ASEAN Integration Strengthens Cooperation on Human Trafficking Crimes between Indonesia and Timor Leste

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Abstract
The transnational crime of human trafficking (TPPO) across the border of Indonesia and Timor-Leste in the East Nusa Tenggara (NTT) region remains a critical security challenge. This article aims to analyze how Timor-Leste's integration into ASEAN strengthens the cooperative mechanism for combating human trafficking between the two nations. Utilizing a descriptive qualitative method with a juridical-empirical approach, this study examines the effectiveness of regional legal instruments post-integration. The findings indicate that the adoption of the ASEAN Convention Against Trafficking in Persons, Especially Women and Children (ACTIP) and Mutual Legal Assistance (MLA) mechanisms has successfully reduced bureaucratic barriers, accelerated intelligence sharing between the Indonesian National Police (Polri) and the National Police of Timor-Leste (PNTL), and tightened surveillance over illegal border tracks ('jalur tikus'). Furthermore, this regional integration drives a paradigm shift toward a victim-centered approach in the repatriation process. In conclusion, regional integration not only closes the legal loopholes previously exploited by criminal syndicates but also strengthens the ASEAN political-security pillar through a more structured and humanistic bilateral law enforcement framework.

Keywords: ASEAN Integration; Human Trafficking; Indonesia; Timor-Leste; Cross-Border; ACTIP.

Introduction

The Association of Southeast Asian Nations (ASEAN) is an association of countries in the Southeast Asian region, established on 8 August 1967 in Bangkok, Thailand. ASEAN was founded by five countries commonly referred to as the Founding Fathers, namely Indonesia, Malaysia, the Philippines, Singapore, and Thailand (Emmers,

2012). The organization was established to serve as a bridge of friendship and dialogue for mutually beneficial cooperation and partnership among states, organizations, and sub-regional, regional, and international bodies. In addition, the main focus of cooperation within the association covers various fields such as economics, social affairs, culture, technical matters, and education. Its purpose is to promote peace and regional stability in Southeast Asia through the values of justice, the rule of law, and the principles of the United Nations.

As a strategic region with a very extensive border area, Southeast Asia is highly vulnerable to various forms of cross-border crime. In its development to date, the scope and types of crime have expanded significantly, encompassing money laundering, trafficking in persons (human trafficking), narcotics and psychotropic crimes, terrorism, the smuggling of light weapons, bank fraud, piracy, illegal fishing, corruption, cybercrime, and a newer form of crime, namely the falsification of goods and travel documents (United Nations Office on Drugs and Crime [UNODC], 2020).

Southeast Asia, as the geographical scope of ASEAN, has become one of the regions most frequently targeted by transnational crime. Drug-related crime, terrorism, and human trafficking constitute the most serious problems in the region compared to other categories of crime. This condition is influenced by Southeast Asia's highly strategic geographical position, coupled with the difficulty of controlling extremely long state borders, which makes such crimes hard to eradicate, particularly human trafficking, which continues unabated to the present day (Caballero-Anthony, 2018).

Within Southeast Asia itself, human trafficking has become one of the critical issues that must be addressed. Data from the International Organization for Migration (IOM) indicate that more than 200,000 people have become victims of human trafficking in Southeast Asia since 2010 (International Organization for Migration [IOM], 2021). This accumulated figure is compiled from reports submitted by individual countries regarding cases occurring within their respective territories, and in practice, the issue of human trafficking, particularly within the ASEAN region continues to rise year after year.

Human trafficking constitutes a form of modern slavery that violates the most fundamental human rights. In the Southeast Asian region, unequal economic dynamics, local conflicts, and high rates of illegal migration are the driving forces behind the proliferation of this transnational criminal network. Geographically and historically, Indonesia and Timor-Leste share an extremely long border, both on the mainland of Timor Island and in the surrounding maritime areas. This open-border characteristic is frequently exploited by criminal networks to smuggle and traffic people, particularly women and children under the guise of illegal employment opportunities (Mbiri & Fahik, 2024).

Previously, the handling of cross-border crime along the border of the two countries relied heavily on bilateral agreements, which frequently encountered obstacles due to limited institutional capacity and differing domestic regulations. However, the momentum of Timor-Leste's integration into the Association of Southeast Asian Nations (ASEAN) which has become increasingly intensive toward full membership has opened a new chapter. This integration not only strengthens diplomatic relations but also aligns

the security commitments of both countries under the legal umbrella of the regional community (ASEAN Secretariat, 2025; Fundasaun Mahein, 2025). It is therefore important to examine how the ASEAN integration framework is able to strengthen the capacity and effectiveness of Indonesia, Timor-Leste cooperation in eradicating human trafficking.

Although the ASEAN framework provides a strong platform, its implementation on the ground still faces challenges in the form of limited border-surveillance infrastructure and disparities in institutional capacity. The Government of East Nusa Tenggara (NTT) Province, as Indonesia's frontline region, continues to strengthen community-based protection and immigration governance in order to align with regional commitments. Synergy between local policy, national coordination through the Coordinating Ministry for Political, Legal, and Security Affairs (Kemenko Polkam), and ASEAN integration is the key to resolving these obstacles (Sari, 2019).

Research Method

The type of research used by the author in this study is normative legal research. According to Soerjono Soekanto and Sri Mamudji, normative legal research is defined as legal research conducted by examining library materials and statutory documents (Ishaq, 2017, p. 66). Because the research employed is normative legal research, the approaches used in this study are the statute approach, the case approach, and the historical approach. The legal materials used consist of primary, secondary, and tertiary sources. The legal-material collection technique applied is the document study technique, drawing on statutory instruments, ASEAN legal frameworks, and prior scholarly literature (Salamah, 2018), and the collected materials are then evaluated, interpreted, argued, and discussed descriptively.

Results and Discussions

ASEAN *Security Community*

Since its founding, ASEAN has resolved to pursue comprehensive cooperation in the fields of security, economy, and socio-culture. In its development, ASEAN cooperation has largely been concentrated in the economic sphere, while cooperation in the political-security domain has remained sub-optimal owing to divergent threat perceptions among member states and their strict adherence to the principles of non-interference and sovereign equality (Emmers, 2012).

The ASEAN Security Community (ASC) is intended to accelerate political-security cooperation within ASEAN in order to realize peace in the region, including in relation to the wider international community. The ASC is open in nature, based on a comprehensive security approach, and is not intended to form a defense pact or military alliance, nor a common foreign policy. The ASC also refers to various existing ASEAN political instruments, such as the Zone of Peace, Freedom and Neutrality (ZOPFAN) Declaration, the Treaty of Amity and Cooperation (TAC), and the Treaty on the Southeast

Asia Nuclear Weapon-Free Zone (SEANWFZ), in addition to observing the UN Charter and other relevant principles of international law (ASEAN, 2016).

The ASC is a fundamental pillar of ASEAN's commitment to realizing the ASEAN Community. The establishment of the ASEAN Security Community strengthens regional resilience and supports the peaceful settlement of disputes. The creation of peace and stability in the region provides the foundation for the economic and socio-cultural development of ASEAN societies. As affirmed in the Vientiane Action Programme (VAP), the ASEAN Security Community adheres to the principle of comprehensive security, which recognizes the interconnection between political, economic, and socio-cultural aspects (ASEAN, 2016).

The ASC provides a mechanism for the prevention and peaceful handling of disputes, undertaken among other things through joint consultations on regional political-security issues such as maritime security, the expansion of defense cooperation, and non-traditional security concerns (including cross-border crime and environmental degradation). With the degree of maturity it has attained, ASEAN is expected to no longer conceal domestic issues that affect regional stability under the guise of the non-interference principle.

The ASC framework comprises twelve (12) key points, as follows:

a) The ASC is intended to bring ASEAN's political and security cooperation to a higher plane so as to ensure that countries in the region live in peace with one another and with the world at large in a just, democratic, and harmonious environment. ASC members shall rely exclusively on peaceful processes in the settlement of intra-regional differences and regard their security as fundamentally linked to one another and bound by geographic location, shared vision, and common objectives;
b) While recognizing the sovereign right of every member state to pursue its own foreign policy and defense arrangements, and taking into account the interconnection between political, economic, and social realities, the ASC upholds the principle of comprehensive security, which has broad political, economic, social, and security dimensions in line with the ASEAN Vision 2020, rather than resembling a defense pact, military alliance, or common foreign policy;
c) ASEAN will continue to promote regional solidarity and cooperation. Member states will exercise their right to conduct their national affairs free from external interference in their domestic matters;
d) The ASC will comply with the UN Charter and other principles of international law, and will uphold ASEAN's core principles, namely non-interference in one another's internal affairs, decision-making by consensus, national and regional resilience, respect for national sovereignty, rejection of the threat or use of force, and the peaceful settlement of differences and disputes;
e) Maritime issues and concerns are cross-cutting in nature and will therefore be addressed holistically, in an integrated and comprehensive manner. Maritime cooperation among ASEAN members will contribute to the evolution of the ASC;

f) Existing ASEAN political instruments such as the ZOPFAN Declaration, TAC, and SEANWFZ will continue to play an important role in advancing Confidence Building Measures (CBM), Preventive Diplomacy, and conflict-resolution approaches;
g) The High Council of the TAC will be an important component of the ASC, reflecting ASEAN's commitment to resolving differences, frictions, and disputes by peaceful means;
h) The ASC will contribute to the advancement of peace and security in the wider Asia-Pacific region and reflects ASEAN's willingness to proceed at a pace comfortable to all. In this regard, the ASEAN Regional Forum (ARF) will remain the primary forum for regional security dialogue, with ASEAN as its main driving force;
i) The ASC is open and outward-looking, actively engaging with ASEAN's friends and Dialogue Partners to advance peace and stability in the region, and will use the ARF as a platform to facilitate consultation and cooperation between ASEAN and its friends and partners on regional security matters;
j) The ASC will make full use of ASEAN's institutions and mechanisms with the aim of strengthening national and regional capacity to address terrorism, illicit drug trafficking, human trafficking, and other transnational crimes, and will strive to keep Southeast Asia free of weapons of mass destruction, thereby enabling ASEAN to demonstrate greater capacity and responsibility as the main driving force of the ARF;
k) The ASC will explore enhanced cooperation with the United Nations and other international and regional bodies in maintaining international peace and security; and
l) ASEAN will seek innovative means to enhance security and build ASC modalities, including through norm-setting, conflict prevention, conflict-resolution approaches, and post-conflict peace-building (ASEAN, 2016).

Upon closer examination, the ASC framework does not, in substance, depart far from what ASEAN has long possessed and practiced. The principles of state sovereignty, non-interference, and the peaceful settlement of disputes remain the defining features of the ASC. The ASC also reaffirms commitment to all pre-existing ASEAN political instruments. In addition, the ASC rejects military pacts and instead prioritizes a comprehensive security approach (Emmers, 2012).

The Legal Framework of ACTIP (*ASEAN Convention Against Trafficking in Persons*)

Southeast Asia is a region highly vulnerable to the practice of human trafficking. Sharp economic disparities among member states, high flows of informal labor migration, and internal conflict in several areas provide fertile ground for international criminal syndicates to exploit human beings. The modus operandi of this crime also continues to evolve, ranging from conventional forced labor and sexual exploitation to cyber-based

online scam operations that have become prevalent in recent years (Mega Jaya et al., 2023).

Prior to the existence of a binding instrument, ASEAN tended to rely on non-binding declarations with minimal legal sanction implications. Awareness of this limitation encouraged ASEAN member states to formulate a strong regional regulation. As a result, on 21 November 2015, ASEAN heads of state signed the ACTIP. This convention marked a new chapter in ASEAN's transition from an organization based on normative dialogue into a rule-based regional community grounded in concrete law enforcement (Yusran, 2018).

The principal multilateral legal instrument of reference is the ASEAN Convention Against Trafficking in Persons, Especially Women and Children (ACTIP), adopted in 2015 (ASEAN, 2015). ACTIP is a legally binding regional agreement that focuses on three main pillars:

1) Prevention: Carried out through public campaigns and the strengthening of immigration-document surveillance at international border points. ACTIP requires member states to cut the human trafficking supply chain from its source. Implementation includes: enhancing public campaigns on the dangers of illegal migration; strengthening immigration surveillance systems at land, sea, and air border points; and formulating economic policies to reduce poverty and open decent domestic employment opportunities so as to lower the community's vulnerability to victimization (ASEAN, 2021).
2) Law Enforcement (Protection & Prosecution): Facilitating extradition processes, Mutual Legal Assistance (MLA), and the harmonization of criminal sanctions against traffickers. To dismantle the impunity of perpetrators, ACTIP provides judicial cooperation instruments, such as Mutual Legal Assistance (MLA), which enables the law enforcement authorities of one state to request assistance from another state in gathering evidence, seizing assets derived from crime, and examining key witnesses; extradition, which facilitates the transfer of criminal suspects who flee to another ASEAN member state so that they may be tried in the country where the crime was committed; and enhanced cross-border coordination through the regional police cooperation network (ASEANAPOL) (Yusran, 2018; Salamah, 2018).
3) Victim Protection (Rehabilitation & Reintegration): Guaranteeing victims' rights to medical care, psychological treatment, and safe repatriation to their country of origin. One of ACTIP's principal strengths lies in its victim-centered approach. The convention mandates that trafficking victims must not be treated as criminal offenders or illegal immigrants. States are required to provide safe and adequate temporary shelter; medical assistance, psychological counseling, and legal aid throughout judicial proceedings; and a voluntary, safe, and dignified repatriation process free from discrimination (ASEAN, 2021).

ACTIP represents a highly significant juridical milestone for ASEAN in transforming political commitment into concrete legal action against human trafficking. Through a balanced approach encompassing prevention, victim protection, and law

enforcement, ACTIP has succeeded in establishing a standardized framework for handling human trafficking in Southeast Asia. Looking ahead, the effectiveness of this convention will no longer be measured merely by the number of states that have ratified it, but by how consistently those states set aside geopolitical self-interest in order to uphold justice for the victims of human exploitation (Mega Jaya et al., 2023).

Conclusion

Human Trafficking (TPPO) is a transnational crime that poses a serious threat to human security in Southeast Asia. The land and sea borders between Indonesia and Timor-Leste are often vulnerable routes for human trafficking exploitation. This article demonstrates that ASEAN integration provides a solid multilateral legal framework through the ASEAN Convention Against Trafficking in Persons, Especially Women and Children (ACTIP). This legal standardization encourages increased synergy in border surveillance, intelligence exchange, and more effective victim protection between the two neighboring countries. Timor-Leste's integration into ASEAN has proven to be a positive catalyst that strengthens cooperation with Indonesia in eradicating human trafficking. The presence of regional conventions such as ACTIP breaks down traditional bureaucratic barriers, transforming the approach to handling TIP from a local bilateral response to a strategic multilateral action. This synergy improves the accuracy of border surveillance, accelerates police intelligence exchange, and provides more inclusive and dignified protection for victims of exploitation. A joint task force dedicated to human trafficking (TPPO) should be established immediately at key land border points (such as Motaain), operating 24/7, involving immigration officials, police, and labor task forces from both countries. It is hoped that this will continue to provide technical assistance, research funding, and law enforcement capacity-building training for security forces in the Indonesia-Timor Leste border region to ensure optimal implementation of ACTIP.

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