



Bay of Bengal Maritime Dialogue

26 July 2021 - 27 July 2021

Bay of Bengal Maritime Dialogue 26-27 July 2021

Outcome Document

The Bay of Bengal region is one of the most densely populated regions in the world and features some of the world's fastest growing economies. The region is the meeting point of South and Southeast Asia and was once a region at the heart of global history.

Today, one fourth of the world's traded goods cross through the Bay of Bengal annually and it is rich in natural resources. The region is increasingly becoming a theatre of geopolitical interest and tension and despite its great economic potential, faces a variety of maritime security challenges.

Considering the increasing geopolitical interests and the cross-border nature of maritime security challenges (like environmental degradation, depletion of fish stocks, piracy, drugs/arms & human trafficking, and illegal migration), there is a clear incentive and scope for further regional cooperation on these issues.

At the 4th BIMSTEC Summit held in Kathmandu, Nepal on 31 August 2018, the Leaders agreed "to explore possibility of establishing appropriate BIMSTEC forums for parliamentarians, universities, academia, research institutes, cultural organization and media community to expand the scope of people-people contacts"

To provide an informal space for dialogue on maritime affairs in the Bay of Bengal and explore opportunities for further regional cooperation, the Pathfinder Foundation (PF) and the Centre for Humanitarian Dialogue (HD) organised a first track 1.5 Bay of Bengal Maritime Dialogue on 26-27 July 2021. The list of participants is at Annex I and the agenda at Annex II.

The participants to the dialogue included government-officials, representatives of prominent think-tanks and maritime experts from the littoral states of the Bay of Bengal (Sri Lanka, India, Bangladesh, Myanmar, Thailand and Indonesia) as well as representatives of the BIMSTEC Secretariat and other BIMSTEC Member States (Nepal and Bhutan). The discussion took place under Chatham House Rules.

The below meeting summary, outlines some recommendations for greater regional cooperation on maritime issues in the Bay of Bengal. These outcomes will also be made available to the Secretariat of the Bay of Bengal Initiative for Multi-Sectoral Technical and Economic Cooperation (BIMSTEC) as well as to its Member States for their consideration, ahead of the 5th BIMSTEC Summit scheduled to take place in the latter part of 2021 in Sri Lanka.

Challenges and opportunities in fostering regional maritime cooperation

1. The participants underscored the vast scope available for deepening regional cooperation in the Bay of Bengal region.
2. The participants discussed a variety of maritime security challenges that require greater maritime cooperation in the Bay of Bengal. Among others, they particularly highlighted the challenges of environmental degradation, depletion of fish stocks, piracy, drugs/arms & human trafficking, as well as illegal migration.
3. While participants acknowledged some of the existing unilateral and bilateral efforts to address these challenges, they recommended that littoral states pursue addressing these cross-border maritime security challenges through more regional/multilateral cooperation, including existing multilateral organisations like BIMSTEC and the Indian Ocean Rim Association (IORA). After all, the cross-border nature of these maritime security challenges means that only through regional cooperation these challenges can be most effectively addressed.
4. In addition to these maritime security challenges, participants also mentioned the need to be conscious of each other's sensitivities when developing policies that promote regional maritime cooperation and to be aware of possible impact of such policies on countries that are not an immediate littoral state to the Bay of Bengal, but are depended on the Bay.
5. Despite these challenges, participants identified areas for growth and opportunities for regional and international cooperation. Among others, participants were optimistic about the increasing attention in the region given to the 'Blue Economy', which could encourage better stewardship of the ocean or 'blue' resources in the Bay of Bengal. Other priorities for greater regional maritime cooperation that were recommended included: enhancing the connectivity between ports and waterways, setting up regional protocols for responding natural disasters and oil spills, and addressing climate change and its effects on the health of fisheries and coastal welfare, including through the use of regional fishing bans and the establishment of marine protected areas (MPAs) in the Bay of Bengal.
6. The participants also agreed on the need to strengthen existing mechanisms and institutions such as IORA and BIMSTEC in order to build mutual trust. It was also suggested to increase the involvement of littoral states to the Bay of Bengal that are not a part of BIMSTEC, such as Indonesia and Malaysia.
7. The setting-up of separate regional platforms dedicated to issues of ocean governance in the Bay of Bengal was also raised, such as a regional fisheries management organisation (RFMO) or a regional platform for maritime law enforcement agencies to address some of the maritime security challenges.
8. The participants also addressed some critical areas such as maritime domain awareness or MDA which is of paramount importance to understand emerging threats in the maritime space, and the ability to respond to many of the types of transnational maritime crime. While improvement in this area has been significant

in recent years, gaps in regional MDA capacities still remain, the participants emphasised.

Maritime Environmental Protection

9. The participants acknowledged that the cumulative human impact on the Bay of Bengal was very high, and that there are several negative human impacts to the environment in the Bay of Bengal. These include overfishing, pollution, and contribution to climate change. Considering the great importance of the marine environment for livelihoods, economic development and biodiversity in the region, participants stressed that there exists a collective responsibility for all states to work towards marine environmental protection, and collective action is crucial towards doing so.
10. It was recommended to start looking more at the Bay of Bengal as an integrated ecosystem that requires joint governance, and to improve governance by making this a political priority, building capacity, and generating scientific information as a base for regional policy-making on marine environmental protection. Existing regional organisations like the Bay of Bengal Large Marine Ecosystem Project (BOBLME), the Bay of Bengal Programme – Inter-Governmental Organisation (BOBP-IGO) and the BIMSTEC could provide a foundation for enhancing regional governance of the marine environment in the region.
11. The participants highlighted that one of the main challenges lies in the implementation of existing policies and improving policy processes. While there are several plans and policies towards maritime environmental protection in the Bay of Bengal, implementation remains a problem. Several weaknesses remained, such as lack of clear policy and a coordinated approach, weak regional cooperation, weak implementation of management measures, and non-availability of high-quality multidisciplinary data.
12. It was agreed that improvements were required in governance, such as through increasing political priority to management and conservation, strong coordination between fisheries and environmental organisations, and strengthening regional cooperation for addressing transboundary issues.

Combatting illegal, unreported and unregulated (IUU) fishing and ensuring the humanitarian treatment of fishermen

13. The participants discussed the importance of addressing IUU fishing, while at the same time ensuring the humanitarian treatment of fishermen. As more fishing vessels chase after fewer fish and cross into the Exclusive Economic Zone (EEZ) of neighbouring countries, clashes between maritime law enforcement agencies and foreign fishing vessels are increasing, including sinking of vessels, arrests and detention of fishermen for long periods of time, and in some cases even loss of life at sea.
14. The participants agreed on the serious nature of IUU fishing, as it can lead to the collapse of important fish stocks in the Bay of Bengal. This is a growing problem, with IUU fishing in Bay of Bengal increasing rapidly. Lack of clear regionally

applicable rules against IUU fishing, hamper effective enforcement and at times lead to inhumane treatment of fishermen engaged in such activity.

15. To more effectively combat IUU fishing in the Bay of Bengal, the participants made the following recommendations:

- establishing a regional vessel registry system;
- establishment of an official channel to report possible incidences of IUU fishing from coastal/port state to flag state;
- better implementation of port state measures, joint patrolling and joint awareness programmes; and
- the use of vessel monitoring systems, and information sharing between countries can also play a part towards curbing IUU fishing.

16. It was suggested that in order to maintain humanitarian treatment of fishermen, regional countries should also ensure that fishermen will retain their source of livelihood. To find a sustainable solution to the problem, a better understanding of the legitimate needs of fishermen in the region was warranted. Greater regional coordination on fisheries management in the Bay of Bengal was seen as another way to prevent fishermen from pursuing IUU fishing.

17. In order to ensure humanitarian treatment of fishermen, participants also raised the idea of creating regional policies on the use of force vis-à-vis foreign fishermen, as well as the establishment of hotlines between countries to ensure quick repatriation of fishermen apprehended by maritime law enforcement agencies.

Conclusion

18. The participants stressed the need for enhanced regional cooperation in the Bay of Bengal, and that a stable, safe and prosperous Bay of Bengal is in the mutual interest of all countries in the region.

19. They highlighted the need to learn from international best practices in terms of regional maritime cooperation, and ensure that any form of cooperation would be based on accepted international rules like the United Nations Convention on the Law of the Sea (UNCLOS).

20. The participants also affirmed the value of meetings such as this Dialogue, and recommended more meetings to be conducted on this topic and in different compositions involving maritime experts as well as practitioners, think-tanks and government-officials.

List of Participants

Bangladesh

Ambassador (Ret) Tariq A Karim, Director, Centre for Bay of Bengal Studies, Independent University, Bangladesh

Professor Abdul Wahab, Professor at the Faculty of Fisheries, Bangladesh Agricultural University

Bhutan

Ms. Tshering Lhadn, Chief of the Department of Regional Cooperation, Ministry of Foreign Affairs

Dr. Chandra Dhakal, Centre for Research on Bhutanese Society

India

Mr. Ashok Malik, Policy Advisor and Additional Secretary, Ministry of External Affairs

Commander Anand Kumar, Deputy Director of National Maritime Foundation

Dr. Prabir De, Professor, ASEAN-India Centre, Research and Information System for Non-Aligned Countries, New Delhi

Dr. Anasua Basu Ray Chaudhury, Senior Fellow, Observer Research Foundation

Dr. E. Vivekanandan, Emeritus Scientist & Consultant, World Bank, Biodiversity Conservation-BoBP, CMFRI, ICAR

Mr. V. Vivekanandan, Secretary, Fisheries Management Recourses Centre,
Thiruvananthapuram

Nepal

Mr. Tirtha Raj Wagle, Joint Secretary, Ministry of Foreign Affairs

Dr. Posh Raj Pandey, Chairman, South Asia Watch on Trade, Economics and
Environment

Myanmar

Dr. Naing Swe Oo, Executive Director, Thayninga Institute for Strategic Studies

Mr. Kyaw Myaing, Aye Zay School for International Affairs

Thailand

Dr Pontep Tanakoses, Director Maritime Security Division, Office of the National
Security Council

Indonesia

Mr Basilio Dias Araujo, Deputy Minister of Coordinating Ministry for Maritime
Sovereignty and Investment Affairs

Mr. Asa Silalahi, Senior Diplomat, the Ministry of Foreign Affairs

Mr. Gilang Kembara, Researcher, International Relations Department Centre for
Strategic and International Studies

BIMSTEC Secretariat

Mr. Mosharaf Hossain, Director

Bay of Bengal Programme-Intergovernmental Organization

Dr. Yugaraj Yadava, Director

One Earth Future's Stable Seas Program

Mr. Jay Benson, Project Manager

Pathfinder Foundation

Mr. Bernard Goonetilleke, Chairman

Mr. Sumith Nakandala, Director, Centre for Indo-Lanka Initiatives

Ms. Sarah Hettiaratchi, Junior Research Associate

Centre for Humanitarian Dialogue

Mr. Michael Vatikiotis, Asia Director, Centre for Humanitarian Dialogue

Mr. Willem Punt, Project Manager

Ms. Stephanie Heng, Project Assistant



Bay of Bengal Maritime Dialogue

26-27 July 2021

The Bay of Bengal region is one of the most densely populated regions in the world and features some of the world's fastest growing economies. The region is the meeting point of South and Southeast Asia and was once a region at the heart of global history. Today, one fourth of the world's traded goods cross through the Bay of Bengal annually and the Bay of Bengal is rich in untapped natural resources. The region is increasingly becoming a theatre of geopolitical interest and tension and despite its great economic potential, faces a variety of maritime security challenges. Considering the increasing geopolitical interests and the cross-border nature of maritime security challenges (like environmental degradation, depletion of fish stocks, piracy, drugs/arms and human trafficking, and illegal migration), there is a clear incentive and scope for further regional cooperation on these issues.

To provide an informal space for a dialogue on maritime affairs in the Bay of Bengal and explore opportunities for further regional cooperation, the Pathfinder Foundation (PF) and the Centre for Humanitarian Dialogue (HD) are organising a track 1.5 Bay of Bengal Maritime Dialogue on 26-27 July 2021 through a virtual mode.

The outcomes of the dialogue will be made available to the Secretariat of the Bay of Bengal Initiative for Multi-Sectoral Technical and Economic Cooperation (BIMSTEC) as well as to its Member States for their consideration ahead of the fifth BIMSTEC-summit scheduled to take place in the second half of 2021.

At the First Meeting of the Bay of Bengal Maritime Dialogue, the focus of the discussion will be on the topic of regional cooperation around marine environmental protection, Illegal, unreported and unregulated (IUU) fishing and the humanitarian treatment of fishermen. Overfishing and marine environmental degradation as a result of climate change, have led to dwindling numbers of fish stocks in the greater Bay of Bengal region.

As more fishing vessels chase after fewer fish and cross into the Exclusive Economic Zone (EEZ) of neighbouring countries, clashes are increasing, including sinking of vessels and frequent arrests of fisherman who subsequently often spend months or even years in jail. What could the Bay of Bengal region do to improve regional cooperation on these issues? How could further depletion of fish stocks be mitigated and what could be done to promote humanitarian treatment of fishermen in the region?

Bay of Bengal Maritime Dialogue

Provisional Programme and Agenda

26 July 2021 (Monday)

Inaugural Session

Welcome and opening remarks

Ambassador Bernard Goonetilleke, Chairman, Pathfinder Foundation

Mr. Michael Vatikiotis, Asia Director, Centre for Humanitarian Dialogue

Session 1

Promoting greater regional maritime cooperation in the Bay of Bengal

Discussion on the opportunities and challenges for greater maritime cooperation in the Bay of Bengal.

What are the immediate priorities for greater regional cooperation and how can these be pursued?

What are the challenges that need to be addressed?

Chair: Mr. Michael Vatikiotis, Asia Director, Center for Humanitarian Dialogue (05 minutes)

Lead Presentation:

Mr. Jay Benson, Project Manager, One Earth Future's Stable Seas Program (Author of the report Stable Seas: Bay of Bengal) (20 minutes)

Commentary by Ms. Tshering Lhadn, Chief of the Department of Regional Cooperation, Ministry of Foreign Affairs, Bhutan

Commentary by Mr. Ashok Malik, Policy Advisor, Ministry of External Affairs, India (10 minutes)

Commentary by Mr Tirtha Raj Wagle, Head of the Regional Organizations Division, Ministry of Foreign Affairs, Nepal (10 minutes)

Commentary by Mr Basilio Dias Araujo, Deputy Minister of Coordinating Ministry for Maritime Sovereignty and Investment Affairs, Indonesia (10 minutes)

Session 2

Discussion on the Regional Maritime Cooperation

Chair: Dr. Prabir De, Professor, ASEAN-India Centre, Research and Information System for Non-Aligned Countries, New Delhi (05 minutes)

Comments by Mr. Mosharaf Hossain, Director, BIMSTEC Secretariat, Dhaka (10 minutes)

Comments by Ambassador (Ret) Tariq A Karim, Director, Centre for Bay of Bengal Studies, Independent University, Bangladesh (10 minutes)

Comments by Commander Anand Kumar, Deputy Director of National Maritime Foundation (NMF), India (10 minutes)

Comments by Dr. Anasua Basu Ray Chaudhury, Senior Fellow of Observer Research Foundation, India (10 minutes)

Comments by Mr. Gilang Kembara, Researcher, International Relations Department Centre for Strategic and International Studies (CSIS), Indonesia (10 minutes)

Comments by Dr. Chandra Dhakal, Centre for Research on Bhutanese Society (10 minutes)

Comments by Dr. Posh Raj Pandey, Chairman, South Asia Watch on Trade, Economics and Environment, Nepal (10 minutes)

Comments by Mr. Asa Silalahi, Senior Diplomat at the Ministry of Foreign Affairs, Indonesia and former Executive Officer at the Coral Triangle Initiative (10 minutes)

Commentary by Dr Pontep Tanakoses, Director Maritime Security Division, Office of the National Security Council of Thailand (10 minutes)

Session 3

Opportunities and Challenges for Marine Environmental Protection in the Bay of Bengal

Discussion on the opportunities and challenges in improving regional cooperation in marine environmental protection.

What has already been done and where are the gaps?

Is science and evidence-based approach feasible in addressing the challenges?

Is there space for cooperation including joint maritime fishing bans in certain seasons and joint enforcement of IUU fishing?

Chair: Mr. Willem Punt, Project Manager, Centre for Humanitarian Dialogue (05 minutes)

Lead Scientific Presentation:

Dr. E. Vivekanandan, Emeritus Scientist & Consultant, World Bank, Biodiversity Conservation-BoBP, CMFRI, ICAR [TBC] (20 minutes)

Commentary by Professor Abdul Wahab, Professor at the faculty of fisheries, Bangladesh Agricultural University), nominated by Bangladesh Institute of Marine Research and Development (BIMRAD) (10 Minutes)

Comments by Dr. Naing Swe Oo, Executive Director, Thayninga Institute for Strategic Studies, Myanmar (10 minutes)

Session 4

Combatting illegal, unreported and unregulated (IUU) fishing and the humanitarian treatment of fishermen in the Bay of Bengal

Discussion on ways to cooperate in curbing and eliminating IUU fishing while preserving the humanitarian treatment of fishermen in the Bay of Bengal.

What could be done to promote this concept while at the same time making sure fishermen respect maritime boundaries?

Could there be regional agreements on the use of force against foreign fishermen or establishment of channels for quick notification and repatriation of detained fishermen?

Chair: Mr. Sumith Nakandala, Director, Centre for Indo-Lanka Initiatives, Pathfinder Foundation (05 minutes)

Lead Policy Presentation:

Dr. Yugaraj Yadava, Director, Bay of Bengal Programme-Intergovernmental Organisation (20 minutes)

Commentary by Mr. V. Vivekanandan, Secretary, Fisheries Management Recourses Centre, Thiruvananthapuram, India (10 minutes)

Commentary by Mr. Kyaw Myaing, Aye Zay School for International Affairs, Myanmar (10 minutes)

Session 5

Conclusion and discussion on the way forward

Jointly Chaired by Pathfinder Foundation and Humanitarian Dialogue



Image of the Entrance of Odisha State Museum, Bhubaneswar, representing Kalinga's Maritime History



Pathfinder Foundation is a premier think tank that has played a catalytic role in research and analysis aimed at contributing to economic policy reforms in Sri Lanka. Over the years, it has established a wide network of partner organizations worldwide, thereby enhancing bilateral and multilateral partnerships to promote economic, social and political development, in addition to its security and strategic focus. Serving as a platform to engage in critical thinking and cross-disciplinary analysis, Pathfinder Foundation aims to increase knowledge and raise awareness of salient issues with relevant stakeholders locally and internationally.



The Centre for Humanitarian Dialogue (HD) is a Swiss-based private diplomacy organisation founded on the principles of humanity, impartiality, neutrality and independence. HD's mission is to help prevent, mitigate, and resolve armed conflict through dialogue and mediation. HD uses the tools of private diplomacy to expand the space for the non-violent resolution of armed conflict. It opens channels of communication and mediates between parties in conflict, facilitates dialogue, provides support to the broader mediation and peacebuilding community, carries out capacity building work, and conducts research on mediation issues. HD deploys its expertise to support local processes that protect civilians and foster lasting and just peace.