



DIALOGUE SNAPSHOT

Changing Dynamics in Southeast Asian Maritime Affairs

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the Hollings Center
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Changing Dynamics in Southeast Asian Maritime Affairs

Executive Summary

This dialogue snapshot report captures the key findings of a multi-day exchange on maritime security in Southeast Asia, convening scholars, practitioners, and policymakers from across the region and international partners like the United States. The United States, while not a claimant state, remains a critical partner in supporting freedom of navigation operations and building maritime capacity among Southeast Asian partners. Participants explored how legal frameworks, geopolitical dynamics, institutional gaps, and non-traditional threats intersect to shape the region's maritime landscape. The conversations revealed both shared concerns and divergent priorities among Southeast Asian stakeholders, particularly in the context of great power competition, resource scarcity, technological change, and human mobility.

Participants underscored that maritime security challenges in Southeast Asia are increasingly complex and multifaceted, requiring integrated responses. Traditional threats such as territorial disputes and piracy persist alongside non-traditional issues, including illegal fishing, trafficking, cyber intrusions, and environmental degradation. The region's legal and institutional infrastructure was seen as underdeveloped relative to the scale of these challenges, with uneven implementation of international norms and limited coordination across national agencies and regional bodies.

Several key themes emerged: the urgent need for stronger legal harmonization under frameworks such as the United Nations Convention on the Law of the Sea (UNCLOS) and the Cape Town Agreement; the role of ASEAN and other multilateral platforms in coordinating responses to both acute and protracted crises; the importance of understanding maritime migration not just as a security issue, but as a humanitarian and development concern; and the growing salience of cyber and digital infrastructure in regional maritime competition.

The dialogue concluded with a set of concrete participant recommendations to advance maritime security in the region, emphasizing capacity building, inclusive governance, expanded regional cooperation, and the integration of technological and legal tools to

respond to emerging maritime risks. This report aims to synthesize these insights for foreign policy experts and maritime practitioners seeking to support a more secure and cooperative Indo-Pacific maritime order.

Fragmented Governance and Diverging National Priorities

Participants described a significant shift underway in Myanmar, where new political orders are taking shape in areas outside military control. Resistance actors, especially at the subnational level, are developing forms of governance in education, health, policing, and judicial affairs. These efforts are nascent but notable for their potential to serve as foundations for long-term decentralization. Rather than seeing governance collapse in contested regions, local communities are filling the vacuum with alternative structures. Examples shared included the establishment of village-level courts by community groups in Chin State, informal teacher training networks coordinated by resistance-linked education departments, and local health clinics in Karenni State operated by youth volunteers with support from diaspora donors. These embryonic systems signal a new political imagination driven by communities and resistance forces rather than elite political negotiations.

A recurring theme across sessions was the fragmented and multi-nodal nature of the resistance. Participants cautioned against romanticizing the opposition, noting internal contradictions, unequal capacities, and limited coordination among actors. While the National Unity Government (NUG) remains a key figure, it does not singularly represent the resistance. Participants highlighted that legitimacy on the ground is earned by actors who provide services and security, not merely by international recognition.

Efforts to unify resistance strategies have been constrained by diverging priorities—particularly between militarily active groups and those focused on political transition. One participant noted the resistance is best understood as a "multi-front contestation," not a coherent national struggle. This complexity has implications for international aid and diplomacy. As one expert explained, "Our engagement must be nimble, targeted, and aware of the diversity of actors—we need multiple channels, not just state-to-state diplomacy."



Illegal fishing vessel arrested in Indonesia, 2022. Source: [Shutterstock, Ginsu Wareng](#).

Fragmentation, Coordination, and Evolving Diplomatic Approaches

One of the clearest takeaways from the dialogue was the fragmented nature of maritime governance across Southeast Asia. Participants emphasized that while maritime threats often span national boundaries, the political and institutional responses to these threats remain largely national in scope. Each country brings its own set of priorities, shaped by domestic political considerations, geographical realities, and historical legacies. For instance, Malaysia has prioritized smuggling and refugee flows, while Indonesia is focused on illegal, unreported and unregulated (IUU) fishing and trafficking networks. Meanwhile, the Philippines has grappled with the legal ambiguity of piracy within and beyond its territorial waters, lacking clear penal provisions for piracy committed outside the 12-nautical-mile limit but within its exclusive economic zone. This legal gray area, as discussed by participants, underscores how even national-level frameworks can be incomplete, leaving critical gaps in enforcement and jurisdiction.

This divergence has produced a patchwork of overlapping and, at times, conflicting mandates among law enforcement agencies, navies, coast guards, and ministries. Participants noted that institutional silos and intra-governmental competition often inhibit effective maritime governance. “Organized crime committers are more organized than the

government,” one speaker said, highlighting both the agility of illicit networks and the rigidity of state structures. Others observed that inter-agency rivalries, such as between navies and coast guards, further hinder coherent responses. A maritime single point of contact initiative was discussed, but remains stalled over bureaucratic competition and unclear chains of command.

Despite these challenges, there were acknowledgments of ongoing efforts within ASEAN and sub-regional platforms to facilitate cooperation. The ASEAN Coast Guard Forum was highlighted as an important platform, particularly in light of unsettled maritime boundaries and growing challenges in law enforcement at sea. One participant noted that the Forum offers an opportunity to foster interoperability and trust among regional coast guards, though currently these institutions differ widely in mandate, capability, and even organizational structure—ranging from civilian-led agencies to naval-affiliated forces. Several participants noted that U.S. training programs and joint exercises have helped improve coordination across agencies, complementing ASEAN’s own efforts to foster interoperability.

The AHA Center, or ASEAN Coordinating Centre for Humanitarian Assistance on disaster management, was also discussed, especially in the context of disaster response and humanitarian coordination. Established to facilitate effective disaster management among ASEAN member states, the Center has played a notable role in coordinating aid during emergencies. It was cited as a “low-hanging fruit” for regional cooperation, with participants highlighting its success in facilitating aid delivery to Myanmar following a major typhoon despite political sensitivities. However, limitations in mandate and concerns over personnel security in conflict zones have prevented it from being leveraged more broadly. As one participant summarized, “ASEAN has the tools—but not the trigger,” emphasizing the need to activate and adapt existing institutions for a wider range of maritime challenges. The dialogue underscored the importance of developing more flexible, cross-sectoral coordination mechanisms that better include civil society and private sector stakeholders.

The Role and Limitations of Legal Frameworks

The dialogue revealed a complex relationship between international legal instruments and national implementation. Instruments such as the United Nations Convention on the Law of the Sea (UNCLOS), the Maritime Labour Convention (MLC), and the Cape Town

Agreement were discussed. UNCLOS serves as the foundational treaty governing maritime rights, responsibilities, and jurisdiction, including territorial seas and exclusive economic zones. The MLC sets minimum working and living standards for seafarers globally, aiming to ensure their rights and welfare. The Cape Town Agreement, meanwhile, seeks to enhance the safety of fishing vessels and their crews through mandatory safety regulations. Yet the degree to which these frameworks are integrated into domestic law and practice varies widely across the region. Notably, no Asian states have ratified the Cape Town Agreement.

Participants noted that while UNCLOS provides a critical legal baseline, implementation is inconsistent. Legal gaps persist, particularly around piracy and trafficking. In the Philippines, for example, there is no penal provision for acts of piracy committed beyond 12 nautical miles but within the exclusive economic zone. This ambiguity has created enforcement challenges, especially when crimes occur just outside territorial waters. Similarly, while the MLC has been adopted in principle by several states, its enforcement remains minimal, with few labor protections extended to workers aboard fishing or cargo



Indonesian marine police patrol seas area near Alor, Indonesia. Source: [Shutterstock, Riyan Pally](#)

vessels. One speaker stressed the general difficulty of securing convictions for maritime trafficking and forced labor due to jurisdictional ambiguities and limited inter-agency coordination. These shortcomings underscore the urgent need to strengthen domestic legal mechanisms and align them more closely with international standards. Although the United States has not ratified UNCLOS, participants acknowledged that it acts as one of the convention's strongest enforcers through its naval presence and continued advocacy for a rules-based maritime order.

Participants described legal frameworks as both enabling and constraining. On one hand, they help establish rules of engagement and define rights and responsibilities. For instance, several participants cited the Pacific Islander-led push to fix maritime baselines in the face of sea-level rise as a legal innovation that enables vulnerable states to preserve their maritime entitlements and sovereignty. On the other hand, these frameworks are only as effective as the institutions tasked with enforcing them. "Legal frameworks must be translated into domestic political priorities—otherwise they remain aspirational," one speaker emphasized. An example of constraint came from the Philippines, where the absence of penal provisions for piracy in its exclusive economic zone limits the state's capacity to prosecute maritime crimes. Several participants noted the general difficulty of prosecuting trafficking and forced labor, where the number of convictions remains vanishingly small.

These discussions revealed the broader challenge of adapting longstanding legal doctrines to the changing realities of maritime governance in Southeast Asia. While environmental shifts were noted as one complicating factor, participants also pointed to legal ambiguity, jurisdictional overlap, and uneven enforcement as persistent hurdles. The interplay between enabling innovations—such as fixed baselines to preserve entitlements—and constraining factors—such as the lack of penal provisions or limited prosecutorial success—underscored the practical dilemmas governments face. Participants emphasized that legal reform must be paired with institutional capacity-building and regional cooperation to ensure maritime stability, particularly in addressing transboundary threats like trafficking, smuggling, and unregulated fishing.

Non-Traditional Maritime Threats: IUU Fishing, Trafficking, and Crime

Non-traditional maritime threats emerged as a central concern throughout the dialogue, highlighting the evolving and multidimensional nature of maritime security in Southeast Asia. These challenges—ranging from illegal fishing and trafficking to cyber intrusions and unregulated migration—are not easily addressed through traditional naval or legal tools alone. Participants emphasized that these threats often cut across sectors and borders, involve both state and non-state actors, and exploit governance gaps and jurisdictional blind spots. The absence of shared frameworks and interoperable enforcement mechanisms further complicates regional responses. One speaker noted, “We often treat these issues in silos, but in reality they are deeply interconnected.”

Illegal, unreported, and unregulated (IUU) fishing emerged as a potent example of how environmental and security challenges intersect. One participant noted that over half of the world’s fish catch comes from the Indian and Pacific Oceans, and many coastal fisheries are in sharp decline. IUU fishing is not merely about overfishing—it’s a node within a broader web of forced labor, human trafficking, and transnational crime. Fishing vessels often serve multiple functions, doubling as platforms for smuggling drugs and people. U.S. partnerships with the Philippines and Vietnam were highlighted as examples of how external actors can provide intelligence and enforcement support against IUU fishing networks.

The human cost was underscored through references to high-profile cases of labor trafficking in the seafood industry, including reports of sexual abuse, murder, and slavery-like conditions. These vessels often remain at sea for months through offshore transshipment and bunkering, making inspection and enforcement difficult. Participants pointed out that crimes often occur on the high seas, where jurisdictional boundaries are blurred and international law offers limited recourse.

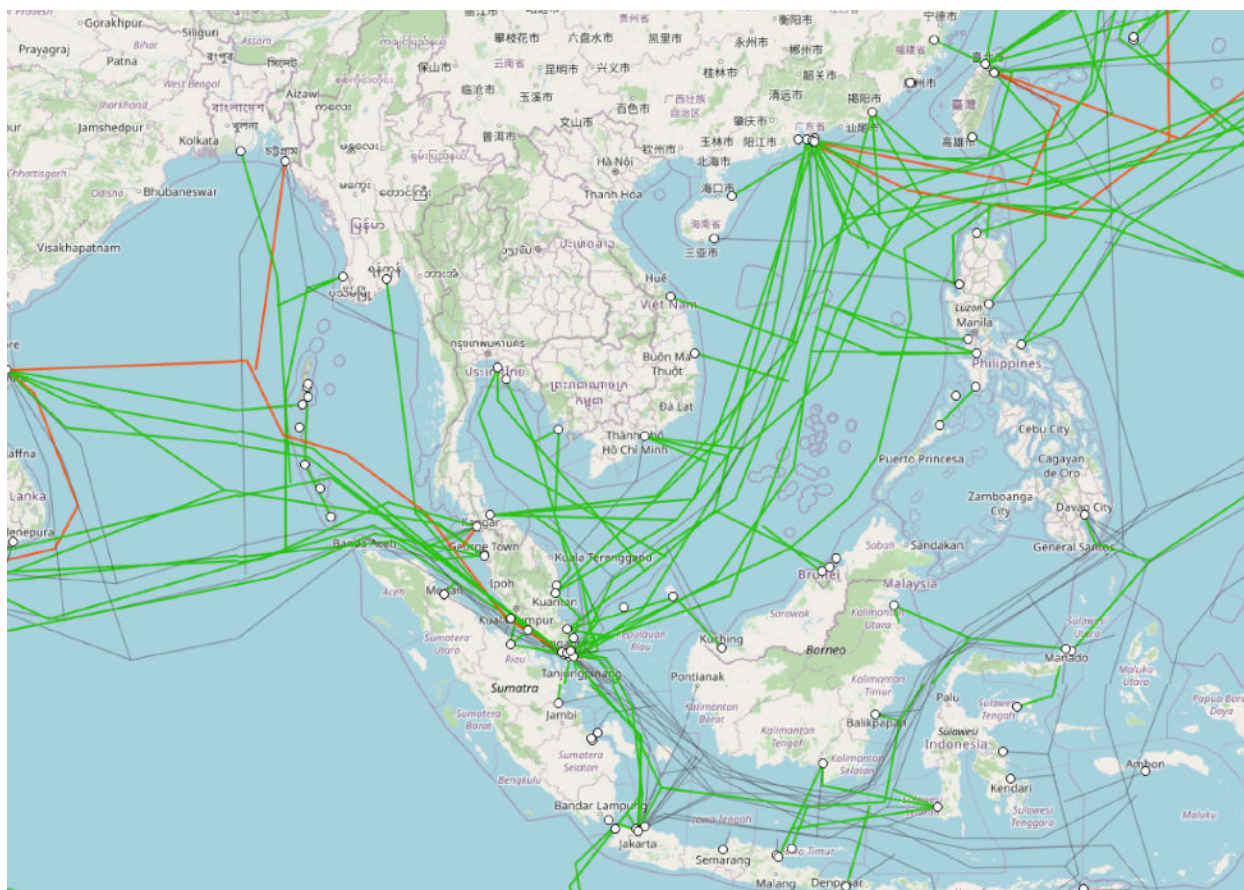
In addition to human trafficking, participants discussed how vessels engaged in IUU fishing are frequently linked to other forms of organized crime such as arms trafficking and narcotics smuggling. One speaker highlighted the growing prevalence of labor abuse and the difficulty of achieving convictions, attributing this to weak legal frameworks and poor inter-agency coordination. Another noted that smugglers are not always professional criminal syndicates; in some cases, they are religious or community figures who exploit

trust and desperation to operate illicit maritime networks. These actors often go unprosecuted. The opaque and decentralized nature of these networks poses significant challenges for regional cooperation and deterrence.

Efforts to address these issues include satellite and AI-based monitoring technologies to detect suspicious vessel behavior. Participants discussed the emergence of ‘dark shipping’—vessels deliberately disabling their Automatic Identification Systems (AIS) to evade detection. These ships often operate at night or outside of expected shipping lanes, complicating monitoring and enforcement efforts. One participant noted that this phenomenon is increasingly associated with illicit activities, including trafficking and IUU fishing. However, several speakers emphasized that enforcement alone is insufficient. Underlying drivers such as poverty, declining fish stocks, and economic desperation must be tackled. Investments in coastal communities, social protection measures, and legal alternatives for migrant labor were proposed as essential components of any long-term solution.

Digital Infrastructure and Cybersecurity: The Hidden Maritime Layer

An emerging and under-discussed theme was the cyber dimension of maritime security. One participant traced the roots of cyber threats in the South China Sea back more than two decades, noting that initial cyber intrusions were linked to interest in oil and gas reserves. Over time, these activities expanded, targeting regional governments, law firms, and strategic institutions. Notably, cyber operations were often timed to coincide with significant political or legal events—such as the Philippines’ arbitration case against China—suggesting a coordinated strategy to influence or monitor maritime developments through digital means. These threats go beyond simple surveillance; they raise legal and operational questions regarding attribution, liability, and whether cyber intrusions constitute threats or use of force under international law. Participants stressed the lack of clarity in international frameworks to address such activities and the absence of cyber components in regional maritime agreements such as the Code of Conduct (COC). There was strong consensus that cyber threats are not just peripheral—they are core to the evolving nature of maritime competition and must be treated as such in governance mechanisms.



Undersea telecommunications cables in Southeast Asia. The Strait of Malacca, South China Sea, and Sulawesi Sea all carry significant traffic for both the region and globally. Source: fiberatlantic.com

Submarine cables, essential to global connectivity, particularly in Southeast Asia, were highlighted as critical infrastructure vulnerable to both physical and digital threats. Risks include accidental damage from activities like anchoring and dredging, as well as intentional sabotage. The significant control exerted by major tech companies, such as Meta and Google, over much of the region's cable infrastructure raises concerns about sovereignty, data security, and governance. Given that many of the major technology firms operating submarine cables in the region are U.S.-based, Washington has both a stake and a responsibility in shaping governance standards for digital resilience. Participants also underscored the importance of Southeast Asian nations taking a more proactive role in defining regulatory frameworks, setting standards, and negotiating contracts, to better protect their interests and ensure regional resilience. A regional dialogue on cable security, involving governments, industry, and academia, was proposed. Greater cyber literacy among maritime agencies was seen as essential. The region's lack of awareness—

both institutional and public—about the strategic importance of undersea cables was identified as a critical vulnerability.

Migration, Refugees, and Burden-Sharing

Discussions on migration and refugees revealed the human face of maritime insecurity. The plight of Rohingya refugees, smuggled by boat and often abandoned at sea, was a recurring topic that elicited strong responses. Malaysia, in particular, has received large numbers of refugees, with one participant citing a figure of 200,000, including approximately 168,000 Rohingya, placing significant strain on domestic resources and public sentiment. The issue was framed as a conflict between humanitarian obligations and national security, with one speaker describing it as “human rights versus security.” Concerns were raised about the lack of a national refugee framework in Malaysia, which complicates the state’s ability to manage arrivals. In some communities, local resentment has intensified due to perceived competition over land and services. Meanwhile, political sensitivities and social tensions have made refugee issues increasingly salient in national elections, not only in Malaysia, but also in Indonesia. Participants expressed concern that ASEAN has been largely absent on the issue, with little regional coordination or burden-sharing. Despite the challenges, some saw opportunities in enhancing social investment in source and transit countries—such as opening medical facilities or creating economic opportunities—to reduce irregular migration pressures and address root causes.

Participants emphasized that current counter-smuggling efforts are largely reactive, focusing heavily on enforcement and interdiction rather than on systemic root causes. Smugglers are not always part of organized criminal syndicates—many are local religious figures or community leaders who exploit the vulnerabilities and desperation of migrants. This reflects a broader pattern where smuggling networks are informal, fluid, and deeply embedded within social systems, making them difficult to dismantle using conventional law enforcement approaches. The movement of people is often circular and multi-directional, with migrants stopping in one country before attempting to reach another. One participant noted that this complexity challenges the dominant notion of migration as a linear, one-way journey. Several speakers stressed that without addressing the push factors—such as poverty, lack of opportunity, and instability in source countries—efforts to deter migration will remain ineffective.

Despite repeated calls for ASEAN to take a more active role, there is no regional protection framework for maritime refugees. Several participants noted that ASEAN has the institutional potential to coordinate such a framework but lacks the political consensus to act decisively. While some suggested the AHA Centre could serve as a model, others pointed out its limited mandate and capacity, especially concerning protracted refugee situations. There were proposals for a regionally coordinated mechanism that could standardize protocols for search and rescue, disembarkation, and temporary protection, along with longer-term burden-sharing arrangements. Several participants called for greater responsibility-sharing not only among ASEAN member states but also with international partners, given the transboundary nature of maritime migration.

Intersecting Challenges and Strategic Takeaways

Across six sessions of intensive discussion, participants offered an array of recommendations to address the maritime security challenges confronting Southeast Asia. While many acknowledged the limits of consensus given the region's political diversity and asymmetrical capacities, there was clear agreement on the need for more coordinated, inclusive, and forward-looking approaches to maritime governance. Their proposals spanned legal reform, institutional innovation, strategic investment, and regional diplomacy.

1. Deepening Multilateral Cooperation and Dialogue

Participants called for expanding and formalizing regional forums such as the proposed ASEAN Coast Guard Forum. This platform was seen as a potential mechanism for building trust, sharing operational information, and coordinating on transboundary threats like smuggling and illegal fishing. Another proposal was to utilize existing bodies such as the ASEAN Coordinating Centre for Humanitarian Assistance (AHA Centre) more effectively in protracted refugee situations, not just in disaster response. U.S. support for ASEAN centrality, including resources for capacity-building and maritime domain awareness, was cited as an important complement to regional initiatives.

2. Integrating Cybersecurity and Emerging Technologies into Maritime Governance

Several speakers urged ASEAN and national governments to recognize undersea digital infrastructure and cyber vulnerabilities as core security issues. Recommendations included building ASEAN-wide awareness campaigns on submarine cables, incorporating cyber threats into the South China Sea Code of Conduct, and fostering greater collaboration

between government, industry, and academia. Participants emphasized that agreements with global technology companies should be framed as security decisions, not just commercial deals.

3. Enhancing National Capacity and Policy Coherence

At the domestic level, participants highlighted the need for greater inter-agency coordination and political will. Maritime threats—whether cyber, trafficking-related, or environmental—often fall through jurisdictional cracks. Some speakers proposed creating national white papers on maritime security to align policy across ministries and sectors. Others stressed that governments should work proactively with civil society and the private sector to develop policies grounded in technical expertise and practical realities.

4. Addressing Root Causes of Irregular Migration and Smuggling

In place of short-term enforcement solutions, participants advocated for investments that address the structural drivers of migration. U.S. development aid in Bangladesh, Myanmar, and other source countries was referenced as an example of how external partners can help address root causes of irregular migration. One speaker cited Malaysia's construction of a hospital in Bangladesh as an example of social investment in source countries. Another called for deregulating aspects of legal migration to reduce reliance on illicit channels. There was also a call for reframing smuggling not solely as organized crime but as a complex, often informal phenomenon driven by economic desperation and policy failure.

5. Advancing Legal Harmonization and Institutional Reform

Several participants urged states to align domestic law with international frameworks like UNCLOS, the Maritime Labour Convention, and the Cape Town Agreement. Others proposed clarifying definitions of maritime crimes and working toward regionally agreed-upon enforcement standards. However, they also cautioned against overly rigid legal instruments that ignore local context. Instead, they encouraged hybrid mechanisms that combine soft-law coordination with binding commitments where feasible.

6. Bridging Disciplinary and Sectoral Silos

Throughout the dialogue, participants stressed the importance of intersectionality—recognizing how issues like migration, technology, security, and environment interact. This called for more inclusive conversations that bring in technical experts, local communities, and underrepresented ASEAN members. One participant suggested that future dialogues

include actors directly affected by these issues, such as refugees, to ensure policies reflect lived realities.

7. Building Resilience Through Awareness, Training, and Funding

Finally, participants advocated for increased investment in capacity-building. This included maritime domain awareness programs, technical training on digital infrastructure, and better funding mechanisms for climate adaptation and environmental protection. A recurring theme was the need to move beyond reactive policymaking and toward anticipatory governance—whether in tracking cyber intrusions, addressing forced migration, or preparing for sea-level rise.

In sum, participants conveyed both the urgency and the opportunity of the current maritime moment. As one participant reflected, Southeast Asia's maritime future cannot be secured solely through hard power or legal declarations—it requires inclusive, adaptable, and sustained cooperation rooted in regional ownership and informed by the realities on the ground.

Cover Photo: Source: [Shutterstock](#).



The Hollings Center for International Dialogue is a non-profit, non-governmental organization dedicated to fostering dialogue between the United States and countries with predominantly Muslim populations around the world. In pursuit of its mission, the Hollings Center convenes dialogue conferences that generate new thinking on important international issues and deepen channels of communication across opinion leaders and experts. The Hollings Center is headquartered in Washington, D.C. and maintains a representative office in Istanbul, Türkiye.

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