

# THE ROLE OF THE INDONESIAN NATIONAL ARMY IN OVERCOMING ILLEGAL DRUG CIRCULATION ON THE INDONESIA-MALAYSIA BORDER

Ita Damayanti<sup>1</sup>, Siti Romdanah<sup>2</sup>, Nonik Rahayu<sup>3</sup>, Belardo Prasetya Mega Jaya<sup>4</sup>

Email: [damayantiita50@gmail.com](mailto:damayantiita50@gmail.com)<sup>1</sup>, [sitiromdonah009@gmail.com](mailto:sitiromdonah009@gmail.com)<sup>2</sup>,  
[nonikrhyu@gmail.com](mailto:nonikrhyu@gmail.com)<sup>3</sup>, [belardoprasetya@gmail.com](mailto:belardoprasetya@gmail.com)<sup>4</sup>

<sup>1234</sup> Faculty of Law, Sultan Ageng University Tirtayasa

## *Abstract*

*The illegal drug trade poses a serious threat to public health and national security. Along the Indonesia-Malaysia border region, this issue is of particular concern due to geographical complexity and associated security challenges. Hence, to address this issue, cross-border security measures are essential, including those carried out by the Indonesian National Armed Forces (TNI) in combating the illegal drug trade, especially along the Indonesia-Malaysia border. This research aims to examine and analyze the role of the TNI in safeguarding national security concerning the problem of illegal drug trafficking between Indonesia and Malaysia. The research adopts a juridical-normative method, analyzing various legal regulations, policies, and court decisions relevant to the subject matter. The analysis reveals that the legal framework for drug eradication in Indonesia includes diverse legislative regulations, such as Law Number 34 of 2004 concerning the Indonesian National Armed Forces (TNI). The findings indicate several challenges in the implementation of policies aimed at combating illegal drugs, including a shortage of human and technological resources, weaknesses in law enforcement, and issues related to the rehabilitation and reintegration of former drug users into society. Additionally, social welfare aspects significantly influence the effectiveness of these policies.*

**Keywords:** *National Armed Forces (TNI), Drugs, Illegal, Circulation*

## Abstrak

Peredaran obat ilegal merupakan masalah serius yang dapat mengancam kesehatan masyarakat dan keamanan negara. Di wilayah perbatasan Indonesia-Malaysia sendiri, peredaran obat ilegal menjadi perhatian utama karena kompleksitas geografis dan tantangan keamanan yang terkait. Oleh karena itu untuk mengatasi hal tersebut perlu adanya keamanan lintas batas negara yang dilakukan oleh Tentara Nasional Indonesia (TNI) dalam Mengatasi Peredaran Obat ilegal di Perbatasan khususnya Indonesia-Malaysia. Berdasarkan permasalahan tersebut maka penelitian ini bertujuan untuk mengetahui dan menganalisis peran TNI dalam menjaga kamanan negara terkait masalah peredaran obat ilegal di indonesia-malaysia. Penelitian ini menggunakan metode yuridis normatif Metode yang digunakan adalah analisis yuridis normatif, dengan mengacu pada berbagai peraturan perundang-undangan, kebijakan, dan putusan pengadilan terkait. Hasil analisis menunjukkan bahwa landasan hukum pemberantasan narkotika di Indonesia terdiri dari berbagai peraturan perundang-undangan, seperti Undang-Undang Nomor 34 Tahun Tentang Tentara Nasional Indonesia (TNI). Hasil penelitian menemukan bahwa Implementasi kebijakan pemberantasan obat ilegal terdapat beberapa tantangan, termasuk kurangnya sumber daya manusia dan teknologi, kelemahan dalam penegakan hukum, serta permasalahan terkait rehabilitasi dan reintegrasi mantan pengguna narkotika ke dalam masyarakat. Selain itu, aspek kesejahteraan sosial juga menjadi faktor penting yang memengaruhi efektivitas kebijakan ini.

**Kata Kunci:** Tentara Nasional Indonesia (TNI), Obat Ilegal, Peredaran.

### A. INTRODUCTION

Crime border crossing between two countries gives rise to threat serious to security and stability in an inner country context connection international. Circulation cross-border is a complex and intensive logistics process, which is the main domain for organization criminal across countries involved in circulation drug illegal. The perpetrators crime this often use diverse tactics for dodge from system security has been there is. Crime cross country covers various form or type violations, incl extradition officials involved in corruption, trade humans, trespassing and piracy right copyright,

money laundering, and one of the most common is circulation drug illegal between countries by the perpetrator's crime.

Circulation drug illegal is threat serious for health society and state stability. In the Indonesia-Malaysia border region, problems this become the more complex Because exists various complicating factors handling it.<sup>1</sup> Crime cross-border is threat serious for Indonesia's security has detrimental to this country in a way significant. Crime cross borders frequently involve network international operating in various countries, so required work both regionally and internationally for overcome problem this. One of for example is circulation drug illegal between Indonesia and Malaysia.<sup>2</sup>

Smuggling or circulation drug illegal from overseas to Indonesia increase without stop. This matter is seen from case data smuggling various type drug. In the 2013 and 2014 Christmas operations, the Directorate General of Customs and Excise succeed thwart a number effort smuggling and distribution drug forbidden weighing 22 kilograms with a total estimate worth 29.614 billion rupiah. This shows that Indonesia is one of them objective main circulation drug illegal and became the target of operations syndicate international.<sup>3</sup>

In the law international, there is a few mechanisms related laws with effort a country for catch a perpetrator crime occurring in the territory of another country. One of them is through work the same with the country where the perpetrator is the being, which aims for arrest, detain, and surrender perpetrator to the country that has its jurisdiction for judge and punish him.<sup>4</sup> Apart from p the the role of the TNI in dealing with challenge this, has a very important and strategic role. With In its presence at the border, the TNI plays a role as the front guard in overcome circulation drug illegal, keep state territorial security, as well protect well-being public.

The TNI does not only guard security of the country's territory, but also protect well-being public from threat drug illegal. With presence and courage, them, the TNI can

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<sup>1</sup> Cahyaningtiyas, N, et al. (2022). " Analysis Juridical To Supervision Medicinal preparations that are not Own Distribution Permit during the Covid-19 Pandemic in Indonesia." *Journal Collaborative Science* , Vol. 5, no. 8, p . 586-602.

<sup>2</sup> Irfansyah Hasan, M. (2018). " Crime Transnational and the Implementation of Indonesian Criminal Law ", *Lex Crimen Journal* , Vol. 7 No. 7. p . 13.

<sup>3</sup> Victor Muhamad, S. (2015). " Crime Transnational Smuggling Drugs from Malaysia to Indonesia: Cases in the Province Riau Islands and West Kalimantan", *Journal Politica* , Vol. 6 No. 1. p . 43.

<sup>4</sup> Prasetya Mega Jaya, B. (2020). "Transnational Criminal Case Settlement Through International Cooperation (A Case Study of Harun Masiku )". *Journal Legal Science* , Vol. 4 No. 1, p . 72.

help strengthen control borders, identify and stop activity smuggling, as well give support logistics and security for institution enforcer law in effort eradication circulation drug illegal. With so, not the TNI only as strength military, but also as guard security and prosperity Indonesian society.

Possible steps done is increase border patrol, fine land nor sea, for supervise movement drugs forbidden. Apart from that, investigations and raids are also necessary improved for reveal network circulation drugs illegal the. The TNI can role in give education to public about danger drugs forbidden as well as strengthen cooperation with government regions and institutions related in matter rehabilitation for victims of abuse drug.

## **B. RESEARCH METHODS**

Study this is type study law normative, which is study law literature that focuses on existing legal norms in regulation international nor regulation legislation Indonesian national. Study normative, which is also known as doctrinal research, generally focuses on analysis document legislation and references references. The most fundamental aspect in study knowledge law normative is ability a researcher in formulate problem his research with precise and sharp, as well in choose appropriate method for direct steps his research.<sup>5</sup>

Focus discussion This is about law positive, which refers to rules or normal norms official formed and promulgated by the authorities. Beside law written here, there are also norms that don't exist written in effective society arrange behavior member public.<sup>6</sup>

## **C. RESULTS AND DISCUSSION**

### **1. The role of the TNI in Overcome Circulation of Illegal Drugs on the Indonesia-Malaysia Border**

Circulation dark narcotics in Indonesia are not can released from existence network circulation drugs international. With exists network structured international meetings, narcotics own access for enter Indonesia via various path, incl track sea, land, and air.

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<sup>5</sup> *Ibid.*, p . 71.

<sup>6</sup> Prasetya Mega Jaya, B. (2018).” Gacaca Justice As Something System Alternative Justice For Help Legal Processing of the Perpetrators Genocide in Rwanda”, *Journal of Legal Conscience*, Vol. 1 No. 1.p. 59.

However, from third track the path sea stand out as most paths used. This matter caused by conditions Indonesia's geography is dominated by the ocean, which makes our country vulnerable smuggling drugs.

Geographic factors this become pusher main because part Indonesia consists of a large area from rough seas supervised, provided gap for smuggling narcotics. Indonesia has a coastline around 85,000 Km, border the open sea, which makes our country vulnerable smuggling drugs. As an archipelagic country the largest in the world, Indonesia has 17,508 islands spread around equator, with wide mainland about 1,937 million km<sup>2</sup> and area waters about 5.8 million km<sup>2</sup>.<sup>7</sup>

The role of the TNI is regulated in Constitution Number 34 of 2004 concerning TNI. Article 7 paragraph (2) states that task the mainstay of the TNI is carry out Operation Military for War (OMP) and Operations Military Other Than War (OMSP). One of OMSP form, namely guard the territory that becomes border. The role of the Indonesian National Army (TNI) is very important in effort overcome circulation drug illegally on the Indonesia-Malaysia border, including, among other things role:

a) Cross-Sectoral Collaboration

Collaboration cross sectoral become key important for the TNI. They Not only depend on internal efforts, but also interweaving Work The same with various party related matters, such as the National Narcotics Agency (BNN), Police, Customs and Excise, as well as agency related other. Work the same cross sectoral This considered very important Because circulation drug illegal Not only become problem military, but also a problem health and security society in general.<sup>8</sup> Work The same cross sectoral This give significant impact in effort eradication circulation drug illegal. Every agency owns different roles and skills, and with combined source power and competence they can created strong synergy in face problem This.

Institution that owns task principal in eradication narcotics played by BNN, providing related information and data with trend circulation drug illegal. Police responsible answer on enforcement law and enforcement to perpetrator crime related

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<sup>7</sup> Musfiroh , M., Rizki Islamiah , K., Prasetya Mega Jaya, B. "The Philosophy of Garuda: "Mythological Animals from The Archipelago as State Symbols of Indonesia"". *i -Win Library: Library International Waqf Archipelago Science* .

<sup>8</sup> Fitriani, R. (2019). " Cross Sector Cooperation in Eradication Circulation of Illegal Drugs on the Indonesia-Malaysia Border ". *Journal Defense* , Vol. 12, no. 1, p . 45.

narcotics. Meanwhile Customs and Excise role in prevention smuggling drug illegal through surveillance at the door enter the country.

Work the same cross sectoral this possible exists exchange more information fast and accurate, coordination in implementation assignments, as well synergy in coping strategies circulation drug illegal. Additionally, with involve various party related, effort eradication drug illegal can own more impact broad and even in guard health and security public. With thus, collaboration cross sectoral become strong foundation in the TNI's internal strategy overcome circulation drug illegal. The TNI understands that problem This no can resolved in a way separate but need coordination and work the same closely with various party related. In context this, work the same cross sectoral considered as an effective and efficient strategy in face challenge circulation drug complex and disturbing illegality for safety and health public. Second institutions, BNN and Polri, which have task as eradicator narcotics, work the same for push amount narcotics in circulation.

BNN is authorized for eradicate misuse and distribution dark narcotics, temporary National Police authorized as servant and protector public. Tasks they arranged in Constitution Number 35 of 2009 concerning narcotics.<sup>9</sup> For minimize impact negative from circulation drugs, the TNI has not quite enough answer main in supervision Indonesia-Malaysia border, incl control of border posts and routine patrols. They use technology advanced like camera thermal and drones for increase efficiency monitoring and preventing smuggling drug illegal as well as goods other prohibited 1.<sup>10</sup>

#### b) International Cooperation

The TNI does not only focus on work the same internally operate task, but also intertwined Work The same international with various parties, incl with party Malaysian military. Work the same Cross country is very important in overcome circulation drug illegal in border areas. Collaboration between the TNI and the

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<sup>9</sup> National Education Center Criminal Investigation Department National Police . "Indonesia is in the Emergency Phase Drugs ". [https://pusiknas.polri.go.id/detail\\_article/indonesia\\_berada\\_di\\_fase\\_darurat\\_narkoba](https://pusiknas.polri.go.id/detail_article/indonesia_berada_di_fase_darurat_narkoba) . Accessed on April 9 2024 at 15.35 WIB.

<sup>10</sup> Damanik, R. (2020). "The Role of the TNI in Supervision Borders of the Unitary State Republic of Indonesia." *Journal Defense* , Vol. 15, no. 2, p . 123.

party's Malaysian military includes various activity like patrol together, practice combination, and exchange intelligence.<sup>11</sup> Indonesian National Army (TNI) and Army Royal Malaysia (TDM) in run his role always does patrol, where patrols carried out always uphold tall right basic man without exists violence and patrols This always done in a way humane and persuasive.

Through patrol together, second party work in a way collaborative for supervise borders and identify potency track smuggling drug illegal. Composite exercises also provide a chance for personnel military from both countries for increase skills and coordination in face threat together, incl circulation drug illegal. Additionally, exchange intelligence possible share information about activity smuggling and networks related, so strengthen control borders and actions prevention. International cooperation This is important step in face challenge circulation drug illegal crossing borders. With synergize with party Malaysian military, TNI can expand scope supervision and enforcement in border areas, so minimize possibility entry drug illegal to within the territory of the country and improve security together. With so, work the same this not only profitable both countries together individuals, but also contribute to regional stability and prosperity public.

c) Empowerment at the Border

TNI apart from act in capacity security and defense, are also active involved in the empowerment program communities in border areas. The TNI is working the same with government regions and institutions self-subsistent public for provide education and training to public related danger drug illegal.<sup>12</sup> Through this program, the TNI does not only focuses on enforcement law and supervision, but also pay attention effort prevention and understanding public about danger drug illegal. With Work The same with various party related, the TNI is capable convey accurate and comprehensive information to public about risks posed by circulation drug illegal, incl impact the negative to health and stability social.

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<sup>11</sup> Kusuma, D., et al. (2018). " The TNI's cooperation with the Malaysian Armed Forces is deep Supervision Borders ." *Journal Defense and Security* , Vol. 3, no. 2, p . 87.

<sup>12</sup> Hartono, B., et al. (2017). " Community Empowerment Strategy in Countermeasures Circulation Drugs at the Border ." *Journal Indonesian Health Policy* , Vol. 5, no. 1, p . 32.

The training organized by the TNI also has this aim for increase skills and knowledge public in overcome circulation drug illegal. This includes introduction about signs drug illegal, way report suspicious activity, as well steps for avoid involved in trading drug illegal. By involving the public in a way active in effort prevention and control circulation drug illegal, the TNI hopes can create more environment conscious and tough to threat This. With increasing awareness and skills society, hopefully circulation drug illegal can press in a way significant, so public can life in more environment safe and healthy in the border area.

d) Engaging Community Local

Participation active public local in activity monitoring and reporting can in a way significantly increase effectiveness supervision border.<sup>13</sup> The TNI admitted that community local have unique knowledge about environment and patterns activities in border areas, so they can become valuable partner in detect and report activity suspicious. In context this, the TNI active do socialization and training to public about danger drug illegal as well as importance role they in report activity suspicious all-around border. Socialization is done through various way, start from counseling in villages, meetings community, up to distribution material education about danger drug illegal and way report it.

The TNI also held training for public local for increase understanding they about signs smuggling drug illegal and procedural proper reporting. With involve community local in a way active, the TNI is not only increase scope supervision border but also strengthening bond between the TNI and society.

Involvement public in effort eradication circulation drug it can be illegal to give impact period positive length in increased awareness will problem health and security in border areas. As the result, society become more proactive in protect self they yourself and the environment they from threat drug illegal. With thus, involving community local is an effective strategy in TNI efforts to overcome circulation drug illegal on the Indonesia-Malaysia border. Collaboration between the TNI and society local give proof that effort eradication drug illegal not only not quite enough answer

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<sup>13</sup> Anwar, B. (2017). Community Role Local in Eradication Circulation of Illegal Drugs on the Indonesia-Malaysia Border . *Journal of National Security Studies* , Vol. 4, no. 1, p . 30.

one party but is not quite enough answer together for guard health and security public in a way whole.

## **2. Is the TNI's Role Appropriate in Overcoming this Problem?**

Abuse drugs forbidden now become a very common and becoming problem attention for Indonesian society. Abuse and distribution drugs This in Indonesia is already very worrying, this show how it's easy get drugs the, which is in the end will threatening and destructive generation of the country.

Reduce even avoid exists circulation drugs illegal so country needs create umbrella law, so that everyone or fixed group do problem the get punishment and effects deterrent so No repeat it returns and people out there don't follow problem forbidden the. In Indonesia itself enforcement law to perpetrator circulation drug illegal This considered Not yet effective, because punishment given to they Still low. On the other hand, a lot of society that hasn't get proper information about existence medicines illegal these and impacts negative if continuously consumed.

Handle circulation drug illegal, moreover If did it between countries (Malaysia-Indonesia) then required role Indonesian National Army (TNI) for handle matter the. TNI is one of them component responsible nation answer guard and secure border areas. Therefore that's very important for the TNI to guard security and defense of Indonesia's border areas. The role of the TNI already implemented by Indonesia. But, what? role that has executed in accordance with applicable regulation as well as executed with good and right. At the border Indonesia-Malaysia land, dynamics complexity threatening nature fluctuating need effort serious and intensive security because of the changing variety and variety of threats.<sup>14</sup>

About internal TNI problems guard border moreover about circulation drug Indonesia-Malaysia illegal enough depicted with clear, the role of the TNI in handle problem circulation drug illegal between Indonesia and Malaysia Already in accordance. If seen from supervision border carried out by the TNI for prevent smuggling drug illegal, has done through border patrols and cooperation with agency related. Then the TNI can

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<sup>14</sup> Subagyo , S. (2021). "The Role of the TNI in Securing the Indonesia-Malaysia Land Border Area ( Task Force Case Study Pamtas Yonif Raider 301/PKS Period March 2019-November 2019)". *Journal of International Relations* , Vol. 8, no. 1, p . 27.

too do enforcement law to syndicate smuggler drug illegal, though enforcement more laws Specific usually carried out by the authorities' police and agencies related.

Problem frequent security occurs in border areas land between Indonesia and Malaysia, namely the number of illegal migrant workers brought into Malaysia and many distribution drugs forbidden or drugs.<sup>15</sup> For example namely in 2023, several TNI members succeeded thwart effort suspected smuggling drug type forbidden or narcotics type of methamphetamine weighing 11 kilograms on the Indonesia-Malaysia<sup>16</sup> border. And in 2022, TNI Security Soldiers Border (Pantas) Infantry Battalion 645/ Gardatama Yudha succeed thwart effort smuggling drugs type methamphetamine from Malaysia weighing 13.6 kilograms via Subdistrict Jagoi Babang, Regency Bengkayang, West Kalimantan (Kalbar).<sup>17</sup>

Apart from security on land, the Indonesian Navy (AL) also provides security patrol the same security in the area maritime around Indonesian waters for prevent exists smuggling drugs illegal and drugs. In 2022, the TNI team succeeded stop effort smuggling cocaine estimated weight of 179 kg worth IDR 1.25 trillion.<sup>18</sup>

The role of the TNI has been mentioned previously has answered, indeed the role of the TNI in overcome circulation drugs illegal with ways like do patrol, surveillance as well as connection cooperation international already in accordance. It is just enforcement the law is carried out for perpetrator Still it hasn't happened yet effect deterrent. The role of the TNI in stop circulation drug illegal between these countries important for prevent exists loss society and state. Apart from that, the TNI can also help increase awareness public about danger drug illegal and report suspicious activity to party authorized. Because anyway role the most important society for overcome exists circulation drugs illegal.

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<sup>15</sup>Wangke, H. (2018). *Indonesia-Malaysia Cooperation in Management Border in Kalimantan*.

<sup>16</sup> Irawan, G. " TNI Intelligence Fails Smuggling 11 Kg Packages Suspected of Sabu at the RI\_Malaysia Border". *TNI\_Intelligence\_Failed\_Smuggling\_11\_Kg\_Packages\_Suspected\_of\_Sabu\_in\_Perbatasan\_RI-Malaysia-TribunNews.com* . Accessed on April 14 2024 at 15.07 WIB.

<sup>17</sup> Editorial , " TNI Soldiers at the Indonesia-Malaysia Border Failed Smuggling 13.6 Kg of Crystal Meth", Kompas, 2022 <https://regional.kompas.com/read/2022/05/31/220100978/prajurit-tni-di-perbatasan-indonesia-malaysia-gagalkan-jualundupan-136-kg> . Accessed April 14, 2024 at 15.16

<sup>18</sup> Antara.News . "TNI AL Improves Patrol Maritime Safety Prevent Smuggling Drugs ". Indonesian Navy increases patrol security sea prevent smuggling drugs - ANTARA News . Accessed on April 30 2024 at 20.00 WIB.

## CONCLUSION

1. The role of the TNI in effort overcome circulation drug illegal in Indonesia, requires collaboration cross strong sector and cooperation intensive international. TNI, together with institution related such as BNN, Polri, and Customs and Excise, play a role important in supervision, enforcement law, and prevention smuggling narcotics. Additionally, it involves public local as partner in effort eradication is also an effective strategy for increased awareness and involvement in protect border areas from threat drug illegal.
2. The role of the TNI in overcome circulation Indonesia-Malaysia illegal drugs already in accordance with existing laws. It is just in enforcement applicable law moment this still not yet effective because punishment given Still classified light and not give effect deterrent for perpetrator.

## SUGGESTION

1. Push formation and implementation strengthening policies cooperation cross sectoral between TNI, BNN, Polri, Customs and Excise, as well as party related other with focus on improvement synergy in supervision, enforcement law, prevention, and rehabilitation to circulation drug illegal. Required more coordination tight and sustainable between all party involved for increase effectiveness in face problem complex This in a way holistic and coordinated.
2. Enforcer law must actively do inspection and carry out enforcement law Not only in conventional markets. Moreover, punishment of the perpetrator except for moment this still classified light, that's what makes it perpetrator no get effect deterrent. For reduce exists circulation drug illegal so awareness will the danger drugs the need done towards the people around him moreover formerly

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