ANALYSIS OF INDONESIA'S INTERNATIONAL COOPERATION WITH THE COUNTRIES OF MALAYSIA AND THAILAND IN ENFORCING NARCOTICS CRIME LAWS

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Abstract. The aim of this research is to find out, research and analyze Indonesia's international cooperation with Malaysia and Thailand in enforcing narcotics crime laws. The research method in writing uses descriptive research methods. The data analysis used is qualitative analysis. The results of this research show that Indonesia's International Cooperation with the State of Malaysia in enforcing narcotics crime laws is the existence of a Memorandum of Understanding between The Indonesian National Police and The Royal Malaysia Police on Combating Illicit Trafficking in Narcotic Drugs, Psychotropic Substances, Precursors, Hazardous Material and Enhancement of Police Cooperation where both have agreed to exchange information, make joint efforts to eradicate sources of illegal supply and cooperate in cracking down on illegal production and trade, application of new technical instruments in training and assistance in investigating money laundering, Furthermore, Indonesia's International Cooperation with Thailand is contained in the MoU between the Office of the Narcotics Control Board of the Kingdom of Thailand and the National Narcotics Board of the Republic of Indonesia on the Cooperation in Controlling Narcotic Drugs, Psychotropic Substances, their Precursors and Chemicals, and Drug Abuse, between the Indonesian National Narcotics Agency (BNN) and the Office of Narcotics Control Board (ONCB) Thailand. Both of them agreed on exchanging information, training programs and cooperation in Alternative Development in converting illegal narcotic plants, where Thailand switched to opium cultivation while Indonesia used marijuana plants.

Keywords: Prevention, Drugs, Without Permit, Crime

INTRODUCTION

Indonesia is a country of law where as a country of law, Indonesia regulates all aspects of life in the territory of Indonesia. A rule of law is a state based on law and justice for its citizens. What this means is that all authorities and actions of state equipment or in other words are regulated by law. This will reflect justice for the social life of its citizens.

Indonesia is a maritime country that has the largest archipelago in the world. Indonesia's territory is in the Southeast Asia region which lies at the intersection of the two largest sea routes in the world, namely the first is the East West route, namely the route that connects the Indian Ocean with the Pacific Ocean. The second is the North-South route, which connects East Asia

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with Australia and New Zealand and the surrounding islands. The three "entrances" to the Southeast Asian region: the Malacca Strait, the Sunda Strait and the Lombok Strait are important points in the world trade system.

Indonesia is a world trade route with many entry points from various waters, so on the other hand, Indonesia has difficulty controlling and securing these many entry points. In the end, Indonesia had difficulty stemming various international crimes from entering its territory.

This condition is used as a strategic factor by perpetrators of drug trafficking *crimes*. Narcotics are drugs or substances that are useful in the field of medicine or health services in the fields of medicine and health services and the development of science. This substance can also cause dependence if misused or used without strict and thorough control and supervision. The problem is that narcotics abuse continues to increase. According to *the United Nations Office on Drugs and Crime* (UNODC), narcotics abuse is ranked 20th as a factor causing health problems globally, and is ranked 10th in developing countries1. UNODC also stated that 76% of deaths in the world in 2017 were caused by narcotics abuse.¹

Various efforts have been made by governments and communities throughout the world to overcome drug problems, including prevention, rehabilitation and law enforcement. However, due to the easily accessible and very tempting nature of drugs, this effort continues to be a challenge for all parties. *Drug trafficking* crime refers to all forms of illegality in producing, distributing and trading narcotics or illegal drugs. Narcotics are a type of substance or drug that can cause physical and psychological dependence in users and has the potential to be dangerous to health and can cause negative effects on society.

Narcotics circulation in Indonesia continues to increase. As a maritime country, Indonesia is a haven for the circulation of narcotics and other illegal drugs because most of the narcotics smuggling is carried out by sea. Apart from that, because Indonesia has a good market, the demand for narcotics continues to rise. The circulation of narcotics that occurs in Indonesia is very contrary to the goals of Indonesia's national development to create complete Indonesian people and a whole Indonesian society that is just, prosperous, prosperous, orderly and peaceful based on Pancasila and the 1945 Constitution . continuous efforts in the field of medicine and health services, including the availability of narcotics as medicine, in addition to developing science.

Drug trafficking can threaten the security and prosperity of a country, considering that this crime is transnational and involves various countries. In general, drug trafficking is a transnational crime, because drug producers, couriers and users may come from different countries. So that not a single country is exempt from being targeted by drug trafficking crimes, including Indonesia. Given its strategic geographical conditions, Indonesia could become one of the destination countries for drug trafficking. So, to tackle the crime of drug trafficking, international cooperation between countries and institutions is needed, because tackling this crime cannot be solved by just one country alone.

ISSN:1539-1590 | E-ISSN:2573-7104

Vol. 6 No. 1 (2024)

¹Badan Narkotika Nasional (BNN), 2020, *Rencana Strategis Badan Narkotika Nasional Tahun2015-2019*, Jakarta: BNN, p.1

Transnational narcotics crimes are carried out using modern modus operandi and sophisticated technology, including safeguarding the proceeds of narcotics crimes. The development of the quality of narcotics crime has become a very serious threat to human life. The circulation of illegal narcotics is still rampant, in fact recently the crime of narcotics abuse has increased. Previously it was only a transit area for these prohibited goods, recently it has become a destination area for narcotics trafficking operations by the international narcotics traffickers network.²

Indonesia itself has handled the largest number of drug cases in the last 10 years, namely in 2018 which reached more than 1,000 cases, although this continued to decline until 2021, drug cases increased again in 2022 with the potential to continue to soar until 2023. More clearly it can be seen in the following table:

Table 1

No	Year	Number of	Number of	Evidence
		Cases	Defendants	(Billion IDR)
1	2018	1,039	1,545	142.4
2	2019	951	1,505	138.2
3	2020	833	1,307	87.1
4	2021	766	1,184	108.8
5	2022	879	1,422	33.8

Source: BNN Research and Data Center, 2023

Based on table 1, the number of narcotics handling cases from 2018 was 1,039 cases, decreased in 2019 to 951 cases, decreased again in 2020 to 833 cases, decreased again in 2021 to 766 but increased again in 2022 to 879 cases. So even though it continues to decline until 2021, drug cases will increase again in 2022. This requires further action by the Indonesian government in dealing with narcotics trafficking.

Drug trafficking is often linked to international syndicates that operate across national borders. Many countries face serious problems due to drug trafficking, including Indonesia. Drug trafficking not only threatens public health and damages the lives of individuals caught in drug abuse, but also causes social, economic and security disruption. To combat drug trafficking crimes, many countries cooperate within the framework of international law, including through institutions such as Interpol. Efforts to eradicate drugs involve law enforcement, intelligence, international cooperation, and prevention and rehabilitation efforts for victims of drug abuse. The aim is to create a society free from the dangers of drugs and create a safer and healthier environment for all citizens.

Types of drugs circulating in Indonesia include marijuana, heroin, barbiturates, ecstasy and ketamine. Many types of drugs that enter Indonesia are supplied from Thailand, Laos, Myanmar, Iran, Pakistan, Afghanistan, Malaysia and Hong Kong as suppliers of psychotropic substances.

international space, are very neat, fast, dynamic, secretive with a cell system, utilize large funds, and some organizations even have armed forces that are professionally trained and able to

²F Asya, Narkotika dan Psikotropika, Jakarta: Asa Mandiri, 2009, p. 3

withstand the legal force of the official government. Because the problem of illegal narcotics trafficking is also included in *Transnational Organized Crime* (TOC). More organized handling is needed in order to eradicate the abuse and illegal trade of narcotics by collaborating on information that is in line with developments in science and technology.

So cooperation between countries is very necessary here, especially in tackling international narcotics problems. One case that is currently hot in 2023 is the Fredy Pratama international network. Head of the National Police Criminal Investigation Unit, Commissioner General Wahyu Widada, stated that they had formed a special team to uncover Fredy's network since 2020. The special team, which was formed in May 2023, carried out an operation under the name Escobar Indonesia. The National Police have been hunting Fredy Pratama's network from 2020 to 2023. A total of 408 police reports were disclosed with a total of 884 suspects. Meanwhile, 39 suspects were arrested in the Escobar Indonesia operation starting in the May 2023 period.

Escobar is the nickname of Colombian drug kingpin Pablo Emilio Escobar Gaviria. He was a drug lord who founded the Medellin Cartel which operated in the 1980s to 1990s in South America. Escobar is said to be the mastermind of the largest cocaine smuggling and trafficking in the United States. The National Police also collaborated in investigations with the Royal Thai Police, the Royal Malaysian Police, and were also supported by the United States special narcotics police, DEA.

Apart from arresting Fredy's accomplices, the team also succeeded in confiscating the suspects' assets whose value was estimated at IDR 10.5 trillion. Even though they have confiscated such large assets, the National Police have not yet arrested Fredy because he is still at large.

Fredy's network is extensive and is thought to have supplies, some of which come from Malaysia and Thailand, so there needs to be cooperation between Indonesia and the two countries to be able to dismantle Fredy Budiman's large network.

I. LITERATURE REVIEW

Criminal act

Criminal act is a translation of *strafbaarfeit*, insideThe Criminal Code (KUHP) does not provide an explanationwith what is meant by *strafbaarfeit* itself. Usually a criminal offenceis synonymous with delict, which comes from the Latin word *delictum*. In the legal dictionary, "A crime is an act of violating a law or law which is punishable by punishment ³. In line with Wardaningsih's opinion which defines it as an act or action that is prohibited and is punishable by law under the Criminal Law.⁴

Foreign experts in criminal law use the term criminal act or criminal act or criminal event, with the terms:

a. Strafbaar Feit is a criminal event;

³Dzulkifli Umar dan Jimmy P. Kamus Hukum. Graha Media: Surabaya, p133

⁴N. Wardaningsih. *Hukumdan Peradilan*. CV Pamularsih: Jakarta. 2009. p. 39

- b. *Strafbare Handlung* is translated as Criminal Action, which is used by German Criminal Law scholars; And
- c. Criminal Act is translated as Criminal Acts.

The offense, which in Dutch is called *trafaarfeit*, consists of three words, namely *straf*, baar and feit. Each of which has the meaning:

- a. Straf is defined as criminal and legal,
- b. Baar is defined as can and may,
- c. Feit is defined as action, event, violation and deed.

Pompe further defines *Strafaarfeit* as "a violation of norms (disruption of legal order) which is intentionally or unintentionally committed by a perpetrator, for which punishment is imposed."against these perpetrators is necessary for the maintenance of legal order."Next there is Simons, formulating *strafaarfeit*, as "an actionbreaking the law that has been done intentionally by someone whocan be held accountable for their actions and by lawhas been declared a punishable act." ⁵ Meanwhile, Jonkers defines *Strafaarfeit* as a criminal event, which he defines as an act that is against the law *(wederrechttelijk)* which is related to deliberate or wrongdoing committed by a person who can be held accountable.

Muhammad Ainul Syamsu in his book has a similar view expressed by Clark, Marshall, and Lazell who emphasizesthe act is prohibited and is punishable by criminal law. It says that followcriminal (crime) is "any act or omission prohibited by the public for theprotection of the public, and made punishable by state in a judicial proceeding in its own name". In other words, criminal acts cover everythingactive or passive acts that are prohibited to protect society and are threatened with criminal penalties by the state through legal processes. ⁶Criminal act or offense, the subject addressed byOffense norms are usually defined generally with the term "goodswho" or "everyone". Determining the subject of the offense relates toconfirmation of a person's rights and obligations arising from the law.

Apart from criminal law experts from abroad, criminal law experts from Indonesia also do not miss out on taking part in defining the meaning of *Strafaarfeit*, such as Moeljatno, who defines *Strafaarfeit* ascriminal acts, and defines criminal acts as acts that are prohibited by a legal rule, prohibitionwhich is accompanied by threats (sanctions) in the form of certain penalties, for anyone who violates the prohibition. Can do that tooIt is said that a criminal act is an act that a rule of law is prohibited and punishable by crime. Just remember that the prohibition is

actions (i.e. conditions or events caused by someone's behavior) while the criminal threat is aimed at the person who caused the incident. ⁸Moljatno further explained that a criminal act is an act that has elements and two related characteristics, elements which can be divided into two types, namely:

⁵*Ibid* , p. 35

⁶Muhammad Ainul Syamsu, *Penjatuhan Pidana dan Dua Prinsip DasarHukum Pidana*, PT Kharisma Putra Utama: Jakarta. 2016.p. 16

Ibid, p. 26

⁸Moeljatno, *Azas-Azas Hukum Pidana*, Rineka Cipta: Jakarta, 2008. p. 5

- a. Subjective is related to the perpetrator's self and is included in itnamely everything that is contained in his heart.
- b. Objectives are elements that are inherent in the perpetrator or personwhich has to do with the circumstances, namely withinthe circumstances under which the actions of the actor must bedone.9

SR Sianturi provides the definition of a criminal actan action at a certain place, time and circumstances that is prohibitedor required and threatened with criminal law,unlawful and wrongful, committed by someone who is capable of responsibility. So then the elements of a criminal act consist of: subject, error, natureagainst the law, an act that is prohibited and punishable by crimeby law as well as certain times, places and circumstances. Meanwhile, Utrecht uses the term "criminal incident".translates the term feit literally as "event". However, Moeljatno rejected the term criminal event because he said that event is a concrete meaning that only refers to a certain event, for example the death of a person. LawCriminal law does not prohibit the death of people, but it prohibits the existence of peopledied because of someone else's actions. 10

Narcotics Review

The most famous narcotics in Indonesia today come from the word" Narkoties ", which has the same meaning as the word narcosis which means to anesthetize. Previously in Indonesia it was known as madat. Law No. 35 of 2009 concerning narcotics, article 1 paragraph 1, states that narcotics are substances or drugs derived from plants or non-plants, whether synthetic or semisynthetic, which can cause a decrease or change in consciousness, loss of taste, reduce or eliminate pain and can giving rise to differentiated dependency within groups.

According to Mardani, what is meant by narcotics is a drug or substance that can calm the condition, cause unconsciousness or anesthesia, relieve aches and pains, cause drowsiness or stimulate, can cause a stupor effect, and can cause addiction and is determined by the Minister of Health as narcotics. 11

From the definitions above, the author can conclude that narcotics are drugs or substances that can calm the nerves, cause unconsciousness or anesthesia, eliminate aches and pains, cause drowsiness or stimulate, can cause stupor effects and can cause addiction and are determined by the minister. health as a narcotic.

Furthermore, in Republic of Indonesia Law no. 35 of 2009 ConcerningIt is explained that there are three types of narcotics, namely:

a. Category I narcotics are narcotics that can only be used forscientific development purposes and is not used intherapy and has a very high potential for causing dependency. Examples: Heroin, Cocaine, Coca Leaves, Opium, Marijuana, Jicing, Katinon, MDMDA/Ecstasy, and more than 65 typesother.

¹⁰*Ibid* . p. 72

⁹*Ibid* . p. 69

¹¹Mardani, Penyalahgunaan narkoba: dalam Perspektif Hukum Islam dan Pidan nasiona, Jakarta:Rajawali press, 2008, p, 80

- b. Category II narcotics are narcotics that are effective formedication is used as a last resort and can be used therapy and/or for scientific development purposes and has a high potential to cause dependency. Examples: Morphine, Pethidine, Fentanyl, Methadone and others.
- c. Class III narcotics are narcotics that have addictive powerlight, but useful and efficacious for treatment and study. Group 3 narcotics are widely used in the therapyand/or for the purpose of developing science as wellhas the potential to cause dependency. Example: Codeine, Buprenorphine, Ethylmorphine, Codeine, Nicokodina, Polkodina, Propiram, and there are 13 (thirteen) kinds including several other mixtures.

In this research, the distribution of narcotics is class I narcotics in the form of marijuana . Hari Sasangka explained that marijuana comes from plants*cannabis sativa, cannabis indica* and *cannabis Americana*. PlantIt belongs to *the Urticaceae* or Moraceae family . Cannabis PlantIt is a plant that is easy to grow without special care. This plant grows in temperate climates and thrives inthe tropics. ¹²This annual plant can reach two meters in height. Menjari leaves with male and female flowers are found on different plants. Marijuana only grows in tropical mountains with elevations above 1,000 meters above sea level. Mardani explained that more clearly Marijuana is a resin taken from all plants *of the cannabis genus* including seeds and fruit including processing products . ¹³There are three types of marijuana, namely cannabis sativa, cannabis indica, and cannabis ruderalis. These three types of marijuana contain THC vary. The indica type of cannabis contains the most THC, followed by *cannabis sativa*, and *cannabis ruderalis*. Because of the THC content This means that everyone who abuses marijuana is exposed to psychoactive effects which is dangerous.

Low doses of marijuana users will experience hilarity(making noise), experiencing oquacous euphoria (laughing withoutstop), experiencing changes in perception of space and time. Then, reduced ability to coordinate, judgement, and memory, experience increased visual and auditory sensitivity (but moreleading to hallucinations), experiencing inflammation of the respiratory tract and lungs. In high doses of marijuana abuse, it results in delusional illusions (too much emphasis on beliefs that are not real), depression, confusion, experiencing alienation, and hallucinations accompanied by psychotic symptoms such as fear.

The dangers of regular and prolonged marijuana abuseIt will have fatal consequences in the form of pneumonia, irritation and swellingrespiratory tract. Then damage to coronary blood flow and riskcauses attacks of chest pain, cancer, decreased endurancebody so it is susceptible to disease, and levels decreasegrowth hormones such as thyroxine . Psychological disorders result in decreased ability to think, reading, speaking, arithmetic and socializing. Avoidance tendencies difficulties and taking problems lightly, not thinking about the future and has no fighting spirit.

¹²Hari Sasangka, *Narkotika dan Psikotropika Dalam Hukum Pdana: Untuk Mahasiswa,Praktisi dan Penyuluh masalah narkoba*, Jakarta: CV. Mandar Maju, 2003, p. 48

¹³Mardani, *Penyalahgunaan narkoba: dalam Perspektif Hukum Islam dan Pidan nasiona*, Jakarta:Rajawali press, 2008, p, 84

Narcotics abuse is a crime andviolations that threaten the safety, both physical and mental, of the userand also towards the surrounding community socially, then with an approach Theoretically, the cause of narcotics abuse is an offensematerial, while his actions are to be held accountable perpetrator, is a formal offense. Narcotics crimes are special crimes outside the Criminal Code This is stated expressly in Article 25 of Government Regulation Number 24 of 1960 which came into force on June 9 1960 concerning investigations, prosecution and examination of criminal acts. Special criminal law is criminal law established for special groups of people, including military criminal law (special groups of people) and fiscal criminal law (special actions) and economic criminal law.

Gatot Supramono in his book divides the types of criminal actsnarcotics based on the rules stated in the lawnarcotics. Types of Narcotics Crimes regulated inConstitutionNumber 35 of 2009 concerning Narcotics:¹⁴

- a. Any person who without right or against the law plants,look after,own,store, control or provideClass I narcotics in plant form, Article 111; Each personwho without rights or against the law plants, maintains,possessing, storing, controlling or providing narcoticsGroup I is not a plant, Article 112;
- b. Any person who without right or against the law produces, import, export or distribute Class I Narcotics, Article 113;
- c. Any person who without right or against the law offers tosell, sell, buy, receive, become an intermediary in sellingbuy, exchange or deliver Narcotics Category I, Article 114;
- d. Every person who without right or against the law carries, sending, transporting or transiting Narcotics Category I, Article115;
- e. Any person who uses it without right or against the lawClass I Narcotics against other people or giving NarcoticsCategory I for use by other people, Article 116
- f. Every person who without right or against the law has, storing, controlling or providing Class II Narcotics, Article 117;
- g. Any person who without right or against the law produces, import, export or distribute Class II Narcotics. Article 118:
- h. Any person who without rights or unlawfully offers tosell, sell, buy, receive, become an intermediary in sellingbuy, exchange or deliver Narcotics Category II, Article 119;
- i. Every person who without right or against the law carries, sending, transporting or transiting Narcotics Group II, Article20;
- j. Any person who uses it without right or against the lawCategory II Narcotics against other people or giving NarcoticsCategory II for use by other people, Article 121;
- k. Any person who without right or against the law plants, maintain, own, store, control or provideNarcotics Category III, Article 122;
- 1. Any person who without right or against the law produces, import, export or distribute Class III Narcotics, Article 123;

¹⁴Gatot Supramono, *Hukum Narkotika Indonesia*. Djambatan, Jakarta. 2009,p. 90

- m. Any person who without rights or unlawfully offers tosell, sell, buy, receive, become an intermediary in sellingbuy, exchange or deliver Narcotics Category III, Article 124;
- n. Every person who without right or against the law carries, sending, transporting or transiting Category III Narcotics, Article 125;
- o. Any person who uses it without right or against the lawClass III narcotics against other people or giving themCategory III narcotics for use by other people, Article 126;
- p. Every Narcotics Abuser of Classes I, II and III for himself, Article 127; The parent or guardian of the addict is not enoughage, as intended in Article 55 paragraph (1) intentionally reporting, Article 128;
- q. Own, hold, control, or provide PrecursorsNarcotics for Narcotics acts; Producing, importing, exporting, or distributing Narcotics Precursors for manufacturingNarcotics; Offer for sale, sell, buy, receive, become an intermediary in buying and selling, exchanging or handing overNarcotics Precursor for the manufacture of Narcotics; Bring, send, transport, or transit Narcotics Precursors formanufacture of Narcotics Article 129;
- r. Any person who deliberately does not report an actionNarcotics crime Article 130;
- s. Attempt or conspiracy to commit a criminal offenseNarcotics and Narcotics Precursors Article 131;
- t. Everyone who orders, gives or promises something, provide opportunities, encourage, provide convenience, force by threat, force by force, carry outtrickery, or persuading a child who is not yet old enough tocommitting a Narcotics crime; To use narcotics Article 133;
- u. Narcotics addicts who are of legal age and deliberately notself-report; Family of a Narcotics Addict withdeliberately not reporting the Narcotics Addict Article 134.

Apart from the action aspect, there is also criminal punishmentIt must be seen from the perspective of the person doing the actionthe. The subject of a criminal act is basically human, but this does not rule out the possibility of being a subjectThis is an association or corporation, if that is the casespecifically regulated in certain laws.

a. Corporation

Corporations according to Article 1 number 21 of the LawNumber 35 of 2009 concerning Narcotics is an organized collection of people and/or property, whether it is a legal entity or not a legal entity.

b. Individual

Criminal acts are also called criminal acts oroffense, this act is committed by a person or bylegal entities as legal subjects incriminal law. As Wirjono Prodjodikoro said, the definition of a criminal act, a criminal act means an act whose perpetrator can be subject to criminal punishment and this perpetrator can be said to be the subject of a criminal act ¹⁵. Next it says . Requirements for imposing criminal penalties for actions a person must fulfill the existing elements in the formulation of criminal acts in the law. Based on this description, someone asthe subject of a criminal offense if it complies with the provisions contained in the regulations .

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¹⁵Wirjono Prodjodikoro, Asas Asas Hukum Pidana di Indonesia, Refika Aditama, Bandung, 2014, p. 14

c. Abuse Victims

Narcotics abusers are those whoconsume narcotics or are addicted to narcotics without with the knowledge or supervision of a doctor and against law to the point of causing dependency. According to article 1 number 15 Law Number 35 of 2009 about Narcotics, Abusers are people who using narcotics without rights or against the law.

d. Addict

Narcotics addicts in Article 1 number 13 of Law Number 35 of 2009 concerning Narcotics are people who use or abuseNarcotics and in a state of dependence onNarcotics, both physical and psychological.

e. Distributor

Any person who does not have rights or violates the lawcarry, send, transport, or transitClass I Narcotics, as regulated in Article115.

Regarding the definition of narcotics crimes, Law Number 35 of 2009 concerning Narcotics does not provides a specific definition of what is is meant by the narcotics crime itself, howeveronly formulates the actions that are considered as a narcotics crime. So in short, you canit is said that what is meant by a criminal actNarcotics is an act that violates the provisions of narcotics law, in this case Law Number 35 of 2009 concerning Narcotics and other provisions included in the provisions the Act.

International Cooperation

The study of international relations emerged after the WarWorld I in the 1920s and became an independent field of study inAmerica and Europe. International relations at the timeThe past focused on the study of war and peace and laterextends to the study of development, change and continuitywhich takes place in relations between countries or between nations withinglobal system context but still focuses on political relationshigh politics. Meanwhile, contemporary international relations, apart from focusing on the study of political relations between countries whose scope crosses state territorial boundaries, also covers the roles and activities carried out by non -state actors. ¹⁶

The term international relations will be closely related to everythingform of interaction between the people of countries, whether carried outby the government or citizens. Study of international relations, including the study of foreign policy or politics international, and covers all aspects of relations between various countries in the world includes studies of international trade institutions, International Red Cross, tourism, international trade, transportation, communication and the development of values and ethics international. International cooperation is relations between nations that have goals based on national interests. International cooperation consists of a set of rules, principles, norms and decision-making procedures that govern the functioning of international regimes. Apart from that, countries that carry out international cooperation have the same goals or common interests because the absence of common interests in cooperation is something that is impossible. Collaboration initially occurred because various

¹⁶Rudy, T. M.. *Hubungan internasional kontemporer dan masalah-masalahglobal : isu, konsep, teori & paradigma (2nd ed.).* Bandung: Refika Aditama. 2011, p. 11

kinds of national, regional and global problems emerged that required attention not only from one country, then each country each took an approach by bringing suggestions or proposals for overcoming problems, carrying out negotiations or bargaining, conduct negotiations, conclude the evidence gathered to justify one of the proposals that has been given, and after that conclude with an agreement that ultimately satisfies all parties.¹⁷

According to Banyu PerwitaInternational relations is defined as the studyabout interactions actorsin between several participating international politics, non-governmental organizations, subnational entities such as bureaucracy and government domestic as well as individuals. ¹⁸ Foreign Policy is essentially also a toolcountry to achieve its national interests. Foreign policyis an aspect of a country's ideals and therefore its external politicsThe country is also an aspect of the national strategy and must be in accordance with national goals and targets. International cooperation generally takes place in decentralized situations that lack effective institutions and norms for culturally distinct and geographically separated units, resulting in the need to overcome problems involving inadequate information about motivations. and the goals of the various parties are very important. Continuous interaction, the development of communication and transportation between countries in the form of exchanging information regarding cooperation goals, and the growth of various institutions.

Discussion of international cooperation theoretically includes relations between two countries or relations between larger units, also known as multilateralism. Although forms of cooperation often begin between two countries, the main focus of international cooperation is multilateral cooperation. Multilateralism is defined by John Ruggie as a form of institution that regulates relations between three or more countries based on generally accepted principles of behavior expressed in various forms of institutions including international organizations, international regimes, and phenomena that have not actually occurred, namely international order

II. METHOD

This research will be prepared using a normative juridical research type, namely research that focuses on examining the application of rules or norms in positive law. Normative Juridical, namely an approach that uses a *positivist legislative conception*. This research uses a statutory approach (*statute approach*) and a case approach (*case approach*). The legislative approach is used to understand all legal regulations, especially criminal law in Indonesia.

IV . RESEARCH RESULT

Fredy Pratama International Narcotics Crime Case

¹⁷Holsti, K. J. *Politik Internasional : Kerangka untuk Analisis (2nd ed.; M.T. Azhary, Ed.).* Jakarta: Erlangga. 1988., p. 5

¹⁸Perwita, A. A. B., & Yani, Y. M. *Pengantar IlmuHubunganInternasional (4th ed.)*. Bandung: Remaja Rosdakarya.2014. p. 8

Fredy Pratama is the biggest drug kingpin in Indonesia. Fredy's drug network is controlled from Thailand with a target market in Malaysia and Indonesia. From the 39 suspects who were Fredy's accomplices, the police confiscated 10.2 tons of methamphetamine and 116,346 ecstasy pills. In fact, Fredy is a big-time drug dealer who is being hunted by Interpol in 4 countries. Fredy Pratama has many nicknames. This shows his actions in the black world of drugs. Fredy has at least four names, namely Fredy Pratama, Miming, Fredy Miming, Wang Xiang Ming.

Fredy is a fugitive from Interpol from 4 countries, including Indonesia. The other 3 Interpols are the Royal Malaysia Police, Royal Thai Police, and US-DEA. Interpol has been hunting for Fredy since he was reportedly hiding in The Golden Triangle, which is a paradise zone for narcotics dealers in Southeast Asia. Fredy is suspected of controlling the black drug market in South Kalimantan Province, especially Banjarmasin, since 2013.

Bareskrim Polri experienced problems in arresting the leader of the international network of drug syndicates, Fredy Pratama. Director of Drug Crimes at the Indonesian Police Criminal Investigation Agency (Dirtipid Narkoba Bareskrim Polri) Brigadier General Mukti Juharsa explained that his party already had traces of Fredy's whereabouts. However, his party had difficulty making arrests because the international drug boss received protection from gangsters. Based on the latest information, Fredy's whereabouts are indicated in Thailand. The gangsters who protect Fredy are none other than his parents who are also leaders of a drug syndicate in the land of the White Elephant.

The Directorate of Narcotics Crimes, Bareskrim Polri, revealed that Fredy Pratama's figure began when the security forces received 408 reports of drug cases from 2020 to 2023. Even though they have confiscated assets worth IDR 10.5 trillion, the Police have not yet arrested Fredy Pratama because he is still at large. From around 408 reports submitted in the 2020-2023 period, the police named a total of 884 suspects who were affiliated with the Fredy Pratama drug syndicate. Head of the National Police Criminal Investigation Unit, Komjen Wahyu Widada, said that the suspects who had been arrested had different roles according to their respective duties, including:

- a. K alias R acts as operational controller.
- b. Then, MFN alias D acts as financial controller.
- c. AR as Fake Document Coordinator.
- d. FA and SA as cash couriers abroad.
- e. KI as cash collection coordinator.
- f. Then T, YPI, and DS as cash withdrawal coordinators.
- g. BFM is the maker of fake documents, namely fake KTPs and fake accounts.
- h. Furthermore, FR and AA were couriers carrying methamphetamine.

This illegal drug trafficking syndicate operates to distribute crystal methamphetamine and ecstasy in Indonesia and eastern Malaysia. The syndicate is controlled by Fredy Pratama as the big dealer who is also the main controller (*master mind*).

Fredy has a number of pseudonyms, such as Maming, The Secret, Casanova, Airbag, and Mojopahit. Fredy is also said to have carried out his action from Thailand.Fredy Pratama's international network drug syndicate works in a neat and structured manner. This syndicate has the same modus operandi, one of the similarities is in terms of communication methods, namely using the Blackberry Messenger Enterprise, Threema and Wire applications when communicating.

This is what finally made the National Police successful in uncovering members of Fredy's syndicate. Because, based on the results of an in-depth investigation into a number of drug cases that were communicated in this way, it all came down to Fredy Pratama. From further investigation, it is also known that they also use various bank accounts. This syndicate also only uses regulated communication applications, not applications commonly used by the general public.

Even though Fredy is still a fugitive or on the wanted list (DPO) since 2014, the National Police ensures that they will continue to pursue him. There is a possibility that Fredy has changed his face and identity.Regarding Fredy's whereabouts, there was information that this big-time dealer was in Thailand.However, the Thai Police said that the drug fugitive had moved to another country.

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Indonesia's International Cooperation with Malaysia in Law Enforcement for Narcotics Crime

Indonesia and Malaysia, as one of the countries in Southeast Asia and have close territorial and border areas, cannot be separated from the problems of trafficking and drug use that occur in these two countries. Indonesia and Malaysia have long agreed to formulate cooperation in efforts to eradicate drug trafficking that occurs in border areas both on land and sea routes.

That matterstarting from the **Treaty on Manual Legal Assistance in Criminal Matters (MLAT)** agreement **which is an** effort towards a Mutual Legal Assistance Agreement in Criminal Matters and was first explored by Malaysia at the 8th ASLOM which was held on 15 – 16 June 2002 in Bangkok, Thailand. The agreement aims to support and strengthen the efforts and capacity of ASEAN Member States to combat transnational crime and other transnational challenges by enhancing cooperation in law enforcement and mutual legal assistance in criminal matters. This is also a *response* to the need to increase the effectiveness of judicial assistance and to organize and facilitate mutual legal assistance processes considering the differences in legal systems and procedural requirements in ASEAN Member States including in this case narcotics crimes.

Subsequently, Malaysia initiated and hosted a meeting of like-minded ASEAN Member States to formulate the MLAT leading to its conclusion on 29 November 2004 in Kuala Lumpur, Malaysia. Myanmar and Thailand became Signatory Countries to the MLAT in 2006. MLAT came into effect in 2013 after the completion of all internal legal procedures required by ASEAN Member States for MLAT to take effect. Indonesia itself signed the MLAT on June 4 2008.

Through MLAT, Indonesia has submitted a number of MLA requests related to narcotics crimes to Malaysia to obtain evidence and make efforts to confiscate assets resulting from criminal acts in that country. Indonesia hopes that in the near future it will be able to return assets resulting from criminal acts through the MLAT mechanism, which will certainly be a point of success for law enforcement cooperation in the ASEAN region.

In particular, cooperation between Indonesia and Malaysia in fighting Narcotics or in Malaysian is Dadah, namely with the existence of a Memorandum of Understanding between The Indonesian National Police and The Royal Malaysia Police on Combating Illicit Trafficking in Narcotic Drugs, Psychotropic Substances, Precursor, Hazardous Material and Enhancement of Police Cooperation or understanding between the National Police of the Republic of Indonesia and the Royal Malaysian Police regarding the Eradication of Illicit Trafficking in Narcotics, Psychotropics, Precursors, Dangerous Substances and Increasing Police Cooperation which was signed on May 9 2005 took place in Bali. The agreement stipulates cooperation between Indonesia and Malaysia in eradicating the illegal distribution of narcotics and psychotropic substances and discusses increasing police cooperation between the two countries. The agreement consists of 11 articles along with protocols that discuss provisions, areas of cooperation, further procedures related to implementing the eradication of illicit drug trafficking.

An explanation of the contents of the drug eradication agreement between Indonesia and Malaysia as stipulated in this agreement includes:

- 1. Definitions (*Definitions*), explain the meaning given in the provisions of this agreement
- 2. Objective: to facilitate cooperation in combating narcotics production and trafficking
- 3. Areas of Cooperation, regulates the main areas of cooperation including:
 - a. Information exchange.
 - b. Make concerted efforts to eradicate sources of illegal supply.
 - c. Cooperate in cracking down on illegal production and trade both in regional and international cooperation.
 - d. other dangerous substances.
 - e. Exchange of experience and information in the modus operandi used.
 - f. Exchange of information within the network and people involved or suspected or arrested in the illicit trade in narcotics and illegal dangerous substances as well as new routes used in trade transportation.
 - g. Application of new technical instruments in training and information exchange with training and information exchange with modern technology in detecting trafficking in narcotics and other dangerous substances.
 - h. Providing information about new types of narcotics and dangerous substances.
 - i. Continuing joint investigations and supervision in the delivery process.
 - j. Assistance in money laundering investigations

- k. Cooperation assistance in developing human resources in eradicating narcotics and anti-hazardous material operations.
- 1. Other fields related to efforts to eradicate narcotics and other dangerous substances.
- 4. Law enforcement (*law enforcement*), determining the authority to implement this agreement is carried out by POLRI (Indonesia) and PDRM (Malaysia).
- 5. Confidentiality of information and documents (secrecy of information and documents), explains that the documents that have been obtained must be kept confidential.
- 6. Bilateral working group meetings (*bilateral working group meetings*), regulate periodic meetings and annual meetings.
- 7. International norms and national legislation (*international norms and national legislations*) stipulate that the implementation of this memorandum of understanding is subject to international norms and national laws and regulations of each party.
- 8. Protocol (protocol), attached as a technical guide for the implementation of this agreement.
- 9. Amendments and addendums (*amendments and addendums*) regulate how the parties can review, add or change with written agreement and review.
- 10. Dispute resolution (*settlement of dispute*), explains the resolution of disputes that arise due to differences and must be resolved peacefully.
- 11. The validity, duration and termination of the employment relationship (*entry into force, duration and termination*), determines the validity of this agreement on the signing date and lasts for a period of 5 years and is automatically extended.

Indonesia's International Cooperation with Thailand in Enforcement of Narcotics Crime Law

Indonesia collaborates with Thailand in eradicating narcotics, the two have an agreement in eradicating illegal drug trafficking under the umbrella of MoU cooperation between the Office of the Narcotics Control Board of the Kingdom of Thailand and the National Narcotics Board of the Republic of Indonesia on the Cooperation in Controlling Narcotic Drugs, Psychotropic Substances, their Precursors and Chemicals, and Drug Abuse, between the Indonesian National Narcotics Agency (BNN) and the Office of Narcotics Control Board (ONCB) Thailand.

In Law Enforcement of Narcotics CrimesBoth countries have laws or principles that implement or strengthen prevention, enforcement and measures to combat drug crime. This can be seen from the ASEAN Seaport Interdiction Task Force (ASITF), which is a forum for law enforcers to collaborate, coordinate and take the initiative when interdicting drug trafficking traffic. One of these actions is through check points at international ports in the ASEAN port area.

Meanwhile, AITF is a forum related to unsolved challenges and problems, one of which is narcotics, which underlines the need for ongoing medical research. The cooperation carried out by Indonesia and Thailand is also by continuing to carry out communication which allows each other to continue to exchange information regarding the current circulation of narcotics. This includes BNN and ONCB also working together within ASEAN through the maritime interdiction task force. Several large drug trafficking cases were thwarted due to the exchange of information between ASEAN countries.

Each country with its own principles enforces the law, where Thailand immediately takes steps in the form of increasing rehabilitation and distributing treatment to addicts. As drug users, experts say that they will not undertake rehabilitation or take treatment because they are afraid of being arrested. Meanwhile, efforts are being made to prevent narcotics abuse in Indonesia, namely that BNN continues to provide educational knowledge to all residents of Banda Aceh (a

narcotics-prone area) about the dangers of narcotics, both counseling in schools, both information on the roads, such as banners, so that residents know about the dangers. drugs. After that, share data with residents so that people are aware of the dangers of drugs, because drugs can disrupt the psychology of the user, the nation and the country, then also damage school counseling areas, carry out urinalysis once a month and share knowledge with the community, broadcast outreach via radio, television and magazines. Then put up banners on the streets and give advice to the villages.

Even though there are differences in law enforcement in Indonesia and Thailand, both of them have worked together in eradicating narcotics. There is an international narcotics network that involves both of them. Both agreed to always communicate and exchange information the circulation of drugs, especially those heading to Indonesia or vice versa, making it easier to carry out preventive steps, prevention and early detection when they enter Indonesian territory and international syndicate networks can be uncovered.

The exchange of information is also very important, where cooperation has problems not only in identifying common goals and procedures for achieving them. But it lies in achieving that target. Data exchange will also be attempted if the benefits obtained are estimated to be greater than the consequences that must be borne.

This exchange of information also becomes a means of communication to create harmonious relations between countries and preventthere will be *miscommunication* between countries, in this case Indonesia and Thailand. Again, remember that the drug problem is a complex and transnational problem, it cannot be resolved one-sidedly, of course it must involve other countries.

Cooperation between Indonesia and Thailand is also an exchange of ideas in the form of alternative development. Alternative Development itself is a situation where the State creates a replacement crop cultivation program as a persuasive approach to narcotic plant farmers and communities living in drug-prone areas. Indonesia emulates the alternative development carried out by Thailand which has succeeded in converting the cultivation of illegal crops, namely opium, into cultivating other crops that are productive and legal, as well as developing and utilizing former opium field areas and making its communities more efficient.

Indonesia launched an Alternative Development program followed by a ten-year sustainable development program that focuses on a welfare approach known as Grand Design Alternative Development (GDAD). This GDAD program offers an alternative livelihood for those involved in cultivating drug plants, in this case marijuana plants. Apart from that, this program also provides economic opportunities and training in collaboration with local governments, the private sector and related ministries.

In its implementation, the *life skills* program, which is part of the GDAD program, has provided life skills to 1,824 communities living in drug-prone areas. GDAD itself has been taking place in Indonesia since 2016. This program has been able to improve life skills and community independence as well as economic growth through various training. Through this

program, Indonesia hopes that the cultivation of narcotic plants can be reduced, and that former farmers will get alternative, more productive crops.

V. DISCUSSION

In the case of Fredy Pratama, Indonesia must collaborate with Malaysia and Thailand. This collaboration was carried out because of the interconnectedness of Fredy Pratama's network, namely:

- a. Thailand is where Fredy Pratama lives with his wife
- b. Thailand is where Fredy Pratama controls the black market for drugs in Malaysia and Indonesia
- c. Thailand is suspected to be Fredy Pratama's hiding place
- d. Malaysia is Fredy's narcotics market
- e. Malaysia is the entry point for Fredy's narcotics network from Thailand to Indonesia
- f. Malaysia is suspected to be one of Fredy Pratama's escape destinations

This international cooperation must be carried out considering that there are jurisdictional boundaries between countries that must not be violated, where the Indonesian police do not have the right to arrest directly but only provide information to the country's law enforcers until extradition is carried out. Extradition is the surrender by a country to the country requesting the surrender of a person who is suspected or convicted of committing a crime outside the territory of the surrendering country and within the territorial jurisdiction of the country requesting the surrender because it has the authority to try and sentence him .

Extradition can be defined as a formal handover, either based on a pre-existing extradition agreement, or based on the principle of reciprocity or good relations, or of someone accused of committing a crime (suspect, accused, defendant) or someone who has been sentenced to a criminal sentence. has definite binding power (convict, convict), by the country where he is located (the requested country) to the country that has jurisdiction to try or punish him (the requesting country) at the request of the requesting country, with the aim of trying and/or carrying out the sentence.

Based on the memorandum of cooperation between Indonesia and Malaysia, namely the Memorandum of Understanding between The Indonesian National Police and The Royal Malaysia Police on Combating Illicit Trafficking in Narcotic Drugs, Psychotropic Substances, Precursors, Hazardous Material and Enhancement of Police Cooperation as well as the Memorandum of Cooperation between Indonesia and Thailand, namely the MoU between the Office of the Narcotics Control Board of the Kingdom of Thailand and the National Narcotics Board of the Republic of Indonesia on the Cooperation in Controlling Narcotic Drugs, Psychotropic Substances, their Precursors and Chemicals, and Drug Abuse, the State of Indonesia has agreed with both countries to eradicate and arrest Fredy Pratama.

Furthermore, Indonesia's cooperation with the two countries launched a joint operation which was codenamed Operation Escobar. This joint operation, Sandi Operation Escobar, has uncovered a network from 2020-2023. Over the past three years, 884 people who were part of Fredy's syndicate have been arrested with a total drug distribution of 10.2 tons of crystal

methamphetamine. The Indonesian Police, assisted by police from three countries, namely Malaysia, Thailand and the United States, are working together to find his whereabouts. During this period, if converted into money for narcotics, shabu was IDR 10.2 trillion, ecstasy IDR 64 billion and assets worth IDR 273.45 billion. In total, the conversion of narcotics and assets reached IDR 10.5 trillion.

The Task Force has also confiscated additional assets from the Fredy Pratama network worth IDR 75.62 billion, with details, land and buildings of 20 units worth IDR 44 billion, vehicles IDR 7.8 billion, cash IDR 22 billion and other items such as jewelry and goods. luxury Rp. 1.82 billion.

VI. CONCLUSIONS AND RECOMMENDATIONS

Conclusion

International cooperation between Indonesia and Malaysia in enforcing narcotics crime lawsnamely with the existence of a Memorandum of understanding between The Indonesian National Police and The Royal Malaysia Police on Combating Illicit Trafficking in Narcotic Drugs, Psychotropic Substances, Precursors, Hazardous Material and Enhancement of Police Cooperation where both have agreed to exchange information, make joint efforts to eradicate sources of illegal supply and collaborating in cracking down on illegal production and trade both in regional and international cooperation, Application of new technical instruments in training and assistance in investigating money laundering. Furthermore, Indonesia's International Cooperation with Thailand in enforcing narcotics crime lawsstated in MoU between the Office of the Narcotics Control Board of the Kingdom of Thailand and the National Narcotics Board of the Republic of Indonesia on the Cooperation in Controlling Narcotic Drugs, Psychotropic Substances, their Precursors and Chemicals, and Drug Abuse, between the National Narcotics Agency (BNN) RI with the Office of Narcotics Control Board (ONCB) Thailand. Both agreed to exchange information, training programs and cooperation in alternative development in changing the use of illegal narcotic plants with other legal plants, where Thailand changed the use of opium cultivation, while Indonesia turned to marijuana plants, where cooperation between Indonesia and the two countries launched a joint operation. which was codenamed Operation Escobar. This joint operation, Sandi Operation Escobar, has uncovered a network from 2020-2023. Over the past three years, 884 people who were part of the Fredy syndicate have been arrested with a total drug distribution of 10.2 tons of methamphetamine.

Suggestion

- 1. Each country should continue to strengthen cooperation to eradicate narcotics crimes because narcotics are always linked to international networks which require bilateral cooperation between various countries to enforce the law.
- 2. Every country should also focus on educating its citizens or society about narcotics because if every citizen knows the dangers of narcotics, the narcotics network can be inhibited by many people being aware of the dangers of narcotics themselves.

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