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# A Legal Analysis of the Impact of the ' Golden Triangle Zone' on the Circulation of Narcotics in Indonesia

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**ABSTRACT:** Indonesia is a country that is severely affected by narcotics crimes, both as a transit country and as a destination country for illicit drug trafficking. One phenomenon that significantly contributes to the widespread circulation of narcotics in Indonesia is the existence of the so-called 'Triangle Zone'—a geographic region encompassing the border areas of Myanmar, Laos, and Thailand (Golden Triangle), as well as the Afghanistan-Pakistan-Iran corridor (Golden Crescent), which are the world's largest producers of illicit narcotics. This article examines the legal impact of the Triangle Zone on the circulation of narcotics in Indonesia through normative legal research methods with a statutory and conceptual approach. The findings indicate that Indonesia's geographic position as an archipelagic nation with thousands of islands makes it highly vulnerable to drug smuggling activities originating from the Triangle Zone. The inadequacy of existing legal regulations, particularly Law Number 35 of 2009 on Narcotics, in addressing transnational narcotics trafficking networks emanating from the Triangle Zone requires strengthening through international legal cooperation. This study recommends enhancing bilateral and multilateral cooperation frameworks, improving law enforcement capacity, and strengthening legislative provisions to address narcotics trafficking originating from the Triangle Zone region.

**KEYWORDS:** Triangle Zone, Narcotics Circulation, Indonesia, Legal Analysis, Transnational Crime, Drug Trafficking, Golden Triangle, Golden Crescent

## I. INTRODUCTION

Narcotics crime constitutes one of the most serious and complex forms of transnational organized crime that threatens global security, including Indonesia. The United Nations Office on Drugs and Crime (UNODC) has consistently documented the alarming escalation of illicit drug production and trafficking across international boundaries, highlighting the central role of geographic zones of production in enabling global drug markets (UNODC, 2023: 12). Indonesia, as the world's largest archipelago with more than 17,000 islands, faces unique vulnerabilities that make it particularly susceptible to narcotics infiltration from major production zones.

The concept of the 'Triangle Zone' in the context of narcotics refers primarily to two major production regions: first, the Golden Triangle, comprising the border areas of Myanmar, Laos, and Thailand, which remains the world's largest producer of opium and methamphetamine (Chouvy, 2009: 3); and second, the Golden Crescent, encompassing Afghanistan, Pakistan, and Iran, which accounts for approximately 80 percent of global heroin production (Paoli, Greenfield, & Reuter, 2009: 47). These two zones collectively constitute the primary sources of narcotics that flow into the Indonesian market through sophisticated transnational trafficking networks.

The legal framework governing narcotics control in Indonesia is primarily embodied in Law Number 35 of 2009 on Narcotics (hereinafter the Narcotics Law), which replaced the previous Law Number 22 of 1997. This legislation was enacted with the dual purpose of ensuring the availability of narcotics for medical and scientific purposes while simultaneously preventing and eradicating narcotics abuse and illicit trafficking (Badan Narkotika Nasional, 2019: 7). However, scholars and practitioners have noted significant gaps between the existing legal provisions and the transnational dimension of narcotics trafficking originating from the Triangle Zone.

The significance of this research lies in its examination of the intersection between international narcotics production zones and Indonesian domestic law. Prior scholarship has largely focused either on domestic drug policy or on international dimensions of narcotics control in isolation (Sumarlin, 2017: 88). This article contributes to the literature by analyzing the specific legal challenges posed by Triangle Zone narcotics trafficking to Indonesia's legal system and proposing concrete recommendations for legal reform.

This article is structured as follows: Section II provides a theoretical framework on transnational narcotics law. Section III examines the characteristics and influence of the Triangle Zone. Section IV analyzes the impact of the Triangle Zone on narcotics

circulation in Indonesia. Section V discusses the adequacy of Indonesia's legal response. Section VI presents conclusions and recommendations.

## II. RESEARCH METHODS

This research employs a normative legal research methodology, which is oriented toward examining legal norms, principles, and doctrines as they appear in statutory texts, judicial decisions, and legal scholarship (Marzuki, 2010: 35). Normative legal research is appropriate for this study because the primary focus is on understanding and critically evaluating the legal framework applicable to narcotics trafficking from the Triangle Zone into Indonesia.

The research employs two primary approaches. First, the statutory approach (pendekatan perundang-undangan) involves a systematic analysis of all relevant legislation, including Law Number 35 of 2009 on Narcotics, Law Number 6 of 2011 on Immigration, Law Number 17 of 2006 on Customs, and relevant international conventions to which Indonesia is a party (Soekanto & Mamudji, 2011: 23). Second, the conceptual approach (pendekatan konseptual) draws upon legal doctrines, theories, and academic works to construct an analytical framework for evaluating the adequacy of Indonesia's legal response to Triangle Zone narcotics trafficking.

Primary legal sources include Indonesian legislation, government regulations, international conventions, and court decisions. Secondary sources comprise academic journals, textbooks, reports from international organizations such as UNODC and the International Narcotics Control Board (INCB), and policy documents from the National Narcotics Agency (BNN). Legal analysis was conducted using deductive reasoning to derive specific legal conclusions from general principles and inductive reasoning to identify patterns in legal provisions and practice.

## III. THEORETICAL FRAMEWORK

### *A. The Theory of Transnational Crime Law*

Transnational crime theory provides the foundational framework for understanding narcotics trafficking from the Triangle Zone. According to Bassiouni, transnational crimes are offenses that have actual or potential transboundary effects, involve more than one state in their commission, or constitute crimes against the international community (Bassiouni, 2008: 1). Narcotics trafficking unambiguously satisfies all three criteria: it traverses national borders, involves criminal networks operating across multiple states, and is recognized under international law as a crime of universal concern.

Mueller's classification of transnational crime identifies narcotics trafficking as a 'predicate offense'—a crime that enables and finances other forms of organized crime (Mueller, 2001: 13). This classification is particularly relevant to the Triangle Zone context, where drug profits have historically financed armed insurgencies, corrupted state institutions, and enabled the expansion of criminal organizations across Southeast Asia and beyond (Jelsma, 2011: 3).

### *B. The International Narcotics Control Regime*

The international legal framework governing narcotics control is built upon three foundational United Nations conventions: the Single Convention on Narcotic Drugs of 1961 (as amended by the 1972 Protocol), the Convention on Psychotropic Substances of 1971, and the United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988 (United Nations, 1988: 1). Indonesia has ratified all three conventions and is therefore bound by the obligations they impose.

The 1988 Convention is of particular importance for this study because it specifically addresses the transnational dimension of narcotics trafficking. Article 3 of the Convention requires state parties to criminalize drug trafficking, including the organization, management, and financing of drug trafficking operations (United Nations, 1988: Art. 3). The Convention also establishes principles of cooperation between states in matters of extradition, mutual legal assistance, and controlled deliveries—provisions directly relevant to addressing Triangle Zone trafficking networks.

### *C. The Theory of Legal Effectiveness*

Soerjono Soekanto's theory of legal effectiveness posits that the effectiveness of law depends upon five factors: the law itself, law enforcement officers, legal facilities and infrastructure, the community, and legal culture (Soekanto, 2008: 8). This framework is applied in this study to evaluate why Indonesia's existing legal provisions have been inadequate in preventing Triangle Zone narcotics from penetrating Indonesian territory. Analysis reveals deficiencies across all five factors, suggesting a systemic rather than merely technical failure of narcotics law enforcement.

## IV. THE TRIANGLE ZONE AND ITS GLOBAL INFLUENCE

### *A. The Golden Triangle*

The Golden Triangle—comprising the mountainous border regions of Myanmar, Laos, and Thailand—has been the world's preeminent producer of opium and its derivatives since the mid-twentieth century. The term itself was coined in the 1970s to describe this region's dominant role in global heroin production (McCoy, 1972: 223). In contemporary context, the Golden Triangle has

undergone a significant transformation: while opium production has declined in Thailand, it has dramatically increased in Myanmar, which now accounts for the vast majority of Southeast Asian opium cultivation (UNODC, 2023: 8).

More significantly for Indonesia, the Golden Triangle has become the primary global source of methamphetamine, particularly in the form of yaba tablets and crystalline methamphetamine (shabu). UNODC data indicates that methamphetamine seizures in East and Southeast Asia reached record levels in 2022, with the vast majority of the supply originating from production facilities in Myanmar's Shan State (UNODC, 2023: 31). These substances represent the dominant narcotics threat to Indonesia, as they are relatively cheap to produce, easy to conceal, and generate enormous profits for trafficking networks.

The governance vacuum in parts of Myanmar created by ongoing armed conflict has created ideal conditions for narcotics production. Ethnic armed organizations (EAOs) and criminal syndicates operating in Shan State have largely displaced previous smaller-scale producers, industrializing methamphetamine production to unprecedented scales (Buchanan, 2016: 12). The Wa and Kokang regions in particular have emerged as what some analysts describe as 'narco-states within a state,' with governance structures almost entirely dependent on narcotics revenue (Kramer, 2012: 7).

### *B. The Golden Crescent*

The Golden Crescent—encompassing Afghanistan, Pakistan, and Iran—constitutes the other major component of the global narcotics Triangle Zone. Afghanistan alone accounted for approximately 85 percent of global illicit opium production prior to the Taliban's ban on poppy cultivation in 2022 (UNODC, 2022: 1). The subsequent collapse of production following the ban has created uncertainty in global heroin markets, but the underlying trafficking infrastructure remains intact and capable of rapidly resuming large-scale operations.

The Golden Crescent's impact on Indonesia manifests primarily through heroin trafficking, though the volume is considerably smaller than methamphetamine flows from the Golden Triangle. Afghan heroin typically transits through Iran, Pakistan, and various Central Asian routes before reaching Southeast Asia, often using container shipping through major ports (Paoli, Greenfield, & Reuter, 2009: 112). Indonesia's major seaports, particularly Tanjung Priok in Jakarta and Tanjung Perak in Surabaya, represent significant points of vulnerability in this trafficking chain.

### *C. Trafficking Routes to Indonesia*

Narcotics trafficking from the Triangle Zone to Indonesia employs multiple overlapping routes that exploit Indonesia's extensive coastline and limited maritime surveillance capacity. The primary routes can be categorized as follows:

First, the maritime route through the Malacca Strait represents the most significant trafficking corridor. Narcotics produced in Myanmar are typically transported overland to Thailand or Malaysia, then transferred to fishing vessels or small craft for delivery to Indonesian waters (BNN, 2021: 43). The sheer volume of legitimate maritime traffic through the Malacca Strait makes comprehensive interdiction virtually impossible without sophisticated intelligence coordination.

Second, the air route through regional hub airports—particularly Kuala Lumpur International Airport and Singapore's Changi Airport—is utilized for high-value, low-volume shipments (INCB, 2022: 67). Drug couriers (mules) carrying narcotics in body cavities, modified luggage, or concealed within commercial goods represent a persistent challenge for airport customs and immigration authorities.

Third, the postal and parcel route has emerged as an increasingly significant trafficking method, particularly for synthetic drugs ordered through dark web marketplaces (UNODC, 2023: 55). The explosion of e-commerce and parcel delivery services has created new opportunities for traffickers to conceal narcotics within the enormous volume of legitimate postal items entering Indonesia.

## V. LEGAL ANALYSIS: IMPACT OF THE TRIANGLE ZONE ON NARCOTICS CIRCULATION IN INDONESIA

### *A. Quantitative Impact and Legal Significance*

The statistical evidence of Triangle Zone narcotics' penetration into Indonesia is substantial and legally significant. BNN data reveals that narcotics seizures in Indonesia have increased dramatically over the past decade, with methamphetamine—the primary Triangle Zone product—accounting for more than 70 percent of all drug seizures by weight (BNN, 2022: 15). This data establishes a direct empirical link between Triangle Zone production and Indonesian narcotics markets that has profound implications for legal analysis.

From a legal perspective, the documented flow of Triangle Zone narcotics into Indonesia demonstrates that the country's existing border control and law enforcement measures are insufficient to prevent the penetration of its territory by internationally sourced narcotics. This insufficiency has legal consequences under both domestic law—in terms of the state's obligation to protect its citizens from narcotics harm—and international law—in terms of Indonesia's treaty obligations to cooperate in suppressing drug trafficking (Atmasasmita, 2010: 156).

### *B. Analysis of Law Number 35 of 2009 on Narcotics*

Law Number 35 of 2009 on Narcotics represents Indonesia's primary legislative instrument for addressing narcotics trafficking. The law establishes a comprehensive framework that criminalizes production, distribution, possession, use, and trafficking of

narcotics, with penalties ranging from imprisonment to death for the most serious offenses (Indonesia, Law No. 35 of 2009, Article 113-116). However, several provisions of the law reveal significant limitations in addressing the transnational dimension of narcotics trafficking from the Triangle Zone.

Article 4 of the Narcotics Law sets out the purposes of narcotics regulation, including the guarantee of narcotics availability for medical and scientific use, prevention of abuse, and eradication of illicit trafficking. However, the law contains no specific provisions addressing the challenge of narcotics originating from foreign production zones or establishing mechanisms for international cooperation in intercepting Triangle Zone trafficking networks (Sumarlin, 2017: 91). This gap is particularly significant given that virtually all of Indonesia's supply of methamphetamine and a substantial proportion of other narcotics originate from outside Indonesia's borders.

The law's provisions on international cooperation (Articles 90-98) are broadly worded and rely primarily on the existing framework of international treaties and bilateral agreements. While Indonesia has concluded mutual legal assistance treaties (MLATs) and extradition treaties with several countries, none of these specifically address the challenge of Triangle Zone-based narcotics organizations, and the practical effectiveness of existing cooperative mechanisms has been limited (Chazawi, 2011: 78).

### *C. The Role of the National Narcotics Agency (BNN)*

The National Narcotics Agency (Badan Narkotika Nasional—BNN), established under Law Number 35 of 2009 and further regulated by Presidential Regulation Number 23 of 2010, serves as the primary government institution responsible for coordinating narcotics prevention, eradication, and rehabilitation efforts (Presiden Republik Indonesia, Perpres No. 23 Tahun 2010, Pasal 1). The BNN has developed cooperative relationships with international counterparts, including participation in ASEAN Senior Officials on Drug Matters (ASOD) and bilateral intelligence-sharing arrangements with Myanmar and Thailand.

However, the BNN's effectiveness in addressing Triangle Zone narcotics trafficking is constrained by several institutional and legal factors. The BNN's jurisdiction is limited to Indonesian territory, which means it cannot directly investigate or disrupt narcotics networks operating in Myanmar, Laos, or other Triangle Zone countries (Badan Narkotika Nasional, 2019: 34). Intelligence cooperation with foreign counterparts is subject to the limitations of existing bilateral agreements, which do not always provide for real-time information sharing or joint operational capacity.

### *D. Criminal Law Dimensions: Jurisdiction and Extraterritorial Application*

One of the most significant legal challenges posed by Triangle Zone narcotics trafficking is the question of criminal jurisdiction. Indonesian criminal law, as embodied in the Criminal Code (Kitab Undang-Undang Hukum Pidana—KUHP) and the Narcotics Law, operates primarily on the principle of territoriality—meaning that Indonesian criminal law applies to offenses committed within Indonesian territory (Moeljatno, 2008: 45). While the Narcotics Law does contain provisions with extraterritorial application (Article 145), these provisions are limited to Indonesian nationals committing offenses abroad and do not provide a basis for prosecuting foreign nationals who organize narcotics shipments to Indonesia from Triangle Zone countries.

This jurisdictional limitation means that the masterminds and organizers of Triangle Zone narcotics networks—who typically operate from Myanmar, China, or other countries—are beyond the reach of Indonesian criminal law (Arief, 2007: 168). The individuals prosecuted in Indonesia are predominantly couriers and low-level distributors, while the higher levels of trafficking organizations continue to operate with relative impunity from Triangle Zone territories.

### *E. The Challenge of Corruption and Institutional Integrity*

A critical dimension of the legal impact of Triangle Zone narcotics trafficking is the corruption of law enforcement and border control institutions. Research by the Corruption Eradication Commission (KPK) and academic studies have documented cases of customs officers, immigration officials, and members of the National Police being corrupted by narcotics trafficking organizations (Hamzah, 2012: 89). The enormous profits generated by Triangle Zone narcotics create financial incentives that can overwhelm institutional integrity safeguards.

The corruption dimension has significant legal implications. When law enforcement personnel are corrupted by narcotics traffickers, the effectiveness of Indonesia's legal framework is fundamentally undermined, regardless of the adequacy of the legislative provisions on paper (Soekanto, 2008: 19). This creates what Klitgaard has termed a 'governance trap'—a situation where the institutions designed to enforce the law are themselves captured by the criminal enterprises they are supposed to combat (Klitgaard, 1988: 75).

## VI. INTERNATIONAL LEGAL COOPERATION FRAMEWORKS

### *A. ASEAN Cooperation Mechanisms*

Indonesia participates in several ASEAN-level cooperative mechanisms for addressing narcotics trafficking from the Triangle Zone. The ASEAN Drug Monitoring Network (ADMON) facilitates information sharing on drug trends and trafficking patterns among member states, while ASOD provides a senior-official level forum for policy coordination (ASEAN, 2020: 3). Indonesia has

also been an active participant in the ASEAN Narcotics Cooperation Center (ASEAN-NARCO), which serves as a regional hub for drug-related intelligence.

However, the effectiveness of ASEAN cooperation mechanisms is constrained by the organization's foundational principle of non-interference in member states' internal affairs (Emmers, 2007: 45). This principle has made it difficult to address the Triangle Zone problem comprehensively, as narcotics production in Myanmar is closely intertwined with that country's internal armed conflict—a matter that ASEAN has traditionally been reluctant to address directly.

### *B. Bilateral Agreements and Their Limitations*

Indonesia has concluded bilateral agreements with several Triangle Zone-adjacent countries. The Agreement on Cooperation in Combating Illicit Drug Trafficking and Abuse with Thailand (2005) and the Memorandum of Understanding with Myanmar on Cooperation in Narcotics Control (2017) are among the most relevant (Kementerian Luar Negeri, 2017: 1). These agreements establish frameworks for intelligence sharing, law enforcement cooperation, and capacity building.

Despite these agreements, significant gaps remain. Indonesia has no bilateral extradition treaty with Myanmar—a critical gap given that Myanmar is the primary source of methamphetamine entering Indonesia (Sumarlin, 2017: 95). The absence of an extradition treaty means that high-level narcotics traffickers operating from Myanmar face no legal risk of being transferred to Indonesia for prosecution, severely limiting the deterrent effect of Indonesian criminal law.

## VII. DISCUSSION

The analysis presented in the preceding sections reveals a fundamental tension in Indonesia's legal approach to narcotics trafficking from the Triangle Zone: the domestic legal framework is designed primarily to address narcotics offenses within Indonesian territory, while the root causes of Indonesia's narcotics problem lie largely outside its borders in the production zones of the Golden Triangle and Golden Crescent (Atmasasmita, 2010: 162).

This tension cannot be resolved through domestic legal reform alone. No matter how comprehensive or stringent Indonesia's domestic narcotics law becomes, it cannot address the systemic factors that drive narcotics production in the Triangle Zone—the governance vacuum in Myanmar's conflict zones, the economic dependence of rural communities on opium cultivation, or the extraordinary profitability of methamphetamine production (Chouvy, 2009: 187). These are fundamentally political, economic, and developmental problems that require multi-lateral solutions involving the states directly concerned.

Nevertheless, Indonesia's legal framework can be significantly strengthened in ways that would improve its capacity to respond to Triangle Zone narcotics trafficking. The following areas merit particular attention:

1. the Narcotics Law should be amended to include specific provisions on transnational narcotics organizations, providing a clearer legal basis for intelligence-sharing, controlled deliveries, and joint operations with international partners (Chazawi, 2011: 112). The current provisions on international cooperation (Articles 90-98) are insufficiently specific to guide operational cooperation.
2. Indonesia should prioritize the conclusion of an extradition treaty with Myanmar and strengthen the existing MOU to include provisions for joint investigations and controlled deliveries. The absence of an extradition arrangement represents the most significant legal gap in Indonesia's bilateral framework for addressing Golden Triangle trafficking (Arief, 2007: 175).
3. Indonesia should invest in the legal and institutional capacity of the BNN, Customs, and Police to conduct complex financial investigations targeting the proceeds of narcotics trafficking (BNN, 2022: 78). The Anti-Money Laundering Law (Law Number 8 of 2010) provides relevant legal tools, but their application to narcotics trafficking proceeds has been limited by capacity constraints.
4. Indonesia should actively champion ASEAN-level reforms to the cooperative architecture for narcotics control, advocating for more robust information-sharing obligations and for ASEAN to develop a collective approach to the governance challenges in Myanmar that fuel Triangle Zone narcotics production (ASEAN, 2020: 17).

## VIII. CONCLUSIONS

This article has analyzed the legal impact of the Triangle Zone—encompassing the Golden Triangle (Myanmar, Laos, Thailand) and the Golden Crescent (Afghanistan, Pakistan, Iran)—on the circulation of narcotics in Indonesia. The analysis reveals that Triangle Zone narcotics, particularly methamphetamine from Myanmar, represent the dominant source of illicit drugs in the Indonesian market, entering through maritime, air, and postal routes that exploit Indonesia's geographic vulnerabilities.

Indonesia's primary legal instrument, Law Number 35 of 2009 on Narcotics, while comprehensive in its domestic provisions, contains significant gaps in its capacity to address the transnational dimension of Triangle Zone narcotics trafficking. Key deficiencies include: (1) the absence of specific provisions on transnational narcotics organizations; (2) inadequate international cooperation mechanisms; (3) jurisdictional limitations that prevent prosecution of Triangle Zone-based trafficking organizers; and (4) institutional vulnerabilities to corruption that undermine enforcement effectiveness.

In terms of international legal cooperation, Indonesia's participation in ASEAN mechanisms and its bilateral agreements with Triangle Zone-adjacent states provide a foundation for cooperation, but this foundation is insufficient given the scale and sophistication of Triangle Zone narcotics trafficking. Critical gaps include the absence of an extradition treaty with Myanmar and the limitations of ASEAN's non-interference principle in addressing the governance dimensions of the Triangle Zone problem.

The recommendations of this study are: (1) amend the Narcotics Law to include specific provisions on transnational narcotics organizations and strengthen international cooperation mechanisms; (2) negotiate an extradition treaty with Myanmar and enhance existing bilateral cooperation agreements; (3) strengthen financial investigation capacity to target narcotics trafficking proceeds; and (4) advocate for stronger ASEAN-level narcotics cooperation architecture. These legal reforms, implemented in conjunction with broader development and governance initiatives in Triangle Zone countries, offer the most promising path toward reducing the flow of Triangle Zone narcotics into Indonesia.

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