Legal Order and Maritime Connectivity in the Indian Ocean: Port Diplomacy, Regional Security and Development

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Abstract

This study examines why major ports in the north-western Indian Ocean act as both instruments of development infrastructure and strategic triggers for securitisation, despite being primarily perceived as commercial infrastructure. The study establishes three propositions using the conceptual lens of Regional Security Complex Theory (RSCT). First, ports governed by clear, multilateral agreements are more likely to lead to cooperative security outcomes. Second, large-scale, bilateral, and opaque port investments generate asymmetric dependence, increasing the likelihood of balancing and securitisation. Third, dual-use infrastructure that can be used for both military and civilian purposes strengthens securitisation unless it is balanced by verifiable confidence-building measures (CBMs). The paper primarily argues that publicly verifiable legal restrictions on military use reduce uncertainty costs; however, they do not eliminate strategic interpretation when dual-use potential persists. Publishable and enforceable contract clauses, along with regularly verifiable port-use guarantees, are the least costly mechanism for preserving development gains while slowing regional security spirals. The findings suggest that governance modality, i.e., multilateral versus bilateral and opaque arrangements, is a key factor explaining differences between stabilising interdependence and cooperative securitisation.

Keywords: Indian Ocean; Port Diplomacy; Maritime Connectivity; RSCT; Regional Security; Dual-Use Infrastructure

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Introduction

Ports are of central importance in the contemporary maritime security and legal order. The same quay walls, logistics parks, and access channels that make trade more profitable also change how people think about security in their area and region surrounding. The strategic paradox is that ports can be used for military logistics even when they are "commercial" formally, regional actors often see them as hidden strategic assets because the infrastructure makes it cheaper to get military access, gather intelligence, or use coercive leverage in the future. This latent capability part makes port development a race to see who can control access, set the rules, and be as transparent about it as possible[1].

In the north-western Indian Ocean, geography and the high density of important sea lines of communication (SLOCs) make this paradox even worse. The major chokepoints along the east-west trunk routes that connect Asia to the Red Sea and the Mediterranean make it very important for outside actors to secure logistics and influence near maritime crossroads. Chinese strategic analysis has clearly linked maritime security to overseas interests and to a navy that is moving from defending the near seas to open seas protection.[2]

Gwadar Port[3] situated in Gwadar District of Balochistan Province, Pakistan, sits on the Arabian Sea near the Strait of Hormuz[4], is embedded within the China-Pakistan Economic Corridor (CPEC), and is operated by

[1] Peter A. Dutton, Isaac B. Kardon, and Conor M. Kennedy, *Djibouti: China's First Overseas Strategic Strongpoint*, China Maritime Report No. 6. (China Maritime Studies Institute, 2020), https://www.andrewerickson.com/wp-content/uploads/2020/04/CMSI_China-Maritime-Report_6_Djibouti-Chinas-First-Overseas-Strategic-Strongpoint_Dutton-Kardon-Kennedy_20200401.pdf.

[2] State Council Information Office, "The State Council Information Office of the People's Republic of China," May 2015, https://english.www.gov.cn/archive/white_paper/2015/05/27/content_281475115610833.htm.

[3] Hassan Yaser Malik, "Strategic Importance of Gwadar Port," *J. Pol. Stud.* 19 (2012): 57.

[4] S. V. Samiksha et al., "Do the Swells from the Arabian Sea Intrude into the Arabian Gulf through the Strait of Hormuz?," *Climate Dynamics* 63, no. 1 (2025): 86.

a state-linked firm from People's Republic of China.[5] Hambantota Port[6] located in Hambantota, Sri Linka, on the southern coast of the Indian Ocean, is on a major shipping route between Asia and Europe. It has a long-term concession backed by Chinese money and clear security guarantees from the host state. On the other hand, Chabahar Port, located in Chabahar, Sistan and Baluchestan province, Iran, on the Gulf of Oman is run by a long-term contract with India that is affected by sanctions and India's larger goals for multilateral connectivity.

These three ports that are close to each other are great for analysis because they are close to each other in terms of location but different in terms of ownership, contract design, and external alignments. Their proximity of uniqueness of these parts in the northwest Indian Ocean makes them good examples for studying how investment methods and legal arrangements affect regional interdependence, dual-use potential, and securitisation dynamics.

About the Indian Ocean legal order, there are two important things. First, ports are "internal waters" in a functional sense because coastal states have a lot of power over who can enter, how safe it is, and how it is run. However, these powers are limited by the United Nations Convention on the Law of the Sea (UNCLOS) baselines and port-state duties, especially, when it comes to following environmental rules and public awareness.[7] Second, ports are now the meeting point between public international law and complicated private-law tools e.g., concessions, leases, and joint ventures that can either make strategic suspicion stronger or weaker.[8]

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[5] Brendon J. Cannon, *Gwadar's Strategic Paradox: CPEC and China's Geopolitics of Control by Other Means*, Issue Brief (Stockholm: Institute for Security and Development Policy, 2026), https://www.isdp.eu/wp-content/uploads/2026/02/Brief-Cannon-Feb-20-2026.pdf.

[6] Tabita Rosendal, "Promoting China's Development Model for the Hambantota International Port: Selling Shekou to Sri Lanka," *Journal of Contemporary Asia* 56, no. 1 (2026): 87–107.

[7] UNCLOS, "United Nations Convention on the Law of the Sea," United Nations, November 16, 1994, https://www.un.org/depts/los/convention_agreements/texts/unclos/unclos_e.pdf.

[8] Kate Yoon, "When the Sovereign Contracts: Troubling the Public/Private Distinction in International Law", *Yale LJ* 133 (2023): 2101, https://yalelawjournal.org/pdf/133.6.YoonFinalDraft_c6kf17qv.pdf.

This paper employs Barry Buzan and Ole Wæver's Regional Security Complex Theory (RSCT)[9] framework to show that investments in port infrastructure that look the same can have different effects on security in regional politics. Some port development projects make economic ties stronger and encourage security cooperation. Others, on the other hand, lead to processes of securitisation and strategic balancing. RSCT is appropriate as a theoretical framework because it looks at security vis à vis regionally clustered states. The way that neighbouring states see threats, how their institutions work together, and how they respond to threats all affect their security concerns. It employs that security of the regional states is interlinked.

Hence, this study establishes these three fundamental propositions: First, projects to port governed through clear, transparent and verifiable multilateral arrangements are likely to generate cooperative security outcomes, because greater institutional visibility reduces uncertainty and narrows the scope for threat inflation. Second, large bilateral investments with opaque financing, long concession periods and asymmetrical control are more likely to produce dependence and balancing behaviour, especially in regions characterised by strategic rivalry. Third, absence of credible CBMs increases the likelihood of securitising responses to dual-use infrastructure because it becomes more difficult to distinguish between commercial and security functions. Together, these propositions constitute the analytical framework for studying the security implications of port development in terms of governance structures, investment modalities, and operational opacity.

Within this framework, this study examines the impact of port diplomacy and maritime connectivity initiatives on the developing legal and security framework of the Indian Ocean. The main question that influences the analysis is that how do port diplomacy and maritime connectivity projects change the way the law and security work in the Indian Ocean and why different kinds of governance conditions do these projects need to have in order to promote cooperative security instead of mere processes of securitisation and geopolitical competition? Thus, this paper seeks to delineate the governance conditions that enable port

[9] Barry Buzan and Ole Waever, *Regions and powers: The Structure of International Security (*Vol. 91. Cambridge University Press, 2003).

connectivity initiatives to enhance regional interdependence and foster a cooperative maritime order.

Conceptual Framework

Barry Buzan and Ole Wæver start their analysis of RSCT with the idea that threats, counter-threats, and institutional responses are more likely to happen over short distances. This makes neighbour states dependent on each other for security and makes it easy to predict whether they will cooperate or confront. RSCT maintains that cooperation is weak when capabilities change and uncertainty rises, but it also argues that cooperative security and even the creation of a security regime are possible.[10] According to the main propositions of the RSCT that security dynamics are concentrated at the regional level, because nearby states are the most likely sources of threat and response. In this case, port investments are not only economic projects but also regional power moves that can change threat perceptions, dependence, and balancing behaviour.[11] Thus, Gwadar, Hambantota, and Chabahar require to be studied as part of a broader regional security competition rather than as isolated infrastructure projects. Port diplomacy fits perfectly into the RSCT framework when big investments in ports are not just economic projects but also material-institutional interventions in three ways: i. Change how threats are perceived when outside actors with strategic doctrines, like China's "strategic strongpoints" concept, seem to allow civilian-military functions to work together; ii. Create logistics depth and change relative capabilities; and iii. Create asymmetric dependence through financing and contractual control. Contractual opacity can intensify securitisation because when ownership, control, and security are unclear, competing states have greater reason to suspect hidden strategic intentions. To make it more transparent how RSCT work best for this study, I construct a four-step causal mechanism as shown below.

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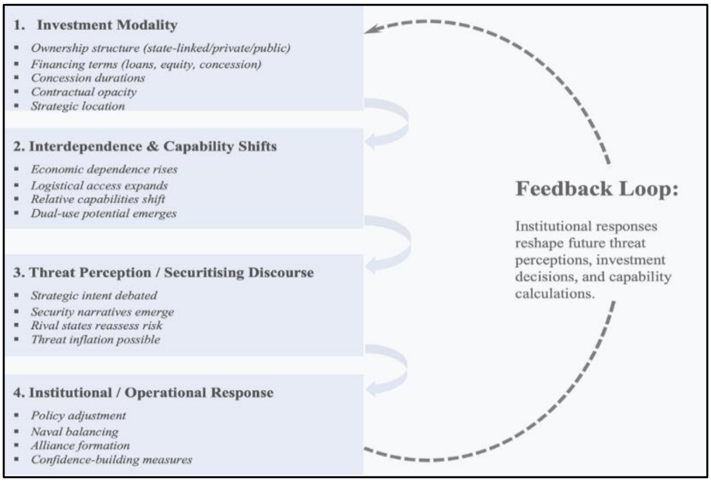
[10] Barry Buzan and Ole Waever, *Regions and Powers: The Structure of International Security*, vol. 91 (Cambridge University Press, 2003), https://www.cambridge.org/core/books/regions-and-powers/9E0B611D4C01CECD704651B273646E1D.

[11] Buzan and Waever, vol. 91.

Figure No.1.
Investment Modality and Securitisation Process



Source: The author's own analysis.

The securitisation process of investment modality from investment characteristics through capability shifts and threat perception to institutional responses (with feedback loop) has been demonstrated in the Figure No.1. The level of transparency in a contract is based on how easy it is for the public to find out important terms like length, ownership, revenue shares, security clauses, and ways to settle disputes. Signs of asymmetric dependence include concentrated external financing, long concessions, and financial stress in the host state.[12] Military-adjacent activity, infrastructure that works with naval logistics, and security governance that allows or limits such practice are all ways to measure dual-use potential. [13] These measures lead to three reasonable conclusions: First, open, multilateral governance makes it more likely that security will be achieved through cooperation; Second, large, two-way, and unclear investments make people more dependent on each other, which makes securitisation and balancing more likely; and Third, dual-use infrastructure makes securitisation stronger unless there are verifiable CBMs.

[12] Reuters, "'Sri Lanka to Shift Naval Base to China-Controlled Port City," *Reuters*, July 3, 2018, https://www.reuters.com/article/world/sri-lanka-to-shift-naval-base-to-china-controlled-port-city-idUSKBN1JS22G/.
[13] Reuters, *Chinese Military Ship Leaves Sri Lanka after Controversial Visit*, 2022, https://www.reuters.com/world/asia-pacific/chinese-military-ship-leaves-sri-lanka-after-controversial-visit-2022-08-22/.

Research Methodology

This study looks at three ports that are close to each other in a strategically dense maritime sub-region using a qualitative comparative case-study design with process tracing. People think that these ports are aligned, but they have different ways of being run. This structured comparison limits the analysis by keeping the larger regional environment the same e.g., sea-lane density, distance to chokepoints, and naval presence outside the region while looking at how port diplomacy changes. The empirical strategy integrates four categories of data: i. Documentation of contracts and governance; ii. Metrics of connectivity and throughput; iii. AIS and geospatial data; and iv. Records of official communications and security incidents. In this study, doctrinal legal coding of the UNCLOS, event coding and process tracing around key decision points, triangulation of cargo and port-call data with AIS patterns, and qualitative discourse analysis of official stories, such as "win-win" and securitising frames have been implied. Nevertheless, the findings of this study are constrained by two limitations. First, since many port contracts are still partly private, transparency is measured by information that is public rather than by full disclosure of the contracts. Second, the analysis is very careful when it comes to the possibility of dual use. It doesn't try to figure out intent based on infrastructure alone. Instead, it looks at things like naval visits, access restrictions, and changes in security governance. The study only uses open-source data and follows an ethical framework that keeps sensitive operational details excluded and focuses on analysis at the institutional and strategic levels.

Legal Architecture under UNCLOS

UNCLOS does not directly regulate port concessions albeit it does have an effect on port politics by defining the territorial sea, baselines, and internal waterways. It also gives coastal and port states control powers that are important for sending security messages. In port diplomacy, having clear laws is a strategic advantage because it lowers the chance of different interpretations. This makes it easier for partners and competitors to tell if a port can be used for operations that go against principles of regional security, freedom of navigation, or sovereign immunity.[14]

[14] UNCLOS, "Montego Bay, 10 Dec. 1982. 1833 U.N.T.S. 3."

Baselines, Ports and Internal Waters

According to UNCLOS, internal waters are those on the landward side of the territorial sea baseline. Practically speaking, ports fall under a coastal state's high-control domain, even though the state is nonetheless subject to more general international commitments. Particularly pertinent to port diplomacy are two clauses:

- Article 11 (Ports): When defining the territorial sea, the outermost permanent harbour works, which are essential to the harbour system, are regarded as a portion of the shore. This has an impact on how states define port growth and the boundaries of territorial sea rights.[15]

- Article 8 (Internal Waters): A right of innocent passage endures in places that are recently enclosed as internal waterways by straight baselines. Legal engineering that would otherwise turn formerly navigable waters into completely closed internal waters without protecting passage rights is prevented by this.[16]

Conditioning Entry and Port-State Jurisdiction

UNCLOS gives coastal states room to control passage and entry:

- Article 25(2): The coastal state may take the appropriate action to prevent violations of the entry requirements for ships travelling to internal waters or making a stop at a port facility outside of internal seas. This reinforces the fundamental policy tool used by states to reassure or discourage: clear entry rules, such as limitations on military operations, notice obligations, and inspection schedules.[17]

[15] Emmanuel Kofi Mbiah, "Coastal, Flag and Port State Jurisdictions: Powers and Other Considerations under UNCLOS," in *Maritime Law in Motion* (Springer, 2020), 495–523.
[16] Kari Hakapää, "Innocent Passage," *Max Planck Encyclopedia of Public International Law*, 2013.
[17] UNCLOS, "Montego Bay, 10 Dec. 1982. 1833 U.N.T.S. 3. "

UNCLOS and the Port-state Hook

- Article 211(3): States must notify the appropriate international body (usually the IMO) and provide adequate publicity when they set specific pollution prevention requirements "as a condition for the entry of foreign vessels into their ports or internal waters or for a call at their off-shore terminals."[18] The core issue of this analysis is that UNCLOS connects legitimacy to transparency proper publicity and recognises conditional entrance as a valid way to govern. This logic holds true in general: being open about port-entry conditions reduces suspicion and makes things more predictable, even when pollution is not the issue.

Finally, Article 218 gives port states the power to look into and take legal action against discharges that break international pollution rules while a ship is in port.[19] It is presented as a way to protect the environment, nevertheless, it supports the broader idea that stronger jurisdictional control is needed at ports. Consequently, this makes ports important as both logistical hubs and regulatory chokepoints.

Dispute Settlement

UNCLOS Part XV[20] construct an obligation that disagreements over the interpretation or application of the convention be resolved amicably. In the main implication for port diplomacy is more indirect: states have structured venues and procedures that can lessen escalation when disputes about baselines, navigation, or maritime incidents are plausibly "UNCLOS disputes," if they choose to use them.[21] It also offers mandatory procedures subject to restrictions and optional exceptions.

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[18] Tatjana Keselj, "Port State Jurisdiction in Respect of Pollution from Ships: The 1982 United Nations Convention on the Law of the Sea and the Memoranda of Understanding," *Ocean Development & International Law* 30, no. 2 (1999): 127–60.
[19] UNCLOS, "Montego Bay, 10 Dec. 1982. 1833 U.N.T.S. 3."
[20] UNCLOS.
[21] Hoon Cho, "Is Compulsory Jurisdiction Under UNCLOS Part XV Expanding? A Critical Review of the Claims," *Ocean Development & International Law* 55, nos 1–2 (2024): 185–205.

UNCLOS disputes do not, however, account for the majority of port-concession confrontations. These are issues involving contracts and investments (public procurement, joint venture governance, termination, or income sharing). Confidentiality in these procedures can lead to strategic uncertainty because these issues are typically sent to arbitration or domestic courts. Private-law opacity can, in fact, permeate international politics by producing worst-case assumptions that, according to RSCT, will spread throughout the regional complex through securitising rhetoric.

How Law Interacts with Contractual Opacity

Rivals have fewer unknowns and less motives to securitise when the legal authority to condition admission is combined with publicly observable contractual and administrative rules i.e., security clauses, inspection procedures, disclosure duties, and explicit state control of security. Actors use intent attribution in place of legal fact when the governance stack is opaque, particularly under high strategic relevance. Because neighbours' perceptions and countermeasures interact, RSCT anticipates that intent attribution rarely remains bilateral and instead becomes regionally contagious.

Case Studies

Gwadar Port

Gwadar is situated at the nexus of high-stakes local politics and commercial aspirations. Situated in Balochistan, it is portrayed as a hub that might shorten China-Indian Ocean access lines and as a gateway for commercial corridors connected to CPEC. However, actual business use has frequently fallen short of strategy projections, and security issues continue to cause conflict.[22]

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[22] Syed Sabreena Bukhari, "Decoding China's Ambitions in the Indian Ocean: Analysis and Implications for India," *Australian Journal of Maritime & Ocean Affairs* 14, no. 2 (2022): 136–47.

Pakistan's concession agreements for Gwadar have grown from a short-term deal with a foreign operator to a long-term deal with a Chinese operator. According to official statements and news reports, a 40-year concession agreement gives China Overseas Ports Holding Company 91% of the gross revenue from terminal and marine activities and 85% from free-zone operations and the Gwadar Port Authority (GPA) gets the rest.[23] Two governance characteristics emerged and could be explained in the light of RSCT:

i. When there is a lot of asymmetric revenue and a long span of time, public feel more dependent and have more external leverage, especially when they cannot access the full concession text. Hence, it establishes a transparency constraint.

ii. Security externalities are high because the port is in an area where there is an active insurgency and attacks on Chinese people and businesses in Pakistan by the anti-Pakistan forces are quite high. Hence, this makes the Government of Pakistan want to securitise and protect the economy's infrastructure more.

A unique longitudinal perspective of Gwadar's cargo-handling volumes (tonnes, by fiscal year) is offered by Pakistan's official yearbook reporting. The record exhibits significant early volumes particularly in 2008–09 and 2011–12, followed by a sharp decrease and low utilisation in subsequent years, with a significant increase in 2022–2023, mostly due to government cargo imports e.g., wheat and fertiliser.[24]

Additionally, operational notes show that since March 2018, two ship-liners (COSCO and Sino-Trans) have made frequent calls, indicating efforts to stabilise connectivity in spite of overall poor throughput.

The connectivity profile is important from a port-diplomacy perspective because it undermines a purely commercial narrative: when a port is

[23] Anil Kumar Chawla and Jabin T. Jacob, "Gwadar Seaport, Pakistan," in *Chinese Overseas Ports in Southeast and South Asia* (Routledge, 2024), 112–33.
[24] Syed Faisal Ali Sabzwari, *Year Book 2022-23. Ministery of Maritime Affairs, Pakistan* (Government of Pakistan, 2023), https://moma.gov.pk/SiteImage/Misc/files/YEAR%20BOOK%202022-2023%20%2809-04-2024%29%20DS%20Final%20PDF-2.pdf.

strategically important but underutilised commercially, external observers are more likely to interpret it as option value infrastructure, built for future leverage rather than current trade.[25] According to the proposition that this interpretive gap encourages securitising discourse second as large, bilateral, and opaque investment structures generate uncertainty about intent, ownership, and control, thereby increasing perceived strategic risk.

Around Gwadar, Pakistan has clearly institutionalised marine security. In December 2016, the Pakistan's Navy formed the Task Force-88 (TF-88) to safeguard Gwadar's maritime security and the surrounding sea lanes, which include ships, planes, drones, and marines.[26]

Security adds a second layer when such incidents evolved. Although there were no injuries, the August 2023 attack on a convoy of Chinese nationals in Gwadar shows how easily civilian connectivity projects can turn into security hotspots.[27] More generally, significant assaults on Chinese personnel in Pakistan have occasionally prompted re-evaluations of security procedures and strengthened bilateral security cooperation, strengthening beliefs that military and internal security agendas are inextricably linked to economic corridors.

These advances do not establish Gwadar's status as a foreign naval base from a RSCT perspective. Instead, they demonstrate the process by which dual-use potential turns into securitisation: increased security measures and the presence of operators with ties to China give the impression of a fused economic-security infrastructure, which encourages neighbours to hedge. This is consistent with the third proposition that strategic location, security militarisation, and opaque contracting can all increase securitisation even in the absence of official basing.

Regional states do not much refer to explicit countermeasures to Gwadar through broader maritime postures, naval modernisation and security partnerships that indirectly signal concern about the port. The critical difference is that Gwadar is administered as a part of a bilateral China-Pakistan corridor, not a more general multilateral port-governance

[25] Sabzwari.
[26] State Council Information Office, "China's Military Strategy, Beijing."
[27] J. Martín Ramírez and Jerzy Biziewski, *A Shift in the Security Paradigm* (Springer, 2020).

framework, making it easier for outsiders to interpret as strategically exclusive. The bilateral structure, low commercial utilisation and high security sensitivities offer multiple opportunities for securitising interpretations and regional balancing behaviour. This creates a recurring strategic narrative surplus which are linked to propositions (ii) and (iii) and will lead to further securitising interpretations when combined with the port's low commercial utilisation and high security externalities.

Hambantota Port

Hambantota port is the best example of the claim that port development can create dependency and strategic fear. It is still relevant because scholars and policymakers disagree on the "debt trap" story.[28] The empirical record is more complicated: the port concession is long and linked to China, but the host state added clear security guarantees and kept important security roles. In recent years, the port's commercial performance, especially in vehicle transhipment, has gotten better.

A corporate disclosure that is open to the public and related to the concession gives very detailed information about governance. It says that the concession lasts for 99 years and gives HIPG and HIPS exclusive rights to develop and run the port. The investment envelope is up to US $1.12 bn., and there are clear share structures that include the investor side owning 85% of HIPG at first and having the option to buy back shares in stages.[29]

A summary from the Sri Lankan government cabinet office also says that provisions were put in place to keep the port from being used for military purposes and that the government of Sri Lanka has "sole responsibility and authority" for port security. Reports also say that the deal included a clause that the port could not be used for military purposes and that Sri Lanka's navy would be in charge of security.[30]

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[28] Pradeep Rathnayake, "China's Investment in Hambantota Port: A Critical Analysis of the Debt-Trap Narrative," in *Maritime Security and Strategy: Perspectives on Policy, Naval Power, and Strategic Security* (Springer, 2025), 43–53.
[29] Weiwei Huo et al., "International Port Investment of Chinese Port-Related Companies," *International Journal of Shipping and Transport Logistics* 11, no. 5 (2019): 430–54.
[30] Reuters, "Sri Lanka to Shift Naval Base to China-Controlled Port City."

From the point of view of the article's transparency incising, Hambantota is less opaque than many other infrastructure deals because core features can be publicly documented through both government summary and corporate disclosure, even though the full concession text is not completely public. The best part of Hambantota's recent connectivity story is the RO-RO vehicle transhipment. The port said it handled 700,000 transhipment vehicles in 2023, which is 26% more than in 2022.[31] The concession disclosure also says that Hambantota is about 10 nautical miles from a major shipping route between Asia and Europe, which makes sense for business because it is close to SLOCs.[32]

The port's better performance makes it harder to rely on simplistic accounts. It means that port management with ties to China can lead to real commercial integration. This is important for RSCT because interdependence might not completely get rid of strategic competition, however it might, in some cases, lead to "security regime" tendencies, like shared routines and working together.

The controversy over Hambantota's dual use is based more on what has happened than on how it was built. The Chinese "research and survey" ship Yuan Wang 5 docked in Hambantota in August 2022 after India raised concerns.[33] Reports particularly connected the ship's expected arrival to shipping data and stressed that India was worried that the port would be used for military purposes even though it was being framed as a commercial venture.

This is a sound example of the usual preposition dynamic, where a single high-salience visit can change how security provisions are interpreted, even when they say military use is not allowed. The main point of RSCT is that these kinds of events change how people think about all Chinese-linked ports, not just one. This is because security perceptions are linked across the region. At the same time, Sri Lanka's constant

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[31] Zixian Ning, "From Port Performance to Regional Impact: A Multi-Level Causal Chain Model for Maritime Silk Road Ports" (Erasmus University Rotterdam, 2026), https://thesis.eur.nl/pub/76403/Ning-Zixian.pdf.
[32] Zixian Ning, "From Port Performance to Regional Impact: A Multi-Level Causal Chain Model for Maritime Silk Road Ports"(Erasmus University Rotterdam, 2026), https://thesis.eur.nl/pub/76403/Ning-Zixian.pdf.
[33] Reuters, *Chinese Military Ship Leaves Sri Lanka after Controversial Visit*.

insistence that the port can't be used for military operations and that naval ships need government permission to visit is a sign of a CBM that is meant to stop things from getting worse.[34] The problem is proving that assurance is still a matter of political debate when there are no regular audits or open port-call governance.

There are two sequential turning points that illustrate competing pathways:

i. 2017–2018 governance consolidation: the 99-year concession and the decision to strengthen security presence indicated an effort to secure commercial viability while limiting security consequences through state-controlled security and provisions.[35]

ii. Yuan Wang 5 visit in 2022: a particular incident rekindled regional worst-case interpretation, demonstrating that legislative provisions by themselves do not eliminate dual-use inference in the presence of strategic competition.[36]

Consequently, Hambantota gives us conflicting evidence. It strongly supports the third proposition that dual-use-signalling events can overcome governance reassurance, but only partially supports the first proposition that more relative transparency and explicit security clauses help. The debt trap story may or may not be true, however, it does support the second proposition that channelling more Chinese-linked investment and extended concessions raises the baseline level of distrust from external sources. Nevertheless, transparency does help as this indicates that sometimes it is not enough to clear mere scepticism. When a port project involves large foreign investment, long concessions and possibly dual-use facilities, other states can still see it as a strategic foothold. Thus, even transparent security provisions may only partially address uncertainty, while broader geopolitical concerns continue to fuel distrust.

[34] Reuters, "Sri Lanka to Shift Naval Base to China-Controlled Port City."
[35] Dayla Ramsey, *Eliminating Opposition: The Belt Road Initiative and Security Implications for the Mediterranean as China Leverages Economic Influence* (Webster University, 2019).
[36] Siddhant Bajpai, 'India and the Chinese Spy Ship Saga Redux', *The Diplomat*, 15 November 2022, https://thediplomat.com/2022/11/india-and-the-chinese-spy-ship-saga-redux/.

In contrary to the debt trap debates, the Chinese investment through the Belt and Road Initiative (BRI) can be observed as a pragmatic response to infrastructure gaps that hold back many developing economies. World Bank research finds that if fully implemented, BRI transport infrastructure could reduce travel times along transport corridors by up to 12% and reduce trade costs.[37] Federal Reserve analysis likewise finds that BRI transport projects reduce shipment times and aggregate trade costs, with benefits extending beyond the immediate corridor countries.[38] In this sense, the BRI is not just a strategic project, but also a connectivity strategy that can underpin trade expansion, attract complementary investment and contribute to longer-term growth.

Chabahar Port

Chabahar is important from an analytical point of view because it is close to Gwadar in terms of both location and institutions. Its strategic value also reflects the country's basic realities, because a location on key maritime routes can turn geographic advantage into economic opportunity, while limited infrastructure and fiscal constraints make external investment especially important. Instead of being called a "China-driven corridor" it has been called a "flagship connectivity project" between India and Iran and a way to get to Afghanistan and Central Asia.[39] Sanctions politics, on the other hand, make the "multilateral transparency to cooperation" road even harder to follow.

India's official statements say that on May 13, 2024, India Ports Global Limited and the Ports and Maritime Organisation signed a long-

[37] World Bank, *Belt and Road Economics: Opportunities and Risks of Transport Corridors* (Washington, DC: World Bank, 2019), https://doi.org/10.1596/978-1-4648-1392-4.
[38] Francois De Soyres et al., ly reduce shipment times and trade costs. For the world, the avera*International Finance Discussion Papers* 2020.0, no. 1274 (February 2020), https://doi.org/10.17016/ifdp.2020.1274.
[39] S. Mahmud Ali, 'Case Study 1: The China–Pakistan Economic Corridor', in *China's Belt and Road Vision: Geoeconomics and Geopolitics* (Springer, 2020), 175–230, https://link.springer.com/chapter/10.1007/978-3-030-36244-7_5.

term main contract to equip and run the general cargo and container terminal at Shahid Beheshti for a decade.[40]

Features related to dispute settlement are important because they demonstrate how legal engineering can either enhance or decrease uncertainty. According to a thorough report on the 10-year agreement, disagreements that cannot be settled amicably would be brought before a three-person arbitration panel in Muscat using SIAC procedures.[41] Though it also emphasises that private-law arbitration, not UNCLOS, rules most of the practical connection, this is significantly different from the implied opacity frequently associated with lengthy concessions: it provides a forum and method, perhaps enabling predictable settlement.[42]

In line with a narrative of increasing use, India's parliamentary briefing highlights increases in vessel and container traffic at Chabahar between 2023–2024. According to independent strategic opinion, TEU handling increased from FY2022–2023 to FY2023–2024, indicating a notable improvement from a low base.[43]

Afghanistan access has long been associated with Chabahar's connection reasoning. The first wheat shipment to Afghanistan via Chabahar, which marked the operationalisation of the link, is described in official Indian comments from 2017.[44] This is a prime example of the first proposition type governance that several stakeholders work together along a corridor that is portrayed as developmental connectivity rather than military alignment.

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[40] Hafeez Ullah Khan, "Indo–Iran Nexus: Implications for Sino–Pakistani Relations," *Pacific Focus* 40, no. 3 (2025): 555–87.

[41] SIAC Rules, O_ITEM CSL_CITATION {"citationID":"HKKmMHjN","properties":{"formattedCitation":"SIAC Rules, \\uc0\\u8216{}Arbitration Rules of

[42] R. D. Donato, *Maritime Mediation* (University of Coimbra Institute for Legal Research, 2023), https://doi.org/10.47907/llivroMaritimeMediation/ProjetoMediMARE/2023.

[43] G. Yoganandham, "The Economic Dimensions of Global Geopolitical Conflictsand Peace Agendas-Implications for India," *Journal For Basic Sciences ISSN NO* 1006 (2025): 8341.

[44] Tanvi Pate, "Soft Power, Strategic Narratives, and State Identity: Re-Assessing India-Afghanistan Relations Post-2011," *India Review* 17, no. 3 (2018): 320–51; Khan, "Indo–Iran Nexus: Implications for Sino–Pakistani Relations."'

Sanctions volatility is Chabahar's biggest security challenge, not a dual-use port-call event like Hambantota. The operating environment has frequently been dictated by the U.S. policy, with reports indicating time-limited waivers allowing India's continuous presence.[45]

From a RSCT perspective, sanctions operate as an external structural pressure that can override local cooperative designs: even if the port governance is comparatively transparent and functional, uncertainty about legal permissibility and financial channels can reduce investment, distort usage patterns, and inject geopolitical contestation. This is an important boundary condition for the first proposition transparency helps, but it cannot fully neutralise external coercive economic instruments that reconfigure interdependence. Chabahar is the strongest supporter of the first proposition reasoning since it incorporates articulated dispute governance, is generally transparent through official pronouncements, and has a distinctly multilateral aim i.e., India–Iran with broader regional connectivity goals. However, it also demonstrates that cooperative security outcomes rely on factors other than contract design i.e., the ability to maintain predictable maritime commerce and the stability of the external legal environment e.g., sanctions regimes.[46]

Cross-Case Annalysis

Across these cases, three patterns emerge which are discussed below.

Pattern one

Compared to Gwadar's governance stack, where important conditions (revenue sharing, long horizon) are known but complete contractual information is hard to verify, Hambantota's explicit military-use limits and partial transparency (government summary plus business disclosure)

[45] Shivam Patel, "US Grants India Six-Month Sanctions Waiver to Run Iran's Chabahar Port, New Delhi Says," India, *Reuters*, October 30, 2025, https://www.reuters.com/world/india/us-granted-india-six-month-exemption-sanctions-chabahar-port-new-delhi-says-2025-10-30/.

[46] GOI, "Long-Term Main Contract for Development of Shahid Beheshti Port Terminal, Chabahar Signed between India Port Global Limited (IPGL) and Ports and Maritime Organization (PMO) of Iran," Ministry of Ports, Shipping and Waterways, Government of India, May 13, 2024, https://www.pib.gov.in/www.pib.gov.in/Pressreleaseshare.aspx?PRID=2020454.

minimise ambiguity more. Parliamentary reporting and declared contract terms make Chabahar's government more understandable to the general public.[47] This provides directional support for the first proposition.

Pattern two

Chabahar's ten-year operational contract is shorter and presented as a service/equipment arrangement, both Gwadar and Hambantota are part of Chinese-led port capital complexes with lengthy concession terms i.e., 40 and 99 years, respectively.[48] This is consistent with the second proposition that asymmetric-dependence pathway although the debt trap claims are contestable. Notably, research challenging debt-trap diplomacy suggests that Hambantota's lease was not a simple debt-for-asset swap and that narratives of asset seizure oversimplify Chinese lending. This is important because second proposition does not require predatory intent. Macroeconomic distress and concentrated finance can create conditions that foster perceived dependence and reduced policy autonomy in governance structures, even in the absence of overt coercion.

Pattern three

The Yuan Wang 5 visit to Hambantota in 2022 serves as an example of how a singular incident can dominate security interpretation and extend beyond the immediate bilateral dyad, triggering balancing logic.[49] In line with the third proposition assertion that dual-use potential multiplies securitisation unless offset by verifiable CBMs, Gwadar's pattern is less about a single visit and more about structural militarisation around security (TF-88), insurgent attacks, and the port's strategic location.[50] Although Chabahar's

[47] GOI, "Question No. 1103 Revocation of Sanctions Waiver On Chabahar Port", Ministry of External Affairs, Government of India, 12 May 2025, https://mea.gov.in/lok-sabha.htm?dtl/40404/QUESTION+NO+1103+REVOCATION+OF+SANCTIONS+WAIVER+ON+CHABAHAR+PORT=.
[48] Muhammad Naveed Iftikhar, "The Institutional and Urban Design of Gwadar City," preprint, Unpublished, 2019, https://doi.org/10.13140/RG.2.2.10585.57447.
[49] Rosendal, "Promoting China's Development Model for the Hambantota International Port: Selling Shekou to Sri Lanka."
[50] Chien-peng CP Chung, *China's Belt and Road Power Transition: Preparations and Blowbacks*, 2025, https://www.torrossa.com/en/resources/an/5976755.

dual-use character is weaker in observable events, sanctions and strategic competition continue to be geopolitical challenges to the port.

Mediators, Controls and Alternative Explanations

There are a few other explanations that need to be considered:

- Regardless of government, an extra regional naval presence has the potential to securitise ports. This is accurate, but as all three ports are situated in a generally comparable area of extra-regional marine interest, it does not account for differences between them. According to RSCT, regional clustering will continue to influence how external presence is perceived: local rivalry dictates whether external participation is seen as strategic encirclement or cooperative security.

- Legitimacy and domestic politics are effective mediators. Port governance decisions are influenced by protests against perceived loss of sovereignty in Sri Lanka and ongoing insecurity in Balochistan, which frequently force governments to simultaneously pledge development and tighten security measures. However, rather than taking the place of contract openness, domestic politics interact with it; opacity is politically costly because it breeds distrust both domestically and internationally.

- Commercial performance can de-securitise by generating observable benefits for all. The Yuan Wang 5 episode demonstrates that the de-securitising impacts of commerce can be overridden when military-adjacent activities take place, although Hambantota's increased RO-RO performance supports this strategy. In the opposing tendency is reinforced by Gwadar's poor economic utilisation: the less a port appears to be commercially essential, the more easily it might be seen as a strategic choice.

These cases suggest a theoretical understanding: ports are not just passive nodes, but also infrastructure catalysts of regional security interdependence. They make it easier to get to the future, which shortens time horizons. They also create intended ambiguity, which shortens informational horizons. Port diplomacy illustrates how private-law governance systems can act as triggers for securitisation by increasing uncertainty and perceived dependency, while RSCT often focuses on military threats between states. Furthermore, a boundary condition emerges: in an unstable external legal-economic environment, sanctions, regardless of high transparency, cannot guarantee the outcomes of the first proposition that Chabahar port shows how external limitations can securitise cooperative arrangements by structure.

Policy Implications

The findings of this study have implications for the way that policymakers and scholars think about the relationship between port infrastructure, regional security dynamics, and foreign investment. The analysis implies that the security implications of port development are determined less by the physical infrastructure *per se* than by the governance arrangements around it. In line with RSCT, the cases show that infrastructure projects become security issues when they change perceptions of dependence, relative capabilities or strategic intent between neighbouring states. Port investments thus work in both economic and security domains simultaneously, making the design of governance an important element in shaping regional responses.

The core finding of this study is that the possibility of securitisation increases with contractual opacity. Where key information regarding ownership configurations, concession periods, dispute-settlement mechanisms, revenue-sharing arrangements, and security provisions is unclear, external actors are more likely to view infrastructure projects through a strategic lens. Greater transparency, on the other hand, will not end geopolitical competition, but it can reduce uncertainty and the scope for threat inflation. The comparison of Gwadar, Hambantota and Chabahar implies that the perceptions of strategic risk are not only driven by the scale of investment, but also by the degree to which contractual and operational arrangements are publicly observable and institutionally constrained.

The study further underlines the importance of asymmetric dependence in shaping security perceptions. Large scale external financing, long-term concession agreements and centralised control arrangements can heighten concerns that economic relationships can be transmuted into political or strategic leverage. Such concerns are especially salient from an RSCT perspective, as neighbouring states do not evaluate infrastructure development in a vacuum, but in the context of their own security environment. Consequently, even projects with a mainly commercial purpose can become involved in wider regional rivalries and balancing behaviour.

Another implication concerns the link between dual-use potential and cooperative securitisation. The findings suggest that the presence of infrastructure that could support both civilian and military activities can reinforce threat perceptions, especially when coupled with opaque governance arrangements or ongoing geopolitical competition. At the same time, the evidence suggests that dual-use potential does not necessarily lead to securitisation. Rather, its effects are contingent on the manner in which governments regulate access, delineate operational authority, and convey the purposes of port activities to domestic and international audiences. The findings, therefore, support the view that institutional arrangements can affect the interpretation of infrastructure projects by external observers.

More broadly, the study adds to ongoing debates about the BRI and the strategic implications of foreign-funded infrastructure. There is no evidence to support deterministic claims that Chinese-financed ports will inevitably become military assets or tools of coercive influence. Rather, the cases show that outcomes depend on local political contexts, contractual arrangements, host state governance decisions, and regional security environment. The policy implication is, therefore, not to shy away from foreign infrastructure investment, but rather that the design of governance mechanisms is crucial in determining whether such projects are perceived as opportunities for cooperation or sources of strategic concern.

These results point to the importance of considering not only infrastructure development *per se* but also the institutional and legal frameworks through which infrastructure is governed. Transparency of operational rules that can be verified, and well-defined authority structures cannot remove strategic competition, but they can reduce uncertainty and make cooperative security outcomes more achievable. These are spaces where economic connectivity and geopolitical competition are growingly linked, and so in this respect, managing ambiguity is a key policy challenge.

Conclusion

This research comes to the conclusion that why ports in the Indian Ocean are both development assets and strategic tools. It also thoroughly discussed that outcomes are different when security is cooperative and when it is securitised. It used RSCT to say that port diplomacy changes the way regional security is linked by a system that connects infrastructure and governance to how threats are perceived and how institutions respond. The evidence from Gwadar, Hambantota, and Chabahar validates three main points. First, making government decisions more open and framing issues in a way that includes many countries can help lower uncertainty and promote cooperative security. However, they do not stop strategic interpretation of a port. Second, long-term, focused bilateral investment makes people feel more dependent and raises baseline suspicion, even if there is no proof of predatory intent. Last, dual-use signalling, such as military ships visiting ports or ports becoming more militarised, has a big impact on security that is often bigger than the benefits of commercial integration.

Apart from this, UNCLOS makes it well-defined in legal terms that ports are areas of high control over sovereignty where entry can be limited and where due publicity is a key part of legitimacy. That legal structure cannot replace contract disclosure and verifiable governance nonetheless, it can be used as a design principle. The best way to enhance development and barring regional security from spirally up is that there must be strict adherence to rules of regulations at ports.