

Freedom of Navigation Operation Conducted by US Navy

The US Navy sent a warship **into India's exclusive economic zone (EEZ)** for a **freedom of navigation operation (FONOP)**, without seeking prior approval. The patrol came while US presidential climate envoy John Kerry was in the Indian capital on a three-day visit to push New Delhi to take stronger action on climate change.

Why US Conducted This Operation

- The US Navy 7th Fleet had issued a press release in this regard. It said that US Navy had “**asserted navigational rights and freedoms**” inside India's EEZ.
- It had done so by **sailing the USS John Paul Jones**, a 9,000-tonne guided missile destroyer, through Indian **waters without requesting prior consent from New Delhi**.

What Is The Contention

- US conducted the operation at approximately **130 nautical miles west of the Lakshadweep Islands**, inside India's exclusive economic zone.
- As per Indian law, any activity within 200 km nautical miles (which falls under EEZ or Indian waters) **needs prior permission**.
- The “prior consent” is the bone of contention between the two countries. US had said that India's claim in this regard is inconsistent with international law. It said the operation upheld the rights, freedoms, and lawful uses of the sea recognised in international law by challenging India's excessive maritime claims.
- As per India, this action is against the **1982 United Nations Convention on the Law of the Sea (UNCLOS)**.
- This law **does not authorise other states to carry out military exercises** or manoeuvres, in particular those involving the use of weapons or explosives, **without the consent of the coastal state” in either its EEZ or on the continental shelf**.

How Significant is the US Decision to Conduct the Patrol?

- An analysis of FONOPs conducted by the US Navy over the years reveals that they have been **aimed at challenging many countries' maritime claims**, including partners and allies.
- **Between October 2019 and September 2020, the US challenged the maritime claims of 19 governments**, including Brazil, Japan, Malaysia, South Korea, Taiwan, Vietnam and mainland China.
- The US Navy conducted a similar FONOP in Sri Lanka's EEZ just days before the operation in Indian waters, and also challenged South Korea's excessive baseline claim on March 31.
- Hence, it can be said that US had been conducting such operations in the past. However, they have never announced it.