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Fakultas Hukum Universitas Airlangga, Jalan Dharmawangsa Dalam Selatan

Surabaya, 60286 Indonesia, +6231-5023151/5023252

Fax +6231-5020454, E-mail: yuridika@fh.unair.ac.id

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ASEAN States Cooperation in the Control and Prevention of Illicit Drugs Trafficking

Sinar Aju Wulandari and Putri Kirana

sinar.aju@fh.unair.ac.id

Universitas Airlangga, Indonesia

Abstract

The high modus operandi and increasing technological sophistication have implicate the transnational movement of illicit drug trafficking. The phenomenon of increased narcotics crime cases poses a threat to countries, including those in the ASEAN region. This type of crime poses a threat to the production and trade of illegal drugs. ASEAN, as a regional organization in Southeast Asia, is still facing several challenges, particularly the commitment of its member countries to combating illicit drug trafficking. Aside from funding issues, geographical location, cultural challenges, and social customs are all factors influencing the speed with which narcotics are handled. Several programs were initiated by each country in the ASEAN region with the primary goal of collaborating to reduce narcotics distribution and abuse. This article aims to analyze the sustainability of the ASEAN 2015 Drug-Free Program and the role of UNODC in the ASEAN region. The normative legal research method was used in this article, with primary and secondary legal sources. The article concludes that the program for dealing with narcotics crime begins with the ASEAN drug-free declaration, which harmonizes member countries' perspectives through their representatives to eliminate the cultivation, consumption, and trade of narcotics across national borders. As an international organization, UNODC (United Nations Office on Crime and Drugs) exists to facilitate cooperation and coordination through programs initiated with special narcotics agencies from each member country. Coordination between the two organizations is critical for the successful implementation of the program that has been initiated.

Keywords: ASEAN; Drugs; Control.

Introduction

Representatives of ASEAN (Association of South East Asian Nations) countries agreed to sign the Joint Declaration For A Drug-Free ASEAN in 1998, with various targets to be met by 2020. However, the ambitions of countries to achieve ASEAN as a drug-free region resulted in a new agreement to accelerate the

target through the Agreement of the ASEAN Foreign Ministers in the 33rd ASEAN Ministerial Meeting.¹ This lofty goal is inseparable from the increasing level of narcotics abuser population. In 2020, the ASEAN region had 421,651 abusers, with decreases in Cambodia, the Philippines, Malaysia, Singapore, and Thailand, but increases in five other countries since 2019.²

Narcotics crime is one of the biggest transnational crimes in the world. According to the World Drug Report, around 284 million persons aged 15 to 64 took drugs globally in 2020, a 26% rise over the preceding decade.³ In this case, the family plays an important role in efforts to reduce the level of narcotics abuse, because children at the golden age first understand moral values and societal aspects.⁴ The effects of narcotic use are felt not only by the user but also by his or her family. Narcotics are a class of substances or drugs derived from plants or non-plants in the form of synthesis or semi-synthesis with a numbing effect to eliminate consciousness and pain with a high addictive potential.⁵ To address the increasing prevalence of narcotics use, it is necessary to identify the source of the problem. Several factors can contribute to a person's involvement in narcotics trafficking, including personality, family, environment, education, and vulnerable population.⁶ The definition of narcotics distribution is nearly identical to the definition of psychotropic circulation; the only difference is that narcotics distribution is intended

¹ 'Joint Communique of The 33rd ASEAN Ministerial Meeting Bangkok, Thailand, 24-25 July 2000' Para. 56 <<https://asean.org/joint-communique-of-the-33rd-asean-ministerial-meeting-bangkok-thailand-24-25-july-2000/>>.

² M Kanato, R Sarasiri and P Leyatikul, 'ASEAN Drug Monitoring Report 2020. Bangkok: ASEAN Narcotics Cooperation Center'. [2].

³ Brian Hansford, 'UNODC World Drug Report 2022 Highlights Trends on Cannabis Post-Legalization, Environmental Impacts of Illicit Drugs, and Drug Use among Women and Youth' (*United Nations Office on Drugs and Crime*, 2022) <<https://www.unodc.org/unodc/press/releases/2022/June/unodc-world-drug-report-2022-highlights-trends-on-cannabis-post-legalization--environmental-impacts-of-illicit-drugs--and-drug-use-among-women-and-youth.html>> accessed 27 October 2023.

⁴ AM Kartaatmaja, 'Menuju Asean Bebas Narkoba 2015: Situasi Penyalahgunaan Narkoba Di Indonesia' (2014) 5 *Aspirasi*. [59].

⁵ Rendi Prayuda and Syafri Harto, *ASEAN Dan Kejahatan Transnasional Narkotika (Prob-lematika, Dinamika, dan Tantangan)* (Ombak 2020). [61-62].

⁶ Oktir Nebi, 'Faktor Penyebab Pengguna Narkotika Di Kalangan Masyarakat' (2019) 3 *Wajah Hukum*. [82].

for the needs of health services and the advancement of knowledge.⁷

Narcotics trafficking has been taking place in the Southeast Asian region since the nineteenth century. The Golden Triangle, which connects the Northern part of Thailand, the North-eastern part of Myanmar, and the North-western part of Laos is known as the center of world opium production.⁸ The increase in opium production contributes to the spread of illegal drug variants around the world. This rapid and organized circulation of narcotics has made it known as a form of transnational crime, with this term this crime is frequently associated with globalization (from social, economic, and cultural conditions).⁹ Crime in the Southeast Asian region is not limited to production activities; it also involves cross-country smuggling and serves as a transit zone for the distribution of narcotics to countries across continents. The cartels use this to supply and spread people's reliance on the availability of various types of narcotics. To fulfill ASEAN's mandate of coordinating against transnational crime, each member country that has declared it in the ASEAN Joint Declaration For A Drug-Free Asia must increase its efforts to realize the vision and mission.

Sustainability of the 2015 ASEAN Drug-Free Program

The rise in drug abuse as a transnational or cross-border crime poses a serious threat to countries, particularly those in the ASEAN region. This narcotics threat has prompted ASEAN to work with countries to combat drug trafficking and transnational crime. The policy for combating narcotics crimes was first agreed upon in 1972 at the ASEAN Drugs Experts Meeting on the Prevention and Control of Drug Abuse, which was held in Manila at the end of October 1972. This ASEAN regional declaration includes joint activities such as:¹⁰

⁷ Gatot Supramono, *Hukum Narkoba Indonesia* (Djambatan 2004).[172].

⁸ Nathan Harper and Nathan Tempa, 'Drug Trafficking in the Golden Triangle: The Myanmar Problem and ASEAN Effectiveness' (2019) 1 *Jurnal Sentris*. [116].

⁹ Rendi Prayuda and Syafri Harto, (n.5).[67].

¹⁰ Devi Anggraini, 'Kebijakan ASEAN Dalam Menanggulangi Penyalahgunaan Narkotika Dan Obat-Obatan Berbahaya Di Asia Tenggara' (2016) 5 *Jurnal Analisa Hubungan Internasional*. [36].

1. The shared perspectives, approaches, and strategies for combating narcotics crime.
2. Harmonization of narcotics laws and regulations.
3. The establishment of national coordinating bodies in each member country.
4. Bilateral, regional, and even international cooperation among ASEAN member countries.

Since 1976, ASEAN drug control cooperation has been institutionalized regionally as part of the ASEAN Drug Experts Conference. The establishment of The ASEAN Senior Officials on Drug Matters (ASOD) in 1984, along with the adoption of ASEAN against the provisions of the Regional Policy and Strategy in the Prevention and Control of Drug Abuse and Illicit Trafficking, was the next significant development in ASEAN's efforts to combat the threat of illegal narcotics circulation. As a result, ASEAN Senior Officials on Drug Matters have been formed to handle narcotics using three international organizational approaches: enforcement, managerial, and normative. The enforcement or coercive approach casts the state as a realistic actor who weighs the costs and benefits of reaching an agreement.¹¹ The managerial approach sees the state as a cooperative actor capable of conducting consultations and analysis to reach a non-punitive solution.¹² Lastly, the normative approach views a state's power as an actor with the ability to influence the people and the country to comply with international agreements.¹³ In addition to the state as an actor, society is also required to participate in complying with and implementing international agreements that have been approved by their countries.

ASEAN member countries agreed to establish a narcotics-free ASEAN region as part of their ongoing efforts to combat the spread of narcotics and other illegal drugs. The agreement, which was jointly declared in 1999 and had a completion date of 2020, was accelerated by an agreement at the 2000 ASEAN Ministerial Meeting to be completed in 2015. It was carried forward at subsequent meetings, including the Bangkok Political Declaration in Pursuit of a Drug-Free ASEAN 2015 in 2000,

¹¹ Amalia Ayu L. P., 'Peran ASEAN Senior Officials on Drug Matters (ASOD) Dalam Menanggulangi Perdagangan Narkoba Di Filipina Tahun 2014 - 2019' (Universitas Islam Indonesia 2022), [12-16].

¹² *ibid.* [14].

¹³ *ibid.* [15].

the ASEAN Work Plan on Combating Illicit Drug Production, Trafficking, and Use (2009-2015) in 2009, and the Bali Declaration on ASEAN Community in a Global Community of Nations (Bali Concord III) in 2011. ASEAN is working hard to meet the target. The framework for Drug-Free 2015 is divided into three parts: ACCORD (ASEAN-China Cooperative Operation in Response to Dangerous Drugs), ASOD (ASEAN Senior Officials on Drug Matters), and a Memorandum of Understanding on Narcotics Control Efforts.

The efforts of each country in carrying out the 2015 ASEAN Drug-Free Program certainly play an important role. For example, this can be reflected in Indonesia's response to narcotics cases originating within the country and traveling abroad, Indonesia has strictly enforced rules in its efforts to eradicate narcotics. However, Indonesia's geographical location as a transit and cross-trade route from various countries poses a significant challenge for the BNN (National Narcotics Agency), which was established as a special agency to prevent and deal with drug trafficking in Indonesia. Narcotic activity by sea continues to be the most difficult challenge for BNN supervision, as up to 95 percent of crystal methamphetamine or methamphetamine enters Indonesia by sea due to Indonesia's long coastline.¹⁴ Even though it is regulated in Indonesian laws and regulations, legal sanctions are less effective, therefore the empowerment and public awareness of narcotics abuse are carried out. Not only school-age children are targeted, but also school dropouts, and working and unemployed youth.¹⁵ It is expected that by empowering communities and providing professional training in small areas, the community's entry into the world of narcotics will be reduced.

Other efforts can be seen through the efforts of countries that are referred to as the center of narcotics in ASEAN, the golden triangle which begins with plant cultivation and ends with processing and distribution. Cannabis and kratom, in

¹⁴ Fauzi, '95 Persen Narkotika Masuk Indonesia Lewat Jalur Laut' (*Antara Kalteng*, 2022) <<https://kalteng.antaranews.com/berita/589145/95-persen-narkotika-masuk-indonesia-lewat-jalur-laut>> accessed 30 March 2023.

¹⁵ Amalia Ayu L. P., (n.11).[49].

addition to opium, have been identified as narcotics in Thailand. The products of this cultivation are prioritized to meet local needs, but the high market demand is a factor in the entry of narcotics into Thailand. Thailand's location, which is directly adjacent to three other countries, makes it a strategic location for carrying out illegal narcotics activities. In summary, this problem necessitates a specific policy that governs the implementation of the 2015 ASEAN Drug-Free in Thailand. Making a policy is not only concerned with the demands of formulation; implementation and the resulting impact of the policy are the primary concerns. The main considerations are the elements of interests and needs. As a result, the policy based on the ACCORD Plan of Action Workshop Study on Achieving Drug-Free ASEAN 2015 Status and Recommendation must at the very least cover several steps that ASEAN member countries must take.¹⁶ Start with the elimination of narcotics and other illegal drug fields led by the Royal Thai Authorities with assistance from other law enforcement agencies, such as the Royal Thai Army, Border Patrol Police, and Operation Centers for Combating Drugs, which are spread across various regions and provinces. The Government of Thailand prepared the Pang Mahan Reforestation Project in the form of training, assistance, and support for former narcotics farmers to pursue other alternative jobs.¹⁷ The process continues with law enforcement holding operations to arrest and confiscate narcotics to drastically reduce their circulation.

On the one hand, the Myanmar government took firm steps through two approaches:¹⁸

1. Appointment of efforts to eliminate narcotics as a national task and implementation of a comprehensive strategy.
2. Development and improvement of border ethnic groups' living standards, as well as the abolition of opium cultivation.

¹⁶ Devi Anggraini, (n.10).[48].

¹⁷ United Nations Office on Drugs and Crime, 'Thai Alternative Development Projects Showcased at International Workshop' (*UNODC*, 2011) <<https://www.unodc.org/roseap/en/2011/12/alternative-development-chiang-mai/story.html>>.

¹⁸ Eko Bagus Solihin, 'Peran Myanmar Menanggulangi Penyelundupan Dan Penyalahgunaan Narkoba Dalam Mendukung Pencapaian Drug-Free ASEAN 2015' (Universitas Muhammadiyah Yogyakarta 2016) 8-10. <<https://etd.umy.ac.id/id/eprint/25916/>>.

Inter-ethnic conflict and rebellion were once occupied the government's top priorities; however, an evaluation revealed that ethnic and narcotics issues were equally important. The approach taken by the Myanmar government has been pursued through various programs that began in 1999 and are expected to be completed 20 years later. This program is known as the 20-Year Drug Control Plan which in its implementation is divided into three phases. The eradication of poppy cultivation was prioritized in the first stage.¹⁹ The following stage will concentrate on establishing priorities in the form of drug user rehabilitation, the formation of a special anti-drug team, community participation in supervision, and collaboration with international organizations.²⁰ Aside from that, the Myanmar government will renew its anti-drug strategy by changing institutional countermeasures against narcotics, enacting new laws, particularly regarding money laundering, and re-examining the anti-drug strategy. Myanmar has long used a legal basis in the form of the Drug Hazards Act, which contains 13 chapters containing the prohibition of various types of drug trafficking activities, with a minimum criminal sanction of ten years in prison and a maximum penalty of death. The law enforcement process involves a special agency known as the Central Committee of Drug Abuse Control (CCDAC), as well as collaboration with other law enforcement agencies such as police, prosecutors, and even military assistance.

As it happens, Laos' economic position stems from the people's reliance on opium cultivation during the colonial period. However, through its first narcotics control program, which ran from 1994 to 1999, Laos was able to significantly reduce the presence of opium. Since the early 2000s, UNODC and the US Embassy's Narcotics Affairs have been spreading across Laos to help with the rehabilitation and treatment of opium users. Unlike opium cultivation, which is rooted in poverty, Laos' narcotics and illegal drug problem stems from criminal activity.²¹ The drug problem in Laos fosters corruption, money laundering, and other criminal activities.

¹⁹ Council of the European Union, 'Regional Report on South East Asia and China' (2015) 1.[1].

²⁰ *ibid.*

²¹ United Nations Office on Drugs and Crime, 'The Government of the Lao PDR: National Drug Control Master Plan 2009-2013'. [4].

The following evolution of The National Drug Control Master Plan demonstrates the increasingly complex narcotics situation:²²

1. 1994-2000: National Drug Control Program (controlling drug use through a phased and balanced approach with an emphasis on developing alternatives).
2. 2000-2006: Balanced Approach to Opium Elimination (development of alternatives, withdrawal of orders to drop, and enforcement).
3. 2006-2009: National Strategy Program for Post-Opium Scenario and Action Plan (through targeted alternative development targeting the poorest 1,100 villages as a priority, withdrawal of requests, citizen awareness, and law enforcement related to the 6th National Socio-Economic Development Plan).
4. 2009-2013: National Drug Control Master Plan (through providing policy directions to the National Steering Committee appointed by the President of Laos in 2001).

By the completion of each country's efforts toward the 2015 ASEAN Drug-Free program, a High-Level Conference was held in Malaysia in 2015. Finally, a meeting of representatives from ASEAN member countries was held to discuss the continuity and sustainability of previously designed programs. The Kuala Lumpur Declaration, which included the ASEAN Community Vision 2025 and the Blueprint of the Three Pillars of the ASEAN Community 2025, was declared to determine the strategic steps for the next ten (ten) years. The ASEAN Vision, unveiled at the 27th ASEAN Summit, defines aspirations for the formation of an ASEAN that is rule-based, people-oriented, and centered. The ASEAN Vision complements the UN's 2030 Agenda for Sustainable Development by raising people's living standards. Concerning the Kuala Lumpur Declaration's efforts to combat narcotics, the strategic steps outlined for a drug-free ASEAN include:²³

1. Encouraging the coordination of stakeholders in the formulation of policies, handling programs, rehabilitation and post-treatment programs, and research related to narcotics abuse.
2. Increasing public awareness and responsibility for the harmful effects of narcotics through community involvement, advocacy, and other activities.

²² *ibid.*[10].

²³ Kementerian Luar Negeri Indonesia, *ASEAN 2025: Melangkah Maju Bersama* (2015). [131-132].

The Role of UNODC in Controlling The Illicit Trafficking of Narcotics in The ASEAN Region

The United Nations Office on Drugs and Crime, (UNODC) is a global organization that leads countries in the fight against illegal drugs, transnational organized crime, terrorism, and corruption. This enables UNODC to take comprehensive steps in addressing interconnected problems from member countries, such as narcotics crimes in the face of the COVID-19 pandemic.²⁴ The UNODC's role is to oversee the implementation of several international conventions, including the United Nations Convention Against Transnational Organized Crime and its three protocols, the United Nations Convention Against Corruption, and the International Drug Control Conventions. The UNODC was founded in 1997 as a merger of two previous international organizations, the United Nations Center for International Crime Prevention and the United Nations International Drug Control Program. According to data from the United Nations Department of Economic and Social Affairs, ASEAN occupies the third position in terms of population in the world.²⁵ Every year, population growth increases in tandem with each country's economic position. This influences the emergence of opportunities for the use of narcotics as a source of income when jobs are scarce in the community. Therefore, strong international coordination and cooperation between member countries and international organizations is required in dealing with the problem of narcotics crime to eradicate it at its root. In recent years, international organizations have developed massively, but it cannot be denied that the linkages between the roles of international organizations and the country's emerging problems influence each other and develop side by side.²⁶ The success of an international organization in dealing with matters within its purview and its ability to influence a country's situation reflects the need for cooperation between the two parties.

²⁴ United Nations Office on Drugs and Crime, *Covid 19 and Drugs: Impact Outlook* (United Nations 2021) <https://www.unodc.org/res/wdr2021/field/WDR21_Booklet_5.pdf>.

²⁵ Kementerian Luar Negeri Indonesia, (n.23).[5].

²⁶ Edward D Mansfield and Jon C Pevehouse, 'Democratization and International Organizations' (2006) 60 *International Organization*. [137].

The primary need of an international organization is its protection against violence.²⁷ The anarchy of the world wars demonstrates the need for international organization. Delaying the formation of international organizations until nations recognize the importance of law and order in society will not accelerate their realization.²⁸ Security from crime should be understood as a matter of guaranteeing to each of its members that the important needs of their people will be taken into account in policy formulation, rather than simply maintaining the political status quo. To put it another way, what must be achieved by an organization is to fulfill the primary needs of crime prevention and fulfillment of peace. Clive Archer divides the role of international organizations into 3 categories:²⁹

a. International Organization as an instrument

International organizations play an important role in achieving each member country's national interests. Related to this case, instruments are tools that can influence the state's thoughts, actions, and even delegation of affairs if necessary.

b. International Organization as an arena

International organizations in their capacity as an arena can be used by member countries as a space for discussing issues that are being or will be handled. International organizations play a role in providing a venue for cooperation, discussion, negotiation, and idea exchange. Aside from being a great space, international organizations play a role in data and information preparation, offering suggestions and problem-solving strategies that can lead to an agreement, either in the form of agreements or contracts and guidelines.

c. International Organizations as autonomous actors

As an independent actor, the organization is considered to be able to decide

²⁷ CG Fenwick, 'The Role of Organization in International Law' (2017) 35 American Society of International Law 524 <<https://www.cambridge.org/core/journals/american-journal-of-international-law/article/role-of-organization-in-international-law/3B5642DB1833E406C6C36E9D132742ED>>.

²⁸ *ibid.*[526].

²⁹ Agung Banyu Perwita and Yani Yanyan Mochamad, *Pengantar Hubungan Internasional* (Remaja Rosdakarya 2005).[95].

without any encouragement, coercion, or interference from power or things that come from outside the organization. Actors here are meant as actors whose actions are not stated but who can make decisions that are within their scope. The capacity of international organizations as actors depends on the size, mandate, and orders that encourage member states to take actions that are different from what is usually done.

UNODC is a global leader who fights against illicit drugs and international crime and is responsible for implementing the UN program against terrorism.³⁰ This role is related to international organizations as in actively carrying out its role in ASEAN cooperates with various countries regarding the programs of each member country to design efforts and strategies that will be carried out for several years or one period in the future. The existence of the market for narcotics and their precursors in Southeast Asia is expanding rapidly, particularly in Northern Myanmar, organized crime groups have been operating in the production and trade of crystal methamphetamine and tablets.³¹ Through the government, UNODC initiated a cooperation program with countries to overcome the challenges and problems of narcotics on their territory. The following are joint programs initiated and run by UNODC and ASEAN member countries:

1. Thailand

Thailand together with UNODC collaborated in discussing the possibility of amending narcotics laws and regulations. Through a meeting in December 2021 to discuss the need for changing roles and responsibilities, work regulations, and collaborative efforts to protect narcotics users' rights in restoring health and well-being. The new Narcotics Code being drafted by the government in collaboration with UNODC is a form of collaboration between

³⁰ United Nations Office on Drugs and Crime, 'The United Nations Office on Drugs and Crime (UNODC)' (*United Nations Office at Vienna*, 2023) <[https://www.unodc.org/unodc/en/unodc.html#:~:text=The United Nations Office on Drugs and Crime \(UNODC\) is,Nations lead programme on terrorism.](https://www.unodc.org/unodc/en/unodc.html#:~:text=The United Nations Office on Drugs and Crime (UNODC) is,Nations lead programme on terrorism.)> accessed 31 October 2023.

³¹ UNODC, 'Drugs and Precursors' (*United Nations*) <<https://www.unodc.org/roseap/en/what-we-do/toc/drugs-and-precursors.html>> accessed 8 April 2023.

UNODC and an international organization for ASEAN countries. The effort to draft a new narcotics code is part of Thailand's goal of transitioning away from the prison system and providing a better alternative method of dealing with and preventing drug use. UNODC Regional Representative, Jeremy Douglas, stated that the population convicted through the prison system should decrease if law enforcement focuses on organized crime rather than street crime, as well as more restorative legal reforms.³² The United States Hornet Nest strategy in dealing with terrorism was adopted by the Thai government as a relevant strategy in controlling cartels and groups that are spread across several regions that can gather at one point without stopping the organization's existence.³³

2. Indonesia

Indonesia ratified the United Nations Conventions Against Illicit Traffic In Narcotic Drugs And Psychotropic Substances in 1988 as part of its ASEAN membership through the Narcotics Law until its renewal in 2009. Indonesia has also become a member of the UNODC, an international organization. The Country Program (CP) 2012-2015 was initiated by UNODC and signed in Indonesia at the end of January 2012 in collaboration with BAPPENAS (National Development Planning Agency). This collaboration encourages the UNODC Office in Indonesia to actively support institutions and law enforcement in their efforts related to combat drug abuse. This collaboration has been extended for one year until 2016 and continues with the next CP period which will run from 2017 to 2020. CP received funding worth US\$16,740,900 for this three-year period, which is divided into four terms used to address four sub-programs, namely Transnational Organized Crime and Illicit Trafficking, Anti-Corruption, Criminal Justice, Drug Demand Reduction, and HIV/AIDS.³⁴

³² UNODC, 'Thai Agencies and UNODC Discuss The Future of New Narcotics Code' (*United Nations*, 2022) <<https://www.unodc.org/roseap/en/2022/04/thailand-new-narcotics-code/story.html>> accessed 8 April 2023.

³³ I Putu Satya Kama, Anak Agung Ayu Intan Prameswari and Sukma Sushanti, 'Kepentingan Thailand Dalam Penerapan Kebijakan Legalisasi Ganja' (2019) 2 OJS Jurnal.[1].

³⁴ UNODC, *Country Programme 2017-2020 (Making Indonesia Safer from Crime, Drugs and Terrorism)* (United Nations 2018).

3. Malaysia

The development of the market for selling narcotics in the form of synthesis has steadily increased in the last few decades in Malaysia. The increased use of methamphetamine coincides with the emergence of new psychoactive substances that complicate the challenges in public health management. UNODC as an organization seeks to accommodate various series of consultative discussions among nations that, in turn, necessitate the development of financial strategies. UNODC held a similar meeting with the National Anti-Drug Agency (NADA) Malaysia in early March 2023 to discuss the development of a national early warning system (EWS).³⁵

4. Myanmar

Myanmar was the first country to ratify the United Nations Single Convention on Narcotic Drugs in 1961. The cultivation of opium and its buying and selling used to be done freely until the Government of Myanmar gradually banned it effectively through the new narcotics regulations in 1974. Its contents prohibit all types of activities relating to the distribution of narcotic plants and their derivatives. Two main strategies were deployed: the prohibition of narcotics and the prohibition of opium. Through Drug Demand Reduction (DDR) Projects, the main focus of the government is to reduce opium use through alternative development and prevention of HIV/AIDS as a risk factor for drug use.³⁶

5. Laos

Aside from Myanmar, Laos also stands as the largest opium cultivator in Southeast Asia. Since 2016, UNODC has been working to provide support to Vanmai farmers. Through the support and hard work of the Vanmai farmers, coffee plants become a promising source of income and even lead to long-

³⁵ UNODC, 'UNODC and Malaysia Discuss Establishing Early Warning Mechanism for Synthetic Drugs' (*United Nations*, 2023) <<https://www.unodc.org/roseap/malaysia/2023/03/early-warning-mechanism-synthetic-drugs/story.html>> accessed 8 April 2023.

³⁶ UNODC, 'UNODC's History in Myanmar' (*United Nations*) <<https://www.unodc.org/roseap/en/myanmar/history.html>> accessed 8 April 2023.

term cooperation agreements for export to various countries. Vanmai means ‘new day’ in Lao, and it represents the changes that farmers expect to see as they transition from opium cultivation to coffee plant cultivation. The World Drug Report 2021 describes how the community that broke away from opium cultivation has thrived in the face of a pandemic that has disrupted their daily lives.³⁷

6. Vietnam

The UNODC’s mission is to contribute to achieving security and justice for all and creating a world that is safer from crime, narcotics, terrorism, and corruption. In this regard, the Vietnam Country Program was developed by the new work program of the Vietnamese Government’s policies. The Socio-Economic Development Plan 2011-2015 and the Socio-Economic Development Strategy 2011-2020 served as the foundation for the government in directing UNODC to launch its strategy in the work plan for 2012-2017. UNODC will be adaptable and responsive to the needs identified during the government’s periodic reviews.³⁸ UNODC carried out this program to assist in meeting international obligations to control the increasing circulation of narcotics.

7. Singapore

Following the end of the Second World War, Singapore became a transit point for countries trading opium in the South Malaya region, Kalimantan, Christmas Island, and Indonesia. This traffic transports the majority of the narcotics supply, which is held by powerful organizational syndicates. The Central Narcotics Intelligence Bureau was established under the Department of Customs and is tasked with supporting law enforcement and coordination from information to direct handling, as a solution to the many cases of dismissal of customs staff due to narcotics smuggling. Singapore, through its

³⁷ UNODC, ‘First Coffee Export by Former Opium Farmers in Laos’ (*United Nations*, 2021) <<https://www.unodc.org/roseap/laopdr/2021/06/coffee-export-former-opium-farmers/story.html>> accessed 8 April 2023.

³⁸ UNODC, ‘Vietnam’s Country Programme’ (*United Nations*) <<https://www.unodc.org/roseap/en/vietnam/country-programme.html>> accessed 8 April 2023.

representative in the Reconvened 64th Session of the Commission on Narcotic Drugs, expressed his country's desire to continue to apply the death penalty, which is still considered more effective in preventing serious narcotics crimes that cause huge losses, where other people's rights must be protected to obtain a drug-free life.³⁹

8. Brunei

In dealing with narcotics, Brunei takes the implementation of a whole-of-nation approach's strategic steps including involving stakeholders in law enforcement, advocating for narcotics knowledge, improving rehabilitation and treatment programs, and efforts to return to society. UNODC seeks to facilitate Brunei's strategies in various steps, as stated in the Reconvened 64th Session of the Commission on Narcotic Drugs, which is consistent with the ASEAN approach, through returning strategy selection to each country based on cultural and social challenges. Therefore, the use of drugs infused into foods that are commonly consumed daily is a major concern due to their ease of access and the tendency to overdose is quite large.⁴⁰

9. The Philippines

Drug trafficking is a major problem in the Philippines and has been around for quite a long time. The Philippines government together with the United Nations held a meeting through the UN Joint Program on Human Rights in the Philippines which discussed human rights that needed to be protected and could not be overlooked while remaining focused on the main goal of finding the best solution and working together through UNODC. Discussion of these human rights took place in the second session of the Recovery Support System webinar for Persons Who Use Drugs (PWUD) or with Drug Use Disorders

³⁹ Singapore, 'Agenda Item 11th of The Reconvened 64th Session of The Commission on Narcotic Drugs' (2021) <https://www.unodc.org/documents/commissions/CND/CND_Sessions/CND_64Reconvened/Statements_64th_Reconvened_CND/Item_11/Singapore_Item11.pdf>.

⁴⁰ Dato Paduka Zalani Ismail, '66th Session of the Commission on Narcotic Drugs' (2023) <https://www.unodc.org/documents/commissions/CND/CND_Sessions/CND_66/Item_3_-_Brunei.pdf>.

(DUD) in Jails and Prisons which was held through Zoom Meetings with the point that fulfillment of rights is a collective effort that depends not only on the individual but also on the role of society in community-based healing for someone affected by narcotics.⁴¹

10. Cambodia

The UNODC office which is based in Cambodia, has worked for decades to address a variety of issues, including being a center for the manufacture and distribution of Amphetamine Type Stimulants (ATS) and the world's second-largest source of heroin. UNODC in Cambodia focuses on three major problem areas: illicit trade, governance, and the justice system. UNODC and WHO successfully launched the Joint Program on Drug Dependence Treatment and Care in March 2009, to achieve effective and humane treatment for all kinds of society.⁴² This is a follow-up activity from Cambodia to devote serious attention to the treatment and rehabilitation of drug addiction in the community. Under this program, TREATNET, a global project, was launched with the mission of introducing a specific description and demonstration of the effectiveness of community-based treatment for people affected by narcotics and serving as the primary support for the United Nations in achieving sustainable development.

The existence of UNODC is inextricably linked to the existence of transnational crime, which includes drug dealers and drug abusers. Narcotic crime has been defined in Article 3 paragraph (1) of the United Nations Conventions Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances 1988. ASEAN member countries issued an anti-drug declaration to strengthen cooperation and coordination in sharing information and enforcing the law in each country. Mutual Legal Assistance (MLA) or extradition efforts can be used in the case of cross-border narcotics crimes involving ASEAN member countries. MLA is commonly

⁴¹ UNODC, 'Human Rights Take Centerstage in UNODC Philippines' Anti-Drug Initiatives' (*United*, 2022) <<https://www.unodc.org/roseap/en/philippines/2022/03/anti-drug-initiatives/story.html>> accessed 10 April 2023.

⁴² UNODC, 'Drug Dependence Treatment in Cambodia' (*United Nations*, 2010) <<https://www.unodc.org/roseap/en/2010/02/unct/story.html>> accessed 10 April 2023.

known as a form of mutual legal assistance where MLA is formed on the advice and input of interested countries to request assistance from other countries to help complete a series of investigation, prosecution, and examination processes against two or more countries.⁴³ Extradition, on the other hand, refers to a procedure based on a treaty made by a state to hand over to the requesting state a person suspected or punishable for criminal acts.⁴⁴ Meanwhile, UNODC coordinates directly with the narcotics agencies of each country to create the best systems, regulations, and law enforcement for the social, economic, and cultural conditions of each country. Therefore there are no overlapping actions both in the prevention and prosecution of narcotics crimes.

Conclusion

The declaration made by ASEAN member country representatives on efforts to achieve drug-free in each country continues with programs from each country that are evaluated each time an inter-country meeting is held. In subsequent conferences and meetings, each country exchanged ideas and collaborated with other countries, especially in obtaining access to information related to the narcotics trade which frequently passes through transit and global trade routes, involving countries in the ASEAN region. The differences behind the programs of each member country can be combined through the main goal of eliminating various types of activities in narcotics crimes.

As its role is related to the role of an international organization, the UNODC covers four types of crime, including narcotics crimes, the UNODC specifically plays a role in coordinating the special narcotics agencies of each country. Through actions that continue to prioritize the fulfillment of the parties' human rights, the state's approach is dominated by a collective approach that relies on the role of

⁴³ Maria Novita Apriyani, Miko Aditiya Suharto and Waluyo, 'Pembaruan Peraturan Ekstradisi Dan Mutual Legal Assistance Indonesia Dalam Pengembalian Aset Hasil Korupsi Yang Berada Di Luar Negeri' (2023) 5 *Credito*. [27].

⁴⁴ *ibid.* [32].

society. Furthermore, throughout its role in country programs in each country, UNODC has carried out its three roles actively, as an instrument, as an arena, and as an independent actor.

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