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1991 India–Pakistan Agreement: Maritime Confidence-Building, Naval Safety and Risks of Escalation

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Recent Developments:

- A naval incident involving **PNS Hunain** and an Indian Navy warship in the **North Arabian Sea** has brought renewed attention to the **1991 India–Pakistan Agreement on Advance Notice on Military Exercises, Manoeuvres and Troop Movements**.
- According to India, the Pakistani naval vessel approached an Indian warship at high speed during a **routine surveillance mission** and manoeuvred unsafely, resulting in a minor collision; India stated that the incident occurred in international waters and that its vessel suffered no damage.
- Pakistan has presented a different account, stating that the Indian vessel entered an area within Pakistan's **Exclusive Economic Zone** during its naval exercise and that the incident involved a dangerous manoeuvre by the Indian vessel. The competing accounts mean that the precise circumstances and responsibility remain disputed.
- India stated that the conduct was **unacceptable and unprofessional** and referred to **Article 10 of the 1991 Agreement**, which requires naval ships and submarines of the two countries to maintain a minimum separation of **3 nautical miles** in international waters.

The 2011 Naval Precedent:

PNS Babur–INS Godavari Incident:

- A similar naval encounter occurred in **June 2011**, when Pakistani warship **PNS Babur** came into contact with Indian Navy frigate **INS Godavari** in the Gulf of Aden.
- The incident caused minor damage to the Indian vessel's **helicopter safety net** and was subsequently taken up through diplomatic channels.
- The Ministry of External Affairs recorded India's protest over the Pakistani vessel's conduct and specifically referred to **Article 10 of the 1991 Agreement**.
- The 2011 episode demonstrates that the 1991 agreement continues to provide a reference point for addressing potentially dangerous naval encounters between the two countries.

Maritime Zones under UNCLOS:

Territorial Sea and Exclusive Economic Zone:

- Under the **United Nations Convention on the Law of the Sea**, a coastal state's **territorial sea extends up to 12 nautical miles** from its baselines and forms part of the state's sovereign territory, subject to applicable international law.
- **1 nautical mile equals 1.852 kilometres**, making 12 nautical miles approximately **22.2 kilometres**.
- The **Exclusive Economic Zone extends up to 200 nautical miles** from the baselines, within which the coastal state has **sovereign rights over natural resources** and jurisdiction over specified activities.

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- An EEZ should not be equated with territorial waters because other states retain certain freedoms, including navigation, within the EEZ under international law.
- The distinction between **territorial sea, EEZ and international waters** is therefore important when assessing naval activities and competing maritime claims.

The 1991 India–Pakistan Agreement Explained:

Purpose and Confidence-Building Framework:

- The **Agreement between India and Pakistan on Advance Notice on Military Exercises, Manoeuvres and Troop Movements** was signed in **April 1991** to reduce the possibility of crises arising from the misinterpretation of military activities.
- The agreement forms part of the broader **confidence-building measures** developed by India and Pakistan to reduce military risks and improve strategic stability.
- It requires both sides to provide specified advance information about certain military exercises and establishes rules intended to prevent dangerous military encounters.

Major Provisions:

- Major military exercises close to the other country's territory are subject to agreed restrictions, notification requirements and procedures designed to reduce uncertainty.
- Specified exercises require different periods of advance notification, including **15 days for certain air and naval exercises, 60 days for corps-level exercises and 90 days for army-level exercises**.
- Either country may seek clarification regarding the **assembly, direction, extent and duration** of military exercises.
- A major naval exercise is defined in the agreement in terms of the participation of **6 or more ships** of destroyer or frigate size and above exercising together and crossing into the other country's EEZ.
- **Article 10** requires naval ships and submarines of India and Pakistan to maintain a minimum separation of **3 nautical miles** from one another in international waters to reduce the risk of accidents.
- The agreement also contains provisions concerning military aircraft, including restrictions on combat aircraft operating close to the other country's airspace and specified exceptions for aircraft operating from designated locations.
- On the same day, the two countries also signed the **Agreement on Prevention of Air Space Violations and for Permitting Over Flights and Landings by Military Aircraft**, creating a parallel framework for reducing risks from military aviation.

Why Was the 1991 Agreement Signed?

Strategic Context of the 1980s:

- The 1980s witnessed the development of several **India–Pakistan confidence-building measures** against the background of heightened regional tensions and military competition.
- The development of **nuclear weapons programmes** in both countries increased the potential consequences of military miscalculation and strengthened the need for mechanisms to prevent unintended escalation.
- The **Soviet intervention in Afghanistan in 1979** altered South Asian security dynamics and increased the importance of stability along Pakistan's eastern frontier.
- The immediate military trigger was the large-scale **Exercise Brass Tacks**, conducted by India in **1986–87** near the Pakistan border.
- The exercise involved substantial military mobilisation, including **armoured and mechanised formations**, alongside air and naval activities, generating serious Pakistani security concerns.
- The episode demonstrated how large military exercises can create uncertainty about intentions and highlighted the need for **prior notification, transparency and communication mechanisms**.

Importance of the Agreement for Strategic Stability:

Preventing Miscalculation:

- Military vessels and aircraft frequently operate in proximity to one another, making clear operational rules important for preventing **accidental encounters from becoming military crises**.
- The 1991 agreement provides a rules-based framework for communicating military activities and maintaining minimum separation during potentially sensitive encounters.
- Such arrangements are particularly significant in South Asia because India and Pakistan are **nuclear-armed states**, making escalation management an important component of regional security.
- Confidence-building agreements cannot eliminate strategic rivalry, but they can reduce the probability that **misperception, miscalculation or an accident** will trigger an unintended escalation.

Naval Ramming and Maritime Encounters:

Historical Context:

- **Ramming** is an ancient naval tactic that was used by Greek and Roman fleets, where reinforced vessels attempted to damage or sink enemy ships through direct impact.
- The tactic reappeared in modern naval warfare, including the **Battle of Hampton Roads in 1862**, during the American Civil War, when CSS Virginia used its ram against USS Cumberland.
- Naval collisions and deliberate vessel contact also occurred during the **World Wars** and later maritime disputes, including the **Cod Wars** between Iceland and the United Kingdom.
- In the modern era, close-quarters manoeuvring can have significant strategic implications because sophisticated warships operate with advanced sensors, weapons systems and aircraft.

Grey-Zone Activities and Maritime Security:

Concept of Grey-Zone Operations:

- **Grey-zone activities** refer to coercive or competitive actions that remain below the conventional threshold of open armed conflict while attempting to secure strategic objectives.
- Maritime grey-zone activities can include **dangerous manoeuvring, ramming, blocking, water-cannon use, maritime militia operations and coercive law-enforcement actions**.
- Such activities can create ambiguity over whether an incident constitutes an accident, coercion or a deliberate use of force.
- Similar patterns have been observed in maritime disputes in the **South China Sea**, particularly in encounters involving Chinese and Philippine vessels.
- However, the classification of any particular India–Pakistan naval incident as a **grey-zone operation requires evidence regarding intent**, and the current 2026 incident has competing official accounts.

Implications for India and Pakistan:

Maritime and Diplomatic Dimensions:

- The Arabian Sea is strategically important because it connects the **Indian Ocean with the Persian Gulf and wider West Asian maritime routes**.
- Naval surveillance, exercises and commercial shipping therefore increase the importance of predictable rules for military encounters.
- The 2026 incident also demonstrates the importance of maintaining **military-to-military communication channels** alongside diplomatic mechanisms.
- Prompt diplomatic engagement can help prevent an isolated maritime accident from becoming a broader security crisis.

- Existing agreements should be complemented by clearer procedures for **incident reporting, investigation, deconfliction and emergency communication**.

Way Forward:

Strengthening Maritime Confidence-Building Measures:

- India and Pakistan should continue using existing bilateral mechanisms to clarify incidents and prevent **miscalculation and unintended escalation**.
- Both sides can strengthen practical maritime protocols covering **safe manoeuvring, communication, separation distances, incident investigation and emergency signalling**.
- Regular professional interaction between naval authorities, where politically feasible, can improve mutual understanding of operational procedures.
- Greater transparency regarding major naval exercises can reduce uncertainty and prevent routine deployments from being misinterpreted.
- The principles of **UNCLOS, navigational safety and established international maritime practices** should remain central to managing naval encounters.
- Confidence-building measures should be viewed as **risk-reduction mechanisms rather than substitutes for resolving underlying bilateral disputes**.

Value Addition for UPSC:

Prelims Facts:

- 1991 Agreement:** Advance Notice on Military Exercises, Manoeuvres and Troop Movements.
- Article 10:** Minimum **3 nautical miles** separation between Indian and Pakistani naval ships and submarines in international waters.
- Territorial sea:** Up to **12 nautical miles**.
- Exclusive Economic Zone:** Up to **200 nautical miles**.
- 1 nautical mile:** **1.852 kilometres**.
- 2011 precedent:** PNS Babur–INS Godavari incident in the Gulf of Aden.
- Major historical trigger:** **Exercise Brass Tacks, 1986–87**.
- Related 1991 agreement:** Prevention of Air Space Violations and arrangements for overflights and landings by military aircraft.

Mains Linkages:

- International Relations:** **UNCLOS, maritime zones, strategic stability and rules-based maritime conduct**.
- Security:** Grey-zone activities, escalation management, military transparency and crisis communication.
- Essay:** “*In a nuclearised neighbourhood, preventing miscalculation can be as important as deterring deliberate aggression.*”

Conclusion:

- The 2026 naval collision has renewed attention to the **1991 India–Pakistan confidence-building framework**, particularly **Article 10**.
- While India and Pakistan have presented different accounts of the incident, the episode demonstrates the continuing importance of clearly defined operational rules and communication mechanisms at sea.
- For two nuclear-armed neighbours, strengthening **maritime safety, transparency, crisis communication and confidence-building measures** remains essential to ensure that accidental encounters do not develop into wider strategic crises.