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## **Saving Lives at Sea in Southeast Asia – Is a Course Correction Possible?**

*Alistair D. B. Cook*

### **SYNOPSIS**

*Over the past two years, the number of people taking perilous journeys across the Mediterranean Sea or out of the Bay of Bengal has significantly increased again. Since 2015, the humanitarian community has responded to the tragedy in part by using humanitarian vessels for search and rescue missions in the Mediterranean Sea. Similar efforts have not been seen in and around Southeast Asia so far but there is now a growing likelihood of non-state maritime humanitarian actors emerging in the region.*

### **COMMENTARY**

#### **Perilous Journeys across the Mediterranean Sea and the Bay of Bengal**

Over the past decade, refugees and migrants have sought to move beyond their borders in search of refuge abroad, with many taking dangerous journeys across the Mediterranean Sea or out of the Bay of Bengal to reach sanctuary. Two prominent groups include those fleeing war and persecution in parts of the Middle East and Africa by sailing across the Mediterranean Sea to Europe, and predominantly Rohingya refugees fleeing persecution in Myanmar through the Bay of Bengal into neighbouring countries.

In 2023, more than 102,000 refugees and migrants attempted to cross the central Mediterranean Sea from Tunisia to Europe, up 260% from 2022, according to the [UN Refugee Agency](#). More than 45,000 people made the same journey from Libya. Some 31,000 people were rescued at sea or intercepted and debarked in Tunisia and 10,600

in Libya. In total, 186,000 people arrived by sea from January to September 2023 in Cyprus, Greece, Italy, Malta, and Spain, an increase of 83% compared to the previous year. During the same period, 2,093 deaths were recorded on the central Mediterranean route.

Likewise, the United Nations has reported a significant surge in people embarking on desperate and perilous journeys in Southeast Asia, mainly from Bangladesh and Myanmar. Many people have died or gone missing at sea, according to the UN Rohingya Refugee Maritime Movements [operational data portal](#). From February 2023 to February 2024, an estimated 4,479 people embarked on sea journeys, with 3,910 in total disembarking in Southeast Asia. Some 59% arrived in Indonesia, 30.5% in Myanmar, 2.9% in Thailand, and 2.1% in Malaysia. During the same period, 569 people were reported missing or dead on this sea route.

Refugees and migrants face perilous journeys crossing seas from the Mediterranean Sea or the Bay of Bengal. Poorly designed and constructed boats, stormy weather and rough seas, and gaps in international efforts to address root causes and provide humanitarian assistance have made these routes particularly fatal. To address this confluence of factors, international humanitarian agencies have been operating in the international waters of the central Mediterranean Sea to provide live-saving emergency help when boats become distressed. But such an effort has not taken place in or around Southeast Asia so far. This is despite the Bay of Bengal being “[three times more deadly](#)” than the Mediterranean Sea crossing, due largely to mistreatment by people smugglers and disease on the boats.

## Humanitarian Action at Sea

Since 2015, international humanitarian organisations like Médecins sans Frontières (Doctors without Borders) and SOS Méditerranée have operated humanitarian vessels in the Mediterranean Sea. They usually search for boats in distress between 24–40 nautical miles from the Libyan coast. These humanitarian search and rescue (SAR) vessels respond to people in distress at sea and provide emergency medical care. These vessels vary considerably in type and size, from 7.4 m lifeboats to 14 m yachts and 77 m former seismic and research vessels.



The USS Carney and the SOS Méditerranée ship MS Aquarius rescue refugees and migrants on a small craft in the Mediterranean Sea, July 2016. Humanitarian organisations like Médecins sans Frontières (Doctors without Borders) and SOS Méditerranée have operated humanitarian search and rescue (SAR) vessels in the Mediterranean Sea and run SAR operations for people in distress at sea since 2015.

*Image from Wikimedia Commons.*

One of the largest humanitarian vessels in action in the Mediterranean Sea is the *Geo Barents*, a rescue and salvage ship chartered by Médecins sans Frontières since 2021. Médecins sans Frontières has run SAR operations in the central Mediterranean Sea since 2015, working on eight different SAR vessels.

In contrast to the deployment of humanitarian vessels in the Mediterranean Sea in the past decade, there has not been a deployment on a similar scale in or around Southeast Asia. A variety of private and commercial vessels ply the waters off Southeast Asia. Even though their primary purpose lies elsewhere, these vessels nevertheless have [humanitarian obligations](#) under international law.

Since 2015, the [Acehnese fishing community](#) have been reported to have played the important role of rescuing boats in distress that were carrying refugees and migrants and provided them with essentials such as shelter, food, water and a place to wash – all this in breach of the position held by the Indonesian government in Jakarta, which initially had refused to allow entry to irregular migrants. Subsequently, in 2016, Indonesian President Joko Widodo issued [Presidential Regulation 125](#) concerning the handling of refugees that importantly [recognised](#) the duty to rescue refugees stranded in Indonesian waters and the several national bodies responsible for maritime rescues.

However, humanitarian organisations have not yet substantially ventured into the direct provision of assistance at sea. Rather, humanitarian organisations mobilise on land to support those who have been allowed to disembark in regional countries. Many of those who disembarked [reported](#) encounters at sea with naval authorities. However, even when boats were in distress, these encounters resulted in pushbacks to prevent disembarkation, adding to their precarity at sea.

At a recent international forum, an Asian humanitarian organisation revealed that it had purchased a vessel for humanitarian purposes in Southeast Asia. In this light, state-based maritime actors in the region need to consider how they can interact with such emerging non-state maritime actors in Southeast Asia.

## **Search and Rescue in ASEAN**

In Southeast Asia, the humanitarian community, for the most part, is recognised for their work in filling the gaps where burden-sharing is limited, particularly with respect to people who have been forced to flee their homes. The Red Cross and Red Crescent Movement is particularly notable in this regard, with an established presence in every ASEAN member state. There are also a significant number of other international humanitarian organisations with some presence in the region, as well as several home-grown humanitarian organisations with presence inside and outside their country of origin.

Their initiatives have overwhelmingly been focused on land-based activities such as providing food, water, shelter and medical attention to those who arrive in a country. Less attention is paid to humanitarian affairs at sea. The absence of such attention is also notable in official engagements between the humanitarian community and ASEAN member states.

The remit of ASEAN member states in SAR has had a narrow focus on accidents at sea and extreme weather events. In 2012, the ASEAN Transport Search and Rescue Forum was established as a technical and policy forum between ASEAN member states to facilitate regional cooperation. Each ASEAN state has designated a focal point who is responsible for coordinating with relevant national institutions identified in the [ASEAN Search and Rescue Directory](#). No humanitarian organisation like the Red Cross and Red Crescent Movement is listed in the directory. With a reported 569 people reported dead or missing at sea over the past year, there is clearly a gap in international SAR efforts in the waters in or around Southeast Asia.

In recent years, SAR efforts have been included as part of ASEAN's engagement with its dialogue partners. In the [ASEAN Maritime Outlook 2023](#), SAR activities are mentioned as part of the ASEAN-Australia Comprehensive Strategic Partnership 2020–2024 and the ASEAN-EU Strategic Partnership 2023–2027. These efforts include exchanging best practices on the implementation of the ASEAN Declaration on Cooperation in Search and Rescue of Persons and Vessels in Distress at Sea. While these efforts are a work in progress, there is no recognition of the need for interim measures and arrangements to plug governance gaps in SAR efforts, which is where humanitarian actors fit in the maritime landscape.

In January 2023, the ASEAN Agreement on Aeronautical and Maritime Search and Rescue Cooperation was signed to formalise the regional SAR cooperation system between member states. One major challenge for the ASEAN SAR system is the limited entry points for humanitarian actors to support SAR efforts and plug the immediate gaps that have contributed to so many lives being lost at sea through inadequate responses to distressed boats. Without a more concerted effort to engage the humanitarian community in the maritime domain, particularly SAR, there is a very real potential for miscommunication and misunderstanding between humanitarian vessels and national authorities in the region.

## **Prospects and Challenges**

The increasing number of refugees and migrants taking perilous journeys by sea over the past two years highlights the gaps in international efforts to address the root causes behind such outflows and provide humanitarian assistance to those in need. While some local communities in Southeast Asia like the Acehnese fishing community have provided SAR support, the wider humanitarian community in the region has not yet matched the larger efforts seen in the Mediterranean Sea.

However, recent discussions regarding the prospect of humanitarian vessels operating in the waters off Southeast Asia suggest that engaging the humanitarian community on a more substantive basis is an important next step for regional SAR efforts. Finding ways to cooperate with the non-state maritime sector is important for ASEAN's SAR processes, particularly within the framework of the ASEAN Defence Ministers Meeting.

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