

The Effectiveness of Law Enforcement Against Smuggling of Imported Used Clothes: An Analysis Based on Positive Law in Indonesia

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Abstract

This study examines the legal challenges surrounding the smuggling of imported used clothing in Indonesia, addressing factors such as geographical complexities, resource limitations, organized crime networks, and corruption within law enforcement agencies. The manuscript aims to answer key research questions through an exploration of international legal frameworks, including the United Nations Convention against Transnational Organized Crime and World Trade Organization agreements. The findings emphasized the necessity for enhanced infrastructure, technology, inter-agency cooperation, and anti-corruption measures to improve enforcement effectiveness. Education and international collaboration are proposed as vital strategies to combat cross-border smuggling networks. Ultimately, this research contributes novel insights into legal strategies needed to address the complex challenges of smuggling imported used clothing, ensuring comprehensive and sustainable solutions to safeguard national interests and public safety.

Keywords: Imported Used Clothing; Positive Law Indonesia; Smuggling

1. Introduction

Trade globalization is a complex phenomenon that involves economic, social, and political interactions among different countries around the world [1]. In this era of globalization, geographical boundaries are no longer a significant barrier to the exchange of goods, services, and investments. The process of trade globalization is driven by advances in technology, transportation, and communication that allow companies, producers, and consumers to connect and interact more efficiently.

One aspect of trade globalization that has received attention is the smuggling of imported used clothing. This phenomenon has significant impacts on Indonesia, covering economic, social, and environmental aspects. Economically, the smuggling of imported used clothing can harm the local textile and garment industry by creating unfair competition [2]. Imported used clothing is often sold at a lower price than local products, reducing the competitiveness of domestic products and causing a decrease in income for producers and workers in this sector. In addition, the social impact can be felt through job losses and decreased income for workers in the local textile industry affected by the decline in production.

The issue of smuggling imported used clothing has become a relevant and urgent research topic, attracting the attention of various scholars. Several previous studies have examined various aspects of this problem. Rachmadhani [3] discussed law enforcement against perpetrators of the crime of smuggling imported used clothes according to

positive law in Indonesia. His study, presented at an international conference, provides an in-depth view of the legal and operational challenges in tackling used clothing smuggling, employing a qualitative approach and legal and case analysis. Akbar, Saputra, and Fathia [4] highlighted law enforcement against the criminal act of illegally importing thrift clothes in Indonesia. Their research, which involved field studies and interviews with law enforcement officers, explored various efforts and obstacles in the legal process and enforcement in the field. Both Rachmadhani [3] and Akbar et al. [4] focus on the obstacles in law enforcement, but while Rachmadhani emphasizes operational challenges, Akbar et al. concentrate more on the legal process and implementation.

Djong and Damayanti [5] examined the roles of Atambua customs and the challenges in dealing with garment smuggling in the Indonesia-Timor Leste border area. Through case studies and interviews, their research provides practical perspectives on operational and coordination challenges in the field. This study shares similarities with Rachmadhani's research in terms of discussing operational challenges, but Djong and Damayanti focus specifically on the role of customs in the border area. They evaluated the ineffectiveness of Indonesian legal instruments against the importation of used clothing in Batam City. Their research highlighted the weaknesses of regulation and law enforcement in the area through legal evaluation and interviews. Similar to the other studies, Syarief examines weaknesses in regulation and law enforcement, but his focus is on the specific context of Batam City. In summary, these studies collectively highlight the multifaceted nature of the smuggling issue, encompassing legal, operational, and regulatory challenges. They share common themes in their exploration of obstacles in law enforcement and the ineffectiveness of existing regulations, yet they differ in their specific focus areas, methodologies, and geographic contexts [6].

The urgency of this research lies in the need to develop new and more effective approaches in law enforcement against the smuggling of imported used clothing. This study is expected to make a significant contribution in the form of policy recommendations that can improve the effectiveness of law enforcement and protect the local textile industry. Thus, this research is not only academically relevant but also has important practical implications for policymakers and industry players in Indonesia [7].

In addition to economic, social, and environmental impacts, the smuggling of imported used clothing can also have implications for international trade and Indonesia's image in the eyes of the global community [8]. Smuggling violates the principles of free trade and can create uncertainty in international markets. This situation can reduce trust and Indonesia's reputation as a reliable trading partner [9]. Effective and decisive law enforcement efforts against smugglers can help address this issue and ensure that Indonesia remains compliant with international trade standards.

The import volume of used clothing in 2022 skyrocketed by 227.75 percent compared to the previous year. According to data, the import figures for used clothing during the period of 2018-2020 did indeed soar to hundreds of tons [10]. Especially in 2019, the volume reached 392 tons. However, these figures started to decline year by year until 2021, when the import volume of used clothing managed to drop below 10 tons [11].

From a social perspective, the smuggling of imported used clothing can also have an impact on consumers [12]. Although the prices may be more affordable, consumers should also understand that purchasing illegal products can support illegal activities that can harm the local economy [13]. Therefore, educating the public about the consequences of smuggling and the importance of supporting the local industry can help change consumer consumption patterns.

The smuggling of imported used clothing can also serve as a gateway for various other illegal activities, including human trafficking, money laundering, and terrorism financing. Therefore, addressing smuggling should not only focus on economic aspects but also take into account the implications for national and regional security [14]. In a global context, Indonesia's handling of the smuggling of imported used clothing can also serve as an example for other countries facing similar challenges. International collaboration in exchanging information and developing joint strategies can help reduce the circulation of illegal goods in the global market [15].

In conclusion, the smuggling of imported used clothing in Indonesia has profound impacts on various aspects of life [16]. Therefore, joint efforts from the government, society, and the private sector are needed to address this issue holistically [17]. With an integrated and sustainable approach, Indonesia can protect the local industry, maintain economic stability, and play an active role in fair and sustainable international trade [18].

Based on the provided document, here are two research problem formulations for the study on smuggling offenses involving imported used clothing in Indonesia:

1. What are the primary legal challenges and barriers in enforcing laws against the smuggling of imported used clothing in Indonesia, and how can these challenges be addressed to improve the effectiveness of law enforcement?
2. How do international legal frameworks and agreements influence the regulation and enforcement of laws against the smuggling of imported used clothing in Indonesia, and what measures can be implemented to strengthen international cooperation in combating this issue?

2. Research Methods

The research method used in this study adopts a qualitative approach to gain a deep understanding of law enforcement against perpetrators of criminal acts of smuggling imported used clothing in Indonesia [19]. The qualitative approach was chosen to allow researchers to detail and analyze the social, economic, and legal contexts involving smuggling practices. Data collection was conducted through literature review interviews with relevant parties such as customs officials, law enforcement officers, and local textile industry players. This approach allows researchers to explore the views and experiences of various stakeholders regarding law enforcement against smuggling imported used clothing [20].

Data analysis was conducted in two main stages. The first was through an analysis of laws and regulations related to law enforcement against smuggling offenses. It includes an in-depth review of trade laws and relevant criminal law provisions [21]. Second, through case studies of law enforcement involving investigations, arrests, and legal processes against perpetrators of smuggling imported used clothing. This analysis

helps researchers understand the barriers, effectiveness, and challenges faced by law enforcement agencies in combating this criminal activity [22]. By combining qualitative approaches, legal analysis, and case studies, this research is expected to provide a comprehensive overview of law enforcement against smuggling imported used clothing in Indonesia, as well as insights for the development of more effective and solution-oriented policies to address these issues [23].

3. Results and Discussion

3.1. Smuggling of Used Clothing in the Context of Free Trade Policies

The phenomenon of smuggling imported used clothing can be understood within the broader context of free trade policies [24]. Free trade policies are designed to reduce barriers to the exchange of goods and services between countries, fostering economic growth and increasing consumer choices [25]. However, these policies can also create opportunities for illegal activities such as smuggling, particularly when there are discrepancies in regulatory frameworks and enforcement capabilities between countries [26].

The theory of comparative advantage explains that countries will naturally specialize in the production of goods for which they have a lower opportunity cost, leading to more efficient global production and trade [27]. In practice, however, the implementation of free trade can result in significant disparities [28]. For example, countries with lax enforcement of import regulations may become hotspots for the smuggling of goods, including used clothing, which can be sold at lower prices than domestically produced items [29].

a. Cross-Border Smuggling and Enforcement Efforts

Smuggling, as a cross-border issue, poses unique challenges for law enforcement. The theory of transnational crime highlights that criminal activities often extend beyond national borders, requiring coordinated efforts between countries to combat them effectively [30]. In the context of used clothing smuggling, this means that enforcement efforts must be collaborative, involving customs agencies, border patrols, and international regulatory bodies [31].

The routine activity theory suggests that crime occurs when a motivated offender, a suitable target, and the absence of a capable guardian converge in time and space [32]. Applying this theory to the smuggling of used clothing, we can identify several factors that facilitate this illegal trade [33]: a) Motivated offenders: Individuals or groups seeking to profit from the demand for low-cost clothing; b) Suitable targets: Used clothing, which can be transported relatively easily across borders, and c) Absence of capable guardians: Inadequate enforcement mechanisms and corruption at border points.

b. Policy Approaches to Combat Smuggling

Several policy approaches can be considered to address the issue of used clothing smuggling [34]:

- a. Strengthening Border Controls: Implementing advanced technologies for monitoring and inspection at border points can reduce the opportunities for smuggling [35].
- b. International Cooperation: Enhancing collaboration between countries through information sharing and joint operations can improve the effectiveness of enforcement efforts
- c. Economic Policies: Supporting the local textile industry through subsidies or tax incentives can reduce the demand for smuggled goods by making domestic products more competitive [36].
- d. Public Awareness Campaigns: Educating consumers about the negative impacts of purchasing smuggled goods can reduce demand for these products.

3.2. Legal Framework in Indonesia

The Trade Law in Indonesia, currently represented by Law Number 7 of 2014 concerning trade, plays a central role in regulating various aspects of domestic trade. Article 3 of this Law outlines that trade must be conducted in accordance with the principles of justice, certainty, and balance so as to provide the greatest possible benefit to society [37]. Article 23 states that anyone conducting business activities in the field of trade is obliged to comply with applicable laws, including respecting ethical and fair trade principles. Additionally, Article 63 stipulates that the government may establish foreign trade policies, including regulations on imports and exports, quota determinations, and the imposition of import and export duties. This Law also includes sanctions in Article 94 for violations of its provisions [38].

Criminal law provisions related to smuggling in Indonesia are reflected in the Indonesian Criminal Code (KUHP) and several other laws specifically regulating economic crimes. In the context of smuggling, relevant articles pertaining to such illegal activities include Articles 102 and 103 of the Indonesian Criminal Code (KUHP). Article 102 of the KUHP regulates intentional evasion of customs duties, while Article 103 of the KUHP regulates the falsification of official documents to bypass customs inspections or border controls [39]. In addition to the KUHP, Law Number 10 of 1995 concerning Customs also has relevance to smuggling. Article 102 of the Customs Law states that goods prohibited or restricted from entering or leaving the customs territory without official permission may be subject to criminal sanctions [40]. Law Number 17 of 2006, which was amended to Law Number 10 of 1995, concerns Customs and several of its implementing regulations, including criminal sanctions against smugglers. Articles 102A and 102B concern that anyone with customs offenses may be subject to imprisonment and fines [41].

In the enforcement of laws related to the smuggling of imported used clothing in Indonesia, various law enforcement agencies are involved in combating such illegal activities. The main involvement of law enforcement agencies includes the Police, the Prosecutor's Office, and Customs. The Police are responsible for investigating and apprehending smugglers, as well as maintaining security and order related to such activities [42]. The Prosecutor's Office plays a crucial role in prosecuting smugglers in court, ensuring that the punishment imposed is in accordance with applicable laws. Customs, as an agency focused on customs supervision and enforcement, is involved in

detecting and preventing smuggling through inspections of goods at ports and national borders. Additionally, the involvement of other agencies such as the Directorate General of Immigration, the Directorate General of Intellectual Property, and other relevant agencies may also be part of collective efforts to combat the smuggling of imported used clothing. Coordination among law enforcement agencies is key in addressing complex issues such as smuggling, where various aspects such as national security, economics, and public order are involved [43]. In Indonesian law, the author may consider provisions in international agreements such as Article XX of the General Agreement on Tariffs and Trade (GATT) 1994, as well as derivative provisions in the ASEAN Free Trade Area (AFTA) applicable in Southeast Asia.

Article XX of the GATT 1994 includes general exceptions that allow member states to apply measures prohibiting or restricting the import of certain goods on the grounds of protecting the health and safety of humans, animals, or plants, maintaining public order, or protecting national cultural treasures of artistic, historical or archaeological value. The ASEAN Free Trade Area (AFTA), implemented through the ASEAN Free Trade Agreement, provides for the elimination of tariff and non-tariff barriers among ASEAN member states. However, although AFTA promotes free trade, member states may still implement certain measures to protect national interests, including measures against smuggling and illegal goods, in accordance with the provisions agreed in AFTA and other related agreements. In addition, this research could also examine other international legal frameworks, such as the Palermo Convention on Transnational Organized Crime, which includes protocols to counter migrant smuggling by land, sea, and air and international cooperation in law enforcement related to illegal trade [44]. By combining these national and international legal frameworks, the research can provide a comprehensive picture of law enforcement against the smuggling of imported used clothing in Indonesia and its implications in the context of international trade and free trade policies in the ASEAN region.

3.3. Legal Enforcement Framework Against Smuggling of Imported Used Clothing

International legal frameworks play a crucial role in combating the smuggling of imported used clothing, particularly through concerted efforts against transnational organized crime. The United Nations Convention against Transnational Organized Crime, also known as the Palermo Convention, stands as a cornerstone in this endeavor. This Convention includes protocols aimed at addressing various facets of transnational crime, including the smuggling of migrants and goods like imported used clothing. Key provisions of the Palermo Convention emphasize international cooperation among member states, promoting mechanisms such as extradition, joint investigations, coordinated prosecutions, and mutual legal assistance. These mechanisms enable countries to collaborate effectively in preventing, investigating, and prosecuting offenders involved in illegal trade activities [45].

Moreover, the World Trade Organization (WTO) plays a pivotal role by establishing international norms and regulations that facilitate fair trade practices while combatting illicit trade, including textiles. The WTO's multilateral agreements, such as the Agreement on Textiles and Clothing, contribute significantly to shaping the legal frameworks governing trade enforcement efforts globally. This framework encourages

member states to exchange information, harmonize regulatory standards, and resolve trade disputes, thereby bolstering international cooperation in law enforcement against smuggling activities. In practice, these efforts involve a range of measures aimed at enhancing cross-border collaboration. They encompass coordinated intelligence sharing to track smuggling routes, joint operations to apprehend criminal networks, extradition of suspects to face justice in relevant jurisdictions, and mutual legal assistance in gathering evidence and conducting prosecutions. By leveraging these comprehensive strategies underpinned by international legal frameworks like the Palermo Convention and WTO agreements, countries can effectively deter and combat the illicit trade of imported used clothing and other goods on a global scale.

3.4 Analysis of Smuggling Offenses Related to Imported Used Clothing

There are several types of criminal offenses related to the smuggling of imported used clothing in Indonesia. Firstly, there is the offense of concealing illegal imported goods, which involves hiding or misusing import documents to bring illegally used clothing into Indonesia without going through proper customs procedures [46]. Secondly, there is the offense of document forgery, such as altering labels or importing information on used clothing to make them appear legally valid. It aims to deceive authorities and avoid detection of smuggling activities. Additionally, there is the offense of bribery or collusion with authorities, done to facilitate smuggling or evade law enforcement. Furthermore, there is the offense of illegal trading involving the buying and selling of imported used clothing without official permission, which can harm the country's economy and reinforce such illegal practices. All of these criminal offenses are part of a series of activities that harm the country and society and require firm law enforcement in accordance with Indonesian positive law [47].

Perpetrators of smuggling offenses related to imported used clothing in Indonesia will face various sanctions or penalties according to applicable law. These sanctions may include criminal penalties and fines [48]. In the Indonesian legal context, perpetrators may face imprisonment according to the severity of the offense, usually determined based on Customs Law and other related regulations. Besides criminal penalties, perpetrators may also be fined varying amounts depending on the value of the smuggled goods, with the aim of compensating for the losses incurred by the state due to illegal actions. Moreover, there is a possibility of administrative sanctions such as revocation of business permits or suspension of import activities for companies or individuals involved in smuggling activities. Overall, these sanctions are expected to deter perpetrators and serve as a lesson for others not to engage in illegal activities that harm the country and society [49].

Law enforcement against smuggling offenses related to imported used clothing in Indonesia faces several complex challenges. Firstly, the geographical factors and the vast territory of Indonesia consisting of thousands of islands make border control and surveillance difficult to implement [50]. Limitations in human and technological resources in border surveillance also pose obstacles, allowing smuggling to occur with an increasingly sophisticated and difficult-to-detect modus operandi. Additionally, the existence of well-organized smuggling networks, both at the local and international levels, makes law enforcement increasingly challenging due to the involvement of

various parties, including customs officers, shipping agents, and illegal traders. Another challenge is the presence of corruption within law enforcement agencies, which enables collusion between smugglers and law enforcement officials, thus hindering law enforcement efforts. Furthermore, the low awareness of the public about the importance of complying with the law and the negative impacts of smuggling also complicates law enforcement. All of these indicate the need for a holistic approach and cross-sectoral cooperation in efforts to enhance law enforcement against smuggling offenses related to imported used clothing in Indonesia.

To address the challenges in law enforcement against smuggling offenses related to imported used clothing in Indonesia, comprehensive policies and resolution steps are needed. Firstly, border control and surveillance need to be strengthened by enhancing infrastructure and technology at seaports, airports, and land border crossings. It includes utilizing monitoring systems such as surveillance cameras and detection sensors, as well as increasing the quantity and quality of personnel stationed at border posts. Moreover, cooperation between various relevant agencies such as Customs, Police, and the National Intelligence Agency needs to be improved through information exchange and operational coordination to narrow the space for smugglers.

Secondly, there is a need for stronger legal frameworks and enforcement of stricter sanctions against smugglers, including increasing criminal penalties and fines sufficiently to deter criminals. Furthermore, uncompromising enforcement of anti-corruption laws within law enforcement agencies is necessary to prevent collusion between smugglers and law enforcement officials.

Furthermore, education and public awareness campaigns about the dangers and negative impacts of smuggling, as well as the importance of law enforcement to maintain national security and sovereignty, are essential. By raising public awareness, it is hoped that demand for smuggled illegal goods can be reduced. Additionally, monitoring and supervision of companies or individuals potentially involved in smuggling activities need to be increased by intensifying audits and inspections of import documents and distribution channels for imported goods.

International cooperation is also crucial in prevention efforts through information exchange and operational coordination with neighboring countries to address cross-border smuggling networks more effectively. With comprehensive and collaborative prevention measures, it is hoped that opportunities for smuggling offenses related to imported used clothing can be reduced, and the effectiveness of preventive law enforcement can be enhanced to maintain national security and sovereignty.

Preventive law enforcement against the crime of smuggling imported used clothing in Indonesia requires a holistic and proactive approach [51]. One of the steps that can be taken is to increase cooperation between relevant agencies, such as Customs, Police, and the National Intelligence Agency, in monitoring and controlling the country's borders. It includes strengthening infrastructure and technology at border posts, such as the installation of surveillance cameras and detection sensors, as well as increasing the number and quality of personnel on duty there. In addition, it is necessary to strengthen the monitoring and supervision system of the distribution flow of imported

goods in the country, including the supervision of warehouses and distribution channels in the country, to prevent the entry of illegally imported goods into the local market.

Furthermore, prevention efforts can also be carried out through education and socialization to the public about the dangers and negative impacts of smuggling. By increasing public awareness, it is expected to reduce the demand for smuggled illegal goods. In addition, it is necessary to increase monitoring and supervision of companies or individuals potentially involved in smuggling activities by intensifying audits and checks on import documents and distribution channels for imported goods.

Strengthening international cooperation is also important in prevention efforts through information exchange and operational coordination with neighboring countries to deal more effectively with cross-border smuggling networks [52]. With these comprehensive and collaborative prevention measures, it is hoped that increase the effectiveness of preventive law enforcement to maintain the security and sovereignty of the country.

3.5 Constraints on Law Enforcement Against the Crime of Smuggling Used Clothing Clothes

Law enforcement against the crime of smuggling used clothing is faced with a number of complex obstacles. One of them is the geographical complexity of Indonesia, which consists of thousands of islands, which makes border surveillance difficult to implement effectively [53]. Limited human resources and technology in border surveillance are also obstacles, allowing smuggling with an increasingly sophisticated modus operandi that is difficult to detect. In addition, the existence of well-organized smuggling networks, both locally and internationally, makes law enforcement more difficult due to the involvement of various parties involved, including customs officers, shipping agents, and illegal traders. Another obstacle is corruption within law enforcement agencies, which allows for collusion between smugglers and law enforcement officials, hindering efforts to prosecute and combat the crime. All of this points to the need for a holistic approach and cross-sectoral cooperation to improve the effectiveness of law enforcement against second-hand clothing smuggling in Indonesia.

In addition to these factors, low public awareness of the dangers and negative impacts of the criminal act of smuggling used clothing is also an obstacle in law enforcement. A lack of understanding of the importance of complying with the law, as well as a lack of information on the implications of buying and trading illegal second-hand clothing, can cause the demand for such illegal goods to remain high. It strengthens the black market and prolongs the chain of smuggling.

In addition, barriers to information sharing and cross-border cooperation also hamper law enforcement against the smuggling of imported used clothing. These crimes often involve complex cross-border networks, which require coordination between relevant countries to combat them effectively. However, differences in laws, policies, and law enforcement procedures between countries are often a barrier to effective cooperation.

In dealing with these obstacles, joint efforts are needed from the government, law enforcement agencies, the private sector, and society as a whole. cross-sector collaboration and close international cooperation, increasing public awareness, and

strengthening infrastructure and technology are some of the steps that can be taken to overcome these obstacles and increase the effectiveness of law enforcement against the crime of smuggling imported used clothing.

4. Conclusions

This study found that the main challenges in law enforcement against imported second-hand clothing smuggling in Indonesia include geographical complexity, limited resources, organized crime networks, and corruption within law enforcement agencies. In addition, suboptimal regulations and lack of inter-agency coordination also exacerbate the situation. Overcoming these barriers requires improved infrastructure, technology, inter-agency cooperation, and more effective anti-corruption measures. Public education and awareness are also crucial to reduce the demand for contraband.

This research confirms that international legal frameworks, such as the UN Convention against Transnational Organized Crime and World Trade Organization (WTO) agreements, have an important role in shaping national policies related to law enforcement against the smuggling of imported used clothing. Strengthening international cooperation through information exchange, joint operations, extradition, and mutual legal assistance can increase the effectiveness of law enforcement efforts. The implementation of these strategies is expected to reduce smuggling activities and protect national interests and public safety.

References

- [1] W. Syamhari, "Globalisasi dan Tatanan Ekonomi Baru," *J. Manaj. Ekon. Bisnis*, vol. 1, no. 1, 2023.
- [2] M. S. Alamin, "Pengaturan Penjualan Baju Bekas Pakai Dari Luar Negeri Studi Terhadap Hukum Import Di Indonesia," Universitas Islam Negeri Syarif Hidayatullah Jakarta, 2023. [Online]. Available: <https://repository.uinjkt.ac.id/dspace/bitstream/123456789/70623/1/MUHAMMAD SIDIK ALAMIN - FSH.pdf>
- [3] M. A. Rachmadhani, "Law Enforcement against Perpetrators of the Crime of Smuggling Imported used Clothes according to Positive Law," in *Proceeding International Conference Restructuring and Transforming Law (Special Issue)*, Surakarta: Universitas Muhammadiyah Surakarta, 2023.
- [4] H. V. Akbar, D. Saputra, and Z. Fathia, "Penerapan Hukum Terhadap Tindak Pidana Penyulundupan Pakaian Bekas di Kantor Wilayah Bea dan Cukai Pekanbaru," *Innov. J. Soc. Sci. Res.*, vol. 3, no. 6, pp. 4751–4763, 2023.
- [5] S. S. Djong and A. Damayanti, "The Roles of Atambua Customs and Challenges in Dealing with Garment Smuggling in Indonesia-Timor Leste Border Area," *Int. J. Sci. Res. Manag.*, vol. 11, no. 01, pp. 1343–1357, Jan. 2023, doi: 10.18535/ijsrm/v11i01.sh02.
- [6] A. Andynar, "Assessing the alignment of second-hand clothing import regulations with circular economy objectives in Indonesia," University of Twente, 2023. [Online]. Available: http://essay.utwente.nl/96945/1/Andynar_MA_BMS.pdf
- [7] F. Adibah, "Jual Beli Pakaian Bekas Impor di Tugu Pahlawan Kota Surabaya (Tinjauan UU Perdagangan No. 7 Tahun 2014 dan Fiqh Muamalah)," Universitas

- Islam Negeri Maulana Malik Ibrahim Malang, 2017. [Online]. Available: <http://etheses.uin-malang.ac.id/10522/1/13220058.pdf>
- [8] A. Annisa, Y. Yohannes, R. Martin, S. Jordan, H. Bumi, and M. Mustaqim, "Penyelundupan Pakaian Bekas Import Ditinjau dari Perspektif Hukum Ekonomi," *J. Pendidik. Tambusai*, vol. 8, no. 1, pp. 5956–5961, 2024.
- [9] D. Birahayu, "Penegakan Hukum terhadap Penyelundupan Pakaian Bekas," *Perspekt. Huk.*, vol. 20, no. 1, pp. 156–167, 2020.
- [10] A. A. Putri, "Statistik Impor Pakaian Bekas 5 Tahun Terakhir," GoodStats. [Online]. Available: <https://data.goodstats.id/statistic/statistik-impor-pakaian-bekas-5-tahun-terakhir-RLqTo>
- [11] R. S. P. Baladiah and A. Silviana, "Peran Direktorat Jenderal Bea dan Cukai Bandar Lampung Terhadap Larangan Impor Pakaian Bekas," *J. Ilm. Univ. Batanghari Jambi*, vol. 23, no. 1, p. 900, Feb. 2023, doi: 10.33087/jiubj.v23i1.2905.
- [12] R. Chandradewi, M. Rahardjo, and K. Yitawati, "Analisis Yuridis tentang Perdagangan Pakaian bekas Impor Berdasarkan Undang-Undang Nomor 7 Tahun 2014 tentang Perdagangan dan Undang-Undang Nomor 8 Tahun 1999 tentang Pelindungan Konsumen," *Yust. MERDEKA J. Ilm. Huk.*, vol. 4, no. 1, pp. 64–72, Dec. 2018, doi: 10.24912/adigama.v1i2.2754.
- [13] B. Qurrotaayun, M. L. E. Putri, Y. P. Ferdiansyah, and R. Wikansari, "Dampak Pelarangan Impor Pakaian Bekas (Thrift) terhadap Pedagang di Indonesia," *J. Pendidik. Tambusai*, vol. 8, no. 1, pp. 1326–1337, 2024, doi: 10.31004/jptam.v8i1.12557.
- [14] N. M. I. K. Dewi, I. A. P. Widiati, and I. N. Utama, "Implikasi Penjualan Pakaian Bekas Impor bagi Konsumen di Kota Denpasar," *J. Interpret. Huk.*, vol. 1, no. 1, pp. 216–221, Aug. 2020, doi: 10.22225/juinhum.1.1.2222.216-221.
- [15] A. Fatah, D. A. P. Sari, I. S. Irwanda, L. I. Kolen, and P. G. D. Agnesia, "Pengaruh Larangan Impor Pakaian Bekas Terhadap Pengusaha Thrift," *J. Econ.*, vol. 2, no. 1, pp. 1321–1328, Jan. 2023, doi: 10.55681/economina.v2i1.288.
- [16] A. Fauziah and D. Ardiansah, "Jual Beli Pakaian Bekas (Thrift) Menurut Hukum Positif Indonesia Dan Ekonomi Islam," *AL-Intifa J. Ilm. Ilmu Syari'ah*, vol. 1, no. 1, 2023.
- [17] D. Febrianti, "Analisis Dampak Impor Pakaian Bekas Ilegal Indonesia Periode 2015-2020," Universitas Sriwijaya, 2022. [Online]. Available: https://repository.unsri.ac.id/70881/3/RAMA_84201_07041381722225_0002037805_0027089203_01_front_ref.pdf
- [18] R. Firdaus and Ishak, "Penindakan dan Penyelidikan oleh Kantor Bea dan Cukai terhadap penyelundupan Pakaian Bekas Impor di Kabupaten Indragiri Hilir Tahun 2014-2015," *J. Online Mhs. Fak. Ilmu Sos. dan Ilmu Polit.*, vol. 6, no. 1, 2019.
- [19] J. Noor, *Metodologi Penelitian: Skripsi, Tesis, Disertasi & Karya Ilmiah*. Jakarta: Prenada Media, 2016.
- [20] M. Ford and L. Lyons, "Smuggling Cultures in the Indonesia-Singapore Borderlands," in *Transnational Flows and Permissive Politics*, Amsterdam University Press, 2012, pp. 91–108. doi: 10.1017/9789048515875.005.
- [21] Y. Gintara and C. A. F. Zakaria, "Penegakan Hukum Terhadap Tindak Pidana Penyelundupan Pakaian Bekas Dihubungkan Dengan Undang-Undang Nomor 10

- Tahun 1995 Tentang Kepabeanan," *Bandung Conf. Ser. Law Stud.*, vol. 2, no. 1, 2022.
- [22] A. Kesuma, "Penegakan Hukum Terhadap Tindak Pidana Kepabeanan Dalam Penyelundupan Pakaian Bekas (Studi Kasus di Kantor Bea Cukai Teluk Nibung Tanjung Balai)," Universitas Medan Area, 2022. [Online]. Available: [https://repositori.uma.ac.id/jspui/bitstream/123456789/19724/1/188400143 - Arya Kesuma - Fulltext.pdf](https://repositori.uma.ac.id/jspui/bitstream/123456789/19724/1/188400143-Arya%20Kesuma-Fulltext.pdf)
- [23] I. Koto, "Tindak Pidana Penyelundupan Pakaian Bekas Dalam Perspektif Teori Kepastian Hukum (Studi Kasus Di Kantor Bea Cukai Teluk Nibung Tanjung Balai)," *Bul. Konstitusi*, vol. 2, no. 1, 2021.
- [24] L. Febrianti, "Peran Kejasama Operasi Patroli Terkoordinasi Kastam Indonesia - Malaysia (Operasi Patkor Kastima) dalam Meminimalisir Penyelundupan Pakaian Bekas Impor di Kota Dumai," Universitas Andalas, 2019. [Online]. Available: [http://scholar.unand.ac.id/52494/6/COVER dan Abstrak.pdf](http://scholar.unand.ac.id/52494/6/COVER%20dan%20Abstrak.pdf)
- [25] P. Krugman, *Development, Geography, and Economic Theory*. Massachusetts: The MIT Press, 1997.
- [26] J. N. Bhagwati, "Directly Unproductive, Profit-Seeking (DUP) Activities," *J. Polit. Econ.*, vol. 90, no. 5, pp. 988-1002, Oct. 1982, doi: 10.1086/261104.
- [27] D. Ricardo, *On the Principles of Political Economy and Taxation*. London: John Murray, 1817.
- [28] R. E. Lubis and I. Pasaribuan, "Analisis penerapan hukum terhadap penyelundupan pakaian bekas impor ditinjau dari hukum positif dan pidana Islam," *JRTI (Jurnal Ris. Tindakan Indones.)*, vol. 8, no. 2, 2023.
- [29] D. Rodrik, "What Do Trade Agreements Really Do?," *J. Econ. Perspect.*, vol. 32, no. 2, pp. 73-90, May 2018, doi: 10.1257/jep.32.2.73.
- [30] M. Friman, "Implementing Quality Improvements in Public Transport," *J. Public Transp.*, vol. 7, no. 4, pp. 49-65, Dec. 2004, doi: 10.5038/2375-0901.7.4.3.
- [31] P. V. Lotulung, S. L. Mandey, and D. C. A. Lintong, "Pengaruh Persepsi Konsumen Dan Kualitas Produk Terhadap Keputusan Pembelian Baju Bekas Impor Pada Masyarakat Kelurahan Karombasan Utara Lingkungan 8 Kecamatan Wanea," *J. EMBA J. Ris. Ekon. Manajemen, Bisnis dan Akunt.*, vol. 11, no. 02, pp. 561-572, Jul. 2023, doi: 10.35794/emba.v11i02.48635.
- [32] L. E. Cohen and M. Felson, "On estimating the social costs of national economic policy: A critical examination of the Brenner study," *Soc. Indic. Res.*, vol. 6, no. 2, pp. 251-259, Apr. 1979, doi: 10.1007/BF00343977.
- [33] M. J. Marcius, "Penegakan Hukum Pidana terhadap Penyelundupan Pakaian Bekas Bandar Lampung," Universitas Lampung, 2019.
- [34] M. V. Nggai, "Kajian terhadap Upaya Merumuskan Ius Constituendum dalam Pengaturan Perdagangan Pakaian Bekas Impor (Studi Kasus di Kota Pontianak)," *J. Nestor Magister Huk.*, vol. 1, no. 1, 2017.
- [35] United Nations, "World Drug Report 2010." [Online]. Available: <https://www.unodc.org/unodc/en/data-and-analysis/WDR-2010.html>
- [36] World Bank, "World Development Report 2019." [Online]. Available: <https://www.worldbank.org/en/publication/wdr2019>

- [37] A. W. Rasyidin, C. Damayanti, and H. Haqqi, "Peran World Trade Organization (WTO) sebagai basis Kerja Sama Perdagangan Indonesia pada ASEAN Free Trade (AFTA)," *Transformasi*, vol. 1, pp. 1-180, 2016.
- [38] F. I. Rivai, "Hambatan dalam Penanganan Perdagangan Illegal Pakaian Bekas di Ineonesia (2015-2019)," Universitas Bosowa Makassar, 2022. [Online]. Available: [https://repository.unibos.ac.id/xmlui/bitstream/handle/123456789/2437/2022Fahrizal Isra Rivai 4516023014.pdf?sequence=1&isAllowed=y](https://repository.unibos.ac.id/xmlui/bitstream/handle/123456789/2437/2022Fahrizal%20Isra%20Rivai%204516023014.pdf?sequence=1&isAllowed=y)
- [39] G. Rose, "Australian Law to Combat Illegal Logging in Indonesia: A Gossamer Chain for Transnational Enforcement of Environmental Law," *Rev. Eur. Comp. Int. Environ. Law*, vol. 26, no. 2, pp. 128-138, Jul. 2017, doi: 10.1111/reel.12206.
- [40] I. Sagala, S. Kalo, M. Ablisar, and C. Bariah, "Law Enforcement Against Crime Smuggling of Used Clothing Imports (Study Center Tanjung Court Ruling Karimun Number 107 / Pid.sus / 2014 / Pn Tbk and Cape Center Court Ruling Karimun Pid.sus No. 217/2015 / Pn Tbk)," *USU Law J.*, vol. 5, no. 1, 2017.
- [41] R. A. B. Sitepu and I. R. Putranti, "Kerjasama Customs Indonesia-Malaysia dalam Menanggulangi Penyelundupan Pakaian Bekas ke Indonesia," *J. Int. Relations Diponegoro*, vol. 4, no. 3, pp. 412-419, 2018.
- [42] R. Tambunan, S. Suhatrizal, and T. Siregar, "Penegakan Hukum Terhadap Tindak Pidana Kepabean Penyeludupan Pakaian Bekas (Putusan No. 237/Pid.B/2016/PN.Tjb)," *JUNCTO J. Ilm. Huk.*, vol. 1, no. 2, pp. 158-165, Jun. 2019, doi: 10.31289/juncto.v1i2.196.
- [43] K. Wahida, H. Uyun, and D. K. Wintoko, "Efek Globalisasi Yang Dihadapi Masyarakat Kontemporer Terhadap Perekonomian," *Harmon. J. Ilmu Komun. dan Sos.*, vol. 1, no. 1, pp. 01-12, Mar. 2023, doi: 10.59581/harmoni-widyakarya.v1i1.288.
- [44] M. W. A. Wijaya and D. Andriasari, "Bisnis Pakaian Impor Bekas (Thrifting) sebagai Tindak Pidana Ditinjau dari Undang-Undang Nomor 7 Tahun 2014 tentang Perdagangan," *Bandung Conf. Ser. Law Stud.*, vol. 2, no. 2, Jul. 2022, doi: 10.29313/bcsls.v2i2.2581.
- [45] A. F. Yaneski, "Implementasi Kebijakan Penanganan Penyelundupan Pakaian Bekas di Provinsi Riau, Indonesia," *295 J. Int. Relations*, vol. 4, no. 2, pp. 295-302, 2018.
- [46] A. S. Yossymon, "The Crime of Smuggling Imported Goods in the Perspective of Customs Law," *Int. J. Educ. Inf. Technol. others*, vol. 7, no. 2, 2024, doi: <https://doi.org/10.5281/zenodo.10963387>.
- [47] A. A. Aronowitz, "Smuggling and trafficking in human beings: The phenomenon, the markets that drive it and the organisations that promote it," *Eur. J. Crim. Policy Res.*, vol. 9, pp. 163-195, 2001, doi: 10.1023/A:1011253129328.
- [48] I. Rahmawati, "Law Enforcement of Criminal Acts of Smuggling Illegal Export-Import Goods in Indonesian Waters," *AHKAM*, vol. 1, no. 1, pp. 177-192, Dec. 2022, doi: 10.58578/ahkam.v1i1.751.
- [49] E. Natio, S. P. Panjaitan, and R. M. Ikhsan, "The Crime of Importing Goods Prohibited Under Trade Law," *Nurani J. Kaji. Syari'ah dan Masy.*, vol. 23, no. 2, pp. 327-340, Dec. 2023, doi: 10.19109/nurani.v23i2.18457.
- [50] E. Gonzalez, "The Nexus between Human Trafficking and Terrorism/Organized Crime: Combating Human Trafficking By Creating a Cooperative Law Enforcement System," 2013, *Law School Student Scholarship*. 227. [Online]. Available:

https://scholarship.shu.edu/cgi/viewcontent.cgi?article=1227&context=student_scholarship

- [51] G. Subroto, *Pajak & Pendanaan Peradaban Indonesia*. Jakarta: PT Elex Media Komputindo, 2019.
- [52] F. S. Karunia, R. C. Rahmat, A. A. Qolby, and A. K. A. Herdian, "Kebijakan ASEAN dalam Merespon Fenomena Migrasi dan Pencegahan Kejahatan Transnasional Melalui Lembaga Sektoral ASEAN," *J. Law Bord. Prot.*, vol. 5, no. 1, pp. 71-82, Apr. 2023, doi: 10.52617/jlbp.v5i1.418.
- [53] N. Nurviyani, M. Indra, and E. Erdiansyah, "Penegakan Hukum Terhadap Tindak Pidana Penyelundupan Pakaian Bekas Oleh Penyidik Pegawai Negeri Sipil Bea Dan Cukai Di Kabupaten Indragiri Hilir," *J. Online Mhs. Fak. Huk. Univ. Riau*, vol. 3, no. 2, pp. 1-15, 2016.