

Sinking of Iranian ship: The legal framework that governs maritime conflict

The sinking of the frigate, in which at least 80 sailors were killed, has widened the theatre of the war between US-Israel and Iran

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Iranian warship IRIS Dena is seen in the Bay of Bengal during International Fleet Review held at Visakhapatnam, India, Feb. 18, 2026. (AP/PTI)

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A US submarine on Wednesday torpedoed Iranian warship IRIS Dena off the coast of

Sri Lanka, outside its nautical boundary.

The ship was returning after participating in the International Fleet Review and MILAN-2026, a multilateral naval exercise organised by the Indian Navy off Visakhapatnam last month.

The sinking of the frigate, in which at least 80 sailors were killed, has widened the theatre of the war between US-Israel and Iran — beyond West Asia and the Gulf to India's immediate neighbourhood.

It also ignited a debate in India about maritime security in the Indian Ocean, a region where New [Delhi](#) maintains a significant naval presence.

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Several Indian Navy officers maintained that once a ship enters international waters, there is not much of a role any country can play in protecting it from an adversarial force. Here's a look at what maritime law and conventions say.

• HOW A MARK-48 TORPEDO WORKS

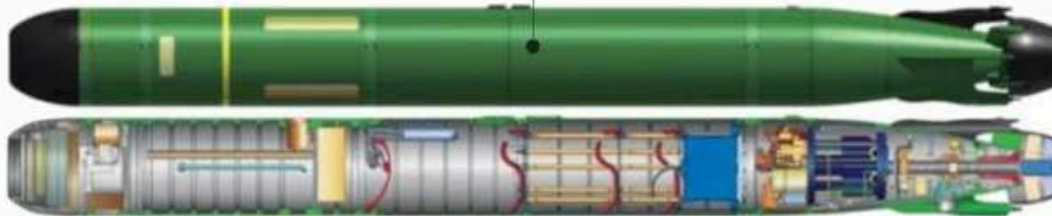
The Mark-48 torpedo is the US Navy's main sub-launched weapon for attacking ships and other vessels

- Introduced in 1972 and built at a Navy base in Virginia, the Mark-48 heavyweight torpedo has been updated periodically.
- It uses sonar to find its target and dive down underneath it

1700 kg

approximate weight of the most recent version

- There, the equivalent of roughly 500 pounds of TNT detonates
- This creates a bubble of gases that rises upward and snaps the ship's spine (keel) through metal fatigue



- The impact of the underwater explosion rips the ship into two or more pieces, causing it to sink quickly.



A 'PRIZE SHIP'

- IRIS Dena, described by US Defense Secretary Pete Hegseth as a 'prize ship', sank off the coast of Sri Lanka after a torpedo attack.



- Dena was returning to Iran after taking part in a naval exercise last month in Visakhapatnam.

- The warship is likely to have been armed with basic weapon systems, including close-in weapon systems and area defence systems at the time of the attack.

Conventions and laws

International maritime law falls under the purview of the United Nations Convention on the Law of the Sea (UNCLOS). The US is not a signatory to it.

But it does not contain explicit provisions regulating the conduct of belligerent parties during armed conflict, as its primary focus is on peacetime governance.

Instead, the law of naval warfare operates in parallel with UNCLOS during conflicts. So, it doesn't matter if the Dena was directly participating in the conflict. It was a warship of the Iranian navy and, therefore, a legitimate target.

The UN Charter, too, addresses the use of force in international waters. Article 51 of the Charter, concerning the Right of individual or collective self-defence, provides an exception to the prohibition of the use of force as stipulated in Article 2 (4) of the

Charter. Article 51 allows UN members to exercise their right to self-defence in the event of an “armed attack”.

Alternatively, the Casebook of the International Committee of the Red Cross cites authorisation by the UN Security Council as grounds for a strike. While this measure dates back to the 1990 Gulf War, it may not be feasible. Chapter VII of the UN Charter, which outlines such authorisation, requires a majority vote from the council members with none of the permanent members — including the US — exercising their veto rights.

A RARE ATTACK

Since World War II, submarine torpedo strikes that sank major warships have been relatively rare. Here are the prominent instances:

INS KHUKRI (DECEMBER 9, 1971)

Pakistani submarine PNS Hangor sank the Indian frigate off Diu. The attack killed 176 sailors.

ARA GENERAL BELGRANO (MAY 2, 1982)

UK sub HMS Conqueror struck the Argentine cruiser during Falklands War. The attack killed 323 sailors.

ROKS CHEONAN (MARCH 26, 2010)

The South Korean corvette sank after a suspected torpedo attack by North Korea.

The last American submarine to fire a torpedo at an enemy vessel was the USS Torsk, which sank a 750-ton Japanese vessel on August 14, 1945.

The sanctions on the ship

The Iranian warship was sanctioned by the US Treasury Department in February 2023, along with executives of an Iranian drone company called Paravar Pars. In a statement, the US Department of the Treasury said that Iran was supplying UAVs for Russia’s combat operations to target critical infrastructure in Ukraine.

However, sanctions don’t mean that the ship cannot participate in a peacetime multilateral maritime exercise, but largely remains restricted to business or transactional activities.

At the time of the attack, the ship is likely to have been armed with basic weapon systems, including close-in weapon systems and area defence systems.

What experts say

Vice Admiral G Ashok Kumar (Retd), former vice-chief of the Indian Navy and the country’s first national maritime security coordinator, pointed out that there is no restriction on a war zone in the maritime domain. “It is very sad for us that the incident happened as the ship was returning from an international event organised

by the Indian Navy. But in the maritime domain, there is no restriction of battle or war zone, and the war started after they departed India,” he told The [Indian Express](#).

The former Navy officer added that the incident took place in the exclusive economic zone of Sri Lanka, and hence, they could quickly get into the search and rescue operation. “The fact that they were so close to the border might have meant that they were aware of some threat,” he said.

However, Rear Admiral Sudhir Pillai NM (Retd) argued in a Substack post that the use of force against a foreign warship on the high seas is presumptively unlawful unless clearly justified as self-defence or as part of an armed conflict.

In his Substack essay, he noted that a military strike in such circumstances could have been valid if it met the grounds for self-defence under Article 51 of the UN Charter.

A senior Navy official said that the US submarine attack to down the Iranian warship in international waters while it was on a peaceful passage is a “big escalation” in the ongoing US-Israel-Iran war.

“The ship was on a peaceful passage, and it wasn’t in the conflict zone. Even as the US has justified its action, this is a big escalation in the ongoing war,” said a senior official with the Indian Navy, who did not wish to be named.

He further said that while warships have measures to counter torpedo attacks, the Iranian ship would have likely been taken by surprise.

“They would not have expected an attack as they were on a peaceful passage and not in the conflict zone and were struck early morning. They may not have anticipated such an attack in international waters,” the official said.

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