

Implementation of the ASEAN Convention Against Trafficking in Persons, Particularly Women and Children (ACTIP)

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Abstract

Human trafficking or trafficking in persons is a transnational crime that endangers global and regional security. Countries in the Southeast Asia region serve as origin, transit, and destination for trafficking in persons syndicates. In a unified effort to address this issue, ASEAN adopted the ASEAN Convention Against Trafficking in Persons, Especially Women and Children (ACTIP) in 2015, serving as a legally binding mechanism for regional cooperation to tackle trafficking in persons. Since its adoption, ACTIP has not been effectively implemented by ASEAN, as it has not reduced the number of TIP cases in the region. The primary mechanism, the ASEAN Senior Officials Meeting on Transnational Crime (SOMTC), solely functions in monitoring, facilitating coordination, evaluating, and compiling periodic reports on the implementation of the convention, lacking the authority to enforce compliance with ACTIP. In addition to the unique principles of the “ASEAN Way”, the challenges encountered by ASEAN in addressing trafficking in persons are notably intricate. To uncover the intricating issues, the author utilizes the Regional Security Complex Theory (RSCT) by Barry Buzan and Ole Waever to clarify the variables that hinder the effective implementation of ACTIP in ASEAN. The complexity of addressing trafficking in persons will be analysed at national, international, regional, and global levels using four RSCT variables: boundary, anarchic structures, power distribution, and social construction within the ASEAN organization. This study employs qualitative methodologies utilizing primary and secondary data sources, including scholarly literature, publications, and official reports from ASEAN bodies, government agencies, and international organizations. Given the identified issues, ASEAN must execute internal changes by strengthening the function of the SOMTC to create a cooperative framework at the technical level for the effective implementation of ACTIP.

Keywords: trafficking in persons, TIP, ACTIP, RSCT, SOMTC, ASEAN

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INTRODUCTION

Human trafficking is a transnational crime that poses a significant threat to both global and regional security. Data from the UNODC shows that Southeast Asia has become one of the epicentres of global human trafficking. Over the past decade, the number of human trafficking cases in Southeast Asia has increased sharply, with an estimated 200,000 to 225,000 victims, including women and children (Hugot, n.d.). This number accounts for one-third of the total number of victims trafficked worldwide each year. Southeast Asian countries serve as countries of origin, transit, and destination for human trafficking syndicates. The majority

of victims come from Indonesia, the Philippines, and Vietnam, with destinations including Myanmar, Cambodia, and Laos. For instance, in Indonesia, in the past year, 1,235 Indonesian citizens were recorded as victims of human trafficking (Indonesia C., 1235 Indonesian Victims, 2025).

The phenomenon of human trafficking (referred to as trafficking in persons by ASEAN) is not a new issue for ASEAN. Trafficking in persons (TIP) is a shared concern for ASEAN and was first included in ASEAN's cooperation instrument in 1997, namely the ASEAN Declaration on Transnational Crime. This declaration was then followed up with the development of the ASEAN Plan of Action in Combating Transnational Crime (1999) and then continued with the adoption of the ASEAN Declaration against TIPs, particularly Women and Children, in 2004. After a lengthy development process, on 21 November 2015, the heads of state/government of ASEAN member states signed and ratified the ASEAN Convention Against Trafficking in Persons, Especially Women and Children (ACTIP) (Solim, 2019). This convention aims to strengthen intergovernmental cooperation in preventing, prosecuting, and protecting victims of trafficking in persons through a human rights-based approach, as well as regional and international partnerships.

ACTIP automatically became a legally binding instrument after being ratified by all ASEAN member states. The convention contains four main pillars of cooperation: prevention, law enforcement and prosecution, protection and victim recovery, and partnership. These pillars are further operationalized through the ASEAN Plan of Action Against Trafficking in Persons (APAATIP). In practice, ACTIP is implemented through the Senior Officials Meeting on Transnational Crime (SOMTC), a forum of senior officials from ASEAN member states dealing with transnational crime. Through SOMTC and other relevant ASEAN sectoral bodies, ASEAN developed the Bohol TIP Work Plan 2017–2020, which aimed to harmonize regional activities with the four thematic pillars. Several programs under this work plan were realized, including border control strengthening, victim protection and recovery through ASEAN minimum service standards, law enforcement and prosecution, as well as regional and international coordination.

The Bohol TIP Work Plan also regulated the appointment of ACTIP focal points in each ASEAN member state to monitor progress and report implementation outcomes through the SOMTC mechanism. After the completion of the 2017–2020 plan, ASEAN adopted the ASEAN Multi-Sectoral Work Plan Against Trafficking in Persons 2023–2028, also known as the Bohol TIP Work Plan 2.0, as the successor framework for implementing ACTIP and the ASEAN Plan of Action on TIP. However, despite these institutional developments, ACTIP implementation has not yet succeeded in significantly reducing trafficking in persons cases in the region. Based on the Trafficking in Persons Reports issued by the United States Department of State, the number of investigations and prosecutions conducted by ASEAN member states in 2025, compared with 2018, does not show significant progress. (see Charts I and II below).

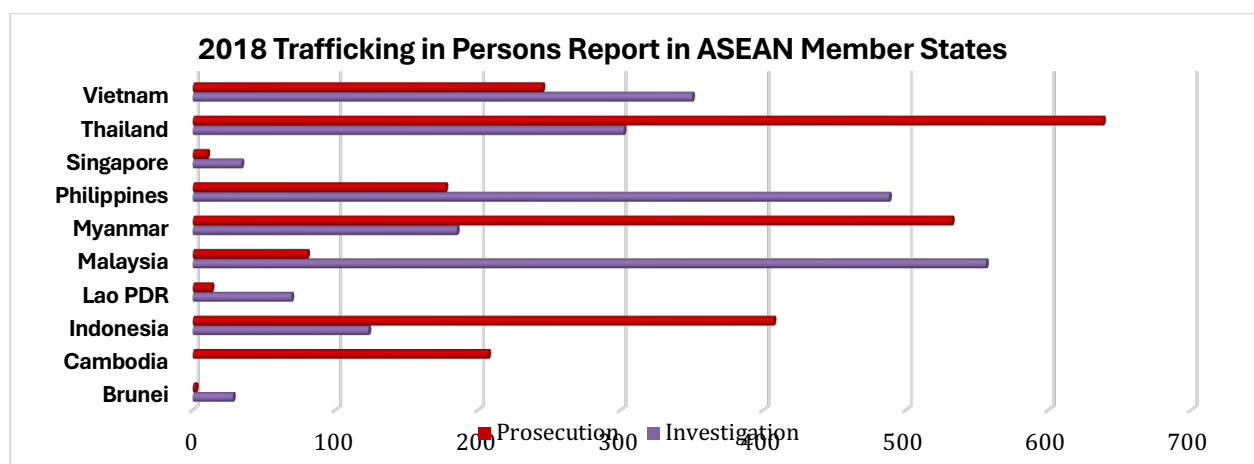


Figure 1: Trafficking in Persons Report in ASEAN in 2018
Source: 2018 TIP Report by The US Department of State

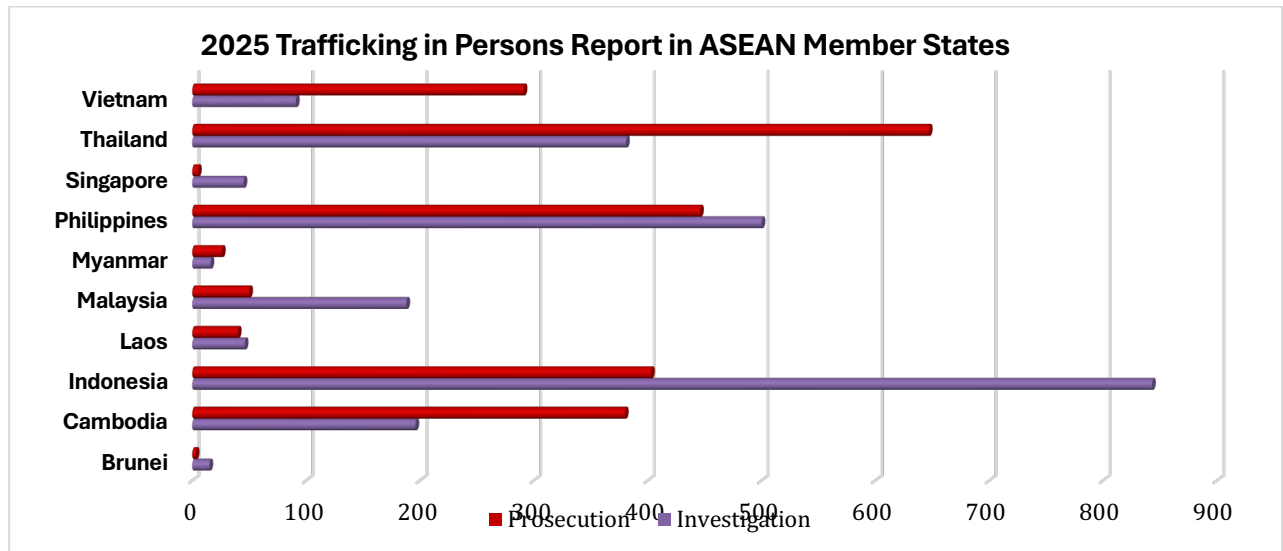


Figure 2: Trafficking in Persons Report in ASEAN in 2025
Source: 2025 TIP Report by The US Department of State

The US Department of State TIP reports categorize countries into four groups: Tier I, Tier 2, Tier 2 (watchlist), and Tier 3. The basis for the placement is countries' consistency with the minimum standards for the elimination of human trafficking according to the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention against Transnational Organized Crime (UN TIP Protocol or Palermo Protocol). Tier 1 is the highest grade, but it does not mean that a country has no human trafficking problem or that it is doing enough to fight the crime. Rather, a Tier 1 ranking implies that a government has made attempts to address the problem, such as demonstrating considerable progress each year in combating trafficking, and has fulfilled the Protocol's minimum standards. Tier 1 indicates a responsibility rather than a relief. Countries whose governments do not fully meet the minimum standards but are making significant efforts to bring themselves into compliance with those standards are included in Tier 2. Countries whose governments do not fully meet the minimum standards and are not making significant efforts to do so are placed in Tier 3 (Department of State, 2024).

After a decade of ACTIP adoption, only the Philippines and Singapore have been included in Tier 1, while Cambodia and Myanmar are placed in Tier 3. For comparison, the author compiles TIP reports for the Philippines (Tier 1) and Cambodia (Tier 3) from 2016 to 2024, as illustrated in the following diagrams. (see Charts III and IV).

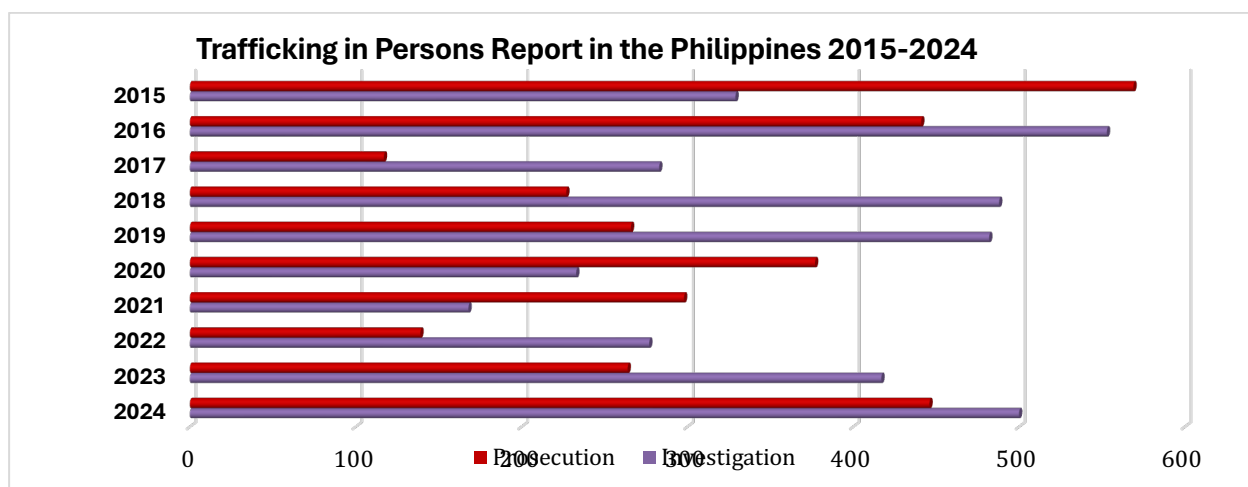


Figure 3: Trafficking in Persons Report in The Philippines 2015 to 2024
Source: TIP Report by The US Department of State

The bar chart above presents a comparative analysis of the number of prosecutions and investigations related to human trafficking conducted by the Philippines within the specified period. The red bars represent prosecutions, while the purple bars indicate investigations. The data indicate that the number of investigations generally outpaced prosecutions throughout the decade, with a particularly wide gap observed in 2017 and 2022. The fluctuations in both metrics may reflect anti-TIP efforts in the Philippines. The resurgence in both prosecutions and investigations in the most recent years suggests renewed efforts or improved capacity in addressing human trafficking cases (Department of State, 2024).

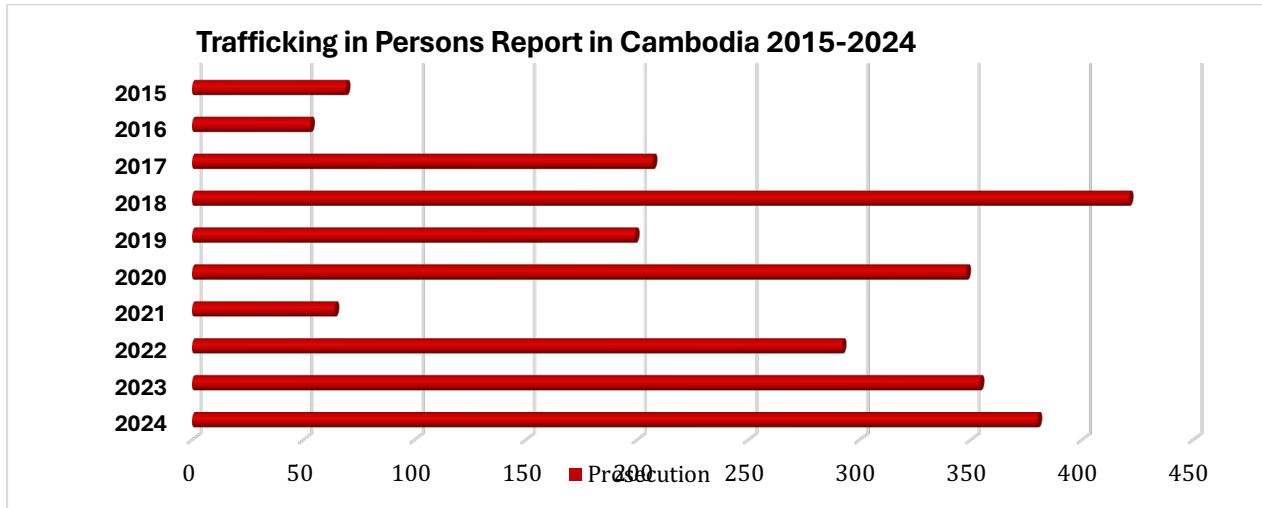


Figure 4: Trafficking in Persons Report in Cambodia 2015 to 2024

The chart above displays only the number of prosecutions related to human trafficking cases in Cambodia over ten years. The data are visualized using horizontal bars, each representing the total prosecutions for a specific year. Comparing the ten-year TIP reports by the Philippines and Cambodia indicates substantial variation in how these two countries address the TIP cases in their respective countries. The Philippines has been exhibiting its constant efforts in investigating and prosecuting TIP cases, while Cambodia only shares data on prosecution, but no exact number of investigations has been documented.

Furthermore, the ASEAN-Australia Counter Trafficking Programme (ASEAN ACT) also published the 2020 Baseline Report on the Trafficking in Persons (TIP) Annual Reports of ASEAN Member States to commemorate the five-year implementation of ACTIP. This report scrutinizes the TIP reports generated by ASEAN member states, detailing their approaches to national reporting on their commitments under the ACTIP. It offers critical insights and recommendations aimed at guiding future strategies and partnerships to fulfil the objectives of the convention (ASEAN-ACT, 2020). (see Chart V).

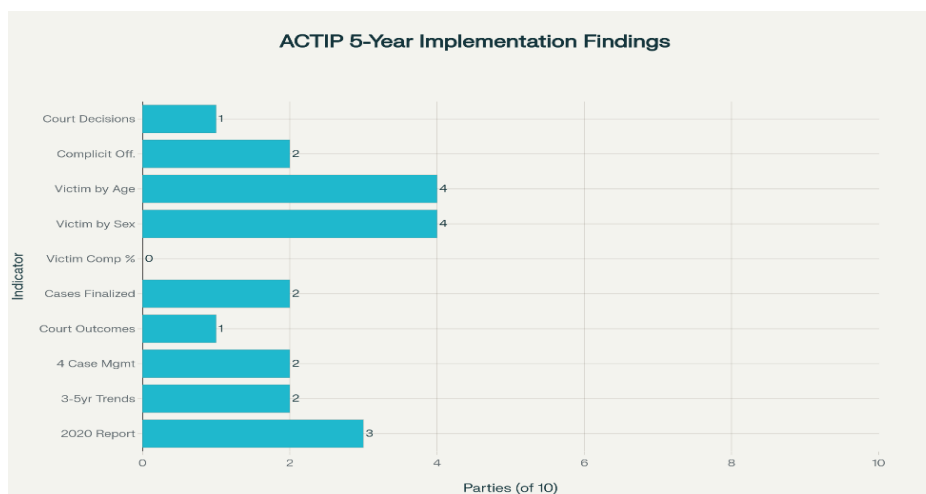


Figure 5: ACTIP 5-Year Implementation
Source: ASEAN-ACT 2020

The chart shows the number of ACTIP Parties (out of 10) that publicly reported on each key trafficking in persons (TIP) indicator over the five-year implementation period.

The findings are based on the indicator listed as follows:

- 3 of 10 ACTIP Parties published a 2020 TIP Annual Report that was publicly available in 2021.
- 2 of 10 ACTIP Parties publish 3-5 years of trend data on key TIP indicators.
- 2 of 10 ACTIP Parties can report on four of the TIP case management indicators.
- 1 of 10 ACTIP Parties published data on the outcomes for the first instance court cases finalised in 2020.
- 2 of 10 ACTIP Parties published data on the number of Trafficking in Persons cases finalised by a first instance court in 2020.
- 0 of 10 ACTIP Parties published data on the percentage of TIP cases finalised in 2020 in which a victim received compensation.
- 4 of 10 ACTIP Parties published victim data disaggregated by sex.
- 4 of 10 ACTIP Parties published victim data disaggregated by age.
- 2 of 10 ACTIP Parties published a 2020 TIP Annual Report that presents the number of investigations, prosecutions, or convictions of officials that were complicit in trafficking in persons.
- 1 of 10 ACTIP Parties published online anonymised TIP court decisions finalised in 2020.

The TIP progress report only represents half of the ASEAN member states. This demonstrates one of the suboptimal deployments of ACTIP. There are still more issues contributing to the convention's ineffective implementation. ASEAN has been confronting both internal and external obstacles. Several difficulties have been addressed in prior publications. A seminal examination of the implementation of ACTIP was published in 2018, titled "The ASEAN Convention Against Trafficking in Persons: A Preliminary Assessment" (Yusran, 2018). Yusran argued that the adoption and implementation of ACTIP had facilitated state ratification, enabling the appropriate execution of these binding instruments.

Yusran emphasized that while ACTIP possesses a significant degree of obligation and precision, it is notably deficient in delegation, specifically lacking an authoritative mechanism for third parties to interpret, mediate, or enforce the interpretation of ACTIP articles in the event of disputes among member countries. Furthermore, this convention lacks consequences or a framework for legal accountability should member states neglect to adhere to or consistently execute ACTIP. Yusran also addressed the predominance of ASEAN's non-intervention and consensus principles, which obstructed more robust coordination and enforcement initiatives, resulting in implementation reliant solely on the political will and internal capabilities of member states, rather than a binding regional framework.

Several other texts examine the concepts of the ASEAN Way, which also influence the effectiveness of ACTIP. Wirawan and Novikrisna (2024), in their article titled "Legal Instrument under the ASEAN: the case of the ASEAN Convention against Trafficking in Persons," contend that ASEAN's robust commitment to the principles of the ASEAN Way frequently leads to the adoption of informal practices. The escalating complexity of the TIP issue necessitates robust regional collaboration via institutional structures and stringent legislation. Subono and Kosandi added other reasons that contributed to this paradox besides the 'ASEAN Way'. Those are the lack of commitment to enhance and leverage the ASEAN framework for collaboration and coordination, and the obstacles faced by countries that led them to prioritize national legislation over collaborative efforts (Subono et al., 2019).

The literature on the efficacy of ACTIP is varied; however, the author observes a consensus that the convention serves as a crucial regional legal framework promoting cross-national collaboration to combat TIP in Southeast Asia, albeit constrained by the ASEAN principle of non-intervention. Another study concludes that ACTIP has not been properly implemented in ASEAN due to institutional deficiencies, insufficient regional enforcement, and internal political and bureaucratic impediments in each member state. This fact indicates that the factors contributing to the ineffective implementation of ACTIP in ASEAN are multifaceted and cannot be evaluated via a singular perspective.

DISCUSSION

Perspective of Regional Security Complex Theory

To identify the issues that hinder the effective implementation of ACTIP, the author utilizes the Regional Security Complex Theory (RSCT), developed by Barry Buzan and Ole Waever in their work “Regions and Powers: The Structure of International Security”. Buzan and Waever described a Regional Security Complex as a unit wherein the processes of securitization and de-securitization are interconnected, rendering their security issues inseparable for analysis or resolution. The primary framework of the regional security complex consists of four variables (Buzan & Waever, 2003). First is the boundary that distinguishes one regional security complex (RSC) from its adjacent counterparts or other regional security complexes. Secondly, an anarchic structure consists of two or more autonomous entities that exert influence. Third, polarity emerges from the allocation of power among these entities. Fourth, social construction, which is founded on patterns of amity and hostility among distinct independent entities within a complex. The four RSCT variables are illustrated on the chart below. (see Diagram VI)

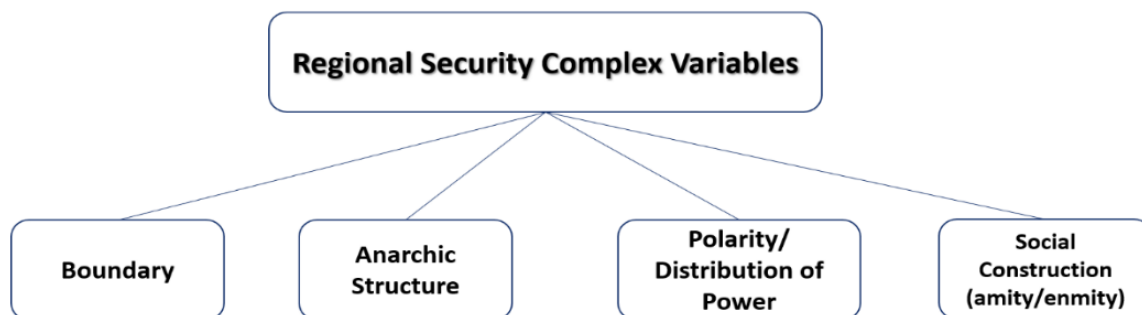


Figure 6: Variables of Regional Security Complex Theory by Barry Buzan & Ole Waever
Source: RSCT by Barry Buzan and Ole Waever (Buzan & Wæver, 2003)

While RSCT explains why a regional security complex was originally established, the theory remains relevant when adapted to contemporary global geopolitical trends. Its continuing relevance lies in its ability to explain regional security dynamics not only in traditional political and military terms, but also in relation to broader transformations in the international environment.

Leszek Sadurski supports the continued development of Regional Security Complex theory in his 2022 publication, *Regional Security Complex Theory: Why Is This Concept Still Worth Developing?* He argues that although the theory initially prioritized regional security over global or state-centric perspectives and was largely confined to political and military sectors, it has remained valid as a research tool for nearly four decades. According to Sadurski, the theory has gradually adapted to changing security dynamics by incorporating economic, social, and environmental dimensions. He further contends that RSC theory must continue to evolve in order to address emerging security issues, particularly those related to climate change and the growing role of non-state actors.

Based on Sadurski’s argument, this study considers RSCT relevant for analysing the ineffective implementation of ACTIP in ASEAN. By positioning ASEAN as the unit of analysis and the principal actor, and by identifying four key variables across four levels of RSC analysis—boundary, anarchic structure, polarity, and social construction—the theory provides a useful framework for organizing empirical findings related to ASEAN. In addition, RSCT offers three possible trajectories for ASEAN’s development: the maintenance of the status quo, which indicates no significant change in ASEAN’s fundamental structure; internal transformation, which refers to changes within ASEAN’s internal structure; and external transformation, which points to changes occurring outside ASEAN’s fundamental structure (Waever, 2003). The application of this

theoretical framework to ASEAN’s implementation of ACTIP is illustrated in the following diagram (see Diagram VII).

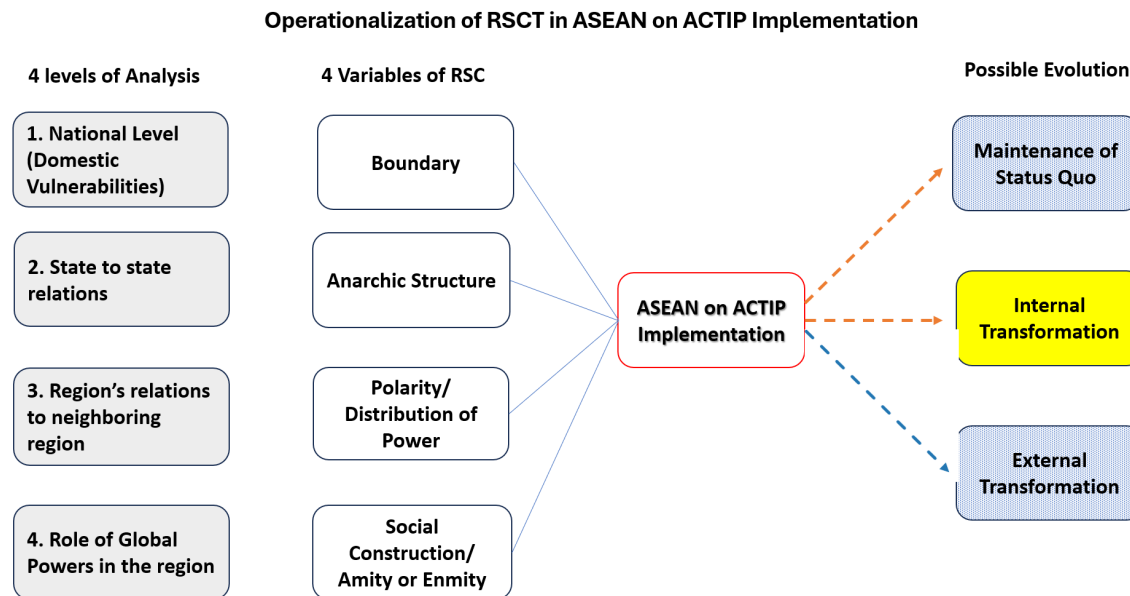


Figure 7: Operationalization of RSCT on ACTIP Implementation
Source: RSCT made by the author

As shown in the chart, the author applies the theory by examining the four variables at the four levels of analysis provided by the RSCT. The first level of analysis is at the national scope, which involves identifying ASEAN domestic vulnerabilities. The second level pertains to state-to-state relations within ASEAN and its anarchic structure. The third level is the relations between the ASEAN region and its neighbouring regions, and the dynamic of polarity and power distribution, and the fourth level addresses the social construction of ASEAN and the role of global powers. Clustering the findings of the analysis will lead to the possible evolution of the ASEAN organization in implementing ACTIP. In consideration of the growing challenges posed by TIP issues, the author will suggest the best solution for ASEAN, whether to maintain the status quo, or to carry through internal transformation or external transformation. As the issue of ACTIP implementation is varied and multidimensional, the author will highlight the most prominent challenges based on the four variables and levels of analysis offered by the RSCT.

Boundary and Domestic Vulnerabilities

The boundary variable in RSCT marks where security interdependence surrounding trafficking in persons (TIP) is most complex within Southeast Asia and least complicated beyond it. It helps clarify how ASEAN is demarcated from adjacent complexes with shared domestic vulnerabilities, cooperative but sovereignty-conscious interstate relations, and a region-bridging norm-driven role vis-à-vis neighbouring regions together constitute a distinctive Southeast Asian TIP security complex. Domestic drivers of trafficking are the main sources of interdependence in ASEAN (Cruden, 2011). ACTIP indicates that ASEAN establishes a distinct trafficking-focused security complex, where member states share similar domestic vulnerabilities, manage dense cross-border trafficking flows, and engage with global powers through ASEAN-centred but sovereignty-sensitive institutions (Sundram, 2024). The security concerns are so interlinked that none can be analysed in isolation.

The geographical proximity of ASEAN countries facilitates the ease of crossing land borders, often resulting in less stringent inspection processes. Countries within ASEAN that share land borders generally experience enhanced relations regarding population mobility and trade. However, they face challenges associated with security and border management. Numerous ASEAN countries adopt a more flexible border system, facilitating population mobility with minimal regulatory checks. This is motivated by the principle of peaceful coexistence among neighbouring nations (Subitmele). Despite ACTIP's emphasis on the significance of coordinated border monitoring, shortcomings persist in ensuring secure passage for individuals entering and

exiting an area (Mangku, 2018). These shared domestic vulnerabilities bind ASEAN together as a trafficking-prone space and distinguish it from neighbouring complexes where stronger institutions and tighter migration controls generate different patterns of risk (Sundram, 2024a).

Across ASEAN, labour-intensive economies depend on low-wages and often migrant labour in sectors such as fisheries, construction, domestic work, agriculture, and entertainment, creating structural demand for cheap, exploitable workers that traffickers exploit. Weak labour and migration governance, informal recruitment chains, and debt-bondage practices blur the line between harsh but legal work and TIP, particularly along land and river borders in the Mekong subregion (Indraswari, 2024). Recent reports also highlight a dramatic shift toward trafficking for forced criminality in online-scam operations centred in Cambodia, Laos, Myanmar, the Philippines, and Thailand. The UN Human Rights Office estimates that at least 120,000 people in Myanmar and around 100,000 in Cambodia may be held in scam compounds, with tens of thousands more in Laos, Thailand, and the Philippines, generating illicit revenues of billions of dollars annually. Victims are often relatively well-educated and digitally literate, recruited through online job ads and lured across borders before having their documents confiscated and being forced to commit cyber-enabled crimes. ASEAN member states have begun to respond through the 2023 ASEAN Leaders' Declaration on Combating Trafficking in Persons Caused by the Abuse of Technology, but regional cyber and data-governance capacities remain insufficient to keep pace with these networks (UNHCHR, 2023).

In matters of the rule of law, member countries of ASEAN exhibit diverse legal systems, characterized by variations in definitions, evidentiary frameworks, and the implementation of the non-punishment principle for victims of human trafficking. For instance, Indonesia employs a specific method for demonstrating elements of coercion, whereas Malaysia and the Philippines utilize a more comprehensive and pragmatic cause-and-effect framework for victim identification (Setkab, <https://setkab.go.id>). This inequality hinders cross-border harmonization and cooperation in law enforcement, allowing human traffickers to exploit legal loopholes among nations. National problems such as corruption, limited rule of law, and thin state presence in borderlands enable local officials and brokers to facilitate irregular crossings or protect scam compounds, while criminal-justice systems often lack specialised TIP investigators, prosecutors, and victim-centred procedures, resulting in low conviction rates despite extensive laws.

Inadequate coordination among law enforcement agencies at both national and regional levels constitutes a significant barrier. The absence of a centralized database and integrated communication channels impedes the comprehensive investigation and prosecution of human trafficking cases. Coordination among ASEAN member countries remains limited despite the mandates of ACTIP for closer cooperation. Implementation encounters challenges stemming from varying national perceptions and priorities (Setkab, <https://setkab.go.id>).

Moreover, insufficient technical capacity, human resources, and budget constraints impede the effective enforcement of TIP laws. This affects prosecution rates and the protection of victims. Despite advancements in legislation and law enforcement training in the Philippines and Malaysia, human trafficking cases continue to be prevalent, and law enforcement effectiveness remains suboptimal (Setkab, <https://setkab.go.id>). Addressing trafficking in persons within ASEAN requires strengthening legal harmonization, enhancing coordination and capacity among law enforcement agencies, and tackling the socio-economic factors that contribute to victims' vulnerability, thereby ensuring effective and equitable law enforcement.

ASEAN Member States have recognized these vulnerabilities as detailed in the ASEAN Plan of Action against TIPs (APA). The challenges and obstacles encompass the necessity to improve the skills of frontline officers for the early detection and prevention of trafficking victim movements from countries of origin, through transit countries, to destination countries. The need to enhance the rule of law and border management within ASEAN Member States is crucial. Countries exhibit distinct vulnerabilities, resulting in varying security priorities in the management of transnational crime. This issue leads to varying priorities among ASEAN countries, resulting in suboptimal capabilities and institutions for addressing it. Several structural and institutional factors also impede the effective management of trafficking in persons (TIP) cases, including variations in legal systems and law enforcement strategies, inadequate coordination among relevant institutions, and disparities in resource capacity (Sundram, 2024b).

Anarchic Structure and Interrelations among ASEAN Member States

In Regional Security Complex Theory, Barry Buzan uses an anarchic structure to describe the basic organising principle of both the global system and each regional security complex. In an anarchic structure, there is no overarching authority above states (Buzan & Wæver, 2003). Security is organised under conditions of formal equality and absence of world government, so units must primarily rely on themselves for survival and protection. ASEAN operates in an anarchic structure, meaning that there is no central authority above member states. This anarchy is strongly mediated by norms of the "ASEAN Way" such as sovereignty, non-interference, and consensus (Wirawan & Novikrisna, 2024). This produces a security environment where states remain formally equal, guard their autonomy, and rely on self-help, but manage their interdependence through dense, informal cooperation rather than alliances or supranational institutions. The anarchic structure within ASEAN and the interrelations among member states significantly influence the efficacy of ACTIP implementation. As ASEAN countries are characterized by diverse political systems, cultures, and national interests, this adds complication to the enforcement of ACTIP. This diversity results in a chaotic relational pattern, characterized by the absence of a robust central authority to enforce the adoption of shared policies (Soesilowati, 2010).

The inadequate institutional infrastructure of ASEAN results in extended decision-making processes and diminished effectiveness in policy implementation. The suboptimal integration of implementation is attributed to limited law enforcement mechanisms and insufficient coordination among countries (Apriliani, 2020). This exacerbates the anarchic conditions due to the absence of an effective mechanism for collective monitoring and enforcement against violations. The involvement of external actors and the power imbalance in the region further reinforce its anarchic characteristics, as member countries exhibit varying priorities and alliances (Hassan, n.d.-a). These conditions impede consensus and collaborative efforts in addressing trafficking in persons. Consequently, a unified collective strategy and alignment of policies are essential to address these challenges.

State-to-state relations of some ASEAN countries are also still overshadowed by conflicts. Disputes among member countries, such as the border conflict between Thailand and Cambodia and the competitive tensions between Singapore and Thailand-Myanmar, indicate that ASEAN's conflict resolution mechanisms are not fully utilized. One of the practices that needs to be highlighted in the Cambodia and Thailand conflict was demonstrated by Malaysia as the country held ASEAN Chairmanship in 2025. Malaysia acted as a mediator to de-escalate the Thailand-Cambodia border conflict and channel it back into diplomatic and institutional frameworks. Malaysia's diplomatic agility in addressing regional crises while highlighting the limitations of ASEAN's institutional mechanisms shows the vulnerabilities of personalized diplomacy.

Malaysia's Prime Minister Anwar Ibrahim's close relationships with Cambodian and Thai leaders are a crucial node in facilitating communication and trust during the crisis (Karuppanan, 2025). A tendency to prefer avoidance strategies over transparent conflict resolution processes persists in ASEAN. Meanwhile, domestic instability persists in other ASEAN member countries due to internal conflicts, authoritarianism, and political upheaval. If unresolved, these issues may spill over into neighbouring countries, thereby impacting regional stability and cooperation (Acharya, 2013a). The non-interference principle leads to reluctance to criticise each other's handling of TIP issues or exposing corruption and abuse that might be framed as domestic matters. Legal and political analyses note a persistent dilemma that is preserving regime autonomy versus deepening regional cooperation (Wirawan & Novikrisna, 2024).

The Dynamics of Polarity and Power Distribution within ASEAN and Its Relations with Adjacent Regions

RSCT treats polarity as how capabilities are distributed among the main security actors in a region. In Southeast Asia, power is relatively diffuse (Cruden, 2011). Indonesia has the largest population, territory, and economy, but lacks the military and institutional dominance to act as a true regional hegemon (Sudirman, n.d.). Vietnam, Thailand, Malaysia, the Philippines, and Singapore function as significant middle powers, each strong in particular domains (e.g., Vietnam's military, Singapore's finance and diplomacy), producing a loose multipolar configuration rather than unipolarity or bipolarity (Ashraf Qaisrani et al., n.d.). The dynamics

of power polarity and distribution within ASEAN are marked by escalating polarization, fragmentation of alignments among member nations, and intricate interactions with big powers like China, the US, Australia, and Japan. The internal equilibrium, exterior stance, and relationships of ASEAN with neighbouring regions are influenced by geopolitical competition and the pursuit of autonomy. As a direct neighbor of China and with various important maritime routes, ASEAN sees itself facing a difficult geopolitical situation. Member states are divided on the question of partnership with the US and China (Hai & Lena, 2022).

The impact of power distribution in Southeast Asia on the implementation of ACTIP is evident through various dynamics within the ASEAN region. The multipolar distribution of power within ASEAN, characterized by the absence of a dominant nation, presents challenges for policy harmonization. Indonesia and the Philippines exhibit the highest number of trafficking in persons; however, their policy responses differ significantly. Variations in resource capacity and national priorities impede regional coordination (Archana Sinha Kotecha, 2018). The varying capacities of member countries also significantly affect the regional distribution of power. Countries with limited resources, such as Laos and Cambodia, face challenges in establishing a specialized anti-trafficking task force. Transit countries like Thailand and Malaysia encounter cross-border complexities, and the absence of an effective extradition mechanism under ACTIP undermines law enforcement efforts. Strengthening cross-border coordination mechanisms and political incentives is essential for aligning national interests with regional commitments (Hassan, n.d.-b).

ASEAN's relations with adjacent regions are influenced by its geographical location between China and India, as well as its proximity to the Pacific and South Asian subregions. These partnerships present both obstacles and opportunities. India serves as a counterbalance to China, while Australia, Japan, and the United States are crucial in maintaining regional security and promoting investments, shown in development assistance and infrastructure collaboration (Hai & Lena, 2022). The competition between the US and China in the Indo-Pacific region, particularly regarding the South China Sea, has redirected ASEAN's focus from humanitarian concerns to traditional security matters (Publichuo et al., 2024a). Vietnam and Singapore primarily concentrate on the military threat posed by China, while the implementation of ACTIP necessitates budget allocations and cross-sector policies. This dynamic undermines ASEAN's cohesiveness in addressing trafficking in persons. The multipolar distribution of power and the influence of external interests result in a duality of agendas within ASEAN. ACTIP necessitates close collaboration; however, geopolitical rivalries and internal fragmentation undermine its effectiveness.

The Social Construction and Influence of Global Powers within ASEAN

In RSCT, the social construction variable represents how shared meanings, identities, and norms shape a region's security dynamics, including how global powers are perceived and how they behave. In ASEAN, global powers are not only material actors; they are socially constructed through ASEAN's own norms and are embedded in ASEAN-led institutions rather than standing purely outside the regional security complex. These norms create what Buzan and Wæver call a specific "social structure" of the complex, which acquire global powers that wish to operate inside ASEAN's regional architecture must accept ASEAN-style diplomacy, attend ASEAN-chaired meetings, and frame their initiatives in cooperative, non-coercive terms.

The social construction characterized by the distribution of power among entities can significantly impact the international system and the intricacies of regional security, alongside the influence exerted by major powers (Buzan & Wæver, 2003). However, Buzan highlighted that the allocation of state power affects the intricacy of security within the international system (Buzan & Wæver, 2003). The influence of global powers within ASEAN shapes normative frameworks, practices, and the implementation of regional agreements, including ACTIP. The proliferation of external partnerships may diminish ASEAN's centrality in regional affairs. This raises questions regarding ASEAN's relevance in addressing complex geopolitical dynamics in the region. (ASEAN, 2023). The relations of ASEAN to major powers like China and the United States also generate intricate dynamics. Member countries of ASEAN frequently find themselves engaged in the competition for influence between these two nations.

The influence of China and the US, which serve as strategic dialogue partners for ASEAN, leads member countries to align their policies increasingly with external interests rather than the collective objectives of ASEAN. Countries like Indonesia and Vietnam must navigate their relationships with the economically

powerful China and the United States, which offers security assurances. The rivalry between the two nations has indirectly redirected ASEAN's emphasis from humanitarian concerns to traditional security matters as they divert attention from the security agenda in the Indo-Pacific region, particularly in the South China Sea (Ign. L Adhi Baskara, 2019). The US has designated \$1.5 billion annually via the Asia Reassurance Initiative Act to enhance its military presence in Southeast Asia (Chea, 2023). While China is augmenting its investments in infrastructure and maritime security, raising concerns among ASEAN nations, including the Philippines and Vietnam (Danang & Hutama, n.d.). These concerns led Vietnam to shift its emphasis towards maritime defense, whereas Thailand concentrates on border patrols to respond to China's territorial claims (Balitbang Kemenhan, 2025). This may lead to tensions in the foreign policies of individual member countries, potentially undermining ASEAN solidarity (Publicuho et al., 2024b).

Global powers exert influence in ASEAN via partnership programs, funding, technical assistance, and diplomatic forums. ACTIP experiences these influences through expert training, cross-border cooperation models, monitoring frameworks, and the dissemination of best practices in victim protection and prosecution. The partnership of ASEAN with global actors typically functions within the framework of "mutual benefit," honouring sovereignty while adjusting international standards necessary for tackling transnational crimes. The impact of global forces on the ineffective implementation of ACTIP is evident in ASEAN, characterized by a diversion from the security agenda, fragmentation of regional cooperation, and strategic reliance of member states on specific dialogue partners. The variations in power and influence among ASEAN countries can affect the commitment to and implementation of ACTIP. Moreover, significant influence from superpower nations may lead to excessive dependence, thereby diminishing ASEAN's capacity for independent decision-making. This may undermine stability and cohesion among member states.

The impact of various regional and global powers on collaborative initiatives aimed at addressing TIP is quite significant. The involvement of ASEAN dialogue partners, including Australia, UNODC, and IOM, in addressing TIP within the framework of ACTIP is evident. Australia is a dialogue partner of ASEAN and serves as its strategic partner (Pramanta et al., n.d.). The reliance of ASEAN countries on aid and investment from Australia may diminish their political and economic autonomy. Australia derives significant advantages from this cooperative relationship in addressing TIP, which raises concerns regarding dominance in regional decision-making and potential distractions from the primary objective of cooperation in managing TIP.

As the resource allocation for ACTIP is marginalized, the involvement of global powers not only leads to distractions but also fosters internal divisions within ASEAN as a result of policy polarization. The United States and China favour bilateral cooperation with member countries over endorsing the ACTIP multilateral framework. The United States emphasizes military training with the Philippines, whereas China provides economic assistance to Laos (Chea, 2023). These instances demonstrate the fact that the Philippines and Singapore exhibit pro-US tendencies, whereas Cambodia and Laos align more closely with China (Chea, 2023). The economic dependence stemming from Chinese infrastructure projects, notably the Belt and Road Initiative (BRI), has also led Malaysia and Indonesia to hesitate in critiquing Chinese policies, including concerns regarding human trafficking potentially involving Chinese actors (Mahendra et al., 2023).

The involvement of global powers further intensifies ASEAN's inherent structural weaknesses. The lack of sanctions in ACTIP facilitates member countries' disregard for commitments without facing legal repercussions, particularly when domestic policies favour relations with the US or China. At the same time, they are supposed to shape ACTIP implementation mainly by simultaneously supplying resources, pressure, and venues that can deepen cooperation. Rivalry between global powers can indirectly help ACTIP when powers compete to fund training, shelters, data systems, or justice reforms branded as supporting ASEAN's anti-TIP commitments (ASEAN-Australia Counter Trafficking Program, n.d.). To enhance the effectiveness of ACTIP, ASEAN must reinforce independent coordination mechanisms and maintain balanced relations with the US and China while upholding the humanitarian agenda. In the absence of this step, ACTIP will function merely as a symbolic instrument, incapable of effectively addressing the complexities of human trafficking within the context of competitive geopolitics.

The SOMTC Mechanism and the ASEAN Secretariat

The ASEAN Senior Officials Meeting on Transnational Crime (SOMTC) and the ASEAN Secretariat serve as mechanisms for implementing ACTIP; however, their effectiveness is hindered by interrelated factors that constrain regional cooperation governance. The principle of non-interference in the domestic affairs of each ASEAN member is among these factors. This principle, while grounded in respect for state sovereignty, has limited ASEAN's capacity to engage more actively in addressing regional issues, including human rights and political crises, exemplified by the situation in Myanmar. The intergovernmental organizational structure emphasizes consensus in decision-making, resulting in slower responses during crises as each country prioritizes its national interests (Gede Sudika Mangku, 2014). The social construction and political culture associated with amity-enmity patterns among ASEAN countries also affect the degree of trust in the sharing of victim data (People & Women, 2020).

The ASEAN SOMTC comprises senior officials from ASEAN member states, representing law enforcement agencies responsible for addressing transnational crimes (Darussalam et al., n.d.). At the technical level, the management of TIP is conducted through the Working Group on Trafficking in Persons (WG on TIP) mechanism. The TIP working group convenes annually and is responsible for overseeing the SOMTC Work Program related to TIP. Its functions include facilitating the exchange of information and experiences concerning TIP issues, coordinating efforts to enhance regional and international collaboration in addressing TIP, and engaging with donor countries on TIP-related initiatives. The WG on TIP serves as a continuous mechanism for monitoring and reviewing the implementation of ACTIP. Each meeting features a delegation from each country, comprising representatives from law enforcement, prosecution, victim support, and repatriation and reintegration agencies, all of whom are involved in the implementation of ACTIP within their respective nations (ASEAN SOMTC WG on TIP, n.d.).

The ASEAN Secretariat serves as a coordinating forum for all bodies and committees within ASEAN, ensuring effective communication and cooperation among member countries. The ASEAN Secretariat facilitates the implementation of various agreements and decisions made by ASEAN and oversees the progress of these agreements' achievements. The ASEAN Secretariat supervises and reports on the implementation of projects arising from decisions made during ASEAN sessions, ensuring effective execution of these initiatives (Archana Sinha Kotecha, 2017). The ASEAN Secretariat, as a regional institution, lacks the necessary authority to implement decisions or policies effectively. This has resulted in criticism that ASEAN serves primarily as a networking platform due to insufficient enforcement of agreements and policies within the organization. The ASEAN Secretariat's capacity has not effectively served as a driving force for regional cooperation and integration instruments.

The SOMTC and ASEAN Secretariat are necessary for ACTIP, but current funding is clear that they are not sufficient on their own to ensure effective implementation. They provide a coordinating shell, but lack the authority, resources, and monitoring power to close the gap between treaty text and practice. The absence of enforcement mechanisms for ACTIP hinders the attainment of its objectives. No ASEAN monitoring body exists to oversee the collaborative efforts of law enforcement agencies in addressing TIP cases and to promote accountability for compliance with ACTIP. This body may not be legally binding; however, it can serve a consultative role and function as an advisory entity composed of representatives from each ASEAN member country or from a rotating selection of member countries (Liberty Asia, 2017).

Michael Tene, Deputy Secretary General of ASEAN for the Political-Security Community of the ASEAN Secretariat for the 2021-2024 period, argued that cooperation at the ASEAN level is confined to information exchange and capacity building facilitated through the mechanisms of the ASEAN Ministerial Meeting on Transnational Crime (AMMTC) and the Senior Official Meeting on Transnational Crime (SOMTC). This form of cooperation does not necessitate the unanimous approval of all ASEAN members for operational implementation; instead, it is conducted by the member countries through bilateral or trilateral arrangements on a case-by-case basis. Tene evaluated that following the adoption of ACTIP, operational cooperation among the involved countries has been highly effective. ACTIP, as an ASEAN Convention, only serves as a normative framework that facilitates cooperation among ASEAN member states. It is instrumental in enhancing capacity-building initiatives and promoting information exchange.

As the trend of TIP grows, both SOMTC and ASEAN Secretariat can only facilitate and encourage, but cannot compel harmonisation of laws, investigations, or victim-protection standards. SOMTC has no mandate to conduct country visits, verify statistics, or issue compliance findings; Wirawan notes that it “plays a minimal role” in direct enforcement because implementation is left to domestic bureaucracies (Wirawan & Novikrisna, 2024). Based on these limitations, the possible evolution for ASEAN to implement ACTIP effectively is to undergo internal transformation. The SOMTC Working Group on Trafficking in Persons (WG on TIP) should promote the establishment of a cooperative mechanism among all ASEAN member countries to enhance compliance, particularly in addressing TIP-related issues. Furthermore, it is anticipated that the ASEAN Secretariat, serving as the coordination centre, will be empowered to motivate ASEAN member states to engage more actively in the implementation of conventions about transnational crime, particularly the ACTIP. The SOMTC WG on TIP and the ASEAN Secretariat are responsible for enhancing law enforcement capacity and providing technical assistance from dialogue partners to support the enforcement of ACTIP in the region. They also possess the authority to ensure the implementation of agreed conventions. Additionally, it is essential to establish participation mechanisms that promote constructive competition among ASEAN member states to enhance the safety of the ASEAN region for its citizens.

Finally, the author suggests that a recommendation to effectively implement any of ASEAN conventions on transnational crime, especially ACTIP, is the establishment of the ASEAN Centre on Transnational Crime (ACOT) (ASEAN, n.d.). This is not new. The proposal to establish ACOT was first mentioned in the ASEAN Declaration on Transnational Crime in 1997 and has been a topic of discussion in formal and informal settings for almost two decades (Luong, 2024). This centre would be a key in coordinating regional efforts against transnational crimes related to real-time intelligence sharing, joint investigations, and coordinated operations between law enforcement and relevant agencies across ASEAN. This centre is important because existing mechanisms lack the operational, analytical, and coordination capacity needed to match the speed and scale of today’s criminal networks. An ACOT would fill these gaps by providing a specialised, permanent hub for intelligence, operations, and policy standardisation across the region.

CONCLUSION

The implementation of ACTIP in ASEAN faces challenges due to the intricate national issues present within member states. Domestic vulnerabilities and varying interests that affect interactions among countries and regions, along with the influence of global powers within ASEAN, present ongoing challenges in the context of global geopolitical dynamics. While ACTIP represents a notable advancement, its implementation encounters various challenges, particularly the disparities in the capacities of ASEAN countries to manage TIP cases. The topic of TIP has not yet been prioritized by certain ASEAN nations. This results in variations in focus and resource allocation regarding the issue of trafficking in persons.

The ineffective implementation of ACTIP illustrates ASEAN's inability to reconcile the principle of sovereignty with the necessity for binding cooperation. ACTIP is structured as a hard law but implemented as a soft law instrument that more aligns with ASEAN values, adhering to the principles of the ASEAN Way, which emphasize non-intervention and consensus. This fact led to ambiguity in legal obligations. The existing mechanisms, the SOMTC and ASEAN Secretariat, are anticipated to facilitate and review the implementation of ACTIP, while also possessing a legally binding supervisory function.

The Regional Security Complex Theory suggests that ASEAN should consider transforming its institutions to effectively address the evolving dynamics of non-traditional issues, particularly transnational crime in Southeast Asia. The author contends that effective implementation of ACTIP requires internal transformation within ASEAN. Finally, establishing a specialized mechanism, such as the ASEAN Centre in Transnational Crime (ACOT), is essential to coordinate relevant authorities in each country to ensure that ACTIP transcends its status as a historical document and evolves into legal and operational guidelines that ASEAN member countries are obligated to implement. ACOT may serve as the coordinating centre to implement ACTIP effectively in the region, especially to enhance the capabilities of law enforcement and border authorities, leverage cooperation and technical assistance from dialogue partners, and perform regular evaluations of member state participation to foster a positive competitive effect among member states, thereby contributing to a safer and more stable Southeast Asian region.

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