



Agenda - Addressing Maritime Security and Piracy in Strategic Maritime Chokepoints

UNGLLOS



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LETTER FROM THE BUREAU

Dear Delegates,

We are pleased to welcome you to the eleventh iteration of the Shishukunj Model United Nations. It is our honour to serve as the bureau of the United Nations Convention on the Law of the Sea.

The United Nations Convention on the Law of the Sea is an international treaty which serves as a legal framework for regulating international maritime activity. The agenda of this committee is “**Addressing Maritime Security and Piracy in Strategic Maritime Chokepoints**”. Over 80% of international trade of goods is done by sea. Piracy and breaches of maritime security have adverse consequences for the global economy, infrastructure, and environment. This committee aims to discuss and debate existing legal frameworks and introduce reforms to ensure peace and order at sea.

This background guide provides an overview of this committee's scope and agenda; however, we encourage you to go beyond it and delve deeper into all the topics. Being well-informed about the committee and its agenda will enable you all to maximise your engagement with it.

We expect original and creative arguments. The Bureau will not entertain any use of AI and/or plagiarism. We expect delegates to deal with all issues at hand with sincerity and maintain a diplomatic approach. This committee is an opportunity for delegates to demonstrate their ability to think critically, communicate with impact, and persuade effectively. We expect delegates to put in effort and dedication to make the most out of this enriching experience and learn as much as possible.

Feel free to approach us for any doubts/concerns.

Regards,

Aarvee Mishra
Chairperson

Dhruv Soni
Vice-Chairperson

Aarush Saklecha
Rapporteur

COMMITTEE BACKGROUND

The United Nations Convention on the Law of the Sea is an international treaty that was adopted on December 10, 1982 and entered into force on November 16, 1994. UNCLOS is an international convention that sets out the legal framework governing the use of the seas and marine resources. It also establishes rules regarding a country's rights and jurisdiction. The convention has been ratified by 168 parties.

The Secretariat of UNCLOS is known as the Division for Ocean Affairs and the Law of the Sea (DOALOS). DOALOS comes under the UN Office of Legal Affairs. It is the central body responsible for day-to-day administration and plays an important role in the consistent and effective implementation of UNCLOS. Furthermore, DOALOS provides information, advice and assistance to States to improve their understanding of UNCLOS. When disputes arise from the interpretation and application of UNCLOS, the International Tribunal for the Law of the Sea (ITLOS) acts as a judiciary. It is an independent international body based in Hamburg, Germany, and was established under Article 287 of UNCLOS.



UNCLOS is pivotal in maritime activity. It consists of frameworks for resolving disputes regarding maritime security, boundaries and resources. It also defines important maritime terms (which are explained later in this guide). States are bound by environmental guidelines and navigational rights as set out in UNCLOS.

KEY TERMINOLOGIES

1. **High Seas-** Waters which lie beyond 200 nautical miles(370.4 km) (start where the EEZs end), and no specific country can claim rights over it because it is open to all nations, and no nation can imply their laws(except over its own flagged ships) over this area.
2. **Territorial waters-**Water which is in the range of 0-12 nautical miles of the coast of any country where the country can control the airspace, seabed, natural resources, water column, etc.
3. **Exclusive Economic Zone-** Waters of a coastal state from 12-200 nautical miles from its coast, and the nation can exercise its law, explore and exploit the resources, generate energy and create artificial islands within this boundary;
4. **a) UAVs (Unmanned Aerial Vehicles)** - Drones that operate without a pilot on board.
b) UUVs (Unmanned Underwater Vehicles) – Underwater drones that operate without a human operator inside. These technologies are used by both governments for surveillance and patrol missions, and by criminal or militant groups for activities such as illegal monitoring of ports, ships, and maritime areas.
5. **Strait-** A naturally occurring water body (narrow) which connects 2 larger water bodies
6. **Canal-** A man-made waterway which is built for easy navigation through the seas
7. **Innocent passage-** When a ship navigates through the territorial waters of a country with no intentions to disturb the peace and sovereignty of the waters.
8. **Transit passage-** A conventional (treaty-based) legal regime in which the ships and aircraft are allowed to pass, but should be crossed without stopping and should be covered quickly and efficiently in between straits located near the high seas or the EEZs.
9. **Blockades-** a situation in which a place is militarised (surrounded by soldiers or ships) to prevent goods or people from reaching it.
10. **Hostile waters-** refer to maritime areas where conditions are dangerous or legally restricted.

INTRODUCTION TO THE AGENDA

The agenda for this committee, ‘Addressing Maritime Security and Piracy in Strategic Maritime Chokepoints,’ covers aspects of maritime security that go far beyond traditional forms of piracy. Today, piracy has evolved substantially, so much so that several acts of piracy do not fit within the conventional definition under UNCLOS. Maritime security today encompasses a wide range of challenges, including piracy, armed robbery at sea, terrorism, sabotage of critical infrastructure, trafficking, illegal fishing, and disruptions to freedom of navigation

One example of this limitation can be found in UNCLOS Article 101(a), where two ships must be involved for an act to constitute piracy. However, advancements in technology have led to the development of UAVs (Unmanned Aerial Vehicles) and UUVs (Unmanned Underwater Vehicles). The degree of human intervention required to operate them varies, but many can run on pre-programmed routes or with advanced AI. This suggests that there aren’t exactly ‘two ships’ involved, so the act cannot be classified as an act of piracy. This example illustrates why the definition of piracy is outdated and needs to be updated to reflect modern times.

These threats are particularly significant in strategic maritime chokepoints. The Strait of Hormuz, for example, handles approximately 25% of the world's seaborne oil trade and 20% of global liquefied natural gas trade. Despite its importance, it remains vulnerable to drone and missile attacks, military blockades, infrastructure sabotage, cyber threats, and other security risks. Similar challenges exist in major chokepoints across the world, where disruptions can have consequences far beyond the immediate region.

The impact of piracy and maritime insecurity extends across economic, technological, and environmental spheres. Global piracy is estimated to cause annual losses of between \$25 billion and \$37 billion, while also contributing to higher insurance premiums, increased shipping costs, and money laundering activities. Furthermore, attacks on maritime infrastructure can damage undersea communication cables, disrupt global internet and telecommunications networks, and affect international trade. These consequences demonstrate why maritime security remains a matter of global concern and why effective international cooperation is essential to address emerging threats.

Redefining Piracy

Piracy(Acc. To UNCLOS Article 101)- Piracy consists of any of the following acts:

(a) any illegal acts of violence or detention, or any act of depredation, committed for private ends by the crew or the passengers of a private ship or a private aircraft, and directed:

(i) on the high seas, against another ship or aircraft, or against persons or property on board such ship or aircraft;

(ii) against a ship, aircraft, persons or property in a place outside the jurisdiction of any State;

(b) any act of voluntary participation in the operation of a ship or of an aircraft with knowledge of facts making it a pirate ship or aircraft;

(c) any act of inciting or of intentionally facilitating an act described in subparagraph (a) or (b)

At its core, piracy is an act of robbery or criminal violence at sea. In today's world, there are many forms of traditional piracy that do not fall under the definition in UNCLOS. Under this definition, legally, an attack cannot be classified as piracy unless it involves a physical second vessel attacking from the outside on the high seas, which rules out internal ship hijackings and remote drone strikes launched from land. Furthermore, any crime committed within 12 nautical miles (22.224 km) of a coast falls under that nation's domestic law and is classified as armed robbery against ships rather than international piracy. This creates many loopholes for criminals, allowing them to escape without getting in trouble. And if the attacks are done to demote certain companies by a country or group, then it is not considered piracy as it is not done for personal profit but for certain ideologies. These loopholes pose a serious threat to maritime security, so redefining piracy is an effective way to address the threat.

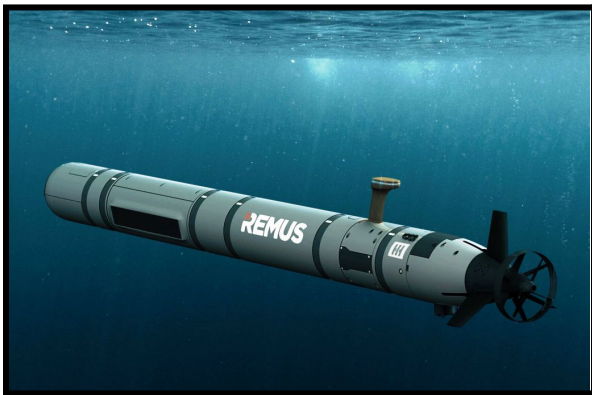
The maritime chokepoints, such as Hormuz and Bab-el-Mandeb, control major trade routes, but because ships and aircraft are forced to follow designated routes, they remain highly vulnerable to piracy or armed robbery in this geographic area. ***These chokepoints are generally located in the territorial waters of a country.*** If such casualties occur, they lead to heavy economic losses for all economies and companies and also affect stock markets, as seen in the recent Red Sea incident (an ongoing maritime conflict that began in late 2023, when Yemen's Iran-backed Houthi rebel group started launching drones and missiles at commercial ships travelling through the Bab el-Mandeb strait, one of the world's most vital shipping routes)

Modern Threats and Autonomous Systems

Maritime security threats have evolved far beyond traditional piracy. While pirate attacks still occur in some regions, modern threats now include terrorism, state-sponsored blockades, cyberattacks, drone strikes, and attacks on critical maritime infrastructure. Cyber warfare techniques such as GPS and GNSS spoofing can mislead ships about their location, increasing the risk of accidents or forcing vessels into hostile waters.

These challenges have increased tensions in strategic maritime chokepoints such as the Bab el-Mandeb Strait and the Strait of Hormuz. As security risks grow, shipping costs and marine insurance premiums have also risen significantly. To address these threats, countries and international organisations use measures such as naval patrols, intelligence-sharing mechanisms, and Best Management Practices (BMPs) to improve the safety of vessels operating in high-risk regions.

Another emerging concern is the use of autonomous systems, including UAVs (drones), UUVs (unmanned underwater vehicles), and Lethal Autonomous Weapons Systems (LAWS). These technologies can operate with limited human involvement and are increasingly being used for surveillance, defence, and military operations. While some countries support strict regulations on autonomous weapons, others argue that they are important for national security. This ongoing debate highlights the challenge of balancing technological innovation with safety, accountability, and international law.



Economic Factors

Maritime piracy doesn't compromise only security; it poses serious economic threats to companies, consumers and even nations. Every year, maritime piracy is responsible for the loss of billions of dollars globally. When a maritime zone is designated a high-risk zone, insurance companies take the opportunity to increase premiums as high as 400%. As a result, shipping companies are forced to pay extremely high insurance premiums. Instead of paying premiums, some ships choose to reroute. As a result, they take longer and pay much more for fuel and resources. To avoid dangerous areas, many vessels are forced to take much longer routes. For example, instead of passing through the Bab el-Mandeb Strait, ships may sail around the Cape of Good Hope..

While safer, these reroutings significantly increase fuel consumption, crew expenses and delivery times. This results in delays, creating congestion at ports and disrupting global supply chains, deeply affecting industries that rely on timely deliveries of goods.

Piracy also requires heavy investments in safety measures. Some examples of these measures are surveillance systems, barbed-wire barriers and armed guards according to the BMP5. If ships/cargoes are hijacked, companies incur serious losses from costly ransom payments and the loss of valuable goods. These consequences affect ordinary consumers through higher prices for food, energy, electronics, and other imported goods. **Since hundreds of billions of dollars' worth of trade passes through these vital sea lanes each year, even small disruptions can have alarming global economic repercussions.**

Piracy is also related to money laundering. Since criminal groups cannot openly use the large sums earned through ransom payments, smuggling, or stolen cargo, they channel this money through fake businesses or informal cash-transfer networks to make it appear legitimate (conversion of black money to white money). **This strengthens organised crime networks and makes it more difficult for authorities to track illicit finances.**

Piracy is often driven by **economic vulnerability**. In many coastal regions, poverty, unemployment and limited economic opportunities leave individuals with few alternatives for earning a livelihood. As a result, some turn to piracy for survival. This creates a contrast: while global trade loses billions of dollars, many pirates themselves receive only a small fraction of the profits generated by criminal networks.

Maritime piracy creates a cycle: economic hardship can fuel piracy, piracy disrupts global trade and raises costs worldwide, and the profits generated are often concealed through money laundering, allowing criminal enterprises to continue operating and expanding.

Undersea Communication and Key Infrastructure

Strategic maritime chokepoints such as the Strait of Hormuz, the Bab-el-Mandeb, and the Strait of Malacca serve as critical hubs for global energy and trade, and as essential digital lifelines. Protecting undersea infrastructure in these corridors requires thorough surveillance, international frameworks, and targeted technological solutions.

Key Undersea Infrastructure

- a) **Cable Landing Stations:** The coastal, hardened terrestrial facilities where submarine cables surface and connect to national grids.
- b) **Seabed Equipment & Sensors:** Arrays of acoustic and optical sensors deployed by navies and research institutions to monitor maritime traffic and underwater activity.
- c) **Submarine fibre-optic cables:** These cables lie 60cm under the seabed. This is done because these cables are very important and they need to be protected. These cables are so important that only 500 of these active cables are responsible for 95% to 99% of the global communication networks and \$10 trillion in daily financial transfers.

Infrastructure & Measures to Ensure Security:-

To secure these vital subsea networks, several protective measures and legal frameworks are deployed:

- **Careful Route Planning:** New cables are placed away from conflict zones, busy fishing areas, and common anchoring locations.
- **Monitoring and Surveillance:** Authorities use ship-tracking systems and satellite images to identify suspicious activity near cable routes.
- **Naval Patrols:** National and international navies patrol high-risk areas, such as the Red Sea, to prevent piracy and monitor potential threats.

Threats to Undersea Infrastructure

- **Attacks on Undersea Cables:** Countries or armed groups may deliberately damage undersea cables, disrupting communication, internet services, and economic activities.
- **Piracy and Maritime Terrorism:** Attacks on ships in busy waterways can accidentally damage undersea cables, while cyberattacks may be used to target and extort companies.
- **Control Over Cable Routes:** Some countries seek greater control over important undersea cable routes and may try to impose fees or restrictions on digital traffic passing through their waters.

STRATEGIC MARITIME CHOKEPOINTS

Here are some examples of maritime chokepoints pivotal to world trade. They face various threats that undermine maritime security, and it is important to have a clear understanding of them to devise solutions to avert them.

Primary Strategic Maritime Chokepoints:-

- **Bab el-Mandeb:** Located between the Horn of Africa and the Middle East, it connects the Red Sea to the Gulf of Aden and the Indian Ocean. It is the gateway to the Suez Canal and is highly susceptible to regional instability and piracy.
- **Strait of Malacca:** The primary passage linking the Indian Ocean to the South China Sea and the Pacific. It facilitates a massive percentage of global commerce and is historically plagued by piracy and armed vessel robbery.
- **Suez Canal & Panama Canal:** Artificial chokepoints where regional instability (Suez) or environmental factors (Panama) force severe route alterations and cause major bottlenecks.

Threats Faced by the Strategic Maritime Chokepoint

- **Geopolitical & State Threats:** Hostile nations or militant groups can effectively blockade these narrow corridors using naval forces, uncrewed aerial devices, or covert mining, thereby stalling vital energy supplies (e.g., oil and LNG) and spiking global insurance premiums.
- **Piracy & Armed Robbery:** Pirates capitalise on restricted sea lanes to target slow-moving or heavily-laden vessels. Armed actors can seize control of a vessel for heavy ransoms.
- **Collisions & Environmental Disasters:** Because of narrow channels, accidental groundings or ship collisions can completely halt multi-billion-dollar daily transit and cause severe ecological damage.

Key Frameworks in UNCLOS

The United Nations Convention on the Law of the Sea (UNCLOS) serves as the "constitution for the oceans," providing the primary legal regime governing piracy. Here are examples of some important articles in UNCLOS-

- Universal Jurisdiction (Article 105): It grants all States the right to seize a pirate ship, arrest those on board and try them in their domestic courts, irrespective of the pirates' nationality.
- Right of Visit (Article 110): permits warships and military aircraft to approach, stop, and board a foreign-flagged civilian ship on the high seas when there are reasonable grounds to suspect it is engaged in piracy

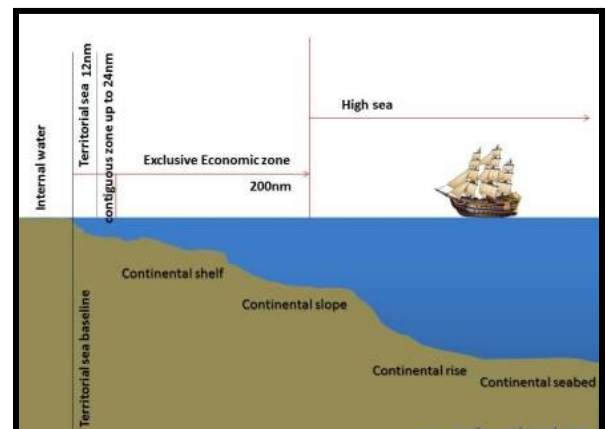
UNCLOS provides legal definitions of maritime zones, which are accepted globally and recognised as international law. The following are some articles which provide these definitions-

- Breadth of EEZ (Article 57): Defines the EEZ as a maritime zone that does not extend beyond 200 nautical miles from the coastal baseline.
- Freedom of the High Seas (Article 87) states that the high seas are open to all nations, guaranteeing freedoms such as navigation, overflight and the laying of submarine cables.

Innocent and Transit Passages-

Innocent Passage allows foreign ships to travel through a country's territorial waters as long as they do not threaten the country's peace, security, or laws. Submarines must travel on the surface and show their flag, and aircraft are not allowed to fly over these waters.

Transit Passage, on the other hand, applies to important international straits that connect two larger bodies of water. To ensure smooth global trade and navigation, ships can pass through continuously and quickly, submarines may remain underwater, and aircraft are allowed to fly overhead without needing permission from the coastal state.



CASE STUDIES

Case Study 1- The ReCAAP Model

Framework / Entity	Core Scope & Mandate	Key Mechanisms & Pillars	National / Regional Implementation
ReCAAP - Regional Cooperation Agreement on Combating Piracy and Armed Robbery against Ships in Asia	First regional government-to-government agreement to combat piracy and armed robbery against ships in Asia.	• Information Sharing through national Focal Points • Capacity Building via training and best-practice exchange • Cooperative Arrangements, including joint patrols and industry engagement	Information Sharing Centre (ISC), Singapore – Collects and shares information on piracy and maritime threats by providing alerts, risk assessments, incident reports, and warnings to countries and the shipping industry.

Case Study 2- The San Remo Manual

The San Remo Manual on International Law Applicable to Armed Conflicts at Sea was officially adopted on June 12, 1994. It was created over six years (from 1988 to 1994) by a group of legal and naval experts. The San Remo Manual bridges the gap between 20th-century treaties (for eg, the 1949 Geneva Conventions) and modern maritime operations. It integrates outdated treaties with aspects of modern warfare, including technology, new maritime zones and complex regulations. At its core, the San Remo Manual is internationally accepted as the legal framework that governs the legal aspects of maritime warfare internationally. It outlines international humanitarian law as it applies to naval warfare. The following are some of the key areas that the San Remo Manual provides legal guidelines for-

- a. Means and Methods of Warfare- Elaborates on the legal use of weapons during warfare and strategies such as blockades, missiles and naval mines.
- b. Interception and Boarding- Regulates the legal requirements of 'prize law', which is related to the capture and disposition of enemy warships.
- c. Regions of Operation: Distinguishes between maritime zones and explains where warfare is legally permitted.

CONCLUSION

To summarise, the discussion is expected to focus on the causes and effects of maritime security breaches and piracy. The key themes of the agenda include evaluating the definition of piracy and adjusting it to align with new technologies and methods of piracy strengthening the security of understructure, modern weapons and the threats they pose: security is a compromise legal framework that enables the world to navigate maritime security challenges.

However, much has changed since UNCLOS was leaving modern delegates with a critical task: analysing how existing provisions of the treaty can adapt to the century. In particular, the committee is expected to evaluate the limitations of Article 101 (the definition of piracy) the protection of submarine cables, which could be done by exploring against modern asymmetric threats. Balancing a state's sovereign right to protect its infrastructure with the global community's right of navigation is a crucial aspect of the agenda.

While these are the central sub-parts of the agenda, we would like to emphasise that delegates are not restricted to these. The Bureau encourages delegates to go beyond this study guide and develop innovative, creative approaches to the agenda. This guide serves merely as a starting point for delegates' research. Further, delegates must note that any acts of plagiarism or usage of generative AI will not be tolerated. We look forward to a memorable and enriching experience.

QARMA'S and EXPECTED OUTCOMES

1. Should piracy be redefined? If yes, what would the new definition be, and how would it align with stressful modern geopolitical situations?
2. How would this new definition help mitigate the threats posed by modern technology and advanced equipment?
3. Should insurance companies have upper limits on insurance premiums? How is that possible? If not, how should shipping companies deal with financial burdens?
4. Should there be a limit to research and development in autonomous weapons? If so, how will this limit be upheld effectively in every country?
5. How can undersea infrastructure be protected, and what accountability mechanisms can be brought into practice?
6. Since money laundering is difficult to trace, in what ways can it be prevented? What are the possible response mechanisms?

Committee discussions should revolve around these topics; however, delegates are not limited to these topics and are strongly encouraged to introduce new issues and address them creatively and practically. Further, delegates must address the problem at hand with seriousness and be decisive in their discussions. There is much at stake if maritime piracy and security breaches (especially at strategic chokepoints) are not mitigated promptly.

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