new security threats. The current security environment in Indo-Pacific is a more complicated alliance system including formal bilateral alliances, mini-lateral relationships, multilateral organizations and issue-specific cooperation agreements, as opposed to security environment of Cold War. In international politics, these arrangements are a big change. States are increasingly looking for partnerships that extend beyond traditional themes of defence and security to maritime security, cyber resilience, critical technologies, disaster response, intelligence sharing, and supply chain security that are flexible, functional and geographically targeted with collective defence organizations. This has led to emergence of an “networked security” or “minilateralism” between a small number of like-minded countries pursuing identified strategic objectives and other multilateral institutions (Tow, 2010) On International Relations side of things, it demonstrates interplay between 'balance of power politics' and institutional co-operation. Realists see mushrooming of security partnerships as balancing behaviour as a reaction to military expansion of China (Walt, 1987), while liberal institutionalists see these as helping to enhance collective security, transparency and rule-based international order. (Keohane, 1984) Other factors cited by constructivist scholars for shaping their formation of new security networks are common democratic norms and values, as well as common strategic identities and norms. (Acharya, 2014). The regional security institutions have gone through several stages. During Cold War era, idea of security system was mostly bilateral with emphasis on US-led alliances. These were called US-Japan Security Treaty, US-Republic of Korea Alliance, US-Philippines Mutual Defense Treaty and ANZUS Alliance. These pacts had primarily

a containment of communism or a prevention of conventional military aggression as their basis. Cooperative security, Economic integration, maritime confidence-building, human security and counter-terrorism have been emphasized since end of Cold War. ASEAN Regional Forum (ARF) and East Asia Summit became prominent regional organisations. Since roughly 2017, this has shifted to a new model for security cooperation: Strategic competition, maritime balancing, technological cooperation, supply-chain resilience, cybersecurity and Critical infrastructure protection. This change is reflected in process of QUAD, AUKUS and IPEF formation. Quadrilateral Security Dialogue (QUAD) is made up of United States, India, Japan and Australia. First up, QUAD's efforts had been on a humanitarian assistance and disaster relief (HADR) agenda as originally proposed following Indian Ocean tsunami of 2004. Due to political sensitivities, dialogue was temporarily halted but picked up again in 2017, when concerns about regional maritime security and increasing influence of China had increased. QUAD today is one of the most important strategic partnerships in Indo Pacific. QUAD seeks to promote "Free and Open Indo-Pacific", freedom of navigation, respect for UNCLOS, maritime domain awareness, technology cooperation, critical technology cooperation, climate resilience, infrastructure development, security of supply chains, cyber security, "Vaccine Diplomacy" and Disaster response. Notably, QUAD is not a military alliance such as NATO. Rather, it functions in framework of periodic summits, ministerial consultations, naval drills and functional cooperation. Maritime cooperation continues to be core of QUAD cooperation. Activities involve maritime surveillance, information sharing, naval interoperability, Joint exercises, capacity building, coast guard cooperation and Anti-piracy operations. The annual naval exercise between Malabar is now the most noticeable military event in QUAD. The exercises demonstrate how participating navies can more effectively cooperate as well as their readiness to conduct humanitarian operations and contingencies at sea. There have been suggestions that QUAD cannot promote strategic polarization. It will combine with competition from USA and China and has potential of militarising the region. Additionally, QUAD also casts doubt on members of ASEAN. QUAD is frequently referred to in China as an "Asian NATO". However, QUAD members have repeatedly made a lot to contradict this description, saying that dialogue is inclusive, rules-based and does not go against any specific country and it is supportive of international law. AUKUS was unveiled as a trilateral nuclear defense partnership between Australia, United Kingdom and United States in September 2021. AUKUS is more technologically and defence-oriented than QUAD. The first pillar relates to Australia's acquisition of conventionally armed nuclear-powered submarines. These submarines provide better operational range, stealth, patrol and deterrent capability. Australia is the second country in world to develop such a technology from USA. The second pillar focuses on cutting-edge technologies such as artificial intelligence, quantum computing, cyber security, under sea technologies, electronic warfare, autonomous Systems and Hypersonic technologies. All of these activities are geared towards maintaining technological superiority in a developing strategic scenario. AUKUS increases allied deterrence, maritime surveillance, undersea warfare and defence industry cooperation. On positive side, however, it has raised issues of nuclear disarmament, arms race in region, ASEAN centrality and strategic stability. Australia's pledge to not have nuclear weapons has sparked fears from some Southeast Asian states that AUKUS alliance will lead to nuclear arms.

ASEAN is the mainstay of regional multilateral diplomacy. ASEAN is not about balancing power, but about ASEAN Dialogue, ASEAN Inclusivity, ASEAN Consensus, Preventive diplomacy and peaceful dispute settlement. ASEAN Centrality is aimed at ensuring ASEAN continues to play an active role in face of geopolitical competition including involvement of regional institutions. ASEAN Outlook on Indo-Pacific (AOIP) 2019 aims to provide an ASEAN perspective on region's efforts towards a new vision in following areas: openness, transparency, International law, sustainable development, maritime cooperation and economic integration. Cooperation is the principal approach of AOIP as per provisions of UNCLOS and UN Charter. The main multi-lateral security dialogue in Indo-Pacific is ASEAN Regional Forum, which was established in year 1994. ASEAN, US, China, India, Japan, Australia and European Union and Russia are involved. ARF's areas of concern include Maritime security, counterterrorism, disaster management and non-proliferation and Confidence building. Indo-Pacific Economic Framework, which was launched by United States in 2022, aims to promote economic cooperation without formalizing a free trade agreement. There are four pillar areas: Trade, supply chains, clean economy and Fair economy. Five Power Defence Arrangements was established in 1971 and is comprised of United Kingdom, Australia, New Zealand, Malaysia and Singapore. FPDA has not been as widely reported as QUAD and/or AUKUS, but is one of oldest regional defence groups in world. Combined military exercises boosts air defence, maritime surveillance, combined operations and Humanitarian assistance. Indian Ocean Rim Association (IORA) is an organization that facilitates cooperation between states of Indian Ocean Rim. The maritime safety, blue economy, fisheries, disaster risk management, Academic cooperation and Trade facilitation are the priority areas. With growing strategic rivalry in Indian Ocean, role of IORA in confidence-building and sustainable maritime governance becomes more and more significant. European powers are becoming more engaged in Indo Pacific. European Union's Indo-Pacific Strategy (2021) deals with International law, UNCLOS, freedom of navigation, climate security, maritime capacity development, digital governance. France has around 1.6 million residents in Indo-Pacific, as well as a significant military presence. Germany, Italy, Netherlands and United Kingdom have also seen an increase in naval deployments and strategic partnerships. The developments illustrate that security in the Indo Pacific is truly a global issue. International law continues to serve as normative basis for regional security cooperation. The majority of Indo-Pacific initiatives clearly endorse the United Nations Charter, UNCLOS, peaceful dispute settlement, freedom of navigation, and sovereign equality and rules-based order.

8. Future of Indo-Pacific Regional Order: International Law, Strategic Competition and Prospects for

Cooperative Maritime Governance:

The future of Indo-Pacific regional order will greatly affect the international politics of the twenty first century. Indo-Pacific is epi-centre of economic development, maritime trade, technological advancement and strategic rivalry and is now a hub of discussions on future of international law, great power relations, regional institutions and global governance. The current Indo-Pacific is emerging from a bygone era defined by a single superpower or bipolarity to a multipolar scenario where several great and medium powers are playing a role in determining region's security landscape. Multiple factors will shape future regional order such as dynamics of strategic rivalry between US and China, India's emergence as a maritime power, strength of ASEAN-led institutions, technological transition, climate change, economic interdependence and continued importance of international law framework. The strategic competition between states is likely to be a hallmark of region, but economic integration and mutual challenges foster significant opportunities for cooperation. Theoretically, Indo-Pacific is a significant space for contesting the International Relation schools. Realists anticipate ongoing power struggles and security rivalry, while liberal institutionalists highlight the potential for international institutions and economic ties to defuse conflict. Constructivists believe that in long run, state actions will be influenced by changing regional norms, identities and legal principles.

8.1. Emerging Trends Shaping Indo-Pacific Regional Order:

It is likely that there will be several structural trends that will shape future of Indo-Pacific. A major change is shift from a unipolar international system towards a multipolar distribution of power, that is, growth of multi-polarity. In the region, influence of several actors has increased such as United States, China, India, Japan, Australia, ASEAN, European Union, United Kingdom and France. Indo-Pacific is more likely to be defined by multiple constellations of influence and coalitions aligned around different issues than a single hegemonic order. It will bring opportunities, also with risks. This strategic uncertainty and competitive balancing may create a disincentive to burden sharing and institutional innovation but may be offset by greater power diffusion. The US-China strategic contest will continue to be the key factor in Indo-Pacific security. Some industries where there are areas of competition are maritime dominance, advanced technologies, artificial intelligence, semiconductor production, cyber-security, space capabilities, critical minerals, Supply chains and undersea communication cables. While a direct war is unlikely in the absence of devastating consequences, strategic competition will likely persist via economic means, technological advancements, alliances and presence on seas. Middle powers are playing more and more important roles in regional governance. The passive role of countries like India, Japan, Australia, Indonesia, South Korea and Singapore is now giving way to the active developments of these countries as architects of regional security. They are gaining influence in the region through their diplomacy, making it a more balanced order that does not rely too much on either United States or China.

8.2. International Law and Future Maritime Order:

Even though there are still ongoing disputes over Law of Sea Convention (UNCLOS), it will still be foundation of maritime governance. UNCLOS offers legal security on Maritime boundaries, navigation rights, marine environmental protection, fisheries management and peaceful dispute settlement. Instead of extensive reforms of Convention, future developments will focus on progressive interpretation of existing legal provisions. International courts and tribunals such as International Tribunal for Law of Sea (ITLOS) and International Court of Justice (ICJ) will continue to help to clarify law through judicial interpretation. International trade will continue to be supported in court of law principle of freedom of navigation. More naval forces, however, will need to be accompanied by confidence-building steps, maritime communication arrangements and agreements on how to prevent maritime incidents and how to conduct military operations at sea. As naval engagement grows, it will be increasingly important to enhance the legal instruments for crisis management. There are a number of unsettled maritime boundaries still in Indo-Pacific. Arbitration, judicial settlement, bilateral negotiations, joint development agreements will be increasingly used as a method of future dispute resolution. Sovereignty over resources might not be a bar to cooperation in joint development.

8.3. Technological Transformation of Maritime Security

The sea security is changing its core through technological innovation. AI is becoming more commonly used for maritime surveillance, predictive analysis, autonomous navigation, intelligence analysis, search and rescue missions. Unmanned surface and underwater vehicles, maritime drones and robotic mine countermeasure systems will feature in future naval operations. Such technologies increase operational efficiency but create questions of accountability and responsibility for the state. Satellite constellations, now an ever growing source of maritime domain awareness, navigation, communications and disaster monitoring. The reliance on space-based infrastructure also means new strategic vulnerabilities.

8.4. Climate Change and Blue Security:

Climate change will become an increasingly significant determinant of Indo-Pacific security. Expected consequences include rising sea levels, ocean warming, coral reef degradation, fisheries migration, coastal erosion and intensified tropical cyclones. For many Small Island Developing States (SIDS), climate change represents a greater immediate threat than interstate conflict. The emerging concept of Blue Security integrates maritime governance, Climate resilience, Marine conservation, Sustainable economic development and human security. International law will likely evolve to

address issues such as shifting maritime baselines and climate-induced displacement.

8.5. The Future Role of Regional Institutions

Regional organizations will remain essential for preserving strategic stability. ASEAN is expected to continue serving as principal platform for regional dialogue. Strengthening ASEAN centrality requires institutional reform, enhanced maritime cooperation, greater consensus-building and improved crisis diplomacy. Cooperation of QUAD will likely extend in field of maritime domain awareness, Cybersecurity, critical technologies, climate resilience and infrastructure investment. Keeping it flexible, without any idea of exclusive bloc politics is essential to its future effectiveness. Future technological cooperation in the defence sector will be shaped by AUKUS, including in the area of nuclear-powered submarines, artificial intelligence, quantum technologies and underwater warfare. The long-term effects will rely on delicate balance between deterrence and confidence-building in the region. The region is under threat of several factors affecting the stability. Major powers maintain distrust, leading to risk of miscalculation, naval incidents, and escalation of crises. Enhanced military communication channels will be necessary. Indo Pacific on-going navy modernization. The rising expenditure on aircraft carriers, missiles, nuclear submarines, hypersonic weapons and cyber weapons could lead to regional arms competition. International law is still subject to varying interpretations regarding EEZ rights, historic claims, artificial islands, Maritime militias and Grey-zone activities. Continued legal clarification will thus be required. Geopolitical competition has a growing impact on investment, technology, supply chains, critical minerals and Digital infrastructure. Although there is significant economic interdependency, it is likely that the process of complete economic decoupling will not happen, but selective economic decoupling can lead to a change in regional economic geography.

9. Conclusion:

Maritime security is no longer an exclusively military concept and includes international law, economic security, environmental protection, cyber security, regional governance and has evolved into a new geopolitical and geo-economic focus in twenty first century–Indo-Pacific. While there is strategic competition between main powers, particularly between United States and China, regional powers are increasingly gaining importance, such as India, Japan, Australia, ASEAN and Europeans, which is making the sea landscape more multipolar. United Nations Convention on Law of Sea (UNCLOS) is the basic document to regulate maritime zones, maritime navigation, management of maritime resources, protection of maritime environment and the settlement of maritime disputes. However, laws are not sufficient to guarantee stability without political will and compliance as indicated by illegal and political issues regarding seas, maritime islands, freedom of navigation, military operation and legal status” of artificial islands, especially in South China Sea and East China Sea. Also, non-traditional threats like maritime terrorism, threats to critical maritime infrastructure, organised crime, cyberattacks, climate change, illegal, unreported and unregulated (IUU) fishing and piracy endanger security of the region. A response of an integrated nature, which encompasses international law, intelligence sharing, technological innovation and multilateral cooperation is needed for these transnational challenges. Enhancement of maritime confidence, capacity and governance in region was important through various partnerships and institutions, such as ASEAN-led mechanisms, QUAD, AUKUS, IORA and International Maritime Organization. The future of Indo-Pacific, however, will not only be in hands of balance of forces, but also on states' desire to respect international law, foster cooperation in international institutions and settle disputes peacefully. The components needed for a stable and secure Indo-Pacific and rules based order are sustained diplomacy, respect for UNCLOS, inclusive regional governance and regional cooperation on new maritime challenges that can help sustain global maritime commerce and regional security.

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