

## **ASEAN *Framework Agreement on Visa Exemption* and Transnational Crime: East Java Case Studies**

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### **Abstract**

The rise of regional power comes with its consequences. ASEAN, as the only regionalism in Southeast Asia, is widely known for promoting ASEAN Community as its main purpose, with three main pillars: economic community, political and security community, and socio-cultural community. In order to support the idea of “integrated community” and accelerate the readiness of state members, especially in preparing the free flow of goods, labour, and services, ASEAN launched the *ASEAN Framework Agreement on Visa Exemption*. At one point these ideas about accelerating and integrating ASEAN members, especially through people-to-people connection, seem perfect; however, this scheme provides a new challenge to the security of ASEAN member states, especially non-traditional threats, such as transnational crimes. This article examines the impact of regionalism at the regional level on the rise of transnational crimes at the sub-national level. By using the implementation of the *ASEAN Framework Agreement on Visa Exemption* to the member states and its implication on the rise of transnational crime in East Java Province, Indonesia, this paper seeks to: (1) examine the impacts of regionalism at the regional level to the rise of transnational crimes at the sub-national level; (2) identify the patterns of transnational crime at East Java Province, Indonesia, following the implementation of *ASEAN Framework Agreement on Visa Exemption*; (3) assess the relation between the free visa policy in the Southeast Asia region and the rise of transnational crime at the sub-national level, especially in East Java Province, Indonesia; and by using the models on anticipating transnational organized crime, give a policy recommendation on how to combat transnational organized crime.

**Keywords:** regionalism, transnational crime, *ASEAN Framework Agreement on Visa Exemption*

## 1 Introduction: regionalism in Southeast Asia

The regionalism trend in some regions of the world has demanded total adaption amongst its member states in order to attain common goals. In the literal sense, the concept of regionalism originated from the word “region”, which means: “Regional grouping that identified based on geographical proximity, culture, trade and mutually-benefited economic interdependence, communication and participation in international organizations” (Hopkins & Mansbach, 1973).

Referring to the description above, some understanding can be concluded that “region” terminology is the main basis for regionalism. Geographical proximity is the main requirement for regionalism emergence in a region; however, it can't be denied that there are some other factors in the development, such as historical proximity, socio-cultural, and intra-region economic interdependence, regarded as other factors influencing regionalism construction. The European Union in Europe, the African Union in Africa, Mercado Comun del Sur (Mercosur) in South America and the Association of Southeast Asian Nations (ASEAN) in Southeast Asia are some regionalism examples that have been formed on the basis of geographical proximities.

The Association of South East Asian Nations (ASEAN) is an example of regionalism in Southeast Asia. ASEAN was formed in the spirit of common history and common fate and in the beginning was founded to create regional stability in Southeast Asia and to increase economic development for the member states. To obtain these goals, ASEAN created more intense cooperation schemes, one of which was by forming an ASEAN Community with 3 (three) main pillars, ASEAN Economic Community, ASEAN Security Community and ASEAN Socio-cultural Community. The main argument was to integrate Southeast Asian countries completely, politically, economically and socio-culturally and was planned to be fully realized in 2015. In practice, all agreement schemes at the regional level were directed to support the 3 pillars reinforcement of the ASEAN Community, starting from the signing of the preferential trade agreement in 1977, then the ASEAN Free Trade Area (AFTA) in 1992, the ASEAN Framework Agreement on Services (AFAS) in 1995 and the ASEAN Investment Area (AIA) in 1998. All economic agreement schemes in Southeast Asia in the end would conclude with ASEAN Community formation. One of the most important schemes that are regulated on AEC schemes are the free movement of labor, goods and services. It means that after AEC realization in 2015, free movement of labor, goods and services will be on a more massive scale in the Southeast Asian region. To support this scheme, ASEAN initiated some acceleration mechanisms to ease the ins and outs of labor, goods and services. One of them is visa liberalization for citizens of the member states.

The ASEAN Framework Agreement on Visa Exemption was launched during The 39<sup>th</sup> ASEAN Ministerial Meeting on July 25, 2006 in Kuala Lumpur as an important scheme made to support and accelerate intra-ASEAN and labor liberalization. In general, this scheme contained free visa regulation for 14 working days after the entry date for ASEAN members' citizens travelling across Southeast Asia. The ASEAN Framework Agreement on Visa Exemption is a continuation of the ASEAN Tourism Agreement signed on November 4, 2002 in Cambodia and the ASEAN Framework Agreement on the Priority Sectors signed on 29 November 2004, all of which, in general, are intended to support intra-ASEAN travel (ASEAN Framework Agreement on Visa Exemption, 2006).

On one hand, the ASEAN Framework Agreement on Visa Exemption scheme is seen as a major step in achieving the ideals of ASEAN integration as a whole, namely, the integration of aspects of the political and security, economic and socio-cultural community. Visa-free regulation is

considered to be a solution to the administrative barriers that make it difficult for citizens of ASEAN to travel within ASEAN. On the other hand, visa-free regulations have also had negative impacts on the security of its member states, particularly when associated with the emergence of a new perspective of looking at post-cold war security in which other forms of threats are no longer solely seen as traditional threats (military), yet now it has evolved towards non-traditional threats (non-military). This is reinforced by the growing threat of cross-border crime (transnational organized crime). It cannot be denied that visa-free policy would also provoke an increasingly heavy flow of people in these countries, so that the possibility of intra-ASEAN movement will be the more massive threat of transnational organized crime, which later will be more open not only at national level but also at the provincial level, so the urgency to do the mapping of transnational organized crime is becoming increasingly strong. Several ASEAN member countries responded to this visa-free policy by strengthening bilateral immigration relations. Among those relations are Visa Exemption Agreement between Thailand and Myanmar on a limited visa-free basis between the two countries, signed in 2013, and a similar agreement co-signed between Indonesian and Myanmar in 2014 in order to facilitate the flow of tourists between the two countries (UNWTO, 2014). This fact becomes relevant because the regional level talks on visa-free regulations have evolved towards the establishment of the ASEAN Common Visa governing the imposition of ASEAN member countries' joint visa which applies to citizens outside ASEAN, so the steps to strengthen the intra-ASEAN security need to be formulated.

## **2 Methodology and conceptual framework: Transnational crime**

The growth and development of transnational crime (TC) is one serious issue that is now being faced by countries in various parts of the world. Although at first transnational crime is a normal criminal act, in its development transnational crime has turned into a national security threat as the implications of the increase in activity are likely to be massive and the impact is “transnational”. On the other hand, the term “transnational crime” then undergoes expansion to the meaning of “transnational organized crime” because in some cases the perpetrator is no longer an individual or individuals, but already has a neat organizational structure. It can be justified by citing the United Nations Convention Against Transnational Organized Crime that transnational crime itself “has serious crime, structured and transnational effect” (United Nations Convention Against Transnational Organized Crime, 2004). Hence, the definition of transnational crime is then based on

a group of three or more persons that was not randomly formed, existing in a period time, acting in concert with the aim of committing at least one crime punishable by at least four years incarceration, in order to obtain, directly or indirectly, a financial or other material benefit and transnational means not only offences committed in more than one state, but also those that take place in one state but are planned and controlled in another state. (United Nation Convention against Transnational Organized Crime, 2004)

The discussion about transnational crime indeed cannot be separated from the initial definition of transnational crime, because this is the definition that will be converging on our starting point when analyzing transnational crime, whether a transnational crime is then seen as an “ordinary criminal act” or as a “security issue”. This initial mapping will have implications on our perspective on transnational crime, model approaches used and the remedial action that can be used to anticipate transnational crime (Ralf Emmers, 2003). The UN itself divides transnational crime into several categories: money laundering, terrorism, theft of art and culture, intellectual property theft, illegal arms trafficking, aircraft hijacking, pirates,

cybercrime, drugs trafficking, environmental crime, trafficking of organs human beings, corruption, fraud and financial crimes (Mueller, 1998). Meanwhile, on the transnational crime convention in the region as outlined in the ASEAN Plan of Action to Combat Transnational Crimes (ASEAN-PACTC) in 2002, the type of transnational crime in the sphere of ASEAN cooperation was narrowed down to only 8, namely: illicit drug trafficking, human trafficking, sea piracy, arms smuggling, money laundering, terrorism, international economic crime, and cybercrime (ASEAN-PACTC, 2002).

The wider and more developed the definitions and categories of transnational crime combined with the development of globalization, advances in transportation, communication and financial system on the one hand and the phenomenon of human security on the other hand increasingly making transnational crime more dangerous when compared to ordinary criminal acts. In fact, by exploiting the lack of government control in several “blind spot areas” such as borders, it is no doubt the effect of transnational crime is not only detrimental to the individual but also to the country’s sovereignty. For example, in 2009 more than 12 million people were estimated as the victims of human trafficking (Interpol, 2010). If this fact is compared with the growth of other types of transnational crime then we will get a very worrying trend.

Transnational crimes record can be traced to the 1920s in the United States. At that time new characteristics in general criminal activity appeared, namely: the aggressive nature and scope of cross-border activity identified from the Cosa Nostra in New York. (Calcagni, 2010). Then in the mid-1970s, the United States government identified other new characteristics that criminal acts did not only pursue financial motives alone but also political motives and ideology. Besides, handling this new criminal act would not involve only one country but would require joint cooperation between two or more countries to cope.

For several decades after, along with rapid advances in information technology, communications and transportation systems had a significant impact on the increased activity of transnational crime. Later in 1975 for the first time transnational crime became one of the topics discussed in the UN Assembly, although concrete steps to handle the new transnational crimes were executed twenty years later with the launch of the Palermo Convention or the United Nations Convention Against Transnational Organized Crime (UNTOC) in 2000. The Palermo Convention contains a comprehensive definition on transnational crime. The crime characteristics are considered “unique” and have the effect of “transnational”, as well as a transnational crime action plan, ratified by more than 150 member states and since implemented into the national law of each country.

### **2.1. Anticipation model on transnational crime**

The increasing trend of transnational crime from year to year in various parts of the world is characterized by more varied methods of transnational crime and requires integrated solution in the long term. There are several models of handling transnational crimes that have been implemented to reduce the spread and impacts of transnational crime. Bruce G. Ohr, in his article titled “Effective Methods to Combat Transnational Organized Crime in Criminal Justice Processes”, notes the importance of the legal aspects in combating transnational crime. Reflecting on the experience of the United States in combating transnational crime, Ohr offers several mechanisms to combat transnational crime, such as: (1) the establishment of units handling transnational crimes, such as the Organized Crime Strikes Force that performs the function of intelligence, recruiting informants, electronic surveillance to military operations; (2) the establishment and implementation of laws to ensure the eradication of transnational crimes through RICO (Racketeer Influenced and Corrupt Organizations Statute) legislation;

and (3) the cooperation initiation at the international level through the signing of cooperation on MLATS (Mutual Legal Assistance Treaties) extradition and the deployment of US law enforcement agencies to other countries in the transfer of knowledge scheme (Ohr, 1999). In line with the opinion of Ohr, Sheptycki, Jaffel and Bigo in their article titled “International Organized Crime in the European Union” also saw the need for internal support in combating transnational crime. Using case studies combating transnational crime in Europe, Sheptycki et al. offer the Organized Crime Threat Assessment (OCTA) method. Generally, OCTA combines three levels of integration combating transnational crime at the level of legislation, the level of law enforcement and administrative level (Sheptycki et al., 2011). Sheptycki et al. understand very well that one of the shortcomings combating transnational crime at the internal level is the lack of coordination between levels, so by the strengthening all three levels it is expected to combat transnational crime to the maximum.

Unlike Ohr and Sheptycki et al., who emphasize aspects of integrated handling, both internal and external, Jharna Chatterjee offers a different approach in combating transnational crime. In his article “The Changing Structure of Organized Crime Groups” Chatterjee explains that tackling transnational crime cannot be generalized into one model. Chatterjee’s argument is motivated by the fact that the trend of transnational crime in the twenty-first century is no longer homogeneous, but heterogeneous. The data presented by Chatterjee show that there is heterogeneity in the types of transnational crime in the various regions of the world. For an example, in the African continent, the emerging trends of transnational crime are drugs trafficking and money laundering, in Latin America the trends are human trafficking and drug trafficking, while in Asia the trends of transnational crime are people smuggling, human trafficking and counterfeit goods (Chatterjee: 2005). Heterogeneous transnational crime trends in the end also have implications for the proper handling methods deemed appropriate to combat transnational crime for each region. Therefore, Chatterjee adopts alternative methods of combating transnational crime, which come from Phil Williams and Roy Goodson, based on heterogeneity through five models, namely: (1) the first model is based on political conditions; (2) the second model is based on economic conditions; (3) the third model is based on social conditions; (4) the fourth model is also known as The Risk Management Model; and (5) the fifth model is Composite Model (Williams and Goodson, 2002). In the end, though Chatterjee adopted Goodson’s five models, he also stressed the importance of synergy between policy makers, law enforcement and the public at internal level as well as the formation of a joint operation schemes at bilateral, regional and international levels to ensure the eradication of transnational crime on maximum and sustainable so that the potential emergence of transnational crime in the future can be reduced to the lowest level.

### **3 Results and discussion**

#### **3.1 East Java overview**

In general, viewed from the types and spread, there is heterogeneity of transnational crime in some regions of the world. As stated previously by Chatterjee (2005) that in Southeast Asia human trafficking, drugs trafficking, money laundering and people smuggling are the dominant emerging transnational crimes. Meanwhile, in Indonesia, the transnational crime variants that appear dominant are illegal immigrant smuggling, drugs trafficking, illegal trade of wild animals, illegal timber smuggling, etc. (UNODC, 2013). There is a significant increase in the trend of transnational crime; if taken from the period of the year 2012 there were 24.502 cases of transnational crime reported to the authorities, later increasing to 34.513 cases in 2013 (Ananta, 2013).

Of all the provinces in Indonesia, East Java is a province with an area of 47157.72 km<sup>2</sup> with an estimated population of 38,268,825 people in 2013 (Kementrian Dalam Negeri RI, 2013), while the general crime rate recorded in East Java in 2013 almost reached 35,000 cases within the period of 2012 to 2013. The crime records in the statistics also included transnational crime that occurred in East Java in that period. In general, transnational crime, as indicated in East Java, includes, among others, human trafficking, people smuggling, drug trafficking and cybercrime.

Related to the implementation of the ASEAN Framework Agreement on Visa Agreement, there is an increasing trend of travellers, especially intra-ASEAN.

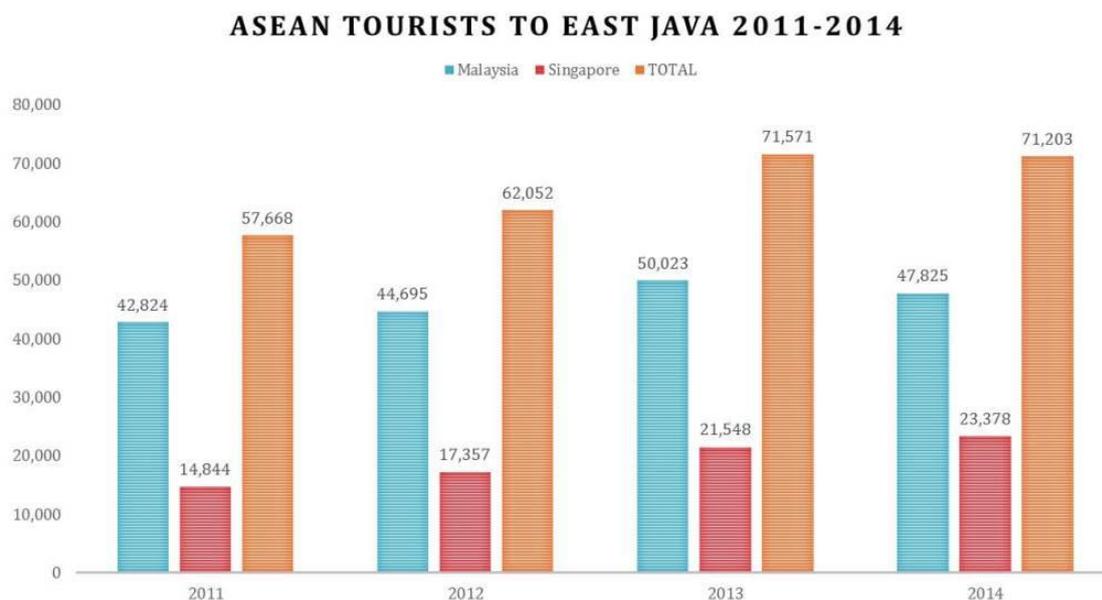


Figure 1: ASEAN tourists to East Java, 2011–2014

Source: [www.asean.org](http://www.asean.org)

Amongst tourists from 9 other members of ASEAN, only Malaysian and Singaporean tourists have significant contributions and are recorded in the statistics. From 2011 to 2014, the number of tourists from the two countries increased following the ASEAN Framework on Visa Exemption in 2006.

### 3.2. The patterns of transnational crime in East Java Province, Indonesia, following implementation of the ASEAN Framework Agreement on Visa Exemption

After implementation of the ASEAN Framework on Visa Agreement the number of transnational crime cases recorded by the East Java Regional Police tends to increase. This indicates that East Java is one of the provinces that is vulnerable to transnational crime compared to other provinces in Indonesia, so the identification of transnational crime in the province of East Java becomes urgent, in addition to getting a comprehensive picture of the mapping of transnational crime in the province. These interventions have also been created to provide recommendations of what relevant parties, especially the government, need to do to anticipate the spread of transnational crimes.

First, cases involving human trafficking illegal workers. East Java is one of the largest contributors to migrant workers in Indonesia. A large number of migrant workers is also a source of vulnerability for their illegal workers. Problems commonly faced are incomplete

document, falsification of documents, illegal recruitment agency, and mistreatment of migrant workers abroad. The second case is people smuggling, the smuggling of human activity. Since Tony Abbott served as Australian Prime Minister, Australia stopped being willing to accommodate illegal immigrants and asylum seekers, securing and patrolling their territories against people smuggling. Therefore, the people smuggling crime rate has declined since 2013. Third, the case of drugs trafficking. Data from the Ditreskoba (Drugs Division) of East Java Regional Police shows drugs trafficking trend is increasing every year. In addition, drugs trafficking actors vary, coming not only from Indonesia, but also from Africa, China, and ASEAN countries such as Malaysia, Singapore, and Thailand. The methods include the handling of police investigations that can be done disguised as a buyer or a postal employee, arresting the perpetrators, and investigating the networks.

**3.2.1 Human trafficking.** According to the East Java Regional Police, one of the most common transnational crimes in East Java is human trafficking. The high incidence of human trafficking in the East Java region, apart from weak oversight, is caused by the fact that East Java is one of the origin provinces with the highest number of Indonesian Workers (TKI); therefore, high mobility is also implicated in the high incidence of human trafficking in East Java. Data regarding illegal workers' cases affiliated with trafficking in East Java can be found in Figure 2.

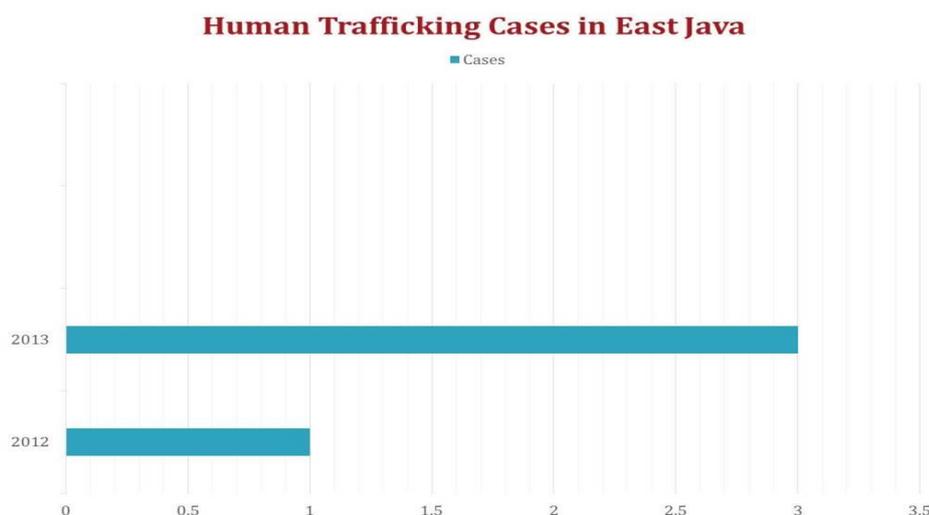


Figure 2: Human trafficking cases in East Java  
Source: East Java Regional Police, August 29, 2014

Figure 2 shows the the numbers of illegal migrant workers (human trafficking) cases that are handled by the East Java Regional Police. In the figure it can be seen that the number of illegal migrant workers' cases from 2012 to 2013 has increased; there was one case in 2012 and in 2013 there were 3 cases, with specification document forgery.

In handling cases of human trafficking or illegal migrant workers, the East Java Regional Police perform investigations and cooperate with Indonesian representatives to handle such cases. In general it can be concluded that trafficking in East Java has increased. Neighboring countries such as Hong Kong and Malaysia are the main destinations for human trafficking. This is due to several districts in East Java being pockets of Indonesian workers, which means that the mobility of people in East Java Province is relatively high. The mechanism of handling such cases of human trafficking in East Java is generally carried out by the police, who rely on

cooperation among law enforcement agencies and NGOs who focus on issues of migrant workers.

**3.2.2 People smuggling.** A second transnational crime activity that has increased quite a lot in East Java Province is people smuggling. People smuggling cases are common among asylum seekers entering neighboring countries, especially Australia. But the attitude of the Australian government, which firmly rejected these asylum seekers, did not reduce the quantity of people smuggling crimes. Figure 3 shows the data on human trafficking in East Java Province.

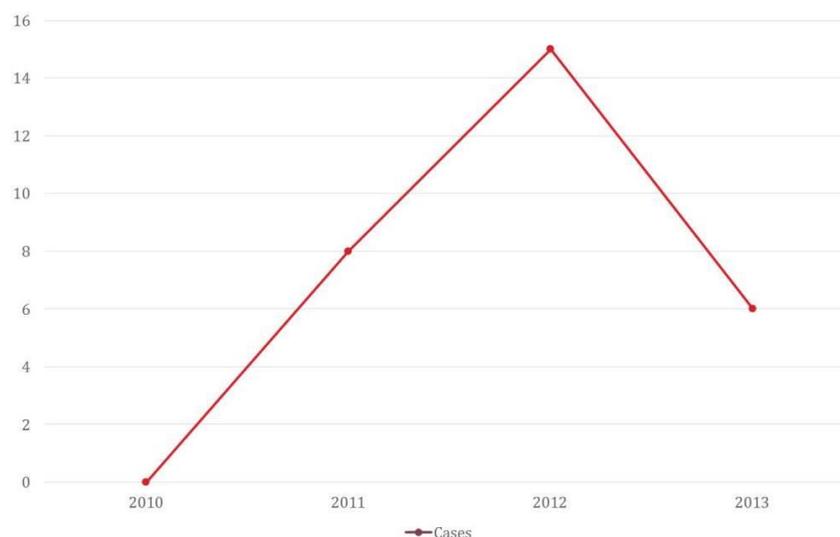


Figure 3: People smuggling cases in East Java  
Source: East Java Regional Police, August 29, 2014

Figure 3 shows the number of cases of people smuggling handled by the East Java Regional Police. Based on the table, in 2010 the number of cases handled by the East Java Regional Police was nil. According to the East Java Regional Police, this is because the unit that handled the case was new, founded since 2011, so data from the previous years did not exist. Meanwhile, in 2011, the number of people smuggling cases handled by the police was 8.

Based on the interview with East Java Regional Police in 2014, it is identified that for the year 2012, the number of people smuggling cases handled by the East Java Regional Police experienced a rise to as many as 15 cases, with 13 cases in process and 2 people reported as on the Wanted list. Finally, in 2013, the number of cases decreased to 6, with 3 people and 3 others in process status in the investigation. Broadly speaking, the perpetrators of people trafficking in these cases were foreign citizens who also doubled as smugglers and Indonesian citizens who worked as drivers. The victims mostly came from the Middle East-Africa region and countries in conflict such as Afghanistan, Iraq, Syria, Palestine, Somalia, Kuwait, Iran and one of the Southeast Asian countries, namely Myanmar.

According to the report compiled by the East Java Regional Police, there are some areas in East Java Province that become vulnerable spots of people smuggling cases. The areas in question cover Tuban, Madura, Pacitan, Trenggalek, Ngawi, Blitar, Malang and Banyuwangi. People smuggling committed by perpetrators of such cases is done through the land which can be divided into three lines, namely Java North Coast Line, Central Pathways via Pacitan, and Madiun Line.

Many areas in East Java that have contributed to the distribution of human trafficking victims have received serious attention from East Java Regional Police. To handle this, the East Java Regional Police have a mechanism for handling methods such as law enforcement. Based on data obtained from the people smuggling unit in East Java Regional Police, law enforcement are disclosure, and the investigation smuggling form a syndicate, prioritize foreign smugglers or actors, investigate with Extradition Act against immigrants who are proved to be a smuggler in the country of destination, as well as creating a database and link chart regarding the regional smugglers syndicate.

It can be concluded from the above explanation that in general the activity of people smuggling in East Java Province experiences stagnation or decline. There are two main things that influence the decline of people smuggling activity in East Java Province. The first is the handling method performed by the East Java Regional Police based on syndicate disclosure and investigation, also supported by some extradition agreement schemes to destination countries of people smuggling. Secondly, on the external side there are fairly proactive policies by Australian government as the smuggling's destination country from Indonesia that firmly rejects asylum seekers who, on average, enter Australia through smuggling. Both of these are proven to reduce people smuggling activities in East Java Province.

**3.2.3 Drugs Trafficking.** Based on data from the Action Plan for the Implementation of Regional Policy and Strategy of Prevention and Combating Drugs Abuse and Trafficking East Java Province Year 2011-2015, the distribution of illicit drugs in the ASEAN region and surrounding countries showed significant progress. The spread of drugs abuse in Indonesia in 2008 amounted to 1.99% of the Indonesian population aged 10-59 years. In 2010 the percentage was expected to increase to 2.21% and in 2015 rose to 2.8%, equivalent to 5.1 to 5.6 million people. Based on research results from BNN with Puslitkes UI in 2008, 1 in 20 students/college students in Indonesia had abused drugs.

The flight path between Surabaya and Jakarta included crowded lanes making it easier for courier, transporting and drugs delivery from Jakarta to Surabaya in which illicit drugs, shabu-shabu, ecstasy, heroin, amphetamine are transported from Jakarta. Drugs-related crime cases themselves in East Java from year to year show an increasing trend and the spreading mostly affects Surabaya (Interview with Head of Drugs Division of East Java Regional Police, 2014).

Indonesia is one of the most attractive markets for drugs traffickers because of its vast territory and population. East Java is one of the provinces that are the main destinations of drugs trafficking in Indonesia. Drugs in East Java will be sent to other areas. Drugs distribution in East Java starts from Juanda Airport, Surabaya. Then the drugs mostly widely circulate in Surabaya, Madura, Jember, and Malang. In addition, the drugs in East Java also circulate to East Indonesia, such as to Bali, NTT, NTB, Sulawesi, and Papua.

The drugs trafficking network in East Java comes from different countries; not only from ASEAN countries, but also from Africa, China, and the United Kingdom. The transnational drugs network is a powerful and neat network, so it is difficult to track. Methods to circulate the drugs may vary, for example, by forming a relationship with Indonesian citizens. The offenders can also pose as tourists or send packages to Indonesia. Most perpetrators are males. Based on the data and interview results obtained by the authors, it can be concluded that (1) the drugs circulation in East Java is increasing every year, (2) drugs trafficking comes partially from ASEAN countries such as Malaysia, Singapore, and Thailand, and (3) Indonesia,

especially East Java, is a good market for drugs trafficking. Most drugs in East Java are circulated in Surabaya, Madura, and major cities in East Java. In addition, drugs from East Java are also sent to East Indonesia, such as Bali, NTB, NTT, Sulawesi, and Papua.

In the end we can conclude that the transnational crimes occurring in East Java have varied trends and nature. Perpetrators and victims of transnational crimes in this paper included human trafficking, people smuggling, drugs trafficking and cybercrime, including not only foreign citizens but also civilians of Indonesian nationality. With regard to the focus of this study that tries to look at the transnational crime movement in the region, according to the results obtained from this study I found that perpetrators and victims from ASEAN countries in terms of quantity are insignificant when compared with the perpetrators and victims from Indonesia or countries in other regions.

Based on the data presented above, in general the mechanism on addressing transnational crime only relies on law enforcement on the part of police forces. This means that the police are the only actors who perform the handling of transnational crime although in practice they are assisted by NGOs that focus on certain issues of transnational crime. The police perform 3 stages in dealing with transnational crime cases, namely investigation, arrest, and examination. However, the police only act on the report and they have limited personnel, so transnational crime rates could be higher than the data held by the police. If this is compared with handling models of transnational crime in fact there are many ways that can be done to anticipate and combat transnational crime. On average the models are based on preventive and sustainable or long-term aspects. An example is the social model that is done by embracing the local community and empowerment against the transnational crime perpetrators such as human trafficking perpetrators who are mostly housewives in areas that become pockets of labor/migrant workers. By involving the community in handling transnational crimes it is expected that the public would show awareness that transnational crime issue is a common issue. Therefore, the program of transnational crime handling could be sustained in the long term. This will eventually lead to further reducing transnational crime or even eradicating the crime altogether.

#### **4 Conclusion**

The idea to achieve the ASEAN Community and the three pillars, namely, ASEAN Economic Community (AEC), ASEAN Political and Security Community (APSC), and the ASEAN Social and Cultural Community (ASCC) in 2015 has forced ASEAN member states to accelerate and adjust in all sectors to ensure the readiness of the entire sectors in facing the scheme. In order to support the ASEAN Economic Community in which there are the liberalization of goods, services and labor, ASEAN created *ASEAN Framework Agreement on Visa Exemption* scheme in which the main objectives of visa exemption for citizens of ASEAN member states are to support intra-ASEAN acceleration and people mobility, especially labor. In general, this scheme includes the regulation of visa-free for 14 days starting from the entry date for citizens of ASEAN member states who are travelling in Southeast Asia.

Although this scheme is seen as an advance in the integration of the ASEAN community, on the other side the visa-free regulations have also negatively impacted the member countries, especially when associated with a new perspective of non-traditional security threats that are characterized by the increasing criminal threat from transnational crime. Because it cannot be denied that visa-free policy would also lure people flow increase between intra-ASEAN countries, the massive threat of transnational crime is also likely to be more severe. Therefore,

the research on “Transnational Crime Mapping in East Java Province Post Entry ASEAN Framework Agreement on Visa Exemption for ASEAN Member Countries” is increasingly urgent.

There are some interesting findings obtained from this research. Among these are: (1) of eighteen categories of transnational crimes as published by the UN, there are four types of transnational crime that emerged in East Java, namely human trafficking, people smuggling, drugs trafficking, and cybercrime; (2) there is an increasing trend of transnational crime in East Java after the implementation of the *ASEAN Framework Agreement on Visa Exemption*; (3) on average the origin of transnational crime perpetrators are in East Java Province, mostly from Southeast Asian countries; (4) handling methods of transnational crime cases in East Java as well as the efforts made by law enforcement still rely heavily on the only actor, which in this case is the East Java Regional Police. Consequently, on average the handling methods are still repressive; hence, that model cannot be used for the long term.

## **5 Recommendations**

Based on the findings obtained in the previous chapters of this research, there are several suggestions and recommendations, as follows:

1. The need to perform transnational crimes mapping in other provinces as a base line study. Due to different spreading of transnational crime in each province, we need different handling models for each province.
2. The need for involving other actors in the handling model of transnational crimes. This is because on average transnational crimes occurred mainly based on social issues (poverty); hence, the involvement of other actors in transnational crime would obtain comprehensive mapping.
3. The need to implement a handling model of transnational crime based on various conditions, such as social aspect, economic aspect, political aspect, hybrid, and composites. So, the handling could create long-lasting impacts in the future.

## References

- Ananta, A., Sustainable and Just Social Protection in Southeast Asia, *ASEAN Economic Bulletin*, December 2012, retrieved from <https://muse.jhu.edu/article/492348/pdf>
- Arifin, S., Djaafara, R. A. & Budiman, A. S. (2008). *Masyarakat Ekonomi ASEAN 2015: Memperkuat Sinergi ASEAN Di Tengah Kompetisi Global*, Bank Indonesia, Elex Media Komputindo.
- ASEAN Framework Agreement on Visa Exemption, Association of Southeast Asian Nation, Kuala Lumpur, July 2006, retrieved from [http://asean.org/?static\\_post=asean-framework-agreement-on-visa-exemption-kuala-lumpur-25-july-2006-2](http://asean.org/?static_post=asean-framework-agreement-on-visa-exemption-kuala-lumpur-25-july-2006-2)
- ASEAN Plan Of Action To Combat Transnational Crime, Association of Southeast Asian Nation, May 2002, retrieved from [http://asean.org/?static\\_post=asean-plan-of-action-to-combat-transnational-crime](http://asean.org/?static_post=asean-plan-of-action-to-combat-transnational-crime)
- Balassa, B. (1961). *The theory of economic integration: An introduction*, Greenwood Publishing Group.
- Calcagni, M. (2010). The conceptualization of TOC: A historical perspective, *SIAC-Journal*.
- Cockayne, J. (2007). *Transnational organized crime: Multilateral responses to a rising threat*, International Peace Academy.
- Chatterjee, J. (2005). *The changing structure of organized crime groups*, Royal Canadian Mounted Police, Canada.
- Emmers, R., (2003). ASEAN and the Securitization TOC in SEA, *The Pacific Review*.
- Farrell, M., Hettner, B. & Langenhove L. V. (Eds.) (2005) *Global Politics of Regionalism: Theory and Practice*. Pluto Press.
- INTERPOL, INTERPOL Chief calls for concerted global action against organized crime in UN address on 10th anniversary of Palermo Convention, Media Release, June 2010, retrieved from <https://www.interpol.int/en/News-and-media/News/2010/PR050>
- Kementerian Dalam Negeri, Ditjen Bina Upaya Kesehatan, Badan PPSDMK, Sekretariat KKI, Pusat Data dan Informasi. *Profil Singkat Provinsi Jawa Timur tahun 2013, dalam Pusat Data dan Informasi Kementerian Kesehatan Republik Indonesia. Ringkasan Eksekutif: Data dan Informasi Kesehatan Provinsi Jawa Timur, 2013*, retrieved from <http://www.depkes.go.id/downloads/kunker/jatim.pdf>
- Mansfield, E. D. & Milner, H. (1999). The New Wave of Regionalism, *International Organization* 53 No. 3, 1999.
- Ohr, B. G. (1999). *Effective Methods To Combat Transnational Organized Crime In Criminal Justice Processes*, Paper presented at The 116<sup>th</sup> International Training Course Visiting Experts Papers, United States.
- Organized Crime Research Highlights Vol. IV. (2009). *Measuring Police Impact On Organized Crime*, Canada.
- Sheptycki, J., Ben Jaffel, H. & Bigo, D. (2011). *International organized crime in the European Union*, European Parliament, Brussels.
- UN Convention Against TOC & The Protocols Thereto, United Nations, 2004, New York, retrieved from [https://www.unodc.org/documents/middleeastandnorthafrica/organised-crime/UNITED\\_NATIONS\\_CONVENTION\\_AGAINST\\_TRANSNATIONAL\\_ORGANIZED\\_CRIME\\_AND\\_THE\\_PROTOCOLS\\_THERETO.pdf](https://www.unodc.org/documents/middleeastandnorthafrica/organised-crime/UNITED_NATIONS_CONVENTION_AGAINST_TRANSNATIONAL_ORGANIZED_CRIME_AND_THE_PROTOCOLS_THERETO.pdf)
- UNODC, (2013). *An international framework to fight against TOC and human trafficking: The UN approach*, United Nations.
- UNWTO, The Impact of Visa Facilitation in ASEAN Member States, World Tourism Organization, January 2014, retrieved from <http://cf.cdn.unwto.org/sites/all/files/docpdf/2014impactofvisafacilitationinaseanmemberstateslowres.pdf>

- Williams, P. & Goodson, R. (2002). Anticipating Organized and Transnational Crime, *Crime, Law and Social Change* 37. doi:10.1023/A:1016095317864.
- Wunderlich, J-U. (2007). *Regionalism, globalization and international order: Europe and Southeast Asia*, Ashgate Publishing, Ltd.

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