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Prevention and Eradication of Transnational Organized Crime in Southeast Asia

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Abstract

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Southeast Asia has a geographical position that is very vulnerable to various forms of transnational crime. The Association of Southeast Asian Nations/ASEAN as a regional organization for countries in Southeast Asia has a role and responsibility to carry out the prevention and eradication of transnational organized crime in Southeast Asia. This paper aims to analyze the factors causing the occurrence of transnational organized crime in Southeast Asia, and to analyze the forms of regional cooperation in the prevention and eradication of transnational organized crime in Southeast Asia. This paper uses a normative research type, with a statutory and interpretation approach. The legal materials used are sourced from books, research reports, journals, and international legal instruments. The collected legal materials are then analyzed qualitatively. The results show that there are three main factors that cause transnational organized crime in Southeast Asia, the three factors are economic globalization, increasing heterogeneity of immigrants, and rapidly developing communication technology. ASEAN has an important role in actively participating in campaigning for the war against transnational organized crime, especially in the Southeast Asia region. Transnational crime was first discussed by ASEAN in 1997 which later gave birth to the ASEAN Declaration on Transnational Crime Manila, Philippines, 20 December 1997. In addition to encouraging its members to ratify the United Nations Convention on Transnational Organized Crime, 2000 and the promulgation of a number of regional instruments, regional cooperation is also the main key for ASEAN and its member countries in the prevention and eradication of transnational organized crime in Southeast Asia.

Keywords: Eradication; prevention; Southeast Asia; transnational organized crime.

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INTRODUCTION

A state is a form of political association or polity that is distinguished by the fact that it is not itself incorporated into any other political associations, though it may incorporate other such associations [¹]. The state is a major entity in the international legal literature [²], even so when the international relations system takes place, in which there are non-state actors

[³] such as international organizations, transnational companies, and individuals, but the state remains the main actor in the international relations system. There is not a single sovereign country in the world that can fight transnational crimes on its own or is immune to these crimes, especially when these crimes are committed in an organized manner. There is no other choice to overcome this complexity except for a collective desire to fight together through regional

¹ Chandran Kukathas, A Definition of the State, University of Queensland Law Journal, Vol. 33, No. 2, 2014, p. 358

² Kadarudin, Antologi Hukum Internasional Kontemporer, Yogyakarta: Deepublish, 2020, p. 451

³ Claudia Hofmann and Ulrich Schneckener, Engaging Non-State Armed Actors in State and Peace-Building: Options and Strategies, International Review of the Red Cross, Vol. 93, Number 883, September 2011, p. 604, doi:10.1017/S1816383112000148

cooperation in the prevention and eradication of transnational organized crime.

Transnational organized crime has a very long history in international relations [4], transnational organized crime is a social phenomenon across the borders [5], even today, almost all countries agree that the types of crimes that fall into the category of transnational organized crime are common enemies so that their handling requires extraordinary efforts. Along with the increase in transnational crime, the ability of the state to control its borders will also decrease. In addition, this transnational crime can also cause conflict within a region. Therefore, it is important for every country to provide defense against national borders so that forms of transnational crime do not penetrate national borders. In practice, many countries have found it difficult to stem this transnational organized crime, such as Indonesia, for example, which has difficulty stemming the international circulation of narcotics, trafficking in persons, and people smuggling to Australia because of its very strategic area.

Southeast Asia has a geographical position that is very vulnerable to various forms of transnational crime. The Association of Southeast Asian Nations (ASEAN) as a regional organization for countries in Southeast Asia has a role and responsibility to carry out the prevention and eradication of transnational organized crime in Southeast Asia. Therefore, ASEAN continues to intensify regional and international cooperation in overcoming transnational crimes in order to protect the interests and security of its member countries. Transnational crimes are closely related to the territorial boundaries of a country's sovereignty, because organized crimes are committed between countries and even transnational crimes can be said to be crimes committed by certain networks located in various countries. Therefore, national borders are essential when discussing transnational crimes. Some of the transnational crimes that often occur in the Southeast Asian region include human trafficking, people smuggling, fishing theft, illicit narcotics trafficking.

Southeast Asia has long been a hub for narcotics production and trafficking [6]. The United Nations Office on Drugs and Crime (UNODC) as a government organization under the auspices of the United Nations also pays attention to this condition by

mentioning in the Executive Summary in one of its official publications as follows [7]:

“Threats arising from transnational organized crime in Southeast Asia are becoming more deeply integrated within the region itself, as well as with neighbouring and connected regions. At the same time, criminal networks operating in Southeast Asia have achieved global reach, trafficking unfathomable quantities of high-profit methamphetamine, massive consignments of wildlife and forest products, and an increasing range of counterfeit consumer and industrial goods. They also continue to engage in the smuggling of migrants and trafficking in persons for the purposes of sexual and labour exploitation”.

Regional integration is a leading cause of the expansion and diversification of transnational organised crimes in Southeast Asia [8]. The rapid growth of transnational organised crime in Southeast Asia has been aided by the phenomenon of globalisation, the increased interconnectedness of the world's sovereign states [9]. Seeing this reality, long ago ASEAN had started a war against transnational organized crime in Southeast Asia by issuing the ASEAN Declaration on Transnational Crime Manila, Philippines, 20 December 1997 which was then followed by the issuance of the ASEAN Plan of Action to Combat Transnational Crime, Yangon, Myanmar, 23 June 1999. However, it seems that these two instruments are not sufficient to stem transnational organized crime by looking at the fact that ASEAN member countries such as Indonesia, the Philippines, Malaysia and Thailand are having difficulty preventing illicit drug trafficking, trafficking in persons, people smuggling, and even Indonesian waters are often victims of illegal fishing by foreign fishermen from neighboring countries (fellow ASEAN member countries). Based on this background, this paper aims to analyze the factors causing the occurrence of transnational organized crime in Southeast Asia, and to analyze the forms of regional cooperation in the prevention and eradication of transnational organized crime in Southeast Asia.

METHOD

This paper uses a normative research type [10], with a statutory [11] and interpretation approach [12],

⁴ A. Edwards, & P. Gill, *Transnational Organised Crime: Perspectives on Global Security*, London: Routledge, 2003, p. 13

⁵ Leong, A. V., *The Disruption of International Organised Crime: An Analysis of Legal and Non-Legal Strategies*, Hampshire: Ashgate, 2007, p. 171

⁶ Iffat Idris, *Drivers and Enablers of Serious Organised Crime in Southeast Asia*, K4D Helpdesk Report, GSDRC, University of Birmingham, 2019, p. 4

⁷ UNODC, *Transnational Organized Crime in Southeast Asia: Evolution, Growth and Impact*, New York: UNODC Research, 2019, p. 1

⁸ Acharya, A., *Constructing a Security Community in Southeast Asia: ASEAN and the Problem of Regional Order*, Abingdon, Oxon: Routledge, 2014, p. 71

⁹ Michael Wesley, *Transnational Crime and Security Threats in Asia*, Australian Agency for International Development, Report, December 2007, p. 71

¹⁰ Kadarudin, *Penelitian di Bidang Ilmu Hukum (Sebuah Pemahaman Awal)*, Semarang: Formaci Press, 2021, p. 203

which makes these phenomena observable [13]. This paper provides information on the latest trend in research [14]. The legal materials used are sourced from books, research reports, journals, and international legal instruments. The collected legal materials are then analyzed qualitatively.

RESULTS AND DISCUSSION

Factors Causing Transnational Organized Crime in Southeast Asia

The definition of Transnational Organized Crime has been hotly debated [15], and there is still no consensus on the meaning of Transnational Organized Crime [16], Transnational crime is a form of crime that poses a serious threat to global security and prosperity given its nature involving various countries. To overcome this crime, a multilateral mechanism was created through an international agreement called the United Nations Convention on Transnational Organized Crime-UNTOC. UNTOC which was formed in 2000 became a basic guide for countries in efforts to combat transnational crime [17]. In Article 2 (a) of the United Nations Convention on Transnational Organized Crime, it is explained that:

“Organized criminal group shall mean a structured group of three or more persons, existing for a period of time and acting in concert with the aim of committing one or more serious crimes or offences established in accordance with this Convention, in order to obtain, directly or indirectly, a financial or other material benefit”.

Organized crime is an organized crime that involves many people with the aim of obtaining profits

by illegal means [18]. Organized means that the crime has a strong method and planning so that the action can be successful [19]. There are many definitions of organized crime [20], and the scope is so wide that it is difficult to generate a universal definition [21]. The UN Office on Drugs and Crime (UNODC) has developed a general definition:

“Organized crime is a continuing criminal enterprise that rationally works to profit from illicit activities that are often in great public demand. Its continuing existence is maintained through corruption of public officials and the use of intimidation, threats or force to protect its operations”.

In various literatures, information is found that transnational organized crime has a long history [22] and there are three main factors that cause transnational organized crime in Southeast Asia, the three factors are economic globalization, increasing heterogeneity of immigrants, and rapidly developing communication technology. These three factors are interconnected and support each other so that transnational organized crime in Southeast Asia is growing very rapidly.

Humphrey Wangke [23] noted that transnational crime is not a new phenomenon in international relations. However, the emergence of transnational crime cannot be separated from the current era of globalization. Several factors that support the complexity of the development of transnational crime include globalization, migration or human movement, as well as the rapid development of information, communication and transportation technology. Globalization, which is accompanied by rapid advances in communication technology, causes relations between nations, between communities and between individuals to be closer, interdependent and influence each other so as to create a borderless world. Various forms of transnational crime are growing rapidly and have been identified as security threats. Activities such as illicit drug trafficking, illegal fishing,

¹¹ Irwansyah, Penelitian Hukum: Pilihan Metode dan Praaktik Penulisan Artikel, Yogyakarta: Mirra Buana Media, 2020, p. 173

¹² Cathy S. Lin, Handout Scholars & Literature Review, Department of Information Management, National University of Kaohsiung, Taiwan, 2017.

¹³ Wolff-Michael Roth, Rigorous Data Analysis, Beyond “Anything Goes”, Sense Publishers, Taipei, 2015.

¹⁴ Shao-Hsun Keng, Handout Research Topic Development, Collage of Management, National University of Kaohsiung, Taiwan, 2017.

¹⁵ Ijnaut, C., Transnational Crime and the Role of the United Nations: Its Containment through International Cooperation: A Challenge for the 21st Century, European Journal of Crime, Criminal Law and Criminal Justice, 2000, p. 119

¹⁶ Giraldo, J., & Trinkunas, H., Transnational Crime. In A. Collins, Contemporary Security Studies, New York: Oxford University Press, 2007, p. 346

¹⁷ Ministry of Foreign Affairs of the Republic of Indonesia, Transnational Crime, 2019, accessed at https://kemlu.go.id/portal/en/read/89/halaman_list_lainnya/transnational-crime

¹⁸ Howard Abadinsky, Organized Crime, 9th Edition, St. John University, Belmont, USA, 2010, p. 6

¹⁹ Henry Campbell Black, Black’s Law Dictionary, 6th Edition, St. Paul Minn. West Publishing Co., 1990.

²⁰ Iffat Idris, 2019, Loc.Cit., p. 2

²¹ Findly, M., The globalization of Crime: Understanding Transnational Relationship in Context, Cambridge: Cambridge University Press, 2003, p. 112

²² Woodiwiss, M., Transnational Organised Crime: The global Reach of an American Concept, 2003. In Adam Lwards, & Peter Gill, Transnational Organised Crime: Perspectives on Global Security, London: Routledge, 2003, p. 14

²³ Humphrey Wangke (Ed.), Transnasional Di Indonesia: Upaya Penanganannya, Jakarta: Pusat Pengkajian, Pengolahan Data dan Informasi (P3DI) Sekretariat Jenderal DPR Republik Indonesia, 2011, p. iii

smuggling and human trafficking [²⁴] (most of the trafficking destinations are within the region) [²⁵], are practices that completely ignore and threaten human security which in turn will threaten the security of the state.

Economic globalization is a major factor in encouraging the occurrence of transnational organized crime in Southeast Asia. Transnational organized crime creates a shadow economy growth, the large demand for illegal goods makes this crime continues to occur [²⁶]. According to Anang [²⁷], Transnational crime is also influenced by globalization which has brought changes in the social, political, economic and social aspects of public life, including the mode of crime committed by any method or method that is important in achieving the goal. Therefore, the meeting held between law enforcement and related institutions in ASEAN is very important and strategic to increase cooperation in preventing and eradicating transnational crimes. Based on data from the Senior Officials Meeting on Transnational Crimes (SOMTC) meeting, there are various types of transnational crimes that threaten the ASEAN region. Starting from terrorism, human trafficking, especially women and children, cybercrime, smuggling of wildlife and botanical and biological wealth, money laundering, corruption, illicit trade in firearms and drugs, piracy at sea, theft and smuggling of cultural objects to organ trafficking human body. In essence, as long as humans still have various desires or passions to satisfy themselves and groups who have the same ideology, whether to be in power, have wealth, damage, trouble, kill other people or other groups, take revenge, and so on, then crime does not exist may be removed.

The heterogeneity of immigrants coupled with the regular flow of refugees [²⁸] (the practice in

²⁴ Jeremy Hakem, *Transnational Crime in the Developing World*, Global Financial Integrity, 2011, p. 8

¹⁰ Vattanayagorn, P., *Transnational Crime and Threats to Regional Stability: Trafficking in Persons, Narcotics, Small Arms, and Sea Piracy*, Dialogue on US-Vietnam Relations: Global and Regional Influences, Dalat, Vietnam, 2003, p. 4

¹³ Naylor, T., *From Cold War to Crime War: The Search for a New National Security Threat*, *Transnational Organized Crime*, Vol. 1, No. 4, 1995, p. 38

²⁷ Chairman at the 16th Senior Officials Meeting on Transnational Crimes (SOMTC) at Hotel Borobudur, Jakarta, May 24, 2016, the statement was reported by detiknews, *Kejahatan Lintas Negara Dipengaruhi Globalisasi*, see <https://news.detik.com/berita/d-3216688/kejahatan-lintas-negara-dipengaruhi-globalisasi>

²⁸ Kadarudin, *International Refugees in Indonesia, Problems and Solutions*, Working Paper, Junior Faculty

Southeast Asia is refugees from Myanmar) opening up opportunities for transnational organized crime to occur, transnational organized crime no longer takes into account the sovereignty or jurisdictional limits of a country, the boundaries of a country's sovereignty seem to have disappeared and barriers that were once difficult to penetrate are in fact Now it can be easily penetrated with the help of a number of people who have become a group of criminals, transnational organized crime no longer considers territory, borders, but pays more attention to the smooth flow of goods, people, and illicit trade (narcotics [²⁹] and people) who provide money for the perpetrators, the mere profit in a relatively easier way is what makes transnational organized crime growing. In its most extreme form, transnational crime is not only a threat but also an enemy to the state. For example, in an effort to maintain their illegal or prohibited business activities, the parties involved in the transnational crime will use the force of their weapons against the state apparatus or in other words that the transnational organized crime perpetrators will justify any means for the purpose of achieving the goal. was achieved even though what he was fighting against was the state apparatus, even in some cases, the state apparatus was also involved in transnational organized crime.

Communication technology that is developing rapidly is also a factor that causes transnational organized crime in Southeast Asia. Communication technology that continues to develop which has now arrived at the 5G network era makes regional boundaries seem like they never existed, direct meetings and communication at the same time (real time) in different places (even across countries) make it easier In communicating, it becomes easy to reach by anyone, this is what causes a transnational organized crime to be neat and as if without gaps, even a number of illegal transactions flow to a number of criminals [³⁰] by using technology.

According to Elis Ratna Wulan [³¹], the development of information technology in this case data

Workshop, Centre for International Law, National University of Singapore, 2018, p. 11

²⁹ Kadarudin, Thamrin H., Liao YM. (2018) *Drug-Related Crimes and Control in Indonesia and Taiwan: Cooperation Regarding Narcotics Smuggling Prevention and Countermeasures from the Point of View of International Law*. In: Uden L., Hadzima B., Ting IH. (eds) *Knowledge Management in Organizations*. KMO 2018. Communications in Computer and Information Science, Vol. 877. Springer, Cham, https://doi.org/10.1007/978-3-319-95204-8_27

¹⁵ Cockayne, J., *Transnational Organized Crime: Multilateral Responses to a Rising Threat*, New York: International Peace Academy, 2007, p. 63

³¹ Elis Ratna Wulan, *Komunikasi dan Teknologi Informasi Pendidikan*, Bandung: Batic Press, 2010, p. 1

transformation technology has also been so rapid, so that it can make a very meaningful contribution to the implementation of human activities to communicate from all corners of the world. The development of data transformation technology accompanied by the development of computer technology, both software and hardware, has succeeded in realizing a form of integrated global computer network. One of the fastest growing global networks is the internet network. The internet as a result of communication or information technology has become an important commodity in today's life. Apart from being a means of information and communication, the internet is now starting to be used by the business community as a promotional medium, and can even carry out buying and selling activities via the internet. The capabilities offered by communication technology, for example, can provide convenience for the continuity of business transactions. In the field of education, advances in communication and information technology have provided very broad opportunities for the community to increase knowledge. With communication and information technology it is possible for people to study remotely or study with the help of computers. As has been explained above how communication has now reached a new generation where humans can communicate with each other anywhere and anytime. Of course, this doesn't just appear. The trigger for all of this is the development of communication technology which is growing more and more every day. With all these conveniences, the modus operandi of the perpetrators of transnational organized crime has also changed, their crimes are also carried out by taking advantage of the ease of development of communication technology.

Drug trafficking is perhaps the most severe transnational organized crime faced by South-East Asian states [32]. Although there are no exact statistics on illegal drug transportation, every day, at least thousands of kilograms of narcotics drugs cross international borders via air, sea and land, delivered to drug dealers and drug users in this region [33]. The increasing regional illicit trafficking of narcotics in the Southeast Asian region is strongly influenced by factors of economic globalization. Seeing the three main factors that cause transnational organized crime in Southeast Asia, a joint effort is needed for ASEAN and its member countries to cooperate in the prevention and eradication of transnational organized crime in Southeast Asia.

³² Coyne, J., Drug production in Laos and Myanmar Still a Major Threat, The Strategist, Australian Strategic Policy Institute, 2018, p. 52

³³ Windle, J., Vietnam and Laos. In Windle J (ed.) *Pressing Illicit Opium Production: Successful Intervention in Asia and the Middle East*, London: I. B. Tauris, 2016, p. 99

Forms of Regional Cooperation in the Prevention and Eradication of Transnational Organized Crime in Southeast Asia

A lot has been done by ASEAN so far, both directly as an organization and indirectly by initiating or encouraging member countries to make regional instruments in the prevention and eradication of transnational organized crime in Southeast Asia. Transnational crime was first discussed by ASEAN in 1997 when the ASEAN delegation held a meeting in Manila, the Philippines, which later determined that the ASEAN Ministerial Meeting on Transnational Crime (AMMTC) would be held every two years. AMMTC is a meeting of ASEAN countries that functions in making the highest decisions on transnational crimes and holds a meeting every two years, this meeting which later gave birth to the ASEAN Declaration on Transnational Crime Manila, Philippines, 20 December 1997. Apart from encouraging its members to ratify the United Nations Convention on Transnational Organized Crime, 2000 [34], ASEAN together with member countries have also issued several regional and international instruments such as:

In the field of Transnational Crime in general

- ASEAN Declaration on Transnational Crime, Manila, Philippines, 20 December 1997;
- Manila Declaration on the Prevention and Control of Transnational Crime (1998), Manila, Philippines, 25 March 1998;
- ASEAN Plan of Action to Combat Transnational Crime, Yangon, Myanmar, 23 June 1999.

Specifically, in the field of Counter-Terrorism

- ASEAN Declaration on Joint Action to Counter Terrorism, Bandar Seri Begawan, Brunei Darussalam, 5 November 2001;
- ASEAN-US Joint Declaration for Cooperation to Combat International Terrorism, Bandar Seri Begawan, Brunei Darussalam, 1 August 2002;
- Declaration on Terrorism by the 8th ASEAN Summit, Phnom Penh, Cambodia, 3 November 2002;
- Joint Declaration of ASEAN and China on Cooperation in the Field of Non-Traditional Security 30 Issues, 6th ASEAN-China Summit, Phnom Penh, Cambodia, 4 November 2002;
- Joint Declaration on Cooperation to Combat Terrorism, 14th ASEAN-EU Ministerial Meeting, Brussels, Belgium, 27 January 2003;
- ASEAN-India Joint Declaration for Cooperation to Combat International Terrorism, Bali, Indonesia, 8 October 2003;

³⁴ Geoffrey Yussouf, Global Human Trafficking and the UN Convention against Transnational Organised Crime, University College London Human Rights Review 173, 2008.

- **U** between the Governments of Member Countries of the Association of Southeast Asian Nations and the Government of the People's Republic of China on Cooperation in the Field of Non-Traditional Issues, Bangkok, Thailand, 10 January 2004;
- ASEAN-Australia Joint Declaration for Cooperation to Combat International Terrorism, Jakarta, Indonesia, 1 July 2004;
- ASEAN-Russian Federation Joint Declaration for Cooperation to Combat International Terrorism, Jakarta, Indonesia, 2 July 2004;
- ASEAN-Japan Joint Declaration for Cooperation to Combat International Terrorism, Vientiane, Lao PDR, 30 November 2004;
- ASEAN-Republic of Korea Joint Declaration for Cooperation to Combat International Terrorism, Vientiane, Lao PDR, 27 July 2005;
- ASEAN-New Zealand Joint Declaration for Cooperation to Combat International Terrorism, Vientiane, Lao PDR, 21 July 2005;
- ASEAN-Pakistan Joint Declaration for Cooperation to Combat International Terrorism, Vientiane, Lao PDR, 29 July 2005;
- ASEAN-Canada Joint Declaration for Cooperation to Combat International Terrorism, Kuala Lumpur, Malaysia, 28 July 2006;
- ASEAN Convention on Counter-Terrorism (ACCT), Cebu, Philippines, 13 January 2007;
- ASEAN Comprehensive Plan of Action on Counter Terrorism, Nay Pyi Taw, Myanmar, 30 June 2009.

Specifically in the field of Drugs

- Joint Declaration for a Drug-Free ASEAN, Manila, Philippines, 25 July 1998;
- Joint Statement by the 33rd ASEAN Ministerial Meeting, Bangkok, Thailand, 24-25 July 2000;
- Bangkok Political Declaration: In Pursuit of a Drug-Free ASEAN 2015, Bangkok, Thailand, 11-13 October 2000;
- ACCORD Plan of Action on Drug Free ASEAN (2005-2010), Beijing, China, 20 October 2005;
- ASEAN Work Plan on Combating Illicit Drug Production, Trafficking and Use (2009-2015), Siem Reap, Cambodia, 17 November 2009.

Specifically in the field of Consular and Immigration

- ASEAN Framework Agreement on Visa Exemption, Kuala Lumpur, Malaysia, 25 July 2006;
- The Guidelines for the Provision of Emergency Assistance by ASEAN Missions in Third Countries to Nationals of ASEAN Member Countries in Crisis Situation, Manila, Philippines, 29-30 July 2007.

Of the many regional and international instruments, ASEAN also has an important role in actively participating in campaigning for the war

against transnational organized crime, especially in the Southeast Asia region for the sake of creating human security [35]. ASEAN also has a lot of cooperation with partners outside Southeast Asia to continue to carry out prevention and eradication of transnational organized crime in Southeast Asia, because these criminal activities cross national boundaries, international legal cooperation is an important component of criminal investigations or prosecutions, extradition institutions, mutual legal assistance in criminal matters, International Criminal Police Cooperation, and ASEAN Police Cooperation are important efforts for the prevention and eradication of transnational organized crime in Southeast Asia.

Cooperation among ASEAN member countries must of course be based on the Mutual Benefit Principle [36], because transnational organized crime is a common enemy of countries. ASEAN has made collective efforts at regional and international levels to combat transnational crime. Several relevant sectoral bodies have been established such as the ASEAN Ministerial Meeting on Transnational Crime, the ASEAN Law Ministers Meeting (ALAWMM), and the ASEAN Defense Ministers Meeting (ADMM) to enhance cooperation and coordination in dealing with transnational organized issues crime in Southeast Asia.

Other ASEAN member countries can learn from Indonesia, Indonesia plays an active role in international and regional forums such as the Conference of State Parties from the United Nations Convention on Transnational Organized Crime, various Working Groups under UNTOC, Global Forum on Migration and Development, ASEAN Ministerial Meeting on Transnational Crime, and the Bali Process on People Smuggling, Trafficking in Person and Related Transnational Crimes (Bali Process) [37]. Thus, the solidarity of ASEAN and its member countries in the form of regional cooperation becomes the main key in the prevention and eradication of transnational organized crime in Southeast Asia.

CONCLUSION

There are three main factors that cause transnational organized crime in Southeast Asia, the

³⁵ Kadarudin, Human Security in International Law Perspective, Working Paper, the Tohoku University International Interdisciplinary Seminar, Sendai, Japan, 2018.

³⁶ Kadarudin, Thamrin, H., Liao, I.-M., & Satalak, P. (2019). Mutual Benefit Principle as Bilateral Basis of Indonesia With Thailand And Taiwan. International Journal of Global Community, 2(1 - March), 33-52. Retrieved from <https://journal.riksawan.com/index.php/IJGC-RI/article/view/10>

³⁷ Ministry of Foreign Affairs of the Republic of Indonesia, 2019, Loc.Cit.

three factors are economic globalization, increasing heterogeneity of immigrants, and rapidly developing communication technology. ASEAN has an important role in actively participating in campaigning for the war against transnational organized crime, especially in the Southeast Asia region. Transnational crime was first discussed by ASEAN in 1997 which later gave birth to the ASEAN Declaration on Transnational Crime

Manila, Philippines, 20 December 1997. In addition to encouraging its members to ratify the United Nations Convention on Transnational Organized Crime, 2000 and the promulgation of a number of regional instruments, regional cooperation is also the main key for ASEAN and its member countries in the prevention and eradication of transnational organized crime in Southeast Asia.

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