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EDITOR'S NOTE

This PIARD Journal No. 5 presents a collection of scholarly works that examine questions at the intersection of governance, law, culture, and society across Southeast Asia and related regions. The contributions reflect both the diversity of contemporary academic inquiry and a shared commitment to addressing complex, real-world challenges through context-sensitive research. Taken together, these articles illuminate how legal systems, cultural practices, and policy choices shape—and are shaped by—broader processes of economic development, social transformation, and global engagement.

A central theme emerging from this volume is the role of the state in mediating development outcomes and societal change. Kol Bunthan's empirical study on the effects of government sectoral spending on economic growth in Cambodia offers valuable insights into fiscal policy and public investment strategies within a developing economy. By grounding the analysis in quantitative data, the study contributes to ongoing debates on the effectiveness of state-led development and aligns with broader economic literature emphasizing the importance of targeted public expenditure for sustainable growth (Barro, 1990; World Bank, 2020). Such work is particularly relevant for Cambodia as it navigates the transition toward a more diversified and resilient economic structure.

Complementing this focus on governance is an exploration of diplomacy and international relations through cultural exchange. The article by Aruna Jayathilaka and Veng Vuthea highlights the growing significance of soft power in shaping bilateral relations between Cambodia and Sri Lanka. Drawing on the conceptual framework articulated by Nye (2004), the study demonstrates how cultural diplomacy—through heritage, education, and people-to-people connections—serves as a strategic tool for fostering mutual understanding and strengthening international partnerships. In a global context increasingly characterized by both competition and interdependence, such approaches underscore the importance of non-coercive forms of influence in foreign policy.

Issues of rights, identity, and recognition form another critical axis of this volume. Atikah Nuraini's examination of forest conflicts in Indonesia foregrounds the ongoing struggles of indigenous communities to secure recognition of their ancestral territories. This contribution resonates with international legal instruments such as the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP, 2007), which affirms the rights of indigenous peoples to land, culture, and self-determination. By situating local conflicts within broader legal and political frameworks, the article highlights the persistent gaps between normative commitments and lived realities.

Similarly, Alfredo Lubang's work on decolonizing humanitarian disarmament invites a rethinking of dominant paradigms in peacebuilding and global governance. By centering Southeast Asian perspectives, the article challenges entrenched power dynamics in knowledge production and policy design. This approach aligns with a growing body of scholarship advocating for decolonial methodologies that prioritize local agency, contextual knowledge, and plural epistemologies (Escobar, 2018; Acharya, 2014). Such perspectives are essential for ensuring that international initiatives are both effective and equitable.

The theme of accountability is further explored in Jaya Luintel's analysis of confidentiality as relational accountability for survivors of conflict-related sexual violence (CRSV) in Nepal. Moving beyond procedural understandings of confidentiality, the article reframes it as an ethical and relational practice grounded in trust and survivor-centered approaches. This perspective reflects evolving international norms, including those articulated by the United Nations and various human rights bodies, which emphasize the importance of dignity, agency, and protection in addressing gender-based violence (UN Women, 2015).

In addition to legal and policy-oriented contributions, this volume engages with philosophical inquiry and regional intellectual traditions. Noun Thong's analysis of *attā* and *anattā* from a metaphysical perspective offers a nuanced exploration of concepts central to Buddhist thought. By bridging philosophical reflection with contemporary discourse, the article underscores the continued relevance of classical ideas in informing modern understandings of identity, selfhood, and existence. Such interdisciplinary engagement enriches the broader academic conversation and highlights the importance of cultural and intellectual diversity in scholarship.

Finally, the volume addresses emerging technological challenges through Vonghour Leng's examination of deepfake proliferation in Southeast Asia. As digital technologies evolve, so too do the risks associated with misinformation, privacy violations, and the erosion of trust in public discourse. The article provides a timely analysis of jurisprudential and regulatory responses, drawing attention to the need for adaptive legal frameworks that can effectively address the complexities of the digital age. This aligns with global discussions on technology governance, including calls for enhanced regulation, ethical standards, and regional cooperation (OECD, 2021). It should be noted that PIARD adopts the BlueBook reference style for all its law articles.

Collectively, the contributions in this volume demonstrate the value of interdisciplinary and regionally grounded scholarship in addressing global challenges. They highlight the importance of integrating empirical research, normative analysis, and cultural perspectives to develop more holistic and inclusive approaches to law and policy. Moreover, the volume reflects a broader commitment to amplifying voices and perspectives from Southeast Asia, contributing to a more balanced and representative global academic discourse.

As editor, I hope that this collection will serve not only as a resource for scholars and practitioners but also as a catalyst for further research, dialogue, and collaboration.

In an era marked by rapid change and uncertainty, the need for thoughtful, evidence-based, and contextually informed scholarship has never been greater. It is our aspiration that the insights presented here will contribute meaningfully to ongoing efforts to promote justice, sustainability, and mutual understanding across diverse societies.

The Effects of Government Sectoral Spending on Economic Growth in Cambodia: An Empirical Study

Kol Bunthan

Abstract

The studies on the relationship between government spending and economic growth had been conducted in many countries around the world. This paper examines the impact of government sectoral expenditures on GDP growth, focusing on the government expenditures on four sectors: (1) education, (2) healthcare, (3) social security and welfare, and (4) public infrastructure by using the vector error correction model with exogenous variables (VECMX). The results show that government expenditures on education and social security and welfare have a positive effect on GDP growth, while those of healthcare and public infrastructure have a negative effect on GDP growth in the long run. In addition, the forecasting of GDP growth under three scenarios of increasing government expenditure on education—low rate (conservative), moderate rate, and high rate (progressive)—predicts an annual GDP growth between 6% and 7%. The results suggested that to enhance GDP growth in the long-term, government should continue to increase the government expenditure on education.

Keywords: government expenditure, economic growth, education, healthcare

The Effects of Government Sectoral Spending on Economic Growth in Cambodia: An Empirical Study

Introduction

To push economic growth, the Royal Government of Cambodia invested in human capital. However, the major problems continue to occur in the education and healthcare system due to lack of budget support. The shortage of financial resources for education and healthcare results in unequal distribution between rich and poor, a lack of modern facilities in schools, a shortage of medical programs and equipment for better curricula, and a deficiency of learning instruction. In addition, many poor people cannot attend or graduate from public education or access health programs, even though there are local service providers. Conversely, wealthy families who are facing the same problem can send their children to the best schools in the city or abroad, or alternatively seek out-of-country medical services in other developed countries around the world. Most people, both rich and poor, remain in poor health, illiterate, and have high rates of unemployment.

The country's development strategies should also benefit from public infrastructure and a social security protection system. This includes all payments that support old age, such as pensions and benefits, family tax and child support benefits, parental leave benefits, funding for aged care services, and payment services for veterans and their dependents. Investment spending on physical infrastructure is inefficiently distributed due to lack of financial resources, lack of equity and accountability in renovation in areas such as bridge building, road construction, airport structures, rail transport development, water groundwork, power and energy infrastructures, communication and environmental infrastructures, industrial renovation infrastructures, and agricultural and leisure infrastructure rehabilitation.

The purpose of this study is to investigate the effects of government sectorial spending on economic growth in Cambodia. Especially the relationship between the government's sectorial spending on education (GXEDUC), healthcare (GXHC), social security and welfare (GXSSW), and public infrastructure (GXPI) and GDP growth in Cambodia, both in the short and long run.

Government sectorial expenditure on education and health care is an essential engine of economic growth because it builds up human capacity, while government spending on social security and infrastructure can promote innovative physical capital and national infrastructure that supports economic growth. The contribution of this study included both academic and policy contributions. In terms of theoretical contribution, it verifies if the theory on the relationship between government spending on education and healthcare affects economic growth using the empirical data from Cambodia. On the policy contribution, the study reflected the effect of government sectoral expenditure and budget allocation on country growth.

Overviews of Cambodia's Public Expenditure Systems

To ensure the government expenditures on human capital improvement and physical capital innovations in terms of economic growth, the study focused on national and sub-national spending levels. Furthermore, to ensure long-term sustainable growth, both of them are dependent on three kinds of law: first, the System of Budget Law; second, the Annual Financial Management Law; and last, the Investment Law.

The system of budget law established by the government determines the amount of money to be spent, the specific areas of expenditure, and the methods for raising the funds that have been allocated. As found by Bin, Zuo, and Kun (2024), who examined the effect of budget management legalization on land finance using data from 190 cities (2010-2017). The results show that the "New Budget Law" has a negative effect, which means that land finance has gone down.

An Annual Financial Management Law is a law that outlines the government's annual budget, including revenue and expenditure plans. Palanisamy et al., (2024) claims that the legal framework which allows the government to manage its finances for the specific year. Given the fact that the Indian government has ratified several international and local agreements for expressing its willingness to promote sustainable economic growth, this study assesses the impact of natural resources, financial development, green-energy technologies, and environmental policies on India's sustainable economic growth-related performances, which is measured by the nation's multifactor productivity-adjusted level of economic output. In this regard, this study uses annual-level data spanning from 1990Q1 to 2019Q4 and utilizes them for conducting advanced econometric tests. According to the long-run findings, sustainable economic growth in India is negatively impacted by natural resource consumption and positively impacted by green innovation and financial development.

Investment law is the legal framework that governs investment activities, including the rights and obligations of investors and host states, as well as the resolution of disputes related to investment (Dolzer & Schreuer, 2022). International investment law is an instrument of public law that governs foreign direct investment and the resolution of disputes between foreign investors and sovereigns. It governs foreign direct investment and the resolution of disputes between foreign investors and sovereigns.

Research Problem and Hypothesis

Based on the literature review in the above section, the following hypotheses are formulated:

Hypothesis 1:

H01: GXEDUC has no impact on GDP growth.

Ha1: GXEDUC has an impact on GDP growth.

Hypothesis 2:

H02: GXHC has no impact on GDP growth.

Ha2: GXHC has an impact on GDP growth.

Hypothesis 3:

H03: GXSSW has no impact on GDP growth.

Ha3: GXSSW has impact on GDP growth.

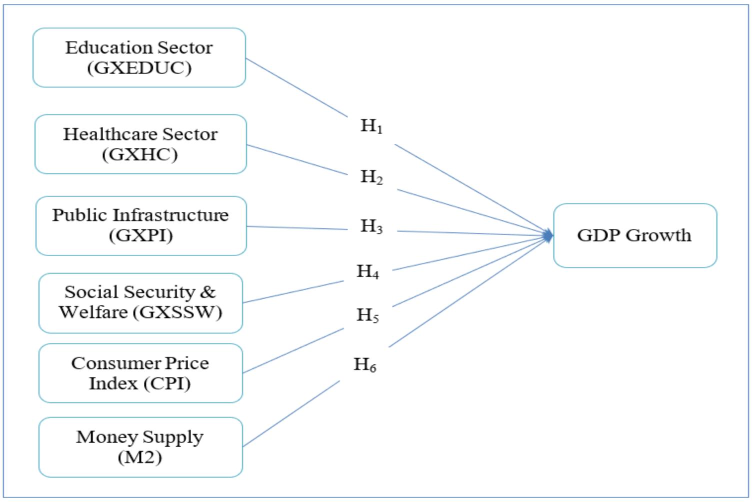
Hypothesis 4:

H04: GXPI has no impact on GDP growth.

Ha4: GXPI has impact on GDP growth.

The conceptual framework in Figure 1 below shows the close relationship between government sectorial spending and economic growth:

Figure 1: Conceptual Framework of Government sectorial expenditure and GDP growth



Source: Author's Calculation

Literature Review

The literature review related to the effect of government sectoral spending on economic growth consists of two groups. First, the supply side of economic growth theory, or endogenous growth theory. Second, the demand side of economic growth theory, which includes Keynesian Growth Theory and Money Growth Theory.

Endogenous Growth Theory

According to the supply side of economic growth theory, investment in education and healthcare sectors is the best priority to improve human capacity in terms of economic growth (Atif et al., 2022). An increase in investment in education and healthcare sectors is to improve labor productivity and technology advances for long-term sustainable economic growth (Mauro, 1995). Some researchers suggest that the economy is being overshadowed by slowing productivity growth and that the economy's innovation strategy needs a more balanced, market-oriented bias. Turnovsky (2010) by addressing this question using a dynamic general equilibrium model based on an analysis of endogenous growth, a study offers variable policy options and an informed assessment of the interactions between developments in the Canadian economy and government spending.

The results indicate that government expenditure directed toward the knowledge economy can be effective and sustainable, particularly when supported by conditions of peace and political stability (Collier, 1999). In addition, there are many studies that adopt the policy of supporting improvement in human capacity, along with the policy of contribution to invest in physical capital to innovate in infrastructures that push economic growth together (Abbas et al., 2019).

Keynesian Growth Theory

According to Ferilli et al. (2017), consumer demand is the main driver of the economy, Keynesian theory holds that governments need to increase demand to drive economic growth. Keynesian growth theory is the demand side of economic growth theory. It investigates the behavior of customers’ needs and wants. At the heart of the

Keynesian theory is aggregate demand: consumer demand, investment demand, government spending demand, and net exports (Guido, Christer, & Luigi, 2017). Therefore, to increase demand, demand-side economics should focus on fiscal policies such as expansionary fiscal policies (tax cuts), increasing exports and decreasing imports, and increasing government spending as first priorities (Yong & Lin, 2023).

Based on Keynesian theory, when prices are moderately rigid, changes in expenditure components, consumption, investment, and government spending lead to changes in output (Acemoglu et al., 2016). As the Keynesian approach states, government social spending (education and health) can increase aggregate demand, further stimulating economic growth and employment (Blanchard, 2020).

Monetarist Growth Theory

Monetarist growth theory is also a demand-side of economic growth theory because central banks can use monetary policy to stabilize the economy and influence economic growth through affecting aggregate demand via various channels including (1): maintain price stability by controlling the money supply, (2): induce banks to ease lending, thereby stimulating spending by firms and households, and (3): reduce interest rates or regulate interest rates by maintaining a low-interest-rate regime that could make stock purchases more attractive, increase household financial wealth, contribute to an increase in private consumption, and make corporate investment projects more attractive. The combination of these factors will increase production, employment, investment, and private consumption by increasing aggregate demand. Stabilization of currency demand and supply can affect economic activity and inflation (Boucekkine et al., 2021).

Monetary policy can therefore contribute to higher sustained economic growth by ensuring price stability and lower inflation in the medium to long term on the one hand and stabilizing production on the other (Ahiadorme, 2022). Moreover, in an environment of very low interest rates and inflation, the implementation of appropriate economic policies is constrained by political reforms, catastrophes, and structural reforms (Blanchard, 2019). In such circumstances, the effectiveness of the monetary policy will depend on the underlying causes of the economic downturn or a temporary decline in consumer confidence (Gali, 2015).

Thus, the impact of Keynesian and monetarist growth theories on economic growth is that they pump up and down aggregate demand in economic cycles. Thus, Keynesian and monetarist growth theories influence economic growth through fluctuations in aggregate demand across economic cycles. Post-Keynesian scholars further emphasize the role of macroeconomic uncertainty and endogenous money in shaping economic dynamics (Lavoie, 2014).

Research Methodology

Research Design and Study Approach

This study performs quantitative research techniques that involve descriptive statistics, the unit root test, and the vector error-correction model with exogenous variables (VECMX) on time series data.

Data Collection

To conduct the hypotheses, the study uses secondary data on GDP and government expenditure in five ministries over the 30 years. There were 38 observations from 1993 to 2030. These secondary data were collected from MOP, GFS, MEF, NBC, IFS, and IMF, respectively.

The functional classification of the national budget is used because it is consistent with the Cambodian government's current financial management practices when formulating the macroeconomic framework and annual budget (Cambodia Ministry of Economy and Finance, 2020). In other words, spending that supports economic growth can be either to support human capital, labor productivity, and the latest technology in education and health systems; to support physical measures such as public infrastructure; or to support economic activity such as social security. This classification is based on government spending that supports the social security system.

Data Analysis

For data analysis, this study used Vector Autoregressive with Exogenous Variable (VARX). The endogenous variables are Real GDP (RGDP), GXEDUC, GXHC, GXPI, and GXSSW, and the two exogenous variables are M2 and CPI. The VECM model in reduced form can be specified by the system of equations below:

$$\mathrm{RGDP_t} = \mathrm{f(RGDP_{t-1}, GXEDUC_{t-1}, GXHC_{t-1}, GXSSW_{t-1}, GXPI_{t-1}, M2_t, CPI_t, u_t)}$$
$$\mathrm{GXEDUC_t} = \mathrm{f(RGDP}_{t-1}, \mathrm{GXEDUC}_{t-1}, \mathrm{GXHC}_{t-1}, \mathrm{GXSSW_{t-1}, GXPI_{t-1}, M2_t, CPI_t, u_t)}$$
$$\mathrm{GXHC_t} = \mathrm{f(RGDP}_{t-1}, \mathrm{GXEDUC}_{t-1}, \mathrm{GXHC}_{t-1}, \mathrm{GXSSW_{t-1}, GXPI_{t-1}, M2_t, CPI_t, u_t)}$$
$$\mathrm{GXSSW_t} = \mathrm{f(RGDP}_{t-1}, \mathrm{GXEDUC}_{t-1}, \mathrm{GXHC}_{t-1}, \mathrm{GXSSW_{t-1}, GXPI_{t-1}, M2_t, CPI_t, u_t)}$$
$$\mathrm{GXPI_t} = \mathrm{f(RGDP}_{t-1}, \mathrm{GXEDUC}_{t-1}, \mathrm{GXHC}_{t-1}, \mathrm{GXSSW_{t-1}, GXPI_{t-1}, M2_t, CPI_t, u_t)}$$

Where:

$\mathrm{RGDP_{t-1}}$ –	vector of real gross domestic product "RGDP" from period $t-1$ to $t-n$,
$\mathrm{GXEDUC_{t-1}}$ –	vector of government expenditures on education sector "EDUC" from period $t-1$ to $t-n$,
$\mathrm{GXHC_{t-1}}$ –	vector of government expenditures on healthcare services "HC" from period $t-1$ to $t-n$,
$\mathrm{GXSSW_{t-1}}$ –	vector of government expenditures on social security and welfare "SSW" from period $t-1$ to $t-n$,
$\mathrm{GXPI_{t-1}}$, –	vector of government expenditures on public infrastructures "PI" from period $t-1$ to $t-n$,

$\mathrm{M2_t}, \mathrm{CPI_t}, -$	vectors of broad money supply M2, and consumer price index CPI, from period t to n,
$\mathrm{u_t}$ −	error term in period t.

Unit Root, Lag Length, Diagnostic Test, and Model Fitness

We also conduct diagnostic tests using the selection criteria AIC and SBC methods. That is, the model with the lowest AIC and SBC value is chosen. We also check the series stationary using the Unit Root Test, the Augmented Dickey-Fuller Test (ADF), and the Phillip-Perron (PP) Test. Regarding lag selection criteria, we use Akaike Information Criterion (AIC) and Bayesian Information Criterion (BIC).

Data Analysis and Results

To assess the impact of government spending on economic growth in the short run and long run, this paper used the vector error correction model with exogenous variable (VECMX). The five endogenous variables are RGDP (real GDP), GXEDUC (government spending on the education sector), GXHC (government spending on the healthcare sector), GXPI (government spending on physical infrastructure), and GXSSW (government spending for the social security protection system). The two exogenous variables are (1) CPI (consumer price index) and (2) M2 (money supply).

Summary Statistics

In general, the summary statistics of all five endogenous variables and two exogenous variables are listed in the table below and suggest that the statistical values changed from 1993 to 2022.

Table 1: Summary Statistics of Endogenous Variables and Exogenous

Descriptive Statistics Testing									
Series	Mean	Median	Maximum	Minimum	Std. Dev.	Jarque-Bera	Probability	Obs.	Measurement
Nominal Data									
RGDP	30,195.40	27,769.00	67,476.63	8,965.00	17,805.24	2.6696	0.2632	30	In Billion Riels
GXEDUC	1,118.14	566.50	4,522.73	74.86	1,257.11	9.3009	0.0096	30	-
GXHC	639.92	370.87	2,268.76	57.87	634.76	5.7881	0.0554	30	-
GXPI	1,659.88	921.26	5,493.36	299.82	1,509.42	7.9143	0.0191	30	-
GXSSW	2,651.14	2,472.39	5,556.76	815.46	1,439.82	2.3080	0.3154	30	-
CPI	124.02	108.23	194.71	80.64	39.90	3.3350	0.1887	30	-
M2	378,039.40	271,475.90	975,992.30	51,722.16	319,663.10	3.4695	0.1764	30	-
Logarithm Data									
LOGRGDP	10.1351	10.2312	11.1195	9.1011	0.6269	2.0413	0.3604	30	Author's Calculation
LOGGXEDUC	6.3407	6.3347	8.4169	4.3156	1.2577	1.8029	0.4060	30	
LOGGXHC	5.8921	5.9116	7.7270	4.0582	1.1617	2.2768	0.3203	30	
LOGGXPI	7.0482	6.8254	8.6113	5.7032	0.8624	1.8546	0.3956	30	
LOGGXSSW	7.7237	7.8078	8.6228	6.7038	0.5921	2.4487	0.2940	30	
LOGCPI	4.7709	4.6833	5.2715	4.3900	0.3193	3.5175	0.7226	30	
LOGM2	12.4133	12.5047	13.7912	10.8536	1.0043	2.5761	0.2758	30	
Firt Different Data									
DLOGRGDP	0.0548	0.0680	0.1244	-0.4279	0.0960	617.6779	0.0000	29	Author's Calculation
DLOGGXEDUC	0.1414	0.1279	0.2485	0.0323	0.0467	1.0823	0.5821	29	
DLOGGXHC	0.0222	0.0222	0.0449	-0.0004	0.0098	0.0394	0.9805	29	
DLOGGXPI	0.1003	0.1054	0.1890	0.0513	0.0383	0.7132	0.7000	29	
DLOGGXSSW	0.0667	0.0651	0.2071	-0.0081	0.0541	7.3042	0.0259	29	
DLOGCPI	0.0302	0.0290	0.1498	-0.0776	0.0390	11.5538	0.0031	29	
DLOGM2	0.1013	0.0955	0.2365	-0.0094	0.0618	0.7618	0.6832	29	

Source: Author's Calculation

Unit Root Test

A unit root test is applied to each data series to check whether it contains unit roots, transient data, or unstable data. The Augmented Dickey-Fuller test (ADF) is used to check the stationarity of the series. The Phillips-Perron test (PP-test) is also used to confirm with the ADF test that is rejected at the 5% significance level. Therefore, all series are integrated with order 1. Given these results, the LNCPI will be excluded from the VECMX model.

Table 2: ADF and PP Unit Root Test for All Variables

Unit Root Test										
Variables	Augmented Dickey Fuller (ADF)					Phillip-Perron Test (PP)				
	*Lag Length	t-Statistic	ρ-value	Integrated Order	Stationary	*Bandwidth	Adj. t-Stat	ρ-value	Integrated Order	Stationary
Logarithms										
LNRGDP	1	-1.1718	0.8947	1	Non-Stat.	3	-7.1909	0.0000	0	Stat.
LNGXEDUC	2	-4.5709	0.0068	0	Stat.	0	-2.5029	0.3240	1	Non-Stat.
LNGXHC	0	-1.8404	0.6556	1	Non-Stat.	2	-2.0237	0.5618	1	Non-Stat.
LNGXSSW	0	-1.7065	0.7193	1	Non-Stat.	1	-1.7089	0.7182	1	Non-Stat.
LNGXPI	0	-3.3166	0.0835	0	Stat.	1	-3.3304	0.0835	0	Stat.
LNCPI	1	-2.0360	0.5543	1	Non-Stat.	2	-1.7333	0.7070	1	Non-Stat.
LNM2	1	-2.7548	0.2253	1	Non-Stat.	1	-2.4227	0.3603	1	Non-Stat.
First Difference										
D(LNGDP)	0	-18.2383	0.0000	0	Stationary	0	-18.2383	0.0000	0	Stationary
D(LNGXEDUC)	2	-4.7488	0.0004	0	Stationary	1	-3.5569	0.0548	0	Stationary
D(LNGXHC)	0	-4.6818	0.0005	0	Stationary	1	-4.6807	0.0051	0	Stationary
D(LNGXSSW)	0	-5.2124	0.0015	0	Stationary	0	-5.2124	0.0015	0	Stationary
D(LNGXPI)	0	-5.9451	0.0003	0	Stationary	5	6.9089	0.0000	0	Stationary
D(LNCPI)	0	-2.9183	0.1738	1	Non-Stat	1	-2.9363	0.1688	1	Non Stat
D(LNM2)	1	-4,5785	0.0006	0	Stationary	9	-3.5717	0.0532	0	Stationary

Source: Author's Calculation

*Notes: 1) The test includes intercept for ADF and constant for PP
2) Lag selection is automatically selected using AIC criterion for ADF and Bandwidth for PP and run by E-views

The estimated results indicated that all series are stationary after the first difference (except the CPI) because of the null hypothesis that assumed the series is a unit root (non-stationary).

Cointegration Analysis

A co-integration test method of the Johansen test to identify long-term relationships. However, to perform the Johansen test, the lag length must be determined in advance. Previous literature on lag determination has proposed selection criteria, such as AIC, BIC, and others from unstructured VAR models.

Optimal Lag Length Selection for Johansen Test

The result is shown in Table 3 below. The table shows the Akaike Information Criterion (AIC) and Schwarz criterion (SC). These results are identified by the estimates of five endogenous variables and two exogenous variables. The results indicated that a lag of 2 years is preferred by AIC, FPE, and HQ (denoted by the astride symbol *), while SC suggests a 1-year lag. Based on the result in this study, we chose to include two lags in the analysis of our VECMX model.

Table 3: Lag Criteria of VAR Model with all variables Included

Lag	LogL	LR	FPE	AIC	SC	HQ
0	194.9480	NA	1.81e-12	-12.85343	-12.13975	-12.63525
1	324.6102	185.2317*	1.11e-15	-20.32930	-18.42615*	-19.74749
2	356.6152	34.29113	9.09e-16*	-20.82966*	-17.73704	-19.88421*

Source: Author's Calculation

Model Section for Johansen Co-integration Test

The Johansen test finds the number of co-integration coefficient vectors that guarantee long-term relationships among variables based on 2 types of tests such as (1): the trace test and (2): the maximum eigenvalue. In addition, there are two aspects to consider in selecting the appropriate model for further testing of both types which are (1): the lag length to be included, which, in this regard, we will use the 2 lags as suggested in the AIC-criteria lag selection, and (2): the model assumption, which includes five possible models of whether the model will include either intercept or time trend.

To decide which of the five models should be used for the Johansen test, the study will run the Johansen test and compare the AIC and SC. The result for the model that will be used for the test is shown in Table 4 below. So, according to the results of the model with the minimum AIC criterion, it was Quadratic Intercept and Trend. In addition, the result based on SC criteria also suggested a quadratic trend model with intercept.

Table 4: Johansen Co-integration Test Summary for Model Selection

Johansen Criteria by Rank and Model					
Data Trend Rank or No. of CEs	None No Intecept No Trend	None Intecept No Trend	Linear Intecept No Trend	Linear Intecept Trend	Quadratic Intecept Trend
Akaike Information Criteria by Rank (rows) and Model (columns)					
3	-19.82734	-20.40449	-20.77082	-20.87317	-21.06832*
Scharz Criteria by Rank (rows) and Model (columns)					
2	-17.45248	-17.86408	-18.01624	-18.09174	-18.09494*

Source: Author's Calculation

Results of the Johansen Co-integration Test

The results of the Johansen test, including the quadratic trend of the data and the intercept and linear trend of CE, are shown in Table 5 below for both the trace and maximum eigenvalue tests. The result of the Johansen co-integration test shows that there are three co-integration vectors, indicating that our endogenous variables have a long-term relationship, which is suitable for analyzing and applying the VECMX model.

Table 5: Johansen Co-integration Test Results

Unrestricted Cointegration Rank Test (Trace)				
Hypothesized No. of CE(s)	Eigenvalue	Trace Statistics	0.05 Critical Value	Prob**
None*	0.871781	145.3479	69.81889	0.0000
At most 1*	0.833802	89.88935	47.85613	0.0000
At most 2*	0.648308	41.43580	29.79707	0.0015
At most 3	0.386321	13.22085	15.49471	0.1070
At most 4	0.001376	0.037177	3.84147	0.8471

Trace test indicates 3
cointegration equations at

Source: Author’s Calculation

Vector Error Correction Model with Exogenous Variable (VECMX)

The result of the Vector Error Correction Model with Exogenous Variables Model (VECMX) is shown in Table 6 below. The results show that there is long-term equilibrium because the coefficient for the CE (co-integrating vector) is -0.959503, meaning that in the long run, GDP tends to return to the equilibrium at a rate of about 95.95% per year closer to equilibrium.

Moreover, regarding the relationship between government expenditure on education and GDP, the t-statistic of the GXEDUC coefficient is -10.5, lower than the 10% critical value of -1.64. Therefore, government spending on education has a statistically significant impact on real GDP at 95% confidence levels. The result showed that a 1% increase in GXEDUC increases real GDP by about 0.54% on average per year.

Regarding the government spending on healthcare, the t-statistic value of the coefficient of GXHC is 2.29, larger than the critical value of 10% of +1.64. Therefore, the study can conclude that GXHC has a significant impact on real GDP at a 95%

confidence level. In other words, a 1% increase in GXHC could decrease real GDP by about 0.153% on average.

The impact of government expenditure on public infrastructure (GXPI) also has a statistically significant impact on GDP. The t-statistic of the GXPI coefficient is 6.73, greater than the 10% critical value of +1.64. Therefore, GXPI has a significant impact on real GDP at the 95% confidence level. In other words, a 1% increase in GXPI is expected to reduce real GDP by about 0.185% on average per year.

The impact of government expenditure on the social security system and social safety (GXSSW) also has a statistically significant impact on GDP. The t-statistic value of the coefficient of GXSSW is -4.91, less than the critical 10% value of -1.64. Therefore, we can conclude that GXSSW has a significant impact on real GDP at a 95% confidence level. In other words, a 1% increase in GXSSW is likely to increase real GDP by about 0.292% on average per year.

Table 6: Results of VECMX

Cointegrating Eq:	CointEq1				
LOGRGDP(-1)	1.000000				
LOGGXEDUC(-1)	-0.549031 (0.05184) [-10.5914]				
LOGGXHC(-1)	0.153935 (0.06704) [2.29633]				
LOGGXPI(-1)	0.185071 (0.02749) [6.73219]				
LOGGXSSW(-1)	-0.292315 (0.05942) [-4.91910]				
C	-6.599730				
Error Correction:	**D(LOGRGDP)**	**D(LOGGXE...**	**D(LOGGXHC)**	**D(LOGGXPI)**	**D(LOGGXS...**
CointEq1	-0.959503 (0.28619) [-3.35264]	2.200419 (0.67027) [3.28290]	-0.778022 (0.66942) [-1.16223]	0.492681 (0.43971) [1.12046]	1.395605 (0.78368) [1.78085]

Source: Author's Calculation

Forecasted RGDP based on the VECM Model

Based on the VECMX model, we also provide the forecasting result of the impact of government expenditure for education on GDP for 2023 to 2030 under 3 setting scenarios. The three scenarios are changes in government expenditure on education that are moderate (little increase), conservative (fair increase), and progressive (high increase). The projection was carried out under both deterministic and stochastic forecasting methods. The following are the characteristics and assumptions of the three scenarios.

1) Conservative (Baseline): GXEDUC currently has an average growth rate of 3.15%
2) Moderate: Low rate of GXEDUC increase, GXEDUC 5%
3) Progressive: High rate of GXEDUC increase, GXEDUC 25%

The results of the GXEDUC scenario are depicted in table 7 below. Overall, the progressive scenarios offered high GDP growth, and the growth rate was between 6.0% and 7%.

Table 7: Estimated Results of RGDP Growth in taking with GXEDUC for Forecasting Scenario

Analyzing Scenarios	Determination		Stochastic	
	RGDP	Standard Error	RGDP	Standard Error
RATES OF *GXEDUC*				
Baseline Scenario (*GXEDUC*: 15.31% and M2: 11%)	6.99%	15.00%	6.99%	15.25%
Low *GXEDUC* Scenario (5% and M2: 11%)	6.99%	15.14%	6.99%	15.16%
High *GXEDUC* Scenario (25% and M2: 11%)	7.25%	14.90%	7.14%	17.14%

Source: Author's Calculation

In addition, we also forecast the impact of government expenditure under the changing monetary policy. The three scenarios are:

- Baseline scenario M2 growth: 11% (Conservative)

- Low Money Supply scenario M2: 5% (Moderate)
- High Money Supply scenario M2: 20% (Progressive)

Overall, the forecasting results show that the percentage changes in the annual growth rate of RGDP, related to the monetary policy rates for a money supply M2 of 11%, are displayed in Table 8 below. The results also indicate RGDP growth around 7.0% per year.

Conclusions and Recommendations

This result from the analysis section shows some recommendations found for the RGC.

The results of the VECMX model are as follows: GXEDUC is positively affected by GDP growth, GXHC is negatively affected by GDP growth, GXPI is negatively affected by GDP growth, and GXSSW is positively affected by GDP growth.

According to the results found from these analyses, the RGC should increase government expenditure on education to support the long-term economic growth. This will support the investment in human productivity improvement and physical capital innovation. Moreover, it also provides modernized and technical skills to all people, makes available the opportunity of free investment inside the country, and establishes more technical skills training centers and more jobs inside the country. In addition to spending on education, spending on physical infrastructure and the social security system is needed to build a supporting environment for growth. This spending will include social security and public infrastructure to help elders, the poor, people with disabilities, health insurance, and so on.

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Soft Power Diplomacy: The Role of Cultural Exchanges in Strengthening Cambodia-Sri Lanka Relations

Aruna Jayathilaka and Veng Vuthea

Abstract

This paper examines cultural exchanges between Cambodia and Sri Lanka as a means of strengthening diplomatic relations, with a particular focus on soft power theory and cultural diplomacy in international relations. The study analyzes how initiatives such as joint Buddhist festivals, academic exchanges, and art exhibitions have contributed to bilateral relations. It also addresses the challenges and limitations of these exchanges, including political instability, logistical constraints, and financial barriers. Finally, the paper proposes strategies to enhance the effectiveness of cultural diplomacy, such as formalizing bilateral agreements, expanding collaboration into areas like culinary and sports diplomacy, and utilizing digital platforms to promote cultural exchanges.

Keywords: cultural diplomacy, soft power, Cambodia, Sri Lanka, public diplomacy

Soft Power Diplomacy: The Role of Cultural Exchanges in Strengthening Cambodia-Sri Lanka Relations

Introduction

Soft power, which is the ability to influence others through attraction and persuasion rather than coercion or force, became an important diplomatic tool in international relations, and cultural diplomacy played a central role in soft power diplomacy between countries.

For nearly two millennia, Cambodia and Sri Lanka have had extensive cultural, religious, and diplomatic ties. Numerous exchanges in various fields, including education, the arts, and governance, were made possible by their relationship, which was greatly impacted by their shared cultural and religious ties, especially Buddhism. The full potential of cultural exchanges for strengthening diplomatic and economic ties between the two countries is still largely unrealized, despite these established ties. Bilateral trade still takes place on a relatively small scale, and neither nation has opened an embassy in the other to date. This study examined the potential of cultural exchanges to enhance diplomatic relations between Sri Lanka and Cambodia. The study looked at important cultural exchange initiatives that have occurred over time, evaluating their effects on public diplomacy as well as their wider influence on bilateral relations.

Theoretical Framework

Joseph Nye first proposed the idea of soft power in the late 20th century, and it has since grown to be a key concept in the study of international relations. According to Nye (2004), soft power is the capacity of a nation to use non-coercive strategies like cultural diplomacy, values, and foreign policy to influence others through attraction rather than coercion. Hard power relies on military force or economic pressure, while soft power shows how culture, political beliefs, and diplomatic strategies affect global influence (Nye, 2004).

Cultural exchanges, a critical element of soft power, play a significant role in fostering mutual understanding and trust between nations. These exchanges facilitate the sharing of cultural knowledge, which, in turn, enhances cooperation and strengthens bilateral relations. As Nye (2008) suggested, cultural diplomacy is an essential tool in building soft power, allowing countries to project their values and culture to foreign audiences.

According to Melissen (2005), cultural diplomacy allows nations to present their culture in a positive light, engage in dialogue with foreign countries, and build influence. Through the promotion of arts, music, literature, education, and language, cultural diplomacy helps create an environment where mutual respect and collaboration can thrive.

In the context of Sri Lanka and Cambodia, both countries have a rich cultural legacy, particularly in the form of shared Buddhist customs that facilitate diplomatic and cultural exchanges. These common ideals serve as a basis for cross-cultural interactions that support and strengthen diplomatic relations (Sirikulkasem and Phong, 2019). Deeper ties between the two nations have been made possible by cooperative cultural initiatives like art exhibits, scholarly exchanges, and religious discussions. According to Lancaster (2013), these interactions foster goodwill and cooperation beyond political and economic interests, as well as a more profound understanding of each nation’s culture.

This study seeks to examine the influence of soft power and cultural diplomacy on the relations between Cambodia and Sri Lanka by analyzing their theoretical foundations. This study intends to demonstrate how cultural diplomacy has strengthened bilateral relations between the two countries by concentrating on cultural exchanges.

Research Methodology

This study was designed to investigate the role of cultural exchanges in strengthening the diplomatic relations between Cambodia and Sri Lanka. To achieve this objective, a qualitative research methodology was employed, primarily relying on secondary data analysis, as it is the most appropriate method for this research due to the availability of rich, historical data and documents. By analyzing existing literature, official documents, publications, reports, media content, and records of cultural exchange programs, the study sought to uncover key themes and insights into how cultural diplomacy has influenced bilateral relations between the two countries.

These documents gave us valuable information about the formal frameworks for cultural diplomacy, the evolution of diplomatic relations, and the agreements made regarding cultural exchanges. Key documents included memoranda of understanding (MOUs) and official statements from the foreign ministries of both countries. The study also analyzed media content, including news articles, press releases, and social media content. By examining how cultural exchanges were portrayed in both Cambodian and Sri Lankan media, the research sought to understand public perceptions of these exchanges and their roles in fostering goodwill between the two nations. Media coverage helped figure out how the public felt about cultural diplomacy efforts and how they might affect the country's image and relations with other countries.

Key texts on soft power theory, cultural diplomacy, and Southeast Asian relations were reviewed to establish the academic context for the study. Additionally, the research examined records from cultural exchange initiatives, such as joint festivals, student exchanges, art exhibitions, and academic collaborations. These records provided details about the specific programs that took place over time and helped identify the impact of such exchanges on strengthening diplomatic relations. This data also offered information about the continuity and evolution of cultural diplomacy programs between the two nations.

Finally, the study included reports from international organizations such as UNESCO, ASEAN, and the United Nations. These reports provided a broader regional perspective on cultural diplomacy, particularly in the context of Southeast Asia. By reviewing these reports, the research examined how international institutions have supported or influenced Cambodia–Sri Lanka cultural exchanges and how these initiatives align with broader regional diplomatic goals.

Data Analysis Methods

The research employed several data analysis methods to identify key themes and draw meaningful conclusions from the collected data. These methods included content analysis, comparative analysis, and descriptive analysis, each of which contributed to a more profound understanding of the role of cultural exchanges in strengthening Cambodia-Sri Lanka relations.

Content analysis was used to systematically examine documents, media content, and publications. This method enabled the researchers to identify recurring themes and patterns in the portrayal and impact of cultural exchanges. The analysis focused on understanding the key messages conveyed through these materials and how cultural diplomacy was framed in the context of both Cambodia and Sri Lanka.

A comparative approach was also utilized to assess the cultural diplomacy practices between the two countries. By comparing the nature, scope, and outcomes of cultural exchanges, the research highlighted similarities and differences in how cultural diplomacy was employed and its effectiveness in strengthening bilateral relations. This approach allowed for a thorough examination of the various methods used by both nations in their diplomatic engagement.

Descriptive analysis was applied to summarize the findings from reports, publications, and case studies. This method helped provide an overview of the key points from various sources, offering a clear understanding of how cultural exchanges have shaped the diplomatic relationship between Cambodia and Sri Lanka. Additionally, descriptive analysis helped present the historical context and the key milestones in cultural diplomacy between the two nations.

Through these methods, the research aimed to provide a comprehensive understanding of the role of cultural exchanges in Cambodia-Sri Lanka relations. The study also assessed the impact of cultural diplomacy and offered recommendations for enhancing future diplomatic initiatives, ensuring that both nations can further strengthen their cultural ties in the years to come.

Historical Context of Cambodia-Sri Lanka Relations

The friendship between millennium-old Cambodia and Sri Lanka is a time-bound mutual interaction, generally strong, and goes back a long, zigzag way, thanks to their shared culture and religion, especially Buddhism. This connection has lasted for thousands of years and is important in how the two countries interact today. Sri Lanka played a key part in bringing Buddhism to Southeast Asia, including Cambodia, which has helped build their good relationship despite the upheaval of countless situations. Three key factors have contributed to the spread of Buddhism from Sri Lanka to Southeast Asia, with a particular focus on Cambodia.

Firstly, the geographical location of Sri Lanka along key maritime trade routes in the Bay of Bengal historically facilitated the spread of Buddhist teachings and practices across Southeast Asia. As a strategic hub for maritime trade, Sri Lanka served as a port of call for both merchants and Buddhist monks, enabling the exchange of goods and religious ideas (Buddhism and the Trade Routes—Asia Society, n.d.). The active trade relations between South and Southeast Asia, especially along the maritime routes, played a critical role in the spread of Buddhism throughout the region (Expansion of Buddhism into Southeast Asia | Silk Roads Programme, 1995). Sri Lanka's role as both a center for trade and religious exchange solidified its influence in Southeast Asia, including Cambodia.

Secondly, Sri Lanka's commitment to Theravada Buddhism significantly shaped the religious landscape of Southeast Asia. By the fifth century C.E., Theravada Buddhism had been fully codified in Sri Lanka, and its conservative approach to Buddhist teachings became highly influential in the region. Sri Lankan monks resisted changes to the original doctrines of the Buddha, which appealed to Southeast Asian kings, particularly in Burma (Myanmar) and Thailand. These leaders thought that Theravada Buddhism was a better form of Buddhism than the Mahayana and Vajrayana traditions that were practiced in northern India and the Himalayas (Buddhism and the Trade Routes—Asia Society, n.d.). This conservative stance contributed to Sri Lanka's growing influence in the region, where its Buddhist teachings became integral to religious practices, statecraft, and artistic expression.

Thirdly, royal support and political power were key in spreading Theravada Buddhism throughout Southeast Asia. Rulers in countries like Burma, Thailand, Laos, and Cambodia actively supported Buddhism, often linking it to how they governed. This connection helped strengthen Sri Lanka's role, as its Theravada tradition offered ideas for constructive leadership and management (Horsfall, 2024). In Cambodia, the close ties between the monarchy and Buddhism became a big part of the kingdom's politics and society, with the royal family giving important support to the Buddhist community. This backing helped make Theravada Buddhism more established and reinforced Sri Lanka's cultural and religious impact.

Buddhism has deep roots in Sri Lanka, which started embracing it around the 3rd century BCE. This early commitment helped Sri Lanka become an important center for spreading Buddhist teachings throughout Southeast Asia (Kabilsingh, 1991). Historical evidence indicates that interactions between Cambodia and Sri Lanka commenced circa the 5th century. Sri Lankan monasteries like Mahavihara and Abhayagiri played a key role in shaping Theravada Buddhism in Southeast Asia, especially in areas influenced by the Mon-Khmer culture. This culture eventually grew into the Khmer Empire, which was heavily influenced by Buddhist teachings from Sri Lanka. These early connections laid the groundwork for ongoing religious, cultural, and diplomatic relations between the two nations (Jayathilaka, 2014).

Throughout the centuries, these ties deepened, with further exchanges occurring in the 12th century. As Theravada Buddhism spread, Sri Lanka's influence grew in Cambodia, and these exchanges became more frequent, especially when it came to religious practices and spreading Buddhist teachings. A historical example is the journey of the legendary king Jayavarman VII of the Angkor Empire’s son, Tamalinda, who traveled to Sri Lanka to study Theravada Buddhism and receive ordination. He went to the Mahavihara Monastery, a renowned center of Theravada Buddhism, around 1180 CE. Tamalinda’s journey highlights the historical connections between Cambodia and Sri Lanka in the context of Theravada Buddhist practice. Theravada Buddhism eventually became the dominant religion in Cambodia after the 13th century, influenced by the return of Tamalinda and other missionaries. The first center of Theravada studies in Cambodia was initiated by Sri Lankan monks in 1422 in the capital city named Phnom Penh. The monastery was named “Wat Lanka” (Lanka Vihara) in honor of the contribution made by Sri Lankan monks (Sundaytimes.lk, 2025).

In the early 1900s, Buddhist monks from Sri Lanka arrived in Cambodia to share their teachings. At the same time, Cambodian scholars went to Sri Lanka to learn about Buddhist texts and philosophy (Sirikulkasem & Phong, 2019). A more tangible symbol of this enduring connection is the Sri Lankan Buddhist temple, Wat Lanka, located in Phnom Penh. This temple serves as a living testament to the ongoing religious and cultural ties between the two nations.

By the early 21st century, diplomatic relations between the two countries were further reinforced by a series of high-level visits and exchanges. In August 2019, President Maithripala Sirisena visited Cambodia to strengthen diplomatic and religious relationships (Sri Lanka and Cambodia to promote Theravada Buddhism, 2025). In early 2017, Sri Lanka's then Minister of Justice and Buddhasasana visited Cambodia, extending an official invitation to the Cambodian government and religious leaders to participate in the UN International Vesak Day celebrations in Sri Lanka, held in May 2017 (Ministry of Foreign Affairs of Sri Lanka, 2025). This invitation led to the participation of a Cambodian delegation, led by the Minister of Culture and Religion, at the event in Colombo. The visit was significant not only for the formal exchange of diplomatic gestures but also for the recognition of shared religious practices, as many high-ranking Cambodian officials had spent time in Sri Lanka for temporary priesthoods. This shared religious experience provided a valuable opportunity to deepen and expand diplomatic relations between the two nations (Ministry of Foreign Affairs of Sri Lanka, 2025).

The exchange of Buddhist monks between Sri Lanka and Cambodia has been an important part of their relationship. These exchanges allow both countries to share religious teachings and practices, which helps to strengthen their cultural and diplomatic connections. The significance of these religious exchanges is highlighted by the growing interest in religious tourism, especially since there are many Theravada Buddhist countries nearby. Religious tourism offers a chance to share Buddhist heritage and practices, creating opportunities for better cooperation and stronger ties between Sri Lanka and Cambodia (Goonatilake, 2003).

Thus, the relationship between Cambodia and Sri Lanka is rooted in a long history of sharing religion, culture, and diplomacy. Sri Lanka played a key role in spreading Theravada Buddhism, which helped strengthen their bond. Through visits by leaders, the sharing of religious practices, and the creation of places like Wat Lanka in Phnom Penh, the two countries have built a strong connection that keeps going and grows. As religious tourism and cultural cooperation become more important, their shared Buddhist heritage opens up more chances for working together, highlighting the importance of their lasting friendship.

The Role of Cultural Exchanges in Soft Power Diplomacy

Cultural Diplomacy as a Tool for International Relations

Cultural exchanges play a vital role in soft power diplomacy. They help build understanding, trust, and cooperation between countries. According to Nye (2004), soft power relies on attraction and persuasion, not force, which is essential for international relations. Cultural diplomacy, which is part of soft power, uses cultural resources like art, music, language, and educational programs to influence other nations and create goodwill positively (Melissen, 2005). By engaging in cultural exchanges, countries can share their values, heritage, and traditions with the world, forming connections based on mutual understanding instead of just political or economic interests.

Cultural diplomacy may not always lead directly to formal diplomatic relations, but it is crucial in helping to build those connections. When people share their cultures, they encourage understanding, builds trust, and creates a feeling of unity, which are all important for lasting diplomatic ties. These exchanges facilitate people-to-people connections that promote a more profound understanding of each other's cultures, ultimately strengthening political, economic, and social relationships between countries (The Global Impact of Cultural Exchange: Build a Better World, 2024). Thus, cultural diplomacy often acts as a foundation that sets the stage for more formal and strategic country relations, where trust and mutual respect have already been established through shared cultural experiences.

One of the most striking examples of cultural diplomacy leading to the establishment of formal diplomatic relations is “ping-pong diplomacy” between the United States and China in the early 1970s. The exchange of table tennis players between the two countries, initiated by an invitation from the Chinese team, marked the beginning of improved relations after decades of estrangement (Historical Acts—Academy for Cultural Diplomacy, 2013). The exchange, which focused on a simple sport, helped to break down political barriers and marked an early step in improving relations between countries. This effort led to President Nixon’s important visit to Beijing in 1972 (Historical Acts—Academy for Cultural Diplomacy, 2013). It shows how cultural diplomacy, even through small actions like sports, can spark bigger political conversations, reduce tensions, and inspire diplomatic progress.

The American National Exhibition in Moscow in 1959 was important for fostering talks and communication between the U.S. and the Soviet Union during the Cold War. By highlighting American daily life with various products and technologies, it allowed people from both sides to connect culturally. Even with political tensions high, the exhibition helped increase understanding, which gradually narrowed the gap between the two superpowers (Historical Acts—Academy for Cultural Diplomacy, 2013). Though political differences still existed, the cultural exchange from the exhibition showed a need for more openness, setting the stage for diplomatic talks and improving relations between the two countries.

Cultural diplomacy can really help improve political ties and make relationships between countries better. This can eventually lead to official diplomatic ties. When countries share their culture with each other, they not only showcase what makes them unique but also build a strong foundation for positive diplomatic relationships that go beyond just trade or military issues. As we’ve seen in past examples, using cultural diplomacy is a key part of soft power, helping to foster peaceful and constructive relations on the global stage.

In the case of Cambodia and Sri Lanka, cultural exchanges have played a significant role in strengthening their bilateral relations, creating opportunities for deeper cooperation in various sectors, including education, tourism, and the arts. The shared cultural and religious ties, particularly in Buddhism, have served as a natural foundation for these exchanges, facilitating greater people-to-people interaction and diplomatic engagement (Sirikulkasem & Phong, 2019). Consequently, both nations have employed cultural diplomacy to not only improve bilateral relations but also to shape perceptions and promote positive image cultivation on the global stage (Lancaster, 2013).

Likewise, the modern mindset toward people-to-people connectivity is reflected in tourism, which can be considered a form of cultural diplomacy. It facilitates cultural exchange, promotes mutual understanding, and highlights local artistic and cultural experiences. By fostering intercultural dialogue, tourism contributes to improved relations between divergent groups. It serves as a means of promoting a country's image and values to an international audience. Cultural diplomacy leverages tourism to achieve specific foreign policy objectives, using it to promote a country's image, values, and interests on the global stage (Kurbalija, 2024). Countries use tourism on purpose to improve their standing in the world and build good ties with other countries (Prasirtsuk, 2024). Thailand, for instance, uses tourism to promote its cultural heritage, cuisine, and traditional sports like Muay Thai, aiming to improve its image and attract visitors (Prasirtsuk, 2024). Similarly, India's "Incredible India" campaign showcases the country's rich cultural diversity and natural beauty, enhancing its position in global diplomacy and attracting foreign investments (Kumar, 2024).

Saudi Arabia's Vision 2030 initiative utilizes tourism policy to diversify its economy and reshape its image among Western democracies (Shuqom, 2025). By investing in entertainment, sports events, and partnerships with celebrities, Saudi Arabia aims to project a modern, tolerant, and welcoming persona to the world (Shuqom, 2025). This strategic use of tourism helps counter negative stereotypes and promotes a more nuanced understanding of the country's culture and values (Shuqom, 2025).

Concerning Sri Lanka and Cambodia's mutual tourist arrivals, there were 3,441 Sri Lankan tourists visiting Cambodia in 2023, and this number increased to 4,685 in 2024, which represents 0.1 percent of international tourist arrivals to Cambodia, which stood at 6.7 million in 2024. When compared to Nepal, Myanmar, and India, which stood at 6,404, 36,976, and 77,632, respectively, more effort should be made (Ministry of Tourism Cambodia, 2024). Similarly, the number of Cambodian tourists visiting Sri Lanka in 2023 stood at 519, which is much less compared to tourists from Myanmar, Vietnam, and Thailand at 1,130, 2,307, and 4,922, respectively. However, this is better compared to Lao PDR at 108 (Sri Lanka Tourism Development Authority, 2023).

As statistics show, tourism between Sri Lanka and Cambodia is still limited, presenting an opportunity for growth in the bilateral relationship through expanded tourism and cultural diplomacy. Normal visa exemptions should be applied to encourage religious tourism, not just Buddhism but also Hinduism, as Cambodia has the world-famous Angkor Temple, the largest Hindu temple in the world, along with thousands of other ancient temples and attractive sites. Advertising from both countries should be promoted more through various means, including media. As mentioned earlier, the foundation of relations between Sri Lanka and Southeast Asia was through trade from Sri Lanka to China with stopovers in Southeast Asia, so the reverse should be done via more trade starting from religious tourism leading to small and medium enterprise relations between the two countries and deeper relations for mutual benefits. Especially in this digital and AI world, there would be a better opportunity for both countries to promote mutual relations such as broader online education of religions, language teaching, online seminars, etc.

Cambodia and Sri Lanka's Cultural Exchange Programs

After the genocide years of 1975-1979, Cambodia needed foreign support in various sectors, and the cultural program was one among many. The Khmer Rouge under Pol Pot ruled the country from 1975 to 1979, during which over a million people were killed, and many temples were destroyed. Buddhist texts were burnt or lost. Buddhist monks were killed, expelled from the temples, and forced to do manual labor. It has been estimated that 50,000 monks (in 1969, 65,062 monks lived in 3,369 monasteries) were either killed or died of disease or starvation (Sundaytimes.lk, 2025).

Over the years, Cambodia and Sri Lanka have engaged in several cultural exchange initiatives, which have served as the backbone of their soft power strategies. Their cultural exchange programs today emphasize strengthening Buddhist ties, promoting tourism, and facilitating diplomatic and people-to-people interactions. These programs have included joint art exhibitions, religious exchanges, academic collaborations, and student exchange programs, among others. These kinds of programs have given both countries a chance to show off their unique cultural heritage and improve their understanding of each other. For example, there are frequent reciprocal visits by monks and religious delegations, including extended temporary priesthoods by Cambodian monks in Sri Lanka, joint Buddhist festivals such as the International Vesak Day, and academic exchanges that have allowed scholars and practitioners from both countries to engage in dialogue, share knowledge, and build stronger ties through cultural cooperation (Kabilsingh, 1991).

Additionally, student exchange programs have been a significant avenue for cultural diplomacy. These programs, which involve the exchange of students between universities in Cambodia and Sri Lanka, have helped build long-term relationships between the two nations. By providing students with the opportunity to experience each other's culture firsthand, these exchanges foster goodwill and contribute to the development of future leaders with a more profound understanding of the bilateral relationship (Sirikulkasem & Phong, 2019). These exchanges also play a crucial role in facilitating cross-cultural understanding, which is integral to successful diplomatic relations in the modern globalized world.

Impact of Cultural Exchanges on Bilateral Relations

The impact of cultural exchanges on Cambodia-Sri Lanka relations has been profound, influencing both public perception and governmental relations. On the public diplomacy front, cultural exchanges have enhanced mutual respect and understanding between the peoples of the two countries, helping to break down stereotypes and misconceptions. The promotion of shared values, particularly Buddhism, has created a bond of brotherly affection, which has been vital in strengthening the bilateral relationship. As noted by Nye (2008), cultural diplomacy initiatives contribute to building a positive national image abroad, and through these exchanges, Cambodia and Sri Lanka have successfully improved their international reputations.

Moreover, cultural exchanges have had a positive impact on governmental relations by promoting cooperative projects in fields such as education, tourism, and heritage preservation. These exchanges have facilitated bilateral discussions on various policy issues, leading to collaborations on important matters such as economic development, religious cooperation, and cultural preservation (Melissen, 2005). By integrating cultural diplomacy into their foreign policy, both nations have created a more holistic approach to strengthening diplomatic ties, which extends beyond traditional political or economic engagements.

Due to historical and contemporary cultural exchange, for the last two decades, the governments of both countries have also pushed for more relations between the two nations through many Memoranda of Understanding and agreements, including MoU between the Government of Sri Lanka and the Government of Cambodia on Cooperation in the field of Tourism on 10th May 2022, Agreement between the Government of Sri Lanka and the Government of Cambodia on the Exemption of Visa

Requirements for holders of Diplomatic and Service/Official Passports on 10th May 2022, MOU between the Ministry of Foreign Relations and International Cooperation of Cambodia and Ministry of Foreign Affairs of Sri Lanka on bilateral consultation on 8th August 2019, MOU between the Ceylon Chamber of Commerce and Cambodia Chamber of Commerce on 18th May 2004, MOU on cooperation in the fields of culture, education, sports, economy and trade on 25th May 1999 (The Embassy and Permanent Mission of the Democratic Socialist Republic of Sri Lanka Bangkok, Kingdom of Thailand, 2023).

Through these cultural programs, Cambodia and Sri Lanka have deepened their bilateral relationship and enhanced their standing within the broader Southeast Asian and international contexts. As Lancaster (2013) highlighted, cultural diplomacy serves as an effective tool for nations seeking to establish positive relationships and project influence without relying solely on economic or military power.

Case Studies of Cultural Exchange Programs

Successful Cultural Exchanges between Cambodia and Sri Lanka

Cultural exchange programs between Cambodia and Sri Lanka have been an important part of their diplomatic relations, especially when it comes to promoting shared cultural and religious values. The two countries, with their rich Buddhist traditions, have used cultural diplomacy to strengthen bilateral ties and create avenues for cooperation. This section examines specific instances where cultural exchanges have had significant impacts on their diplomatic relationship.

One of the most notable cultural exchange programs has been the joint Buddhist festivals organized between Cambodia and Sri Lanka. These events have often included religious ceremonies, art shows, and talks about Buddhist teachings. They have brought together scholars, monks, and laypeople from both countries. For example, in 2015, the two countries collaborated on a Buddhist festival held in Sri Lanka, which was attended by Cambodian monks and government officials. This event allowed both nations to showcase their cultural heritage and share religious practices, strengthening their cultural and religious ties. Such exchanges have promoted greater understanding of Buddhist traditions and facilitated religious dialogue, fostering peace and cooperation (Sirikulkasem & Phong, 2019).

Another significant cultural exchange initiative was the academic and student exchange programs between universities in Cambodia and Sri Lanka. These programs have enabled students from both countries to study abroad, engage in academic discussions, and learn about each other's cultures. In 2017, for instance, the University of Cambodia and the University of Sri Jayewardenepura set up an academic exchange program to help people from different cultures understand each other better and work together on schoolwork. Students participating in these programs have not only gained academic knowledge but also developed lifelong relationships that contribute to the long-term stability of bilateral relations (Lancaster, 2013). This educational exchange plays a crucial role in building future leaders who understand the cultural and political nuances of their neighboring countries.

Impact Analysis

These cultural exchange programs have played a pivotal role in strengthening Cambodia-Sri Lanka relations by promoting deeper cultural understanding, enhancing diplomatic dialogue, and fostering long-term cooperation. The joint Buddhist festivals and academic exchanges have provided both nations with opportunities to learn from one another and collaborate on shared interests. By engaging in these initiatives, Cambodia and Sri Lanka have contributed to the soft power strategies of both nations, projecting their cultural values on the international stage and enhancing their image abroad.

The impact of these cultural exchanges has been seen not only in the strengthening of bilateral relations but also in the broader regional context. As Nye (2004) suggests, soft power through cultural diplomacy can significantly influence a nation’s international standing. Cambodia and Sri Lanka have effectively used these cultural programs to improve their relations within Southeast Asia and beyond, enhancing their reputations as cooperative, culturally rich nations committed to peace and dialogue.

Furthermore, these exchanges have fostered goodwill at the grassroots level, creating stronger ties between the peoples of both countries. As Lancaster (2013) notes, cultural diplomacy is an essential tool for cultivating positive perceptions and building long-lasting relationships that go beyond government-to-government interactions. The success of these programs indicates the potential for even greater cooperation between Cambodia and Sri Lanka, demonstrating the value of cultural diplomacy in achieving mutual goals.

Challenges and Limitations of Cultural Exchanges

While cultural exchanges between Cambodia and Sri Lanka have played a significant role in strengthening their bilateral relations, several challenges and limitations have hindered the full potential of these initiatives. These challenges range from political and social barriers to logistical and financial constraints. This section explores the key challenges faced by both nations in enhancing cultural exchanges and offers insight into the factors that may impede the growth of such programs.

Political and Social Barriers

Political instability and social barriers in both Cambodia and Sri Lanka have occasionally hindered the effectiveness of cultural exchanges. In Cambodia, the aftermath of the Khmer Rouge regime had an adverse effect on the country's social and political structure, leading to periods of instability that made it difficult to foster international relations, including cultural diplomacy. Similarly, Sri Lanka's prolonged civil conflict, which lasted for over two decades, created a complex political landscape that posed challenges to fostering diplomatic ties with other nations, including Cambodia. During these periods of instability, the priorities of both governments often focused on internal issues, limiting their capacity to engage in extensive cultural exchange programs (Sirikulkasem & Phong, 2019).

Additionally, political disagreements or differing national interests can impact the smooth execution of cultural exchange programs. For example, if there are tensions in diplomatic relations, even minor disputes may affect cultural collaboration efforts, as both nations might become cautious about engaging in joint initiatives (Melissen, 2005). These political challenges often result in delays or cancellations of planned exchange programs, reducing their impact and longevity.

On the social front, cultural misunderstandings or misinterpretations may also pose a barrier to effective cultural exchanges. Despite the shared Buddhist heritage, differences in cultural practices and traditions may lead to misunderstandings between the peoples of Cambodia and Sri Lanka. These misunderstandings could impede the development of stronger people-to-people relationships and limit the ability of cultural exchanges to reach their full potential in bridging societal gaps (Lancaster, 2013).

Logistical and Financial Constraints

Another significant challenge faced by Cambodia and Sri Lanka in conducting cultural exchanges is the logistical and financial constraints associated with such programs. Organizing cultural events, such as joint festivals, exhibitions, and academic exchanges, requires substantial funding and resources. For countries with limited budgets and economic resources, as is the case in Cambodia and Sri Lanka, financing these initiatives becomes a considerable obstacle. Funding for such programs is often allocated to more immediate political or economic priorities, leaving cultural diplomacy with fewer resources.

Moreover, logistical challenges such as travel arrangements, venue selection, and coordination between various stakeholders can create significant barriers. Cultural exchange programs often involve the movement of people (e.g., artists, students, academics), and travel restrictions, visa issues, and transportation challenges can delay or prevent the successful implementation of such initiatives (Melissen, 2005). Because of state budget limits, many countries lack embassies in each other's territories, signaling a limited willingness to promote strong bilateral relationships, as bilateral trade is only a few million US dollars per year.

Public and Government Support

The level of support for cultural exchanges varies within both Cambodia and Sri Lanka, with some programs receiving robust backing from government institutions while others face a lack of political will. Cultural diplomacy often requires a long-term commitment, but the priorities of governments can shift based on political climates, especially when new administrations take office. In both countries, there have been instances where support for cultural exchange programs has been inconsistent, with changes in leadership affecting the continuity of cultural initiatives (Sirikulkasem & Phong, 2019).

Additionally, public interest and support for cultural exchanges may not always align with government priorities. While cultural exchanges have the potential to build bridges and enhance diplomacy, they may not always resonate with the general public, particularly if the benefits are perceived to be indirect or long-term. Without adequate public engagement and understanding of the importance of these programs, the success of cultural exchanges is often limited.

Despite the evident benefits of cultural exchanges in enhancing Cambodia-Sri Lanka relations, the challenges and limitations discussed above highlight the complex nature of cultural diplomacy. Political instability, social barriers, logistical and financial constraints, and varying levels of public and government support all present significant hurdles that both countries must overcome to maximize the effectiveness of cultural exchanges. Addressing these challenges will require sustained political will, financial investment, and a commitment to fostering deeper cultural understanding.

Strategies for Enhancing Cambodia-Sri Lanka Cultural Exchanges

Policy Recommendations

To enhance the effectiveness of cultural exchanges between Cambodia and Sri Lanka, both governments should adopt a strategic and long-term approach to cultural diplomacy. A key recommendation is for both nations to establish formal bilateral agreements focused on cultural cooperation, which would ensure the continuity and sustainability of exchange programs. Such agreements should outline clear objectives, funding mechanisms, and mutual responsibilities, creating a framework that ensures both nations are committed to enhancing their cultural diplomacy efforts. This formalized approach will also help cultural diplomacy, which should be a top priority for the government, giving both countries clear guidance on leveraging cultural exchanges to achieve their diplomatic aims (Sirikulkasem & Phong, 2019).

Additionally, both countries should integrate cultural exchange programs into their broader foreign policy strategies. As suggested by Nye (2004), soft power, including cultural diplomacy, should be woven into the fabric of international relations, with cultural exchanges serving as tools to build relationships, foster mutual respect, and project a positive national image abroad. To this end, Cambodia and Sri Lanka should allocate more resources to cultural programs, ensuring that cultural diplomacy becomes a core component of their foreign policies.

To further strengthen the cultural and diplomatic ties between Cambodia and Sri Lanka, two important policy recommendations are the introduction of visa-free travel between the two countries and the reduction of flight time between them.

The implementation of a visa-free agreement between Cambodia and Sri Lanka would greatly facilitate movement between the two nations, making it easier for people to engage in cultural exchanges, tourism, and business. This policy would encourage more frequent visits by government officials, cultural diplomats, and tourists, fostering a deeper mutual understanding. A visa-free system would also make it easier for academic exchanges and religious interactions to flourish, enhancing people-to-people connections. Such an initiative would send a strong message about the commitment of both countries to deepen their relationship and could serve as a model for other nations in Southeast Asia.

In addition to this, reducing the flight time between Cambodia and Sri Lanka would make travel more convenient and accessible, further enhancing bilateral ties. Currently, long flight durations and limited flight routes can act as barriers to frequent interactions between the two countries. Shorter flight times would not only make it easier for people to travel for cultural events and exchanges, but they would also encourage more economic and tourism cooperation. Improved air connectivity could lead to increased tourism, which, in turn, would enhance both countries' economies and cultural influence on the global stage. By investing in better airline services and exploring direct flights, both Cambodia and Sri Lanka can make travel between the nations more efficient, thereby improving the overall effectiveness of their diplomatic and cultural cooperation.

These two steps—visa-free travel and shorter flight times—would provide a strong foundation for closer ties between Cambodia and Sri Lanka, creating an environment where cultural exchanges can thrive and the two countries can further develop their diplomatic and economic relationships.

Both countries should initiate package tours, which would be more attractive for both citizens. Cambodia as a destination could be combined with other countries within ASEAN, and Sri Lanka as a destination could be combined with its neighbors. In this case, individuals from both countries will have increased opportunities and a greater willingness to travel and explore, which will enhance both personal growth and cultural connectivity.

Expanding Cultural Collaboration

One of the key strategies for enhancing Cambodia-Sri Lanka cultural exchanges is expanding the scope and variety of collaborative initiatives. Both countries should explore new areas of cultural exchange beyond traditional forms of cooperation, such as religious exchanges and academic collaborations. For instance, culinary diplomacy could become a promising avenue for engagement. By promoting the exchange of culinary traditions and hosting food festivals or culinary workshops, both countries can showcase their unique food cultures while fostering cultural appreciation and understanding. The Indonesian Embassy in Copenhagen actively manages its reputation through culinary diplomacy events aimed at promoting Indonesian tourism and culture among the Danish people (Moch Rey Baskara & Neni Yulianita, 2020). Traditional cuisines like Balinese and Madura (Indonesia) serve as especially potent tools of cultural diplomacy and tourism attraction by preserving cultural identity and communicating local heritage effectively to tourists (Lingkar Studi, Komunikasi, Gusti Agung, & Alit Suryawati, 2024). Spain utilizes culinary experiences during international events to enhance nation branding and build cultural ties, highlighting distinctive national gastronomy (Meltem Ozel & Şeyma Filiz, 2024).

Sports diplomacy is another area that offers potential for enhancing cultural exchange. Cambodia and Sri Lanka could organize joint sporting events, such as cricket matches, football tournaments, or traditional games, which would not only strengthen ties between the two nations but also create opportunities for their people to connect in a more informal and engaging manner. Sports have the unique ability to bring people together, fostering unity and building positive relationships at the grassroots level (Melissen, 2005).

Furthermore, digital diplomacy can be an effective way to expand the reach of cultural exchange programs. By leveraging technology and digital platforms, Cambodia and Sri Lanka can organize virtual exhibitions, online cultural workshops, online education, and social media campaigns that engage a broader audience. This would overcome geographical barriers and attract younger generations who are more engaged with digital media. Both nations should explore partnerships with tech companies to create digital spaces for cross-cultural dialogue and collaboration.

Role of International Organizations

International organizations such as UNESCO, ASEAN, and the United Nations, as well as other initiatives like the Belt and Road Initiative (BRI) and many more institutions, can play a crucial role in supporting Cambodia-Sri Lanka cultural exchanges. These organizations can provide funding, expertise, and a platform for promoting collaborative initiatives. Cambodia and Sri Lanka should work closely with these organizations to secure funding for cultural programs, which would help alleviate financial constraints and allow for more expansive and impactful initiatives. By aligning their cultural diplomacy efforts with international organizations, both countries can amplify the reach and effectiveness of their cultural exchange programs.

Moreover, Cambodia and Sri Lanka should seek to involve these organizations in creating platforms for regional cultural cooperation within Southeast Asia. ASEAN, in particular, provides a framework for enhancing regional integration through cultural diplomacy, and both countries can utilize ASEAN's platforms to further promote bilateral cultural exchanges while also engaging in broader regional initiatives.

Strengthening Grassroots Engagement

Finally, one of the most effective ways to enhance Cambodia-Sri Lanka cultural exchanges is through grassroots engagement. Both nations should invest in programs that encourage people-to-people interaction at the local level. This can be achieved through the establishment of exchange programs for local artists, teachers, students, and community leaders. By empowering local communities to participate in cultural exchanges, both countries can create lasting bonds that extend beyond the political or academic elite and reach ordinary citizens. These grassroots programs can include community-based art projects, cultural festivals, educational exchange initiatives, and joint volunteer efforts in areas such as environmental conservation and heritage preservation. With modern technology of online communication and AI technology, both nations could improve their relations even deeper, provided they have the willingness to implement initiatives with pragmatic results so that people at the grassroots level will be eager to participate, such as language teaching, technology coaching, Dharma discussion, or scholarships at the tertiary level via online courses, which would demand less budget from governments or sponsors.

Strengthening grassroots engagement will not only deepen the cultural ties between the two nations but will also foster long-term diplomatic relations that are built on mutual respect and understanding. As Lancaster (2013) suggests, cultural diplomacy that involves the broader population is more likely to lead to sustainable and impactful results.

Conclusion

This research has explored the role of cultural exchanges in strengthening the diplomatic relations between Cambodia and Sri Lanka, with a focus on the ways cultural diplomacy contributes to soft power in modern international relations. The study has demonstrated that cultural exchanges serve as a significant tool in fostering mutual understanding, respect, and long-term cooperation between the two countries. By leveraging their shared cultural and religious heritage, particularly through Buddhism, Cambodia and Sri Lanka have been able to enhance their bilateral relations, creating opportunities for collaboration in various sectors, including education, arts, tourism, trade, etc.

Through the examination of cultural diplomacy theory, it was clear that soft power, as proposed by Nye (2004), has an important impact on international relations. Cultural diplomacy, as a critical component of soft power, enables nations to project their values and culture globally, thereby fostering positive diplomatic ties. Cambodia and Sri Lanka’s strategic use of cultural exchanges, including joint Buddhist festivals, academic collaborations, and art exhibitions, has not only facilitated deeper people-to-people connections but has also helped to enhance both nations' international standing.

However, the research has also highlighted several challenges and limitations that both countries face in maximizing the impact of their cultural exchanges. Political instability, social barriers, logistical constraints, and financial limitations have at times hindered the effective implementation of cultural diplomacy programs. These challenges underscore the need for both governments to adopt a more strategic, long-term approach to cultural exchanges, ensuring sustained support and resources for such initiatives. Furthermore, the varying levels of public and governmental support for cultural diplomacy have sometimes led to inconsistent engagement, which affects the overall effectiveness of these programs.

The study has provided several strategies to overcome these challenges and enhance the effectiveness of Cambodia-Sri Lanka cultural exchanges. Key recommendations include formalizing bilateral agreements on cultural cooperation, expanding the scope of collaboration to include new areas such as culinary and sports diplomacy, visa exemption, rescheduling for more effective flights, and leveraging digital platforms to engage a broader audience. Additionally, the role of international organizations and institutions, such as UNESCO, ASEAN, and BRI, has been emphasized as essential in supporting and facilitating these cultural exchanges, particularly through funding and regional cooperation.

In conclusion, cultural exchanges between Cambodia and Sri Lanka have proven to be an effective tool for soft power diplomacy, contributing to the strengthening of bilateral relations. By addressing the challenges and implementing the strategies proposed, both nations can maximize the potential of cultural diplomacy, ensuring that their long-standing relationship continues to thrive and develop in the years to come. The findings of this study point to the wider role of cultural exchanges in modern diplomacy, emphasizing the vitality of cultural diplomacy in enhancing international relations, promoting peace, promoting prosperity, and building sustainable global partnerships.

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Forest Conflicts and the Struggle for Recognition of Indigenous Territories in Indonesia

Atikah Nuraini

Abstract

Forestry conflicts in Indonesia are deeply connected to struggles over the recognition of customary land, with communities asserting their traditional rights against government and corporate claims. For millions, forests are essential for livelihood, culture, and identity. However, the lack of legal acknowledgment has led to dispossession, overexploitation, deforestation, and marginalization. Rooted in colonial policies, Indonesia's forest management prioritizes economic growth, excluding indigenous communities and fueling ongoing disputes. This study examines conflicts through case studies of the Pandumaan Sipituhuta and Kasepuhan Citorek communities, highlighting the absence of legal recognition as a key issue. Despite the Constitutional Court ruling that customary forests are not state-owned, complex legal and bureaucratic barriers hinder their recognition. The process is long, costly, and complicated, requiring mapping, verification, and government approval, making it inaccessible for many communities. The study underscores how structural injustices perpetuate these conflicts, emphasizing that there must be legal and institutional reforms. Addressing these issues requires more than resolution and mediation; it demands the formal recognition of customary rights and territories to address systemic exclusion. Forest governance must integrate indigenous stewardship to promote justice and environmental sustainability.

Keywords: indigenous forest conflicts, Indigenous peoples’ rights, socio-ecological conflict transformation, forestry governance

Forest Conflicts and the Struggle for Recognition of Indigenous Territories in Indonesia

Introduction: Conflict Context and the History of Forest Control in Indonesia

Asia's forests have long been a battleground for competing interests. Rapid deforestation has reduced their ability to provide economic, ecological, and social benefits, intensifying competition for forest resources and prolonging conflict and violence across the region. The impacts of forest conflict include the displacement of local and indigenous communities, casualties, and environmental degradation. With growing global attention on tropical forests for climate change mitigation, resource struggles in Asia's forests are likely to become even more challenging (Yasmi, Kelley, & Enters, 2010). These conflicts reveal that forest conflicts in Asia are not merely symptoms but are deeply rooted in forest management and policies. This understanding is crucial, as it highlights the underlying causes of forest conflict, the consequences of these disputes, and the need for a holistic approach to address them. The environmental and socioeconomic impacts of forest grabbing persist, compounded by the long-term consequences of colonization and violence, which continue to undermine indigenous peoples' ability to influence decisions and practices concerning their lands, forests, islands, natural resources, and water systems.

In Indonesia, land and forest conflicts have persisted for more than half a century, often linked to unilateral land concessions. In the forest areas, Indigenous peoples and rural communities face massive displacement, environmental destruction, and rising poverty due to large-scale forest acquisitions and the development of mega-projects, including food and energy estates, dams, steam-fired power plants, mining, monocrop plantations, and logging. These conflicts arise from prolonged exclusions and contested identities, ownership, and access to indigenous forests, involving multiple actors and becoming increasingly complex, spreading from the west to the east, from Aceh to Papua (Fay et al., 2000; Lucas, 1992; Lucas & Warren, 2013; Tresya et al., 2021).

Well over 100 million hectares of forest in Indonesia are claimed by the Ministry of Forestry, accounting for approximately 64 percent of the country's total area. The Indonesian National Statistical Bureau reported that over 30,000 villages are in and around forest areas and depend on forest resources (Komnas HAM, 2015; Sirait, 2015). Conflicts between indigenous peoples and rural communities, state agencies, and corporate interests over land and forests are now getting more visible.[1] At the same time, the military has taken control of vital facilities and most development projects that utilize forest areas, exacerbating land insecurity with firearms, which in turn impacts political stability and security (Tresya, 2020, p. 21).

After independence, President Sukarno's 1960 Basic Agrarian Law recognized customary rights but was abandoned during President Suharto's New Order, which prioritized economic growth through foreign investment and extensive forest concessions. Under the Suharto administration, the territorialization policy was introduced in the 1970s, establishing integrated forest zonation for production, protection, and conservation forests. Production forests, covering 69 million hectares, were managed by the Ministry of Forestry (MOF), which issued forestry permits to private and state-owned companies. Conservation forests, managed by national parks under the MOF, covered 27.5 million hectares, while protection forests, managed by local governments, covered 29.5 million hectares (Peluso, 1992, pp. 50, 64, 129; Hall, Murray, & Hirsch, 2011, p. 221; Hall et al., 2011, p. 220; Siscawati, 2014).

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[1] The number of land dispute cases, including indigenous forest lands, continues to grow. The National Human Rights Commission notes that 20% of the complaints submitted to it relate to land disputes. In 2012, there were 1,213 complaint files concerning land disputes, 1,123 complaints in 2013, and 2,483 complaints in 2014. The Consortium for Agrarian Reform, an Indonesian nongovernmental organization, documented more than 650 land-related conflicts affecting over 650,000 households in 2017 and about 410 conflicts affecting 87,568 households in 2018.

In 1998, following the political transition after Suharto, the Indonesian Parliament passed a Decree on Agrarian Reform and Natural Resource Management. This decree merged two streams of land activism: the customary rights/environment stream outside Java and the agrarian reform stream inside Java (Hall et al., 2011, p. 222; Peluso et al., 2008, p. 393). Following those changes, the rural land and agrarian movements in Java seized the political opportunity during the political transition to occupy lands previously owned by state forestry corporations and private and state plantations. During this time, they also formed local peasant organizations and networks. This demonstrates how the reform of forest land tenure in Indonesia has developed through a dynamic process involving both state and non-state institutions (Rachman, 2011, p. 53).

A decade after political reform, due to the absence of a legal framework for protecting indigenous communities, AMAN, together with two indigenous groups, submitted a petition to the Constitutional Court challenging Forestry Law No. 41/1999. A year later, the Constitutional Court issued Decision No. 35/PUU-X/2012, amending Law No. 41/1999 on Forestry.[2] This decision declared that customary forests are not state forests but are located within the territories of indigenous legal communities. It affirmed indigenous communities as legal entities with rights to their customary territories and forests, whose existence will be recognized as long as the communities continue to exist and are acknowledged.

This paper analyzes the Constitutional Court case in which indigenous communities challenged Forestry Law No. 41/1999. The Court's ruling, which declared that customary forests were no longer state forests, marked a critical turning point in

[2] Under Forestry Law No. 41/1999, forest areas are classified as state forests (without titled ownership) or private forests (with titled ownership). All forest areas without private ownership rights are considered state forests.

addressing forest-related conflicts that primarily occur in customary forest areas. However, 12 years after the ruling, conflicts over customary forests have not diminished; rather, they have escalated. Case studies of the Dat Kasepuhan Citorek community and the Pandumaan Sipituhuta indigenous group are used to highlight the difficulties in identifying customary woods. This paper calls on policymakers to prioritize legislative action, institutional reform, and improved governance to safeguard indigenous peoples' rights and promote sustainable forest management. It also critiques the government's development narrative, which marginalizes affected communities, and advocates for a more equitable, ecological, and human rights-focused approach.

Indigenous People's Rights: Invisible and Excluded

Since the 1970s, a global movement advocating for the rights of indigenous peoples has gained momentum, supported by international organizations. According to the United Nations, over 476 million indigenous peoples in 90 countries continue to face marginalization rooted in colonialism and patriarchy. On the 2021 International Day of the World's Indigenous Peoples, UN Secretary-General António Guterres highlighted the significant gaps and denial of recognition of indigenous peoples' rights, dignity, and freedoms (The United Nations, 2021). The UNDRIP (United Nations Declaration on the Rights of Indigenous Peoples), adopted in 2007, acknowledges the unique cultures, languages, legal systems, and histories of indigenous peoples, as well as their deep connection to traditional lands. UNDRIP also recognizes their shared history of displacement, conquest, and human rights violations. Before the adoption of UNDRIP, the only international instrument addressing the rights of indigenous peoples was ILO Convention 169 (1989).

The UNDRIP, which resulted from over two decades of negotiations, is the most comprehensive international instrument on indigenous peoples' rights, emphasizing collective rights. It establishes minimum standards for the survival, dignity, and well-being of indigenous peoples and elaborates on human rights within their context. This milestone has also strengthened the legitimacy of indigenous peoples as a basis for customary land claims. In response, many countries have enacted laws recognizing indigenous peoples and their land rights, while national governments and institutions, such as the World Bank, support the idea that indigenous groups are entitled to certain collective rights (Van der Muur, 2018, p. 161).

Article 26 of the UNDRIP affirms that Indigenous peoples have the right to the lands, territories, and resources they have traditionally owned, occupied, or used. Therefore, the state is obligated to provide legal recognition and protection for these customary territories, respecting their customs, traditions, and land tenure systems (Cobo, 1987). Furthermore, the former UN Special Rapporteur on Indigenous Peoples, José R. Martinez Cobo (1987), explained in his report on the relationship of indigenous peoples to their lands and natural resources, focusing on ILO Convention 169, that land is no longer merely a commodity or a source of income for indigenous peoples. The connection between indigenous peoples and their homelands and lands holds profound significance. Their lands are not commodities to be bought and sold but material elements that can be freely accessed and enjoyed. The identity of indigenous peoples is deeply tied to land and natural resources, not only as a source of livelihood but, more importantly, as a source of identity (Cobo, 1987, p. 15).

Indonesia has a population of approximately 284 million. The Government of Indonesia recognizes 1,128 ethnic groups. AMAN estimates that 50–70 million people are indigenous (AMAN, 2017). Article 18B of the 1945 Constitution officially recognizes indigenous communities and their traditional rights, as long as they exist and are in line with the State’s principles. This recognition is supported by national legislation, including Law Number 5 of 1960 concerning Basic Agrarian Principles and Law Number 39 of 1999 concerning Human Rights. However, in Indonesia, the rights of indigenous peoples to their territories have not been explicitly recognized as legal rights. Without such recognition, indigenous peoples' customary territories cannot be legally protected, rendering these rights invisible and difficult to fulfill or safeguard (AMAN, 2017).

The lack of a legal basis for recognition leaves the position of indigenous peoples and their lands vulnerable. Following the fall of Suharto in 1998, legal reforms expanded recognition of indigenous lands, but implementation relied on local authorities. These authorities determined who qualified as indigenous, often influenced by formal criteria and personal gain. Consequently, indigenous status became a privilege granted to groups with strong state ties, reducing the struggle for land rights to little more than a parliamentary policy battle (Van der Muur, 2018, p. 161). The lack of recognition of indigenous peoples' rights and their territories has serious and long-term consequences. Such recognition is crucial, particularly for acknowledging the existence of indigenous peoples and ensuring the sustainability of their traditional rights. Moreover, the (legal) recognition of customary land rights heavily depends on the willingness of state authorities to acknowledge the autonomy of indigenous peoples and their ability to manage their territories.

This research investigates this matter more comprehensively through two case studies. The first case involves the Pandumaan-Sipituhuta community in North Sumatra, who live in a frankincense forest and faced conflict with the Toba Pulp Lestari (TPL) company. TPL's eucalyptus replanting activities degraded their forest, leading to overlapping land claims, violence, and the arrest of 31 community members. The community, from the villages of Pandumaan and Sipituhuta, shares common ancestry traced back to the Marbun clan. Their livelihoods depend on the "tombak haminjon" (frankincense forest), which is central to their identity and provides income. The haminjon tree, considered the "tree of life," holds historical and spiritual significance. In 2019, the Local Council ratified Local Regulation No. 3/2019 concerning the Recognition and Protection of the Pandumaan-Sipituhuta Indigenous Community. Based on this regulation, the Regent issued Decree No. 201/2019 concerning their Customary Territory. In September 2020, the Pandumaan-Sipituhuta Customary

Forests were verified, affirming the Indigenous People as legal subjects and their customary territory, including the forest, as the object. In December 2020, the MOEF issued Decree No. 8172/2020, recognizing 2,393.83 hectares of the initial 5,172 hectares as the customary forest, with the remainder allocated for food security. This case highlights the challenges of returning customary forests to Indigenous Peoples, as the area can be suddenly reduced during the process.

The second case involves the Kasepuhan Citorek community, located on the border of Banten and West Java, who were affected by the expansion of the Mount Halimun-Salak National Park. The expansion, designated as a Conservation Forest in 2003, reclassified community-controlled land as a National Park, restricting their access and triggering conflict with park authorities. The Kasepuhan community, a Sundanese indigenous group, relies on the concept of "pancer pangawinan," which emphasizes their deep connection to the land. The Kasepuhan Citorek community has a customary territory of 7,416 hectares, an estimated 5,000 hectares of which overlaps with the National Park. The Wewengkon (land area) that overlaps with the National Park is part of a block containing gold minerals. In 2015, the Lebak Local Government issued Local Regulation No. 8/2015 and Lebak Regent's Decree No. 430/2013, which partially recognized their rights, but this recognition remains incomplete, leading to community dissatisfaction. The lack of coordination between the Ministry of Forestry and local governments in aligning National Park boundaries with District Spatial Plans has complicated the issue.

Both cases illustrate the struggles of indigenous communities in Indonesia, where land conflicts and the partial recognition of customary rights continue to pose challenges to their livelihoods and cultural preservation. The existence of indigenous communities in North Sumatra and West Java predates the founding of the Republic of Indonesia, which explains their strong connection to their territory, land, and environment.

Based on the genealogy of the Pandumaan-Sipituhuta, they have inhabited this area for approximately 300 years, spanning 15–16 generations. Similarly, the Kasepuhan Indigenous community, which resides in the Halimun Mountain area, traces its history back to the Sunda Kingdom, which ruled the territory from the 7th to the 16th century. In indigenous areas, identity and traditions are typically passed down through generations. This shared identity is also accompanied by communal rights and responsibilities inherent to the community. These communal rights include the ownership and control of natural resources such as land, forests, water, and other types of natural resources.

In addition to those two cases, many indigenous communities living in resource-rich areas such as forests, mining areas, coastal zones, and small islands remain marginalized and face significant challenges in the governance of customary forests in Indonesia. Several informants highlighted that the lack of legal recognition of indigenous peoples' rights and territories is a key factor driving this issue. The government continues to treat them as outsiders, isolated and incapable, despite their long-standing tradition of managing their customary lands. There is a negative perception of indigenous communities, which are often perceived as backward and unable to contribute to economic growth. This mindset has fueled broader disappointment and frustration due to the gap between state policies and the realities faced by indigenous peoples in their efforts to secure recognition of their customary land rights.

Furthermore, conceptually, the terms "indigenous peoples" and their rights, as well as the definition of indigenous peoples, remain problematic and often misunderstood among policymakers. This is a sensitive issue that has yet to be fully resolved. Different definitions are used in various official documents, such as the Second Amendment of the Constitution, which identifies indigenous peoples as *“traditional legal communities”* and as *“traditional peoples*.” Then, the National Assembly’s Decree on Agrarian Reform and Natural Resource Management

(Legislative Decree No. IX/1999) also identifies indigenous peoples as “traditional peoples.” While Presidential Decree No. 111/1999 and Social Ministry Decree No. 06/2002 define indigenous communities as ‘remote indigenous communities’: *“A remote indigenous community is a local social (cultural) group, which is spread out and lacks access to public social, economic, and political services.”* Among the various laws and regulations mentioned, a more comprehensive definition for indigenous peoples can be found in Law No. 27/2007 on the Coastal and Small Islands Management, which incorporates the definition as proposed by AMAN: *"Indigenous peoples are groups of people who have lived on their ancestral lands for generations, have sovereignty over land and natural resources, and govern their communities with customary laws and institutions that support the continuity of their livelihoods."*

This study found that land tenure conflicts in Indonesia are driven by the lack of recognition of customary land ownership. Indonesia's failure to recognize Indigenous Peoples and their customary territories has significant consequences. First, regarding tenure security, the lack of formal recognition robs Indigenous Peoples of access to and control over their lands, forests, and natural resources. This results in ongoing conflicts over overlapping land ownership involving private companies, government projects, or other parties. These disputes disrupt their daily lives, leaving them vulnerable to violence, such as forced evictions, criminalization, and loss of access to ancestral lands. Second, the lack of recognition marginalizes Indigenous Peoples, leading to discrimination and exclusion from decision-making processes regarding land and resources. Many customary territories lack village infrastructure and receive no public services at all. Without inclusion in planning and designating forests that affect their customary territories, they are already at risk of losing their lands and natural resources. This loss undermines their cultural practices, economic stability, and livelihoods.

Third, the lack of recognition fails to protect their traditional rights, including their communal and cultural identities, as well as their traditional religious identities. For example, the Kasepuhan Indigenous community practices traditional beliefs in

Sunda Wiwitan, which have been passed down from generation to generation. Fourth, Indigenous Peoples often possess traditional knowledge to sustainably manage and cultivate their land and natural resources. Therefore, recognizing the rights of Indigenous Peoples and their ancestral lands is vital for maintaining environmental sustainability in forest areas that should be protected by traditional knowledge. Without legal protection, Indigenous Peoples' lands are often exploited for mining, logging, and large-scale agriculture, leading to environmental degradation and biodiversity loss.

Regarding traditional conservation practices, Conservation Law No. 32/2024 also prioritizes state-based forest management practices over customary practices. This neglect stems from the exclusion of Indigenous Peoples as legitimate rights holders, which disregards their traditional knowledge and conservation efforts. As a result, Indigenous Peoples' contributions to nature conservation remain unrecognized in policy, despite centuries of proven effectiveness. The Forestry Law also fails to recognize Indigenous Peoples' land rights. Even after amendments, state forest lands are still considered government property, reinforcing their repressive and expansionist nature.

Paper Promises: Bureaucratic Barriers to Indigenous Rights

Customary tenure systems usually have ensured land security for communities, but increasing external and internal threats are now causing insecurity. In many areas, customary laws and traditional institutions are facing challenges, becoming weaker, and are no longer able to protect community land for their members. Additional measures are necessary to secure the community's land. The registration of community land rights in a government registry and the issuance of an official document, such as a land certificate or title, are key steps in integrating customary rights into formal legal systems and establishing formal land rights. This process may either document existing customary rights recognized by law or create new legal rights, such as when companies acquire formal land rights. However, registration and documentation alone do not guarantee tenure security (Notess, 2018, p. 22).

It was previously mentioned that the recognition of customary forests in Indonesia is hampered by various legal and bureaucratic obstacles. This section examines the bureaucratic complexities that complicate the process of recognizing customary forests in Indonesia. Although the Constitutional Court has ruled that customary forests are not state forests, there are still no clear procedures or technical regulations for recognizing and registering them. The recognition process is also difficult for indigenous communities without external assistance, as it involves several costly steps, such as mapping, verification, and approval from government agencies.

Indigenous communities that want their customary forests to be recognized by the government must first obtain recognition of their existence, which is granted by the provincial or district government, as stated in MoEF's Regulation No. 17/2020 and Government Regulation No. 23/2021. According to Regulation No. 52/2004 by the Minister of Home Affairs, the district head is required to form a team and develop a formal procedure to validate the customary communities' history, territory, laws, cultural artifacts, and governing systems. In practice, communities can only obtain recognition for their customary forests once the district government establishes a formal procedure for this validation process.

After the district government successfully validates the existence of the customary communities, the customary chief, representing the communities, should request the MoEF to validate the customary forest. The MoEF will then form a team to assess the eligibility of the area claimed by the communities as a customary forest (Figure 1). In summary, the validation process ensures the claim is legitimate only when validated by the MoEF. Communities that successfully validate the forest through the MoEF have the right to manage the forests using customary practices, receive training for sustainable practices, and obtain a legality certificate to sell timber from customary forests in the legal market. However, the communities are not allowed to alienate or mortgage the customary forest but are responsible for its sustainable management. The following diagram illustrates the complexity of the recognition process for indigenous communities and customary forests:

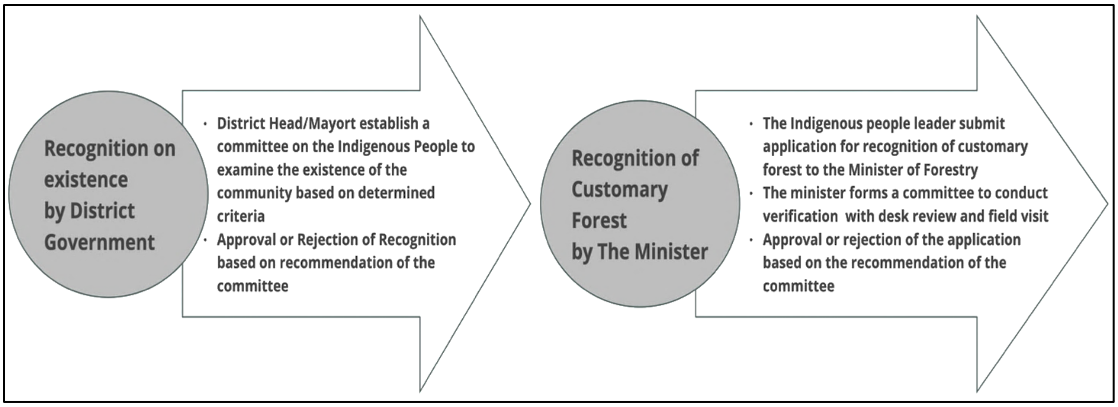

Figure 1: The procedure of customary forest recognition

However, even some customary communities that have received legal recognition through the formal process from the local government are unable to exercise traditional rights over forest resources. An example of this struggle is the experience of the Pandumaan Sipituhuta community in North Sumatra after their customary forest was recognized. The recognition process presented new challenges for the community, as they had to comply with state regulations that sometimes conflicted with their customary practices. These regulations, enforced by the MOEF, required strict compliance, such as maintaining established forest functions. The rigidity of this system raises concerns about the long-term sustainability of the customary system, especially considering the community's cultural practices. In Batak tradition, newlyweds typically live in their own homes and manage their own land, rather than live with their parents. Therefore, the shrinking area of customary land has triggered land use conflicts, as young people are unable to access customary land to live on and manage.

Furthermore, the verification process often raises questions or statements that challenge the authenticity of the history and origins of indigenous communities, requiring them to provide proof. This verification process places an additional burden on indigenous communities to prove their legitimacy, often leading to ridicule, insults, and harassment. This rigid scheme is considered overly complex and irrelevant to the realities of indigenous peoples' lives. Furthermore, there is a financial burden, as communities must pay for the verification process and hire experts to conduct it (without financial assistance from the government). Many indigenous communities still struggle to finance the boundary delimitation process. These challenges are frustrating because the recognition process, rather than supporting, undermines and ignores their rights (KSPPM, 2022).

Similarly, in the Kasepuhan community, the recognition process was quite lengthy and complicated. However, for them, compliance with the Forestry Law, which requires the recognition of indigenous communities, remains crucial. Following the National Inquiry conducted by the National Commission on Human Rights (Komnas HAM), recognition progressed more quickly in Lebak. The process begins with a proposal and requires formal recognition through a regional regulation. The Kasepuhan community has been recognized in Lebak since 2015, as outlined in a regional regulation to support their recognition, protection, and empowerment. This progress was due to positive political dynamics in Lebak, particularly the participation of indigenous communities in government. Previously, indigenous leaders were underrepresented in local government, resulting in limited advocacy efforts and encouragement for their aspirations. Recent developments indicate a shift in the situation. Key figures from indigenous groups were included in the previous regent's administration. This involvement accelerated the decision-making process and encouraged more inclusive political participation.

In 2015, the MOEF issued Ministerial Regulation No. 32/2015, formalizing the recognition of indigenous forests. This regulation transferred the recognition process for customary forests to a special unit within the Directorate General of Social Forestry and Environmental Partnerships, under the Directorate of Conflict Resolution, Tenure, and Customary Forests. As a result, the number of recognition processes increased significantly. However, delays in the verification process and a complex legal system hamper effective recognition. Once again, this problem arises from the government's stereotypical view of indigenous peoples, as well as its reluctance to share power with communities deemed unsuitable for modern economic development (Simarmata, 2024, p. 144).

Not only does this happen to indigenous communities, but the MOEF also remains hesitant to decentralize forest management or share authority with partners at lower administrative levels. Given that the recognition of customary forests requires the transfer of forest management authority from the central government to local governments or communities, this reluctance continues to impact the recognition process. Fear of losing political power and personal gain drives state officials to ignore the needs of indigenous communities, creating ongoing challenges. The application process requires communities to go through 13–17 stages and involves 21 government agencies, with the formalization of customary forest recognition taking an average of four to fifteen years. The complex regulatory framework governing customary forests stems from various ministries creating separate regulations with minimal coordination, creating confusion, especially when they address the same issue in different ways (Simarmata, 2024, p. 148).

In forest management policy, the MOEF regulations state that after receiving an application for customary forest recognition, the Ministry has three days to respond and initiate the validation process, followed by verification. However, in practice, the government rarely obeys this rule. Once the validation and verification processes are complete, the government has 90 days to officially recognize customary forests, but in reality, this process is often delayed for years. Indigenous communities in conservation forests also experience this delay, as the Forestry Law does not apply to conservation areas. Conservation areas are regulated by Law No. 5/1990 concerning the Conservation of Natural Resources and Ecosystems, which does not require the immediate recognition of customary forests. The lack of clear guidelines for assessing the extent of customary forest areas that should be recognized further contributes to the slow increase in the number of officially recognized customary forests (Simarmata, 2024, p. 150).

Conclusion and Recommendations

Conflict transformation must shift from the logic of conflict resolution to understanding conflict and developing strategies to foster constructive change at the personal, intergroup, and structural levels, thereby promoting greater justice and reducing violence in relationships and communities (Lederach, 2014). Furthermore, justice today requires both redistribution and recognition, as neither alone is sufficient. The emancipatory aspects of these two paradigms need to be integrated into a single, comprehensive framework (Fraser, 1998, p. 1). Justice requires (a) the distribution of material resources to ensure communities' independence and voice; (b) institutionalized cultural patterns that express equal respect for all communities; and (c) ensuring equal opportunity to achieve social esteem. Thus, the conception of justice oriented to the norm of participatory parity covers redistribution, recognition, and representation, without reducing one to the other (Fraser, 1998, p. 5). In land and forest conflicts, all three are relevant and inseparable.

This study concludes that the Indonesian Forestry Law institutionalizes structural violence by designating customary forests as state forests, perpetuating conflict over these lands. Territorialization policies, which regulate forest areas for production and conservation, impose rigid, unilateral categories and statuses without meaningful consultation. This has created overlapping claims and tenure insecurity, with unilateral state decisions on customary forests and concessions exacerbating these problems. Indigenous communities are victims of structural injustice and receive only partial recognition of their customary forests, which limits their ability to secure legal rights to their territories.

Recognizing the existence and territories of indigenous peoples is essential for realizing their rights. Without this recognition, conflict resolution efforts cannot address systemic exclusion. Conflicting state regulations, derogatory stereotypes, and non-compliance with the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) have alienated indigenous peoples from their rights. Customary forests in Indonesia face significant challenges in gaining recognition due to complex regulatory frameworks, processing delays, and ambiguous standards. Legal and bureaucratic barriers, including expensive verification processes, further hinder recognition. This highlights how the marginalization of indigenous peoples extends beyond violence to social and economic exploitation, with the Forestry Law used to justify repressive control over their lands.

The study also notes that indigenous peoples' movements have demanded customary rights to forest resources and territories, prompting governments to reevaluate land and forest management. Given these realities, this study recommends that the government improve forest governance and that the Parliament immediately ratify the Draft Law on Indigenous Peoples' Rights and the enactment of regional regulations recognizing indigenous peoples' rights. Finally, the study recommends establishing an independent body to review policies affecting indigenous territories and enforce Free, Prior, and Informed Consent (FPIC) policies before large-scale exploitation. Without concrete efforts to improve forestry systems and policies, systemic conflicts over customary forests will remain unresolved, further marginalizing indigenous and rural communities and threatening the sustainability of nature and forests.

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Decolonizing Humanitarian Disarmament: Southeast Asian Perspectives on Power, Knowledge, and Peacebuilding

Alfredo Lubang

Abstract

Humanitarian disarmament aims to reduce human suffering from weapons, yet it operates within global systems shaped by colonial histories and persistent power asymmetries. This article, based on the author's dissertation, looks at how colonialism affects humanitarian disarmament, especially in Southeast Asia. Using action research, interviews, and case stories, it identifies five clusters where colonial legacies remain visible: voice and representation, resources and dependency, knowledge and norms, security and global order, and sites of resistance. These dynamics reveal how institutions continue to shape agendas and define expertise, while the knowledge and agency of Global South practitioners and Indigenous communities are often marginalized. The article proposes a decoloniality framework built on redistributing power, rebalancing resources, and recognizing diverse knowledges, offering a more equitable, people-centered vision for humanitarian disarmament. It also documents emerging forms of resistance rooted in community practice and relational peacebuilding that offer alternative pathways.

Keywords: humanitarian disarmament, decoloniality, Southeast Asia, coloniality, colonial legacies, Global South, Global Majority, peacebuilding, security governance

Decolonizing Humanitarian Disarmament: Southeast Asian Perspectives on Power, Knowledge, and Peacebuilding

Introduction

Humanitarian disarmament has evolved over the past three decades into a global normative project focused on reducing human suffering from weapons that cause unacceptable harm. Its major legal instruments—including the 1997 Mine Ban Treaty, the 2008 Convention on Cluster Munitions, the 2013 Arms Trade Treaty, and the 2017 Treaty on the Prohibition of Nuclear Weapons—are often presented as milestones of humanitarian progress supported by international cooperation and civil society advocacy (International Human Rights Clinic, 2018). Yet these successes mask an underexplored reality: humanitarian disarmament is deeply embedded in historical and contemporary structures shaped by colonialism, imperialism, and power hierarchies that continue to define global governance (Bhambra et al., 2018; Omer, 2023).

This article draws from the author's dissertation, *Establishing a Decoloniality Framework for Humanitarian Disarmament*, which argues that humanitarian disarmament—as practiced today—continues to reflect enduring patterns of coloniality. Although presented as neutral, technical, and humanitarian in intention, the field remains influenced by Eurocentric epistemologies, donor-driven priorities, and governance structures historically dominated by former colonial powers (Lubang, 2025). These dynamics echo Quijano's (2007) concept of the *coloniality of power*, where modern institutions continue to privilege certain actors, knowledge, and values long after the end of formal colonial rule. They also reflect insights from Smith (2012), who describes how colonial legacies persist in systems of knowledge production that elevate Western expertise while devaluing local, Indigenous, and experiential forms of knowing.

Southeast Asia presents a particularly relevant context for examining these dynamics. Centuries of Spanish, British, Dutch, Portuguese, French, American, and Japanese colonial rule have had a huge impact on the region's politics, society, and security. These histories continue to influence state formation, governance systems, and armed conflicts (Krishna, 2012). As the dissertation notes, many protracted conflicts in Cambodia, Indonesia, Myanmar, the Philippines, Thailand, and Vietnam arise from grievances linked to colonial borders, militarization, marginalization of Indigenous Peoples, and struggles for self-determination. These contexts highlight that contemporary armed violence cannot be separated from the legacies of colonial expansion and counterinsurgency policies inherited from imperial administrations.

In this regard, Mojares (2006) reminds us that knowledge from the margins is not supplementary to history—it *is* history. His study of Philippine intellectual traditions demonstrates that the periphery has always produced thought: by chroniclers who were not called historians, by storytellers who were not called theorists, and by survivors whose memory constitutes an archive. Mojares' work underscores a central claim of this article: that lived experience is not an antidote to policy; it is a form of knowledge that must shape the policy.

Even today, global and regional disarmament initiatives reflect the influence of powerful states and donor institutions. Funding flows disproportionately through actors based in Europe and North America; key policy decisions are shaped in multilateral forums dominated by the Global North; and "international standards" often fail to reflect the lived realities of conflict-affected communities in the Global South (ALNAP, 2012; UNDDR, 2009). This mirrors what Omer (2023) identifies in peacebuilding: the persistence of colonial logics that shape what is considered legitimate knowledge, responsible action, and appropriate pathways to peace. In humanitarian disarmament, these same patterns privilege technical-legal framings rooted in Western political traditions over community-grounded approaches that emphasize relationality, dignity, and mutual care.

Despite these challenges, Southeast Asia is home to diverse and resilient peace practices, Indigenous governance traditions, and culturally grounded approaches to conflict transformation. These are visible in the Bangsamoro peace process, local ceasefire mechanisms, community-led mine action initiatives, and Indigenous systems of reciprocity and coexistence. Yet humanitarian disarmament discourse rarely integrates such practices, tending to rely on external experts, standardized toolkits, and frameworks developed outside the region (Flaherty, 2017; Smith, 2012). As the dissertation demonstrates, this system has created situations where communities most affected by armed violence become passive recipients of externally designed programs rather than active co-creators of disarmament and peace strategies.

Decolonial theory offers an important framework for addressing these gaps. Building on the work of Fanon (1963), Quijano (2007), Mignolo (2011), and Tuck and Yang (2012), the dissertation distinguishes between *decolonization* as a historical process of dismantling colonial administrations and *decoloniality* as a present-day project of exposing and transforming the power structures, epistemic hierarchies, and cultural norms that persist beyond formal independence. These scholars emphasize that coloniality continues through global systems of governance, economic dependency, security paradigms, and humanitarian interventions that claim neutrality but often reinforce existing inequalities.

Applying these insights to humanitarian disarmament reveals how the field, while humanitarian in aspiration, remains shaped by the same global inequities that underpin other international systems. The dissertation identifies five clusters of coloniality within humanitarian disarmament: voice and representation, resources and dependency, knowledge and norms, security and global order, and sites of resistance. These clusters were developed from in-depth interviews, case stories, and participatory action research cycles, and they illuminate practices such as tokenistic inclusion of Global South actors, donor-driven agenda-setting, subcontracting mechanisms that marginalize local organizations, and epistemic hierarchies that elevate external "experts" over community practitioners.

At the same time, the research highlights emerging alternatives. Many practitioners from the Global Majority engage in acts of resistance and innovation that challenge dominant paradigms, including asserting local leadership in global coalitions, reclaiming Indigenous knowledge systems, and developing culturally rooted approaches to peacebuilding and disarmament. These practices reflect what Mignolo (2011) describes as *epistemic disobedience*—the refusal to submit local knowledge to external validation.

This article builds on these findings by proposing a Decoloniality Framework for Humanitarian Disarmament, organized around three pillars: the redistribution of power, the rebalancing of resources, and the recognition of diverse knowledges. By centering Southeast Asian perspectives and drawing from both scholarly literature and lived experience, the framework seeks to reimagine humanitarian disarmament as a genuinely people-centered field grounded in justice, dignity, and pluriversal approaches to security.

Theoretical Foundations

Humanitarian disarmament is widely perceived as a modern, humanitarian-driven response to the suffering caused by weapons. Yet understanding how this field evolved and why it functions as it does today requires situating it within deeper theoretical traditions that examine the persistence of colonial power, the construction of knowledge systems, and the global ordering of security. This section discusses the theoretical foundations that underpin the article's analysis, drawing from decolonial theory, post-colonial scholarship, and historical insights on colonial legacies in Southeast Asia.

Colonialism and the Enduring Logic of Coloniality

The concept of *coloniality*, as articulated by Quijano (2007), provides an essential foundation for this study. While *colonialism* refers to the historical period of direct imperial rule, *coloniality* describes the ongoing patterns of power, knowledge, and social control that remain embedded in global structures even after the formal end of colonization. This means that systems of governance, economic relations, cultural norms, and epistemological hierarchies continue to reflect colonial arrangements long after political independence.

Mignolo (2011) expands on this by explaining that coloniality is the “darker side” of modernity—its hidden architecture. The modern world system, celebrated for rationality, development, and progress, was simultaneously built on conquest, resource exploitation, racialized hierarchies, and the suppression of local knowledge. These logics were not dismantled with decolonization; rather, they became normalized within institutions such as international law, development, aid, and global security governance.

Fanon (1963) similarly argued that post-independence societies often inherit political and psychological structures that perpetuate domination, even without direct colonial administrators present. Formal state institutions, including the military and bureaucratic systems in many Southeast Asian countries, were shaped through colonial processes, influencing how “security,” “order,” and “threat” are defined. These perspectives are central to understanding humanitarian disarmament today, where the frameworks used to regulate weapons systems are often produced in Global North contexts and exported to regions with very different histories and needs.

Decolonization Versus Decoloniality

A second foundational distinction lies between *decolonization* and *decoloniality*. Decolonization refers to the formal withdrawal of colonial powers and the attainment of sovereignty. However, as Tuck and Yang (2012) argue, decolonization cannot be reduced to metaphorical language about inclusion or equity; it must address the structures that maintain colonial domination. Without this deeper involvement, modern institutions, including humanitarian efforts, run the risk of recreating the unequal relationships they say they are trying to fix.

Decoloniality, in contrast, refers to a critical project that seeks to expose and dismantle the persistent effects of colonial power within present-day systems of knowledge, culture, and governance. It looks at how some ways of knowing (like Western legal frameworks, technical expertise, and donor-driven models) become universal while Indigenous, local, and experiential ways of knowing are pushed to the side (Smith, 2012). This lens is essential for analyzing humanitarian disarmament, where "international standards" often obscure local histories and reduce complex conflicts to technical problems.

Knowledge Systems and Epistemic Hierarchies

The humanities studies have long documented how colonialism shaped not only political systems but also knowledge production. Smith (2012) emphasizes that research is itself a site of coloniality, where certain forms of knowledge—quantitative data, legal analysis, "objective" technical expertise—are valorized over community-derived understandings of violence and security. This hierarchy is reproduced in humanitarian disarmament debates, where technical-legal expertise is often prioritized over the experiential knowledge of survivors, Indigenous Peoples, and grassroots practitioners.

Bhambra, Gebrial, and Nişancıoğlu (2018) similarly argue that universities, think tanks, and global policy institutions have historically functioned as centers of colonial knowledge production, shaping what is considered legitimate scholarship and global norm-setting. In disarmament, this manifests in the dominance of research produced in Western institutions and donor-driven priorities that often supersede nationally and locally defined needs.

Colonial Legacies in Southeast Asia

Understanding the historical context of Southeast Asia is critical for analyzing humanitarian disarmament in the region. Krishna (2012) highlights how colonial powers reorganized territories and political systems and constructed enduring narratives about civilization, progress, and the “proper” way to govern. These legacies shape contemporary norms around militarization, state security, territorial integrity, and responses to armed conflict.

Omer (2023) also says that peacebuilding in areas that used to be colonies can't be done without taking these histories into account. Peace initiatives that fail to address colonial legacies risk reinforcing structural inequalities, sidelining Indigenous voices, and privileging external frameworks of conflict resolution. This insight resonates across humanitarian disarmament spaces, where the agenda is often set by those far removed from the social and cultural realities of the communities most affected by weapons.

Conflict, Weapons, and Humanitarian Governance

Humanitarian disarmament is also shaped by global security and economic structures. The dissertation references the staggering levels of global weapons production, arms transfers, and military spending (Karp, 2018; SIPRI, 2023), demonstrating how the colonial-era connection between power and weaponry persists today. International aid systems, described by ALNAP (2012) and UNDDR (2009), often intertwine with security and political agendas shaped by donor states, further reinforcing dependency and external influence.

Molloy's (2017) work on DDR (Disarmament, Demobilization, and Reintegration) illustrates how technical peacebuilding tools, when detached from local contexts, can reinforce inequalities rather than address structural causes of violence. These insights underscore the necessity of a decolonial perspective within humanitarian disarmament.

Findings and Discussions: The Five Clusters of Decoloniality

The author's dissertation (Lubang, 2025) identified five interconnected clusters of coloniality that shape humanitarian disarmament such as (1): voice and representation, (2): resources and dependency, (3): knowledge and norms, (4): security and global order, and (5): sites of resistance. These clusters emerged through action research cycles, in-depth interviews, case stories, listening methodologies, and document analysis. Together, they reveal how colonial legacies continue to influence humanitarian disarmament practice in ways that marginalize communities in the Global Majority while reinforcing the authority of powerful states, donor institutions, and Global North-based organizations.

Coloniality of Voice and Representation

The first cluster concerns who participates in humanitarian disarmament processes and whose voices are heard, valued, or marginalized. The dissertation's interviews and case stories illustrate that despite claims of inclusivity, global disarmament forums often reproduce patterns of tokenism, performative participation, and selective inclusion. These dynamics mirror Quijano's (2007) critique of how modern institutions maintain hierarchies of race, geography, and power even within ostensibly universal spaces.

Tokenistic Inclusion and NGO Imperialism

Several case stories document situations where Global South advocates were invited to international meetings as symbolic representatives, yet excluded from meaningful decision-making. In one case, a Southeast Asian advocate was repeatedly invited to speak at global forums but denied positions of actual influence within the coalition's governance structures. Such selective inclusion reflects what the author's dissertation describes as *NGO imperialism*, where Global North organizations maintain leadership while Global South actors are allocated specific roles—often those tied to field visibility, victim narratives, or local risk—rather than strategic agenda-setting (Lubang, 2025).

This aligns with Bhambra et al.'s (2018) observation that inclusive rhetoric often masks the continuation of colonial hierarchies and with Spivak's question, *"Can the subaltern speak?"* and even more critically, *"When they speak, are they listened to?"*

Governance Breakdown in Global Coalitions

Another case involved a governance crisis within a major global humanitarian disarmament coalition. Leaders from the Global Majority raised concerns about inequitable decision-making, racial microaggressions, and exclusion from strategic deliberations. Yet these concerns were dismissed or reframed as "miscommunication." The power imbalance allowed Global North actors to shape narrative outcomes while silencing dissent (Lubang, 2025). This exemplifies the coloniality of voice, where formal equality does not translate into substantive influence.

Indigenous Peoples and Borders of Recognition

The dissertation also documented how Indigenous groups in Southeast Asia—especially those in conflict-affected areas—are often excluded because the state does not formally recognize their political identities. Their epistemologies, experiences, and security concerns remain invisible within dominant legal frameworks, reflecting what Smith (2012) describes as the historical erasure of Indigenous knowledge systems.

Together, these cases demonstrate that representation in humanitarian disarmament is not simply a matter of numbers; it reflects deep structural inequalities tied to colonial systems of categorization, legitimacy, and power.

Coloniality of Resources and Dependency

The second cluster concerns the flow of resources—funding, personnel, technical capacity, and institutional support—and how these flows reproduce dependency relationships shaped by colonial legacies. Many participants described experiences where Global South organizations relied on Global North donors who dictated priorities, timelines, and methodologies.

"A White Man Is Never Corrupt": Unequal Standards and Donor Privilege

A striking case story recounts an incident where donor representatives dismissed allegations of financial mismanagement involving a Global North NGO with the statement, “A white man is never corrupt.” This sentiment illustrates a racialized assumption of trustworthiness linked to historical colonial hierarchies (Lubang, 2025). Meanwhile, Global South organizations face heightened scrutiny, burdensome reporting, and conditional funding.

Such practices reinforce dependency cycles and mirror colonial governance structures in which local actors are positioned as “implementers” rather than full partners.

Subcontracting and the Hierarchy of Labor

Another widely noted pattern was the subcontractualization of Global South civil society. Large Global North NGOs often secure major grants, then subcontract implementation to local organizations at a fraction of the cost (Manlupig, 2022). This creates a hierarchy of labor where Global North institutions receive financial and reputational credit, while Global South groups perform frontline work under constrained conditions (Lubang, 2025).

This structure resembles what Bhambra et al. (2018) describe as *institutionalized coloniality*, where resource flows reflect and reinforce unequal status.

The Philippines as an Emerging Donor: Disrupting the Narrative

One critical counterpoint is the Philippines' recent transformation into a donor to UNSCAR, signaling the possibility of Global South states becoming contributors rather than recipients (Lubang, 2025). This development challenges longstanding assumptions about who funds humanitarian disarmament while exposing the narrowness of donor-recipient binaries.

Overall, this cluster illustrates how humanitarian disarmament remains shaped by financial structures rooted in historical inequities, reinforcing dependency instead of building long-term, context-driven capacity.

Coloniality of Knowledge and Norms

The third cluster concerns how global norms, expertise, and standards are constructed and whose knowledge counts as authoritative in disarmament processes.

The Privileging of Eurocentric Expertise

Multiple participants described how Western technical-legal frameworks dominate the field, shaping everything from treaty language to monitoring mechanisms. Knowledge produced in Western universities, think tanks, and policy institutions is often considered “objective,” while lived experience from conflict-affected communities is treated as anecdotal or subjective (Lubang, 2025).

Smith (2012) argues that the situation reflects the coloniality of knowledge, where certain epistemologies are universalized while others are marginalized.

The “Piece-by-Piece” Approach and Fragmentation

One case study illustrated the piecemeal approach, wherein donors and advocates concentrate on narrowly defined technical issues—such as particular weapon types—while neglecting the structural causes of armed violence (Lubang, 2025). This reductionism mirrors colonial logics that fragment complex social issues into manageable technical problems, ignoring historical, cultural, and political contexts.

Conflict Transformation vs. Coloniality

The dissertation’s findings also note tensions between conflict transformation theories—rooted in relationality, human dignity, and systems thinking—and prevailing disarmament practices often driven by donor priorities or geopolitical interests (Lubang, 2025). This reflects Omer’s (2023) critique that peacebuilding remains shaped by colonial rationalities even when promoting inclusion or human rights.

The ‘Captive Mind’ in Humanitarian Disarmament

Drawing on Alatas’ (2009) concept of the captive mind, the research identified parallel patterns within humanitarian disarmament, where coloniality shapes not only structures and resources but also epistemic disposition. The captive mind is not an individual failing; it is a socially produced condition that emerges when systems repeatedly validate external knowledge over local experience. In humanitarian disarmament, this manifests in four interrelated expressions observed across interviews and action research cycles.

First, dependence results when local practitioners and survivor networks are positioned primarily as implementers of externally designed programs. Funding rules, reporting tools, and indicators are tied to external validation, creating incentives to conform rather than innovate.

Second, self-doubt emerges when practitioners internalize the belief that expertise is located elsewhere. Survivors noted that their insights were welcomed as testimonies but rarely treated as analysis.

Third, silence and compliance arise because questioning donor decisions, funding priorities, or international frameworks carries material risk. Participants described “saying what is expected” rather than what is needed.

Finally, imitation over imagination reflects how success is measured by alignment with global models. Instead of enabling local theory-building, systems reward replication—even when contexts differ profoundly.

These patterns show how humanitarian disarmament, without intentional structural change, may replicate the epistemic hierarchies it seeks to challenge. A decolonial approach requires breaking this cycle by removing the conditions that prevent local thought from being considered knowledge.

Coloniality of Security and Global Order

The fourth cluster encompasses how global security governance reinforces colonial hierarchies through unequal power distribution, geopolitical interests, and selective adherence to international norms.

European Withdrawals from Disarmament Treaties

One case story analyzes the recent withdrawal of several European states from the Mine Ban Treaty and Convention on Cluster Munitions. These decisions reflect a shift toward national security interests at the expense of humanitarian commitments (Lubang, 2025). When powerful states disregard norms they helped create, it undermines the universality of humanitarian disarmament and reinforces a system where Global North states define acceptable behavior.

Protectors of the Status Quo

The author's dissertation argues that certain states act as "protectors of the status quo," upholding global governance arrangements that reflect colonial power relations (Lubang, 2025). In humanitarian disarmament, this is visible in negotiations where powerful states limit norm expansion, influence treaty language, or resist accountability mechanisms.

Nuclear Weapons and the Coloniality of Power

My statement at the 2022 NPT Review Conference argued nuclear weapons are not only instruments of mass destruction but also symbols of global inequality: power continues to be defined by the capacity for extreme violence (Lubang, 2022). This mirrors Fanon's (1963) critique of the colonial world as one structured through force and domination.

Sites of Resistance and Emerging Alternatives

The final cluster identifies emerging practices that resist or challenge the dominant paradigms of humanitarian disarmament.

Refusing the Victim Frame

Survivors and frontline communities increasingly reject being framed solely as victims. Instead, they assert political agency, articulate their priorities, and challenge narratives that instrumentalize their experiences for donor or advocacy agendas (Lubang, 2025). This echoes Smith's (2012) call for Indigenous resistance to reclaim narrative space.

Indigenous Assertion and Self-Determination

Indigenous groups in Southeast Asia assert their knowledge, cultural frameworks, and alternative conceptions of security—often grounded in relationality, stewardship, and land-based identities (Lubang, 2025). Such practices challenge global disarmament frameworks to reconsider their definitions of "security."

Everyday Decolonial Practices

The findings highlight acts such as listening, mutuality, cultural humility, and care as everyday forms of decolonial practice that disrupt hierarchical relationships (Lubang, 2025). These practices align with decolonial scholars who emphasize relational ethics as alternatives to technocratic governance.

Toward a Decolonial Horizon

The dissertation concludes that humanitarian disarmament will only fulfill its potential when shaped by those most affected by armed violence, prioritizing diverse epistemologies and rebalancing power. This horizon reflects Mignolo's (2011) vision of *pluriversality*—a world where many worlds coexist.

A Decoloniality Framework for Humanitarian Disarmament

The findings outlined in the previous section demonstrate that humanitarian disarmament remains shaped by enduring structures of coloniality—from unequal participation and resource dependency to epistemic hierarchy and global power asymmetries. These patterns limit the field's transformative potential and constrain the agency of those most affected by armed violence. In response, the dissertation proposes a decoloniality framework for humanitarian disarmament rooted in three mutually reinforcing pillars such as (1): the redistribution of power, (2): the rebalancing of resources, and (3): the recognition of diverse knowledges. This framework is grounded in decolonial theory, conflict transformation principles, and the lived experiences of Global South practitioners, particularly from Southeast Asia.

Redistribution of Power

The first pillar addresses the need to redistribute decision-making authority and leadership within humanitarian disarmament. In its current form, global disarmament governance reflects what Quijano (2007) calls the *coloniality of power*—the continuation of hierarchical structures that privilege actors located in the Global North. Treaties, monitoring mechanisms, and global advocacy networks are disproportionately influenced by states and organizations with historical, financial, and institutional advantages.

Reframing Agency and Leadership

Redistributing power requires challenging inherited assumptions about who is most qualified to lead. As documented in action research interviews, many Global

South practitioners possess deep experiential knowledge derived from living and working in conflict-affected environments. However, their leadership is often constrained by governance structures dominated by large international NGOs or donor states, reinforcing Spivak's (1988) concern that subaltern voices are structurally excluded from shaping the narrative.

Decoloniality calls for a shift from *representation*—being present in the room—to *redistribution*—being able to set agendas, influence priorities, and shape norms. This includes ensuring that Global South actors have equitable access to leadership positions in global coalitions, treaty bodies, and expert working groups.

Community-Centered Approaches

Conflict-affected communities should not be positioned merely as beneficiaries or "victims," but as political agents capable of defining the terms of their own security. This aligns with Smith's (2012) advocacy for Indigenous self-determination in knowledge production and governance. In humanitarian disarmament, this means elevating community-based organizations, Indigenous institutions, and survivor networks as co-authors, rather than implementers of externally designed programs.

Deconstructing Gatekeeping Practices

Redistribution also requires addressing gatekeeping practices in funding distribution. Many practitioners interviewed described invisible filters—such as language proficiency, access to travel funding, or familiarity with Western technical discourse—that serve as barriers to participation. Addressing these structural inequities is essential for transforming humanitarian disarmament into a field that shares power rather than consolidating it.

Rebalancing of Resources

The second pillar concerns the redistribution of material, institutional, and financial resources that shape humanitarian disarmament. Colonial resource extraction historically produced vast inequalities between former colonial powers and colonized regions, and contemporary aid systems often reflect similar patterns of dependency (ALNAP, 2012; Molloy, 2017). Funding for disarmament remains concentrated in the Global North and flows downward through hierarchical subcontracting arrangements that position Global South organizations as implementers rather than equal partners.

Transforming Funding Architectures

Rebalancing resources requires rethinking the architecture of funding itself. Global North NGOs often serve as primary recipients of major grants, while local organizations receive subcontracts with limited flexibility. This reproduces dependency and restricts long-term capacity building (Lubang, 2025).

A decolonial alternative necessitates direct funding pathways to Global South organizations, multi-year funding cycles that facilitate sustainability, reporting mechanisms that do not disproportionately encumber small organizations, and accountability frameworks that are uniformly applicable to both Global North and South entities.

Equitable Compensation and Labor Recognition

Resource rebalancing also applies to labor. Many Southeast Asian activists and community workers reported being underpaid or unpaid for contributions that Global North experts would be compensated for. Recognizing the value of local knowledge requires fair compensation, equitable consultant rates, and transparent contracting systems.

Investing in Local Institutions

Finally, long-term transformation depends on strengthening local institutions—universities, community organizations, Indigenous governance bodies, and national research centers. These institutions form the backbone of sustainable peace efforts, yet are frequently bypassed in donor-driven programs. Decoloniality requires re-centering them as primary actors, not peripheral partners.

Recognition of Diverse Knowledges

The third pillar concerns the need to recognize and value diverse forms of knowledge beyond the narrow technical-legal paradigms that dominate humanitarian disarmament. As Smith (2012) and Bhambra et al. (2018) note, global governance systems have historically privileged Eurocentric epistemologies, framing them as objective, rational, and universal. Such an approach has led to the marginalization of Indigenous, community-based, experiential, and relational knowledge systems.

Challenging Epistemic Hierarchies

Humanitarian disarmament often treats Western legal frameworks, technical expertise, and standardized toolkits as the foundation of legitimate knowledge. However, this epistemic hierarchy obscures locally developed strategies of survival, resilience, and conflict mitigation. In Southeast Asia, Indigenous cosmologies, customary governance, and relational ethics offer alternative understandings of security that cannot be reduced to weapons regulation alone (Krishna, 2012).

Recognizing diverse knowledge requires challenging the assumption that expertise must be validated by Northern institutions.

Integrating Indigenous and Local Perspectives

Indigenous Peoples across Southeast Asia have long practiced forms of conflict regulation rooted in reciprocity, kinship, and stewardship of land. These perspectives emphasize the interconnectedness of human beings, ecological systems, and ancestral responsibilities. For example, the dissertation documents Indigenous assertions of self-determination and local approaches to peace rooted in community rituals, spiritual beliefs, and collective decision-making (Lubang, 2025). These approaches provide helpful details about alternative security frameworks that prioritize harmony and coexistence over coercion and militarization.

Pluralizing Humanitarian Disarmament

Mignolo's (2011) concept of *pluriversality*—the coexistence of many worlds—provides a useful lens for reimagining humanitarian disarmament. Rather than imposing a single standardized model, the field can become more responsive by enabling multiple pathways to reducing harm from weapons. This means valuing community storytelling, oral histories, local conflict resolution, and survivor narratives as equally important to technical assessments and legal analyses.

Methodological Shifts

Recognizing diverse knowledge also requires methodological shifts. The dissertation employed listening as a decolonial method—foregrounding humility, relationality, and attentiveness to lived experience. Such methodologies challenge extractive research practices and promote horizontal learning spaces where practitioners, survivors, and communities co-create knowledge.

Toward a Transformative Humanitarian Disarmament

Taken together, the three pillars of the Decoloniality Framework—redistribution of power, rebalancing of resources, and recognition of diverse knowledge—offer a pathway toward a more equitable and people-centered humanitarian disarmament field. These pillars are not sequential steps but overlapping, mutually reinforcing pathways that disrupt the colonial logics embedded in current structures. They seek to transform humanitarian disarmament from a system defined by select global actors into a constellation of locally rooted, culturally grounded, and globally connected practices.

This framework invites humanitarian disarmament actors to re-examine their assumptions, reconsider their institutional practices, and engage with communities in ways that promote justice, dignity, and genuine partnership. Ultimately, it points toward a future where humanitarian disarmament reflects the aspirations and agency of those most affected by armed violence, contributing to a broader decolonial horizon of peace and security.

A notable example is the Philippines' emergence as a donor to UNSCAR—a development that challenges traditional donor-recipient binaries and expands the field's understanding of who can resource humanitarian initiatives.

Conclusion

Humanitarian disarmament has long positioned itself as a response to the suffering caused by weapons. However, as this article has demonstrated, the field cannot be fully effective without recognizing the enduring influence of coloniality on its structures, norms, and practices. Drawing from the author's dissertation and the lived experiences of Global South practitioners, particularly from Southeast Asia, this article has shown that humanitarian disarmament remains shaped by unequal distributions of power, resources, and epistemic authority that mirror historical patterns of colonial domination.

The five clusters of coloniality identified in the research—voice and representation, resources and dependency, knowledge and norms, security and global order, and sites of resistance—highlight how these legacies manifest across the humanitarian disarmament ecosystem. Tokenistic participation, donor-driven agendas, epistemic hierarchies, and geopolitical power asymmetries collectively restrict the agency of those most affected by armed violence. Yet within these constraints, practitioners, Indigenous communities, and survivors continue to generate forms of resistance, innovation, and leadership that challenge dominant narratives and open opportunities for transformation.

This article proposes a decoloniality framework for humanitarian disarmament built on three interrelated pillars: redistribution of power, rebalancing of resources, and recognition of diverse knowledges. Together, these pillars articulate a pathway for reimagining humanitarian disarmament as a genuine people-centered field. Redistribution of power challenges inherited hierarchies by calling for genuine leadership opportunities for Global South actors and community-based organizations. Rebalancing of resources addresses structural inequalities in funding architectures, labor arrangements, and institutional support, advocating for sustainable investments in local peace infrastructures. Recognition of diverse knowledges calls for valuing Indigenous, experiential, and community-rooted ways of understanding security alongside technical-legal expertise.

These pillars reflect concrete practices already emerging within Southeast Asia and wider Global Majority contexts. Acts of listening, relationality, cultural humility, and political agency—expressed in community-based mine action, Indigenous governance systems, and survivor-led coalitions—demonstrate that alternative forms of peace and security are both possible and already underway. These practices illustrate what Mignolo (2011) describes as pluriversality: a world in which multiple ways of knowing and being coexist, challenging the dominance of singular, Eurocentric frameworks.

Ultimately, decolonizing humanitarian disarmament is more than improving technical tools or expanding representation. It requires a fundamental shift in how the field conceptualizes power, knowledge, and agency. It invites practitioners, governments, donors, and global institutions to interrogate their own assumptions, reflect on their positionalities, and engage in partnerships grounded in dignity, solidarity, and justice. Such a transformation is not only ethically necessary; it is essential for the effectiveness and sustainability of disarmament efforts.

If humanitarian disarmament is to remain relevant in a rapidly shifting global context—marked by conflict, geopolitical competition, and widening inequalities—it must confront its colonial inheritances and embrace a decolonial horizon. Doing so will allow the field to evolve into a more inclusive, context-responsive, and humane endeavor, one guided not by the imperatives of the powerful but by the lived experiences and aspirations of those most affected by armed violence.

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Beyond Procedures: Confidentiality as Relational Accountability for CRSV Survivors in Nepal

Jaya Luintel

Abstract

This article presents one component of a larger research study that developed a survivor-centered theoretical framework for healing, justice, and empowerment among women who experienced conflict-related sexual violence (CRSV) during Nepal's armed conflict. Drawing on grounded theory methodology within a qualitative research design and five iterative rounds of interviews with twenty women survivors across seven provinces, the broader study generated the theory of *Truth Listening*, with its seven interconnected elements, known together as the *Arc of Truth Listening*. The article examines one of the foundational elements: confidentiality. Although confidentiality has long been taken as an ethical principle in medicine, law, psychology, and social research, and more recently in response to gender-based violence, human rights documentation, and transitional justice, experiences of CRSV survivors all over demonstrate that a procedural approach is far from adequate. In Nepal, stigma, shame, pervasive social surveillance, and entrenched structural inequalities are shaping women's everyday realities. Confidentiality in such a context comes with ethical and material consequences. A breach may trigger serious harms, including marital conflict, family and community exclusion, or direct physical risk and psychological harm. This issue perhaps explains why survivors referred to confidentiality not as some sort of technical safeguard but rather as an enabling condition that makes disclosure possible in the first instance. The findings in this article indicate that, for women survivors of CRSV, confidentiality was a relational commitment based on safety, dignity, autonomy, and control. Survivors emphasized spatial autonomy—the importance of choosing a "private, safe place where no ears could hear from outside"—and a listener's tone, emotional presence, and willingness to stop if any form of distress arose. All these practices signaled that the burden for protecting information and dignity lay with the listener or institution and not with the survivor. When women did not have to fear that their stories would be handled inappropriately, many explained that they felt emotional relief, a restoration of control, and starting points toward healing. The practice of confidentiality presented in this article emerged in the *Truth Listening* grounded theory as a relational accountability and an ethical obligation that makes trust, safety, justice, and, finally, healing possible for CRSV survivors in Nepal.

Keywords: conflict-related sexual violence (CRSV), confidentiality, relational accountability, transitional justice, Nepal

Beyond Procedures: Confidentiality as Relational Accountability for CRSV Survivors in Nepal

Introduction

Confidentiality has long been recognized as one of the basic principles of ethics in law, medicine, psychology, and social research. Historically, the earliest formal articulation of the principle appeared in the medical profession through the "Hippocratic Oath," which required physicians to protect the privacy of those under their care (Resnik, 2018). Over time, confidentiality came to denote a responsibility to safeguard sensitive information entrusted by one party to another. In contemporary ethical practice, confidentiality is rooted in "beneficence and non-maleficence" (Beauchamp & Childress, 2019; Resnik, 2018). Starting in clinical medicine, the concept eventually expanded into psychotherapy, social work, human rights documentation, transitional justice, and qualitative research that involves violence-affected populations.

There was also significant evolution regarding confidentiality within the domains of Violence against Women (VAW) and Gender-based Violence (GBV). Since the 1980s, feminist activists and researchers have witnessed how rape survivors were further harmed by institutional mismanagement. Shame, retaliation, stigma, and institutional betrayal were all outcomes of such instances (Kelly, 1988). These observations gave way to significant international bodies developing ethical guidance on working with survivors of sexual violence. For example, the World Health Organization (WHO) Ethical and Safety Recommendations for Researching, Documenting, and Monitoring Sexual Violence mentioned "ensuring confidentiality is essential for the safety and quality of information shared by survivors" (WHO, 2007).

Confidentiality is even more significant in contexts involving women survivors of Conflict-related Sexual Violence (CRSV). The consequences of a breach of confidentiality are severe, including punishment or death by their own relatives for an insult to their family's 'honor' (Stachow, 2020, p. 183). Thus, confidentiality cannot be understood only as protecting identity. It is essential in safeguarding the dignity, agency, and physical survival of survivors of CRSV.

As CRSV became widespread globally, a series of key ethical protocols and guidelines enshrined confidentiality as a central principle. The Inter-Agency Standing Committee (IASC)[3] Guidelines on GBV in humanitarian settings require that confidentiality be ensured at all stages of support, including refraining from sharing information without explicit consent (IASC, 2015). The International Protocol on the Documentation of Sexual Violence in Conflict recommends secure data storage, the use of coded identifiers, and decisions by survivors on whether to share testimonies (UK Foreign & Commonwealth Office, 2017). The OHCHR/UN Women Guidance Note on CRSV highlights the need for coordinated information management practices to prevent accidental breaches (OHCHR & UN Women, 2017). More recently, the Murad Code (2022) has further established confidentiality as an international standard, requiring that any data collection respect the safety and dignity of survivors above all else, rather than the collection's purpose.

Confidentiality also became a key feature of Transitional Justice (TJ) approaches to CRSV. The United Nations Secretary-General Guidance Note on Transitional Justice emphasizes that confidentiality is a necessary ingredient of safe truth-telling (United Nations, 2010). In practice, several truth commissions—including

[3] The Inter-Agency Standing Committee (IASC) was created by United Nations General Assembly resolution 46/182 in 1991. IASC is the longest-standing and highest-level humanitarian coordination forum of the United Nations system. It brings together the executive heads of 19 organizations and consortia to formulate policy, set strategic priorities, and mobilize resources in response to humanitarian crises. Source: https://interagencystandingcommittee.org/the-inter-agency-standing-committee

Sierra Leone, Colombia, and Liberia—have held in-camera hearings, with only the survivor, the commission members, a counselor, and occasionally a lawyer present to avoid exposure (Hayner, 2011). The Sri Lankan Lessons Learnt and Reconciliation Commission worked to protect survivors through confidential submission boxes and closed sessions (International Crisis Group, 2013). In Rwanda, the Gacaca courts applied confidentiality protocols for rape survivors (Burnet, 2009). However, when confidentiality is understood and practiced in paperwork or administrative form, it neglects to redress the risks CRSV survivors face and may even reproduce harm. As this article later argues, confidentiality must therefore be reimagined as a feminist ethical practice and a relational accountability, one that places CRSV survivors' safety, autonomy, and healing at the center of all research, documentation, and justice processes.

Context of the Research

Nepal's decade-long armed conflict (1996-2006) between the Government of Nepal and the then Communist Party of Nepal (Maoist) generated social, political, and humanitarian consequences. Over 17,800 lost their lives, more than 1,400 disappeared, and tens of thousands were displaced, abducted, injured, or otherwise affected (MoPR, 2011). Women and girls endured the conflict in specifically gendered ways: they bore disproportionate burdens of displacement, increased care responsibilities, economic deprivation, and a heightened vulnerability to targeted violations, including rape, sexual assault, torture, and coercion (HimRights, 2011; United Nations, 2013). Studies consistently show that sexual violence perpetrated by the state forces and the rebel group was widespread yet seldom acknowledged, recorded, or prosecuted.

Conflict-related sexual violence (CRSV) remains one of the most silenced dimensions of the armed conflict and war. Despite women's organizations documenting numerous cases, Nepal's official post-conflict data systems did not include categories for rape or sexual violence (Upreti et al., 2013). The absence of these categories institutionalized a form of "structured forgetting" that reinforces what feminist scholars have termed a dual culture of silence and denial around CRSV (Mookherjee, 2015; Roy, 2004). The Truth and Reconciliation Commission (TRC) started registering the cases of rape and sexual violence, among other human rights violations, only in 2016, after ten years of the signing of the Comprehensive Peace Agreement. Survivors are thus still living with the social, relational, and emotional consequences of violations that remain largely unrecognized by the State.

The 2006 Comprehensive Peace Agreement between the Nepal Government and the CPN-Maoist, the then-rebel group, thus created Nepal's obligation to establish mechanisms for truth, justice, and reparation. Two Transitional Justice (TJ) bodies, the Truth and Reconciliation Commission (TRC) and the Commission on Investigation of Enforced Disappeared Persons (CIEDP), were formed in 2015. In April 2016, both commissions began registering complaints from victims. Until August 2017, TRC gathered nearly 63,718 complaints; of these, only 314 cases of rape and sexual violence were registered (TRC Nepal, 2024). Reporting structures that are mostly made up of men, a lack of trained staff, insensitive questioning, and social stigma all made survivors less likely to file complaints (The Story Kitchen, 2017).

Despite the Supreme Court's repeated orders, civil society's advocacy, and the victim groups' movement, Nepal's TJ process has been stalled for almost a decade due to political interference, gaps in legal standards, and the absence of survivor-centered procedures. In August 2024, Nepal's parliament adopted a new transitional justice bill, introducing positive reforms, including reparation mechanisms and the recognition of serious human rights violations. However, different victim groups and human rights groups warned that it still contains accountability gaps and vague provisions that might enable impunity for wartime atrocities. They stressed the importance of strict enforcement, independent oversight, and the selection of competent, unbiased commissioners (Amnesty International, 2024). Thus, the establishment of both the commissions and their work is not yet accepted by conflict victim groups and civil society organizations working on human rights, as current transitional justice commissions lack sufficient mechanisms to build trust among different stakeholders. These limitations further entrench uncertainty as to whether the transitional justice process will be able to deliver on promises of truth, justice, and reparations for CRSV survivors.

Alongside the TJ process, Nepal adopted UN Security Council Resolutions (UNSCR) 1325 and other subsequent resolutions, including 1820. The National Action Plan (NAP) Phase I (2011-2016), formulated and implemented by the Ministry of Peace and Reconstruction, did not address CRSV, lacking dedicated strategies for identifying survivors, documenting sexual violence, providing psychosocial services, or proposing paths to justice. The NAP Phase II (2022-2025) recognized the CRSV survivors as a distinct category of the conflict-affected women; however, implementation remained fragmented due to resource limitations, political instability, weak institutional coordination, and prevailing stigma.

These structural gaps lead to powerful social dynamics. Stigma around CRSV is widespread in Nepal. Survivors commonly describe being blamed, not believed, or ostracized by family or community if their experiences are disclosed. Many fear disclosure will break their marriages, affect their livelihoods, diminish their social status, and affect the well-being of their children. As women's groups have widely reported, survivors are repeatedly told to *"keep quiet," "move on,"* or *"forget what happened,"* reinforcing entrenched patterns of silencing that prevent them from pursuing justice or care.

In this broader context of social stigma, institutional neglect, and ongoing insecurity, confidentiality becomes a central ethical and practical concern. For many survivors, speaking about CRSV carries real risks: conflict within the household, community scrutiny, and retaliation. Confidentiality can therefore be treated as an aspect of survival. As one survivor in this study explained, *"If there is no* *confidentiality, I cannot open up. It is about my whole life."* Confidentiality dictates whether women can disclose anything, how much they disclose, and the degree of control they retain over their narratives.

This article contends that confidentiality ought to be perceived as a profound relational obligation rather than merely a procedural duty, especially in situations where survivors encounter multifaceted vulnerabilities at the household, community, and state levels. Drawing on grounded theory research with twenty CRSV survivors, the paper reconceptualizes confidentiality as a feminist practice within the broader theory of truth listening, positioning it as a precondition for trust, safety, dignity, and meaningful engagement in Nepal's transitional justice and peacebuilding processes.

Research Objectives

The larger aim of the study was to develop an integrated Grounded Theory (GT) grounded in healing, empowerment, and justice for women survivors of CRSV. The broader purpose of the study was to articulate a model that reshapes how institutions listen to, engage with, and respond to survivors by moving from procedural extractivism toward ethical, feminist, and trauma-informed relational practices.

By adopting a grounded theory methodology within the qualitative research design through iterative coding, memoing, survivor validation, and cross-country credibility, this study developed a new grounded theory, "*Truth Listening,"* that conceptualizes seven interconnected elements that together create an *"arc of listening."* The arc identifies ethical, emotional, political, relational, and procedural conditions for survivors to speak safely and meaningfully about experiences related to CRSV. These range from trust, confidentiality, and safety; dignifying practices; emotional preparedness; and institutional responsibility for ethical listening.

This article focuses on one of these seven elements: confidentiality. It approaches confidentiality as a fundamental ethical duty and relational commitment along the *Arc of Truth Listening*, which determines whether truth-telling can occur at all, the way survivors disclose sensitive information, and what kinds of healing and justice become possible.

Research Methodology

The qualitative research methodology utilized in this study, namely Grounded Theory, was used to meet the larger objective of this research: to formulate a theory grounded in the lived experiences of women survivors of conflict-related sexual violence. This methodological choice enabled the direct analysis, interpretation, and theorization of meaning from survivors' narratives, thereby allowing complex emotional, relational, and political processes to emerge organically from within their lived realities (Glaser & Strauss, 1967; Charmaz, 2006, 2014). In this light, the purpose of using Grounded Theory was to advance the study's broader goal: to develop a survivor-defined theoretical model that could enhance TJ mechanisms by centering women's experiences, insights, and wisdom.

This study, thus, was embedded in diverse communities across Nepal's seven provinces and engaged directly with 20 women who had experienced conflict-related rape and sexual violence firsthand during the armed conflict. The participants in this research also had experience engaging with either formal or informal transitional justice processes in Nepal. Selection was based on theoretical sampling, a strategy that allows sampling decisions to evolve as the analysis unfolds and categories start to take form (Glaser & Strauss, 1967). Informed by conceptual relevance and ethical sensitivity, twenty women survivors of CRSV were identified, ensuring diversity in geographic location, caste, ethnicity, marital status, and experiences of harm inflicted by either the State or rebel groups. These participants were co-creators of meaning whose insights shaped the direction of the *Truth Listening* theory and the “*Arc of Truth Listening.*”

This research consisted of five iterative rounds of interviews to build trust and allow access to deeper emotional material in a natural and organic way. The first round used unstructured interviews, allowing participants complete freedom to describe their experiences in their words and at their pace. The subsequent rounds combined both unstructured and semi-structured interviews, which allowed for clarifying categories emerging from the data, exploring new insights, and testing out relationships among concepts (Charmaz, 2006, 2014). In a longitudinal design, four participants were interviewed in each round, which helped build relationships and come up with new ideas. Locations where interviews were conducted were determined based on participants' suggestions, ensuring emotional and physical safety and aligning with trauma-informed research practice.

Data analysis began with open coding, axial coding, selective coding, memo writing, and constant comparison. Open coding started with generating an initial analytic vocabulary that closely matched the participants' words. Axial coding explored conditions, interactions, and consequences, helping to frame meaning across the relational dynamics of trust-building, emotional readiness, silence, and institutional betrayal. In selective coding, these categories were integrated into a coherent theoretical model. Memo-writing became a key site for reflexivity, emotional processing, and conceptual consolidation. Throughout this process, the constant comparative method was used to systematically examine each new data fragment against existing codes and emerging categories (Glaser & Strauss, 1967). Theoretical saturation was reached in the fifth round of interviews, when no additional conceptual variations emerged.

Ethical integrity at all stages of the research was maintained by ensuring confidentiality and privacy in interview settings, obtaining ongoing consent, and attending to participants' emotional well-being. Pseudonyms in the conventional sense were not used. Instead, a system of symbolic identifiers, such as *Courageous-14* or

Courageous-*30*[4], co-designed with participants, protected anonymity while honoring the dignity and agency of the survivors. A co-created approach to confidentiality was necessary in view of cultural and contextual risks related to naming in the Nepali context and reflected a deeper ethical stance of the research itself.

Validating the emergent theory was a multi-layered process. Firstly, a validation workshop was conducted with the twenty women survivors themselves. Upon the presentation of the seven elements of the Truth Listening theoretical model, survivors immediately recognized the first three foundational components as trust, confidentiality, and safety, thus confirming their resonance. Reflexivity informed every stage of the research. The author continuously examined positionality, power dynamics, emotional labor, and the ethics of listening, recognizing that confidentiality was enacted relationally in each interaction. Charmaz (2006, 2014) emphasizes reflexive practice as essential to grounded theory, while feminist scholars frame reflexivity as an ethical and political commitment requiring careful attention to one's assumptions, emotions, and power relations (Finlay, 2002; Pillow, 2003). In this study, reflexivity shaped both the analytic process and the relational practices through which confidentiality was upheld.

It was through this rigorous and ethically framed process that the study developed the theory of *Truth Listening* and its seven elements. Although the model presents a framework for transforming transitional justice, this article focuses on only one component of *Arc of Truth Listening*: confidentiality as an ethical and relational imperative. The discussion here is based exclusively on the experiences of Nepali women survivors of CRSV, ones whose stories and contributions have framed confidentiality as the second necessary element in the *Arc of Truth Listening* and a basic condition for safe truth-telling, dignity, and justice.

[4] The identifiers (e.g., *Courageous-14, Courageous-30, and others*) were co-created with research participants as symbolic names. "Courageous" reflects the strength women chose to assert, and the number corresponds to the age at which the violation was **committed against them.**

Results

As the second foundational element of truth listening theory, confidentiality played a significant role in how CRSV survivors in Nepal negotiate safety, stigma, and dignity. Throughout five rounds of engagement, survivors described confidentiality as the key factor that enabled the possibility of truth being spoken, heard, or protected. Their experiences illuminated confidentiality as a form of relational accountability. They defined confidentiality as a moral and emotional obligation that listeners bear and must not breach to avoid causing harm. This section explores how confidentiality operates as a condition of disclosure, a protection against layered risks, a means of dignity, and a survivor-led ethical principle that listeners should adhere to.

Precondition for Disclosure, Dignity, and Emotional Survival

For women survivors of conflict-related sexual violence, confidentiality is an imperative for survival. Disclosure was always contingent on whether the listener, space, and process could guarantee that their truth would not travel beyond that very immediate moment. One survivor said it plainly:

> *"If there is no confidentiality, I cannot open up. It could disrupt my family life. It is about my entire life."* (Courageous-14)

Survivors continuously reiterated that confidentiality meant being able to talk without fear of social judgment, marital rupture, or community hostility. Many said they were also treading on the fragile balance in family relationships. For instance, a few survivors revealed that their husbands, or in some cases, their entire families, remained in the dark about the violence they suffered at someone's hands. One survivor explained:

> *"Many women's husbands do not know. Once they found out, many relationships have already been ruined."* (Courageous-18)

Confidentiality ensured that survivors retained the agency to determine when, how, and to what extent to disclose their histories. As one core analytic memo kept by the researcher during this study stated:

"What is being protected *is not just identity—it's dignity."*

When confidentiality was maintained, survivors reported emotional relief for the first time in decades. Confidentiality served both as a psychological pressure valve and a space within which dignity might be regained. One participant articulated:

“I felt lighter. It was like I was breathing more freely. I realized how important it is to speak out.” (Courageous-12)

Navigation of Layered Risks: Household, Community, and the State

The need for confidentiality became even more real as survivors of conflict-related sexual violence described the multi-layered risks they faced daily. Disclosure was dangerous because of stigma, but also because family members, in-laws, or community actors could inflict punishment for perceived “dishonor.” At the household level, many women feared violence, abandonment, or rejection. As one survivor said:
“I have not said anything to my family members. I'm scared. What if they find out?” (Courageous-28)

Gossip networks at the community level served as social surveillance mechanisms. Survivors knew that if “the village” found out, there was always a risk of ostracization, harassment, and humiliation. The survivors expressed very little faith in state-level confidentiality protections within formal justice institutions. One woman recounted how Truth Commission staff had asked her to hide documentation from her husband; this anecdote reveals institutional fragility and a lack of systemic safeguards.

"The commission people told me, 'Do not let your husband see this, sister. That is still a secret to me" (Courageous-30).

These accounts reveal that confidentiality was an existential safeguard, protecting women survivors of conflict-related sexual violence from emotional pain and from violence and social destruction.

Survivor-Defined Agency and Emotional Regulation

Survivors actively defined confidentiality. They made conscious decisions about what to disclose, what to hold indefinitely, and what, when shared, required strict boundaries. It is this survivor-defined approach that has directed how confidentiality became a modality of emotional regulation.

In this study, survivors co-designed symbolic identifiers such as *Courageous-14* and *Courageous-30*, rather than using standard pseudonyms. These identifiers preserved anonymity, protected against indirect identification, and allowed survivors to retain ownership over how their stories were represented. Through this process, confidentiality became a space where survivors reasserted control that the violence had once taken from them. More importantly, confidentiality was defined by how the listener listened, as reflected in tone, pace, spatial autonomy, and emotional presence. Survivors frequently described *"feeling safe because the listener held stories gently,"* underscoring the relational nature of confidentiality.

Embodied Ethical Practice Across Listening Interactions

Survivors described confidentiality as something "felt" in the body, through the safety of the space, the trustworthiness of the listener, and a sense of control over the context. Survivors explained that confidentiality meant more than just keeping information private. They experienced it through the atmosphere created in the room—a closed door, a calm and respectful tone, pausing the interview when they felt overwhelmed, and clear reassurance that their experiences will not be mishandled. These small actions made them feel safe and able to speak. These gestures together indicated that the listener was accountable to the survivor, not to institutional procedures. One survivor emphasized that even the location mattered deeply; she could only speak indoors *"when no ears could hear from outside,"* reinforcing the environment's sensitivity and relational weight in which listening unfolded.

Discussion

The findings of this study reaffirm that confidentiality cannot be confined to its conventional procedural definition. For women survivors of CRSV in Nepal, confidentiality functions as a relational form of accountability that shapes whether truth-telling can occur safely, with dignity, or at all. Global guidelines, such as the WHO recommendations (WHO, 2007), the International Protocol (UK Foreign & Commonwealth Office, 2017), the OHCHR/UN Women Guidance Note 2017, the IASC Guidelines 2015, and the Murad Code 2022, all stress confidentiality as a key ethical principle. Survivors' lived experiences show that procedural confidentiality is not enough. Traditional confidentiality practices assume that protecting identity and using secure documentation are adequate safeguards. This study has demonstrated that survivors face layered risks from households, communities, and institutions that procedural safeguards cannot meaningfully address.

Breaches of confidentiality in transitional justice settings can create institutional betrayal. In Nepal, the failures of the TRC interviews conducted in open spaces, with untrained staff, and unclear structures for information management demonstrate that procedural confidentiality, if not nestled in relational practice, relies on survivors themselves to carry the burden of protection. Reports of women being told by TJ personnel to hide their documentation from husbands demonstrate how this systemic failure places responsibility on the individual survivor rather than the institution.

For this reason, confidentiality needs to be reconceptualized as relational accountability, a practice in which the listener or institution assumes primary responsibility for preventing harm, regardless of a survivor's willingness to accept risk. The Murad Code (2022) stresses that ethical engagement requires practitioners to prioritize safety over data needs, marking a move toward relational ethics. As described by the research participants of this study, relational accountability involves co-constructed boundaries, survivor-controlled consent, spatial autonomy, symbolic identifiers, and ongoing, transparent communication. This approach requires attention to the emotional, social, and relational context in which disclosure occurs.

Relational accountability around confidentiality also creates the ethical conditions necessary for healing. When survivors experience confidentiality as embodied care through privacy of space, respect of tone, co-designed identifiers, safe pauses in conversation, and control over how their story is held, they describe emotional release, relief, and renewed trust. In this respect, confidentiality is less about withholding than it is about holding: holding stories safely, holding survivors in trust, and holding institutions accountable.

The resulting imperative from this study is clear: confidentiality needs to be taken beyond procedure into a survivor-centered, relational, feminist ethic. Confidently practiced as relational accountability, confidentiality serves as the ethical ground on which trust, safety, and justice are built, making possible healing that doesn't reproduce harm within the very systems of transitional justice.

Conclusion

This study shows that confidentiality, as expressed through the lived experiences of CRSV survivors in Nepal, should not be treated as merely a procedural requirement. Located within the second foundational element of the Truth *Listening* grounded theory, confidentiality emerges as a core ethical obligation and relational accountability that determines whether speaking becomes possible, safe, or even imaginable. These findings indicate that confidentiality protects survivors from layered, intersecting risks embedded in household, community, and the State structures. Upheld, confidentiality is an act of survival, shielding against stigma and serving as a conduit for emotional release. Breached or feared, it dissolves trust and silences CRSV survivors more effectively than armed conflict itself.

The innovative co-constructed confidentiality methodology further underscores the necessity of a relational approach, starkly contrasting with the often-inadequate procedural confidentiality of Nepal's Transitional Justice (TJ) mechanisms. The discrepancy between administrative confidentiality and lived confidentiality highlights pressing imperatives for systemic transformation. By framing confidentiality as an ethical rather than a procedural obligation, this article offers one way to reimagine transitional justice in Nepal and elsewhere. This article shows that confidentiality, as defined through the lived experiences of Nepali survivors, embodies safety and is the precondition for justice.

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An Analysis of Attā and Anattā from a Metaphysical Perspective

Noun Thong

Abstract

The theory of Attā (Self) and Anattā (Non-self) is a significant doctrine in metaphysics. The objectives of this study are to: 1) understand Attā and Anattā from a metaphysical perspective, 2) apply the theory of Attā and Anattā in a social context, and 3) analyze Attā and Anattā from practical viewpoints.

This study reflects the theory of Attā and Anattā in a metaphysical sense. Furthermore, it will show the practical aspects of applying the theory of Attā and Anattā in a social context.

The results of this research study are as follows:

1. Atta is of both internal and external form to belong to living things and non-living things coexisting in this world.
2. The applications of Attā and Anattā that have been seen in society are self-centered policy and Dhamma-centered policy.
3. In reality, the language usage should be adopted according to the ability of the concerned audience.

This research paper is designed to reflect the theory of Attā and Anattā using qualitative research. The data here have been collected based on document research, which sometimes brings biases or gaps in the way research is done.

Keywords: Attā, Anattā, metaphysics

An Analysis of Attā and Anattā from a Metaphysical Perspective

Introduction

The majority of Khmer people are adherents of Buddhism and have adopted various doctrines to put into practice, some of which are from the scriptures and some of which are not from the authentic scriptures. Among these doctrines, the most prominent and controversial are the concepts of Attā (self) and Anattā (non-self).1 This concept is an object of analytical study to allow individuals to clearly understand the meaning of each term. The Buddha taught that an individual must identify and know the eye, form... etc. (Visuddhimaaga, Path 3, B.E. 2556). Only when an individual has clearly understood these phenomena can they transcend this world (attain the supramundane). The eye is one form of existence among many that are assembled from elements and conditions; it does not just arise on its own. Conditioned phenomena do not arise from physical matter, nor do they emerge from the mental-object bases. These phenomena are conditioned things that arise dependent on a cause, just as when a drum is struck by a person, a sound arises (Visuddhimagga, Path 3, B.E. 2556).

In this sense, the sound (a form/existence) that comes from the drum does not arise on its own nor cease on its own. In truth, what causes that sound is Phassa (contact) between two objects, with a space that allows the sound to be transmitted. The process of this existence is merely an action that proceeds without being under the command of any individual (faculty/being), and that action does not belong to a living being as its doer. It is a pure action (Dhamma) (Visuddhimagga, Path 3, Anhkaviraranavisuddhiniddesa, B.E. 2556). This action, or kamma, that occurs is called khandha—the aggregate (the accumulation of kamma). Whatever aggregates arose due to kamma as a condition in the past, those aggregates also ceased in that past (Visuddhimagga, Path 3,

[1] Throughout this article, the words Atta, Attā, and Ātman mean "self" whereas Anattā means "non-self, no-self, or not-self."

Kankhavitaranavisuddhiniddesa, B.E. 2556). The arising and ceasing of form, which depends on this kamma, occurs endlessly in a cycle. Understanding this truth is the foundation for reducing the asmimāna (the conceit 'I am'), which clings to the idea of "Atta" or "ātman" (self). It is not some deva, Indra, or Brahma who magically creates any form. It is nothing other than the combination of causes and conditions (Visuddhimagga, Part 3, B.E. 2556) for the formation of the Atta (self).

Clinging firmly to this mere process of mind and matter (existence) is a heap of suffering that is difficult to resolve. What an individual must do is to abandon clinging by means of the understanding of the truth of life. When a monk clearly understands the conditions of mind and matter through the cycle of kamma and the cycle of results, it leads him to abandonment of doubt in the three periods of time. Then all phenomena—past, future, and present—are phenomena understood by means of death (Cuti) and rebirth-consciousness (patisandhi) (Visuddhimagga, Part 3, Kankhavitaranavisuddhi, B.E. 2556).

By observing the arising and ceasing of existence, an individual can realize the state of not-self (Anattā) as it relates to the aging process (Visuddhimagga, Part 3, Maggamaggananavisuddhi, B.E. 2556), which continuously changes from birth until death. The instability of the developed form is the grown age, which is called the decline of the form that grew by means of age in this context (Visuddhimagga, Part 3, Maggamaggananavisuddhi, B.E. 2556).

A clear understanding of Attā and Anattā prepares the mind and body for the acceptance of the decline or change of existence, as well as for the effective application of these doctrines. In the complexities of life, an individual must clearly distinguish between Attā and Anattā. In this context, "Attā" is an entity with form, such as iron, stone, wood, humans, and animals, etc. Alternatively, we could also put it this way: "the iron-self, the stone-self, the wood-self, the human-self, and the animal-self."

The body itself is called 'existence' (attabhava), or one could say it is the five aggregates themselves that are called 'existence.' The word 'existence' is merely a conventional designation (paññatti), as it refers to those five aggregates according to their intrinsic nature. Beings that are included in 'existence,' for that reason, are called attabhāvapariyāpannā (included in existence). This is explained as "Designated phenomena are said to be included; that is, they are bound up and contained within it."

...A wise person should understand that "it is an interchangeable term for all beings, because it is established by means of a frequently used word" (Visuddhimagga, Part 2, B.E. 2552).

In other words, it is said, "O, householder, this body is fragile (not solid), like an animal's egg, merely surrounded by a shell..." "Though my body is fragile, my mind will not be fragile"—O, householder, this is how you should train yourself (Tipitaka Vol. 33, B.E. 2501).

This body is fragile because it is in constant flux. However, specifically, this body is fragile in three ways: fragile due to old age, fragile due to sickness, and fragile due to death (Commentary 33, B.E. 2501).

Existence (attabhāva) is called a kuti (a hut). Indeed, existence, depending on its specific purpose, is referred to by the world as a body (kāya), a cave (guhā), a structure (deha), an accumulation (sandeha, a house-shape), a ship (nāvā), a chariot (ratha), a wound (vaÔa), a banner (dhaja), an anthill (vammika), a hut (kuti), or a small hut (kuṭikā). Here, the Blessed One refers to existence (attabhāva) as a kuti because, based on its components like bones, it comes to be counted (as a body), just as a kuti gets its name "hut" because it is based on components like wood... (Commentary 54, B.E. 2501).

What is the difference between an "iron self" and a "human/animal self"

In reality, there is no difference at all between these two "selves." They are the same, "like a useless log of wood (Pitaka, Vol. 52, B.E. 2501);" merely a form that is empty and void, lacking substance, and constantly arising and ceasing while revolving in the cycle of Saṃsāra. The state of this form is arising (upāda), persisting (ṭhiti), and ceasing (bhaṅga). All forms in the world always proceed according to these three moments of form. However, what distinguishes a form with consciousness from a form without consciousness is that the sensitive form (pasāda-rūpa) possesses eyes, ears, nose, tongue, and body—or what are called eye-sensitivity (cakkhu-pasāda), ear-sensitivity (sota-pasāda), nose-sensitivity (ghāna-pasāda), tongue-sensitivity (jivhā-pasāda), and body-sensitivity (kāya-pasāda). This "pasāda" translates to "the instrument of knowing" and is conditioned only by kamma. Other forms, such as iron, are not conditioned by kamma.

The eye of a living being knows through the contact of the internal sense-bases (such as the eye) with the external sense-bases (such as form), which leads to the arising of consciousness. It is this consciousness that knows that there is form—white, black, blue, red, and so on. This eye, if it were devoid of the instrument of knowing (pasāda), would be like the "eye" of a bamboo stalk or the "eye" of a coconut. Seeing form and knowing it through this pasāda is what leads a person to be confused by the view of self (Atta), thinking, "I see." Holding this view creates complexity in accepting the true nature of reality, which is that "everything in the world is impermanent, suffering, and non-self."

Even when the Buddha preached the Dhammacakkappavattana Sutta (The Discourse on the Turning of the Wheel of Dhamma) to the five ascetics (Pañcavaggiya bhikkhus), those five did not penetrate to the path and fruit, with the exception of Aññā Koṇḍañña. It was not until the second day, when he delivered the Anattalakkhaṇa Sutta (The Discourse on the Characteristic of Non-Self) to those five bhikkhus in the Deer

Park at Isipatana, that they all came to a consensual understanding and acceptance of the "non-self" (anattā) view, and only then did they attain the path and fruit.

The understanding within the context of "self" (Attā) remains narrow and requires further detailed elaboration on how the doctrine is to be conceptualized. When the Buddha was still alive, that was an illustrious era. The bhikkhus taught and practiced the doctrine widely, until many bhikkhus, novices, and lay followers eventually began to understand and attain the path and fruit. The most evident key practice is the application of the teachings in a gradual sequence before approaching the major views, such as the doctrines of "self" (Attā) and "non-self" (Anattā). The most important preparatory teaching, which was used most frequently, is the gradual discourse (anupubbikathā), which includes the discourse on giving (dāna-kathā), the discourse on morality (sīla-kathā), the discourse on the heavens (sagga-kathā), and others. When the bhikkhu has come to an understanding, the Blessed One then teaches about the dangers and benefits and then continues to the Noble Truths, due to being a skillful discourse adept at inspiring a person's mind to rejoice and be able to listen to the profound Dhamma discourse accordingly.

This narrow and troubled understanding of "self" (Attā) and "non-self" (Anattā) is the cause of many disputes in society, ranging from conflicts arising in family and social relationships to the basis for other issues, such as modern warfare. They perceive the "self" as their real entity and always prioritize or think only of their own benefit (Attā), making themselves supreme (attādhipateyya). They do everything with themselves as the standard, without giving shared value or standing on a foundation of kindness, compassion, and gentleness in the sense of sharing life, happiness, and suffering together. This view of self has made human relationships progressively narrower, leaving only "my older sibling, my younger sibling, my aunt, my mother and father, etc." The smile that the Khmers left on the walls of Angkor temples through the images of Apsaras has gradually faded, replaced by the faces of fierce yakkhas and gate guardians, holding clubs and standing watch before the gates of Angkor city. The bleakness, the indifference, the competition, and the struggle for survival, forgetting shame—all of these can be caused by the selfishness born from an incomplete understanding of the "self."

The tendency and attitude of people stained by "self" are wrong actions and are criticized by the public. This is because that self-interested person is bound by covetousness and unrighteous greed (abhijjhā-visamalobha), and the net of defilements and cravings whose origin arises from clinging to "self" leads that person to one of the 62 wrong views. Groping with clinging to rites and rituals (sīlabbataparāmāsa), clinging only to the morality and practices one has performed, and considering that "my race/group is good and correct, and I myself am good enough as I am" is a view that obstructs the development of one's virtue and does not lead to the final goal, noblehood (ariyabhāva). This is because that person always clings to the idea that "I have acceptable morality; I have acceptable practices," without seeing anything far beyond "I" and without further considering that "everything, even this morality, is non-self (Anattā), changing, and impermanent." Only when a person can abandon this "I-view" can that person attain the virtue of purity (kankhā-vitaraṇa-visuddhi, purity by overcoming doubt) and reach the individual freedom.

The View of Attā and Anattā according to Metaphysics

Form that has arisen since the evolving aeon (vivaṭṭa-kappa) includes types such as iron, metal, lead, gold, silver, pearl, gem, beryl, conch shell, crystal, coral, ruby, cat's eye, earth, stone, mountains, grass, trees, vines, etc. These are external forms, not connected with the faculties (indriya), and are called "ordinary form" (rūpa-dhammatā).[2] All forms in the world, excluding the faculties, are all the same, like iron, stone, etc. However, this sentient form differs from iron and similar materials solely

[2] *Visuddhimagga*, Khmer translation, Part 3, compiled by Vinayadharo Maha Yin Nueon, B.E. 2556 (2013), 1st ed. (Khmer Temple of Santa Ana), p. 545.

because of the presence of the faculties. These faculties are conditioned by kamma, having kamma as their origin, and are differentiated as good or bad according to kamma.

Furthermore, this existence (attabhāva), as a living being, is an entity composed of elements that have come together to form a shape due to some sufficient cause and condition. Example: Consciousness arises from the contact of the internal sense-bases, such as the eye, with the external sense-bases, such as form. If there were only an internal sense-base and no external sense-base, what is called consciousness (cognition) would not exist.

This existence (attabhāva) is a composite of various elements in the course of life, from birth onwards.[3] This collection of existence consists of the eye, nose, tongue, body, and mind, all of which are subject to the characteristics of impermanence (Anicca-lakkhaṇa): being impermanent, suffering, and non-self. The process of this existence is a natural phenomenon that is not under the command of an external agent, such as a deva, Indra, or Brahma, as its creator. From a conventional (Paññatti) viewpoint, what is called this existence always receives support by being valued as "a being" or "a person" and is, moreover, clung to as "I," "we," and "they." This mistaken and confused identification is the source of complexity that demands an appropriate solution to respond to the actual condition of every human's life.

The confusion of the "self" view, through the wrong view (diṭṭhi) and conceit (māna), is the first stratagem of Māra and its army, who have cast a net to ensnare ordinary people (Puthujjana) and make them fall into the woeful states (Apāya). Stemming from an incomplete view of "self," some persons have practiced a wrong path that is not in line with the straight (uju) and right (sammā) policy. As a result, they

[3] (*Visuddhimagga*, Khmer translation, Part 3, compiled by Vinayadharo Maha Yin Nueon, B.E. 2556 (2013), 1st ed. (Khmer Temple of Santa Ana), p. 546.

have turned to grasp a wrong means (micchāpaṭipadā), following the way of extreme doctrines, namely; the practice of self-mortification (attakilamathānuyoga) and the practice of self-indulgence in sensual pleasures (kāmasukhallikānuyoga) leading to uncertainty, baseness, and not belonging to the Noble Ones (ariya-puggala). This self (Atta), in reality, is an element that is conditioned by sufficient causes and conditions according to the theory of Dependent Origination (paṭiccasamuppāda-dhamma). When this exists, that exists, which does not mean it is definitely an "Atta." The Buddha has compared this composite of existence to a chariot, of which every part is a component, and no single component is called "the chariot."

Again, what is called "Atta" in the Abhidhamma sense is the very essence of the wrong view (clinging to views, diṭṭhupādāna) and conceit ("I am"—conceit, ahaṃ-iti-māno). This group of evil phenomena ends up in the "self" view, because when one thinks that there is a "self," the views of "having" and "not having" are born along with it, which leads to doubt that is never fully resolved, such as "Did I exist in the past or not?" or "Will I exist in the future or not?" This dilemma is a test for ordinary people to solve throughout their lives, and this problem is truly difficult to solve if there is no right path. The temporary solution that humans can manage is that if one is hungry, one seeks something to eat, and if one is sleepy, one just sleeps.

Moreover, in the real world, people see necessities in life through various methods to fulfill the needs of the "self,"[4] and sometimes, even acting unconsciously, they violate both state laws and religious laws, causing various disasters (antarāya) to themselves and to society. A person does not merely lead a livelihood, but seeks to satisfy his desires (craving, taṇhā). He is driven by the "self" view, which says, "I want to have delicious food, to have fun (playing like a child), to make this body fresh, handsome, and more beautiful than others (adorning the body)," and not eating to support the holy life (brahmacariyadhamma) and to practice good deeds.

[4] *Tipiṭaka*, Khmer version, Vol. 38 (B.E. 2501 [1958]), p. 252.

An individual who seeks a livelihood by clinging to the self is following a doctrine of extremes, not the Middle Path for liberating oneself from suffering. Because if a person only fulfills self-desire, that person is said to be acting according to their own cravings or is under the command of sensual craving (kāmasukhallikānuyoga). In addition, if they are too strict, abstaining from eating and tormenting themselves excessively, this is self-mortification (attakilamathānuyoga). Seeing the fault in such wrongdoing, based on his experiences, the Buddha taught a new, excellent path for correct practice within this religious sphere. That right path is:

Sammā-diṭṭhi: Right Understanding
Sammā-saṅkappa: Right View
Sammā-vācā: Right Speech
Sammā-kammanta: Right Action
Sammā-ājīva: Right Livelihood
Sammā-vāyāma: Right Effort
Sammā-sati: Right Mindfulness
Sammā-samādhi: Right Concentration

The Eightfold Noble Paths exist in everyone, but the special part is knowing how to correct one's "view" or "understanding" to make it right, called "Sammā" in Pali. Everyone possesses these qualities except for "Sammā." The method to confirm whether a person's holding or understanding is wrong or right is, firstly, to have a virtuous friend or someone trustworthy to ask what is good and what is bad to shape their perspectives or views into a regular practice.[5] Even if that person still holds some views of self-clinging, it can still be a condition that helps them reach the light of the Eightfold Noble Paths.

Conversely, discipline (Vinaya) and various laws arise because of the tendency to use this concept of "self" (Atta). "Oh! Son of a householder! A noble disciple who

[5] *Tipiṭaka*, Khmer version, Vol. 37 (B.E. 2501 [1958]), p. 5.

has abandoned the four defilements of action (impure deeds), who does not commit evil acts (pāpa-kamma) due to four causes, and who does not pursue the six channels for dissipating wealth (the sources of ruin), that noble one, by abstaining from these 14 evil things, is said to be one who covers the six directions and practices for victory in both worlds. In this world, that noble disciple is satisfied, and he will be satisfied in the world to come. After the noble disciple passes away, he is expected to be reborn in a blissful destination, in the heavenly world of humans and devas."[6]

Even if a person perceives themselves as existing, they must have discipline in managing themselves so as not to commit wrongful acts in society. A person must respect the six directions, must make himself a good friend, and must strive to work hard to earn a livelihood. Moreover, a person must abandon the four causes to ruin: womanizing, alcohol, gambling, and associating with bad friends. Then, one must continue to do good deeds, such as having faith and morality, to keep this life on the path of goodness or the ten wholesome courses of action.

Besides making the determination to become a good person through the discipline of a layperson's 14 kinds of practices, an individual must perform additional good deeds and should not be content with merely being a good person as to abstaining from alcohol. In fact, there are many other duties required to develop one's sense of self. Although this selfhood is impermanent, suffering, and non-self, it is a crucial part in helping an individual develop mindfulness and wisdom through training the mind by means of a deep study of this body, taking the Four Foundations of Mindfulness as the basis.[7]

We will not be able to liberate ourselves if we do not take this self (the body) as a basis for contemplating the body, feelings, mind, and phenomena, which are of a

[6] *Tipiṭaka*, Khmer version, Vol. 19 (B.E. 2501 [1958]), p. 69.
[7] *Tipiṭaka*, Khmer version, Vol. 49 (B.E. 2501 [1958]), p. 215.

nature to arise and cease. An individual still has choices of how he regards this self and how he uses the various perceptions from seeing form and so on in a sense of no greed or displeasure. In addition, he contemplates that this physical form is merely a basis for mindfulness to arise, not a being or a person, and that it serves to bring peace and tranquility to the mind. Furthermore, to sustain this body so that it may live and be strong, one must regulate the food one eats. One must abandon attachment to this body and practice wise attention, reflecting that food is merely for the maintenance of this existence to support the holy life, and for no other reason.

Dear Sister! This body comes to be through food. Having depended on food, one should relinquish [attachment to] food. Dear Sister! This body comes to be through craving. Having depended on craving, one should relinquish craving. Dear Sister! This body comes to be through conceit. Having depended on conceit, one should relinquish conceit. Dear Sister! This body comes to be through sexual intercourse. One must relinquish sexual intercourse, for the Blessed One has declared it to be a destructive obstacle.[8]

With the exception of the noble ones, ordinary people always identify the components of this body as their complete self (selfhood). This influence arises from humanistic views and self-centeredness, clinging tenaciously, and rushing to seek the attainment of a new existence (in the sense-sphere realm), being inclined and steeped in the defilement of craving for becoming (bhava-taṇhā) and other refined states (vibhava-taṇhā). Being completely sunk and immersed in this selfhood is not only a tendency or an outflow (āsava) of that individual, but it is also a lustful attempt (rāga) to attain it endlessly. Selfhood, in this sense, is a net of Māra (the Māra of the aggregates), which prevents a person's mind from wanting to escape, causing them to be engrossed in its temptations and pulling them down into the woeful states.

[8] *Tipitaka*, Khmer version, Vol. 43 (B.E. 2501 [1958]), p. 9.

Although regaining a human existence is difficult, this existence is merely a tool or a stepping-stone for attaining higher virtues, namely the Foundations of Mindfulness.[9] This selfhood is not only a gateway for the influx of karmic becoming rooted in craving, but it is also a forever temporary, impermanent (anattā) vehicle for exchanging for a great gift: a happy realm, heaven, and supreme bliss. Starting from this existence, one can use this unconscious existence for the sake of benefits for oneself and for the entire national society. There is nothing to fear about this existence if we know how to use it with wise attention. By skillfully managing this empty, essence less existence with a cautious mind and clearly understanding the evolutionary process of this existence, a person can likely free himself from the bonds of Māra.[10] Because this existence will become an obstacle only for a person attached to wrong views and craving, but it is also a useful tool that helps a wise person to penetrate that very net of wrong views and craving.

One should act in accordance with one's own existence (selfhood), yet not become attached to it. This is 'in accordance' because one cannot defy the conditions that constitute this existence. However, a person can choose to use this existence for his own benefit, for without this temporary existence, one would have no instrument with which to attain something new.

Applying the Theories of Self (Attā) and Non-Self (Anattā) in a Social Context

Selfhood, that is, this physical form, does not last long. The arising and existence of physical form lasts for only seventeen mental moments, and then it reaches cessation. The rise of this form is simply a change in the state of its structure. From birth until death, the form continuously changes its state in every moment. This constant forward evolution is a characteristic of the human form, as well as of animals, society,

[9] *Tipiṭaka*, Khmer version, Vol. 49 (B.E. 2501 [1958]), p. 215.
[10] *Kāyagatāsati*, *Tipiṭaka*, Khmer version, Vol. 26 (B.E. 2501 [1958]), p. 375.

and nature. In a broader sense, this "form" refers to a large society, which has many components, such as smaller societies, organizations, and various institutions in the world. No matter how large its size or how numerous its components, that society has the characteristic of being a composite (Anattā, or non-self), and there is no constituent part that is not of that composite. Within a society, or a social self, there are individual selves that participate, such as citizens, officials, and armed forces, and so on.

This state, which is vast and appears as a truly enormous form, is also in a condition of impermanence, is subject to change, and is not one's own. Chaos, lack of order, and a state of flux all confirm that no matter how large a society or form is, it will disintegrate and change over time. The growth and decline of this form are merely a continuous process of evolution and the changing of all components in the world. Anattā in a society is expressed through its composite nature, its elements, or its important institutions, such as the police, the military, and civil institutions.

These institutions change according to the ups and downs of social and political trends. When any institution has a problem (Dukkha: suffering), individuals must find measures to resolve the "self/ego" (Attā) of that institution. Which self, or which individual who is an element of that institution, has a problem that must be resolved? The solution may be through counseling, education, instruction, or changing roles and positions.

The exchange or new creation of these units is comparable to the birth and passing of an individual's form. A person who learns to observe this will naturally understand the proper way to resolve each "self" appropriately (Yoniso manasikāra: wise attention). They will not be anxious, feel pressured, or encounter mental distress that causes them to rush and seek inappropriate solutions (Ayoniso manasikāra: unwise attention).

The individual self and the social self are very much alike, and both these selves exist under the laws of Anicca (impermanence), Dukkha (suffering), and Anattā. No individual can escape the net of these natural laws. Even in the present era, where people have many means, including technological systems and modern scientific advancements that are almost unimaginable, there is no way to escape the law of impermanence.

Famous people in the world, including scholars, sages, and experts—even the Supreme Buddha, the Enlightened One who knew all things—were subject to the power of Anattā. Powerful individuals like the Venerable Moggallāna and the Venerable Sāriputta had no method or means by which they could escape death or this cycle of turmoil. The only thing that can solve this challenge is the Dhamma (the teachings/the law). The Dhamma is the law governing the body, speech, and mind. A person who has disciplined themselves with this law (the precepts of the Dhamma) will be on the path of progress, benefit, and true happiness. However, be that as it may, that Dhamma is still a thing of Anattā (a composite).

The composite of Anattā is the body of the Dhamma (the Law/Truth). Moreover, this Dhamma is its reality; it changes according to the mechanism of nature, yet it is an unchanging, constant, and ultimate, absolute happiness. This perfect state, which is the mechanism of the Dhamma for an individual, is characterized by attaining the Eightfold Path, which has morality (Sīla) as its foundation. As for the mechanism of a large society, it must incorporate the ten wholesome actions (from the Aggañña Sutta) as well as the seven duties of a universal monarch.[11]

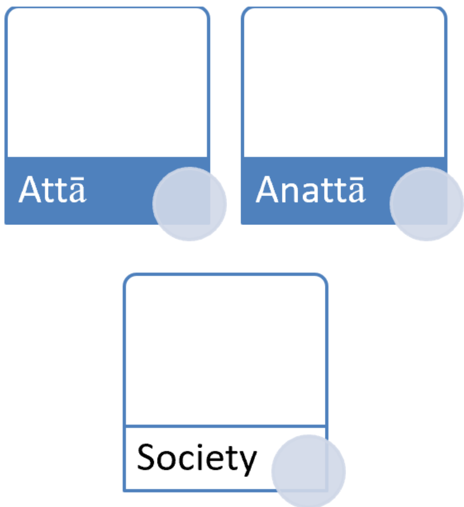
A society that is a large self, or has many components, needs to be led by the Dhamma, taking the Dhamma as supreme, taking the Dhamma as its banner. That society must abandon unwholesome actions of body, speech, and mind, because such unwholesome actions are compared to gnarled, crooked, bent, and knotted wood that cannot be used for anything except as firewood or to be burned away. A society, which comprises many selves and in which we as individuals (selves) participate, belongs to all of us. All of us are like the flesh, blood, skin, and bones of each individual self. If any part of this self is severed, society will not function well; just as with our own bodies, if any part is severed, no matter how small, there is pain. Therefore, one needs to check any specific parts of self (institution) to find some possible way to solve or to replace. This is what the name Anattā is known for. After checking, we will probably find that some parts need restructuring, and perhaps all do.

This ongoing situation, which faces change every second, requires us to be flexible in managing it (taking measures) correctly. Not different from managing the physical self, managing society requires skill in management, using skills of body, speech, and mind. These skills bring about trust and affection from many people (Mahārāja) and allow one to rule the entire kingdom with ease. This society, which is Anattā, must be managed and maintained based on four great principles: Antojana (one's own people), Parajana (other people), Dāna (giving), and Anuggaha (support/kindness). "Antojana" refers to one's wife and children, parents, aunts, uncles, siblings, or those who are associates. Society must value them all equally without discrimination or partiality, whether inside or outside. By doing so, society will have peace and security, unity of mind and thought, and can develop together.

[11] Tipitaka, Khmer Version, Cakkavattivatta, No. 18, p. 120.

Whoever should be helped by giving food, water, cakes, and snacks should be given them. Whoever should be helped with pleasant and sweet language should be helped so. Whoever should be helped for their benefit should be helped so. Moreover, whoever should be helped with sincere and equal interaction should be helped so. An individual must know how to maneuver and skillfully apply all wholesome means to bring about growth and prosperity for this society. Because each element of society is a thing of Anattā (a composite), all of them need to be well assembled and reorganized.

Aligning one composite entity (anattā) with the actual situation is a method taught by the Supreme Teacher, the Buddha, and was conveyed to the Noble Ones (Ariyapuggala) according to their respective areas of pre-eminent expertise (Etadagga). Those individuals who were pre-eminent (etadagga) played a crucial role in resolving the various challenges within society, entirely through the mechanism of anattā.



Since the state of society is anattā, the attainment of a "self-hood" consists of the aggregation of many anattā composites, and this resulting aggregate is referred to as an anattā aggregate. This is because every component of that aggregate is also anattā. This anattā (aggregate) must be supported by the Dhamma. This very Dhamma serves as the foundation for the functioning of the self-hood of the anattā entity. In this sense, if anattā is an aggregate, then each "self" (a small element of the anattā, or a component of the anattā aggregate) must have optimal and indispensable coordination with the others.

This social self will achieve immense prosperity because the leaders and the people within that society understand one another. It is like an individual self who has outstanding physical and mental health and can carry out tasks, both small and large, with ease. This self will encounter many calamities if it acts against the Dhamma, abnormally, and under the sway of defilements and craving, which lure individuals into various states of ruin (abāya).

The chaos of a society is a cause of ruin (abāyamukha) in the present time. A society attains a high level of civilization because it is rich in people who have high ideals, a favorable vision, and pure intentions (succhanda), with a common goal of moving towards social progress through a path of diversity (anattā). The diversity of opinions in a society and the ability to skillfully use that diversity are sources of pride for individuals and the entire society. This diversity (a composite of anattā) is born from non-attachment to self (attā), from mutual understanding, and from the relinquishing of self. Creative ideas, born out of diversity in society, bring about great and rapid change. In this context, the "self" of a society requires many diverse elements. For example, the "self" of an institution needs diverse elements as its parts, including management, publicity, and finance departments. When these elements (these "selves") unite as one, those component "selves" become crucial driving forces in propelling the institution forward quickly and in line with its set goals. Conversely, if any part performs poorly, that institution, that society, will move slowly or even be destroyed.

An individual "self" is truly a vital element of a person, as well as of an institution and the entire society. A society or an individual cannot overlook or lack a "self" that is a constituent element within the larger self. That is to say, to have too little is not acceptable, and to have too much is difficult. In an individual, a deficiency can lead to various illnesses, such as anemia or dehydration, which can lead to the loss of life. An excess of nutrients is also problematic, as it can result in being overweight or having excessive body fat, leading to abnormal growth. In this sense, society is the same: too much is not beneficial and too little is not beneficial either. A society can function smoothly through a balance of "not too much, not too little" among its various state institutions, such as the judiciary, the national assembly, and others. The balance of power among these institutions is an indispensable anattā aggregate for guiding the attā (the institution itself) forward and ensuring its continuity.

Analyzing Attā and Anattā from a Practical Perspective

The way that people, society, and nature function today is evidence confirming the truth of the "self" (attā) of individuals and society. In practice, an individual's health is strongly related to the health of the "selves" that are the various parts within the body, including hair, skin, sinews, teeth, body hair, and all other limbs, which form a natural composite. This composite cannot be changed or have its location moved elsewhere. However its arising occurs, let that natural process unfold accordingly. The natural process of this physical body is intelligent, diligent, and in constant motion. This constant activity brings good health to the entire body. However, this body cannot perform its role constantly due to various driving factors, including the person themselves and natural factors, which are also a fixed law (niyāma). This "self" changes according to the seasons (utu), the mind (citta), action (kamma), and the Dhamma, which are universal laws that cannot be escaped.

This self is under the influence of climate change, which causes sickness and various afflictions and can also lead to death. An individual must identify these factors and be prepared and cautious in every step of their actions. Sometimes, this self will change suddenly under the power of the climate in various unsuitable conditions. Learning to adapt in the context of the seasons is another lesson for coping with the atmosphere of this environment. In this sense, the self consists of many internal components that we must nurture. Moreover, this self must receive care so as not to suffer too much pressure from external factors.

Furthermore, the theory of self (attā) and no-self (anattā) is a practical theory that is applied to adapt to the social context or according to the maturity of an individual. To facilitate his teachings, in his capacity as one skilled in eloquent speech, he used two types of discourse: conventional truth (sammati-sacca) and ultimate truth (paramattha-sacca).

Conventional truth refers to speech that uses straightforward, conventional concepts for ordinary people; therefore, he used terms such as "self," "being," and "person." On the other hand, ultimate truth is used from an analytical, experiential perspective, with terms such as "form," "Nibbāna," and so on. Therefore, in accordance with the practical and flexible nature of society, He sometimes used the term "self" and sometimes "no-self." In addition, this usage was not bound by the 'I am' conceit (asmimāna), wrong view (diṭṭhi), or craving (taṇhā), because He had already abandoned them all. Knowing how to balance between internal factors and external factors, such as the seasons, makes the self-stable and able to withstand all situations in life. In this sense, this self must be balanced based on four principles:

Faith (Saddhā): One must know how to value oneself, because this self truly needs nurturing, encouragement, and to be provided with its actual needs. Giving full value to this self will boost internal energy even more, and this energy cannot be obtained from external factors.

Morality (Sīla): One must maintain the self by continuing to do, practice, and maintain good deeds.

Kindness (Cāga) is the state of a good heart that will allow one to give away.

Wisdom (Paññā) is the ability to identify and judge something in a correct way.

All of these qualities represent soft energy that contributes to rapid development for both individuals and society.

Conclusion

The theories of self (attā) and no-self (anattā) have provided real lessons for the lives of individuals and society. They are lessons to prepare for coping with all forms of adversity, acknowledging diversity in society, and finding solutions that are in line with it. The self and not-self are the pragmatic concepts used by the Buddha to suit the situation. The theory of self and not-self leads to respective self-centeredness and democratic policy.

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Jurisprudential and Regulatory Responses to Deepfake Proliferation in Southeast Asia

Vonghour Leng

Abstract

The very fact that emerging technology is reshaping an unprecedented world is undoubtedly literal, presenting invaluable privileges and facilitating humans with daily activities and planning. It is, however, accompanied by challenges and uncertainties, specifically with the advanced deepfake proliferation. Additionally, the nexus between reality and falsity can be indistinguishable due to the rapid technological advancement. This trend negatively impacts each individual country and actor, especially the Southeast Asia region (SEA), though, with a young, tech-savvy population and auspicious area in the heart of the Indo-Pacific. Though this proffers positive outlooks, the dilemmas skeptically remain, which obliges concrete considerations to the digital constraints and varying levels of legality. This paper supplementally explores holistic frameworks and models of the European Union (EU) as a pioneering mechanism in the digital sector. Rigorously and practically, this paper encapsulates profoundly the "whole-of-government approach" in deliberating on basic rights, internationally recognized principles, data governance, and technological innovations.

Keywords: deepfakes, artificial intelligence, digital governance, regulatory frameworks, Southeast Asia, ASEAN, disinformation, cybersecurity

Jurisprudential and Regulatory Responses to Deepfake Proliferation in Southeast Asia

Introduction

In the ever-changing world of the Internet, it is undeniably precise on the fact that the world has been reshaped by the emerging digital technologies, particularly artificial intelligence (AI), impacting all areas, including but not limited to healthcare, economy, computer science, security, media, and so on and so forth. This breakthrough grasps significant potentiality to address global concerns by mathematically and scientifically calculating the issues, providing long-term effects, and proffering empirical recommendations, etc.

Concentrating specifically on the Association of Southeast Asian Nations (ASEAN), the entitlement of a "Digital Hub" has been attributed to its large proportion of internet usage and digital utilization outpacing other regions, in line with its strategic location at the center of the Indo-Pacific coupled with a digital adept. This has been proved by a combination of factors deriving from the high rates of mobile phone use, online engagement, and digital skills uptake in fostering economic growth and social transformation (Statista, 2025). Further, there is approximately 73% youth internet penetration and a 33% estimation of youth constitution; 44% of ASEAN youth gained digital skills during the COVID-19 outbreak (Tobing, 2022). The digital economy value in ASEAN, moreover, is extrapolated to attain $360 billion by 2025 and is expected to reach $1 trillion by 2030, accounting for 10% of global digital trade (Ing et al., 2025, pp. 1-15).

Focusing specifically on Deepfake technology,[1] it is one of several innovations that hold transformative potential, primarily used in the entertainment and creative industries, as well as the media and information sectors. In certain circumstances, the deepfake proliferation has benefited the global market value at around $591.1 million in 2023 and is forecasted to reach $8.5 billion by 2032 in a 10-year timespan with a 34.5% compound annual growth rate (CGPR)—which the Asia-Pacific region has been articulated as the fastest-growing market accelerated by digital adoption (Deepfake AI Market, 2024).[2] The complication indisputably offers broad economic and societal opportunities; however, it also brings risks and uncertainties that raise numerous issues for each individual country and actor, particularly stressing the least developed countries (LDCs) and developing countries, especially in Southeast Asia (SEA). This occurrence arises from the entanglement of reality and falsity, resulting in heightened complexity characterized by a state of "obscure recognition of the technologies.

To which, the fundamental purpose of this paper aims to (1) unveil prominent vulnerabilities or threats the SEA encounters due to the rise of deepfakes and (2) highlight jurisprudential relevance and regulatory response to deepfake proliferation.

The Threat of Deepfake Proliferation in Southeast Asia

The portrayal of deepfake proliferation is, in fact, multifaceted and surging, driven by rapid digital adoption and increased accessibility of AI. Nonetheless, this surge has uplifted heterogeneous factors such as political environments, technical limitations, digital disparity, transnational criminal network operation, and weak

[1] In the synthetic media and technological front, **"deepfake"** refers to a form established using deep learning algorithms that generates, fabricates, or manipulates digital content in visual, audio, or textual format.
[2] The data and figures pertain to the Asia-Pacific region, despite there being various projections slightly different based on their research, methodologies, and findings.

regulatory measurements and response—thereof threatening the ASEAN community fundamentally at the micro and macro levels.[3]

Micro-Level: Individual Harms

At the narrow scale, deepfakes in general precipitate tangible harms in various forms, such as identity theft, extortion, fraud, reputation harm, and psychological distress, which leads to an exaggeration of cases where the technology enables perpetrators to impersonate, commit fraud, scam, and commit cybercrimes.[4] Therefore, these sophisticated schemes have facilitated falsified news, disinformation and misinformation, fake investment promotions, trust fund campaigns, and/or identity theft to bypass traditional security measures. The intensification often leads to privacy violations, financial loss, and reputational discredits for victims on account of limited AI literacy and cyber resilience (Natnicha, 2024). For instance, the Asia-Pacific region witnessed a documented 1530% surge in deepfake cases between 2022 and 2023, designated as the second-highest global increase (Sumsub, 2023). The number circulated in certain countries, in particular the Philippines, as the highest growth of 4500%, while Japan and Vietnam rank the most remarkable deepfake-driven fraud at 23.4% and 25.3%, respectively (Das, 2023). The indication is currently justified by large-scale instrumental cyber-scam operations, in which individuals are lured into forced labor schemes to perpetrate online fraud. The integration of deepfakes has thus rendered these criminal enterprises demonstrably more lucrative and sophisticated (UNODC, 2024, 15-61).

Macro-Level: Social and Political Harms

[3] *Towards a Digital Nation: Addressing the Scam Economy in Asia Pacific*. GSMA Intelligence. Kenechi Okeleke. Retrieved on 12 August 2025. More on: https://www.gsmaintelligence.com/research/towards-a-digital-nation-addressing-the-scam-economy-in-asia-pacific

[4] *The Evolution of Disinformation: A Deepfake Future*. (2023). Canadian Security Intelligence Service. Retrieved on 11 August 2025.https://www.canada.ca/content/dam/csis-scrs/documents/publications/2023/The%20Evolution%20of%20Disinformation%20-%20Deepfake%20Report_EN_DIGITAL.pdf

On a broader scale, the deepfake proliferation poses significant threats to democratic integrity, social cohesion, and institutional trust in SEA. This form of media manipulation has progressively featured the widespread dissemination of hyper-realistic, fabricated content featuring political leaders and public figures, which serves to establish disinformation and advance false narratives (Beech, 2025). The decline of public trust and understanding in the media sector and legitimate administration has polished conditions favorable to political polarization and instability. These disinformation campaigns can intensify pre-existing ethnic, religious, and political conflicts in ASEAN's diversified terrain, which is marked by various regulatory frameworks and levels of digital literacy. The rationale of deepfake technology in these complexities and extortion schemes strains the operational ability of law enforcement and judicial institutions, complicating attempts to protect national security and enhance regional collaboration (Li & Nguyen, 2025). These challenges diminish the integrity of the information ecosystems collectively that are critical to maintaining democratic stability and social order across the region (World Economic Forum, 2024). There have been factual cases of exaggeration and twisted reality broadcasting widely during the time of uncertainty, especially concerning the Cambodia-Thailand Border Clash in the most recent event, where one voice had the advantage of their network amplification, which not only escalated tension but also induced chaos for those residing near the contested areas with their biased narrative and unethical profession as a journalist (Amarthalingam, 2025). This concern was then uncovered by a White House correspondent, Mr. Michael Barry Alfaro; while Thai media outlets denied it and allegedly accused him of being a "lobbyist" (Cambodianess, 2025) (The Bangkok Post, 2025).[5]

[5] There are more issues with the fabricated news and information deliberately on the Cambodian-Thai Territorial Dispute, especially with the most recent events of the barbed wire used by Thai armed forces on the Cambodian territory along other contested areas to initiate chaos and escalate further tension, in line with the accusation of one another of their counterpart—which clearly justifies the inconsistent paradox of their unwillingness to adhere to the ceasefire agreement.

In essence, the risk correlation has been posed and pressured from the emergence of deepfakes to each individual actor, directly and negatively impacting personal harm, threatening privacy, disrupting governance and social confidence, destabilizing politics and eroding political security, as well as fueling inequality. "This requires immediate action and a multi-layered approach from every sector to enforce legal regulations, principally adhere to globally recognized standards, and maximize implementation efforts," said Dr. Carol Soon.[6]

Jurisprudential Frameworks and Regulatory Response: The Context of Southeast Asia

Observing thoroughly, there are growing legal frameworks and legislative measures in the ASEAN community vital to safeguarding democracy, individual rights, property rights, and social stability within the region.

Singapore is, notwithstanding, one amongst other pioneers in the region with comprehensive and practical laws targeting the malicious use of deepfakes, especially in sensitive areas. Some of the sensitive areas have been acknowledged in Singapore and taken into effect upon its initial establishment; for instance, Singapore's Elections Bill criminalizes the digitally manipulated content for misrepresentations during the elections (Ministry of Digital Development and Information, 2024).[7] Singapore's leapfrog narration, furthermore, proactively engages with regulative responses,

[6] Dr. Carol Soon is an associate professor (practice) at the Department of Communications and New Media (CNM) in the National University of Singapore. Dr. Carol is also a senior research fellow at the Institute of Policy Studies, where she heads the Society and Culture Department.

[7] The Amendment Bill on Integrity of Online Advertising (or Singapore's Election Bill) was first introduced by the Ministry of Digital Development and Information (MDDI), aiming to criminalize the dissemination of digitally manipulated and/or fabricated information for misrepresentation during election periods, including AI-generated misinformation, commonly known as deepfakes, while empowering authorities to mandate corrective actions and penalize offenders—reflecting a regulatory emphasis on transparency, electoral integrity, and public trust. More on: https://www.mddi.gov.sg/newsroom/new-legal-measures-uphold-integrity-online-advertising-elections; Government Gazette: https://www.parliament.gov.sg/docs/default-source/bills-introduced/elections-(integrity-of-online-advertising)-(amendment)-bill-29-2024.pdf

including the Online Criminal Harms Act (OCHA)[8] and Cybersecurity Act[9]. Similarly, Singapore has also strengthened their regulatory response to the upper-level on the Protection from Online Falsehood and Manipulation Act (POFMA)[10] to impede and counter the spread of false facts online, suppress support for misleading news, protect misused accounts, and promote transparency.

Apart from Singapore's initiative, the Philippines and Indonesia have also augmented their digital infrastructures and cybercrime forces constituted by deepfake-enabled news aligned with varied legal instruments and enforcement capacity (Sagun Trajano & Priamarizki, 2025). Empirically, the Philippines instigated National Computer Emergency Response Team[11] positions to protect digital identity and prevent fraudulent acts, while Indonesia instituted the National Cyber and Crypto Agency[12] with the same focus. More importantly, with a more widespread use of generative AI (Gen AI), the Philippines has moved forward in considering the Deepfake Accountability and Transparency Act (Bill 10567),[13] seeking to govern the misuse of

[8] In Singapore, the Online Criminal Act (OCHA) was inaugurated by the Singapore Parliament on 5 July 2023—to counter online criminal activity and protect against online harms, and for connected purposes. More on: https://www.rajahtannasia.com/wp-content/uploads/2024/10/2023_05_09_Online-Criminal-Harms-Act-Passed-in-Singapore-1.pdf

[9] The Cybersecurity Act of Singapore establishes a legal framework for the oversight and maintenance of national cybersecurity, aiming to take relevant measures in preventing, managing, and responding to cybersecurity threats and incidents. More on: https://sso.agc.gov.sg/Acts-Supp/9-2018/

[10] The Protection from Online Falsehoods and Manipulation Act of Singapore (POFMA) was first endorsed on 2 October 2019. Along with the emerging technological advancements, therefore, the POFMA was then revised with all the incorporated amendments up to and including 1 December 2021, and came into full operation on 31 December 2021. This act aims to prevent the electronic communication in Singapore of false statements of fact, to suppress support for and counteract the effects of such communication, to safeguard against the use of online accounts for such communication and for information manipulation, to enable measures to be taken to enhance transparency of online political advertisements, and for related matters. More on: https://sso.agc.gov.sg/Act/POFMA2019

[11] The National Computer Emergency Response Team (NCERT) is a government-backed organization in the Philippines—a division under the Cybersecurity Bureau of the Department of Information and Communications Technology, focusing on handling computer security incidents and cybersecurity threats. More on: https://www.ncert.gov.ph/about-us/ncert/

[12] The National Cyber and Crypto Agency (abbreviated as BSSN) is Indonesia's primary signal intelligence agency and cyber intelligence, cyber threat intelligence, cyber defense, and cyber security agency. More on: https://cybilportal.org/actors/indonesia-the-national-cyber-and-cryptography-agency-bssn/

[13] The Deepfake Accountability and Transparency Act (Bill 10567) of the Philippines was initially introduced to the House of Representatives on 1 July 2024—aiming to regulate the creation and

deepfakes for identity theft, disinformation, misinformation, fabricated news, electoral manipulation, and reputational damage, and mandating clear restrictions for deepfake content of any form, including written and verbal statements, which alters or contrasts the nature of media (Digital Policy Alert, 2024). Though these statutory provisions practically face limitations in efficacy and enforcement, underscoring the need to bolster regulatory capabilities and feasibility on both domestic and regional levels.[14]

Due to this, the "AI Governance and Ethics Guide" has been expanded correspondingly in taking proaction in the regional arena to rule on relevant concerns encompassing risk management, fostering policy harmonization and responsible AI deployment, and facilitating cross-border cooperation with deepfake-enabled technology (The ASEAN Secretariat, 2024).[15] Discerning the adverse inference, the remaining challenges have yet to be laid out clearly on the technical divide, legal constraints, and regulatory disparity, where the distinctions can be grasped on a wide range of ideological views explicitly on the uneven jurisdiction readiness of ASEAN Member States (AMS).[16]

Looking thoroughly at either the surface or beneath the implication, on the contrary, ASEAN has a huge disparity in issuing the regulatory frameworks and legal response. Some ASEAN countries—Cambodia,[17] Myanmar, Thailand, and Vietnam,

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distribution of deepfakes, defined as any form of media that falsely depicts a person's speech or conduct using AI or Gen AI—yet the bill is still under deliberation. The prerequisite and requirement, thus, necessitate primary coordination from the Department of Information and Communications Technology (DICT) and relevant governmental bodies More on: https://digitalpolicyalert.org/event/22040-introduced-deepfake-accountability-and-transparency-act-bill-10567

[14] *Ibid.*

[15] The ASEAN Guide on AI Governance and Ethics reflects the recognition of the effective and efficient regulations in coordinating efforts across governments, technology platforms, and civil society while specifically facilitating and enhancing other member states in the regulatory sphere and enforcement mechanisms, namely Cambodia, Vietnam, Laos, Myanmar, and Thailand. Retrieved on 14 August 2025. More on: https://asean.org/book/expanded-asean-guide-on-ai-governance-and-ethics-generative-ai/

[16] *Ibid.*

[17] Earlier in July 2025, Cambodia launched the AI Readiness Assessment Report, setting a bold path for ethical, inclusive, and rights-based AI development—marking the fourth country in Southeast Asia to embark on the completion of a national AI readiness assessment, charting a path for ethical, inclusive, and human-centered digital transformation with constructive findings. Retrieved on 15 August, 2025.

for instance (Vatanak, 2024)—are still in their early stages of regulatory management systems development, while depending on ad hoc and/or customary practices, delineating the lack of consistent implementation and practical digital constraints (OECD Publishing, 2022). Based on the Regulatory Impact Assessments (RIAs), it is thus verifiably portrayed that there are needs for policy harmonization and a strong institutional capacity in promoting coordination and cooperation and enhancing proactive legal enforcement (Economic Research Institute for ASEAN and East Asia, 2022).

Ethical and Constitutional Consideration: ASEAN Level

The uncertainty and uneasy entanglement caused by deepfake proliferation are apparent in the digital age with ASEAN's intricacies to move and uplift its socio-economy while negatively jeopardizing regional affairs and security. Besides requiring all ASEAN Member States (AMS) to (1): strengthen existing legal and governance frameworks and feasibility and (2): demand a nuanced analysis to transcend statutory provisions, it is therefore urgently necessary for regional cooperation from all actors, reflecting a "whole-of-government approach," integrating established legal instruments and emergent legislative initiatives, and balancing multilateral cooperation while navigating the fragile fragments between technological innovation, freedom of expression, and the imperative of public safety.

One profound aspect of the encapsulation lies heavily on the well-balanced approach carefully considered on essential rights, governance principles, and innovative technologies. This necessitates the restrictions to fragrantly enable two vital points to AMS and all actors including (1): freedom of speech and artistic expression

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More on: https://www.unesco.org/en/articles/cambodia-launches-ai-readiness-assessment-report-guide-ethical-and-inclusive-digital-transformation. Afterwards, the Kingdom has then jointly worked on the Draft National Strategy on AI 2025-2030. More on: https://data.opendevelopmentcambodia.net/library_record/draft-national-artificial-intelligence-strategy-2025-2030-version-5.

and (2): balancing rights. Driven by the significance of the intersection of digital governance and technological risks, thus far, ASEAN has instituted the ASEAN Digital Economy Framework Agreement (DEFA)[18] following the ASEAN Digital Master Plan 2025[19] (The World Economic Forum, 2025).[20] Perceiving variations of development measures, DEFA establishment henceforth aims to bridge digital infrastructure gaps and uneven jurisdiction readiness and capacity, especially in digital economy and data governance (WATANABE et al., 2025, pp. 3-28). Though this harmonized digital policy does not enshrine discretion on deepfake proliferation, it has been described directly and indirectly in its core principles, proffering strategic mechanisms to counterbalance the occurrence of threats (Sefrina, 2023, pp. 1-5).

As a consequence, the joint efforts to its maximum are also an extraordinary angle for ASEAN. This profound outlook lies rigorously on the "Similarity of Interpretation"[21] that may also require and guarantee the same explanation and

[18] Leaders' Statement on the Development of the ASEAN Digital Economy Framework Agreement was issued at the 43rd ASEAN Summit, on 5 September 2023. The ASEAN DEFA is a landmark milestone aiming to transform Southeast Asia into a digitally integrated, innovative, and investable region upon utilization of the robust digital technology—while setting out unprecedented steps for multilateral digital collaboration delineating the nine core principles embedding security-by-design, ethical AI governance, and regional interoperability. DEFA was first introduced and endorsed by the ASEAN Economic Ministers on August 19 2023, in Indonesia. Hence, DEFA negotiation has officially launched at the 23rd ASEAN Economic Community (AEC) Council Meeting and was conventionally admitted by the ASEAN Leaders at the 23rd ASEAN Summit in Jakarta in September 2023—and is expected to conclude by the end of 2025. More on: https://asean.org/asean-defa-study-projects-digital-economy-leap-to-us2tn-by-2030/

[19] Following the two-decade-long ASEAN cooperation in the digital front following the conclusion of the two ICT Master Plans 2015 and 2020, ASEAN has acknowledged this sector as a key enabler for Southeast Asian integration and transformation into a single market. Afterwards, the ASEAN Digital Master Plan 2025 (ADMP 2025) was launched in January 2025, aiming to lead ASEAN to a digital community and economic bloc powered by secure and transformative digital services, technologies, and ecosystems. More on: https://asean.org/book/asean-digital-masterplan-2025/

[20] *Diagnostic Study on ASEAN Digital Economy Framework Agreement*, Version 1.0. 21 October 2023. More on: https://asean.org/wp-content/uploads/2023/10/ASEAN-Digital-Economy-Framework-Agreement-Public-Summary_Final-published-version-1.pdf; *Diagnostic Study on ASEAN Digital Economy Framework Agreement*, Version 2.0. 8 November 2024. More on: https://asean.org/wp-content/uploads/2024/11/DEFA-Report-public-summary-expanded_Final_25112024.pdf

[21] The implication of DEFA in ASEAN's context requires careful and thorough adherence to "Similarity of Interpretation"—in which the common ground of understanding and explanation of the interpretation and translation of legal terms and descriptions is needed in alignment with ASEAN's consensus-based approach in conveying the same message on relevant context. More on: https://www.scribd.com/document/678059677/Global-Marketing-in-a-Digital-World-1663163291

interpretation to convey the messages firmly and accordingly in relevant contexts, in particular to issues related to deepfakes (Lee et al., 2025). Nevertheless, this region-wide digital governance framework necessitates the internationally recognized policy as a baseline to crucially support its initiative* (The ASEAN Secretariat, 2021).[22] For empirical evidence, the DEFA is anchored in a strategic roadmap for regional digital integration, deliberately informed by and based on existing instruments, namely the Regional Comprehensive Economic Partnership (RCEP);[23] and an in-depth analysis of the region's digital economy (Plecerda, 2022).[24] The RCEP reaffirmed and enhanced ASEAN's centrality within the regional economic architecture, extensively establishing a platform through which ASEAN could spearhead strategic initiatives to the DEFA (Armstrong & Drysdale, 2022, 8-23).[25]

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* The endorsement of the ASEAN Framework on Digital Data Governance had been published by the inaugural ASEAN Digital Senior Officials' Meeting (ADGSOM) in January 2021, building upon the initial conceptual work initiated in August 2017. It seeks to establish a cohesive and regionally harmonized framework for digital data governance amongst AMS.

[22] Concerning Data Governance and Protection, the ASEAN Digital Economy Framework Agreement (DEFA) establishment targets to institute safeguards for data protection and security, harmonizing regulations to prevent fragmentation and costly compliance burdens, which aligns with global principles for data privacy and security. More on: https://asean.org/wp-content/uploads/2012/05/6B-ASEAN-Framework-on-Digital-Data-Governance_Endorsedv1.pdf

[23] The Regional Comprehensive Economic Partnership (RCEP) is a free trade agreement launched for negotiation in 2012 and was signed in 2020—making the world's largest trade bloc in GDP and population combination. RCEP is marked as a more unified and comprehensive economic framework for the Indo-Pacific region, constituting the existing Free Trade Agreements (FTAs) targeting to promote economic development and integration, reduce trade barriers, and standardize amongst its members: 10 ASEAN member states, China, Japan, the Republic of Korea (RoK), Australia, and New Zealand. Retrieved on 16 August 2025. More on: https://www.dfat.gov.au/trade/agreements/in-force/rcep

[24] In broadening and deepening ASEAN's economic engagements with its FTA partners (the ASEAN Secretariat), the groundwork and initiative of DEFA have been laid out by the Regional Comprehensive Economic Partnership (RCEP) by furnishing an existing policy and framework for economic integration and cooperation in Southeast Asia. RCEP is more direct on rules-based systems, market access, and economic cooperation—proffering crucial infrastructure and an urge for deeper economic integration—while DEFA subsequently is drawn to be RCEP's cornerstone to highlight specific needs of a digital economy and aggregate socio-economic growth. Retrieved on 17 August 2025. More on: https://theaseanmagazine.asean.org/article/the-asean-digital-economy-framework-agreement/

[25] Beyond statutory provisions, ASEAN stands firmly and demands nuanced analysis transcending the boundaries of current laws, requiring adaptable context-sensitive approaches that integrate technological innovation, ethical and constitutional considerations, and impact assessments. The indication analyzes the interplay between freedom of expression, technological innovation, and public safety, as well as strengthening regulatory bodies' capacity for detection, mitigation, and remediation of harms—which aligns to a "whole-of-government approach." Retrieved on 17 August 2025. More on: https://rouse.com/insights/news/2025/navigating-the-deepfake-dilemma-legal-challenges-and-global-responses

To the extent of this pivotal stage, Southeast Asia is entailed to have collective efforts and expand beyond its foundational principles within the public framework in implication by the overarching goals of the Free Trade Agreement (FTA) in harmonizing digital trade rules and fostering digital transformation (Lee et al., 2025, 81-94).[26] Moreover, third-party involvement is a value-added for AMS in excelling over the pretext of policy coordination, either on the domestic level or in regional cooperation, especially on deepfake proliferation or AI as a whole. For example, ASEAN has long-standing dialogue relations with the People's Republic of China (PRC), Japan, the Republic of Korea (RoK), and so forth. Following the DEFA negotiation, the aforementioned countries necessarily triumph for the opportunity to utilize their resources to revise or refine the FTAs, empirically the ASEAN-China Free Trade Agreement (ACFTA)[27] (China's Diplomacy, 2025) (Rillo & Chen, 2024), the ASEAN-Republic of Korea Free Trade Agreement (AKFTA),[28] and the ASEAN-Japan

[26] The foundational principles are not explicitly detailed within DEFA, yet they are implied by its comprehensive purpose to harmonize digital trade policy and promote digital transformation region-wide. This concept is supported by various initiatives, including but not limited to the Master Plan on ASEAN Connectivity 2025 (MPAC 2025), which embraces multiple strategic pillars and cooperation across different sectors, and the need for national-level regulatory alignment to ensure effective regional practice of digital policies, including data governance, emerging technologies, and electronic commerce.

[27] The ASEAN-China Free Trade Area (ACFTA) was formally established with the signing of the Framework Agreement in 2002, followed by subsequent agreements on trade in goods (2004), services (2007), and investment (2009)—aiming to eliminate tariffs and address trade barriers. The ACFTA was initially in place staging for implementation following its full establishment by 2010. Since then, efforts have been made to upgrade the ACFTA, with a protocol signed in 2015 to further strengthen economic relations between ASEAN and China. More on: https://asean.org/asean-china-announce-acfta-upgrade/ With the emergence of technological advancement and in alignment with digital utilization, ASEAN and China have been working to renew the ACFTA by upgrading it to ACFTA 3.0, which specifically includes new commitments and deepened cooperation in the digital economy (Digital Economy Chapter or DE Chapter). The ACFTA 3.0 upgrade negotiation was launched in 2022 and has been completed with substantial conclusions announced in October 2024. It will be fully completed by May 2025, making the digital economy a key pillar of this modernized agreement. More on: https://english.www.gov.cn/news/202505/21/content_WS682d8cdec6d0868f4e8f2b67.html
Retrieved on: 18 August 2025.

[28] The ASEAN–Republic of Korea Free Trade Agreement (AKFTA) was initiated in 2005, seeking to liberalize trade in goods, services, and investment between AMS and RoK, thereby advancing regional economic integration and cooperation. Concluded through a series of agreements signed between 2005 and 2009 and entering into force predominantly in January 2010, the AKFTA establishes preferential trade arrangements, reduces tariff barriers, and fosters investment flows—collectively to cultivate a more open, efficient, and inclusive market environment region-wide. More on: https://www.asean.org/wp-content/uploads/images/resources/ASEAN%20Publication/2013%20(11.%20Nov)%20-%20AKFTA.pdf

Comprehensive Economic Partnership (AJCEP)[29] (Ha & Korwatanasakul, 2023, 1-20). Breaking down thoroughly to the ACFTA, more solid empirics have been emphasized in the Digital Economy Chapter (DE Chapter) on the establishment of the Committee of Digital Economy (CDE) and Committee of Trade in Goods (CTG) in place taking charge/response and measures as a de facto mechanism.[30]

Consequently, the far-reaching enactment positions Southeast Asia to take precautionary measurements retrospectively and prospectively. Through in-depth observation and analysis, AMS has made significant progress in standardizing policies regarding deepfake proliferation, using the European Union (EU) AI Act as a model.[31]

ASEAN-RoK consequently are working to upgrade the AKFTA, particularly focusing on the digital economy with discussions around modernizing the FTA to address future needs. This effort is driven by the rapid evolution of the global trade landscape, the increasing importance of digital trade, and the shared goal of harnessing digital technologies to boost competitiveness and foster economic integration, according to recent ASEAN-Korea dialogues and meetings. More on: https://asean.org/wp-content/uploads/2024/09/AEM-ROK-21-Joint-Media-Statement-adopted.pdf

[29] The ASEAN–Japan Comprehensive Economic Partnership (AJCEP) is a multilateral agreement that was signed in 2008 and went into effect in December 2008, aiming to strengthen economic ties between AMS and Japan through the liberalization of trade in goods and services, the facilitation of investment, and enhanced cooperation in strategic sectors such as human resource development, information and communication technology, and environmental sustainability. AJCEP sought to establish a broad and efficient regional market by offering benefits including reduced tariffs and flexible rules of origin for businesses and consumers, building upon existing bilateral Economic Partnership Agreements (EPAs). Subsequent amendments of the AJCEP have progressively expanded the agreement's scope, particularly in the areas of services and investment. ASEAN and Japan, therefore, are proactively engaged and updated in modernizing their digital economy cooperation and efforts following the ongoing initiatives as the ASEAN-Japan Economic Resilience Action Plan. Unlike the PRC and RoK, there is no ASEAN-Japan Free Trade Agreement (AJFTA)—yet ASEAN and Japan have been working collaboratively on digital infrastructure, capacity building, cybersecurity, data governance, and digital trade enhancement for a more integrated and competitive regional economy and digital ecosystem. Retrieved on 18 August 2025. More on: https://www.eria.org/uploads/ASEAN-Japan-Economic-Partnership-for-a-Sustainable-and-Resilient-Future-rev3.pdf

[30] Despite the ACFTA, there is no further prominent articulation on the joint task forces or coordinated working groups in the AKFTA and AJCEP as a de facto or implementing mechanism or operational body; instead, they rely on existing ASEAN mechanisms and ministerial bodies for oversight and coordination, indicating a preference for integrated regional cooperation rather than a specific, new joint structure. Retrieved on 18 August 2025. More on: (1) https://asean.org/our-communities/economic-community/integration-with-global-economy/asean-korea-free-trade/; (2) https://fta.miti.gov.my/index.php/pages/view/asean-japan

[31] The Artificial Intelligence Act (AI Act) marks a pioneering effort by the EU to establish the first comprehensive regulatory framework for AI in a major jurisdiction. The regulation classifies AI systems into three distinct risk categories. First, systems deemed to pose an unacceptable risk, such as government-administered social scoring mechanisms comparable to those implemented in China, are explicitly prohibited. Second, high-risk AI applications, including tools that screen and rank job applicants based on CV analysis, are subject to stringent legal obligations concerning transparency,

The well-established act has reshaped global jurisprudential discourse, in particular in the Indo-Pacific region, considering the risk-based framework for AI governance (AI Asia Pacific Institute, 2024).[32] In parallel, each individual AMS has further leveraged the General Data Protection Regulation (GDPR)[33] as a benchmark that elevates global data protection standards. This is often referred to as the 'Brussels Effect' as to catalyze the adoption of GDPR-aligned principles across the region and prompt legislative reforms (Taqiya, 2025), specifically the amendments to Singapore's Personal Data Protection Act (PDPA),[34] the enactment of Thailand's Personal Data Protection Act

accountability, and human oversight. Third, AI systems not categorized as either prohibited or high-risk are largely exempt from regulatory constraints, though they may still be subject to general consumer protection and data governance laws. Retrieved on 18 August 2025. More on: https://artificialintelligenceact.eu/

[32] The EU AI Act does not fully address deepfake threats, but its framework has catalyzed international dialogue on regulating Gen AI content, which has been put and taken into account for ASEAN. Puckett, S. (2025, May 1). *Deepfakes Know No Borders: How the EU AI Act Paves the Way for AI Regulation*. *Denver Journal of International Law and Policy*, 54. Retrieved on 18 August 2025. More on: https://djilp.org/deepfakes-know-no-borders-how-the-european-union-artificial-intelligence-act-paves-the-way-for-ai-regulation/

[33] The General Data Protection Regulation (GDPR or Regulation (EU) 2016/679) is the primary and comprehensive law enhancing individuals' rights and setting restriction rules and obligations for organizations handling personal data. This act governs over the processing of personal data pertaining to individuals within the European Economic Area (EEA), disregarding the geographic location of the data controller or processor. It also regulates the transfer of personal data to jurisdictions outside the EU. The regulation enshrines foundational principles such as data minimization, purpose limitation, and transparency, and imposes substantial penalties for noncompliance, thereby reinforcing accountability and safeguarding individual privacy rights. Retrieved on 19 August 2025. More on: https://commission.europa.eu/law/law-topic/data-protection/legal-framework-eu-data-protection_en

[34] Singapore's Personal Data Protection Act (PDPA) was enacted in 2012, serving as a comprehensive legal framework governing the collection, use, and disclosure of personal data by private sector organizations. The legislation aims to safeguard individual privacy while facilitating responsible and transparent data practices that support legitimate business operations and innovation. Signifying the emergence of digital technologies, the Singapore PDPA was revised and amended by 2020, which included a requirement for mandatory notification of data breaches, a data portability obligation, expanded grounds for processing personal data without consent (for public interest, business improvement, etc.), and added new offenses and enhanced enforcement powers for the Personal Data Protection Commission (PDPC). These changes aim to strengthen individual rights, boost consumer trust, support innovation, and enhance overall data protection and organizational accountability. Retrieved on 19 August 2025. More on: https://www.pdpc.gov.sg/news-and-events/announcements/2022/09/amendments-to-enforcement-under-the-personal-data-protection-act-in-updated-advisory-guidelines-and-guide

(PDPA),[35] and Vietnam's Personal Data Protection Law (PDPL)[36] and Vietnam's Data Privacy Regulations (DVR).[37] This normative convergence toward EU standards reflects a strategic effort to enhance consumer trust, enable cross-border digital trade, and safeguard personal privacy within the evolving digital economy, but it inadequately minimizes risks and threats conveyed by deepfake technologies individually, economically, and socio-politically (Bird & Lindenmann, 2024).[38]

Conclusion

The deepfake proliferation in Southeast Asia draws a complex intersection of rapid technological innovation, evolving legal frameworks, and pressing socio-political

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[35] Thailand's Personal Data Protection Act (PDPA) was officially enacted in 2019, representing the country's first comprehensive legal framework for personal data protection, which took effect on 1 June 2022. The PDPA governs the collection, use, disclosure, and cross-border transfer of personal data by both domestic and international entities. This act confers specifically on the rights of individuals over their personal information and imposes compliance obligations on organizations, including transparency, consent, and data security requirements. Oversight and enforcement are administered by the Personal Data Protection Committee (PDPC), which is empowered to impose administrative penalties for non-compliance. The PDPA applies extraterritorially to organizations outside Thailand that offer goods or services to, or monitor the behavior of, individuals residing within the country. Retrieved on 18 August 2025. More on: https://www.nortonrosefulbright.com/en/knowledge/publications/e29d223d/overview-of-thailand-personal-data-protection-act-be2562-2019

[36] Vietnam's Personal Data Protection Law (PDPL) establishes a set of prohibitions aimed at safeguarding personal data and ensuring responsible data handling practices. Specifically, it prohibits the use of another individual's personal data or the authorization of others to use one's own personal data for the purpose of committing unlawful acts. Additionally, the buying or selling of personal data is strictly forbidden unless explicitly permitted under applicable legal provisions. These measures are applicably designed to reinforce data sovereignty, deter misuse, and uphold individual privacy rights within Vietnam's evolving digital regulatory landscape. More on: https://www.dlapiperdataprotection.com/?t=law&c=VN

[37] Leading by the Vietnam's PDPL in 2025, Vietnam has established the Data Privacy Regulations (DVR), emphasizing consent as the primary legal basis for processing personal data, with strict requirements for clarity, voluntariness, and the separation of consent for different purposes. The law also allows data sharing and processing without consent in specific cases, such as protecting legitimate rights or fulfilling contractual obligations. A notable prohibition is the purchase and sale of personal data, with consent serving as a limited exception for such activities under specific circumstances. With a new set of laws, Vietnam is set to take effect on January 1, 2026. Retrieved on 18 August, 2025. More on: https://www.tilleke.com/insights/vietnam-issues-personal-data-protection-law/#:~:text=Vietnam's%20new%20Personal%20Data%20Protection,replaced%20by%20this%20new%20decree

[38] Singapore, Thailand, and Vietnam have been examining emerging AI legislation shaped by the European Union's regulatory model, with particular emphasis on various domains such as Gen AI and algorithmic transparency. More on: https://technologyquotient.freshfields.com/post/102jl88/eu-ai-act-unpacked-the-spillover-effect-in-asia-part-1-binding-ai-regulation-i

imperatives. Though the difficulties and uncertainties are negatively in place, it is majorly important to utilize digital technologies and signify jurisprudential responses and measures. This wide-comprehensible exhibition of risks and tensions of such technologies, which may negatively or positively impact individual harm, economic defacement, and socio-political constraints, ASEAN "must" seize the "Preconceived Notions (or Preconception)" towards deepfake proliferation, especially Gen AI as a whole. This requires each individual country to take precautionary measures and implement mechanisms for the wide-ranging enactment retrospectively and prospectively, more specifically for AMS as the central arena of the Indo-Pacific in strengthening political security, advancing their socio-economic growth, and utilizing digital technological emergence to the maximum extent.

Practically adhering to the firm considerations, ASEAN shall take into account and contemplate the necessities of ethical and constitutional considerations. As a result, effective and efficient regulatory and legal mechanisms to deepfake in Southeast Asia may require a multilayered strategy that combines structural and organizational safeguards, ethical AI governance, strong legislative tools, and regional cooperation. This unified approach is critical for limiting the social and democratic concerns presented by Gen AI, as well as allowing the area to leverage technology developments for equitable socioeconomic growth amidst the global digital upheaval.

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