

Challenges for ASEAN Regional Cooperation: Overcoming Drugs Trafficking in Southeast Asia

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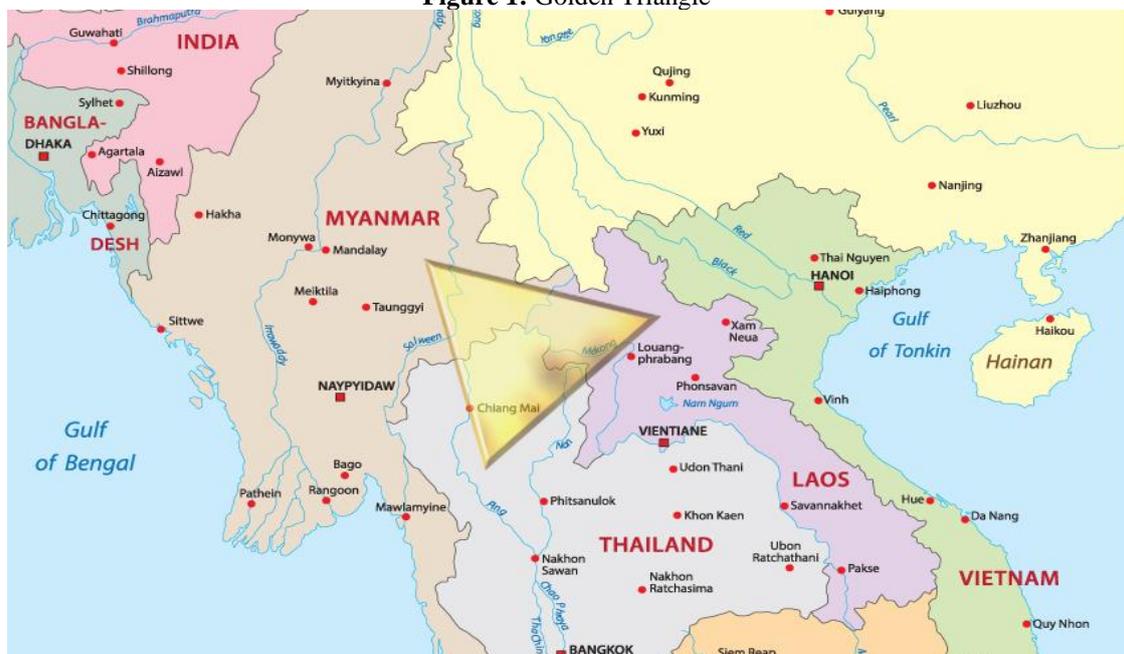
Abstract: This study aimed to explore the challenges faced in the implementation of ASEAN regional cooperation in overcoming drugs trafficking in Southeast Asia. The study was conducted by using a qualitative approach and a depth investigation. Data from this study consisted of secondary data through literature study and analysis of documents and primary data obtained from resource person who are relevant and reliable as well as through field research. The result indicated that there are various challenges faced in the implementation of ASEAN regional cooperation: (1) non-enforcement cooperation model; (2) weak national law so feach country; (3) geographical condition facilitate illegal drug trafficking; (4) drugs trafficking are transnational crime and well organized crime, (5) unequale radication between demand and supply side; (6) partiale radication in their respective domestic areas, (7) Drugs trafficking is a business with fantastic and promising economic value.

Keywords: Drugs trafficking, Regional Cooperation, ASEAN.

1. Introduction

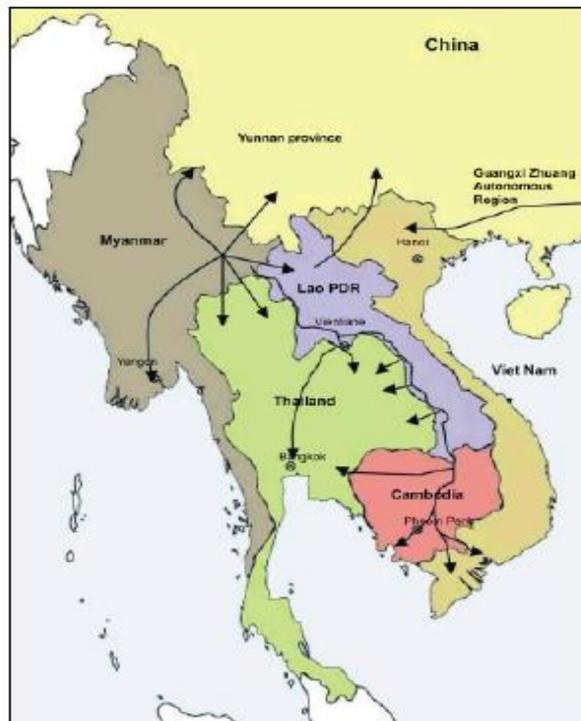
Southeast Asia region became one of the world's opium production based, known as golden triangle region. The Golden Triangle consists of Northern Thailand, Western Laos, and Eastern Myanmar. In this region, opium is cultivated and then processed and distributed to various countries in the Southeast Asia region to the global. The golden triangle occupied a major position as a major trafficking of methamphetamine (see figure 2). Initially, Opium was the primary product yet subsequently replaced with various synthetic drug-producing products such as methamphetamine (ATS type) or familiar in Indonesia as shabu. ATS is growing rapidly because it is a chemical drug and cheaper production costs.

Figure 1: Golden Triangle



Source: <https://www.quantumbooks.com/other/politics-and-society/southeast-asia-drug-war-what-exactly-is-the-golden-triangle/>

Figure 2: The Main Trading Route for Heroin and ATS at GMS



Source: UNODC Regional Centre for East Asia and the Pacific, 2008

A side from being a production base, Southeast Asia becomes a very potential market with a population estimated at 647,483,721 million people (worldometers, 2018) (see table 1). According to UNODC data in 2014, The illegal drug users in Asia is the largest, with 4.65 million inhabitants, and around 3, 26 million users are from Southeast Asia and East Asia.

Table 1: Southeast Countries by population (2018)

No.	Negara	Jumlahpenduduk
1.	Indonesia	263,991,379
2.	Philippines	104, 918, 090
3.	Vietnam	95, 540, 800
4.	Thailand	69,037, 513
5.	Myanmar	53, 370, 609
6.	Malaysia	31, 624, 264
7.	Cambodia	16,005, 373
8.	Laos	6, 858, 160
9.	Singapore	5,708, 844
10.	Brunei	428, 697
	Total	647.483.721

Source: worldometer (www.worldometers.info) elaboration of data by United Nations, Department of economic and social Affairs, Population Division. World Population Prospects: The 2015 Revision. (modified)

The problem of drug trafficking and psychotropic products actually has long been taking place in Southeast Asia, especially in the golden triangle region. It serves as a market for heroin products from Afghanistan (Roth, 2010: 25). According to Roth, heroin are produced in three other major locations besides Afghanistan, South America, Mexico, and Southeast Asia (golden triangle). Afghan heroin is usually distributed in Europe through the Middle East but later East Asia and Southeast Asia as new emerging markets.

Drugs trafficking is a real threat to regional and global security, particularly in Southeast Asia. The urgency of drug trafficking is not just about buying and selling between producers and consumers, but the effects on health that can lead to addiction and death, thus threatening the sustainability of the generation. The main issue that made drug trafficking difficult to overcome is in its exclusivity as a part of transnational crime

and well-organized crime. Moreover, the problem of drugs trafficking is always associated with other criminal activities such as arms trade, corruption, money laundering, and human trafficking.

In responding to drug trafficking issues in Southeast Asia, countries in Southeast Asia undertake regional cooperation within the framework of ASEAN since 1972 when ASEAN still has 5 member countries (ASEAN, 2012) through the ASEAN Drugs Experts Meeting on the Prevention and Control of Drug Abuse. Since then, various cooperative and joint commitment have been pursued by countries in Southeast Asia. However, the problem of drugs trafficking is like an endless and increasingly complex. Therefore, this study will examine the challenges in the implementation of ASEAN regional cooperation in overcoming drugs trafficking in Southeast Asia.

2. Concept Framework

2.1 Drugs Trafficking

In order to understand the concept of drugs trafficking, it cannot be reviewed simply but includes a comprehensive range of activities and activities related to this trafficking. Drug trafficking is not limited to merely buying and selling, but includes the cultivation, processing, distribution and sale of illegal substances which globally prohibited. According to the United Nations Office on Drugs and Crime (UNODC, n.d): "Drugs Trafficking is a global illicit trade involving the cultivation, manufacture, distribution and sale of substances which are subject to drug prohibition laws". This means that the issue of drug trafficking is not limited to merely buying and selling, but includes the cultivation, processing, distribution and sale of substances prohibited by law globally.

More specifically, the problem of drug trafficking is divided into three interrelated parts: (1) the problem of drug production issues include cultivation of plants which are the raw material for the manufacture of dangerous drugs such as coca plants as raw materials of cocaine, poppy flower as a raw material of heroin and cannabis or marijuana processed into hashish and marijuana; as well as processing the raw materials until ready to be traded and consumed. (2) illicit trafficking including all post-harvest and post-processing activities up to the hands of users, including transporting, smuggling, and trafficking of illicit drugs (3) drug abuse, which is the last link of the drug problem, that is, the use of harmful medicines by consumers which gives bad effect to health (Deplu RI, 2000:21).

Drugs trafficking is part of transnational crime and organized crime. Europol (n.d) explained that Drug trafficking is big business, bringing in a fifth of all profits from organized crime. It ravishes communities, endangers businesses, strains government institutions, and drags down the wider economy. Drugs and drug trafficking show how they are related to other criminal activities, such as the rank exploitation of labourers; they create a strain on government institutions; they are linked to terrorist activities; they have a serious impact on legitimate business; they drag down the wider economy; they have untold consequences for individuals, families and communities.

2.2 Regional Cooperation

Budiono (in Soeprapto, 1997: 181-186) divides international cooperation into four forms, those are: global cooperation, regional cooperation, functional cooperation and ideological cooperation. More specifically, regional cooperation is described as a geographically close cooperation between countries. Cooperation is usually in the field of defense, law, culture and so on. Some of the factors which lead to regional cooperation are geographic proximity, residential equality and identity, the prospect of mutual benefits when working together or because of a common perception of external threats and usually as a container to respond to challenges from outside the region that can disrupt the stability of the region, including in the threat of transnational crime.

Similarly, Hurrell (1995: 38) explained that one model of regionalism is regional interstate cooperation, which is cooperation established for certain purposes, such as facing external challenges and coordinating regional in international institutions as well as in negotiations. In addition, according to Hurrell, regional cooperation will be able to improve the stability of security, an understanding of common values and to solve common problems, especially problems arising from the increase of interdependence in a region.

In this context, the cooperation undertaken by the state in Southeast Asia is a regional cooperation within the framework of ASEAN in overcoming drug trafficking that threaten the stability of the state, regional and even global.

3. Discussion

3.1 The Threat of Drugs Trafficking in Southeast Asia

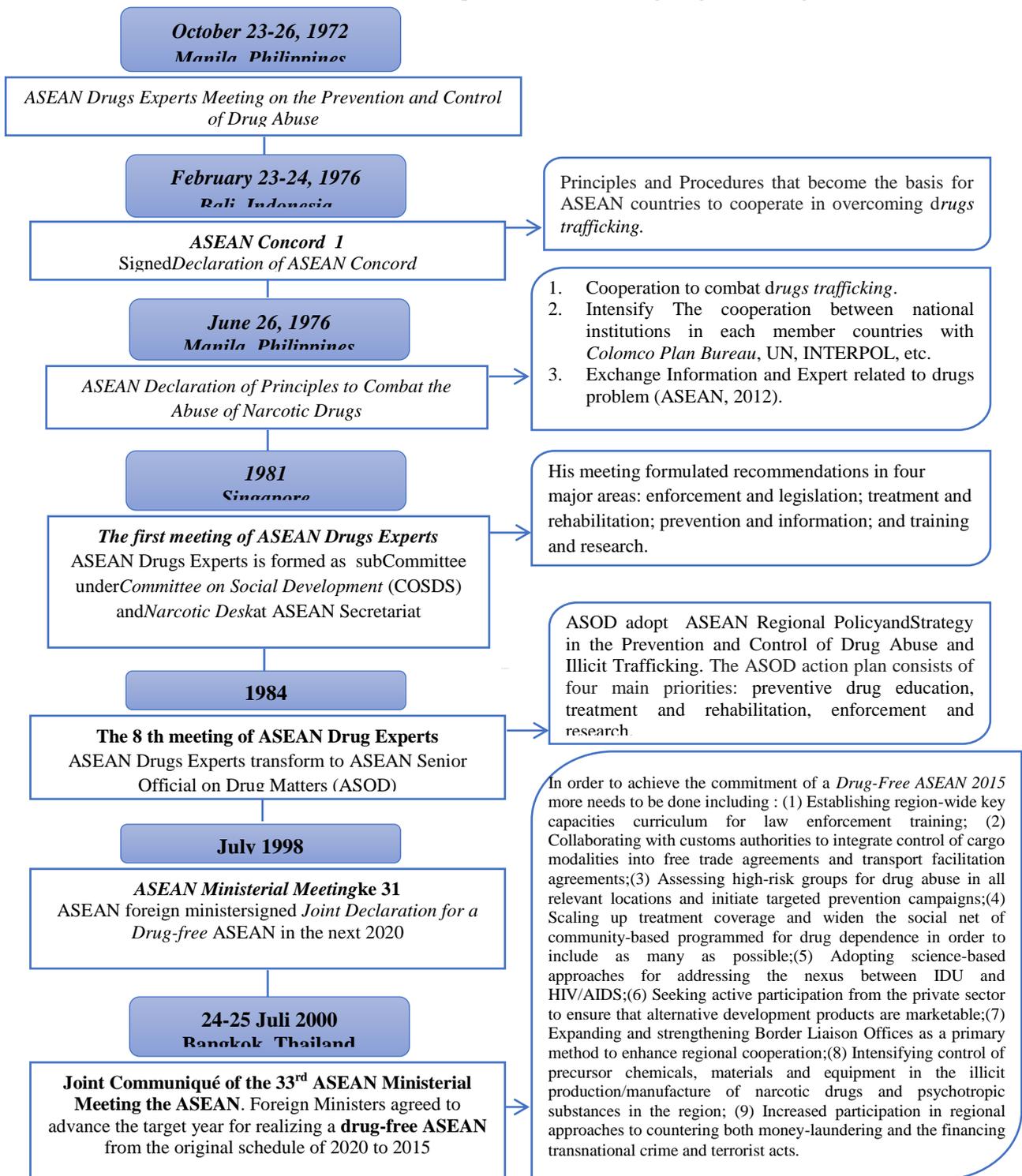
The problem of drugs trafficking has long been a real threat in Southeast Asia, especially in the golden triangle region. During the 1970s and 1980s, the golden triangle became known as the world's opium growing, producing and trading center, its area growing by 23.65% from 159,411 hectares in 1988 to 197,106 hectares in 1993. Myanmar acts as the largest producer of opium in Southeast Asia region. Even between 1981-1987, Myanmar was the world's largest producer of opium, which reached 700 metric tons per year. This has drastically changed since the Afghan war in October 2001 and the collapse of the Taliban regime. Afghanistan become a producer of poppies opium in the world while Laos is the third largest producer of opium in the world after Afghanistan and Myanmar (Roza, 2012: 6). Various efforts to overcome the problem of drugs and psychotropic substances was quite effective in suppressing the area of opium cultivation. At the end of the second millennium, the area of opium cultivation shrank by 19.30% to 128,642 hectares.

In further development, drug traffickers in the Golden Triangle diversified their activities to meet the increasing demand for synthetic drugs. Ease in synthetic drug production process has encouraged the changing trend of illicit drug trafficking. The drug distribution of plant type such as heroin, cocaine and marijuana previously dominant has been replaced with narcotics from synthesis materials such as shabu-shabu and ecstasy that rapidly increased almost worldwide. Myanmar later became the largest manufacturer of Stimulant Type Amphetamin (ATS) such as methamphetamine (sabu-sabu) in Asia and is still the second largest producer of opium in the world.

3.2 ASEAN Regional Cooperation and Challenges in Overcoming Drug Trafficking

Collective efforts and commitments to overcome the problem of drug trafficking have been initiated since 1972 by countries in Southeast Asia within the institutional framework of ASEAN. The various cooperation can be seen in the following chart:

Chart 1 ASEAN Cooperation in Overcoming drugs trafficking



Prior to the formation of the Drug Free ASEAN, various cooperation that existed not considered effective. Thus, raises a big question, what are the obstacles? what challenges are faced in implementing ASEAN cooperation, that made not been effective in overcoming the problem of drug trafficking?

There are several challenges faced in the implementation of such cooperation. **First**, the non-enforcement model of cooperation, a cooperative model involving international decision-making and stronger forms of international supervision. ASEAN regional cooperation initially was only declaratory because ASEAN only produced international norms without international decision-making authority. This is proved by various agreements on the principles of anti-drug abuse approved by ASEAN countries such as the Declaration of ASEAN Concord and the ASEAN Declaration of Principles to Combat the Abuse of Narcotics Drugs in 1976. In both declarations, ASEAN countries are only jointly encouraged to intensify cooperation in order to combat drug trafficking, without any clarity about the structure of cooperation to be used. In addition, the nature of other cooperation is more promotional and implementation. Promotional nature means there are several joint activities that can be done. Such activities include the exchange of information between countries, the promotion of international norms and assistance to a country, and perhaps a weak oversight of the implementation of international norms in a country. While implementational means there are weaker supervisory procedures, policy coordination and some form of information exchange among member countries. This was shown by the 1984 agreement of the Regional Policy and Strategy in the Prevention and Control of Drug Abuse and Illicit Trafficking which became the basis for broader cooperation including limited exchange of information and more effective strategy coordination (Nugroho, 2015).

Second, a weak national law of each country. Every country in Southeast Asia has the sovereignty to regulate its own national law, whether in the form of a law or state institution governing narcotics and psychotropic substances. Each country also varies in the implementation of rules in its territory as well as law enforcement. It is not surprising that every country has different rules or mechanisms in executing the criminals who commit drug trafficking activities. The issue that arises is when the country is less capable in enforcing the national law. Transnational criminal organizations will tend to choose the weak law enforcement countries to carry out their operations, ranging from making the country a temporary production, storage or warehouse, a place of distribution to a global market or making it a market of drugs trafficking. This can be happened if a country has a weak and corrupt police and criminal justice, a relatively mild term of punishment for producers and drug dealers, and even the absence of special legal instruments to arrest narcotics dealers and the involvement of law enforcer in drugs trafficking. Weak law enforcement can be seen from the number of cases and the number of drug abuse continues to occur. Even in Indonesia, cases of drugs trafficking are revealed to be controlled from within the bars due to the omission by the apparatus (NetTV, 2017).

Third, the condition and geographical position become an important domain in supporting and facilitating illegal drug distribution as well as a challenge for all countries in overcoming drugs trafficking. Southeast Asia lies between the Continent of Australia and the mainland of the Asian Continent as well as the Indian and Pacific Oceans. This region connects Western and Eastern countries so that the area is beneficial for the increase in trade activities in Southeast Asia, including illegal drug and psychotropic trafficking. In addition, its location adjacent to the Golden Crescent region (one of Asia's largest opium production bases besides golden triangle) such as Afghanistan, Iran and Pakistan, further facilitates drug trafficking transactions between countries and regions. Viewed from the geographical conditions of several countries in Southeast Asia, for example, Indonesia which has many islands and small ports will open the opportunity for drug trafficking transactions and supported by strategic shipping lane as the main choice in distributing narcotics and psychotropic. The case in 2017 revealed by 1 ton in Anyer, following in Batam and early 2018 is 1 ton entirely distributed by sea.

Fourth, Drugs trafficking is a transnational crime and organized crime. Drugs trafficking is controlled by a neatly structured network, or mafia, with many diverse operational modes and is able to utilize various technologies. The pattern of network tends to be disconnected. If a courier and a user are arrested, they never know who the leader or power behind the crime. It leaves no trace and evidence, causing the drug trafficking problem to remain fertile, because the root of the problem (producer / big boss) is not reachable. In addition, a specialized division of work in which sponsors, distributors, couriers and dealers have their own skills and roles. They also have rules to maintain confidentiality, the activities of the perpetrators of drug crimes are highly confidential and only certain people who can enter the drug circle (Amin, 2017). The issue of drugs trafficking is also dominated by people who are not reluctant to commit acts of violence and murder. Drug mafia can be so cruel and justify any means to achieve their goal to keep gaining big profits from this illicit business. Not to mention, they also have connections and lobbies to multinationals, government officials and law enforcer (Ansyori: 2015). Not surprisingly, if these crimes are often referred to as "extraordinary" crimes, so the way in dealing cannot be in a "ordinary" but must be in an "extraordinary" mode.

Fifth, the unequal eradication between demand and supply side. ASEAN cooperation through drug free ASEAN tries to accommodate this problem, solving the problems of demand and supply side. Drug trafficking basically arises when there is supply and demand. Overcoming this problem also through great emphasis on demand and supply. When the focus of problem solving focuses only on the demand problem in this case the consumer, then the suppliers will soon find a new consumer. Vice versa, when that is emphasized only on supply side, it will emerge new drug dealers and distributor because there is still demand from consumers. Narcotics and psychotropic substances are the necessities for the victims, just like the Indonesian people need for rice. This resulted in the flow of narcotics and psychotropic trade will always flourish because of the demand from consumers who have experienced addiction. Drug traffickers will also always try to expand their market and consumers, starting from trial and error for free and ultimately addicted and willing to pay at any price to meet their needs for narcotics and psychotropics. Therefore, to overcome this, in accordance with ASEAN Drug Free, the emphasis should be made from the supply and demand in a balanced way (Amin & Farhan, 2017).

Sixth, Partial Eradication in their respective domestic areas. This is often being the main problem due to diversity in law and crime handling mechanisms in each ASEAN country. In addition, the commitment of cooperation is often hampered by sovereignty or the principle of non-interfering with the domestic affairs of other countries. Nevertheless, intensive cooperation, high commitment and cross-country coordination but with respect to the sovereignty of other countries. However, partial eradication will not work effectively in overcoming crimes across national borders (transnational).

Seventh, Drugs trafficking is a business with fantastic economic value and promising. This business is a profitable business because it can turn out revenues up to billions and trillions of rupiah. Economic factor becomes its own attraction so that business is still very massive, especially in ASEAN region. The availability of narcotics and psychotropic substances and the breadth of the market and the number of consumers in the Southeast Asian region, makes this business grow and difficult to overcome. Nursim (2017) states that "what makes the drug business incessant? we or the government basically, has done many things to deal with. We make endless efforts and endeavors, but this business is great, very well organized and neat. Interestingly, this is probably the only product that is increasingly hidden but increasingly sought after. It does not need to be promoted with advertising, especially billboardsto invite consumers and buying. Free to try at first, but the users are the ones who will sharply seek the dealers because of the addiction. This is a product that does not require a discount butstill in favor to behunted by users who already addicted".

4. Conclusion

Overcoming the problem of drugs trafficking is not easy. Its nature across national borders causes these crimes can not be partially solved in their respective domestic areas. The important thing to do to the various cooperation in the form of convention or agreement is by executing the result of agreement with high commitment and coordination. This issue still leaves a ton of homework A massive participation of all parties from personal, community, state to regional and global cooperation is needed to overcome this extraordinary crime.

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