



# Maritime Security Sector Governance and Reform in Southeast Asia

Thematic SSG Brief

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**Cover picture:** Fishing boats docked at one of the quays in Jakarta, Indonesia in February 2019. Picture by Tom Fisk, freely available on Pexels (2019).

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## Executive Summary

At present, maritime security is a primary concern for all countries in Southeast Asia. For Indonesia and the Philippines, among the largest archipelagic nations in the world, it is at the very centre of traditional security priorities. Even for countries with limited or no coastline such as Cambodia and Laos, the ripple effect of maritime insecurity on business throughout the region and the risk of destabilisation makes it an important topic. Each country, and at the regional level ASEAN, is increasingly striving to improve maritime security through national policies, as well as bilateral and regional agreements and treaties. This follows decades of so-called “sea blindness” or in other words prioritisation of land security issues over maritime ones. The threats to maritime security in Southeast Asia are multiple, from overlapping territorial claims that risk leading to international tensions, to illegal trafficking and fishing, piracy, and even violent extremism.

Although legal frameworks at the national and regional levels have been developed substantially in the past years, they remain largely incomplete, and do not accomplish coherency across security sector actors who hold different understandings of maritime security goals and favour different responses to maritime insecurity. Indeed, the exact definition of maritime security itself is not unanimously accepted. Further, the importance of the systematic application of good governance principles to maritime security, as well as the need to regularly review and reform maritime security policies, are largely overlooked. Finally, the maritime domain is largely seen through a traditional security lens without due consideration of its impacts on human security.

If all security sector actors, state and non-state alike, make a coordinated effort, several short-, medium- and long-term steps can be undertaken to improve the good governance of maritime security in Southeast Asia. Concrete recommendations can be addressed to various actors at the national and regional levels to support reforms that would improve maritime security sector governance.

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## Introduction

### What is Maritime Security?

Maritime security can be defined as the absence of various threats to actors that operate on the sea, to activities that take place on and across the sea, to the well-being of the sea itself.<sup>1</sup> These threats have generally been understood to comprise traditional security threats such as inter-state disputes, extremist violence, and various forms of “blue crime” including piracy, smuggling and environmental crime, as illustrated by Figure 1. However, as environmental concerns become ever more important, there is a pressing need for an updated understanding of maritime security that also includes non-traditional security threats.

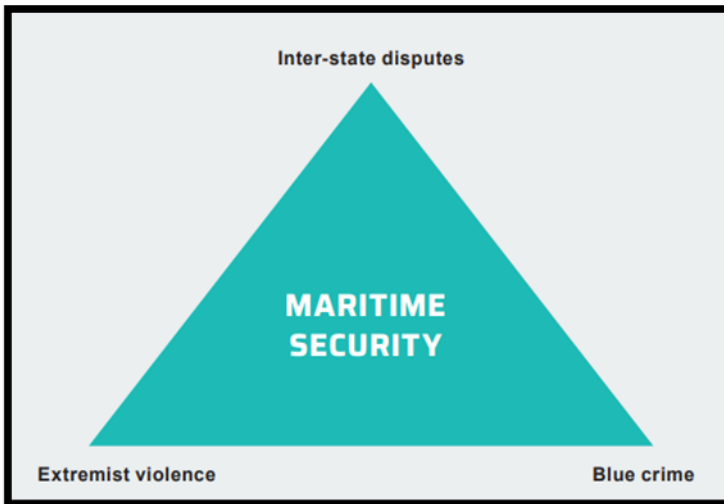


Figure 1: Maritime Security Challenges.<sup>2</sup>

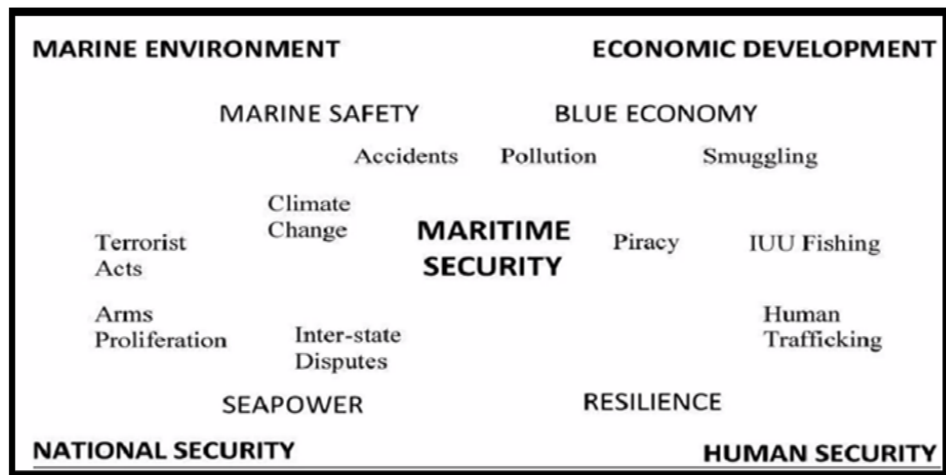


Figure 2: Maritime Security Matrix.<sup>3</sup>

1 DCAF – Geneva Centre for Security Sector Governance (2023) “Maritime Security Sector Governance and Reform”, *SSR Backgrounder Series*, [www.dcaf.ch/sites/default/files/publications/documents/DCAF\\_BG\\_24\\_MaritimeSecuritySectorGovernanceReform\\_EN.pdf](http://www.dcaf.ch/sites/default/files/publications/documents/DCAF_BG_24_MaritimeSecuritySectorGovernanceReform_EN.pdf).

2 C. Bueger and T. Edmunds (2020) “Blue Crime: Conceptualising Transnational Organised Crime at Sea”, *Marine Policy*, Vol. 119, doi.org/10.1016/j.marpol.2020.104067.

3 C. Bueger (2015) “What Is Maritime Security?”, *Marine Policy*, Vol. 53, doi.org/10.1016/j.marpol.2014.12.005.

Christian Bueger’s maritime security matrix (Figure 2) identifies four distinct pillars of maritime security: marine environment, economic development, national security and human security.<sup>4</sup> The matrix indicates that different stakeholders’ understanding of maritime security can vary significantly because of their different maritime priorities and concerns, which can cause tensions between them. For example, extractive industries such as oil companies understand maritime security to be the absence of disruption or threat to their activities on sea. For environmental activists, on the other hand, maritime security is about protecting marine life, whereas governments expand the concept to also encompass and prioritise potential threats to their national interests, at the risk of overlooking the concerns of affected communities, such as fishermen.

This divergence in the understanding of maritime security is because related issues and threats are often addressed in isolation, despite being strongly interlinked. Maritime security also requires actions that transcend different jurisdictions and state boundaries and that involve various state and non-state security actors. Furthermore, these actions, including reforms, need to be undertaken for both land and sea. This might create additional problems of coordination, as institutions working on land security issues versus those working on maritime security issues might have little previous experience of working together. The links between maritime security, security institutions and the wider political environment in which they are located therefore need to be more strongly acknowledged to ensure accountability.

### **What are Maritime Security Sector Governance (MSSG) and Maritime Security Sector Reform (MSSR)?**

Maritime security sector governance (MSSG) means that all those providing maritime security do so in accordance with good governance principles, including efficiency, effectiveness and accountability. Maritime security sector reform (MSSR) refers to the organisational reforms that promote, enable and maintain good MSSG.

MSSR primarily focuses on organisational reforms that improve civilian oversight, accountability and the rule of law. These improvements include the establishment of structures and processes that ensure checks and balances for maritime security actors and budgets. They also include the strengthening of civil society actors, including the media and non-governmental organisations, that play an important role both by raising public awareness about maritime security issues and by holding the security sector actors accountable.

The combined term MSSG/R refers to activities that are directed at empowering institutions to efficiently govern the maritime domain (i.e. all maritime zones) in an accountable manner. Figure 3 outlines the various security actors involved in MSSG/R, and their roles.

4 C. Bueger (2015) “What Is Maritime Security?”, *Marine Policy*, Vol. 53, doi.org/10.1016/j.marpol.2014.12.005.



Figure 3: Roles and Responsibilities of Different Actors in Maritime Security.<sup>5</sup>

MSSG/R is a field that is often overlooked and considered of less importance than security issues on land. This is partly because maritime security issues concern only a limited number of countries that have very diverse profiles, ranging from countries with a history of maritime engagement, stable governments and strong institutions to countries that are conflict-afflicted, fragmented and have weaker institutional infrastructures. Due to these differences, a one-size-fits-all approach to MSSG/R is inappropriate. Rather, detailed, context-specific prioritisation and needs assessments tailored to a specific country or region are needed. Furthermore, the importance of maritime security as an important foreign policy tool has often been overlooked; some countries have historically suffered from sea blindness, which is the inability or disinclination to connect with maritime issues, either at an individual or political level, and stems from either a lack of maritime tradition and seagoing history, or precedence of prioritising security concerns on land.

MSSG/R has a particularly important regional element. The sea also connects countries that do not share land borders, and therefore might not otherwise have shared challenges or opportunities for collaboration. The goal of MSSR is thus to assist stakeholders in improving the capacity, efficiency and effectiveness of the maritime security sector (including both security providers and oversight actors) in a way that ensures the proper use of public resources. This Thematic SSG Brief highlights the threats and challenges

5 Based on the presentation on maritime security by Dr Scott Edwards, Research Associate at SafeSeas UK.



to maritime security in Southeast Asia (SEA), as well as the role of MSSG/R in increasing the capacities and effectiveness of the maritime security sectors in Southeast Asian countries. The Brief also provides recommendations and key entry points for future areas of improvement.

## Maritime Security Threats in Southeast Asia

Due to the size and relative lack of regulation of the world's oceans, the maritime domain has become a lucrative space for transnational crime. Improving maritime security is therefore vital for ensuring other forms of security. The range of maritime security challenges in SEA is broad and varies both between and within countries. The challenges also have wider regional and international implications. Maritime insecurity is a major threat to many SEA nations, the majority of which have coastlines.

Maritime security challenges in the region include inter-state disputes and overlapping territorial claims, such as those in the South China Sea; China's claim to more than 90% of the South China Sea conflicts with the established exclusive economic zones (EEZ) of the Philippines, Vietnam, Malaysia and Indonesia, which are established by the United Nations Convention on the Law of the Sea (UNCLOS).

Other maritime security challenges are blue crime, extremist violence, piracy, trafficking and smuggling. For example, the Sulu and Celebes Seas, the porous region between the Philippines, Malaysia and Indonesia, have been the sites of smuggling and other illegal activities facilitated by a long history of movement between these countries and by their shared "maritime livelihoods", which pre-date current state borders. Similarly, the Strait of Malacca has a history of piracy due to the high number of commercial ships passing the Strait's often congested maritime checkpoints. However, as the Strait of Malacca is one of the busiest and most important international shipping channels, frameworks and regional cooperative measures geared towards building capacity to understand and tackle incidences of piracy have been developed rapidly. Initiatives such as the Malacca Strait Sea Patrol (formerly MALSINDO) trilateral coordination patrol between Malaysia, Singapore and Indonesia, the Malacca Straits Security Initiative (MSSI), and the Regional Cooperation Agreement on Combating Piracy and Armed Robbery against Ships in Asia (ReCAPP) have been established to improve maritime security and increase maritime domain awareness in the region.<sup>6</sup>

From the mid-20th century onwards, SEA's newly independent nations have adopted a range of largely foreign maritime concepts, which has contributed to a tradition of sea blindness. This can help explain why understanding of the concept of maritime security in the region, and even more so the development of necessary policies, is still in its infancy. While some threats, such as transnational crime and piracy, have received some attention, others, such as environmental crime, are still overlooked.

<sup>6</sup> Susapien (2022) "Malsindo Operation and Piracy in The Malacca Strait", *Medium*, 14 May, susapien.medium.com/malsindo-operation-and-piracy-in-the-malacca-strait-216f81a16bbe.

## Importance of Maritime Security Sector Governance (MSSG)

### MSSG and Regional Dynamics in SEA

Given the transnational nature of maritime security, MSSG encompasses challenges at both the domestic and international levels, which adds to its organisational and jurisdictional complexity. While maritime security actors often share the common goal of synergising assets and skillsets to efficiently address maritime security threats, this common goal does not always ensure smooth cooperation. Furthermore, the complex overlap of international and regional jurisdictions impedes the strict application of the rule of law, a key good governance principle. Disputes over the multiplicity of jurisdictions can also give rise to inter-state tensions, and thereby further exacerbate insecurity. On some jurisdictional issues or the South China Sea territorial dispute, certain SEA countries such as Indonesia and Malaysia do in fact work together to reach agreements on a bilateral level, which can then be developed into multilateral cooperation. However, many bi- and multilateral agreements between security sector actors often contain ambiguities or contradictions, e.g. on the question as to whether criminals captured at sea should be tried and/or incarcerated, further complicating the situation.

The 2003 Bali Concord II was the first time the specific term “maritime security” was used in ASEAN documents, when calls for more comprehensive guidelines on maritime security led to the establishment of the ASEAN Maritime Forum.<sup>7</sup> While ASEAN still has no official shared definition of maritime security, the issue is touched upon by both ASEAN sectoral bodies and ASEAN member states in programmes and frameworks, such as the 2004 Vientiane Action Programme,<sup>8</sup> the 2009 APSC Blueprint<sup>9</sup> and the 2025 APSC Blueprint.<sup>10</sup> These programmes and frameworks reflect the region’s growing prioritisation of maritime security and embody the institutionalisation of the issue within its political-security pillar.

However, these regional solutions also have their limits. Crucially, they often only tackle a singular issue. In the event of overlap, there might thus be a trade-off between different maritime security priorities. Another limit is that there is still a high level of mistrust and poor cooperation between ASEAN states. While ASEAN serves as a cooperative unit, countries tend not to make full use of the strategic partnership offered by the regional platform. In SEA, states often regard diplomatic relations as a means to advance their own national interests. Existing regional frameworks are mainly driven by ad-hoc reactions and sometimes appear to lack coherence.

7 D. Liliansa (2021) “ASEAN Conceptualizations of Maritime Security”, *Asia Maritime Transparency Initiative*, 1 December, [amti.csis.org/asean-conceptualizations-of-maritime-security/#:~:text=Under%20the%20core%20ASEAN%20structure%2C%20the%202003%20Declaration.](https://amti.csis.org/asean-conceptualizations-of-maritime-security/#:~:text=Under%20the%20core%20ASEAN%20structure%2C%20the%202003%20Declaration.)

8 Association of Southeast Asian Nations (2004) “Vientiane Action Program”, [asean.org/wp-content/uploads/images/archive/VAP-10th%20ASEAN%20Summit.pdf](https://asean.org/wp-content/uploads/images/archive/VAP-10th%20ASEAN%20Summit.pdf).

9 Association of Southeast Asian Nations (2009) “Association of Southeast Asian Nations Roadmap for an ASEAN Community”, [www.asean.org/wp-content/uploads/images/ASEAN\\_RTK\\_2014/2\\_Roadmap\\_for\\_ASEAN\\_Community\\_20092015.pdf](https://www.asean.org/wp-content/uploads/images/ASEAN_RTK_2014/2_Roadmap_for_ASEAN_Community_20092015.pdf).

10 Association of Southeast Asian Nations (2015) “ASEAN Political-Security Community: Blueprint 2025”, [asean.org/wp-content/uploads/2012/05/ASEAN-APSC-Blueprint-2025.pdf](https://asean.org/wp-content/uploads/2012/05/ASEAN-APSC-Blueprint-2025.pdf).

Nonetheless, they are geared towards ensuring a common operational structure to equip maritime security actors with a shared and sound understanding of events taking place in the maritime domain. This need for stronger awareness on the maritime domain forms the common baseline in existing governance efforts and helps tackle the prominent problem of sea blindness often overcome through the sharing of information. Systematic application of good SSG principles to the management of maritime security can help achieve a quality of governance that is better aligned with these principles. Furthermore, by helping to plug existing gaps in MSSG, MSSR can assist in improving preparedness and responses to maritime security challenges.

Beyond these regional mechanisms, international instruments apply, such as the United Nations Convention on the Law of the Sea (UNCLOS) and the International Convention for the Safety of Life at Sea (SOLAS).

### **Current National and Subnational Roles in MSSG in SEA**

An emerging area of focus in MSSG is how varying levels of capacity across countries contribute to divergent interpretations of maritime domain awareness. Within SEA, national maritime experiences vary significantly. For example, a small landlocked country like Laos has had a very different experience than Indonesia, the largest archipelagic country in the world.

Even within countries, different areas might have different priorities. In Indonesia, for example, some regions primarily face issues related to Illegal, unreported and unregulated (IUU) fishing, whereas others suffer mainly from armed robbery. Governments need to determine the legal frameworks and/or mandates of security institutions, and the extent to which these mandates are consistent or overlap, to improve quality of cooperation and adequately address maritime security issues. In the Philippines, the government contributes to MSSG through five main strategies: addressing overlapping mandates via reforms of the domestic legal framework, facilitating capacity building, shaping the direction of policy, managing budget allocation and spearheading international engagement.

Non-state actors such as civil society organisations (CSOs) also play an important role in MSSG by serving as accountability mechanisms and by raising awareness. Furthermore, they can also convey important inputs from local communities. However, non-state actors such as CSOs are often not consulted by policymakers. CSOs also often lack sufficient funds to address topics such as maritime security actively and efficiently. Furthermore, in some SEA countries like Indonesia, their participation has been overlooked or excluded due to the securitisation of maritime issues and the subsequent monopolisation of maritime security by the military. It is therefore important to promote the role of non-state actors, including CSOs, more strongly in decision-making processes. Yet non-state actors on their own cannot provide permanent solutions to fill gaps in the capacities of national governments. Rather, they should be seen as complementing governmental capacity. CSOs are also often highly focused on specific issues and might lack appropriate security clearance or protection to undertake certain maritime security functions.

## Challenges to MSSG

Maritime security poses unique challenges to governance, including that of developing necessary frameworks and measuring their impact. To address this, a whole-of-nation approach to MSSG is needed. This can cause challenges in coordination among the wide range of stakeholders at both the domestic and regional levels. Furthermore, as they concern sensitivities such as national security, these coordination issues are compounded by a lack of trust between countries and security actors in the region.

In Indonesia, current challenges to good MSSG fall under three main categories: geographic challenges, institutional challenges and societal challenges. Geographic challenges include piracy and armed robbery in the Malacca Strait, and at the maritime borders that Indonesia shares with Papua New Guinea and some Pacific Island states. Institutional challenges include the relative novelty of the concept of maritime security; Indonesia has only begun to look at maritime security through the lens of law enforcement over the last 20 years or so. Societal challenges include misinterpretation of local practices in the maritime domain as illegal activities, which has exacerbated certain maritime issues. An example would be traditional fishing practices that fail to comply with government regulations. This may lead to heavy-handed government enforcement, which can potentially increase illegal activities by the local community. Similarly, in the Philippines, good MSSG is inhibited by a variety of internal and external challenges, notably the ambiguous and overlapping mandates of government agencies, which are due to the domestic legal framework, the overlapping territorial claims in the South China Sea, religious extremism and climate change-induced threats.

In summary, challenges to good MSSG include lack of accountability, lack of prioritisation, lack of capacity and lack of policy coherence. MSSR processes should therefore aim to align the intended outcomes with existing frameworks to promote streamlining. Determining the nature of the required framework depends on the level of existing interaction between maritime security actors from different countries, and the extent to which existing mechanisms are fit for operational support. Finally, the implementation of an accepted framework might still face obstacles, such as resource availability, sovereign sensitivities over unresolved territorial disputes and competing strategic interests. Furthermore, within SEA, each maritime environment is unique and poses its own set of challenges. To address these challenges, the scope of MSSG needs to extend beyond maritime enforcement agencies and embrace other security actors.

## Improving Maritime Security Sector Governance (MSSG) through Maritime Security Sector Reform (MSSR)

### The Role of MSSR in Supporting Good MSSG

MSSR can be divided into two types of reform: organisational reform aimed at improving the maritime security sector's capacities and effectiveness, and political reform aimed at improving the integrity and accountability of maritime security sector actors. These can be further distinguished into internal or external reform. While internal reform aims to change parts of a security institution, including its capacities and management structures, external reform looks at the strategies and legal frameworks governing the actions of maritime security providers. In essence, MSSR thus helps to fill in the gaps and blind spots in good governance.

MSSR is a four-step process. The first step consists of a context and problem analysis. This step is followed by a strategic planning and programming phase. The third step is the implementation phase, which is followed by an evaluation. The results of the final evaluation then feed into recommendations for further reform. Examples of practices that can be promoted via a process of MSSR to mitigate common coordination and coherence challenges include the identification of nodes of common interest, the fostering of functional cooperation, the raising of maritime domain awareness, the publication of strategies and other documents, the creation of well-defined coordination structures that lay out clear roles and responsibilities, and the establishment of consultative mechanisms.

### Existing Examples of MSSR in SEA: How Does MSSR Help to Address MSSG Challenges?

In Indonesia, MSSR was conducted as part of wider SSR efforts starting in 1998 that aimed at reducing the military's power and re-balancing civil-military relations. Major changes effected by the reforms included the assignment of a paramilitary role to the Indonesian Coast Guard, which gave it significant jurisdiction and a hand in coordinating other relevant national actors when addressing maritime security issues. However, many domestic institutions reportedly still struggle to fully understand their place in this new balance of power. Consequently, the efficiency of the system remains limited.

The Philippines' experience with MSSR has been similar. The most significant reform occurred in 1998, when the Philippine Navy and Coast Guard were separated into two independent institutions. This allowed the new Philippine Coast Guard to take on a constabulary role, while the Philippine Navy adopted a focus on territorial integrity. However, issues of overlapping mandates and competition between government agencies persist, with other bodies such as the Philippine National Police Maritime Group still competing with the Philippine Coast Guard over functions relating to law enforcement.

## Challenges to MSSR

Like all SSR processes, MSSR should be holistic, embracing a “whole-of nation” approach, and coherent. As outlined above, the widely diverging views among security actors concerning MSSG/R often cause tension between them. One pre-requisite to successful MSSR is therefore to make the various security sector actors agree on a shared set of goals, as well as on challenges that need to be addressed to reach said goals. Any MSSR project also needs to address the difficult question of resource allocation between involved institutions.

MSSR should also include a broad range of stakeholders. At present, international institutions such as UNCLOS, EUCRIMARIO and ASEAN play capacity building roles in improving MSSG in SEA. They can further contribute to MSSG by promoting norms and values, exhibiting promising practices and expertise, clarifying obligations and responsibilities, promoting common understandings of maritime security among actors and nations, and creating spaces for cooperation. However, their potential to contribute to capacity building is limited by several factors, including: the tendency of recipients of capacity building to be regarded as passive actors, the insufficient understanding of the needs of the recipients, and lack of institutional memory.

The maintenance of engagement is also a challenge to MSSR in SEA. Given that maritime security is not prioritised in the region, attention to MSSR and the resources dedicated to it are unstable, often fluctuating per governments’ priorities. The commitment of stakeholders to MSSR also depends on the knowledge these stakeholders have on their domestic security sector, and their effectiveness in performing oversight functions.

## Recommendations

The complexity of the challenges to achieving good MSSG, and of maritime security threats generally, requires multiple types of reform that involve institutions and actors at all levels. MSSR should also include both the revision of legal frameworks and practical and pragmatic on-the-ground capacity building, as well as the re-organisation of resources. It is crucial to focus on reforms that have a demonstrated added value for governments, and for institutional actors more broadly, to increase the chances of buy-in, particularly with view to how controversial the topic of MSSR can be. Because of the different priorities between stakeholders, MSSR processes will also never be fully replicable in all situations and contexts. They can therefore at most only offer a framework for reform and action that shapes responses tailored to each specific reality.

The nature of maritime security also requires an emphasis on regional and international responses. The creation of new institutions should be avoided since this could exacerbate the problem of coordination. Supporting and encouraging reform for pre-existing institutions to increase efficiency and accountability is therefore preferable. Below are some recommendations that could support MSSR efforts for relevant security sector actors.

## International Bodies

Multilateral efforts are essential to good MSSG, which is by nature a transnational issue. Beyond policies based on national interests and sovereignty, there is a need for dialogue and cooperation between countries that is based on commonly accepted standards and norms. Some recommendations to fulfil this need are:

- Developing a common definition for maritime security, as well as commonly accepted basic norms and standards for good MSSG and MSSR processes.
- Synchronising standard operating procedures across different jurisdictions under the auspices of regional or international institutions, such as ASEAN, to minimise tensions and/or misunderstandings between countries.
- Creating new informal and formal spaces for cooperation and establishing points of contact for cooperation between countries in SEA (and beyond). For example, this could include cooperation between coastguards in the Sulu Seas. “Shiprider agreements” with other national security sectors could also be developed.
- Increasing accountability by establishing a common accountability mechanism and setting a benchmark on best practices. To achieve this, countries will need to identify nodes of common interest, increase their maritime domain awareness and enable or increase the efficiency of information sharing.
- Developing legally binding, bilateral and multilateral agreements. Given the transnational nature of maritime security, an interconnected response between governments is crucial. However, existing frameworks at the ASEAN level are non-binding, which reduces their effectiveness. Thus, legally binding agreements between countries can achieve more meaningful change. Additionally, such agreements might also provide positive examples for wider, multilateral initiatives.

## National Governments

At the national level, there is a need for legislation that concretely defines the mandates of various security institutions, for effective and efficient budget allocation, and for the establishment of dedicated oversight bodies. The following actions are recommended to achieve this:

- Identifying best practices that can be promoted and adapted to other contexts, which can also encourage and support new reforms. These best practices can be pulled from comparative national-level case studies or from exemplary initiatives conducted by national security actors, both state or non-state.
- Mapping existing institutions that have or could have the capacity to deal with maritime security threats. Once these institutions have been clearly identified, clear mandates and chains of command can be established. Clear demarcation of mandates coupled with interagency cooperation can resolve the question of applicable jurisdiction and allow for improved synchronisation at national and regional levels.
- Reaching bilateral or multilateral agreements that can be practically and pragmatically applied on the ground, rather than being a sum of politically-motivated good intentions that are difficult to implement or oversee in practice. To achieve this, national governments could run simulation exercises that identify

unrealistic elements of proposed reforms and define what is realistically achievable, including from a budgetary point of view. This would require inclusive consultations that involve non-state security actors and local coastal communities.

- **Encouraging cross-departmental cooperation and adopting a whole-of-society, multistakeholder approach.** At the institutional level, many ministries and other official bodies pertinent to maritime security still work in silos. Greater collaboration on policies relevant to maritime security would improve their efficiency and effectiveness. Day-to-day operations can serve as a starting point for creating trust, a significant enabling factor for coordination.
- **Avoiding an over-securitisation of MSSG** that causes a neglect of human security needs.
- **Adapting the national legal framework.** State security institutions often have ambiguous mandates. There is a need to streamline government institutions to ensure the effectiveness, consistency and durability of reform efforts. Furthermore, more consultative mechanisms need to be created to help alleviate the tensions stemming from diverging interests.
- **Developing and enabling stronger oversight mechanisms.** Many existing oversight mechanisms lack the means or willingness to hold actors accountable because efficiency and effectiveness have been prioritised at the expense of accountability, partly due to the sea blindness described in this Brief. Empowering oversight mechanisms and making them more efficient can help ensure that policies are implemented transparently and fairly, that all security sector actors are held accountable to their actions, and that they abide by the rule of law. A partial solution to this problem would be to increase the sharing of information on non-controversial issues for which there is common agreement, such as environmental pollution, to develop a habit of cooperation.
- **Revising the approach to capacity building.** Capacity building tends to focus on formal approaches that can conflict with the informal practices non-state actors are used to. There is thus the need for a holistic approach that incorporates the needs and priorities of multiple stakeholders and groups. This holistic approach should also be reflected in the specific capacity building provided to maritime security sector actors. Such an approach will help address the need to balance national interests, regional interests, and the very specific local interests and human security concerns of coastal communities.
- **Empowering local authorities.** Local authorities are often more aware of the reality on the ground than central authorities, who tend to be more geographically distanced from maritime zones. The empowerment of local authorities always needs to be accompanied with a clear and efficient legal framework and a dedicated oversight mechanism to avoid abuse of power, as well as with relevant training for local authorities. Finally, the necessary budget needs to be allocated to these local authorities to undertake the new responsibilities.
- **Including non-state security actors.** Just like local authorities, non-state security actors and civil society representatives in general can provide valuable insight into the realities of maritime security threats. This is particularly true in SEA countries that have long and/or shared maritime borders.



- **Promoting genuine cooperation between state and non-state actors.** Countries' central authorities should genuinely listen to non-state actors, even if they are not accustomed to taking advice from them. At the same time, non-state security actors should engage openly in dialogues and processes in the spirit of cooperation and collaboration, and not assume a priori that central authorities will disregard their needs.
- **Taking advantage of digital technology.** Making better use of digital technologies can offer more effective and inclusive communication and access to important information on maritime security threats. Digital technology could thus enhance communication and thereby also increase inclusivity and transparency.
- **Scaling up existing local efforts.** MSSR efforts, like most SSR, tend to be state-centric, assuming that policy reform at the government level will trickle down. However, many local organisations have a highly meaningful impact on local communities' protection from maritime security threats, completely independent from government-led efforts. A stronger focus should thus be placed on finding examples of effective local-level efforts, particularly in settings where high-level political will is lacking, and on then scaling up these efforts.
- **Increasing resources for non-state actors.** Lack of resources often affects the efficiency of the work of non-state actors, leading to potentially important initiatives being abandoned or not realised.

## Civil Society

Non-state security actors, but also civil society actors at large, can play a key role in filling some of the gaps left by governmental structures, as well as in acting as accountability mechanisms. It is thus important that governments involve and support more non-state security actors, while being careful not to hamper their flexibility, activities and freedom of and speech. Ideally, non-state actors should become an integral part of decision-making processes, as well as implementation, when it comes to MSSR. Some recommendations to achieve this goal are:

- **Involving non-state security actors, such as community leaders or civil society organisations, in identifying gaps in legal frameworks, capacities and resources to achieve good MSSG.** Their experience and knowledge would be beneficial and empower them in their oversight role.
- **Sharing of information.** Non-state security actors can also organise seminars and/or exhibitions involving policymakers and other stakeholders to help fulfil their function of interacting with the public and ensuring that their interests are well-represented. This can help the different sectors understand the challenges they each face and, in doing so, bridge the gap between them. Non-state actors can also raise the public's maritime domain awareness by producing digestible policy papers that assist in developing available information and by addressing grassroots problems.

## Conclusion

Despite a tradition of sea blindness, the topic of maritime security is present in legislation and legal frameworks in SEA. However, it is usually discussed under the scope of other topics that address different priorities. Furthermore, although some countries are starting to develop their awareness of the maritime domain, their national maritime security policies are only at a very early stage of development, due to unequal capacities across countries and the lack of an accepted regional definition of maritime security. Additionally, an intricate overlap of jurisdictions in the region impedes the strict application of the rule of law, a central principle of good governance, when it comes to maritime security in SEA. Nevertheless, the gradual institutionalisation of maritime security within the region is reflected by several bi- and multilateral agreements between ASEAN nations, even if existing frameworks at the ASEAN level are limited in reach and non-binding, which reduces their effectiveness.

The entire span of security sector actors, including both state and non-state actors, and both security providers and oversight bodies, have a role to play in improving the good governance of maritime security in SEA through systematic application of good MSSG principles. These actors should thus all be included in MSSR efforts. This Thematic SSG Brief has identified many challenges to the development of good MSSG in SEA. These challenges require specific actions from the various security sector actors through a process of MSSR. ASEAN countries would be able to synchronise standard operating procedures in their maritime domains and turn their efforts towards effective solutions by creating and implementing an official regional definition for maritime security. Such an official definition would allow for a consolidation of the notion of good MSSG among ASEAN countries and for a fairer distribution of responsibility across security sector actors.

ASEAN has demonstrated its commitment to fostering maritime cooperation and encouraging MSSR. However, MSSR presents the added difficulty of requiring high levels of cooperation among all security sector actors, as well as between governments. Despite strong evidence in favour of reforming maritime security approaches, it thus remains very challenging to reach an agreement among all security sector actors and governments that MSSR should be a priority. As a first step, it is therefore essential to demonstrate how MSSR efforts are consistent with other policy goals of both national governments and regional organisations, on topics such as the prevention of illegal immigration, to increase their support.



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