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Master's Thesis

Beyond Borders: Assessing Multilateral Cooperation Frameworks in Southeast Asia's War on Drugs



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Abstract

This thesis examines the effectiveness of multilateral cooperation frameworks in combating narcotics trafficking in Southeast Asia. Using a comprehensive analysis of United Nations and ASEAN initiatives, this paper examines how economic, geopolitical, and cultural factors have negatively impacted the efficacy and sustainability of the development and implementation of these programmes. Case studies of Southeast Asian states are used to highlight the unique approaches that each state has utilized in its strategy to address drug trafficking, and the extent to which they have participated in multilateralism. Despite a perceived shared commitment to the goal of a drug-free region, the problems of public corruption, porous borders, intra-state conflict, and varying commitments to international standards have created difficulties in the implementation of an effective regional framework. This thesis argues that while these frameworks have aided in the creation of interstate dialogue surrounding the threat, and have resulted in varying levels of policy harmonization, their functional impact on the reduction of drug trafficking in the region has been limited by structural impediments and high levels of variance in political commitment.

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List of Abbreviations

The following table describes the significance of various abbreviations and acronyms used throughout this paper. The page on which each abbreviation is defined or first used is also given.

Abbreviation	Meaning	Page
SEA	Southeast Asia	8
INCB	International Narcotics Control Board	8
MO	Multilateral Organization	8
IO	International Organization	8
ASEAN	Association of Southeast Asian Nations	8
UN	United Nations	8
SAC	State Administration Council	17
UNODC	United Nations Office on Drugs and Crime	18
ASOD	ASEAN Senior Officials on Drug Matters	40
UNTOC	United Nations Convention on Transnational Organized Crime	41
APSC	ASEAN Political-Security Community	43
AMMTC	ASEAN Ministerial Meeting on Transnational Crime	45
ASOMTC	ASEAN Senior Officials meeting on Transnational Crime	45
AMMD	ASEAN Ministerial Meeting on Drug Matters	45
ADMN	ASEAN Drug Monitoring Network	45
ASITF	ASEAN Seaport Interdiction Task Force	46
AAITF	ASEAN Airport Interdiction task Force	46
ACCORD	ASEAN and China Cooperative Operations in Response to Dangerous Drugs	49
NNCC	National Narcotics Control Commission	49

CND	Commission on Narcotic Drugs	53
MOU	Memorandum of Understanding	53
SAP	Subregional Action Plan	53
BMP	Border Management Programme	54
BLO	Border Liaison Office	54
ATS	Amphetamine Type Stimulants	56
UWSA	United Wa State Army	60
ONCB	Office of the Narcotics Control Board	61
SMCC	Safe Mekong Coordination Center	61
INCC	International Narcotics Control College	61
NACD	National Authority for Combating Drugs	65
LPRP	Lao People's Revolutionary Party	67
CSO	Civil Society Organization	70
NGO	Non-Governmental Organization	70
DDB	Dangerous Drugs Board	76
VBSS	Visit, Board, Search and Seizure	80
INP	Indonesian National Police	81
RMP	Royal Malaysian Police	83
NCC	Narcotics Cooperation Center	83
NCID	Narcotics Crime Investigation Department	85

Introduction

Addressing non-traditional security threats such as transnational organized crime, including narcotics trafficking, has become increasingly important to the overall security of the Southeast Asian region (SEA) since the turn of the millennium. Accompanying the recent economic growth in the region spanning from Indonesia to Myanmar has been a sharp increase in the magnitude of non-traditional security threats such as terrorism, forced migration, and illicit trafficking.¹ The removal of economic barriers between SEA states as a result of rapid globalization and economic liberalization presents opportunities for transnational organized crime groups to exploit emerging security vulnerabilities.² This precipitates a need for the development and implementation of multilateral solutions to transnational security threats.³ According to the International Narcotics Control Board (INCB), “Illicit manufacture and use of and trafficking in methamphetamine in the region continue to pose a serious threat to peace, stability and public health in the countries of East and South-East Asia.”⁴ The UNODC estimates that the combined value of the Heroin and Methamphetamine markets in SEA stands above \$30 Billion annually.⁵ This region, marked by its porous borders and historically unstable political institutions, is especially prone to threats associated with transnational organized crime, and as such, requires extensive multilateral cooperation in this sector.

Multilateral organizations (MOs), such as the Association of Southeast Asian States (ASEAN), and international organizations (IOs) such as the United Nations (UN) have provided forums through which regional governments can collaborate to address threats to security, both

¹ Anwar, Dewi Fortuna. “Indonesia and the ASEAN Outlook on the Indo-Pacific.” *International Affairs* 96, no. 1 (January 1, 2020): 111–29. <https://doi.org/10.1093/ia/iiz223>, 112.

² Shelley, Louise. “Border Issues: Transnational Crime and Terrorism.” In *Borders and Security Governance Managing Borders in a Globalised World*, edited by Marina Caparini, 255–69. Zurich: Lit, 2006, 255.

³ “Protecting Peace and Prosperity in Southeast Asia: Synchronizing Economic and Security Agendas.” United Nations Office on Drugs and Crime, February 5, 2016. https://www.unodc.org/roseap/uploads/archive/documents/download/2017/Economic_Integration_07_05_Feb_2016.pdf.

⁴ “INCB Report 2022.” International Narcotics Control Board, March 9, 2023. <https://www.incb.org/incb/en/publications/annual-reports/annual-report-2022.html>.

⁵ Thanh-Luong, Hai. “Transnational Drug Trafficking in Southeast Asia: Identifying National Limitations to Look for Regional Changes.” *Revista Criminalidad* 64, no. 1 (March 3, 2022): 177–92. <https://doi.org/10.47741/17943108.338.>, 178.

traditional, and non-traditional in nature. This paper puts forward the proposition that despite the rapid growth in opportunities, the concrete action that has been taken to utilize multilateral means to address the threat have had a minimal impact on larger trends in regional narcotics distribution. Instead, multilateral collaboration in countering illicit drug trafficking has largely been relegated to a desultory state in the form of joint statements of mutual interest and long-term goals that are beyond the scope of reasonability. It can be seen that the rate at which states in SEA have adopted policies which facilitate the forces of economic globalization has greatly outpaced the rate at which multilateral solutions to transnational security vulnerabilities have been developed. With such prospects for improvement as the ascension of Laos to the chairmanship of ASEAN in 2024, it remains to be seen whether a more unified approach to counternarcotics cooperation, and transnational organized crime more broadly, will emerge as areas of focus and improvement in the coming years.

There exists three primary reasons why this issue is of paramount importance in our current times, in which global political uncertainty and instability in the developing world has emerged as an exigent threat. Firstly, the spread of transnational crime threatens the political stability of SEA nations through its inherent links to political corruption and denigration of law enforcement institutions.⁶ As Shelley states, “Failure to develop viable, coordinated international policies in the face of ever-growing transnational criminality, however, may undermine the nation-state in the 21st century.”⁷ Organized crime groups involved in narcotics trafficking have the capability to challenge state power and erode the rule of law by undermining the legitimacy of law enforcement institutions. This has been demonstrated in the recent case of Myanmar, in which the proliferation of criminal networks, operating in tandem with anti-government rebel groups, have, in effect, deteriorated the legitimacy of the highly contested government to a considerable degree. The proliferation of transnational crime across the region has the ability to pose challenges for states which are seeking to consolidate their legitimacy both in the eyes of the international community as well as their citizenry.

⁶ Shelley, Louise I. "Transnational Organized Crime: An Imminent Threat to the Nation-State?" *Journal of International Affairs* 48, no. 2 (1995): 463-489, 463.

⁷ *Ibid.*

The growth of the illicit drug trade has numerous negative implications on the human security of the region through public health crises. This has the potential to burden both private and public institutions involved in healthcare provision and community health. The abuse of narcotic drugs commonly found in Southeast Asia such as Heroin, has been known to present positive correlations with higher rates of exposure to infectious diseases such as HIV or AIDS. This resulting challenge creates an even larger security risk when extended to broader communities, which may only have access to variable levels of medical care. As such, a threat that could at one point in time be considered through a one dimensional policy lens must be broadened to encompass larger threats to human security.

Finally, states in the SEA region have an obligation to uphold international standards relating to transnational crime prevention. As members of international organizations such as the UN, and signatories of numerous drug control treaties, there exists an implicit obligation for these states to take the appropriate measures to ensure that global standards are being upheld. As a result, failure to adhere to established protocols can have the negative effect of diminishing the region's standing in the international community. Should these threats continue to grow, it is not beyond the realm of possibility that the region's reputation on the global stage diminishes to one in which the proliferation of lawlessness and criminality is treated with apathy.

Considering the geographical constraints faced by the region, given its largely archipelagic nature, it is essential that any feasible response to the threat of transnational crime and narcotics trafficking must be first and foremost unified and multilateral in nature. The vast array of islands that comprises Indonesia, Malaysia, and the Philippines presents itself as a propitious opportunity for organizations engaged in transnational criminal activities, especially trafficking in persons and illicit goods. Invariably, this is due to the fact that an incalculable amount of human resources are required in order to effectively monitor these archipelagos in a traditional manner.

ASEAN, the UN, and their respective subsidiary institutions have provided means through which attainable solutions to this problem can be cooperatively developed through incremental approaches. However, as will become clear through this paper's analysis, these institutions have

been greatly underutilized, which has resulted in a lack of progress being made in achieving the multitude of goals that have been set for the diminution of drug trafficking in the region.

The reasons for this purported incohesiveness are multifaceted. SEA comprises a wide variety of regime structures in its states. The diversity in this region among regimes and their structures inevitably leads to numerous instances of divergence in political priorities. Democratic regimes are likely to work towards compliance with international standards, while authoritarian regimes may not hold these same priorities. The evident economic disparities between SEA states contribute handily to these divergences. Wealthy states are more likely to have the resources available to meet the demands that multilateral frameworks require. By contrast, states exposed to endemic poverty are unlikely to have the same resources. Traditional security threats have diverted mutual focus away from non-traditional security threats in the region. This redirection of focus is especially prominent in the ongoing disputes concerning maritime sovereignty in the South China Sea, as well as the continuing civil war and ensuing political instability in Myanmar. Corruption, cultural perceptions, political will, sovereignty concerns, market forces, and the non-binding nature of international treaties also pose obstacles to the implementation of multilateral programs in this domain, and will be analyzed in this paper.

This paper will seek to examine the means by which SEA nations collaborate on multilateral bases to address the persistent threat of transnational crime and narcotics trafficking. These strategies and programs will then be assessed in terms of their effectiveness (or lack thereof) at stemming the problems identified. This paper also will seek to examine potential factors that may have impeded the overall effectiveness of multilateral approaches thus far.

Chapter 1 will introduce the main research questions that this paper is seeking to address. This will be followed by a literature review, which examines the existing academic literature on the topic of narcotics in SEA, and will bring the findings of these sources into the scope of this paper. A proprietary conceptual and theoretical framework will then be introduced, and will explain the primary criterion by which this paper will seek to assess the effectiveness of the multilateral programs in question. This will be followed by an overview of the plethora of

political, economic, geographic, and cultural obstacles that persist throughout the region in implementing multilateral programming.

Chapter 2 will provide a historical overview of the threat of transnational narcotics trafficking in the region. This is done in order to provide crucial context when analyzing the problem in its contemporary form. The production and distribution of narcotics in SEA is by no means a recent phenomenon, and as such, it is invaluable to bring historical perspectives into account in order to fully understand the problem today.

Chapter 3 will introduce the two main organizations which this paper seeks to analyze, ASEAN and the UN, with regards to their functions in the realm of transnational crime. This section will provide an overview of the structures of the organizations and their subsidiary agencies responsible for drug control, in order to provide context for understanding the means by which the policies are implemented. Following this will be an overview of the main programs and policies that have been formulated by these organizations, as well as an explanation of the goals that these programs have sought to achieve. This will be done in order to contextualize the factors that go into the making of a “regime”, both at the global and regional levels.

Chapter 4 will provide case studies of each country in the region, excluding Singapore and Brunei. The reason for this exclusion is the relative lack of importance that both of these states represent in the regional drug supply chain, owing to their small territories and populations. The case studies will examine the overall drug situation in the country and the role played in the larger scope of the regional drug supply chain. This will be followed by an examination of how these countries have interacted with MOs and IOs in the past as it pertains to multilateral narcotics strategies, through the scope of the assessment matrices outlined in chapter 1. This section will also examine which impediments each state is exposed to, and how these obstacles have interacted with the implementation of the aforementioned programs.

Chapter 5 will analyze the findings of the case studies, and will tie the findings of each case into the theoretical structure that was developed in the first chapter. States will be grouped together and assessed based on the aforementioned criteria for assessing engagement in multilateral

frameworks. A new proprietary framework will then be developed to interpret the findings of the case studies into a digestible and actionable format.

This paper will conclude with a summary of its findings related to the perceived effectiveness of multilateral programs in counternarcotics in SEA, as well as a restatement of the role that inhibiting factors have played in implementing these programs. This will be followed by a brief section which outlines the possible ways which this research can be built upon, broadened, and expanded to explore adjacent topics.

Chapter 1

Research Target

This paper will seek to answer the following questions:

- How have multilateral frameworks, facilitated by ASEAN and the UN, been implemented to address the problem of narcotics trafficking within Southeast Asia?
- How effective have these frameworks been at addressing the issue of narcotics trafficking in the region?
- What obstacles do Southeast Asian states face in implementing these strategies?

By examining the implementation of multilateral frameworks, this paper will seek to understand the underlying strategies and operational structures that the two organizations in question have established in the realm of counternarcotics, within the transnational organized crime paradigm more broadly. This will involve an exploration into the practical and institutional aspects of these schemes, as well as a tripartite assessment of their effectiveness and impact on current trends.

An examination of the obstacles faced by states in the SEA region in implementing effective multilateral counternarcotics policies and programs is important in that it has the ability to provide insight into barriers that inhibit multilateralism more broadly within the realm of security. Divergence among states in their respective levels of commitment to multilateral counternarcotics programs, as an example, has the ability to negatively impact the uniformity in application of frameworks aimed at addressing larger security threats.

Literature Review

The bulk of the existing academic literature as it relates to ASEAN member states and multilateral approaches to counternarcotics largely consists of papers which were published between 2000 and 2010. As such, much of the existing analysis does not take into account new initiatives that have been implemented since 2010, as well as new trends that have emerged in

the cultivation, refining, trafficking, and consumption of narcotic drugs and their precursor chemicals within SEA. This lack of up to date analysis necessitates a contemporary assessment of the impact that multilateral counternarcotics strategies have had in the region.

Ralf Emmers has contributed immensely to the existing academic literature on multilateralism in SEA. These works have been instrumental in laying the groundwork for a more in-depth analysis of multilateralism in regional counternarcotics policy. Emmers' 2007 paper *International Regime Building in ASEAN: Cooperation Against the Illicit Trafficking and Abuse of Drugs* serves as the starting point from which this paper has been written. Building upon Stephen Krasner's conceptualization of regimes in contrast to informal arrangements, Emmers seeks to contextualize regional efforts within this paradigm. Emmers asserts that the series of bilateral agreements between the most interested parties in the region do not meet the preconditions in order to be considered a multilateral regime, and are instead best interpreted as a set of bilateral and unilateral policies.⁸ Furthermore, many regional partners do not have the resources or the willpower to meaningfully contribute towards multilateralism in this regard, and as such, capable states are hesitant to enter into broad multilateral frameworks.⁹ Emmers argues that the prospects for a working anti-drug regime within ASEAN are bleak.¹⁰

This paper will argue that in the almost 2 decades since Emmers' analysis was published, institutions have begun to consolidate more concrete forms of multilateralism through the development of inclusive arrangements and policy frameworks. Additionally, the UN, through its associated agencies, has taken steps to develop its facilitation of multilateral cooperation. Anyhow, these frameworks have failed to create effective change as a result of structural impediments impacting states' capabilities. Despite the development and consolidation of multilateral frameworks and regimes, it holds true that as a result of structural factors, states are more likely to engage with one another through bilateral means on the basis of expediency and interoperability. As a result, this necessitates a more detailed look into how multilateralism has taken shape in the past 15 years, and an assessment of whether or not the same impediments to

⁸ Emmers, Ralf. "International Regime-Building in ASEAN: Cooperation against the Illicit Trafficking and Abuse of Drugs." *Contemporary Southeast Asia* 29, no. 3 (December 2007): 506–25. <https://doi.org/10.1355/cs29-3g>.

⁹ Ibid.

¹⁰ Ibid.

effective cooperation remain. This paper will build upon Emmers' analysis, but will seek to incorporate a more concrete method for assessment of the effectiveness of multilateral cooperation schemes.

Publicly available documentation which has been self-published by SEA governments presents a unique opportunity to gain insight into how individual states view the threat of narcotics on a unilateral basis, and how multilateralism can be used to ameliorate these efforts. Most important in this regard are the divisions of federal policing agencies which are specialized in drug control, as well as the relevant ministries of health, which report on levels of drug usage and addiction within their respective populations. Many of these organizations publish annual reports in which trends are assessed, along with relevant data related to the enforcement of transnational criminal activity. However, misrepresentation and manipulation of data by some states within this analysis, many of which possess high levels of governmental corruption, must be taken into account.

The problem of corruption within the relevant ministries of some member states being analyzed in this paper presents the opportunity for negative impacts on the quality of information being reported. This is especially true in the case of states such as Myanmar, which has recently transitioned to an authoritarian military government. Furthermore, in the cases of Lao PDR and Cambodia, which similarly experience high levels of perceived corruption, there is a relatively high likelihood that self-reported data will be corrupted in some form or another. States with high levels of corruption have incentives to under-report or over-report data in order to meet certain goals on paper. This is likely to be done with the political motivation for presenting a certain ministry as being effective in order to justify continued or increased levels of funding. Additionally, it is likely that in some cases, individuals within law enforcement agencies would not be opposed to the collection of bribes in order to deliberately overlook illicit activities that would have otherwise been interdicted and reported. By contrast, a state such as Singapore is highly likely to produce accurate data in this regard. This is in part due to the country's extremely low levels of perceived corruption, and a robust system of governance which places high priority on law enforcement and its integrity.

Underfunding and weak institutional control present similar problems as it relates to the negative impacts on the reliability of data being self-reported by states. In some states, such as the Philippines, which has developed a reputation for its aggressive war on drugs, government ministries active in narcotics interdiction are perceived to be adequately funded, if not over-funded. Conversely, Myanmar, which is currently in the midst of a civil war as of 2024, has a highly contested and disunified governance structure. Many rural regions, primarily responsible for the production and distribution of narcotics such as Opium, are not under the direct control of the central government, and are instead governed by a plethora of anti-government militias. As a result of this fractured governance, there is a negligible likelihood that data being reported by the central government under the State Administration Council (SAC) concerning levels of narcotics circulation within Myanmar's borders can be seen as reliable.

A lack of standardized data collection methods between governments presents numerous problems for any form of comparative analysis. When comparing the impacts of multilateral policies or programs on trends in different states, it is highly essential that the dependent variables, those being the trends observed, are identified and conform to a consistent standard.

It is for the aforementioned reasons that the high likelihood of unreliable or corrupted data published by some states within the SEA region must be brought into consideration when conducting this analysis. States such as Lao PDR and Myanmar can be considered to be unreliable sources of self-published data. Singapore, as previously stated, may be regarded as the only case in the region in which it is highly likely that any published data on transnational criminal activity can be considered as veracious and dependable. Similarly, both the Malaysian and Thai governments have made recent developments in consolidating institutional control and eliminating corruption, and can thus be interpreted as moderately reliable sources of self-published data.

Conversely, data on drug trafficking from reliable third parties such as the UN and its subsidiary bodies is highly unlikely to be corrupted by the forces that are likely to impact self-reported data. The UN and its associated bodies possess and utilize a robust set of standardized data collection

methodologies, which lead to the production of highly accurate and non-manipulable data. Furthermore, the UN uses third party auditors, which are used to guarantee the accuracy of published data. As such, the United Nations Office on Drugs and Crime (UNODC) and its publicly accessible data will be a major part of this analysis.

As a result of the dynamic and rapidly changing environment of transnational organized crime, fact-based news reporting plays an important role in the construction of a robust understanding of the situation which this paper seeks to address. Local news sources in the SEA region regularly report on specific instances in which counternarcotics policy was implemented in a regionalized context. While it could be construed that these instances are anecdotal, it is important to adopt both a localized as well as a regionalized perspective in order to fully understand how regional and national policies are implemented at every level.

The main impediment to the sourcing of reliable data comes about when one considers the illegality of the subject at hand. It can be almost impossible to collect accurate data on the production levels of illicit substances in hidden laboratories in rural environments controlled by insurgent groups. As such, it may not be sufficient to base an analysis of the effectiveness of counternarcotics programs solely on tangible elements such as drug seizures and the prevalence of use among the population.

Counternarcotics Cooperation at a Glance

Given that this paper will explore the ways in which law enforcement institutions utilize organizations or regimes as a means of facilitating interstate cooperation in law enforcement matters, it is increasingly necessary to define what exactly this cooperation is *in practice*.

Frederic Lemieux, in *International Police Cooperation: Emerging Issues, Theory and Practice*, defines police cooperation as “...the intentional or unintentional interaction between two or more

police entities (including private and public agencies) for the purposes of sharing criminal intelligence, conducting investigations, and ultimately apprehending suspects.”¹¹

Expanding upon Bigo’s theoretical conceptualization of police cooperation, Lemieux outlines numerous criteria that must be fulfilled in order to facilitate police cooperation. Firstly, the geopolitical considerations and limitations present must be taken into account when constructing a framework which relies on the sharing of sensitive information, which traditionally follows nationalist interests.¹² Secondly, the resources that states have on hand to mobilize towards a common goal is crucial when measuring the projected outcome of a certain cooperative project.¹³ If a state possesses a law enforcement regime that is severely depleted of material and monetary resources, and fails to consistently enforce the rule of law even within its own borders, it will likely not have the resources required to facilitate effective cooperation. Finally, as will be explored later in this chapter, the legitimacy that the multilateral or bilateral agreements hold is a key variable in this scenario.¹⁴ In this sense, INTERPOL can be interpreted as representing the highest level of institutionalization that international policing is subject to. Informal agreements, in comparison, have lower levels of enforceability, and are thus comparatively underinstitutionalized.

Conceptual and Theoretical Framework

Neoliberal institutionalism as a means of explaining regional integration in SEA can be important to contextualize the factors that lead states to engaging in multilateralism in addressing transnational security threats. This theory emphasizes that states have a vested interest in maintaining the stability of the largest international systems of which they are a member. Following this theory, international and regional institutions have the ability to play a positive role in resolving disputes and addressing concerns related to regional security and stability.

¹¹ Lemieux, Frederic. *International Police Cooperation Emerging Issues, Theory and Practice*. Devon: Willan Publishing, 2010., 1.

¹² *Ibid.*, 3.

¹³ *Ibid.*

¹⁴ *Ibid.*, 4.

Despite the initial perceived applicability of neoliberal institutionalist theory to such a case as counternarcotics cooperation, the means by which the theory argues states *should* behave can differ greatly from the means by which they *do* behave in reality. This is the indirect result of institutional and systemic factors impacting the decision making processes of states. While it may be opportune to argue that the benefits of engagement in multilateralism would facilitate participation in such frameworks, environmental factors can prevent this from taking place, thus inhibiting multilateral cooperation.

Neoliberal institutionalist theories on institutional effectiveness, as developed by Robert A. Keohane, could be applied to the explanation of how ASEAN and the UN have facilitated cooperation in addressing shared security concerns. In the book *After Hegemony: Cooperation and Discord in the World Political Economy*, Keohane discusses the value propositions that are held in the development of multilateral arrangements and international regimes in the absence of a hegemonic power. This theoretical approach can be directly applied to this case and the value of policy cooperation. As it relates to this proposition, Keohane states:¹⁵

“...they increase the symmetry and improve the quality of the information that governments receive...By establishing legitimate standards of behavior for states to follow and by providing ways to monitor compliance they create the basis for decentralized enforcement founded on the principle of reciprocity.”

As a result of the regional nature of the threat of transnational crime, it could be inferred that multilateral arrangements developed through a body such as ASEAN have the capability to be more impactful than bilateral agreements. This is because bilateral agreements outside the scope of the MO in question may not include all actors which are negatively impacted by the precipitating factor. This comparative efficiency of multilateral frameworks is due to the fact that not only do these arrangements facilitate cooperation by minimizing transaction costs, but are

¹⁵ Keohane, Robert O. *After Hegemony: Cooperation and Discord in the World Political Economy*. Princeton, NJ: Princeton University Press, 2005, 244.

capable of clustering related issues under one umbrella so that states can reach mutually beneficial agreements. On this value, Keohane states:¹⁶

“...they permit governments to attain objectives that would otherwise be unattainable. They do so in part by facilitating intergovernmental agreements. Regimes facilitate agreements by raising the anticipated costs of violating others’ property rights, by altering transaction costs through the clustering of issues, and by providing reliable information to members. Regimes are relatively efficient institutions, compared with the alternative of having a myriad of unrelated agreements, since their principles, rules, and institutions create linkages among issues that give actors incentives to reach mutually beneficial agreements.”

The removal or diminution of transaction costs that states are normally subject to is especially relevant in this scenario. If a state wants to enhance its efforts at regional cooperation in a field such as border security, it can reduce the costs of the policy development and testing that comes with unilateral action. For example, pre-existing programs that have been developed by IOs, which have a roster of states participating, pose much lower barriers to entry, and can thus be seen as a low-cost way for states to meaningfully engage on issues of importance.

When assessing the multilateral arrangements in question through this theoretical framework, it would be easy for one to infer that no matter the context, the value propositions present in multilateralism will always outweigh those present in clusters of unilateral and bilateral programs. However, it could be argued that clustering a vast array of interconnected security issues under one broad policy umbrella could act as a detractor to effectiveness in that it would effectively dilute political will to solving each issue, and would have less of a sustainable impact. Institutionalism would argue that as a result of the inherent interconnectedness of the issues at hand, it is necessary to develop a clustered approach in which they can be addressed simultaneously. Keohane describes this as the concept of *Issue Density*. This refers to the “number of importance issues arising within a given policy space.”¹⁷ In cases in which there is a

¹⁶ Ibid.

¹⁷ Robert O. Keohane, “The Demand for International Regimes,” *International Organization* 36, no. 2 (Spring 1982): 325–355, <https://doi.org/10.1017/cbo9780511808760.005>, 339.

relatively high issue density, it is highly likely that states will engage through IOs in an effort to achieve economies of scale in their approaches to clustered issues.¹⁸

If Keohane's conceptualization of multilateralism were to hold true in this context, the effects would be readily apparent in that parties which are privy to multilateral counternarcotics frameworks in SEA would effectively engage with them on a regular and sustained basis. However, as will be demonstrated, this has not exactly been the case, and bilateral agreements between states remain the most practical means by which states cooperate in matters of counternarcotics. Furthermore, a Neoliberal Institutional interpretation fails to take into account the structural obstacles that states face on an individual basis in fulfilling obligations and agreements made under multilateral framework. While this does not invalidate the theory's claim that multilateral institutions are able to facilitate interstate cooperation, it poses challenges to its applications in the context discussed henceforth.

The use of regime theory can be useful in this analysis in aiding in the contextualization of states choosing to engage with one another through means of established organizations. Keohane describes regimes as facilitating "the making of substantive agreements by providing a framework of rules, norms, principles, and procedures for negotiation."¹⁹ The variance in the political systems and law enforcement institutions in the region, as will be explained later in this chapter, impacts the ability to create effective and sustainable unilateral solutions. As such, operating by means of an established regime can aid in facilitating the development of these policies.

Ethan A. Nadelmann's conceptualization of global prohibition regimes serves as a basis point from which this paper can contextualize the struggles of SEA's war on drugs within an international context. In his seminal work *Global Prohibition Regimes: The Evolution of Norms in International Society*, Nadelmann describes these regimes as the institutionalization of a set of norms which "strictly circumscribe the conditions under which states can participate in and

¹⁸ Ibid., 440.

¹⁹ Ibid., 337.

authorize these activities and proscribe all involvement by nonstate actors.”²⁰ Furthermore, he states that “Those who refuse or fail to conform are labeled as deviants and condemned not just by states, but by most communities and individuals as well.”²¹ This is done with the intention of eliminating or weakening the means by which criminal activity can be committed without prosecution from relevant actors.

The concept of a global prohibition regime is useful to this analysis in that it serves as a baseline from which states are expected to conform as a matter of habit or custom. Conformity to the norm is done by states not only because adherence coincides with their principal interests, but also because they can face negative consequences that flow from non-adherence to the standard.²² As will be described in Chapter 3, this regime has physically manifested in the form of international treaties developed through the UN relating to the means by which states must respond to issues such as narcotics development, cultivation, transport, and sale. However, the global nature of the regime in question often fails to take into account the difficulties faced by states in conforming to the norm, and has thus necessitated the development of a more localized branch of the regime. On a regional basis, this regime has taken the form of ASEAN in developing more specialized subsidiary bodies on both an operational and a policy-making level which are targeted at developing solutions which would bring the region into a state of closer compliance with the global regime more broadly.

In the case of counternarcotics policy, the global regime is largely dictated by the policy goals and paternalist compulsions of such hegemonic powers as the United States. This is not unique to the case of the global drug regime however, as Nadelmann describes international regimes as reflecting the “economic and political interests of the dominant members of international society.”²³ SEA, in this case, does not contain any states that could be classified as more than a middle power, and as such, does not maintain much influence over the development of global regimes, but is rather a subject to them. As a result, states in the region are incentivized to comply with the standards established within the global regime as a means of maintaining good

²⁰ Ethan A. Nadelmann, “Global Prohibition Regimes: The Evolution of Norms in International Society,” *International Organization* 44, no. 4 (1990): 479–526, <https://doi.org/10.1017/s0020818300035384>, 479.

²¹ *Ibid.*

²² *Ibid.*, 480.

²³ *Ibid.*

standing within the international environment. Recent efforts to remediate this deficiency can be interpreted through this framework as a recognition that the region's persistent inability to comply with the global regime has resulted in a diminution of its standing in the international community.

The global regime on the control of narcotic drugs is not a stagnant entity, and has shifted over time from an approach rooted in outright prohibitionism to one which embraces systems of alternative development. This shift began to take place in the 1980's through to the 1990's, and is considered to have been catalyzed by the failure of prohibitionist policy to control the spread of drug trafficking. This resulted in the regime shifting towards a multifaceted approach that sought to minimize demand at the downstream level as a means to reduce the negative impacts of the spread of drugs. This adoption of alternative development is generally regarded as having been codified at the 1998 session of the United Nations General Assembly Special Session on countering the world drug problem.²⁴ This session created a standard for this new concept of alternative development as follows:²⁵

“a process to prevent and eliminate the illicit cultivation of plants containing narcotics and psychotropic substances through specifically designed rural development measures in the context of sustained national growth and sustainable development efforts in countries taking action against drugs, recognizing the particular socio-economic characteristics of the target communities and groups, within the framework of a comprehensive and permanent solution to the problem of illicit drugs.”

As a result, the global regime on the control of narcotic substances was no longer one-dimensional in its approach, and emphasized a dualistic strategy which included the engagement of local communities. The extent to which ASEAN and its member states have shifted towards an adoption of this updated regime is a source of discussion, and will be a major point of analysis of this paper. As will be analyzed, some states have managed to shift their

²⁴ “Assembly Special Session on Countering World Drug Problem Concludes at Headquarters, 8-10 June.” United Nations, June 10, 1998. <https://press.un.org/en/1998/19980610.ga9423.html>.

²⁵ “Alternative Development Overview.” United Nations Office on Drugs and Crime. Accessed April 22, 2024. <https://www.unodc.org/unodc/es/alternative-development/overview.html>.

control mechanisms towards alignment with the regime through engagement in multilateralism. However, some states have failed to do so as the result of a lack of sustained and meaningful engagement in broader institutional discourses. This divide in the levels to which the global norms have been adopted disrupts the conceptualization of ASEAN as a uniform bloc and is reflective of the low levels of standardized capability across the association. The level with which a state purposefully seeks to realize the standards of the regime by means of multilateral engagement is a significant factor that will contribute to the effectiveness assessed hereafter.

Conceptualizing Effectiveness

The measurement of effectiveness is crucial to this analysis because it allows policymakers or scholars to determine which areas require attention and diversion of resources in order to achieve established goals. The concept of measuring the exact effectiveness of a policy or goal set out by an MO or IO, such as ASEAN or the UN, through a pre-defined theoretical framework is academically contentious. The divergence in evaluation methods between different frameworks arise as the result of most matrices seeking to evaluate the impact of organizations based on one or more of the following qualities: command of stakeholder support, effectiveness of delegation, legitimacy of governance, effectiveness of internal management and bureaucracy, and organizational results.²⁶ As such, in order to measure the effectiveness or impact of drug control policies put forth by ASEAN and IOs, such as the UN, it is essential to implement a multifaceted assessment matrix by which the effectiveness of these policies and programs can be measured against a specified benchmark at which “success” in moving towards compliance with the global regime structure has been attained.

It is important to note that the same principles of assessment can not be applied to both MOs, IOs, and their respective subsidiaries. The differing scopes, mandates, principles, and operative contexts necessitate differing evaluative criteria. The application of one standard method of effectiveness evaluation to both of these organizations would cause challenges, potentially overlooking and misrepresenting the effectiveness of either organization. This necessitates the

²⁶ Lindoso, Vinicius, and Nina Hall. "Assessing the Effectiveness of Multilateral Organizations." Blavatnik School of Government Working Paper Series, no. 13 (April 2016), 10.

creation of a proprietary assessment framework which takes into account the organizational aims and structure of each institution.

Evaluative Criteria

The command of stakeholder support can best be conceptualized as assessing the extent to which states involved utilize an institution over bilateral or multilateral arrangements outside the purview of said institution.²⁷ The choice by a state whether or not to pursue policy solutions within an MO is largely dependent on whether or not the organization is viewed as being an effective facilitator in the achievement of a policy goal. Lindoso and Hall put forward the hypothesis that institutions which command the support of the involved stakeholders have a higher likelihood of performing better on their behalf.²⁸ Furthermore, an indicator of a high level of stakeholder support is the extent to which different states utilize the organization and wield the cooperative power it holds in order to push or further their own agenda.

The legitimacy that the organization in question holds among its member states is a major indicator as to whether or not it will carry out serving those states effectively. In the case that an MO or IO is not seen as a legitimate benefactor to its client states, it is highly unlikely that it would receive buy-in in the form of political or financial support, which would be used to formulate and implement its programs. Legitimation in this context refers to “practices that seek to enhance audiences' belief in the normative appropriateness of an IO's authority.”²⁹ If an MO or IO is held in high regard by its client states, it can be inferred that it is more likely that the organization in question will benefit from the mobilization of human and economic capital stemming from the public sector of the client in question. An accumulation of resources from a variety of client states will provide for the ability for an organization to mobilize its resources to

²⁷ Obser, Andreas. "Multilateral Organisations Performance Assessment: Opportunities and Limitations for Harmonisations among Development Agencies." German Institute of Development and Sustainability, 2007.

²⁸ Lindoso, Vinicius, and Nina Hall. "Assessing the Effectiveness of Multilateral Organizations." Blavatnik School of Government Working Paper Series, no. 13 (April 2016): 10.

²⁹ Schmidtke, Henning, Swantje Schirmer, Niklas Krösche, and Tobias Lenz. "The Legitimation of International Organizations: Introducing A New Dataset." *International Studies Perspectives* (2023). <https://doi.org/10.1093/isp/ekad008>, 3.

produce effective results. The perceived legitimacy that a consultative MO such as ASEAN holds over its member states can, most simply, be distilled into a three-fold measurement of policy alignment and support, adherence to principles and values, and the inclusivity and participation exhibited by the state in question.

The operational results that the multilateral programs and initiatives produce in working towards the goals that have previously been established can be used as a benchmark that applies to IOs in particular. Operational results is a measurement which is two-fold in its outlook. Primarily, this looks at the extent to which a country's counternarcotics policies have been shaped by an IO towards the norms and standards that make up the global drug regime. A state would be seen to have achieved some level of operational success in this manner if it has shifted its drug policies and approaches to reflect those of the regime. Secondly, the success that these multilateral engagements have had on all levels of the drug supply chain within the country are important in determining the level of operational success that they may have had. The primary operational goal of any counternarcotics program is to prevent drugs from reaching its intended recipient, those being the users. As a result, the measurement of the amount of drug users in a country as a proportion of the population is generally a comprehensive indicator as to the level of success that a program or engagement has achieved.

To assess the operational results of a cluster of multilateral programs, an operational analysis would include such factors as the frequency and rate of drug interdictions, total amount of illegal narcotics seized over time, as well as the commonality of narcotics use within a country or region of interest. Conducting an operational analysis of these three overarching factors would seek to encompass both the success of law enforcement efforts, as well as the downstream impacts of drug trafficking more commonly associated with human security.

As previously stated, the differing mandates, organizational structures, and operating environments that both of these organizations operate under precipitates the need for a tailored evaluation matrix. As a result, the UN and its associated bodies, and ASEAN will be evaluated in their effectiveness using differing criteria from one another. While organizational legitimacy is a

trait that can be assessed in both MOs and IOs, operational results and command of stakeholder support are best suited to the analysis of engagement with the UN and ASEAN respectively.

As a result of these discrepancies, the two organizations in question will be assessed as follows:

ASEAN	United Nations
Command of Stakeholder Support	Operational Results
Organizational Legitimacy	Organizational Legitimacy

Obstacles to Multilateral Cooperation

As a result of the inherent unpredictability associated with global security, there presents numerous obstacles to the effective implementation of any multilateral arrangement. In SEA, these impediments can manifest in numerous forms. Geographical constraints, the rampant prevalence of corruption, financial constraints, traditional security threats, varying levels of political will, cultural differences, crop dependency, and sovereignty all have the ability to impact the extent to which an effective multilateral arrangement can be formulated and implemented.

The most obvious impediment in the case of the development of a more effective counternarcotics network across SEA is the difficulty that geography poses. This is especially prominent in the cases of Indonesia and the Philippines, both of which are composed entirely of a series of islands, totalling 25,000 combined. Furthermore, the dense forest terrain on much of the Indonesian archipelago, such as Borneo, presents an immense opportunity for illicit actors to cultivate and produce illicit substances, as well as develop concealed trade routes. The dense jungles which make up the majority of mainland SEA present similar difficulties in that they create challenges for the implementation of a standard border control regime.

ASEAN possesses the widest range of regime types within any regional political organization.³⁰ Based on the conceptualization of regime types put forward by Paul Chambers, below is a functional framework through which the variation found in the governments of the region can be interpreted:³¹

Country	Regime Type
Myanmar	Authoritarian / Military
Laos	Authoritarian / Mass Party
Cambodia	Authoritarian / Personal Control
Thailand	Semi-democratic / Competitive
Vietnam	Authoritarian / Mass Party
Malaysia	Semi-democratic / Competitive
Indonesia	Democratic / Competitive
Philippines	Democratic / Competitive
Singapore	Semi-democratic / Competitive
Brunei	Authoritarian / Personal Control

Considering the vast level of political diversity found within the region, it can be difficult to imagine a scenario in which an approach to decision-making reliant on unanimity could be employed with any level of success. The “ASEAN Way”, which emphasizes discussion and bargaining, seeks to remediate this problem by providing a means by which states can find compromise in collective approaches to communal issues. States which lean towards liberal internationalism, such as those classified as “Liberal Democracy” and “Authoritarian Pluralist”, are generally more likely to make efforts to uphold norms and standards as established by the

³⁰ Simon, Sheldon. “The Limits of Defense and Security Cooperation in Southeast Asia.” *Journal of Asian and African Studies* 33, no. 1 (January 1, 1998): 62–75. https://doi.org/10.1163/9789004476820_006.

³¹ Chambers, Paul, and Napisa Waitoolkiat. “Figure 0.1: Civilian Control over Khaki Capital in Southeast Asia.” In *Khaki Capital: The Political Economy of the Military in Southeast Asia*, xiv. Copenhagen: Nordic Institute of Asian Studies, NIAS press, 2017.

UN and the international community at large. As such, these states may be more receptive to the development and implementation of multilateral security architectures. In contrast, authoritarian states, which often find themselves on the outside looking in with regards to internationalism, may be less receptive to such developments.

Corruption, as previously stated, remains a major issue which negatively impacts effective governance in SEA. Moreover, according to Transparency International's Corruption Perceptions Index, Cambodia, Myanmar, and Lao PDR are perceived to be the three most corrupt states in the region³², and are also responsible for the overwhelming majority of illicit narcotics production and export. It has been concluded by many observers that organized crime is more likely to prosper if operating in an environment which is prone to public corruption.³³ This is the result of the relatively high probability that law enforcement officials or border control agents may be prone to the acceptance of bribes. For the sake of this analysis, this paper will make use of the definition of corruption as put forth by J.S. Nye in his 1967 paper *Corruption and Political Development: a Cost-Benefit Analysis*:³⁴

“behavior which deviates from the normal duties of a public role because of private-regarding (family, close private clique), pecuniary or status gains; or violates rules against the exercise of certain types of private-regarding influence. This includes such behavior as bribery (use of reward to pervert the judgment of a person in a position of trust); nepotism (bestowal of patronage by reason of ascriptive relationship rather than merit); and misappropriation (illegal appropriation of public resources for private-regarding uses).”

In many rural communities within the Golden Triangle, the cultivation of precursors to narcotic drugs such as opium is not considered to be an illicit practice, and is commonplace among

³² “Corruption Perceptions Index 2022.” Transparency International, 2023.
https://images.transparencycdn.org/images/Report_CPI2022_English.pdf.

³³ Blackburn, Keith, Kyriakos C. Neanidis, and Maria Paola Rana. “A Theory of Organized Crime, Corruption and Economic Growth.” *Economic Theory Bulletin* 5, no. 2 (April 5, 2017): 227–245.
<https://doi.org/10.1007/s40505-017-0116-5>.

³⁴ Nye, J. S. “Corruption and Political Development: A Cost-Benefit Analysis.” *The American Political Science Review*, vol. 61, no. 2, 1967, pp. 417–27. JSTOR, <https://doi.org/10.2307/1953254>. Accessed 5 Apr. 2024.

subsistence and commercial farmers. The continued growth of these crops as a source of livelihood leads to what is known as crop dependency. This presents issues to implementing traditional counternarcotics solutions in these regions for numerous reasons. In the case that a straightforward slash-and-burn approach is used to the elimination of precursors of heroin at its source, it is highly likely that entire communities, which are dependent on such crops, will be forced into a state of economic uncertainty, exacerbating larger problems within the human security umbrella. This problem has sought to be remediated by programs known as opium replacement, in which non-narcotic alternative cash crops are introduced to communities which are traditionally reliant on revenue generated from the sale of opium to criminal organizations. Nevertheless, dependence on these crops by rural communities presents numerous problems to the implementation of programs targeting supply-side reduction.

Market factors beyond the control of states play a role in incentivizing the cultivation and distribution of illegal narcotics in the region, and as such, can lead to difficulties in remediation efforts. This is exemplified by the massive market that China represents in narcotics consumption. As of 2016, there are approximately 2.5 million drug users within China.³⁵ Increasing demand for narcotics within China, combined with efforts to eliminate domestic production, has led to increased levels of production within the bordering states of Myanmar and Laos in recent years. These states produce over 90% of the total drugs consumed within China.³⁶ The economic incentives posed by ballooning market prices for opium can lead to rural farmers willfully shifting their production to focus on these crops, thus reversing the progress made under crop replacement programs.

Financial constraints by states are a major factor that can potentially inhibit the effectiveness of multilateral frameworks. As with any region in the southern hemisphere, SEA is home to massive amounts of inequality between states. This is evident in the major discrepancies that are found between the levels of development in the economies of archipelagic and mainland SEA.³⁷ As a result, some wealthy states may have a large pool of resources from which it can draw upon

³⁵ Zhang, Sheldon X, and Ko-lin Chin. "A People's War: China's Struggle to Contain Its Illicit Drug Problem." *Improving Global Drug Policy: Comparative Perspectives and UNGASS 2016*, 2016. <https://www.brookings.edu/wp-content/uploads/2016/07/a-peoples-war-final.pdf>.

³⁶ Ibid.

³⁷ OECD. *Southeast Asian Economic Outlook 2013: With perspectives on China and India*. OECD Publishing, 2013.

in order to ensure the effective implementation of multilateral programs. In contrast, other states which suffer from chronically high levels of poverty, may not have the available public resources to provide effectively for their citizens, much less engage in complex multilateral frameworks targeting non-traditional security threats. This precipitates a diversion of state resources towards more fundamental issues that are considered to be of greater importance. This can result in states being forced into a state of dependence on foreign intervention, rather than domestic solutions, and can evolve into the development of the lack of political will.

A lack of political will to remediate transnational crime is important to consider, especially among states in which such illicit practices, as part of the informal economy, generate revenue for the country through black markets. This is especially prevalent in the so-called “narco-states” which are prone to high levels of influence by organized crime groups involved in the illicit drug trade. In 2013, the UNODC identified a lack of motivation from member states and relevant multilateral organizations to collaborate with the UN and its programmes as a major risk which has the capability to negatively impact the development of effective policies.³⁸ This apathy can manifest in states where a large portion of security projects are fulfilled by outside actors, either foreign states or IOs. This results in a state in which the country does not have the will to develop its law enforcement capabilities to fill these gaps, as they are seemingly being filled by third parties. As such, the fostering of an environment in which delegation to domestic actors by IOs is essential in the effective implementation of these programs.

The presence of a larger security threat is a factor which can contribute to the development of a lack of political will to engage in addressing non-traditional security threats. In some circumstances, this overarching threat has the potential to be traditional in nature, thus justifying its absorption of political will. This is prevalent in states which suffer from a lack of stable governance, and do not have complete control over the full extent of their internationally recognized territory. This can also manifest in cases in which an outside actor presents itself as a traditional security threat to the state and its sovereignty. As such, much of the political will directed towards non-traditional threats dries up, and is instead directed towards the development

³⁸ United Nations Office on Drugs and Crime - Regional Office for Southeast Asia and the Pacific. “Regional Programme for Southeast Asia: 2014–2017.” United Nations Office on Drugs and Crime, October 9, 2013. https://www.unodc.org/roseap/uploads/archive/documents/Publications/2013/SEA_RP_masterversion_6_11_13.pdf.

of traditional military capabilities. Since the late 1990's, the security priorities of many ASEAN member states have shifted from the elimination of insurgency towards the protection of land and maritime boundaries.³⁹ Given the interconnectedness between organized crime and insurgency as a result of functional spillover, it can be inferred that traditional security threats have absorbed much of the attention and state capabilities in recent years. Four ASEAN states (Brunei, Malaysia, Philippines, Vietnam) are currently involved in lengthy maritime disputes with China in the South China Sea.⁴⁰ This suspicion of China's hegemonic goals has directed much of the organization's security agenda, and has precipitated the intensification of attempts at regional integration with regards to the establishment of a common security community.⁴¹ This may lead to a prioritization of security threats that are seen as being more pertinent in nature, threatening the sovereignty of the state in a more direct nature, rather than undermining it. In the case of Myanmar, which has been engaged in a civil war since 2021, the remediation of transnational criminal activity is likely to be seen as a low-priority action given its current circumstances. The overwhelming majority of the junta's security and defense resources are being put towards regaining lost territory in seeking to reaffirm governance over the extent of the territory which it claims. As a result, the state is unlikely to devote large amounts of resources towards non-traditional security threats in its current state.

The presence of sovereignty concerns has acted as an inhibitor for Southeast Asian states in the effective establishment of multilateral security arrangements, and has brought into question the sustainability of such arrangements over a long period of time. As seen in the case of attempts to securitize the Strait of Malacca from the persistent threat of piracy and armed robbery at sea, there has been a consistent lack of cohesiveness between the governments of Malaysia and Indonesia with regards to maritime boundaries and the jurisdictions over which each state presides. This has resulted in the crucial waterway being regarded by user states as one in which instability and ineffective law enforcement present themselves as a security concern.⁴²

³⁹ Simon, Sheldon. "The Limits of Defense and Security Cooperation in Southeast Asia." *Journal of Asian and African Studies* 33, no. 1 (January 1, 1998): 62–75. https://doi.org/10.1163/9789004476820_006.

⁴⁰ Hu, Le. "Examining ASEAN's Effectiveness in Managing South China Sea Disputes." *The Pacific Review* 36, no. 1 (June 29, 2021): 119–47. <https://doi.org/10.1080/09512748.2021.1934519>.

⁴¹ Koga, Kei. "Introduction: ASEAN's Strategic Utility Redefined." In *Managing Great Power Politics: ASEAN, Institutional Strategy, and the South China Sea*, 1st ed., 1–16. Singapore: Palgrave MacMillan, 2022.

⁴² Simon, Sheldon W. "Safety and Security in the Malacca Straits: The Limits of Collaboration." *Asian Security* 7, no. 1 (February 28, 2011): 27–43. <https://doi.org/10.1080/14799855.2011.548208>, 30.

Furthermore, weak states, which struggle to exercise effective governance over their territory, may be hesitant to engage in multilateral arrangements that would involve the ceding of authority of a certain sector to an IO. States such as Cambodia, who have a tumultuous historical relationship with the UN, have often resisted efforts by IOs to shape policy-making decisions within the country.

Cultural divergence on the perceptions of the use of mind-altering substances varies dramatically between SEA states, and has posed problems in implementing solutions which seek to apply across the entire region. States such as Malaysia, Indonesia, and Brunei, which are heavily influenced by Islam and its legal doctrines, generally view the use of narcotics as an act which is completely unjustifiable. This manifests in harsh legal prosecution of individuals involved in the distribution and consumption of narcotics, including the death penalty. As a result of this negative perception, these states may be more willing to devote resources to its eradication. The policies of other states in the region, such as Laos, Thailand, Cambodia, Vietnam, and Myanmar, are shaped by more secular and pragmatic approaches to the use of narcotics, which may or may not be compliant with the norms of the global regime. This results in an eschewing of the moral and religious aspects of prosecution, but a more concentrated focus on the problem of narcotics as a matter of public health and community development.

The lack of enforceability of many treaties and conventions that are put into action by IOs and MOs is perhaps one of the most crucial factors that has impacted effective implementation of multilateral treaties and conventions. The non-binding nature of UN conventions, founded on the principles of sovereign equality, allows parties to the conventions in question to interpret these documents in a variety of different ways. While some states may be willful participants in an international treaty that addresses drug control, the state may not possess the capabilities to comply with the treaty in question. The same applies for the goals that have been laid out and agreed upon through ASEAN. While states can agree to collectively work towards the achievement of a specified set of objectives, there is no mechanism which can ensure that multilateral agreements are faithfully followed by signatory states.

The conceptual framework that some SEA states choose to utilize when framing the issue of illicit narcotics, differs greatly from that of the broader international community, the UN, and the prohibition regime more broadly. This conceptualization of a global regime plays into previously stated concerns over sovereignty, and drives a wedge between regional cooperation by means of the ASEAN way, and cooperation with IOs. Many member states are known to embrace the view that drugs are a nuisance that can not be normalized, and that the only acceptable way to frame them is as a threat that must be actively targeted for eradication. This is evidenced by such policies as the *Joint Declaration for a Drug-Free ASEAN*, adopted in 1988. On the contrary, ASEAN has been known to view the global perspective of the proliferation of drugs as being too “liberal” in its approach.⁴³ The use of the term liberal in this context refers to attempts to recognize the usage of drugs as a holistic problem that requires normalization to solve. In contrast, ASEAN has always sought to follow the approach of zero-tolerance, and has consistently rejected attempts by IOs to develop more liberal strategies.⁴⁴

As a result of this cornucopia of obstacles, SEA states face an uphill battle in seeking to effectively implement multilateral programs aimed at remediating the flow of illicit drugs within the region. Any state may be exposed to one or more of these factors, which will impact the extent to which a government can effectively engage with multilateral programs. The diversity of the region manifests henceforth, in that each state will have entirely different obstacles to take into consideration when developing and implementing policy. A state such as Myanmar is likely to be exposed to almost all of the threats described above, which would, in effect, make some programs entirely unfeasible. More developed states, such as Malaysia, may only be exposed to minor inhibitors, and as such, would have less factors to bring into consideration when working towards the achievement of regional policies and goals. However, considering the transnational nature of the perceived threat, states which face numerous obstacles to implementation are likely to hinder the progress of the region at large in addressing the threat.

⁴³ “The Sixth ASEAN Ministerial Meeting on Drug Matters - Chairman’s Statement.” Association of Southeast Asian Nations, October 2018.

<https://asean.org/wp-content/uploads/2018/10/ADOPTED-6th-AMMD-Chairmans-Statement.pdf>.

⁴⁴ Ibid.

States which are exposed to entirely different sets of threats to the effectiveness of law enforcement operations are unlikely to engage in multilateral cooperation with one another. Rather, states which are impacted by similar threats to their security, or have shared sets of norms and values, are more likely to engage with one another through bilateral or trilateral agreements on the basis of efficiency and enforceability.

Reflecting upon the factors that impact inter-state cooperation, states can be organized into one of three predefined categories based upon their level of effective multilateral cooperation. States which are actively seeking to enter into compliance with global regimes on drug control and its associated practices can be labelled as **proactive collaborators**. These states often actively engage with international authorities as a means to bolster drug control efforts. On the opposite end of the spectrum, there exist states who actively resist intervention through multilateralism, and dedicate a minimal amount of political resources towards combating the flow of illicit substances. These states often have no disposition towards entering into compliance with the global drug regime, and can thus be labelled as **peripheral associates**. Between these two extremes, some states will conditionally participate in multilateral counternarcotics frameworks in cases where it is convenient to do so, but will often seek to engage in bilateralism on the basis of expediency. These states may hold some reservations about the global regime, and may seek to engage on a regional basis rather than one dictated by an international authority. These states can be labelled as **conditional participants** in multilateral counternarcotics schemes.

This paper hypothesizes that the effectiveness of multilateral counternarcotics strategies in Southeast Asia is heavily impacted by a plethora of economic, political, geographic, and cultural obstacles. This has led to a variety of outcomes between states in the region, both positive and negative. Ineffective governance, public corruption, persistent conflict, and financial constraints exhibited by narcotics producing states have inhibited multilateral programs in the region as a whole, and have exacerbated difficulties in law enforcement initiatives for transit and consumer states. Furthermore, states' willingness to meaningfully engage with multilateral frameworks is challenged by the different means by which states frame the issue of illicit narcotics on a domestic level, impacting the level of acceptance of the norms set out in the global regime.

Chapter 2: Historical Overview

Origins

Colonialism in SEA at the hands of the British empire in what is now Myanmar in 1824 is often cited as the penultimate origin for what was to become known as the “Golden Triangle” region.⁴⁵ Opium was initially introduced to this region through the East India Company around this time period.⁴⁶ This followed a similar strategy that which was employed in China following the Opium Wars between 1839 and 1860, in which British drug interests in India were supported through the deliberate spread of opium addiction throughout mainland Asia.⁴⁷ Throughout the 18th, and through much of the 19th century, the British government was the main facilitator and sponsor of the opium trade globally.⁴⁸

Some of the first efforts at curbing the spread of opium throughout the colonized states in Southeast Asia can be traced back to the establishment of the Philippine Opium Committee by the American colonial administration in 1903. This came at a time when views of the opium trade were in flux among colonial governments. While these governments were able to efficiently extract revenues from the trade throughout the latter half of the 19th century, the trade had largely decentralized to the point in which a large portion of commerce was taking place outside governmental purview.⁴⁹

The establishment of a formal regime structure in the domain of narcotics control originates at the signing of the International Opium Convention in 1912, and its subsequent implementation in 1915. Among the signatories of this convention were the United States, France, Great Britain, Russia, Japan, and Siam (now known as Thailand). This agreement sought to impose norms as it

⁴⁵ Renard, Ronald D. “Overview of Narcotics in Burma.” In *The Burmese Connection: Illegal Drugs and the Making of the Golden Triangle*. Boulder, CO: Lynne Rienner Publishers, 1996.

⁴⁶ Ibid.

⁴⁷ Mills, James H. “Colonialism, Consumption, Control: Drugs in Modern Asia.” In *The Oxford Handbook of Global Drug History*, edited by Paul Gootenberg, 249–67. New York, New York: Oxford University Press, 2022.

⁴⁸ Nadelmann, Ethan A. “Global Prohibition Regimes: The Evolution of Norms in International Society.” *International Organization* 44, no. 4 (1990): 479–526. <https://doi.org/10.1017/s0020818300035384>, 503.

⁴⁹ Wertz, Daniel J. “Idealism, Imperialism, and Internationalism: Opium Politics in the Colonial Philippines, 1898–1925.” *Modern Asian Studies* 47, no. 2 (2012): 467–99. <https://doi.org/10.1017/s0026749x12000388>, 473.

relates to the prevention of the export and spread of opium and related substances, but did not seek to impact the regulation of narcotics on a domestic level.⁵⁰ Prior to this convention, there existed no discernible norms or standards which sought to govern the trade of psychoactive substances.⁵¹ In 1925, the IOC was updated to include provisions for Cannabis and Hashish. Furthermore, this update formally created a governance system for the legal trade in narcotics, such as those used in medicine.⁵²

The “Golden Triangle” region, as it came to be known, came about largely as the result of the environmental circumstances of the fallout of the Second World War. The period of political instability that emerged after the allied liberation of Burma (now Myanmar), French Indochina (now Vietnam, Lao PDR, and Cambodia), and Thailand from Japanese occupation and influence in 1945 created an environment which allowed the cultivation, refinement, and trade of opium into narcotics to flourish in this region.

Throughout the immediate post-war period, the major political concern in mainland SEA was not in addressing the problem of the proliferation of transnational criminal organizations, many of whom had their origins in China. Rather, the rampant instability that arose in mainland SEA in the form of the outbreak of the First Indochina War and its associated conflicts absorbed much of the little political capital that existed in the region. These absorbed much of the existing political capital until decolonization from European powers was achieved in 1954. Many of the weak nationalist governments that populated mainland SEA at this time had more interest in consolidating power against threats from within and without than controlling organized crime. This evident lack of stable governance sowed the seeds for the creation of an environment in which a regional drug trade could mature and evolve into one which was capable of supplying the entire Indian Ocean region and beyond.

⁵⁰ “International Opium Convention.” United Nations Treaty Collection, January 23, 1912. https://treaties.un.org/doc/Treaties/1922/01/19220123%2006-31%20AM/Ch_VI_2p.pdf.

⁵¹ Nadelmann, Ethan A. “Global Prohibition Regimes: The Evolution of Norms in International Society.” *International Organization* 44, no. 4 (1990): 479–526. <https://doi.org/10.1017/s0020818300035384>, 503.

⁵² “The Beginnings of International Drug Control.” UN Chronicle, June 22, 1998. https://web.archive.org/web/20080429232350/http://findarticles.com/p/articles/mi_m1309/is_2_35/ai_54157834.

A Shift Towards Multilateralism

In August 1967, the foreign ministers of five nations: Indonesia, Malaysia, Singapore, Thailand, and the Philippines, organized a meeting in Bangkok in which ASEAN was founded. The initial aims and purposes of the organization, as stated in the Bangkok Declaration were:⁵³

- “1. To accelerate the economic growth, social progress and cultural development in the region through joint endeavors in the spirit of equality and partnership in order to strengthen the foundation for a prosperous and peaceful community of South-east Asian Nations
2. To promote regional peace and stability through abiding respect for justice and the rule of law in the relationship among countries of the region and adherence to the principles of the United Nations Charter;
3. To promote active collaboration and mutual assistance on matters of common interest in the economic, social, cultural, technical, scientific, and administrative fields;
4. To provide assistance to each other in the form of training and research facilities in the educational, professional, technical and administrative spheres;
5. To collaborate more effectively for the greater utilization of their agriculture and industries, the expansion of their trade, including the study of the problems of international commodity trade the improvement of their transportation and communication facilities and the raising of living standards of their peoples;
6. To promote South-East Asian Studies;

⁵³ “ASEAN Declaration (Bangkok Declaration).” Association of Southeast Asian Nations. Accessed January 16, 2024. <https://agreement.asean.org/media/download/20140117154159.pdf>.

7. To maintain close and beneficial cooperation with existing international and regional organizations with similar aims and purposes and explore all avenues for even closer cooperation among themselves.”

This broad spectrum of areas of cooperation which could be achieved by means of the organization laid the groundwork for the massive expansion of subsidiaries, each tied to their own associated regime, which would be established in the following decades. Most importantly, the commitments to the promotion of regional peace and stability by means of the rule of law among member states paved the way for ASEAN to foray into the realm of security cooperation. By the 1960's, the founding states of the association had recently emerged from decolonization, and were largely governed by anti-communist, nationalist leaders, who maintained an interest in the creation of a regional bloc. Fearing the spread of communist insurgency southeastward towards the archipelago, ASEAN was seen as a means to facilitate the continued collective stability that had emerged after the immediate postcolonial period.

Between 1961 and 1988, the UN, under the guidance of American interests, crafted a formal drug control regime, governed by three overarching legal conventions. These conventions sought to govern the cultivation, production, supply, trade, and transport of opium, cocaine, and were later amended to account for new advances in pharmaceutical chemistry. The significance of these conventions in the formation of the regime structure that we are subject to today will be explained in further detail in Chapter 3.

The 1970's presented a turning point for states within the region as it relates to the development of drug policy. Throughout this period of time, member states of the newly-formed ASEAN began to unilaterally implement extremely relatively strict drug control measures by global standards. In 1976, what was to become the ASEAN Senior Officials on Drug Matters (ASOD) annual meetings among representatives of member states was first established.⁵⁴ This milestone represented a shift in regional counternarcotics strategy as it was the first point in which it was recognized that a multilateral framework, tailored to regional circumstances, is required to

⁵⁴ “ASEAN Senior Officials on Drug Matters (ASOD).” Association of Southeast Asian Nations. Accessed January 16, 2024. <https://asean.org/asean-senior-officials-on-drug-matters-asod/>.

adequately address the problem of drug trafficking in the region. However, it is important to note that at this point, Burma (now known as Myanmar), Laos, Cambodia, and Vietnam, the four mainland SEA nations responsible for the vast majority of illicit drug production, had yet to be admitted into ASEAN. This was largely the result of the numerous intrastate conflicts in which these states were involved, which presented obstacles to their ability to coordinate on a multilateral basis.

Throughout the 1990's, multilateral efforts to address the rampant drug problem proliferated at a rapid pace from within ASEAN. Later in the decade, Vietnam acceded to full ASEAN membership, followed by Myanmar and Laos in 1997, and Cambodia in 1999. This marked the final evolution of ASEAN's roster to its current state. The integration of the mainland nations, including those which make up the golden triangle region, into ASEAN was crucial in bringing these states towards a more unified policy umbrella in which coordinated responses to addressing the direct routes and origination of drug trafficking could be developed. However, the inclusion of impoverished and less politically stable states into the association resulted in the institutionalization of issues faced in the mainland states.

In 1997, what is now known as the UNODC was established following the merger of the United Nations International Drug Control Program and the Crime Prevention and Criminal Justice Division of the UN.⁵⁵ This development proved crucial for multilateralism in counternarcotics policy as it provided for an agency which was tasked solely with facilitating the transition of states compliance with international standards on drug control and prosecution.

In 2000, The *United Nations Convention of Transnational Organized Crime* (UNTOC) was brought forth and adopted at a meeting of the United Nations General Assembly.⁵⁶ As of 2024, UNTOC has been adopted and ratified by 186 UN member states, including all members of ASEAN. It is important to note, however, that UNTOC does not explicitly mention drug

⁵⁵ Annan, Kofi. *Renewing the United Nations: A Programme for Reform*. Report No. A/51/950, New York: United Nations, 1997.

⁵⁶ United Nations, General Assembly. "United Nations Convention Against Transnational Organized Crime." Resolution 55/25, November 15, 2000.
<https://www.unodc.org/documents/treaties/UNTOC/Publications/TOC%20Convention/TOCebook-e.pdf>

trafficking within its purview, as the drug regime has previously been established under the aforementioned drug conventions.

This convention represents a major development in global efforts to address the growing threat of transnational crime, in that it is primarily responsible for the establishment of a global regime for the conceptualization of what transnational crime is, and how it fits with previous conceptualizations of non-traditional security. The convention establishes protocols related to the definition of what constitutes a transnational organized crime, mutual legal assistance structures in the prosecution of such crimes, as well as the establishment of standards for extradition⁵⁷ and prosecution.⁵⁸ Furthermore, UNTOC provides guidelines which should be used by states to facilitate multilateral cooperation in the prevention of transnational crime.⁵⁹

⁵⁷ Ibid., 16.

⁵⁸ Ibid., 11.

⁵⁹ Ibid., 13.

Chapter 3: Contemporary Frameworks

ASEAN Initiatives

Since ASEAN's adoption and acknowledgement of the proliferation of narcotics in the region as a security threat of interest in 1976, it has developed and implemented numerous initiatives and formed subsidiary organizational bodies aimed at providing a platform through which member states may cooperate in developing harmonized policy responses to the ongoing threat.

The primary driver of the association's cooperative efforts in this regard is the "ASEAN Community" and its three subsidiary pillars, the ASEAN Political-Security Community (APSC), the ASEAN Economic Community, and the ASEAN Socio-Cultural Community. These three pillars seek to construct a set of shared norms that penetrate through the political and economic decision making of regional actors. In contrast to global regimes, this regime is able to take into account the unique circumstances of the region which it seeks to govern, which may not be capable of manifesting the standards established through tacit agreements that are more global in nature. However, this regime should not be interpreted as a repudiation of the concept of the global regime, but should instead be conceptualized as representing one specialized part of the larger regime, adapted to unique circumstances. This establishment of a "shared community" represents an attempt at forming a unified regional bloc for use in the arena of international diplomacy. As such, states seeking to engage with one member of the community, are, in theory, incentivized to engage with the bloc as a whole as a means of maximizing value in international cooperation. In practice, this is referred to as the *ASEAN Centrality Doctrine*.⁶⁰

The APSC, with its focus on policy harmonization in response to mutual threats, stands as the most relevant cooperative blueprint for this analysis. While encompassing a broad range of issues, this pillar envisages increased policy harmonization and cooperation in the fields of

⁶⁰ Caballero-Anthony, Mely. "Understanding ASEAN's Centrality: Bases and Prospects in an Evolving Regional Architecture." *The Pacific Review* 27, no. 4 (June 13, 2014): 563–84. <https://doi.org/10.1080/09512748.2014.924227>.

governance building, human rights, corruption, and a “shared responsibility for cooperative security.”⁶¹ On the issue of drug trafficking, the agreement identifies the need to:⁶²

“Work towards a drug-free ASEAN by 2015, in accordance with the ASEAN Work Plan for Combating Illicit Drug-Trafficking, by: strengthening measures to prevent the illicit production of drugs, import and export of controlled chemical precursors as well as regional cooperation in controlled delivery; and enhancing cross-border law enforcement cooperation through information sharing, best practices, and capacity building, Intensify counter-terrorism efforts by early ratification and full implementation of the ASEAN Convention on Counter-Terrorism Actions: combating drug-trafficking;”

Functionally, the establishment of the ASEAN community serves as a means of grouping a large cluster of previously unrelated policy issues under one umbrella, in which expectations and norms are established. The extent to which these expectations are actively met, however, remains an entirely different issue related to the non-enforceability of non-binding agreements.

ASEAN Offices and Agencies

ASEAN’s subsidiaries differ greatly in their functions, and as such can best be categorized into policy-level meetings and operational agencies. Policy-level meetings are regularly held between policymakers and state representatives from governments of member states, and are responsible for the development of regional policy goals. Furthermore, they exist as a means for relevant policymakers to exchange broad information on trends in regional drug trafficking as a means of crafting more relevant and applicable policy on a domestic level. Operational agencies are more functional in nature, and act as a means for local and federal law enforcement agencies of member states and their subsidiary institutions to engage in more in-depth and practical methods of information sharing and coordination.

⁶¹ “Asean Political-Security Community Blueprint.” Association of Southeast Asian Nations, 2009. https://asean.org/wp-content/uploads/2021/03/APSC_BluePrint.pdf, 9.

⁶² Ibid., 11-12.

The first set of ASEAN conferences which sought to address drug trafficking in the region were the ASEAN Ministerial Meeting on Transnational Crime (AMMTC), and the Senior Officials Meeting on Transnational Crime (ASOMTC). These meetings represent the creation of a generalized regime on non-traditional security more broadly, and encompass matters in wildlife smuggling, trafficking in persons, insurgent activities, and terrorist financing.

ASOD represents the pinnacle of interstate policy harmonization efforts in ASEAN. This meeting is responsible for the drafting of new initiatives related to the enforcement of drug laws, and is also tasked with reviewing the progress that has been made in existing initiatives thus far, adjusting decision making accordingly.⁶³ This organization is composed of experts from each member state, who make up of five working groups: preventive education, treatment and rehabilitation, law enforcement, research, and alternative development.⁶⁴

In 2015, the ASEAN Ministerial Meeting on Drug Matters (AMMD) was established. This annual meeting has served as a platform through which ministers of member states can engage in policy discussion and development.⁶⁵ These meetings, more often than not, result in nothing more than a reaffirmation of the set of standards that have been previously established, as well as a “strong commitment to strengthen the role of the AMMD in coordinating a coherent, comprehensive and effective ASEAN strategy in realisation of a Drug-Free ASEAN with strict adherence to the rule of law and observance of human rights while maintaining full respect for the sovereignty and territorial integrity of ASEAN Member States.”⁶⁶

The ASEAN Drug Monitoring Network (ADMN) functions as a support institution which allows member states to formulate dynamic policies relating to drug control based on this organization's research and findings. The ADMN functions as a generator of data which can be formulated into actionable and regionally focused strategies by member states. In their own words, “ADMN

⁶³ “ASEAN Countries Team up to Take Drugs off the Street.” *Indo-Pacific Defense Forum*, January 10, 2019. <https://ipdefenseforum.com/2019/01/asean-countries-team-up-to-take-drugs-off-the-street/>.

⁶⁴ Ibid.

⁶⁵ “ASEAN Ministerial Meeting on Drug Matters (AMMD).” Association of Southeast Asian Nations. Accessed April 17, 2024. <https://asean.org/asean-ministerial-meeting-on-drug-matters-ammd/>.

⁶⁶ “The Eighth ASEAN Ministerial Meeting on Drug Matters (8th AMMD) Chairman’s Statement.” Association of Southeast Asian Nations, August 11, 2023. https://asean.org/wp-content/uploads/2023/08/ADOPTED_8th-AMMD-Chairmans_Statement.pdf.

provides a platform to share information by analyzing the regional drug situation, presenting a national perspective, and incorporating innovative approaches to identify and monitor the emergence of drug problems.”⁶⁷

The ASEAN Narcotics Cooperation Centre (ASEAN-NARCO) was launched in 2005 in Bangkok as a means through which member states’ national law enforcement agencies can engage in centralized information sharing with regards to the flow of narcotics.⁶⁸ This program allows states which have extensive intelligence collection capabilities, such as Singapore, Malaysia, Thailand, or Indonesia, to upload information about trends in the activity of drug trafficking networks, which would then be used to aid local and regional law enforcement in strategic planning.⁶⁹ To date, this remains the most concrete extent to which a functional regional counternarcotics program has been developed, and is reflective of a regional attempt at an INTERPOL-style information sharing network.

The ASEAN Seaport Interdiction Task Force (ASITF), as well as the Airport Interdiction Task Force (AAITF) were created under the auspices of ASEAN-NARCO under the leadership of Indonesian officials.⁷⁰ Both of these organizations are aimed at strengthening the security operations at major points of entry within member states, and preventing the flow of narcotic drugs through these points of entry. According to the UN, approximately 420 Million containers are shipped by sea annually in the global supply chain, which creates an opportunity for organizations involved in the global transport of illicit goods.⁷¹ However, as will be demonstrated in the following chapter, a large portion of transnational transport does not take place through official points of entry, but rather through unofficial routes in remote areas.

⁶⁷ “ASEAN Drug Monitoring Report 2021.” Association of Southeast Asian Nations, 2022. <https://asean.org/wp-content/uploads/2023/11/Drug-Monitoring-Report-2021.pdf>, 7.

⁶⁸ “History.” ASEAN Narcotics Cooperation Center. Accessed April 5, 2024. https://aseannarco.oncb.go.th/forum/info/About_ASEAN-NARCO/History/35.

⁶⁹ Ibid.

⁷⁰ “14 Indonesia’s Important Involvement in ASEAN Issues.” ASEAN 2023 Indonesia, 2023. <https://asean2023.id/en/news/14-indonesias-important-involvement-in-asean-issues>.

⁷¹ “2nd ASEAN Seaport Interdiction Task Force Meeting, 4 July 2017, Singapore.” News, July 4, 2017. <https://www.cnb.gov.sg/NewsAndEvents/News/Index/2nd-asean-seaport-interdiction-task-force-meeting-4-july-2017-singapore>.

ASEAN Treaties and Conventions

The Associations' treaties and conventions represent yet another attempt at the creation of a regionalized regime. These agreements, in practice, re-emphasize prior agreements that were made at the international level through the UN, which will be explored in detail in the following section. These agreements are important in that they establish areas of mutual concern between the regional states and, most importantly, create goals in how remediation will take place, and the time period that it is expected to occur in. It is important to note that these treaties themselves do not create frameworks for cooperation in law enforcement, but rather seek to identify key threats and create norms upon which programs for which interstate police cooperation can be based upon.

The *ASEAN Plan of Action in Combating Transnational Crime (2016-2025)* is a policy framework that was adopted and ratified at the 11th AMMTC in September of 2017. This initiative acted as a follow-up to the initial Plan of Action to Combat Transnational Crime, which was adopted in 1999. The first initiative was instrumental in that it identified the main non-traditional security threats constituted under the umbrella of transnational crime, namely “counter-terrorism; illicit drug trafficking; trafficking in persons; arms smuggling; sea piracy; money laundering; international economic crime; and cybercrime.”⁷² Furthermore, this initiative identified transnational crime not only as a persistent threat, but one that should be elevated to the level of a main priority within the larger scheme of constructing the APSC. As it relates to the relevant objectives of the plan of action, the following intentions are stated in section IV of the document:⁷³

“1. Cooperate closely to prevent and combat transnational crimes under the purview of the AMMTC and SOMTC, namely on terrorism; illicit drug trafficking; trafficking in persons; arms smuggling; sea piracy; money laundering; international economic crime;

⁷² “ASEAN Plan of Action in Combating Transnational Crime (2016-2025).” Association of Southeast Asian Nations, September 20, 2017.

https://asean.org/wp-content/uploads/2021/01/ASEAN-Plan-of-Action-in-Combating-TC_Adopted-by-11th-AMMTC-on-20Sept17-1.pdf.

⁷³ Ibid.

cybercrime; illicit trafficking of wildlife and timber; and people smuggling, as well as where necessary and mutually agreed, expand its scope of responsibility to deal effectively with new methods and forms of transnational crime;

...

“3. Enhance the capacity of law enforcement officials, including judges, on preventing and combating transnational crimes within ASEAN through, among others, cooperation with relevant regional and international organizations, to the extent permitted by domestic laws, including through exchange of information and intelligence sharing, mutual assistance, coordinated patrols, as well as the return of the proceeds of crime;

“4. Enhance and improve coordination, including through sharing of information and joint training and other relevant activities, with other ASEAN Sectoral Ministerial Bodies and relevant organs on issues related to preventing and combating transnational crimes;”

The *ASEAN Work Plan on Securing Communities Against Illicit Drugs 2016-2025* was adopted by the 5th AMMD in 2016. According to the document, the objective of this plan is “...to successfully and effectively address illicit drug activities and mitigate its negative consequences to society, through significant and sustainable reduction in illicit crop cultivation, illicit manufacture and trafficking of drugs and drug-related crimes, and prevalence of illicit drug use.”⁷⁴ This work plan is important for the regional regime as it established a framework for the sharing of best practices between relevant agencies, the sharing of information, and emphasized the need for functional cooperative mechanisms. Important to note, is that this agreement establishes alternative development as a factor to be taken into account, including compliance with the United Nations Guiding Principles on Alternative Development.⁷⁵

⁷⁴ “The ASEAN Work Plan on Securing Communities Against Illicit Drugs 2016-2025 .” Association of Southeast Asian Nations, June 2017.

https://asean.org/?static_post=asean-work-plan-securing-communities-illicit-drugs-2016-2025.

⁷⁵ *Ibid.*, 26.

The *Joint Declaration for a Drug-Free ASEAN* is a piece of policy that was originally signed by member states in 1988, but has continued to be updated to take into account recent developments. The original document stood as an acknowledgement of the growth of the drug trade, as well as its negative impacts on the welfare of SEA states. Initially, the document set a target of the year 2020, by which all member states would work towards the eradication of illicit drug production, processing, trafficking, and use within ASEAN.⁷⁶ However, this target date has since been revised to 2025.

ASEAN has continually sought to engage non-member states in addressing non-traditional security threats, particularly through ASEAN+1, which includes China, and ASEAN+3, which includes South Korea and Japan.⁷⁷ Non-member states continue to maintain a vested interest in controlling the flow of narcotics from SEA in order to prevent an inflow into their own borders. Furthermore, deliberate cooperative engagement by these states can be interpreted as an act of goodwill in capacity building, and can contribute to the development of mutually beneficial partnerships that become codified in formal agreements.

The ASEAN and China Cooperative Operations in Response to Dangerous Drugs (ACCORD) program, implemented in 2000, seeks to engage China in regional counternarcotics programming in a more concrete framework for cooperation. Since its initial implementation, however, this program has fallen into obscurity, and remains overshadowed by the market forces that China exerts upon drug producing countries in the region. In 2018, however, representatives from the Chinese National Narcotics Control Commission (NNCC) reiterated the importance of this program and the need to re-engage in a more active role beyond annual monetary contributions.⁷⁸

The groundwork for counternarcotics cooperation outside ASEAN was catalyzed by the signing of the *Joint Declaration of ASEAN and China on Cooperation in the Field of Non-Traditional*

⁷⁶ Joint Declaration for a Drug-Free Asean.” Association of Southeast Asian Nations, 1988.

<https://asean.org/wp-content/uploads/2016/10/Doc2-D-437-Joint-Declaration-for-a-Drug-Free-ASEAN-1988.pdf>.

⁷⁷ Lijun, Sheng. “China-Asean Cooperation against Illicit Drugs from the Golden Triangle.” *Asian Perspective* 30, no. 2 (2006): 97–126. <https://doi.org/10.1353/apr.2006.0022>.

⁷⁸ “China to Enhance Cooperation with ASEAN on Drug Control.” XinhuaNet, August 31, 2018. http://www.xinhuanet.com/english/2018-08/31/c_137431662.htm.

Security Issues at the 6th ASEAN+1 Summit in 2002.⁷⁹ This agreement emphasizes that both China and SEA share “extensive common interests in coping with these issues”⁸⁰ and seeks to lay the groundwork for the strengthening of information exchange, capacity-building, joint research, and practical cooperation on non-traditional security issues.⁸¹

This trend towards a branching out beyond ASEAN could be interpreted as an admission of the incapability of member states to control issues of transnational crime within the region itself, and the need to engage outside actors with more developed law enforcement and counternarcotics capabilities. Furthermore, this is indicative of the relative lack of expertise that law enforcement agencies in SEA possess, and the need to gain insights from states which possess more consolidated structures aimed at addressing non-traditional threats to national security.

United Nations Programs

UN Treaties and Conventions

The UN has developed three overarching conventions, functioning concurrently, which pertain directly to the threat of the spread of narcotics globally. Collectively, these three main treaties comprise the standards which states are expected to comply with, and form what has been conceptualized as the global regime. In order of adoption, these are the *United Nations Single Convention on Narcotic Drugs* (1961), *Convention on Psychotropic Substances* (1971), and the *United Nations Convention Against Illicit Trafficking in Narcotic Drugs and Psychotropic Substances* (1988). The latter two conventions were drafted in consideration of the 1961 convention, and sought to expand upon the provisions laid out prior, in order to ensure that all aspects of the global drug trade were covered under the umbrella of the larger international regime structure.

⁷⁹ “Joint Declaration of ASEAN and China on Cooperation in the Field of Non-Traditional Security Issues.” Association of Southeast Asian Nations. Accessed March 18, 2024. <https://asean.org/joint-declaration-of-asean-and-china-on-cooperation-in-the-field-of-non-traditional-security-issues-6th-asean-china-summit-phnom-penh-4-november-2002/>.

⁸⁰ Ibid.

⁸¹ Ibid.

C61, the United Nations Single Convention on Narcotic Drugs, was developed as a means to control all activities relating to narcotics, including cultivation, production, supply, trade, and transport of all substances covered under the convention. C61 is important to this analysis in that it represents the first attempt in the post-war era to form a functional and diverse regime governing illegal narcotics. This convention is also notable in that it was the point at which the INCB was formed as a mandated body within the UN architecture. As will be explained, the founding of the INCB with the implementation of C61 paved the way for the proliferation of associated bodies within the UN architecture dedicated to drug-related matters.

The *Convention on Psychotropic Substances* is a convention which sought to expand upon the scope of the substances covered under the 1961 convention. This new convention proved useful in that it developed a schedule system by which narcotic substances are categorized based on the potential for abuse, as well as the therapeutic value that they hold. This paved the way for a shift away from purely prohibitionist approaches towards a more nuanced assessment of the danger that drugs hold. Furthermore, this convention stressed the importance of legal harmonization between signatory states as a means to effectively engage in mutual legal assistance. Additionally, this convention sought to account for advances in chemistry by including LSD and MDMA within the

An international response to the problem of narcotics as a threat based on trafficking came about in 1988 with the introduction of the *United Nations Convention Against Illicit Trafficking in Narcotic Drugs and Psychotropic Substances*. This document thoroughly encouraged UN member states to accelerate in their policy development and implementation efforts to ensure compliance with international standards. Furthermore, parties to the convention should make use of all available resources, including INTERPOL, to exchange, on a multilateral basis, information related to criminal investigations of parties involved in trafficking in illicit substances.⁸² States which ratify the convention are responsible for the responsible prosecution of individuals participating in such activities within their legal jurisdiction.⁸³

⁸² Robertson, Scarlet. "The Role of the UN International Drug Control Conventions in Facilitating Law Enforcement Cooperation in the Policing of Transnational Drug Trafficking." *Contemporary Challenges: The Global Crime, Justice and Security Journal* 2 (2021): 172-191.

⁸³ Ibid.

These three international conventions are pivotal in that they frame the threat of narcotics in such a way that states are encouraged to utilize the frameworks set out prior in order to develop cooperation schemes through bilateral or multilateral arrangements. Prior to their enactment, such a regime did not exist, and as such, agreements between states to facilitate cooperation against drug trafficking were based on principles of trust and customs. Emmers argues that these UN conventions do not facilitate the total eradication of illicit trafficking and abuse of drugs, but provide a platform by which states can “better manage these problems through inter-state cooperation, information sharing, and the spread of more effective domestic and international legislation.”⁸⁴ As such, these conventions do not create solutions in and of themselves, but only act as a starting point from which states can build upon in future endeavours, either unilaterally, or through associated UN offices and agencies.

UN Offices and Agencies

The UNODC is the main UN body which is responsible for implementing programs to facilitate law enforcement cooperation in the realm of transnational crime, specifically the trafficking of illegal substances between state borders. The UNODC works with states through regional field offices in order to develop policies and programs which facilitate the prevention of the overall spread of illicit drugs. UNODC primarily employs an approach that emphasizes the human security related aspects of drug control, such as mitigating the impacts of narcotics on impoverished communities, rather than the judicial aspects as outlined in such conventions as UNTOC. One of the larger aspects of the UNODC’s mandate as it relates to drug trafficking directly, is the collection and analysis of data on drug trafficking trends, including “arrests, seizures, price, and purity of illicit drugs.”⁸⁵

The INCB, formed in 1968, acts as an autonomous monitoring body within the UN system which is mandated for the collection of data related to the production, sale, and consumption of

⁸⁴ Emmers, Ralf. “International Regime-Building in ASEAN: Cooperation against the Illicit Trafficking and Abuse of Drugs.” *Contemporary Southeast Asia* 29, no. 3 (December 2007): 506–25. <https://doi.org/10.1355/cs29-3g>.

⁸⁵ “Drug Production and Trafficking.” United Nations Office on Drugs and Crime. Accessed February 25, 2024. <https://www.unodc.org/unodc/en/data-and-analysis/drug-production-and-trafficking.html>.

narcotics globally. Additionally, the INCB is responsible for conducting research related to the compliance and enforcement of drug control treaties globally.

The Commission on Narcotic Drugs (CND) is a functional commission of the UN Economic and Social Council, which is primarily responsible for the development of policy, to be later implemented by the UNODC. Furthermore, it is responsible for overseeing the implementation of international drug control treaties and to provide advisory on any matters relating to substances covered under the aforementioned treaties. The functions of the CND are mandated to discharge its treaty-based functions as well as operationalize the provision of policy guidelines to the drug control programme as a whole.⁸⁶

UN Projects

The Mekong Memorandum of Understanding (MOU) on Drug Control is perhaps the most ambitious and complete program that the UNODC has implemented in the Asia-Pacific region, largely due to its multifaceted and expansive approach. This programme was brought into effect in 1993, and includes Cambodia, China, Lao PDR, Myanmar, Thailand, and Vietnam. The Mekong MOU was developed in order to facilitate collaborative efforts between signatory states whenever appropriate in matters of drug control.⁸⁷

The driving force behind this project is the Subregional Action Plan (SAP), which provides strategic guidance in the facilitation of “action-oriented programmes that assist member governments, individually and collectively, to address illicit drug production, trafficking and abuse.”⁸⁸ The plan takes a very broad approach to threat, and seeks to address it in a four-fold

⁸⁶ “Resolution 1999/30: Review of the United Nations International Drug Control Programme: Strengthening the United Nations Machinery for International Drug Control within the Scope of the Existing International Drug Control Treaties and in Accordance with the Basic Principles of the Charter of the United Nations.” United Nations Office on Drugs and Crime, July 28, 1999.

https://www.unodc.org/documents/commissions/CND/Drug_Resolutions/1990-1999/1999/CND_Res-42-11.pdf.

⁸⁷ “Mekong Senior Officials Agree to New Drug Action Plan.” UNODC Regional Office for Southeast Asia and the Pacific, May 25, 2016. <https://www.unodc.org/roseap/en/2016/05/mekong-mou/story.html>.

⁸⁸ United Nations Office on Drugs and Crime - Regional Office for Southeast Asia and the Pacific. “Partnership, Cooperation and Action in the Greater Mekong Sub-Region: The Memorandum of Understanding on Drug Control.” United Nations Office on Drugs and Crime, 2015.

https://www.unodc.org/roseap/uploads/archive/documents/Publications/2015/patrol/BLO_Brochure_web.pdf.

strategy, which includes perspectives on drugs and health, law enforcement cooperation, legal and judicial cooperation, and sustainable alternative development.⁸⁹ Through the SAP, the UNODC has adopted an approach to drug control that is firmly rooted in its impacts on broader human security issues. Not only does the programme focus on controlling the flow of drugs, but also in addressing the broader threats to public health that have been impacted by narcotics. The programme seeks to strengthen dependence care policies, as well as to enhance government policies “...to ensure that they meet needs and align with the principles of community-based treatment.”⁹⁰

An interesting point to consider is the conceptualization of drug control that is employed by the UNODC, where broad programmes seek to group related issues into one. For example, the problems caused by trafficking in illicit narcotics are interpreted as spilling over into broader issues concerning public health, accessibility to community-based treatment, and sustainable development for agricultural communities dependent on the drug trade. As a result, law enforcement and judicial cooperation represent only one point in the plethora of means by which the problem can be addressed. This view stands in stark contrast to the conceptualizations that many SEA states have historically utilized to frame the problem of narcotics, which typically disregard broader systemic impacts, resulting in a simplified, militaristic approach to the threat. The adoption and implementation of the Mekong MOU represents a broad shift in the way that the threat of drug trafficking is conceptualized by its signatory states.

The Mekong MOU is crucial in that it facilitated the launch of the Border Management Programme (BMP), and later, the Border Liaison Office (BLO) program. These programmes seek to maintain a constellation of cooperatively manned checkpoints within remote border crossings among mainland SEA states. This is done to facilitate cross-border operations between sovereign police forces, as well as to promote the development of uniform standard operating procedures among agencies. According to the UNODC’s Asia-Pacific Regional Representative Jeremy Douglas, “The most fundamental task of BLOs and the front-line officers that work in them has been, and remains, the exchange of information and coordination with counterparts

⁸⁹ Ibid.

⁹⁰ Ibid.

across the border. Criminal organizations have adapted and innovated, and it is impossible for countries to address transnational crime alone.”⁹¹

⁹¹ “UNODC and Thailand Hold High-Level National Border Management Dialogue.” UNODC Regional Office for Southeast Asia and the Pacific, May 5, 2022.
<https://www.unodc.org/roseap/en/2022/05/thailand-high-level-national-border-management-dialogue/story.html>.

Chapter 4: Case Studies

Republic of the Union of Myanmar

Myanmar has traditionally been viewed as the major producer and supplier within the SEA narcotics supply chain. The majority of the country's production of illegal narcotics takes place in autonomous regions that are not under the control of the federal government. As such, the bulk of regional drug control programmes have taken an approach targeted at stemming up-stream production within the country. It is important to note that Myanmar is primarily responsible for producing precursors to the production of heroin such as opium, but is also known for its recent growth in the production of Amphetamine-Type Stimulants (ATS). This is the result of the relative ease with which precursor chemicals can be procured from China.⁹² Since 2021, the political instability and lack of governmental legitimacy that has permeated from within Myanmar has presented itself as a major obstacle to initiatives aimed at halting the flow of illicit substances from within its borders. According to a 2022 UNODC report, opium cultivation has grown by upwards of 33% since the beginning of the current civil war, making Myanmar the world's largest producer and exporter globally.⁹³⁹⁴ In years prior to the military coup, annual cultivation of opium had been declining precipitously outside of Shan and Kachin states, which experienced only mild reductions in annual production.⁹⁵

ASEAN's perceived legitimacy by the government of Myanmar can largely be considered as tenuous. The persistent political instability that the country has come to represent has presented itself as a major obstacle to ASEAN's goals of continued regional integration and mutual development. In the wake of the 2021 coup, ASEAN promptly drafted a peace plan in order to facilitate a solution to the growing civil war. This five-point plan included the halting of all

⁹² "Fire and Ice: Conflict and Drugs in Myanmar's Shan State." International Crisis Group, January 8, 2019.

<https://www.crisisgroup.org/asia/south-east-asia/myanmar/299-fire-and-ice-conflict-and-drugs-myanmars-shan-state>

⁹³ "Myanmar Opium Survey 2022: Cultivation, Production and Implications." UNODC Regional Office for Southeast Asia and the Pacific, January 2023.

https://www.unodc.org/roseap/uploads/documents/Publications/2023/Myanmar_Opium_Survey_2022.pdf.

⁹⁴ "Myanmar Overtakes Afghanistan as World's Top Opium Producer." United Nations, December 12, 2023.

<https://news.un.org/en/story/2023/12/1144702>.

⁹⁵ Panda, Kavita. "Does ASEAN Have A Drug Crisis?" ASEAN Business Partners, November 29, 2023.

<https://bizasean.com/does-asean-have-a-drug-crisis/>.

violence, engagement in constructive dialogue, as well as the provision of humanitarian assistance by member states.⁹⁶ Despite an initial agreement by the military government to adhere to the plan, it has received criticism from other states for its perceived unwillingness to follow through on this agreement.⁹⁷

With regards to the agreements related to the goal of a “drug-free ASEAN”, Myanmar has consistently been seen as an obstacle to the achievement of these objectives by neighbouring states. These trends can be interpreted as ASEAN failing to influence the policies of the ruling junta, thus resulting in a lack of policy alignment and support. Furthermore, this failure to align with regional initiatives at stabilizing Myanmar has resulted in the junta’s generals being banned from attending high-level ASEAN meetings as of mid-2022.⁹⁸ As will be explored in chapter 5, the ongoing nation-wide instability has resulted in the creation of a rift between ASEAN and policymakers in Naypyidaw, and has contributed to the country’s regional isolation, and shift towards pariah status.

The perceived legitimacy of the UN and its efforts by the Tatmadaw government largely follows a similar isolationist trend. Despite the calls of the UN for the military to cease hostilities against civilian groups, the government has continued its violent suppression of protests, in what has been described as a human rights violation.⁹⁹ This is reflective of a low level of perceived legitimacy held by the SAC with regards to the UN and its goals in the region. The UN and its associated agencies previously maintained an amicable relationship with the government of Myanmar, prior to the military coup in 2021. This is evidenced by the continued delivery of law enforcement equipment from the UNODC to Myanmar law enforcement for use in established

⁹⁶ “Chairman’s Statement on the ASEAN Leaders’ Meeting.” Association of Southeast Asian Nations, April 24, 2021.

<https://asean.org/wp-content/uploads/Chairmans-Statement-on-ALM-Five-Point-Consensus-24-April-2021-FINAL-a-1.pdf>.

⁹⁷ Teresia, Ananda, and Kate Lamb. “Malaysia Calls on ASEAN for ‘Strong Measures’ on Myanmar.” Reuters, September 4, 2023.

<https://www.reuters.com/world/asia-pacific/asean-diplomats-meet-review-stalled-myanmar-peace-plan-2023-09-04/>.

⁹⁸ “Myanmar Junta Hits Back at ASEAN after Being Barred from Meetings” Reuters, August 18, 2022.

<https://www.reuters.com/world/asia-pacific/myanmar-junta-hits-back-asean-after-being-barred-meetings-2022-08-17/>.

⁹⁹ “UNODC Statement on the Participation of Myanmar in United Nations Intergovernmental Meetings Held in Vienna.” United Nations : Information Service Vienna, May 12, 2021.

<https://unis.unvienna.org/unis/en/pressrels/2021/unisnar1439.html>.

BLOs.¹⁰⁰ It remains to be seen whether the ruling Junta possesses the adequate resources or political will to cooperate effectively with IOs at this time.

The operational effectiveness of the UNODC's programs in Myanmar comes into question when taking into account recent trends that have emerged under the new military government since 2021. Production of precursors to heroin have increased greatly since the civilian government was deposed by the military.¹⁰¹ In general, the UNODC has taken a strategic approach targeted at supply-side reduction and sustainable alternative development.¹⁰² This strategy was historically effective at reducing the production of illicit narcotics, as is exhibited by the dramatic drop-off in production that occurred between 2013 and 2020.¹⁰³ However, it remains to be seen whether the ascension of a new government to power will signal the start of a new trend of increased opium production in the country.

The lack of control that the successive military governments have maintained over the rural territories have greatly incapacitated counternarcotics efforts. With regards to the late 20th century government under Ne Win, the debilitated state structure failed to maintain its territorial control for extended periods of time. As a result, insurgent groups in the frontier areas, fueled by profits from the growing narcotics trade, persisted in presenting obstacles to the goal of ending the anarchic state of affairs.¹⁰⁴ As of early 2024, the current government of Myint Swe has very low levels of control over regions outside the three cities of Naypyidaw, Yangon, and Mandalay. According to the exiled National Unity Government, resistance forces currently maintain control over 60% of the country's internationally recognized territory.¹⁰⁵

¹⁰⁰ "UNODC Supports Myanmar to Protect Its Borders Against Transnational Organized Crime." The Republic of the Union of Myanmar Ministry of Information, November 20, 2020. <https://www.moi.gov.mm/moi:eng/news/2013>.

¹⁰¹ "UNODC Report – Major Opium Economy Expansion Is Underway in Myanmar." UNODC Regional Office for Southeast Asia and the Pacific, January 26, 2023. <https://www.unodc.org/roseap/en/myanmar/2023/01/myanmar-opium-survey-report/story.html>.

¹⁰² "Myanmar Programme." UNODC Regional Office for Southeast Asia and the Pacific. Accessed April 12, 2024. https://www.unodc.org/pdf/myanmar_programme.pdf.

¹⁰³ "Myanmar Opium Survey 2022: Cultivation, Production and Implications." UNODC Regional Office for Southeast Asia and the Pacific, January 2023. https://www.unodc.org/roseap/uploads/documents/Publications/2023/Myanmar_Opium_Survey_2022.pdf, iv.

¹⁰⁴ Gibson, Richard M., and John B. Haseman. "Prospects for Controlling Narcotics Production and Trafficking in Myanmar." *Contemporary Southeast Asia* 25, no. 1 (April 2003): 1–19. <https://doi.org/10.1355/cs25-1a>.

¹⁰⁵ Ratcliffe, Rebecca. "Three Years on from Myanmar's Military Coup, the Junta Is Struggling to Assert Control." *The Guardian*, January 30, 2024. <https://www.theguardian.com/global-development/2024/jan/30/myanmar-military-coup-junta-min-aung-hlaing>.

The prevalence of corruption within the central government of Myanmar represents a significant problem not only to the state's domestic capabilities, but also to its ability to engage with outside actors effectively. The deeply entrenched levels of corruption in law enforcement, judicial affairs, and within non-state actors operating in the region has contributed greatly to the debilitation of multilateral programs. This corruption has been known to take numerous forms, including the misappropriation of funds contributed by outside actors which have been designated for aid. Corruption within the government of Myanmar is so endemic that prior to the coup, the role of the military in political affairs had been described by observers as a "deep state."

The lack of available alternatives to the communities which are financially reliant on the drug trade has posed problems to the implementation of opium replacement programs in the country. While it would be entirely possible to replace existing crops with non-narcotic alternatives in this instance, problems arise when the available markets and the lack of infrastructure are taken into account.¹⁰⁶ The UNODC has stated that the main factors inhibiting the effectiveness of alternative development programmes in Myanmar are food security, poverty, and persistent conflict.¹⁰⁷

Myanmar's rural northern borders with China and India present themselves as a major opening for the importation and exportation of precursor chemicals into SEA. According to a 2013 UNODC report, India's growing chemical industry has spurred the importation of chemicals used in the manufacture of methamphetamines.¹⁰⁸ This is further exacerbated by the fact that the government does not hold control over these border areas, and they are largely occupied by anti-government rebel groups.

¹⁰⁶ Ibid.

¹⁰⁷ United Nations Office on Drugs and Crime - Regional Office for Southeast Asia and the Pacific. "Mekong MOU on Drug Control Sub-Regional Action Plan on Drug Control." United Nations Office on Drugs and Crime, October 2013.

https://www.unodc.org/roseap/uploads/archive/documents/Publications/2014/mou/2013.24.10_Sub-Regional_Action_Plan_AB.pdf.

¹⁰⁸ Ibid.

Wa state, and Shan state, which encompasses the entire region of north-eastern Myanmar, represent a growing problem in the larger regional organized crime discourse. Shan state is known to produce the majority of the country's opium, which in turn, makes it the largest opium-producing region within SEA. In the late 1980's, insurgent groups in Shan state, such as the United Wa State Army (UWSA) agreed to ceasefires with the military government in agreements that guaranteed high levels of autonomy for regional governments. These ceasefires have been leveraged by insurgent groups as a means to utilize illicit markets in exchange for a maintenance of peace and allegiance with overarching government interests. Furthermore, the UWSA is estimated to be made up of approximately 20,000 to 30,000 armed forces personnel, which would likely pose a minor threat to the Tatmadaw if challenged. As such, the military government of Myanmar does not have any interest in challenging the sovereignty of Wa State at the risk of the emergence of a new theatre to the ongoing civil war. Today, Wa state, under governance by Bao Youxiang's UWSA, operates as a *de facto* independent state, which has the internal capability to provide healthcare, education, financial, and security services for its 600,000 citizens.¹⁰⁹ The high levels of autonomy that have been exercised by these states has been exploited to promote the drug trade to generate revenue for local economies.¹¹⁰

Myanmar's position and role within the scope of regional counternarcotics efforts represents a confluence of numerous inhibiting factors which when combined, make the effectiveness of these efforts unattainable. The obstacles to effectiveness in Myanmar, combined with its massive importance in the regional drug supply chain, presents adverse consequences to regional drug control strategies as a whole, especially with regards to those targeted at upstream prevention. As has been noted by the UNODC, the massive production of illicit narcotics concentrated within Myanmar has led to a spillover effect into neighbouring countries such as Lao PDR.¹¹¹

¹⁰⁹ Jonsson, Michael, Elliot Brennan, and Christopher O'Hara. "Financing War or Facilitating Peace? The Impact of Rebel Drug Trafficking on Peace Negotiations in Colombia and Myanmar." *Studies in Conflict & Terrorism* 39, no. 6 (January 30, 2016): 542–59. <https://doi.org/10.1080/1057610x.2015.1124628>.

¹¹⁰ Ibid.

¹¹¹ UNODC Regional Office for Southeast Asia and the Pacific. "Mekong MOU on Drug Control Sub-Regional Action Plan on Drug Control." United Nations Office on Drugs and Crime, October 2013. https://www.unodc.org/roseap/uploads/archive/documents/Publications/2014/mou/2013.24.10_Sub-Regional_Action_Plan_AB.pdf.

Kingdom of Thailand

Thailand represents a crucial factor in the regional narcotics supply chain, particularly as a result of its massive production, combined with the government's lax approach to prosecution of related criminality. Thailand is regionally notable for its recent decriminalization of cannabis, which has resulted in the spread of this regionally criminalized substance into neighbouring countries. The Thai Office of the Narcotics Control Board (ONCB) has identified Myanmar and its internal problems as being the main causes of the trafficking of illegal narcotics across the border into Thailand. The ONCB states that despite the adoption of a proactive approach which seeks to secure the northern border against its exploitation by criminal networks, it is still far from success in this manner.¹¹²

In 2015, the Thai Government established the Safe Mekong Coordination Center (SMCC) in Chiang Saen. That same year, Thailand agreed to establish the ASEAN Narcotics Cooperation Centre in Bangkok. In 2023, the International Narcotics Control College (INCC) was opened in Chiang Rai with financial aid provided by the UNODC.¹¹³ These centres serve as a testament to the Thai government's proactive approach to engaging with its regional neighbours on drug control. These centres provide joint training and education to representatives from national law enforcement agencies throughout SEA, and facilitate direct lines of information sharing.

Since 2022, the Thai government has taken a leadership role in the design and implementation of the ASEAN AAITF information system. According to official sources, this system is designed to “promote and systematize the mechanism of intelligence exchange among ASEAN Member States, which can lead to the arrest of drug syndicates.”¹¹⁴ These developments reflect the Thai government's adoption of a proactive approach to regional collaboration in this domain, especially with regards to initiatives developed through ASEAN.

¹¹² Chaovalit, Permpong. “Drug Agenda; A National Agenda: 12 Issues for Review and Recommendations to Effectively Overcome the Drug Problem within 4 Years.” *ONCB Journal - Office of the Narcotics Control Board, Ministry of Justice* 39, no. 1 (October 2023): 6–21.

¹¹³ “UN Forges Bonds in War on Drugs.” United Nations in Thailand, April 4, 2022. <https://thailand.un.org/en/177289-un-forges-bonds-war-drugs>.

¹¹⁴ “The 12th ASEAN Airport Interdiction Task Force (AAITF) Hosted by Singapore.” ASEAN-NARCO, January 31, 2023. <https://aseannarco.oncb.go.th/uploads/AAITF/pdf/1792750214792672.pdf>.

In recent years, Thailand has evidently sought to position itself as a regional leader in the fight against drugs, especially with regards to the development of constructive relations with the UNODC. The Thai government has, on a regular basis, engaged in positive discourse and cooperation with the UN's projects in its country. In 2022, senior officials from within the government held high-level discussions with the UNODC regarding the expansion of the BLO network, which currently operates 28 offices along the borders with Laos, Malaysia, and Myanmar.¹¹⁵ The Thai government can be interpreted as exhibiting high levels of buy-in to the organizational goals of the UNODC, as well as the legitimacy of its aims in the region.

The position of the Thai government has recently shifted towards a full-scale adoption of alternative development programs as facilitated by the UNODC.¹¹⁶ This indicates a liberal embrace of a multifaceted conceptualization of the human security implications that narcotics proliferation poses. The Thai government's embrace of both the more "liberal" aspects of drug control as advocated by IOs, as well as the more concrete approaches supported by ASEAN, is worthy of note as it stands in stark contrast to many of its continental neighbours. According to the UNODC, "Thailand is the first country in Southeast Asia to update a legal framework for drug control in a way that is consistent with UNGASS operational recommendations and international guidelines on policy issues, including proportionate sentencing of drug crimes and alternatives to imprisonment for people affected by drug use."¹¹⁷ This mixed approach can be interpreted as a prime example of pragmatic and informed policymaking in this domain. Furthermore, the Thai government's recent decriminalization of cannabis is indicative of a wholesale embrace of emerging trends in drug policy as conceptualized in western liberal democracies.

¹¹⁵ "UNODC and Thailand Hold High-Level National Border Management Dialogue." UNODC Regional Office for Southeast Asia and the Pacific, May 5, 2022.

<https://www.unodc.org/roseap/en/2022/05/thailand-high-level-national-border-management-dialogue/story.html>.

¹¹⁶ United Nations Office on Drugs and Crime, Government of Thailand, Government of Germany, Government of Peru, and Mae Fah Luang Foundation under Royal Patronage. "The Future of Alternative Development." Paper presented at the Sixty-second session of the Commission on Narcotic Drugs, Vienna, March 14–22, 2019. E/CN.7/2019/CRP.2

¹¹⁷ "Thai Agencies and UNODC Discuss the Future of New Narcotics Code." UNODC Regional Office for Southeast Asia and the Pacific, April 26, 2022.

<https://www.unodc.org/roseap/en/2022/04/thailand-new-narcotics-code/story.html>.

High levels of corruption has emerged as one of the only major impediments to effective cooperation within the Thai government, despite its classification as a liberal democracy by observers. According to a poll conducted by the Thai National Institute for Development Administration, the Thai police are perceived to be the most corrupt of all government institutions, as less than half of all respondents claimed to trust the agency.¹¹⁸ Corruption in the Royal Thai Police Force is often attributed to the low salaries received by officers, precipitating the need to engage in bribery, which is the most common complaint of corruption in this regard.¹¹⁹ This shows that in cases where police are subject to low-level trafficking, it is likely that police are likely to be lenient or negligent in exchange for bribes.

Thailand has largely acted in a manner that is reflective of a position of leadership within the region's war on drugs. The government, since the 2014 coup, has continued to engage positively with both MOs and IOs in taking practical steps to address this ongoing threat, which is indicative of high levels of stakeholder support and organizational legitimation in this regard. The recent embrace of the norms and standards of the global drug regime is reflected in the policies and initiatives of Thai authorities. However, high levels of consumption in the country signals the need for a more developed border management programme which engages high-risk neighbours.

Kingdom of Cambodia

Cambodia's long and fraught relationship with the UN and NGOs has created a current situation in which efforts by outside forces to shape domestic policy within the country are met with resistance. Since the dissolution of the United Nations Transitional Authority in Cambodia, the Cambodian People's Party (CPP) governments of Hun Sen and his successor, Hun Manet, have actively sought to reduce the influence of global institutions and NGOs on domestic policy making. Most recently, the Cambodian government implemented a "Law on Associations and NGOs, which has been criticized as a means to suppress civil society and prevent foreign

¹¹⁸ "Thai Police the Least Trusted Law Enforcement Agency, NIDA Poll Shows." nationthailand, March 10, 2024. <https://www.nationthailand.com/thailand/general/40036255>.

¹¹⁹ Trimek, Jomdet. "Embezzlement, Bribery and Protection Money in the Royal Thai Police Force." *Journal of Contemporary Social Sciences and Humanities* 1, no. 2 (2022): 47–51, 47.

interference.¹²⁰ As a result, this lack of a common ground between the Cambodian government and international policy organizations has resulted in very low buy-in, and has created obstacles in the implementation of multilateral programs directed towards transnational crime.

The modern relationship between the Cambodian government and the UN can largely be categorized as “cooperative antagonism”. The Cambodian government has been the recipient of large amounts of development aid, primarily through the UNDP, and UNICEF, while maintaining some tension with the UN as a result of the government’s poor human rights record, lack of transparency, and repressive governance.¹²¹¹²² In 2017, the Cambodian government’s Ministry of Foreign Affairs and International Cooperation issued a report which referred to the continued UN presence as a tool by western governments, notably the United States to foment regime change in the country.¹²³ UN coordinators have previously been expelled from the country for the publishing of reports or comments that are critical of the government and its agenda.¹²⁴ Most recently, the dysfunctional relationship between the Cambodian government and the UNODC was put on display following the publishing of a 2023 report which examined the prevalence of cyber fraud and its links with an increase in sex trafficking in the country.¹²⁵ The Cambodian Ministry of Interior responded by accusing the UN of making baseless accusations without proof, and emphasized the programs that the government has established to counter transnational crime.¹²⁶ The relationship between the government of Cambodia and the UN can aptly be described as dysfunctional and lacking in legitimation.

¹²⁰ “Cambodia: The Dangers of Lango.” International Federation for Human Rights, August 7, 2015. <https://www.fidh.org/en/region/asia/cambodia/cambodia-the-dangers-of-lango>.

¹²¹ Schlein, Lisa. “UN Agency Condemns Cambodia’s Repression of Human Rights Defenders.” Voice of America, September 11, 2020. https://www.voanews.com/a/east-asia-pacific_un-agency-condemns-cambodias-repression-human-rights-defenders/6195772.html.

¹²² Khan, Adilur Rahman. “Cambodia: UN Body Slams Violations of Civil and Political Rights.” International Federation for Human Rights, May 4, 2022. <https://www.fidh.org/en/region/asia/cambodia/un-body-slams-violations-of-civil-and-political-rights>.

¹²³ “To Tell the Truth.” Ministry of Foreign Affairs and International Cooperation, 2017. <https://www.mfaic.gov.kh/wp-content/uploads/2017/04/Ministry-of-Foreign-Affair-201704-388.pdf>.

¹²⁴ Quinn, Fergal, and Kevin Doyle. 2018. “Cambodia and the United Nations 1980–2000 (and Beyond).” In *Cambodia and the West, 1500–2000*, 177–209. doi:10.1057/978-1-137-55532-8_8., 199.

¹²⁵ “Cambodia Expresses Surprise over UNODC Report Which ‘makes Claim without Proof’ - Khmer Times.” Khmer Times - Insight into Cambodia, October 6, 2023.

<https://www.khmertimeskh.com/501372097/cambodia-expresses-surprise-over-unodc-report-which-makes-claim-without-proof/>.

¹²⁶ Ibid.

The UNODC has been somewhat active in Cambodia, primarily in anti-corruption campaigns¹²⁷ and in public health-related programming. In early 2024, officials from the National Authority for Combating Drugs (NACD), and the customs authorities of Cambodia met with the UNODC in a dialogue intended to evaluate the effectiveness of the country's participation in the BLO programme.¹²⁸ Additionally, methods by which the Cambodian National Police could improve cooperation with neighbouring countries was discussed between the two parties.¹²⁹ It would not be beyond the scope of reasonability to assume that the authorities in Phnom Penh view the increasing prevalence of drugs as necessitating the re-engagement of IOs to provide structural support.

The Cambodian government has recently sought to utilize ASEAN in an increasingly operational capacity to curb the spread of drugs throughout the region. In late 2023, following the ASEAN working group on Drug Matters in Ports, the representative from the NACD iterated the need to use the platform for the development of concrete action, rather than political statements and agreements.¹³⁰ However, it is unlikely that Cambodia will be successful in the shaping of norms and standards of ASEAN, considering the country's lack of regional influence, combined with its status as an autocratic isolationist state in the international community.

The Cambodian government has made some efforts to enhance the state of its regional cooperation in law enforcement. However, this has largely only taken place with regional allies with whom a cooperative relationship has been previously established. Furthermore, the Cambodian authorities are unlikely to possess the resources to engage effectively beyond bilateralism. This is evidenced by the establishment of a bilateral agreement in 2023 with the government of Vietnam, in which emphasis is placed on the facilitation of information sharing between the two parties as well as enhanced utilization of the BLO program to enhance

¹²⁷ "Supporting Financial Investigations into Corruption in Cambodia." UNODC Regional Office for Southeast Asia and the Pacific, October 14, 2020.

<https://www.unodc.org/roseap/en/what-we-do/anti-corruption/topics/2020/corruption-cambodia.html>.

¹²⁸ Ellis, Anthony. "Cambodia Hosts National Dialogue on Transnational Crimes in Partnership with UNODC." EAC News, April 1, 2024. <https://eacnews.asia/home/details/29554>.

¹²⁹ Ibid.

¹³⁰ Sochan, Ry. "ASEAN Step Up Anti-Drug Cooperation." *Phnom Penh Post*, December 14, 2023. <https://www.phnompenhpost.com/national/asean-step-up-anti-drug-cooperation>.

cross-border cooperation.¹³¹ In 2024, the Cambodian government entered into an agreement with the Laotian government to enhance the extent to which the two countries cooperate in matters of law enforcement and drug control.¹³² These agreements indicate a preference for bilateral agreements between individual states rather than cooperation by means of an MO.

The largest impediment to effective Cambodian participation in multilateral programming is the deeply embedded corruption within the state's structure. According to the 2022 Corruption Perceptions Index, Cambodia stands as one of the most corrupt states in the Asia Pacific region, only slightly less so than Myanmar.¹³³ Cambodian political elites involved in the obfuscation of ill-gotten gains have been known to have connections to illegal trafficking in illegal wildlife products and drugs.¹³⁴ According to a 2009 report by U4, law enforcement is one of the most vulnerable divisions of the public sector to the prevalence of corruption.¹³⁵ Furthermore, there is indication that law enforcement officials are involved in either complicity in narcotics trafficking, or trafficking itself.¹³⁶ According to the Organized Crime Index, corrupt officials are the backbone of the criminal marketplace in the country, and play an important part in its facilitation.¹³⁷ The Cambodian law enforcement regime and its inherent corruption is not one that is equipped to satisfy any of the standards that are traditionally expected from such an organization.

The regime structure of Cambodia does not lend itself to conformity with international norms and standards. The continuation of rule under the CPP facilitates the stagnation of development

¹³¹ "Vietnam, Cambodia Strengthen Anti-Drug Cooperation." *People's Army Newspaper*, January 5, 2023. <https://en.qdnd.vn/asean-community/vietnam-and-asean/vietnam-cambodia-strengthen-anti-drug-cooperation-548254>.

¹³² "Hun Sen Fully Supports Cambodia-Laos Cooperation on Preventing Drug Trafficking and Transnational Crime." *Khmer Times - Insight into Cambodia*, March 15, 2024. <https://www.khmertimeskh.com/501456825/hun-sen-fully-supports-cambodia-laos-cooperation-on-preventing-drug-trafficking-and-transnational-crime/>.

¹³³ "Corruption Perceptions Index 2022." Transparency International, 2023. https://images.transparencycdn.org/images/Report_CPI2022_English.pdf.

¹³⁴ "Strengthening Anti-Corruption Investigations in Cambodia." UNODC Regional Office for Southeast Asia and the Pacific, November 3, 2021. <https://www.unodc.org/roseap/en/what-we-do/anti-corruption/topics/2021/18-anti-Corruption-investigations-cambodia.html>.

¹³⁵ Chêne, Marie. "Overview of Corruption in Cambodia ." U4 Anti-Corruption Resource Centre, March 23, 2009. <https://www.u4.no/publications/overview-of-corruption-in-cambodia.pdf>.

¹³⁶ Ibid.

¹³⁷ "Criminality in Cambodia ." *Criminality in Cambodia - The Organized Crime Index*, 2021. <https://ocindex.net/2021/country/cambodia>.

in legal institutions, repression of non-state actors and civil society, and an overall decline in political will. This is evidenced by the current hostile relationship that the government maintains with the UN, where as a result of non-participation, cooperative programs are unable to be implemented in the country. The deliberate suppression of civil society organizations and NGOs signals towards the development of a shift towards isolationism and away from the norms and standards associated with international regimes.

Lao People’s Democratic Republic (PDR)

The Laotian government, under the Lao People’s Revolutionary Party (LPRP), has, in recent years, taken steps to address the widespread cultivation of precursor chemicals in the country. While Lao PDR was, for much of the latter half of the twentieth century, considered to be the world’s third largest producer of opium, production in the country has decreased following a period of aggressive crop replacement campaigns.¹³⁸ However, this progress has recently faced challenges as organized crime groups originating in Myanmar have expanded their operations into Lao PDR. Furthermore, the recent shift towards the popular use of ATS over heroin has negatively affected the existing efforts that have been made against drug abuse. Laos is the poorest country within ASEAN by GDP. As a result, many government programs are severely underfunded, which has acted as a precursor to corruption. Low levels of enforcement capability within Lao PDR has resulted in the country being used as a transshipment route for ATS originating in Myanmar.¹³⁹

Cultivation of opium remains prevalent throughout much of rural Laos. However, this cultivation largely takes place in a traditional manner, with sparse plots and very low output. This production can sometimes be used as a cash crop, but is primarily for household consumption.¹⁴⁰

¹³⁸ Ducourtieux, Olivier, Silinthone Sacklokham, and François Doligez. "Eliminating Opium from the Lao PDR: Impoverishment and Threat of Resumption of Poppy Cultivation Following ‘Illusory’ Eradication." In *Shifting Cultivation Policies: Balancing Environmental and Social Sustainability*, 593-616. CABI, 2017. <https://doi.org/10.1079/9781786391797.0593>, 595.

¹³⁹ Du, Pham. "Vietnam, Laos Remain Hot Spots for Golden Triangle Drug Trade ." *VnExpress International* – Latest news, business, travel and analysis from Vietnam, October 27, 2022. <https://e.vnexpress.net/news/news/vietnam-laos-remain-hot-spots-for-golden-triangle-drug-trade-4528706.html>.

¹⁴⁰ "Southeast Asia Opium Survey 2023." United Nations Office on Drugs and Crime, 2023. https://www.unodc.org/roseap/uploads/documents/Publications/2023/Southeast_Asia_Opium_Survey_2023.pdf, iii.

This is in stark contrast to the opium industry in neighbouring Myanmar, which has industrialized the production of opium for consumption on a massive scale.¹⁴¹ Laotian law enforcement does not prioritize domestic production as a result of its diminutive nature, and has instead focused its efforts on preventing flows of drugs from Myanmar.

In 1997, the Laotian government signed a bilateral cooperation agreement with Myanmar as well as a joint declaration with Vietnam to establish a system for the exchange of information between law enforcement agencies on drug control matters.¹⁴² In 2005, the government of Laos entered into a partnership with its Thai counterparts in agreeing to strengthen security cooperation. This agreement includes the reported strengthening of border security measures along the Mekong river in an attempt to crack down on exploitation for the purposes of trafficking in narcotics.¹⁴³ As such, Laotian policymakers have been more apt to forge means of cooperation on a bilateral basis than those constructed through multilateral organizations.

The Laotian government has often been forced to rely heavily on grants and other forms of financial support in sustaining projects aimed at tackling drug trafficking. Most recently, the U.S. Department of State's Bureau of International Narcotics and Law Enforcement Affairs has engaged with the UNODC in funding programs aimed at sustainable alternative development in Laos.¹⁴⁴ Furthermore, many of the programmatic interventions that the UNODC is currently carrying out in Laos, are made possible by funding provided by the US Government.¹⁴⁵ Additionally, China has engaged directly with the Laotian government and its law enforcement agencies on numerous occasions, citing a need to securitize major projects as part of the belt and road initiative.¹⁴⁶ The promotion of law enforcement capacity building as well as the need to inhibit cross-border crime have also emerged as sources of cooperation between the two

¹⁴¹ Ibid.

¹⁴² "Country Profile on Lao PDR." UNODC Regional Office for Southeast Asia and the Pacific, 2003. https://www.unodc.org/pdf/laopdr/lao_pdr_country_profile.pdf.

¹⁴³ Yamada, Norihiko, and Naoko Amakawa. "Lao People's Democratic Republic." Institute for Developing Economies, 2007. https://ir.ide.go.jp/record/38177/files/SNT001000_013.pdf, 273.

¹⁴⁴ U.S. Mission UNVIE. "Press Release: Funding to UNODC Combats Drug Trafficking and Drug Use in Laos." U.S. Mission to International Organizations in Vienna, August 11, 2020. <https://vienna.usmission.gov/press-release-u-s-funding-to-unodc-combats-drug-trafficking-and-drug-use-in-laos/>.

¹⁴⁵ "United Nations in Lao PDR." United Nations. Accessed April 17, 2024. <https://laopdr.un.org/en>.

¹⁴⁶ "China, Laos to Enhance Law Enforcement, Security Cooperation." Xinhua, August 6, 2019. http://www.xinhuanet.com/english/2019-08/06/c_138288334.htm.

countries.¹⁴⁷ As such, Laos enjoys the benefits of positive engagement with both China and the United States, resulting in a form of geopolitical counterbalancing.

In the Lao government's 2009 *National Drug Control Master Plan 2009-2013*, the government identifies international cooperation as a means for cross-cutting in drug control policy development to come closer to compliance with international norms and standards.¹⁴⁸ This has largely been carried out by means of the Mekong MOU, which has increased cooperative mechanisms between Laos and the neighbouring states of Vietnam and Cambodia. However, modern practical engagement with regional partners beyond Vietnam has been sparse.

The government of Lao PDR has recently engaged with the UNODC in sustainable development and crop replacement programs targeting opium production in the country.¹⁴⁹ According to the government of Laos, "In most of the areas targeted by alternative development interventions, opium production has been significantly reduced."¹⁵⁰ The UNODC is also currently carrying out 11 programmatic interventions in Laos, covering a range of targets, such as money laundering, precursor identification, anti-corruption, border management, container control, and data collection.¹⁵¹ As such, it would be reasonable to assume that the UN enjoys a relatively high level of legitimization among Laotian policymakers, simply based on the enhancement of capabilities that would not have otherwise been possible. However, there remains questions in regards to the extent to which the LPRP is willing to entirely embrace the norms of the global drug prohibition regime at the downstream level.

Laos's engagement with ASEAN has traditionally followed the path of neutrality and avoidance of confrontation. Its ascendancy into the chair of ASEAN in 2024 has opened up an opportunity

¹⁴⁷ "China, Laos Pledge to Strengthen Law Enforcement, Security Cooperation." The State Council of the People's Republic of China, May 25, 2023.

https://english.www.gov.cn/news/202305/25/content_WS646f5838c6d03ffcca6ed62e.html.

¹⁴⁸ The Government of the Lao PDR. "National Drug Control Master Plan 2009-2013." United Nations Office on Drugs and Crime, February 2009. https://www.unodc.org/documents/laopdr/COLAONDCMP_Eng.pdf, 19.

¹⁴⁹ "A Better Way to Make Money: Farmers in Lao PDR Switch Crops from Opium to Coffee." United Nations, November 3, 2021.

<https://unsdg.un.org/latest/stories/better-way-make-money-farmers-lao-pdr-switch-crops-opium-coffee>.

¹⁵⁰ "Illicit Drug Control." Lao People's Democratic Republic National Round Table Process, November 20, 2019. <https://rtm.org.la/sector-working-groups/illicit-drug-control/>.

¹⁵¹ "United Nations in Lao PDR." United Nations. Accessed April 17, 2024. <https://laopdr.un.org/en>.

for policymakers in the country to exert a higher level of regional influence than under normal circumstances.¹⁵² Despite this, Laos is considered by international observers to be the weakest and least politically capable state within the association, and may not be capable of creating organizational change to the same degree as states such as Indonesia.¹⁵³ It is important to note that the LPRP has adopted a stance of complete neutrality with regards to the ongoing civil war in Myanmar, in stark contrast to the approach taken by Indonesia, the former ASEAN chair in 2023.¹⁵⁴

The undeveloped state of civil society organizations (CSOs), non-governmental organizations (NGOs), and the unwillingness of the LPRP to proactively engage them has impeded the efficacy of the government's attempts at forming functional policy.¹⁵⁵ Active political participation in the country is next to non-existent, which has resulted in widespread nepotism and corruption within the party structure.¹⁵⁶ This stagnant governance structure has fostered an environment in which the manifestation of political will for a sustained period seems untenable.

A lack of technical expertise and coordination between relevant ministries have emerged as obstacles to the fulfillment of national policies on drug control.¹⁵⁷ A lack of communication and flexibility, combined with a reluctance for proactivity between local and national law enforcement authorities, has resulted in further issues in the uniformity of the application of the law.¹⁵⁸ The national agenda for drug control has received criticism for the fact that it is poorly understood by many law enforcement officials operating in remote areas, and as a result, has very low levels of enforceability.¹⁵⁹

¹⁵² "Laos' Limitations Portend a Lukewarm Year for ASEAN: Rane." Stratfor, January 11, 2024. <https://worldview.stratfor.com/article/laos-limitations-portend-lukewarm-year-asean>.

¹⁵³ Ibid.

¹⁵⁴ Ibid.

¹⁵⁵ "Country Analysis: Laos PDR." Embassy of Sweden, Vientiane, March 2004. <https://cdn.sida.se/publications/files/sida3684en-country-analysis---laos-pdr.pdf>, 8.

¹⁵⁶

¹⁵⁷ "Laos Govt Going All out to Fulfil National Agenda in Resolving Country's Increasing Drug Problems, Says Minister." The Star, January 14, 2024.

<https://www.thestar.com.my/aseanplus/aseanplus-news/2024/01/14/laos-govt-going-all-out-to-fulfil-national-agenda-in-resolving-countrys-increasing-drug-problems-says-minister>.

¹⁵⁸ Ibid.

¹⁵⁹ Ibid.

The government of Laos has achieved moderate levels of success in nearly eradicating the domestic mass production of opium and ATS within its borders. However, sustained levels of demand, coupled with the increased levels of production that have been documented in recent years in neighbouring countries have warranted an increased focus on border security. The LPRP faces numerous obstacles related to its current economic situation and decay of state structures that severely impede the extent to which it is able to form functional cooperative relationships with its neighbours. Furthermore, the state faces challenges in the professionalization of its law enforcement capabilities to the point in which regional or international cooperation would prove beneficial.

Socialist Republic of Vietnam

Vietnam represents a unique place within the regional narcotics supply chain. Its geographical proximity to Lao PDR and Cambodia have allowed it to be used as a relatively small, but growing supply hub for shipments en route to Australia, Hong Kong, Japan, Philippines, and the United States.¹⁶⁰ Resultantly, Vietnam plays a very minor role in the regional drug supply chain. Comparatively, Vietnam possesses moderate levels of drug consumption, with heroin as the most popular. Recent trends have shown static levels of heroin consumption, with ATS currently making up a negligible portion of the market share. Despite this, Vietnam has had comparatively high levels of success in tackling its drug problem in the past 20 years, largely as the result of aggressive supply-side reduction programs.

As previously stated, the Công an, the Vietnamese national police, enjoys a close relationship with their Laotian counterparts in terms of cooperation. As a result, numerous bilateral agreements have been implemented between the two parties which facilitate the development of a more robust border management programme.¹⁶¹

¹⁶⁰ “Vietnam: Country Brief - Status in International Drug Trafficking.” U.S. Department of Justice: Office of Justice Programs, November 2003.

<https://www.ojp.gov/ncjrs/virtual-library/abstracts/vietnam-country-brief-status-international-drug-trafficking>.

¹⁶¹ Vientiane Times. “Laos, Vietnam, Cambodia Step up Joint Fight against Crime.” Asia News Network. Accessed April 22, 2024. <https://asianews.network/laos-vietnam-cambodia-step-up-joint-fight-against-crime/>.

The Vietnamese government has recently begun to shift towards a receptive stance to international norms and standards, and has made efforts to work towards compliance with relevant treaties and agreements since the early 2000's. However, as it pertains to drug control, the extent to which these efforts have made practical success has remained limited. Despite the UNODC maintaining a regional office in Hanoi, and making efforts to engage with the local government on a regular basis, local and national law enforcement agencies have consistently failed to self-report drug seizures and associated data on drug-related crimes.¹⁶² This lack of consistent data collection and reporting represents a major hurdle to the effectiveness of programs, in that they are not able to establish any metrics measuring success or failure.¹⁶³ Furthermore, it is indicative of a low-level of buy-in from local officials towards UN programming in this regard.

The Vietnamese government's cooperation with the UNODC can be categorized as limited in scope, and has been moulded around the state's prioritization of law enforcement operations as a means to remediate drug trafficking. This is evidenced by continued positive engagement in programs such as BLO, which Vietnam has pursued with technical and policy support by the UNODC.¹⁶⁴ In 2021, legislators met with UNODC officials in a program which was aimed at the development of a more robust legal framework for extradition in cases of transnational organized crime.¹⁶⁵ There has been very limited engagement, however, with regards to the establishment of programs aimed at rehabilitating drug users and preventing the proliferation of narcotics addiction among the population.

¹⁶² Luong, Hai Thanh. "Drug Trafficking Trends and Its Responses: A Case Study of Vietnam." Essay. In *Cybercrime, Organized Crime, and Societal Responses International Approaches*, 201–18. Cham: Springer International Publishing, 2018.

¹⁶³ Ibid.

¹⁶⁴ "Strengthening Border Management in Viet Nam to Counter Transnational Organized Crime." United Nations Viet Nam, August 23, 2021. <https://vietnam.un.org/en/141258-strengthening-border-management-viet-nam-counter-transnational-organized-crime>.

¹⁶⁵ "UNODC Supports Viet Nam in Updating Its Legal Framework to Better Combat Transnational Organized Crime." UNODC Regional Office for Southeast Asia and the Pacific, April 23, 2021. <https://www.unodc.org/roseap/en/vietnam/2021/04/legal-framework-transnational-organized-crime/story.html>.

With regards to the operational results that programming put forth by IOs have achieved, one can interpret the case of Vietnam as mixed. Through the BLO program, implemented along the borders of Laos and Cambodia in high-risk transit routes, the Vietnamese government has effectively developed a robust counternarcotics infrastructure.¹⁶⁶ This is evidenced by the high number of arrests that have been made against Laotian traffickers.¹⁶⁷¹⁶⁸ Despite this, stagnant levels of narcotics consumption within the country indicate that many drugs are continuing to enter the country through these routes, or through unknown routes at which there is little to no government infrastructure or border security measures in place.

Recently, Vietnam has exhibited high levels of enthusiasm towards ASEAN's programs to eradicate drugs and associated trafficking. In 2018, the Vietnamese National Police hosted the 5th meeting of the ASOD Working Group on Law Enforcement.¹⁶⁹ In previous years, Vietnam has hosted both ASOD and AMMD conferences as a means to display leadership in this sector of regional cooperation.¹⁷⁰ However, Vietnam is unlikely to shape the state of the regional multilateral policy or maintain a leadership role within the regional drug regime.

A large factor which has resulted in a more tempered approach to Vietnamese domestic drug policy in recent years is the aggressive opium eradication programs implemented in the late 1990's and early 2000's under the government of Trần Đức Lương. In the past 20 years, levels of domestic production of precursors to heroin have been reduced to a negligible level.¹⁷¹ The forceful eradication of domestic supply without simultaneous efforts to reduce demand can create new problems, however. The consistent demand for heroin has, in recent years,

¹⁶⁶ Radio Free Asia. "Laos to Step Up Patrols on Vietnam Border Amid Drug Trafficking Spike." March 22, 2017. <https://www.refworld.org/docid/58f9cb7b13.html>

¹⁶⁷ "Vietnamese Border Guards Bust Drug Trafficking Operation from Laos." Tuoi Tre News, April 13, 2024. <https://tuoitrenews.vn/news/society/20240413/vietnamese-border-guards-bust-drug-trafficking-operation-from-laos/79331.html>.

¹⁶⁸ Tao, Hoang. "Vietnam Drug Sting Busts Buses from Laos ." VnExpress International , January 13, 2023. <https://e.vnexpress.net/news/news/vietnam-drug-sting-busts-buses-from-laos-4559394.html>.

¹⁶⁹ "Vietnam Holds 5th Intersessional Meeting on ASOD Working Group on Law Enforcement." Ministry of Public Security, Government of Vietnam, June 26, 2018. <http://en.bocongan.gov.vn/international-relations-cooperation/vietnam-holds-5th-intersessional-meeting-on-asod-working-group-on-law-enforcement-t5006.html>.

¹⁷⁰ Ibid.

¹⁷¹ Windle, James. "A Slow March from Social Evil to Harm Reduction: Drugs and Drug Policy in Vietnam." *Journal of Drug Policy Analysis* 10, no. 2 (October 29, 2015). <https://doi.org/10.1515/jdpa-2015-0011>.

precipitated an increased flow of narcotics into Vietnam from neighbouring countries of Laos, Cambodia, and China.¹⁷²

The prevalence of negative social connotations associated with the consumption of narcotic drugs has historically played a major role in the design of domestic drug policy in Vietnam. According to the current constitution, enacted in 1992, drug use is described as a “dangerous social disease” which must be eradicated.¹⁷³ Despite this facile conceptualization of the issue being encoded in law, recent trends in the prevalence of HIV and other communicable diseases associated with narcotics consumption have forced the government to adopt a more multifaceted conceptualization.¹⁷⁴ Gradually, unilateral programs aimed at reducing drug abuse through punishment and incarceration are being replaced by the establishment of treatment centres based around the principles of harm reduction.¹⁷⁵ As such, the transition towards holistic domestic approaches to drug control have created an environment in which policy goals have shifted into compliance with policy set out by the UN and ASEAN.

According to a 2003 UNODC report, a lack of financial resources and technical expertise have emerged as problems in the implementation of drug control and prevention programs.¹⁷⁶ This report also identifies insufficient law enforcement capabilities and the prevalence of “corruption at all levels of society” as factors which provide for a favourable environment for traffickers.¹⁷⁷ Corruption is a prevalent factor in all levels of the Vietnamese government. According to a 2013 report by the US Department of State, “Corruption among police remained a significant problem at all levels, and members of the police sometimes acted with impunity. Internal police oversight structures existed but were subject to political influence.”¹⁷⁸ Historically, police and border officials have been known to engage in trafficking activities into the country, namely moving

¹⁷² Rose, Gregory L. “Criminalization of Drug Trafficking in Vietnam: Developments and Challenges.” *Columbia Journal of Transnational Law* 29, no. 6 (2015): 146–77.

¹⁷³ Government of Vietnam, Constitution of the Socialist Republic of Viet Nam, No. 61 (1992), <http://www.na.gov.vn/htx/English/C1479/#BSi1T823Fk4U>.

¹⁷⁴ Windle, James. “A Slow March from Social Evil to Harm Reduction: Drugs and Drug Policy in Vietnam.” *Journal of Drug Policy Analysis* 10, no. 2 (October 29, 2015). <https://doi.org/10.1515/jdpa-2015-0011>.

¹⁷⁵ *Ibid.*

¹⁷⁶ “Country Profile on Viet Nam.” UNODC Regional Office for Southeast Asia and the Pacific, 2003. https://www.unodc.org/images/vietnam/country_profile_vietnam.pdf.

¹⁷⁷ *Ibid.*

¹⁷⁸ “Vietnam 2013 Human Rights Report.” US Department of State. Accessed April 12, 2024. <https://2009-2017.state.gov/documents/organization/220456.pdf>, 28.

heroin through border checkpoints.¹⁷⁹ Corruption and the abuse of power remains a pervasive factor in law enforcement, and in Vietnamese society as a whole. Most recently, the Vietnamese government has taken steps to address corruption within the country, but have primarily focused on the prosecution of high-level public officials, rather than law enforcement or local government.¹⁸⁰ However, some attempts have been made to remediate these systemic hindrances, as is evidenced by recent cooperation with the UNODC in addressing corruption in the police force.¹⁸¹

Vietnam represents an interesting factor in the larger scenario, in that the government has managed to achieve moderate levels of success in recent years through the implementation of unilateral policy towards the eradication of narcotics precursors. However, the stagnant nature of domestic demand for narcotics indicates a need to further pursue a holistic drug policy at the downstream level. Perhaps this relative success that Vietnam has experienced has led policymakers to believe that multilateralism on a global scale is redundant, as is indicated by low-levels of reciprocal engagement on the part of law enforcement agencies towards UN programs. High levels of buy-in towards ASEAN initiatives, however, indicate that the government of Vietnam views narcotics trafficking as a localized threat that must be approached by regional actors.

Republic of the Philippines

The role of the Philippines within the broader narcotics supply chain is characterized as a major importer of ATS partially as a result of its large population and consumer base. Furthermore, the

¹⁷⁹ Canada: Immigration and Refugee Board of Canada. "Vietnam: Government and Police Involvement in Drug Smuggling and in the Investigation of Drug Smuggling (1997-2002)." April 29, 2002. VNM38953.E. Accessed May 28, 2023. <https://www.refworld.org/docid/3df4bec610.html>.

¹⁸⁰ Hiep, Le Hong. "Will Vietnam's Anti-Corruption Campaign Endure Beyond Trong?" East Asia Forum, January 29, 2020. <https://eastasiaforum.org/2020/01/29/will-vietnams-anti-corruption-campaign-endure-beyond-trong/>.

¹⁸¹ "UNODC Assists Viet Nam in Efforts to Improve Police Force." United Nations Office on Drugs and Crime, October 10, 2014. <https://www.unodc.org/unodc/en/frontpage/2014/October/unodc-assists-viet-nam-in-efforts-to-improve-police-force.html>.

nation is largely isolated from the major routes that characterize the rest of SEA. According to the Philippines' Foreign Service Institute, the overwhelming majority of crystalline methamphetamine in the country originates in mainland China and Hong Kong, which is trafficked by Triad organized crime groups operating in Fujian province and surrounding regions.¹⁸² As of 2014, the Philippines represented the most prevalent rate of ATS abuse in East Asia, making up approximately 2.1% of the population between the ages of 16 to 64.¹⁸³ This rampant drug abuse throughout the country is a driving factor in the recent adoption of unilateral strategies that contradict international norms and standards..

In a 2018 report commissioned by the Filipino Government under the Dangerous Drugs Board (DDB), *Drug Smuggling in the Philippines: an Exploratory Study*, there has been identified a lack of multilateral cooperation with foreign counterparts as a major shortcoming which prevents effective implementation of drug control policies.¹⁸⁴ The report also identified that a majority of intelligence used in drug interdiction operations originates from INTERPOL, rather than regional governments. This is followed by a recommendation for the creation of a more robust regional intelligence sharing network that would allow SEA nations to better identify individual actors involved in drug trafficking.¹⁸⁵

The unilateral approach that the Filipino government has recently shifted towards, under the Presidency of Rodrigo Duterte since 2016, is one which can be characterized as a reductionist dismissal of a multifaceted human security issue by adopting a literalist understanding of law and criminality. The prevalence of heavy-handed extrajudicial solutions to the proliferation of illegal narcotics within the country has drawn widespread condemnation from international human rights organizations and observers. This approach stands in stark contrast to the holistic approach advocated by the UN and its associated agencies, and is reflective of an unwillingness to conform to international norms and standards.

¹⁸² Mirasol, Jeremy Dexter B. "Cooperation with China on the Philippines' War on Drugs." Republic of the Philippines Foreign Service Institute, May 2017.

<https://fsi.gov.ph/cooperation-with-china-on-the-philippines-war-on-drugs/>.

¹⁸³ "2014 International Narcotics Control Strategy Report: Philippines." Bureau of International Narcotics and Law Enforcement Affairs. Accessed February 25, 2024.

<https://2009-2017.state.gov/j/inl/rls/nrcrpt/2014/vol1/222996.htm>.

¹⁸⁴ "Drug Smuggling in the Philippines: An Exploratory Study." *Dangerous Drugs Board - Policy Studies, Research and Statistics Division*, 2018.

¹⁸⁵ Ibid.

Cooperation frameworks through the UNODC in the Philippines have largely been strained by the mass divergences in both the conceptualization of the drug problem, as well as approaches to remediation. In 2016, the executive director of the UNODC released a statement which condemned the approach taken by the Filipino government involving the use of mass killings against individuals involved in drug consumption and trafficking.¹⁸⁶ The statement emphasized that this approach stands in stark contradiction to international norms and standards, and reiterated the organization's support for "balanced, people-centred, evidence- and rights-based approaches to drug control, rooted in the agreed international conventions and standards."¹⁸⁷ The bulk of the Filipino government's engagement with the UNODC has been in the realm of anti-corruption and anti-terrorism efforts, rather than the drug problem. As of the writing of this paper, the UNODC operates no programs which seek to engage the Filipino government or its law enforcement agencies in the remediation of drug trafficking.

The distance between the Philippines and other ASEAN member states has greatly impeded the extent to which cooperation is possible in any practical sense. In this regard, multilateral cooperation involving the DDB, Philippine National Police, and ASEAN has largely taken the form of information sharing, conferences, workshops and the collective establishment of best practices in law enforcement operations with regional partners. While the Philippines' engagement with the organization more broadly can be interpreted as amicable and collaborative in nature, and is reflective of a command of stakeholder support, the stark differences by which the two organizations seek to remediate non-traditional security threats has emerged as a source of contention.

The extent to which the Philippines has engaged and cooperated with regional partners through MOs and IOs in this regard has been relatively limited, as the result of the unique nature of the country's involvement in the larger Asian drug supply chain. While its regional partners may be more focused on the trafficking of ATS southeastward through mainland SEA and towards the

¹⁸⁶ "Statement by the UNODC Executive Director on the Situation in the Philippines." United Nations Office on Drugs and Crime, August 3, 2016. <https://www.unodc.org/unodc/en/press/releases/2016/August/statement-by-the-unodc-executive-director-on-the-situation-in-the-philippines.html>.

¹⁸⁷ Ibid.

archipelago, the Philippines is relatively isolated from this route. The main concern of the Filipino government with regards to the entry of illegal drugs into the country has surrounded routes directly originating in Southeastern China, and has thus precipitated the need for more bilateral forms of engagement. It can be extrapolated that the isolated nature of the Philippines within the drug supply chain has allowed it to operate on an independent basis without regard to the norms and standards of the regional or global drug control regime.

The relatively large market that the Philippines represents in terms of ATS consumption necessitates the implementation of more well-rounded approaches to the understanding of the intricacies associated with drug trafficking and its associated factors. The adoption of a holistic approach in line with those of the established global drug regime would allow the Philippines to reduce domestic demand by means of addictions treatment and community development.

Republic of Indonesia

Since the case of the “Bali Nine” gained international news attention in 2005, the case of Indonesia within the larger drug trafficking puzzle has caught the eyes of international observers. Indonesia is currently regarded as one of the most dangerous countries in the world to possess or sell drugs, owing to the strict punitive measures in place.¹⁸⁸ However, according to the UN World Drug Report, Indonesia is currently the largest consumer of narcotic drugs within SEA.¹⁸⁹ This is largely the result of the country’s disproportionately large population as compared to its neighbours. In 2020 and 2021, Cannabis-type drugs sat atop the frequency list of drugs consumed in the country, while ATS, largely considered to be a more prevalent threat to regional human security, were ranked second in terms of prevalence of users among the general population. In 2019, approximately 0.6% of Indonesians aged 15-64 had used ATS in the past year, representing over 1 million people.¹⁹⁰ In 2010, the National Narcotics Bureau recognized crystalline methamphetamine as the predominant drug of concern within the country.¹⁹¹

¹⁸⁸ Fransiska, Asmin. “Indonesia’s Zero Tolerance Drug Laws Leave Hundreds on Death Row .” The Jakarta Post, September 1, 2022. <https://www.thejakartapost.com/opinion/2022/08/31/indonesias-zero-tolerance-drug-laws-leave-hundreds-on-death-row.html>.

¹⁸⁹ “World Drug Report 2022.” United Nations: Office on Drugs and Crime. Accessed February 27, 2024. <https://www.unodc.org/unodc/en/data-and-analysis/world-drug-report-2022.html>.

¹⁹⁰ Ibid.

¹⁹¹ Ibid., 9.

The drug supply chain of Indonesia can best be described as operating in a semi-independent manner from the traditional trafficking routes throughout the region. The majority of methamphetamine seizures within Indonesia, as of 2011, originated from a domestic manufacturer. This is in contrast to the pre-2000's trends, which found that groups operating in China, Philippines, and Thailand acted as suppliers through the entry points of Jakarta, Surabaya, Batam, and Denpasar. The same trend holds true for seizures of MDMA, in which over 90% are found to have originated from a domestic manufacturer.¹⁹² The continued spillover of drugs into Australia from Indonesia has created diplomatic tensions, and necessitated the development of a comprehensive war on drugs by President Joko Widodo in 2016.¹⁹³

The conceptualization of narcotics and the subsequent approach found in Indonesia is reflective of similar states which are subject to strict Islamic governance and its associated legal frameworks. This has resulted in a strict prohibitionist policy with zero tolerance to any form of consumption. Furthermore, this has contributed to a slower normalization with the norms and standards of the global regime. Individuals involved in the trafficking of drugs are highly likely to receive the death penalty or be subject to corporal punishment. To this point, investment in harm reduction strategies has not been a top priority in the national drug strategy.¹⁹⁴ This is reflective of an approach that is rooted in punitive measures, and may not be fully in line with the health-oriented strategies of the global regime that have emerged in recent decades. There has been a recent emergence of harm reduction programs in Indonesia, but these have been greatly underutilized out of fear of negative legal ramifications.¹⁹⁵

¹⁹² Ibid., 11.

¹⁹³ Office of Assistant to Deputy Cabinet Secretary for State Documents & Translation. "President Jokowi Declares War on Drugs." Sekretariat Kabinet Republik Indonesia, June 27, 2016. <https://setkab.go.id/en/president-jokowi-declares-war-on-drugs/>.

¹⁹⁴ Subandi, Yeyen, Ananda Dewin Ikhtiarin, Harits Dwi Wiratma, Maria Veri Diana Baun Yue, Tanti Nurgiyanti, Ariel Nethan, Diansari Solihah Amini, Viola Marsela Agustin, and Bagus Subekti Nuswantoro. "Harm Reduction and War on Drugs in Indonesia during Joko Widodo Era." *Formosa Journal of Multidisciplinary Research* 1, no. 2 (June 30, 2022): 287–302. <https://doi.org/10.55927/fjmr.v1i2.591>, 289.

¹⁹⁵ Rigoni, Rafaela, Sara Woods, and Joost J Brecksema. "From Opiates to Methamphetamine: Building New Harm Reduction Responses in Jakarta, Indonesia." *Harm reduction journal*, December 11, 2019. <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6907268/>.

The Indonesian government has engaged positively with the UN and its associated agencies targeting transnational crime in the maritime domain. In 2022, the Indonesian government established a Visit, Board, Search and Seizure (VBSS) training facility in tandem with the UNODC.¹⁹⁶ As a result, Indonesia is contributing to the maritime law enforcement capacity building of its regional neighbours, especially those in which the maritime domain is an area of weakness. Furthermore, the Indonesian national police have been known to engage extensively with the UN's Global Maritime Crime Programme.

Indonesia's involvement in the regional war on drugs is unique, in that the country's primary area of concern is the interdiction of vessels at sea involved in illicit maritime activity. As such, from the perspective of Indonesian policymakers, the prevention of drug trafficking can be grouped in with similar forms of maritime crime, such as piracy or illegal fishing, rather than through a traditional conceptualization that might be used in non-maritime states.¹⁹⁷ As such, drug trafficking as a threat is securitized under the umbrella of the nation's maritime security agenda. As the largest economy in the region, and the region's only middle power, Indonesia is the natural hegemon for the region in terms of the establishment of norms and standards of governance. On a regional scale, it would be logical to assume that Indonesia, by default, sets the norms and standards of the region. However, it does take up an extremely unique political position in the context of security policy, owing to its massively diverse population, unusual geography, and internal territorial disputes.

Indonesia has, since the foundation of ASEAN, sought to position itself as a leader in developing the goals of regional interconnectedness in the realms of politics, economics, and security. During its time as ASEAN chair in 2023, Indonesia made strides in seeking to engage outside actors such as China in opening up dialogues on the South China Sea disputes. As it pertains to drug policy, Indonesia has been effective in shaping the mechanisms of ASEAN, such as the

¹⁹⁶ United Nations Indonesia. "Indonesia Is Becoming a Center of Excellence in the Fight against Maritime Crime." United Nations Indonesia, August 24, 2023.

<https://indonesia.un.org/en/243355-indonesia-becoming-center-excellence-fight-against-maritime-crime>.

¹⁹⁷ Chapsos, Ioannis, and James A. Malcolm. "Maritime Security in Indonesia: Towards a Comprehensive Agenda?" *Marine Policy* 76 (February 2017): 178–84. <https://doi.org/10.1016/j.marpol.2016.11.033>.

establishment of the ASITF in 2016.¹⁹⁸ However, the means by which the issue is framed under the umbrella of maritime security creates difficulties in the ability of the state to create policies or initiate programs that are interoperable with regional allies.

On an operational level, Indonesia's success in curbing the spread of drug trafficking in the region has been minimal.¹⁹⁹ On a unilateral level, there has been some success in arresting and convicting individuals involved in organized criminal activity. However, the demand for illicit narcotics has not slowed, and is indicative of a need for further development in harm reduction and community education policies. Homegrown synthetic substances such as ATS have effectively superseded the demand for opium and heroin, and, owing to the nature of their production and distribution, have presented difficulties in interdiction efforts.

Geography presents a significant obstacle to Indonesia's efforts to prevent the trafficking of narcotics within its jurisdiction. The archipelagic nature of Indonesia, a country made up of over 16,000 islands, 6000 of which are inhabited, provides for inherent difficulties to national law enforcement capabilities. Furthermore, this environment complicates the context to which counternarcotics policies must be developed, reducing the interoperability between Indonesian policies and mechanisms and those of its regional neighbours. On a practical level, criminal organizations are able to efficiently use waterborne vessels as a means of carrying out trafficking not only in illegal narcotics, but also in persons or illicit goods. The Indonesian government does not possess an adequate amount of law enforcement resources to effectively monitor and patrol the waters of its archipelago.

Financial constraints, combined with corruption within the Indonesian National Armed Forces and the Indonesian National Police (INP) have acted as an inhibitor to the development of increased cooperation efforts. The INP holds very low levels of trust among the population²⁰⁰,

¹⁹⁸ "Statement by the Head of Delegation of the Republic of Indonesia at the 62nd Session of the Commission on Narcotic Drugs." United Nations Office on Drugs and Crime, March 22, 2019.

https://www.unodc.org/documents/commissions/CND/2019/2019_MINISTERIAL_SEGMENT/Indonesia.pdf, 3.

¹⁹⁹ Nasution, Rahmad. "Indonesia Still a Long Way from Winning War on Drugs." Antara News, March 22, 2021. <https://en.antaranews.com/news/170638/indonesia-still-a-long-way-from-winning-war-on-drugs>.

²⁰⁰ Wibowo, Ibnu. "Indonesian Police Face Loss of Trust Crisis." Maritime Fairtrade, October 16, 2022. <https://maritimefairtrade.org/indonesian-police-face-loss-of-trust-crisis/>.

and is largely perceived as operating with impunity.²⁰¹ However, the UNODC has recently made efforts to engage Indonesian officials in addressing the problem of corruption within law enforcement.²⁰² Although progress has been made in restoring the integrity of the INP through the adoption of reform programs, there remains substantial capacity for improvement in this domain.²⁰³ Similar to many other states which suffer from underfunding and corruption within law enforcement, police have been known to engage in organized criminal activities, including drug trafficking.^{204 205}

Indonesia has managed to achieve some success in feigning adoption of international norms and standards in the prohibition regime. However, the Indonesian government has failed to prevent the spread of drugs, as is exhibited by the radical adoption of a formal “war on drugs”. This has resulted in some deviation from the liberalizing trend that Indonesian policymakers have sought to adopt in recent years, and is indicative of a backsliding away from the liberal aspects of the global drug regime. Indonesia has continually engaged with the UNODC in the development of programmes aimed at preventing maritime crime, and is thus a legitimator of the UN’s supranationalism. The country has consistently made steps towards the embrace of a leadership role within ASEAN. However, it has been hampered in the context of counternarcotics policy by its unique position within the region.

Malaysia

The central location of Malaysia between mainland SEA and the surrounding archipelagic regions has allowed the country to be used as a local distribution hub by organizations engaged

²⁰¹ “Indonesia: The Deadly Cost of Poor Policing.” International Crisis Group, February 16, 2012. <https://www.crisisgroup.org/asia/south-east-asia/indonesia/indonesia-deadly-cost-poor-policing>.

²⁰² “Strengthening Accountability: Restoring Trust in the Indonesian National Police.” United Nations Office on Drugs and Crime, July 7, 2010. <https://www.unodc.org/indonesia/2010/07/inp/story.html>.

²⁰³ “Indonesia: Criminal Justice.” United Nations Office on Drugs and Crime. Accessed April 22, 2024. <https://www.unodc.org/indonesia/en/issues/criminal-justice.html>.

²⁰⁴ “Top Indonesian Police Officer given Life for Drug Trafficking .” The Standard, May 9, 2023. <https://www.thestandard.com.hk/breaking-news/section/6/203527/Top-Indonesian-police-officer-given-life-for-drug-trafficking%C2%A0>.

²⁰⁵ IRJEN Teddy Minahasa Pernah Sita 41.4 Kg Sabu, Hanya 35 Kg yang Dimusnahkan." Detik.com, November 4, 2023. Translated by Google Translate. <https://www.detik.com/sumut/hukum-dan-kriminal/d-6348318/irjen-teddy-minahasa-pernah-sita-41-4-kg-sabu-hanya-a-35-kg-yang-dimusnahkan>.

in illicit trafficking. According to the Organized Crime Index, illicit actors within the country are developing their MDMA production capabilities, making Malaysia the second most common country of origin for the drug in Asia.²⁰⁶ Its relatively small population compared to neighbouring Indonesia provides for a diminutive consumer base, and as such, very few narcotics trafficked through Thailand into Malaysia are consumed by the domestic population. Despite this, attempts by the Royal Malaysian Police (RMP) to address the drug problem within its borders have been mixed, but have failed to address the requirement for cooperation with regional counterparts.²⁰⁷

Malaysia's experience in its war on drugs has, since 2006, focused on the adoption of harm reduction policies aimed at preventing the spread of communicable disease. While the official policy of the government on the use of narcotics has emphasized treatment, drugs remain heavily criminalized and carry harsh associated sentences.²⁰⁸ A 2016 study on the policing of drugs in Malaysia shows that among law enforcement agencies, there is very little understanding of the efficacy and operation of harm reduction programs. Furthermore, corrupt conduct among police has acted as an inhibitor to accessing treatment for consumers.²⁰⁹

At the 59th United Nations General Assembly Special Session of the CND in 2016, the Malaysian government reiterated its perception of drug proliferation as a mutual threat which must be approached through effective and increased international cooperation. Furthermore, it was emphasized that the Malaysian government is in full support of all efforts currently being pursued by the ASEAN Narcotics Cooperation Centre (NCC), as well as the goals and actions outlined in the ASEAN Political-Security Community Blueprints.²¹⁰ This statement is

²⁰⁶ The Organized Crime Index, and Global Initiative Against Transnational Organized Crime. "Criminality in Malaysia." The Organized Crime Index | ENACT. Accessed March 8, 2024. <https://ocindex.net/country/malaysia>.

²⁰⁷ Subraniam, Chandra Segaran. "Drug Laws in Malaysia: Whether the Drug Laws Have Been Effective in Curbing the Drug Menace in Malaysia." United Nations Asia and Far East Institute for the Prevention of Crime and Treatment of Offenders. Accessed April 14, 2024.

https://www.unafei.or.jp/publications/pdf/RS_No106/No106_10_IP_Malaysia.pdf, 52.

²⁰⁸ Rahman, Fiza, Iqa Mohd Salleh, Olga Golichenko, and Karsten Lunze. "Public Health and Drug Policing in Malaysia: Using Empirical Evidence for Advocacy." *Asia Pacific Dispute Resolution Working Paper* 16, no. 4 (2016). <https://doi.org/10.2139/ssrn.2867591>, 2.

²⁰⁹ Ibid.

²¹⁰ "Malaysia's Statement - 59th Session of the Commission on Narcotic Drugs." United Nations Office on Drugs and Crime. Accessed February 25, 2024. https://www.unodc.org/documents/commissions/CND/CND_Sessions/CND_59/Statements_15_March_AM/05_Malaysia.PDF.

indicative of the Malaysian government demonstrating in its international outlook, a relatively high level of legitimation in the current direction and initiatives of ASEAN. This can also be interpreted as the Malaysian government seeking to establish itself as a regional leader on the issue of transnational crime.

Malaysian government officials have taken steps to ensure that the international norms and standards of the global prohibition regime are perceived as influencing the country's war on drugs. However, the continued use of punitive measures such as the death penalty for non-violent trafficking-related offenses has drawn widespread condemnation, and has resulted in a recent re-assessment of the law.²¹¹ As of early 2024, the Malaysian government has committed to the strengthening of regional and international cooperation on drug control measures as a means of achieving its "Anti-Drug Strategic Plan 2021-2025."²¹² This was reaffirmed at the high-level meetings of the CND in 2024, further illustrating the Malaysian government's willingness to adopt international norms and standards in this regard.²¹³

Traditionally, the Malaysian government has employed an approach to the drug problem similar to that of Indonesia, and is reflective of Islamic governance. While Malaysia has been lauded in recent years for its relatively secular approach to governance, there remain many policy areas that are clearly influenced by the conservative principles of Islamic law. Recently, there have been proposals within the Malaysian government towards the adoption of a more liberal approach to the drug problem, as a result of the overcrowded state of prisons.²¹⁴ This proposed legislation, if signed into law, would redirect individuals seeking treatment for addictions towards rehabilitation, and would decriminalize the use and possession of small amounts of illicit narcotics.²¹⁵ This recent development is reflective of a shift of the Malaysian government away

²¹¹ "The Death Penalty for Drug Offenses: Global Overview 2021." Harm Reduction International, March 2022. https://www.hri.global/files/2022/03/09/HRI_Global_Overview_2021_Final.pdf.

²¹² "Malaysia to Expand International and Regional Cooperation in World's Drug Problem." Myanmar International TV, March 15, 2024. <https://www.myanmaritv.com/news/malaysia-expand-int%E2%80%99l-regional-cooperation-world%E2%80%99s-drug-problem>.

²¹³ Ibid.

²¹⁴ Strangio, Sebastian. "Malaysia Announces Plans to Decriminalize Minor Drug Offenses." The Diplomat, May 17, 2023. <https://thediplomat.com/2023/05/malaysia-announces-plans-to-decriminalize-minor-drug-offenses/>.

²¹⁵ She, Lee E. "Bill to Decriminalise Small-Time Drug Use and Possession in the Works, Says Home Minister." Malay Mail, May 15, 2023.

from traditional models of Islamic governance, and towards one which is more receptive to the standards of the international community.

A declassified 1986 CIA report identified the main weaknesses faced by Malaysian counternarcotics efforts as a lack of expertise, rather than a lack of political will.²¹⁶ Since this document's release, however, the Malaysian government has made significant investments in ameliorating the capabilities of the RMP.²¹⁷ These investments have been multifaceted, and have targeted deficiencies in border security, counterterrorism, human trafficking, and have led to the establishment of elite task forces with specialized purviews.²¹⁸ Among these organizations are the Narcotics Crime Investigation Department (NCID), as well as the National Anti-Drugs Agency.²¹⁹ Recently, there has been discussion within the RMP surrounding the need to expand the operational capacity of the NCID in order to combat cross-border criminality and improve cooperation with regional allies.²²⁰

On a broad scale, corruption throughout the Malaysian government is a topic that has gained significant global attention in recent years, especially in regards to the numerous financial and political scandals that the government has been subjected to, resulting in changes of government. This problem is not localized to the highest levels of government, and is known to also impact the RMP and its agencies. Corruption within law enforcement institutions remains an obstacle to be prioritized by the authorities in Malaysia. Recently, there have been numerous instances of local police and associated officials engaging in the trafficking of illegal narcotics,²²¹ as well as

<https://www.malaymail.com/news/malaysia/2023/05/15/bill-to-decriminalise-small-time-drug-use-and-possession-in-the-works-says-home-minister/69313>.

²¹⁶ [Redacted]. "Malaysia's War on Drugs." Central Intelligence Agency, November 11, 2011.

<https://www.cia.gov/readingroom/docs/CIA-RDP86T01017R000201200001-5.pdf>.

²¹⁷ Hamidi, Ahmad Zahid. "Era of Transformation in Royal Malaysia Police: Achievements and Challenges." *Journal of Public Security and Safety* 8, no. 2 (2017), 1.

²¹⁸ *Ibid.*, 7-15.

²¹⁹ "History of NADA." National Anti-Drugs Agency - Ministry of Home Affairs, June 29, 2021.

<https://www.adk.gov.my/en/corporate-info/history-of-nada/>.

²²⁰ "IGP Wants CCID, NCID to Be Expanded to Combat Cross-Border Crimes." *The Sun*, March 14, 2024.

https://thesun.my/local_news/igp-wants-ccid-ncid-to-be-expanded-to-combat-cross-border-crimes-GA12217414.

²²¹ *New Straits Times*. "Three Policemen Detained for Alleged Drug Trafficking Using Patrol Car: *New Straits Times*." *NST Online*, November 3, 2023.

<https://www.nst.com.my/news/crime-courts/2023/11/974569/three-policemen-detained-alleged-drug-trafficking-using-patrol-car>.

colluding with drug trafficking syndicates in exchange for bribes.²²² Furthermore, large budgetary allocations that have recently been made in law enforcement agencies create an opportunity for exploitation by corrupt officials. Persistent embezzlement can, in effect, detriment the operational capabilities of these agencies over the long term.

Malaysia's position in the region, combined with its relatively developed scientific and law enforcement capabilities, have allowed it to position itself as a leader in the war on drugs.²²³ The relative economic success that the country has achieved in recent years has created an environment in which law enforcement institutions are aptly funded and equipped to engage in multilateral operations. Malaysia does not currently have a problem with the production of illegal narcotics in the country, and as such, law enforcement has concentrated its efforts on preventing its entry into the country, which has achieved considerable success. However, adjustment to international norms and standards with regards to the treatment of drug users and the adoption of harm reduction policies is ongoing.

²²² Dermawan, Audrey. "Four, Including Senior Penang Cop, Nabbed for Colluding with Drug Traffickers [NSTTV]: New Straits Times." NST Online, February 26, 2021. <https://www.nst.com.my/news/crime-courts/2021/02/669233/four-including-senior-penang-cop-nabbed-colluding-drug-traffickers>.

²²³ Business Today Editorial. "Malaysia Leads Global Effort in Combating Illicit Drugs With Innovative Strategies, International Collaboration." BusinessToday, November 28, 2023. <https://www.businesstoday.com.my/2023/11/29/malaysia-leads-global-effort-in-combating-illicit-drugs-with-innovative-strategies-international-collaboration/>.

Chapter 5: Analysis

The SEA region exemplifies political, cultural and economic diversity in every aspect. Each state in the region perceives MOs and IOs in an entirely unique manner. This inevitably shapes the state's behaviour, engagement in multilateralism, and willingness to adapt to established norms and standards. ASEAN has continually sought to establish the region, if nothing else, as a bloc that promotes regional interests and acts in a homogenous manner on the international stage. However, each state is subject to an entirely unique set of circumstances beyond the control of policymakers, and as such, there exists very little homogeneity within this association. In the case of drug trafficking, states vary widely in their commitment to internationalism and willingness to engage multilaterally.

SEA states have generally taken one of three routes to engagement multilaterally in the regional war on drugs. States can be categorized as engaging in one of three roles: Proactive collaboration, conditional participation, and peripheral association. It is important to note, however, that these categorizations are entirely fluid and are subject to the dynamic changes that can impact a state's engagement in multilateralism.

Proactive collaborators are states which seek to shape regional policy on narcotics and have engaged on a sustained and regular basis with MOs and IOs to create actionable means for effective cooperation in regional counternarcotics efforts. These states actively seek to design and implement mechanisms by which regional law enforcement agencies are able to cooperate multilaterally. **Thailand, Indonesia, and Malaysia** can all be considered proactive collaborators in this regard. These three states consistently utilize ASEAN as a means to furthering their own anti-drug agendas and as a means of setting an example of what effective and sustained drug policy looks like. These states generally accept the main premises of the global prohibition regime with regards to the modern approaches to remediation and resulting complexities. It is not a coincidence that these states represent the three most affluent states that were analyzed in the region, and as such, have resources on hand to dedicate towards the furtherance of a specific anti-drug agenda or cooperative mechanism. Furthermore, these states generally satisfy the

conditions of being considered as a middle power, and as such, are able to exert some level of influence in the shaping of international norms and standards in a specific policy niche. In the context of multilateral drug trafficking efforts, these states are generally more apt to functional cooperation with outside actors. Furthermore, these states, while not in complete compliance with the norms and standards of the international community more broadly, set the standard for the region.

Conditional participants are states which generally maintain amicable relationships with MOs and IO's mostly as a result of a heavy dependence on aid and development projects. These states are the recipients of capacity building projects, and are able to maintain an amicable working relationship with international authorities. A mixed approach to multilateral engagement is common among these states, and they may choose to engage on a regional basis more often than on a global one. These states are generally ineffective at shaping the global or regional prohibition regime, and are thus subject to the previously established sets of standards that have been embraced by the proactive collaborators. These states have some discrepancies between their approach to the enforcement of drug law and the norms of the regime. In this category are **Vietnam** and **Lao PDR**. Both of these states do engage with regional actors through ASEAN, but fail to shape the regional approaches to the threat. Both of these states are keen to cooperate with China through such initiatives as the Mekong MOU, but are more hesitant to engage with the UN more directly.

Peripheral Associates are states which reject global regimes and either willingly or not, fail to engage with MOs or IOs in a manner that is effective and sustained. These states generally do not legitimize IOs, and do not take into account global regimes in their decision making. These states generally only engage in multilateral counternarcotics operations on an infrequent basis, and are highly likely to engage with neighbours bilaterally, given the circumstances make sense at the time. **Myanmar**, **Cambodia**, and **Philippines** can be seen as peripheral associates in this regard. It is important to note that these states trend towards this manner of engagement for unique reasons. The government of the Philippines acknowledges the fact that practical multilateral cooperation remains limited due to geographical constraints, yet engages with states with whom it is practical, such as China. Furthermore, the hostile and abrasive attitude of the

Filipino government towards international institutions makes the development of effective cooperative mechanisms difficult. Myanmar, however, would have previously been categorized as a conditional participant under its previous democratic government, but since 2021, has isolated itself under the command of the military regime. The current circumstances do not lend themselves to the fostering of an environment in which the government is willing to devote any resources to countering drug trafficking, and as such, has reverted into a state of ineptitude in terms of its ability to effectively engage outside actors.

States' unique approaches to multilateralism in preventing transnational narcotics trafficking in SEA create an environment in which diversity acts as a major impediment. If, in a hypothetical scenario, each state in the region were homogeneously subject to a similar set of circumstances that shape the strategic environment, it is highly likely that a comprehensive and effective multilateral framework would be developed. States which share a similar set of environmental factors, structural traits, or perceptions on the world, are generally more likely to cooperate with one another on a proactive basis. This is not a homogenous region, and the structural factors that shape the decisions of states in cooperative security arrangements have been magnified in the context of counternarcotics cooperation.

Every SEA state is subject to corruption in one form or another, either at the lowest levels of law enforcement or the highest levels of the executive branches of government. The misuse of power by public officials is a major impediment that detracts from the perceived legitimacy that public institutions hold among their population as well as the seriousness with which they will be seen among foreign officials. The public perception of government officials as being inherently corrupt is endemic throughout the entire region, and stands as a major obstacle that necessitates further investigation and focus. This results in a dilemma in which policymakers will be met with the question as to whether corruption must be eradicated or severely minimized prior to the enactment of a comprehensive counternarcotics strategy. Can effective multilateral frameworks targeting the spread of illicit drugs be implemented prior to a drastic reduction in corruption? The prospects for this appear bleak.

States which are subject to authoritarian systems of governance present similar obstacles to effective multilateral cooperation. This hesitancy to multilateral cooperation efforts is rooted in a simple lack of incentive. Some states, such as Myanmar, are on the verge of being considered pariah states, and are already subject to some level of diplomatic or economic pressure by the international community. As such, there is not an environment that is conducive to the development of a mutually beneficial relationship between the state and the IO in question. These governments have historically been acknowledged by the international community as problematic for a number of reasons, such as a poor human rights record. Authoritarian governments, in general, prefer to maintain strict control over domestic affairs within their borders, and are extremely hesitant to engage with civil-society organizations or IOs, as they are seen as manipulable and present challenges to the sovereignty of the state.

On a regional basis, multilateral cooperation frameworks targeting narcotics have been vastly underutilized, and as such, have experienced very little operational success. The most proactive states which have made concerted efforts to engage in multilateralism are not responsible for large amounts of production, and are generally consumer or transit states. As such, the very low amount of buy-in that these projects are subjected to is not concentrated in states where it is very consequential. The few states that proactively collaborate, are primarily concerned with preventing the entry of narcotics into their own territory, and thus have a minimal impact on the broader drug supply chain. Without increased levels of buy-in from states in which illicit narcotics are produced, it is highly unlikely that these multilateral cooperation frameworks will result in any form of sustained success.

Chapter 6: Conclusion

To conclude, the effectiveness of multilateral programs put forward by the UN and ASEAN in the SEA region targeting transnational drug trafficking have achieved some success in states which are more apt to conform to international regime structures, those being proactive collaborators. However, more comprehensive efforts have been largely unsuccessful, owing to the diverse and unique political landscape of the region. The mixed results of the effectiveness of multilateral cooperation are the direct result of the diverse levels of perceived legitimacy and stakeholder support that has been exhibited by regional governments towards IOs and MOs. While some states have worked in a cooperative manner with institutions such as ASEAN and the UN, many states, including those peripheral associates, have failed to follow suit.

The variable impediments that each state is exposed to in the implementation of these policies and programmes has contributed largely to the inability to formulate an effective strategy for the suppression of narcotics trafficking in the region. With each individual state being forced to craft policy with their own unique set of obstacles under consideration, the prospects for functional interoperability between states in this regard are low. Instead, the maximum extent to which the states of SEA are able to develop a coordinated multilateral response has been through the development of multiple declarations which assess drug trafficking as a major threat to the stability of the region which needs to be solved collectively. While all the states of the region collectively agree that drug trafficking is a major regional threat that presents problems for the state, there is no consensus as to how best to approach the problem. The transnational nature of the threat lends itself to multilateral cooperation schemes, but each state

Effective, sustainable, and enforceable responses to drug trafficking in SEA have not been developed through multilateral frameworks. Rather, bilateral or trilateral agreements between states trump these frameworks in terms of their ability to create operational solutions in a more flexible and practical context. However, it remains to be seen whether ASEAN's attempts at consolidating a more robust multilateral framework through the "ASEAN Community" will result in the creation of an environment in which such cooperation is more likely to be

sustainable or effective. Addressing the core issues which impede the effective cooperation in remediating non-traditional security threats such as narcotics trafficking is essential to success.

As it relates to the idea of a regime in SEA on the prohibition of drugs, it seems clear that all states have expressed interest, in compliance with some of the norms established on a global scale. However, there exists a large discrepancy in many SEA states with regards to how compliance with the international regime is achieved. While some proactive states have embraced the complex nature of the drug problem, and have crafted policy accordingly, many states have failed to evolve the conceptualization of the issue beyond simple illegality and punishment of supply-side actors. The fact that many states fail to update their conceptualization of the drug problem to adapt to the modern standards of the international community proves difficult for the effective engagement of compliant actors.

The reality is that trafficking in illicit narcotics is an incredibly complex process, involving numerous actors at every stage, whose role may not always be clear or easily defined. This process is not entirely governed by organized criminal organizations, and also involves actors that would not traditionally be classified as such, such as farmers, mules, and consumers. As a result, it becomes increasingly necessary for states to adapt to changing conceptualizations of the global drug regime and associated standards. This discrepancy between the ways which different states frame the issue of illegal narcotics is a massive obstacle to the achievement of effective multilateral cooperation and eventual compliance with the global prohibition regime.

Whether by correlation or correlation, the states in which the majority of illicit narcotics in SEA are produced, are also host to numerous systemic obstacles hindering effective counternarcotics measures. This inability of states such as Myanmar to effectively control the supply of narcotics has resulted in the flow of drugs spilling over into neighbouring countries and throughout the region, thus forcing these states into the development of a more robust defensive posture. This ongoing situation has had numerous negative impacts with regards to both internal regional dynamics and relationships with extra-regional states which are negatively impacted by these trends. Each states' unique set of obstacles has impacted the factors being taken into consideration when legislators craft counternarcotics policy. The unique circumstances which

each state is subject to contribute to the divergence in conceptualizations of the threat and subsequent reactions, and as such, inhibit effective multilateral cooperation, and the formation of a robust and sustainable regime structure.

What Next?

This paper has seemingly opened the door for continued analysis of the governance behind transnational crime prevention in SEA. Each state which was analyzed in Chapter 4 deserves further examination into how multilateralism is viewed, and how it is utilized in countering transnational threats more broadly. A broadening of the analysis by which states interact with multilateral and international organizations could be carried out by utilizing the framework established previously, modified to cater to the specificities of the research at hand. Human trafficking, illegal gambling, and wildlife smuggling are all emerging threats that are interlinked with the same actors prevalent in the world of drug trafficking, and warrant further academic analysis.

Corruption represented a persistent theme throughout this analysis, and the role that it has played in the development and implementation of multilateral cooperation schemes can not be understated. Further academic research relating to the relationship between corruption and criminal enterprise in SEA is greatly needed. Political difficulties involving gaining access to sensitive information present obstacles in this regard. Public corruption represents such a nebulous threat that it can be extremely difficult to fully encapsulate the extent to which it impacts political processes and decision making. As such, further research into the impact that corruption has on these factors would be beneficial in this realm, especially as it pertains to regional decision making and multilateralism.

As previously stated, global regimes tend to reflect the outlook of the global hegemon, and as such, the global drug regime is reflective of an American foreign policy outlook. With the recent perceived shift in global hegemony towards a bipolar world order, it remains to be seen how the global regime on the control of transnational crime will be impacted. In the coming years, China

will almost certainly continue its campaign of seeking influence through multinational institutions, and its impacts on regimes in other sectors have been seen. It will be interesting to continue to assess how the global regimes on non-traditional security are impacted by growing influence from China in the international community. Furthermore, ASEAN is currently experiencing some level of division in its approach to acceptance of Chinese influence over the region, and only time will tell whether or not the United States will make an attempt to re-establish its influence in SEA.

The role of China within this scenario is a factor that was under-explored throughout this analysis, but is relevant to the decision making processes of some states nevertheless. Some states, such as Laos and Cambodia, maintain very close relations with the CCP, and are thus prone to the development of strong bilateral relationships with China, even in matters of non-traditional security. As a result, it would be interesting to examine the relationships that these states maintain with China, and assess how they impact the concept of ASEAN centrality in matters of foreign affairs. It would seem that many states within ASEAN are compunctious about abandoning the long-held state of neutrality, and may hold some reservations about a shift towards China within the association.

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