

Studying the role of Iran's strategic navy in confronting the phenomenon of piracy from the perspective of international criminal law

Amir Bagherifard¹, Amir Nezam Barati²,
Alireza Saberian³, Saber Savaadkoohi⁴

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Abstract

Background and Theoretical Foundations: The phenomenon of maritime piracy and maritime terrorism has long posed a persistent threat to international maritime security and the global economy. In recent decades, especially in the Gulf of Aden, Bab el-Mandeb, and northern Indian Ocean, piracy has evolved into a transnational organized crime with political, military, and economic implications. The Islamic Republic of Iran, relying on its strategic naval doctrine and regional maritime presence, has taken an active role in combating piracy, particularly through the operations of the Islamic Republic of Iran Navy (NEDAJA). This study draws upon international criminal law, international public law, customary law, and Iranian domestic legal frameworks to assess the legal, operational, and normative roles of Iran's strategic navy in response to piracy and maritime terrorism.

Methodology: The study employs a qualitative and comparative legal-analytical approach. It draws from a wide range of primary and secondary sources, including conventions such as the United Nations Convention on the Law of the Sea (UNCLOS), the SUA Convention (1988), resolutions of the United Nations Security Council, Iranian national legislation, military doctrinal documents, and recent judicial reports. Additionally, scholarly literature and Persian-language defense and legal analyses were translated into English and used to frame the domestic response within broader international criminal accountability

¹ PhD Candidate in Criminal Law and Criminology, Department of Law, Faculty of Humanity, Islamic Azad University, Semnan, Iran

² Assistant Professor of Law, Department of Law, Imam Khomeini Maritime Science University, Mazandaran, Iran

³ Assistant professor of Jurisprudence and Fundamentals of Islamic Law, Department of Jurisprudence and Fundamental Law, Faculty of Humanity, Faculty of Humanity, Islamic Azad University, Semnan, Iran

⁴ Assistant Professor of Law, Department of Law, Islamic Azad University, Tehran, Iran

mechanisms. Case studies of Iranian naval interventions in piracy incidents over the last decade—especially the rescue of foreign vessels—are critically examined.

Findings: Iran's navy has played a pivotal role in securing major sea lanes and protecting Iranian and foreign commercial vessels. Despite Iran's non-ratification of UNCLOS, its practical compliance with international norms—including principles of universal jurisdiction and hot pursuit—demonstrates its functional alignment with international obligations. However, challenges remain in domestic law, including the absence of specialized maritime criminal courts, limited procedural clarity regarding extradition and prosecution of foreign pirates, and insufficient institutional transparency. Nonetheless, the Iranian legal system provides certain unique tools, such as military judicial authority over transnational maritime offenses, which enhance responsiveness.

Conclusion: Iran's strategic naval actions contribute significantly to regional anti-piracy operations, reinforcing its soft power and legitimacy in maritime governance. From the standpoint of international criminal law, these actions, when paired with reforms in legal codification and international cooperation, can enhance Iran's role as a responsible maritime actor. The study recommends updating domestic criminal codes to explicitly criminalize piracy in accordance with international law, establishing maritime judicial training, and expanding bilateral treaties to facilitate extradition and mutual legal assistance.

Keywords: Strategic Navy of Iran; International Criminal Law; UNCLOS; Universal Jurisdiction; Anti-Piracy Operations; Maritime Security

1. Introduction

1.1 Background and Significance

Maritime piracy remains one of the most persistent threats to international peace and security. Although often associated with historical imagery of criminality at sea, modern piracy has evolved into a complex legal and geopolitical phenomenon. Piracy directly challenges the principles of freedom of navigation and global maritime commerce and falls within the framework of international criminal law due to its transnational and universally condemnable nature (Guilfoyle, 2016; Kontorovich, 2004). The reemergence of piracy in key maritime zones, especially near the Horn of



Africa, has compelled many states—including the Islamic Republic of Iran—to take proactive legal and naval measures.

Under international law, piracy constitutes a crime *hostis humani generis* (enemy of all mankind), allowing all states to exercise universal jurisdiction over suspected pirates irrespective of nationality or location (Rubin, 1988; UNCLOS, 1982, Art. 105). This universal criminal character distinguishes piracy from ordinary maritime offenses and subjects it to both international criminal law principles and customary international norms (Roach, 2010; Cassese, 2003).

Iran, given its geostrategic position near the Strait of Hormuz and its direct exposure to pirate-infested routes in the Gulf of Aden, has developed a strategic naval doctrine for combating piracy. While its military engagements have been increasingly visible, the legal underpinnings of Iran's anti-piracy efforts—particularly within the framework of international criminal law—remain under-examined (Jalilvand, 2021; Salehi, 2020).

In addition piracy and Maritime terrorism have increasingly attracted scholarly attention due to their profound impact on international security and commerce. The growing number of maritime attacks in critical regions such as the Gulf of Aden and the Strait of Hormuz has motivated states and researchers alike to explore effective legal and operational responses to these threats.

A significant contribution to this field has come from Amir Nezam Barati and his colleagues, whose research offers valuable insights into the strategic naval role of the Islamic Republic of Iran in combating piracy and maritime terrorism. Barati (2023), presenting at the 1st International Conference on Blue Economy, analyzed the operational and legal frameworks underpinning the I.R.I Strategic Navy's actions. He emphasized the dual nature of Iran's naval involvement: protecting national interests and fulfilling broader regional and international obligations under customary and conventional international law.

Further expanding the scope, Barati, Shafaghat Roudsari, and Motalebi (2024) examined piracy from an international regulatory perspective,

highlighting how maritime insecurity threatens global trade and transportation networks. Their study advocates for the harmonization of domestic laws with international conventions to enhance enforcement effectiveness and reduce impunity for pirates. They underscore the necessity of cooperative regional efforts to maintain the security of critical shipping routes that underpin the economies of many countries.

Another important study by Barati (2023) offers an overview of maritime terrorism and piracy's impact on international trade, emphasizing how these security challenges exert economic pressures on both coastal and landlocked nations. This work situates Iran's naval activities within a wider geopolitical and legal context, stressing the importance of aligning national measures with international criminal law principles, including universal jurisdiction and the suppression of unlawful acts at sea.

These studies collectively establish a foundation for understanding Iran's naval engagement as part of a broader international effort to combat maritime crime. They provide a legal and operational framework for evaluating how Iran's strategic navy acts in accordance with, or at times beyond, formal treaty commitments such as the United Nations Convention on the Law of the Sea (UNCLOS).

Moreover, the literature reveals certain gaps and ambiguities, especially concerning the full integration of Iran's domestic legal system with international criminal law standards, as well as the effectiveness of regional cooperation mechanisms. These gaps form the basis for the present study's investigation, which seeks to assess Iran's role and responsibilities within the evolving international legal order addressing piracy and maritime terrorism.

In sum, the extant literature highlights the multifaceted nature of maritime security challenges and underscores the need for comprehensive legal frameworks supported by capable naval forces. Iran's strategic navy emerges as a pivotal actor whose efforts warrant detailed legal scrutiny to appreciate both their operational successes and areas requiring reform.

1.2. Research Objectives



This research aims to:

1. Analyze the legal definition and criminal scope of piracy under international criminal law.
2. Assess Iran's domestic legal framework on piracy and its compatibility with international obligations.
3. Examine customary international law and treaty obligations governing anti-piracy prosecution.
4. Explore Iran's responsibilities as a coastal and flag state in prosecuting piracy.
5. Offer legal reform suggestions to harmonize Iranian practice with international norms.

1.3 Research Questions

How is piracy defined and treated under international criminal law and customary international law?

To what extent does Iran's legal system criminalize and prosecute piracy in conformity with international obligations?

What are the legal responsibilities of states under UNCLOS and other international instruments to suppress piracy?

1.4 Methodology

This research employs a doctrinal legal method. Sources include primary international instruments (e.g., UNCLOS, SUA Convention), case law from international and domestic courts, Iranian statutory law, scholarly writings, and reports from institutions such as the UNODC and IMO. Comparative analysis is conducted between Iran and other states such as Kenya, Germany, and Seychelles, with special emphasis on universal jurisdiction, due process rights, and command responsibility.

1.5 Structure of the Paper

This article is structured into ten chapters. After the introduction, Chapter 2 explores the legal definition of piracy under international criminal law.

Chapter 3 addresses treaty-based obligations. Chapter 4 focuses on customary international law. Chapter 5 reviews Iran's domestic law. Chapters 6–8 address harmonization, comparative practices, and state responsibility. Chapter 9 provides reform recommendations, and Chapter 10 concludes.

2. Piracy in International Criminal Law: A Conceptual and Legal Overview (Humanized Version)

2.1 Introduction

For centuries, piracy has captured the world's imagination as a dramatic and violent crime on the high seas. But beyond the romanticized tales, piracy remains a very real and serious offense—one that threatens international trade, the safety of maritime navigation, and the stability of coastal nations. Today, it is more than a crime; it is recognized under international criminal law as a universal offense that transcends borders and jurisdictions.

This chapter takes a closer look at how piracy is defined and addressed through international legal frameworks—especially under the United Nations Convention on the Law of the Sea (UNCLOS), the SUA Convention, and customary international law. We'll also examine how the legal status of piracy has evolved and why it continues to matter for countries like Iran, which plays a strategic role in regional maritime security.

2.2. What Exactly Is Piracy? A Legal Definition

Under Article 101 of UNCLOS (1982), piracy is defined as any illegal act of violence or detention carried out for private gain by individuals aboard a private ship, against another ship on the high seas. This definition is narrow and includes a few strict conditions:

The act must be committed for private ends, not for political or military goals.

It must take place on the high seas, outside any country's jurisdiction.

There must be two ships involved—the attacking ship and the one targeted.



This means that politically motivated attacks or incidents within territorial waters do not qualify as piracy under UNCLOS (Guilfoyle, 2016; Treves, 2009). Such a limited definition often complicates prosecution and international cooperation.

2.3. Why Piracy Falls Under International Criminal Law

Piracy has long been labeled a crime of universal jurisdiction. This means any country, regardless of its connection to the crime, has the right to arrest and prosecute pirates. This principle developed because pirates operate outside the protection of any state—they are seen as “enemies of all mankind” (*hostis humani generis*) (Rubin, 1988; Cassese, 2003).

This classification makes piracy unique among crimes. While it may not appear in the Rome Statute of the International Criminal Court, many of its characteristics—such as its organized, transnational nature—fit neatly within the scope of international criminal law (Bassiouni, 2008; Kraska, 2011).

2.4. Beyond UNCLOS: The SUA Convention

Because the UNCLOS definition excludes politically motivated attacks and incidents in territorial waters, many legal scholars and policymakers consider it outdated. To address these gaps, the SUA Convention (1988) was created. It broadens the legal net by criminalizing a wider range of maritime threats—including hijackings, sabotage, and acts of maritime terrorism (Geiss & Petrig, 2011).

Iran is a signatory to the SUA Convention and, at least on paper, has pledged to criminalize such acts. However, the actual implementation of these obligations within Iranian law is still a work in progress (Iranian Majlis, 2015; Salehi, 2020).

2.5. The Role of Customary International Law

Customary international law plays a significant role in defining piracy. Over time, consistent state practice and the belief that such prosecution is legally required (*opinio juris*) have solidified piracy as a crime that any state

can—and should—prosecute. Even without a treaty, countries are expected to act (Roach, 2010; Guilfoyle, 2009).

Iran, despite participating in naval operations against piracy, still faces challenges in fully incorporating these customary norms into its domestic legal framework (Political-Ideological Organization of the IRI Army, 2022).

2.6. Legal Challenges in Modern Piracy Cases

Today's piracy doesn't always look like the swashbuckling crimes of the past. In many cases, the motives go beyond "private ends." Sometimes pirates are linked to terrorist networks or political groups, making it hard to classify them under traditional legal definitions (Dutton, 2010; Martin, 2012). Additionally, modern pirates often use small boats to attack large cargo ships, raising questions about whether the "two-ship" rule still applies in practical terms.

These legal gray areas have led to inconsistent prosecution around the world—and even reluctance among states to bring pirates to justice.

2.7. Piracy and International Criminal Responsibility

Although piracy isn't officially listed as a core crime under the ICC's jurisdiction (like genocide or crimes against humanity), it shares many of the same features. It is collective, transnational, and causes widespread harm. Principles like command responsibility and joint criminal enterprise—often used in international tribunals—can be adapted for use in domestic piracy trials (Cassese, 2003; Heller-Roazen, 2009).

Piracy remains a crime that challenges international order and demands cooperation. For a country like Iran, which operates in one of the world's most sensitive maritime corridors, understanding and responding to piracy is both a legal obligation and a strategic necessity. By aligning its domestic laws with international standards—especially in terms of definitions, jurisdiction, and prosecution procedures—Iran can help shape a more effective global response to maritime crime.

3. Legal Obligations of States to Combat Piracy under International Law



Piracy is not just a matter of maritime security—it is a test of the international legal system’s capacity to uphold justice on the high seas. International law places a clear responsibility on states to respond to piracy, not only to protect their own interests but to safeguard global maritime order. This chapter examines what these obligations entail, especially under international conventions, customary international law, and the emerging framework of international criminal law.

For states like Iran, which are geographically close to piracy-prone areas such as the Gulf of Aden and the Horn of Africa, these legal responsibilities are not theoretical—they are deeply practical and urgent.

1.3. The Duty to Cooperate (UNCLOS Article 100)

The legal foundation for state action against piracy begins with Article 100 of the United Nations Convention on the Law of the Sea (UNCLOS). It states:

“All States shall cooperate to the fullest possible extent in the repression of piracy on the high seas”...

This duty is broad and open-ended. It doesn’t prescribe exactly how cooperation should occur, but it strongly implies that states cannot remain passive. Cooperation may include naval patrols, intelligence-sharing, diplomatic coordination, and legal harmonization (Guilfoyle, 2016; Treves, 2009).

For Iran, this obligation is especially relevant. Since 2008, Iranian naval forces have escorted hundreds of commercial vessels and engaged in multiple direct confrontations with pirates. These operations demonstrate operational cooperation—but legal cooperation (e.g., in terms of extradition, judicial assistance, and legislative alignment) remains limited and underdeveloped (Salehi, 2020; Jalilvand, 2021).

2.3. Prosecute or Extradite: A Legal Imperative

Another central obligation under both UNCLOS and the SUA Convention is the principle of *aut dedere aut judicare*—states must either prosecute piracy

suspects in their courts or extradite them to a state that will (Bassiouni, 2008; Roach, 2010).

This principle has been affirmed in various legal contexts, particularly in international criminal law relating to crimes such as torture, terrorism, and genocide. While piracy is not always grouped with these crimes, its universal jurisdiction status makes it subject to the same logic: states cannot offer safe harbor to pirates.

To comply with this obligation, Iran must ensure that its domestic legal system is equipped to investigate, charge, and try pirates according to international standards. Yet, Iranian law currently lacks a dedicated anti-piracy statute, leading to reliance on general provisions within the Islamic Penal Code. This creates ambiguity in jurisdiction, sentencing, and the recognition of piracy as an international crime (Iranian Majlis, 2021).

3.3. Fair Trial and Human Rights Standards

The fight against piracy must be conducted within the framework of international human rights law. This includes the right to a fair trial, presumption of innocence, legal representation, and protection from torture or arbitrary detention (UNODC, 2013; ICCPR, 1966).

Domestic prosecution of piracy—especially under universal jurisdiction—requires careful attention to these procedural rights. Several international watchdogs have raised concerns about pirate trials in states such as Kenya and Seychelles due to overcrowding, poor translation, and lack of due process (Geiss & Petrig, 2011). Iran, too, must ensure that any prosecutions meet the procedural safeguards guaranteed under its own constitution and international treaties.

4.3. Comparative Practice: What Other States Are Doing?

Different states have adopted varied legal strategies to fulfill their international obligations. For example:

Kenya and Seychelles have specialized piracy courts, supported by the UNODC and funded by international partners.



Germany and Netherlands have prosecuted pirates under general criminal law, relying on universal jurisdiction.

Iran, while active militarily, has pursued very few piracy cases judicially, and largely lacks transparent procedures for prosecution and trial (Jalilvand, 2021; Political-Ideological Organization of the IRI Army, 2022).

These examples show that legal infrastructure, political will, and international cooperation are all necessary to turn obligations into action.

5.3. Iran's Position in Light of International Legal Duties

Iran is a party to UNCLOS and the SUA Convention and has also expressed commitment to anti-piracy efforts through military and diplomatic channels. However, its domestic legal and judicial mechanisms remain limited in scope and underutilized.

There is no specialized anti-piracy unit within Iran's judiciary.

No public trial records exist for prosecuted piracy suspects.

The definition of piracy is vague and inconsistent with international norms.

Extradition mechanisms under bilateral treaties are rarely activated. These gaps could expose Iran to criticism from the international community, especially given its proactive naval presence in anti-piracy operations.

International law places a dual responsibility on states: to suppress piracy in practice, and to do so in a way that respects legal norms. The obligations under UNCLOS, the SUA Convention, and customary international law are clear. States must cooperate, prosecute, or extradite—while also protecting the human rights of suspects.

Iran has made significant operational contributions to maritime security, but its legal architecture must now catch up. Bridging the gap between naval action and legal enforcement is essential if Iran wishes to meet its full obligations under international law.

4. Strategic and Legal Role of the Iranian Navy in Combating Piracy

The Islamic Republic of Iran Navy (NEDAJA) plays a vital role in securing international maritime trade routes against piracy, particularly in the Gulf of Aden and the Indian Ocean. Since 2008, Iran has maintained a continuous naval presence in high-risk waters, conducting anti-piracy patrols and protecting commercial shipping from pirate attacks (Salehi, 2020; Jalilvand, 2021). This chapter examines NEDAJA's strategic and legal role within the framework of international law, including UNCLOS, the SUA Convention, and customary international obligations.

Iran's anti-piracy missions began with the deployment of naval flotillas to escort Iranian oil tankers and commercial ships after repeated attacks by Somali pirates. These missions quickly evolved into proactive measures, with NEDAJA directly engaging pirate vessels, rescuing foreign ships, and preventing hostage-taking incidents (Iranian Army General Staff Report, 2023). Notably, in 2012, Iran rescued a Chinese cargo vessel under attack in the Arabian Sea, an operation widely covered by international media (Zarghami, 2013).

Under international law, Iran is obligated to suppress piracy. Article 100 of the United Nations Convention on the Law of the Sea (UNCLOS) states that "all States shall cooperate to the fullest possible extent in the repression of piracy on the high seas." Iran's continued naval presence fulfills this obligation in practical terms (Guilfoyle, 2016). Additionally, Article 105 empowers warships to arrest pirates and seize their vessels, while Article 111 permits hot pursuit of pirate ships under specific conditions (Treves, 2009).

Despite these operations, Iran lacks a clear domestic legal framework for prosecuting pirates. The Islamic Penal Code does not define piracy in line with international standards, which limits judicial follow-up (Iranian Majlis, 2021). Legal scholars argue that without comprehensive anti-piracy legislation, Iran's judicial system cannot fully support its military efforts (Bassiouni, 2008). Unlike Kenya and Seychelles, which have established piracy courts with international support (Geiss & Petrig, 2011), Iran's prosecutions are rare and non-transparent.



In recent years, the Iranian Navy has adopted formal rules of engagement (ROE) aligned with international norms, including proportionality and the use of non-lethal force before engaging in combat (AJA Internal Doctrine, 2021). Training programs on international humanitarian law (IHL) and maritime law have also been implemented in collaboration with Iran's judicial military authorities (Salehi, 2020). These efforts, while commendable, must be matched by legal reforms and better integration into global anti-piracy frameworks (UNODC, 2013).

Iran's role has been met with mixed international reception. While China, India, and African coastal nations have welcomed Iranian assistance in protecting shipping lanes, Western powers remain cautious, often associating Iran's presence with broader geopolitical tensions (Jalilvand, 2021). Despite these perceptions, Iran's participation in multilateral dialogues such as the Indian Ocean Naval Symposium (IONS) and Djibouti Code of Conduct observer sessions indicates its willingness to engage in legal and strategic cooperation (Roach, 2010).

To align fully with its international obligations, Iran must strengthen domestic legal mechanisms, increase judicial transparency, and ratify or implement auxiliary protocols to the SUA Convention. Enhanced bilateral extradition treaties and clearer jurisdictional rules would also improve Iran's capacity to prosecute piracy effectively (Cassese, 2003). Iran's contributions to maritime security are substantial—but legal coherence remains the key to long-term credibility and compliance with international norms.

In conclusion, the Iranian Navy's anti-piracy operations are robust and strategically vital, but they must be supported by a parallel evolution in legal and judicial frameworks. As a responsible maritime power, Iran has both the opportunity and obligation to lead by example in the lawful suppression of piracy on the high seas (Guilfoyle, 2016; UN, 1982).

5 .Legal Gaps and Domestic Challenges in Iran's Response to Maritime Piracy

The Islamic Republic of Iran has significantly expanded its naval presence in high-risk waters such as the Gulf of Aden and the Arabian Sea to combat

maritime piracy. While these strategic deployments have increased regional maritime security, there remains a substantial disconnect between operational success at sea and the legal and institutional framework required for effective domestic prosecution and international compliance (Salehi, 2020; Zarghami, 2013).

1.5. Iran's Legal Position Regarding International Maritime Conventions

Although Iran signed the 1982 United Nations Convention on the Law of the Sea (UNCLOS), it has not ratified it, and therefore the Convention's legal obligations are not formally binding under Iranian law (UN, 1982; Movahedi, 2023). This has led to a lack of a precise and internationally aligned definition of piracy in Iran's domestic legal system, particularly one consistent with Article 101 of UNCLOS (Iranian Majlis, 2022; Ghasemi, 2023).

2.5. Lack of Specialized Judicial Structures

Iran currently lacks dedicated courts or prosecutorial bodies to handle maritime crimes such as piracy. These cases are typically adjudicated by general criminal courts, many of which are not adequately equipped to deal with the complexities of maritime or international criminal law (Badrnejad, 2021; Ghasemi, 2023).

3.5. 4 Challenges in Applying Universal Jurisdiction

Iran's penal code provides theoretical recognition of universal jurisdiction, but the practical legal mechanisms for arrest, detention, trial, and extradition of foreign nationals accused of piracy remain underdeveloped (Ahmadi, 2022; Yousefi, 2021; Azimi, 2023). Furthermore, Iran does not maintain a broad network of bilateral or multilateral extradition agreements concerning maritime crimes (Farhadi, 2022; UNODC, 2020).

4.5. Capacity-Building Deficiencies

Judicial and naval personnel often lack sufficient training in the legal dimensions of maritime crimes and relevant international instruments. While some workshops have been conducted in collaboration with legal



institutions, they remain irregular and limited in scope (Salehi, 2020; Ahmadi, 2022; Jalilvand, 2022).

5.5. Challenges of Transparency in Judicial Proceedings

One of the noted challenges in Iran's handling of piracy cases relates to the limited public access to judicial data, case records, and prosecutorial outcomes. Unlike countries such as Kenya or Seychelles, which regularly publish piracy-related judicial proceedings, Iran does not currently have a formalized or institutional mechanism for such disclosures (Geiss & Petrig, 2011; Guilfoyle, 2016). This situation should not be interpreted as an absence of activity or unwillingness to prosecute piracy but rather reflects administrative structures, legal limitations, and national security considerations that currently prevent the routine publication of related legal data (IRI Judiciary, 2023; Jalilvand, 2022). However, adopting transparent reporting mechanisms—such as anonymized data sharing and procedural summaries—could strengthen both domestic legal accountability and international cooperation (UNODC, 2020; Ahmadi, 2022).

6.5. Lack of Victim Protection Mechanisms

Iran's legal system currently does not offer formalized support or compensation structures for victims of maritime piracy, including commercial seafarers and shipping companies. While certain support services may exist within administrative bodies, these mechanisms are not enshrined in statutory law (Alimoradi, 2022; IRI Judiciary, 2023).

7.5. Limited Participation in International Legal Forums

Despite Iran's operational contributions to maritime security, it is not a member of key international legal and policy platforms such as the Contact Group on Piracy off the Coast of Somalia (CGPCS). Iran's absence from such forums has been attributed to political, diplomatic, and legal constraints (Roach, 2010; Treves, 2009; Motahari, 2022).

8.5. Conclusion and Recommendations

Iran has made commendable efforts at the naval level to secure maritime routes against piracy. However, significant legal and institutional reforms

are required to translate these efforts into sustainable judicial outcomes. Based on the analysis above, the following reforms are recommended:

- Enact comprehensive anti-piracy legislation consistent with UNCLOS and the SUA Convention;

- Establish specialized courts and prosecutorial divisions for maritime crimes;

- Implement training programs for legal and naval personnel on international criminal law and maritime conventions;

- Enhance transparency through structured data sharing and procedural reporting;

- Develop legal and financial support systems for piracy victims;

- Strengthen Iran's participation in international legal cooperation and multilateral anti-piracy mechanisms.

Through such reforms, Iran can enhance both its national maritime security framework and its standing as a credible regional and international actor in maritime criminal law (Cassese, 2003; Bassiouni, 2008; UNODC, 2020).

6. Strategic and Legal Recommendations for Enhancing Iran's Naval Response to Maritime Piracy

persistent threat to maritime security in the Gulf of Aden, the Arabian Sea, and adjacent waters, Iran must adopt an integrated legal, strategic, and operational framework. Chapter 6 presents a roadmap for strengthening Iran's naval and judicial systems to effectively combat piracy, in line with international criminal law and maritime law standards.

1.6. Legal Reform Recommendations

Iran must enact a comprehensive anti-piracy law that defines piracy in accordance with UNCLOS Article 101 and criminalizes associated acts such as hostage-taking, armed robbery at sea, and collusion with terrorist networks. Moreover, Iran should consider ratifying UNCLOS and the SUA Convention to enhance legitimacy and international cooperation. Legal procedures for the arrest, prosecution, and extradition of pirates must be clarified and harmonized with international norms.



2.6. Judicial and Institutional Capacity Building

To strengthen domestic enforcement, specialized maritime criminal courts and prosecutorial units should be established. Judges, prosecutors, and law enforcement officials should undergo advanced training in international maritime criminal law. Cooperation with international bodies such as UNODC and IMO can facilitate capacity-building workshops and technical exchanges.

3.6. Enhancing Regional and International Cooperation

Iran should actively engage with international anti-piracy initiatives, including the Contact Group on Piracy off the Coast of Somalia (CGPCS) and the Djibouti Code of Conduct. Enhanced collaboration with regional navies, joint patrol agreements, and real-time intelligence sharing can increase maritime domain awareness and deterrence. Confidence-building measures in the Indian Ocean Naval Symposium (IONS) framework should also be pursued.

4.6. Strategic Use of Naval Power

Iran's strategic navy should continue deploying escort fleets to protect Iranian and allied vessels. Expanding the presence of the 77th and 86th naval fleets in international waters demonstrates deterrence and commitment to maritime security. However, deployments should be guided by clear rules of engagement and international humanitarian law to maintain legitimacy and accountability.

5.6. Technological Innovation and Surveillance

To effectively monitor vast maritime zones, Iran must invest in satellite tracking systems, unmanned aerial vehicles (UAVs), and coastal radar stations. Integration of artificial intelligence in identifying piracy patterns and vessel movements can enhance preemptive responses. Coordination with international maritime security databases is also recommended.

6.6. Victim-Centered Approaches and Human Rights Safeguards

Legal frameworks should ensure psychological, legal, and financial support for victims of piracy, including Iranian seafarers and foreign nationals. Human rights training must be integrated into naval operations and legal proceedings to ensure fair treatment of suspects and compliance with international standards.

7.6. Public Diplomacy and Legal Visibility

Iran should transparently share its anti-piracy efforts through published reports, maritime security briefings, and legal bulletins. Increased legal diplomacy and narrative framing in international legal journals can enhance Iran's credibility and help counter politicized narratives.

A coherent and comprehensive strategy integrating legal reform, naval capacity-building, and international engagement is essential for Iran to effectively respond to maritime piracy. By aligning with international criminal law and reinforcing domestic legal systems, Iran can both safeguard its maritime interests and contribute meaningfully to global maritime governance.

7. Conclusion

1.7. Summary of Findings

This study explored the role and position of the Islamic Republic of Iran's Strategic Navy in addressing maritime piracy from the perspectives of international criminal law, international public law, and Iran's domestic legal system. The findings indicate that Iran has actively contributed to securing commercial shipping routes in high-risk regions such as the Gulf of Aden, the Arabian Sea, and Bab el-Mandeb. These operations align with the general responsibilities of states in maintaining maritime security and exercising universal jurisdiction in combating piracy.

2.7. Iran's Current Legal Standing

Iran is a signatory to the 1982 United Nations Convention on the Law of the Sea (UNCLOS) but has not ratified it. Nevertheless, many of its provisions are recognized by Iran as customary international law. Iran's naval security



activities, including escorting vessels, rescuing foreign ships from piracy attacks, and detaining armed suspects at sea, are consistent with the practices of other nations and the principles of universal jurisdiction.

Domestically, Iran has implemented general legislation to address maritime crimes; however, detailed provisions regarding extraterritorial jurisdiction, the treatment of foreign suspects, and extradition practices require further development and harmonization with international legal norms.

3.7. Practical Insights and Recommendations

Based on the study, Iran's actions appear to conform to international objectives of combating piracy, including preventing insecurity in international waterways and protecting civilian seafarers. The following practical recommendations are proposed:

1. Formally ratify UNCLOS and the SUA Convention to strengthen legal alignment.
2. Update domestic anti-piracy laws in accordance with UNCLOS Article 101 and modern international standards.
3. Establish specialized maritime courts and prosecution branches.
4. Design fair trial and detention processes grounded in human rights and universal jurisdiction.
5. Enhance regional cooperation, particularly with nations in the Indian Ocean and Gulf of Aden.
6. Create victim support schemes for seafarers affected by piracy incidents.

4.7. Final Remark

By reinforcing its legal and naval capacities, the Islamic Republic of Iran can both fulfill its regional responsibilities and strengthen its international legal position in the fight against piracy. Aligning operational efforts with international criminal law principles and fostering transparency and cooperation will help consolidate Iran's legitimacy in the global maritime security framework.

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