

Analysis of the Cross-Border Drug Governance in Southeast Asia with ASEAN Participation

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Abstract: With the development of The Times and the progress of technology, the drug trade has become increasingly rampant in Southeast Asia, and even triggered unrest in some Southeast Asian regions. The Southeast Asian region is hilly and mountainous, the climate is hot and humid, and the vegetation is dense, which provides natural conditions for the growth of opium poppy and the hiding of crimes. Countries are geographically close, borders are connected, borders are narrow and there are regulatory gaps, there are legal loopholes and national sovereignty issues, once the perpetrators cross the border, it is difficult to continue to pursue. As set up in 1967, Association of Southeast Asian Nations (ASEAN) is a regional organization that aims to promote economic and security cooperation among its members. Therefore, ASEAN, as a regional organization in Southeast Asia, has begun the joint cross-border management of the drug problem in the region in order to ensure security in the region. This paper intends to analyze the difficulties and obstacles of cross-border drug control in ASEAN by understanding various documents, policies and organizations within ASEAN, and provide prospects for future cross-border drug control in ASEAN. However, it can be seen from the analysis of this article that the situation of ASEAN participation in cross-border drug control in Southeast Asia does not sound ideal.

Keywords: drugs control, trans-border governance, ASEAN

1. Introduction

In today's era, non-traditional security issues have replaced traditional security issues such as war and become the common concern of all countries, and drug crime is undoubtedly one of the most harmful, urgent and even destructive non-traditional security issues. The complex international anti-drugs environment has given anti-drugs decision-makers a cruel lesson - drug trafficking has become an international proposition, and it is obvious that there is no way to solve the problem by relying only on one country or one government. In this context, the Association of Southeast Asian Nations (ASEAN) which is the biggest regional organization in Southeast Asia includes Malaysia, Singapore and other seven countries held discussions on cross-border joint control of the drug problem in the 1970s and reached the China -ASEAN Cooperative Action against Dangerous Drugs (ACCORD) agreement with China in 2000. This paper will discuss cross-border drug management in Southeast Asia under the leadership of ASEAN in two parts. First, ASEAN's policy on cross-border drug control in Southeast Asia and its affiliated organizations will be briefly introduced. Second, it

discusses the difficulties and obstacles that ASEAN faces in this issue. This paper adopts the method of literature analysis to carry on the research. In addition, this paper can also further provide some suggestions for the future governance of cross-border drugs in Southeast Asia.

2. Background of Drug Trade in Southeast Asia

In the past century, with the acceleration of globalization and regionalization of the world and the increasing modernization of technologies such as science and technology, transportation and communication, the global drugs problem has also continued to develop and spread, causing more and more serious harm to the international community. According to the *World drugs Report 2020* released by the United Nations Office on Drugs and Crime (UNODC), COVID-19 has almost spawned new drugs trafficking routes, poverty and disease caused by COVID-19 are likely to exacerbate drugs crime, and increased unemployment is expected to disproportionately affect the poorest people, who earn money from drugs trafficking and cultivation [1]. According to *the 2018 Global Drugs Problem Report*, the current global methamphetamine drugs trafficking and other major sub-regions are concentrated in Southeast Asia, which has formed a fairly complete production, processing, trafficking and sales of traditional drugs and synthetic drugs industrial chain, and the types of drugs are gradually diverse, while the number of seizures also shows an increasing trend year by year [2]. As shown in Figure 1, it is the specific flow of the drugs trade in Mekong River Regional in 2020. The map shows that the main production area of drugs is located in the heart of Southeast Asia - the “Golden Triangle” across Myanmar, Laos and Thailand. Most of this region is over a kilometer above sea level of mountains, dense jungle, rugged roads, and blocked traffic, coupled with the hot climate, abundant rainfall, fertile soil and other natural conditions for poppy cultivation, growth provides unique conditions. And because it is across the three countries, it is impossible to manage it alone, so there are many factories in the mountains and forests of the “Golden Triangle” region in Southeast Asia to specialize in processing heroin, and there are a large number of technical personnel and advanced machinery and equipment in the factory, they work day and night to process the high-quality opium in this region into heroin and sell it all over the world.



Figure 1: 2020 Mekong River Regional Drug Network [3].

3. The Policy and Organization of ASEAN

Since its establishment in 1967, ASEAN has successfully developed and maintained peace and stability in Southeast Asia and enhanced trust among its member states. The Declaration on the ASEAN Political and Security Community, the Declaration on the ASEAN Economic Community and the Declaration on the ASEAN Socio-Cultural Community were also proposed to establish the ASEAN Community. Since 1970, ASEAN countries began to encounter problems related to national and international security issues, however, with the development of The Times, the vitality of diplomatic relations between countries has been accompanied by issues related to human security.

Human security issues are not only associated with the environment, poverty, disease and other traditional definitions but also give rise to non-traditional security issues such as organized transnational crime, including drugs trafficking, human trafficking, terrorism and corruption. Therefore, the shift from the concept of national security to the concept of human security affects a number of issues in international politics. The high level of mobility between countries has also led to the disappearance of borders and power lines between countries, allowing for large-scale interaction between societies in different countries, which has also contributed to transnational crime. Drugs trafficking as a transnational crime is growing rapidly, threatening the national security of more than one country. Located at the heart of world trade routes, Southeast Asia has long been a conduit for drugs traffickers from around the world. According to the ASEAN drugs Center, drugs plants are grown in the area known as the “Golden Crescent” and in the “Golden Triangle” region along the borders of Thailand, Laos and Myanmar. With the continuous development and growth of drugs trade in Southeast Asia, even threatens the national security of Southeast Asia. This has also aroused ASEAN’s attention and action on cross-border trade. Achieve a “drug-free ASEAN” through ASEAN policies and measures to significantly and sustainably reduce the prevalence of illicit crop cultivation, illicit drugs manufacturing and trafficking and drug-related crimes, as well as illicit drugs use.

3.1. ASEAN’s Policy

At present, ASEAN’s policy on cross-border drugs control is mainly the responsibility of the Security community. Two of the most key ones are the *ASEAN Work Plan 2009-2015* and the *ASEAN Work Plan 2016-2025*.

3.1.1. The ASEAN Work Plan 2009-2015

The ASEAN Work Plan 2009-2015 originated at the 31st ASEAN Ministerial Meeting held in July 1998, when ASEAN Foreign Ministers signed the Joint Declaration on Achieving a Drug-Free ASEAN by 2020, which affirmed ASEAN’s commitment to eradicate the production, processing, trafficking and use of illicit drugs in ASEAN by 2020. However, at the 33rd ASEAN Ministerial Meeting in July 2000, Governments reiterated their concern about the threat of drugs abuse and drugs trafficking to the security and stability of the ASEAN region and agreed to advance the target year for achieving a drug-free ASEAN to 2015. The core content of the *ASEAN Work Plan 2009-2015* is a drug-free ASEAN, which is to reduce opium poppy cultivation, production, drugs trade and even drugs crime. To achieve the goal of “ASEAN Drug-Free 2015”, ASEAN also incorporated the following monitoring and evaluation mechanism, like Using 2008 statistics presented at the 30th ASOD Conference, a baseline was established through a standardized national reporting format. Annual review through country reports during ASOD meetings, mid-term review in 2012, final assessment in 2015 and stocktaking of activities under the work plan. Unfortunately, as of 2015, this goal has not been achieved [4].

3.1.2. The ASEAN Work Plan 2016-2025

The ASEAN Work Plan 2016-2025 was adopted at the 5th ASEAN Anti-drugs Ministerial Meeting held in Singapore in January 2016. The components of its effective implementation and proposed activities to address illicit drugs activities and mitigate their negative impact on society were detailed. The work plan also draws on the *ASEAN Political-Security Community Blueprint 2025* and the *ASEAN Drug-Free Report 2015: Assessment and Recommendations* beyond 2015. At the same time, since The ASEAN work plan 2009-2015 work plan has not been completed, this work plan also continues the *2009-2015 work plan* [5]. From there, the scope is expanded to national and even regional levels, and includes preventive education, legal supervision, drugs treatment, alternative

development and even joint projects with outside ASEAN or extra-region. Try to put ASEAN's drug-free actions and goals into practice from a more holistic perspective.

3.2. Cooperation and Organization of ASEAN

ASEAN not only has policy support for cross-border drugs, but also has a special organization to carry out the implementation and supervision of the work plan. The internal of ASEAN also has some cooperation to help ASEAN to achieve drug-free actions.

3.2.1.ASEAN 5

ASEAN 5 is a forum composed of the five founding members of ASEAN: Indonesia, Malaysia, Singapore, Thailand and the Philippines. The Heads of State and Government meeting regularly to discuss and resolve issues common to the five countries. With regard to cross-border drug governance, the issue of drug trafficking was first discussed at the first ASEAN Summit of Heads of State and Government, held in Bali in February 1976, and referred to in the ASEAN Agreement. After prioritizing the issue at the highest diplomatic level, the ASEAN Declaration of Principles on Combating drugs Abuse was adopted in 1997. The Declaration sets out the main objectives of ASEAN cooperative efforts in drugs control (ASEAN 1976). ASEAN will cooperate in key areas such as the elimination of illicit drugs cultivation and production, information sharing on counter-narcotics measures, research and education cooperation, and enhanced cooperation with relevant UN agencies [6]. In short, the declaration seeks to define common principles and initiate an effective process of cooperation.

3.2.2.ASEAN 10

As ASEAN continued to expand, ASEAN drugs control efforts were further institutionalized in the 1990s to all 10 ASEAN countries included Vietnam, Laos, Myanmar, Cambodia, Brunei and ASEAN 5. And the adoption of the ASEAN Plan of Action on drugs Abuse Control in October 1994 led to renewed efforts to address the drugs problem (ASEAN 1994). The Action Plan focuses on these four areas of cooperation. A work programme for the implementation of the ASEAN Plan of Action on drugs Abuse Control was launched by the ESAFRO - ESCAP session in 1995. It was prepared by the ASEAN Secretariat with the assistance of the United Nations Development Programme (UNDP) and presents ten specific projects on drugs control to reduce the demand for and supply of narcotic drugs. Four training centres have also been established to complement the efforts of the Office of Special Services to implement the programme of work. Also as part of the ASEAN Vision 2020, the Heads of State and Government declared that they saw "by 2020, Southeast Asia will be free of illicit drugs, their production, processing, trafficking and use" (ASEAN, 1997). During the 1998 ASEAN Ministerial Meeting, foreign ministers issued the ASEAN Joint Declaration on Drug-free, which commits member states to eliminate illicit drugs by 2020 (ASEAN 1998) [1]. Fourteen measures were recommended.

3.2.3.ASEAN Senior Officials on Drugs Affairs Meetings

The ASEAN Senior Officials Meeting on Drugs (ASOD) has been the principal ASEAN body responsible for dealing with drug-related issues. It was formally established in Jakarta in 1984 as a follow-up programme to the regular meetings of the ASEAN Expert Group on drugs Abuse Prevention and Control held since 1972 under the authority of the Commission for Social Development and the Department of Narcotic Drugs at ASEAN Headquarters. ASOD is also the official forum for ASEAN member states to address issues related to the drugs trade. It is the main

body overseeing the implementation of the *ASEAN Anti-drugs Work Plan 2016-2025*, supported by five working groups on preventive education, Treatment and Rehabilitation, law enforcement, research and alternative development [1]. The Conference has now been institutionalized in order to provide further political momentum and to pursue a more focused and united effort. The ASOD, in turn, reports to AMMD on the progress of the implementation of the Work Plan since 2016 once two years.

4. Difficulties and Obstacles Faced

Until today, although ASEAN has many policies, cooperation or organizations to control cross-border drugs in Southeast Asia, the results have been little, and drugs and other security problems that they breed are still the key issues threatening the security of Southeast Asian countries. Therefore, I try to point out the problems in ASEAN's cross-border drugs control by analyzing the policies, cooperation or organizations I have mentioned above.

4.1. Differences in the Interests and Agendas of ASEAN Leaders

From both ASEAN5 and ASEAN10, it can be seen that the cooperation process mainly remains in words, planned meetings and adopted declarations have not been put into action. The ASEAN-5 declaration merely indicates that cooperation is imminent, not when it will begin. As described in the *2009-2015 work plan*, achieving a toxic-free ASEAN by 2015 has also not been achieved. Thus, ASEAN leaders have not implemented the plan in practice, which also reflects the failure of ASEAN supervisory agencies to put them on the ground. However, this is also related to the national conditions of Southeast Asian countries, because Southeast Asia is mostly developing countries, domestic affairs are complicated, ASEAN leaders are still busy dealing with their own domestic problems, so they have not focused on discussing regional issues[6].

4.2. Differences in Perception of ASEAN Countries on the Threat of Drug Smuggling

For example, in the ASEAN 10 cooperation, such as Thailand, the Philippines and other countries affected by drugs will try to promote cooperation, but some countries, such as public opinion and other pressure to join the country - but privately encourage or even support the drugs trade, are not keen on drugs control cooperation. Therefore, when dealing with drugs trafficking cases in the Southeast Asian region, it is necessary to harmonize people's understanding of drugs. ASEAN member States, through the establishment of common values to combat the drugs menace in Southeast Asia, pose a threat not only to drug-producing countries such as Indonesia and the Philippines, but also to producers of drugs raw materials such as Myanmar, Laos and Thailand, the leaders of ASEAN member States' understanding of the problem, particularly with regard to drugs abuse and trafficking in the Southeast Asia region, Governments of all ASEAN member states should agree that drugs are a common threat to the Southeast Asian region and coordinate regional and international cooperation and in forecasting these problems[7].

4.3. Lack of Shared Leadership and Ownership of ASEAN

To this day, ASEAN still adheres to the values and principles of its founding, namely non-interference, respect for the sovereignty of states and the peaceful resolution of all issues, thus ignoring the common values, common identity and purpose, and belonging that are required to be built as an alliance. It also makes ASEAN a loose organization [8]. When the organization conducts joint governance, each country conducts it according to its own national interests and system. As a result, the ASEAN organization does not have a common leadership, and frictions and conflicts are easy to

occur, so that the joint governance cannot be carried out. For example, the 2009-2015 work plan mentioned above is an example, only a goal is proposed, but there is no clear description of the goal and what means about the goal so that the 2015 ASEAN drug-free Plan mentioned in 2009-2015 ultimately failed to achieve [9].

5. Conclusion

Through the above analysis of the policies of ASEAN and the difficulties of drug control in Southeast Asia, there is a general understanding of the current cross-border drug control policies and organizations of ASEAN. However, ASEAN's participation in the development of cross-border drug control still has many problems, most of which are closely related to the system design within ASEAN. Because of flaws in its internal institutional design, ASEAN is hesitant to confront the drug control problem in Southeast Asia. But as the main production and distribution region of drugs in Southeast Asia, especially with the economic downturn caused by the current epidemic, the drug trade has risen to a higher level, and the issue of counter-narcotics is also imminent. Therefore, in the future, on the one hand, it can reform ASEAN's internal system and strive for the effectiveness of its measures; On the other hand, it also can learn from some countries with strict drug prohibition, combine the national conditions of different ASEAN countries for local governance, or try to cooperate with other countries in the drug trade chain. To address the drug problem from a more holistic perspective. However, this paper only analyzes the problems existing in ASEAN's participation in cross-border drug management in Southeast Asia, and does not further analyze the solutions to the existing problems or even provide solutions. In addition, drug trade not only exists in Southeast Asia, and even Afghanistan and other places have become increasingly important areas for the production and sale of drugs in recent years. Therefore, in future research, the research direction will be expanded not only to cross-border drug governance in Southeast Asia, but also to the Middle East, and even to the joint governance of the two regions and even global governance.

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