

# OMNIBUS LAW: REGULATIONS FOR THE REHABILITATION OF NARCOTIC ADDICTS IN INDONESIA

SUHERMANTO\*<sup>1</sup>, SIGID SUSENO<sup>2</sup> and SOMAWIJAYA<sup>3</sup>

<sup>1</sup> Doctoral Program in Law Science, Universitas Padjadjaran, Indonesia.

\*Corresponding author: suhermanto.law23@gmail.com

<sup>2,3</sup> Lecturer of Faculty of Law, Universitas Padjadjaran, Indonesia.

## Abstract

Entering the 13th year of the narcotics law, the problem of narcotics abuse has not been properly resolved. "Big" institutional stakeholders (leading sector) and regulations on the rehabilitation of "obese" narcotics addicts/abusers are suspected as complicating factors for efficient and effective law enforcement to tackle narcotics abuse. The problem is what is the urgency of structuring regulations regarding the rehabilitation of narcotics addicts in law enforcement, and how to formulate structuring regulations regarding the rehabilitation of narcotics addicts for efficiency in law enforcement. Structuring the regulations governing the rehabilitation of narcotics addicts/abusers will make it easier for law enforcement officials (APH) to determine the classification of a person as a Narcotics Addict or Narcotics Abuser or a victim of narcotics abuse. So that the principles and objectives of Law Number 35 of 2009 concerning Narcotics are fulfilled optimally. The ideal formulation for structuring regulations on the rehabilitation of narcotics addicts/abusers for efficiency in law enforcement is to use the omnibus law method to streamline sectoral regulations governing rehabilitation in one law.

**Keywords:** omnibus law, regulation arrangement, rehabilitation

## 1. INTRODUCTION

Narcotics abuse is one of the global problems being faced by all countries in the world. Various efforts and strategic policies are continuously designed in order to overcome narcotics abuse which has developed in a structured, systematic and massive manner. The United Nations Office on Drugs and Crime (UNODC) as the world body that deals with narcotics issues records that at least 271 million people worldwide or 5.5% of the total global population of the world's population with an age range between 15 to 64 years have consumed drugs.

Efforts to tackle drug abuse in each country have different policies. The Indonesian government's policy to tackle narcotics abuse rests on the provisions of Law Number 35 of 2009 concerning Narcotics. But unfortunately, the Narcotics Law which is used as the foundation is not solid and tends to be ambiguous. This ambiguity can be embedded in the provisions of Article 4, which guarantees the availability of narcotics, because narcotics are beneficial for the benefit of health and the development of science and technology. But on the other hand, the Government is obliged to prevent the abuse of narcotics and eradicate the circulation of narcotics illegally. Then medically and socially rehabilitate for Narcotics Abusers and addicts. Very unsure if the narcotics are available and then not abused and if abuse has occurred, then it opens up opportunities for illicit narcotics trafficking. The unclear target which is the stress of the narcotics law (UUNo.35, 2009), has an effect on the unclear legal politics that is carried out in tackling narcotics abuse.

The instrument for preventing narcotics abuse contained in Law Number 35 of 2009 concerning Narcotics, namely through rehabilitation and law enforcement. Rehabilitation itself applies 2 (two) systems as "entrance", namely the voluntary system and the compulsory system. Voluntary model is self-reporting activities carried out by narcotics addicts who are old enough or their families, and/or parents or guardians of narcotics addicts who are not old enough to the receiving institution must report to receive treatment and/or care through medical rehabilitation and social rehabilitation. Compulsory model, namely rehabilitation on an order based on a decision or court order. Included in the scope of the compulsory model are narcotics addicts/users who are undergoing a judicial process. Placement in a rehabilitation institution that is currently undergoing a judicial process is the authority of the investigator, public prosecutor, or judge according to the level of examination after receiving a recommendation from the Doctors Team.

The rehabilitation policy with the 2 (two) "entrance" systems mentioned above, institutionally, Law Number 35 of 2009 concerning Narcotics involves many leading sectors, namely:

1. The law enforcement apparatus sector (APH) includes an integrated criminal justice system (criminal justice system) including: Police; Attorney; Court; Correctional Institutions; and Advocates;
2. The non-law enforcement apparatus sector (Non APH), namely the Ministry of Health, the Ministry of Social Affairs, the Food and Drug Supervisory Agency (BPOM);
3. A combination of the APH and non-APH sectors, namely the National Narcotics Agency.

The large amount of institutional involvement in implementing rehabilitation policies for narcotics abusers/addicts, has implications for provisions governing the rehabilitation of narcotics to become "obese" and overlaps so that each institution has a different interpretation in carrying out rehabilitation. Unknowingly, this hyperregulation affects governance in overcoming narcotics abuse. Such a situation, of course, is not profitable for law enforcers in this case, especially the Indonesian National Police (POLRI) as the front guard for the work of the criminal justice system (SPP) to tackle and eradicate the illicit traffic and abuse of narcotics in society.

The problems to be answered in writing this journal are identified as follows: What is the urgency of structuring regulations regarding the rehabilitation of narcotics addicts in law enforcement? What is the formulation of regulatory arrangements regarding the rehabilitation of narcotics addicts for efficiency in law enforcement?

## 2. METHODS

This type of research is doctrinal legal research, or also called normative legal research with statutory and conceptual approaches based on secondary data. Secondary data is collected by way of literature study and then analyzed based on theories, legal principles, and positive legal provisions.

### 3. RESULT AND DISCUSSION

#### 3.1. The Urgency of Setting Regulations Concerning the Rehabilitation of Narcotics Addicts in Law Enforcement

Provisions regarding rehabilitation for narcotics abusers/addictors stem from the provisions of Article 4 of Law Number 35 of 2009 concerning Narcotics which states that one of the objectives of the Narcotics Law (Law No. 35 of 2009) is to guarantee arrangements for medical and social rehabilitation efforts for Drug abusers and addicts. With the provisions of Article 4, Law no. 35 of 2009 is the mother of the regulations governing rehabilitation.

The rehabilitation policy is believed to be an appropriate and strategic step in the context of tackling narcotics abuse, whose quantity continues to increase. By providing integrated treatment and recovery both physically, mentally and socially, abusers/addicts recover from their dependence and return to carrying out social functions in social life. So that with this rehabilitation, the demand for narcotics (demand reduction) will decrease, and gradually kill the narcotics market in Indonesia. However, the facts are that rehabilitation has not been able to act as a control instrument to suppress illicit drug trafficking and its abuse.

Data from the National Narcotics Agency (BNN) on the prevalence rates (KBBI, n.d.) of narcotics users in Indonesia are recorded as follows:

**Table-1: Drug User Prevalence Data for 2019-2021**

No	Year	Total
1	2021	4.534.744
2	2020	3.662.646
3	2019	3.419.188

Data source processed: BNN 2021

Based on the data available in table 1 above, it indirectly confirms that the implementation of rehabilitation has not shown an effective policy to tackle the abuse or illicit traffic of narcotics. In fact, in the period from 2019 to 2021, the prevalence of drug users in Indonesia continues to increase. Where in 2019 the number of narcotics abusers was recorded with a total of 3,419,188 people. In 2020, there were 3,662,646 people recorded. In 2021 it will increase to 4,534,744 people.

Data on users/addicts who were rehabilitated in the period 2019 to 2021 obtained the following data.

**Table-2: Number of Rehabilitation of Narcotics Users in 2019-2021**

No	Year	Total
1	2021	13.627
2	2020	4.364
3	2019	13.320

Source of data processed: BNN, January 20, 2022

Data available in table 2 above, the number of drug abusers receiving rehabilitation services in 2021 is recorded at 13,627. of these, BNN identified, there were 8,325 drug abusers whose quality of life had improved. In 2020, the number of abusers receiving rehabilitation services was recorded as 4,364 people, both inpatient and outpatient. Of these, 1,500 people received post-rehabilitation services through recovery agents. In 2019, BNN has provided rehabilitation services for 13,320 people which exceeded the target that had been given, namely 10,300 people, with details of 11,370 people with outpatient rehabilitation services and 1,950 people with inpatient care. Of these, 3,404 people took part in post-rehabilitation services.

Based on the data above, until now the abuse and illicit traffic of narcotics is still a big "homework/homework" for the Government to formulate strategic steps and policies in tackling narcotics abuse. This strategic step must begin with the arrangement of regulations/rules governing rehabilitation, so that the rehabilitation policy is right on target, right for purpose and right for use.

So far, the rehabilitation policy is considered more appropriate, because it is a program to recover people who have chronic illnesses, both physical and psychological. Rehabilitation is mandatory, because in terms of health they are sick people who must be treated and are victims of such use (self-victimizing victims) (Makarao, 2003). But if faced with data on the number of narcotics abuse which continues to increase, then rehabilitation as a legal policy, needs to be improved both from the substance aspect, from the structural and cultural aspects. So that the rehabilitation policy for narcotics addicts or users is macro-effective in tackling narcotics not only from the user/addict aspect but is also effective in eradicating narcotics illicit traffic. It is suspected that one of the sources is the ineffectiveness of the rehabilitation policy as an instrument for tackling both illicit traffic and drug abuse, one of the sources being the aspect of legal substance, namely the laws and regulations which give rise to multiple interpretations and overlap in the meaning of the subject of rehabilitation.

Several things are being debated in interpreting and implementing rehabilitation policies:

1. Limitations on addicts, abusers, dependencies, and victims of abuse

The Narcotics Law defines that an addict is a person who uses or abuses Narcotics and is in a state of dependence on Narcotics, both physically and psychologically. Then narcotics dependence is a condition characterized by the urge to use Narcotics continuously with increasing doses to produce the same effect and when the use is reduced and/or stopped suddenly, it causes typical physical and psychological symptoms. As for victims of narcotics abuse, there are no clear boundaries or definitions in the narcotics law.

The provisions regarding addicts, abusers, dependencies, and victims of narcotics abuse, according to the author, are stressing from the rehabilitation policy. However, due to the absence of clear boundaries, in practice it creates multiple interpretations due to ambiguous interpretations by law enforcement officials as a result of the absence of clear boundaries when a person is categorized as an addict, abuser, and victim of narcotics abuse.

This is related to the legal action specified in Article 127 where every person who abuses narcotics class I for himself is punished with imprisonment for a maximum of 4 (four) years. Every person who abuses narcotics class II for himself shall be punished with imprisonment for a maximum of 2 (two) years. Every person who abuses narcotics class III for himself shall be punished with imprisonment for a maximum of 1 (one) year. The judge, in deciding the case, is required to pay attention to the provisions on mandatory rehabilitation and order treatment that counts as a period of serving a sentence. In the next paragraph it is determined, "In the event that the abuser as referred to in paragraph (1) can be proven or proven to be a victim of Narcotics abuse, the abuser is required to undergo medical rehabilitation and social rehabilitation".

The provisions of Article 127 will always cause differences in the perspectives of law enforcement officials (APH). Especially in determining the boundaries when and in what ways a person is said to be a victim of narcotics abuse.

2. The ambiguity of the phrase "Own, Store, Control" in Article 111 and Article 112 of the Narcotics Law and the ambiguity of the categories of abusers who can be rehabilitated in Article 127 of the Narcotics Law.

The provisions of Article 111 and Article 112 of the Narcotics Law phrase "possess, keep, control" has the potential to cause multiple interpretations. This is because there is ambiguity in the formulation regarding the limits of when a person is considered a abuser and when is considered a person who owns and/or controls narcotics. for Law Enforcement Officials in implementing Article 127 of the Narcotics Law.

3. There is no regulation regarding integrated assessment in the Narcotics Law

Regarding the determination of whether a drug abuser is rehabilitated or not, the Assessment Team is the "executor". At present, the legal basis for the implementation of the Integrated Assessment Team is only guided by joint regulations, whereas in the Narcotics Law there are no provisions governing integrated assessment. Therefore, the implementation of the Integrated Assessment Team mechanism is currently not binding and still creates subjectivity for Law Enforcement Officials.

4. Disharmony between the Narcotics Law and the Criminal Procedure Code, that is, there are differences in the time frame for arrest

Provisions of Article 76 of the Narcotics Law: the maximum period for an arrest is 3 x 24 (three times twenty four) hours from the date the arrest warrant is received by the investigator and this period can be extended for another 3 x 24 hours. Article 19 paragraph (1) of the Criminal Procedure Code: the maximum period for arrest is one day for all crimes. 1) Disharmony between the Narcotics Law and the Criminal Procedure Code There are differences in terms of time for arrest. In addition, at the level of implementation, the Police use the basis of Article 76 of the Narcotics Law for the period of arrest of people suspected of committing abuse and illicit traffic of Narcotics and Narcotics Precursors, but in practice it can often be used as a

basis for pretrial because Police Investigators make arrests outside the provisions of the Criminal Procedure Code, namely only for 1 x 24 hours.

5. Determination of rehabilitation by Law Enforcement Officials so far has been carried out based on the Head of BNN Regulation Number 11 of 2014 concerning Procedures for Handling Suspects and/or Accused Narcotics Addicts and Victims of Narcotics Abuse Into Rehabilitation Institutions and Supreme Court Circular Letter Number 4 of 2010 regarding the Placement of Abuse, Abuse Victims and Narcotics Addicts into Medical and Social Rehabilitation Institutions, but in practice there are still obstacles, namely the incomplete requirements as determined by SEMA 4/2010. Secondly, the implementation of rehabilitation, it can be concluded that there is no continuity between Law Enforcement Officials and the Integrated Assessment Team and Judges in the rehabilitation efforts for Addicts and/or Narcotics Abusers.

There is a need for continuity between Investigators, Integrated Assessment Team, and Judges in the implementation of rehabilitation so that the results of Investigators' investigations of suspects and/or accused Addicts or Narcotics Abusers can be used by the Integrated Assessment Team to carry out integrated assessments and recommendations from the Integrated Assessment Team can become a reference for Judges to decide or determine rehabilitation without the intention of interfering with the independence of judges. Apart from that, adding arrangements regarding grammar for self-use in the Narcotics Law. So that users under grammatical must be assessed by investigators.

There are problems in the implementation of the integrated assessment, namely that the implementation of the integrated assessment is not optimal because the role of the Integrated Assessment Team in analyzing the level of addiction of narcotics users has not been maximized, not all regions have an Integrated Assessment Team and the implementation of an integrated assessment of narcotics can only be carried out if requested by the Investigator. It is necessary to strengthen the Integrated Assessment Team by forming each Integrated Assessment Team at BNNP/BNNK and it is necessary to increase the competency of the Integrated Assessment Team's Human Resources. Apart from that, adding arrangements regarding integrated assessment in the regulation of the Narcotics Law as well as carrying out massive outreach to law enforcement officials and the public about the importance of integrated assessment.

#### 6. "Two doors" rehabilitation

Based on experience in law enforcement practice, rehabilitation policies with voluntary and compulsory models each have advantages, but there are also not a few weaknesses or deficiencies in their implementation.

The advantages of a voluntary system, including:

1) There is no stigma of criminals

Narcotics addicts/users in a voluntary system are free from the stigma that narcotics addicts/users are bad people (criminals), but they are sick people and must be treated (crime victims).

2) Can overcome the problem of overcrowding

In fact, 80% of residents of Correctional Institutions and Detention Centers throughout Indonesia are perpetrators of drug abuse. According to Yasonna H Laoly, why did this happen, because the regulations in force in Indonesia allow people who abuse drugs to be jailed. As a result, there is overcapacity in both prisons and detention centers. In fact, he said, almost half of the inmates of detention centers and prisons were fostered by drug cases (Prabowo, 2020).

The implications for prisons that are over-capacity trigger the poor health condition of prisoners and sometimes lead to death, the psychological atmosphere of unhealthy residents, frequent conflicts between prisoners and prisoners and prison officers, violations of human rights occur, the coaching program does not work in prisons, and declining quality of correctional services in correctional institutions/detentions. With this reality, the steps to control narcotics crimes, especially against narcotics users, by using the power of criminal sanctions, are no longer a strategic effort to save the Indonesian people from the dangers of narcotics abuse.

A bad example, for example in the Tangerang Class 1 Penitentiary fire incident which killed 41 inmates in September 2021, the majority of them were narcotics inmates. The overcrowding of the number of residents in prisons and correctional institutions is one of the triggering factors for the fires.

Disadvantages of rehabilitation through voluntary “entry gates” include:

1) No data accuracy

In the voluntary system the data are not integrated, making it difficult to obtain accurate data on the number of narcotics addicts/users. The implication is that it makes it difficult for law enforcement, especially the Police, to carry out tracing related to the source of the narcotics used.

2) Self-awareness

In the voluntary system, the strongest foundation is voluntary from narcotics addicts/users, including their families or parents to recover from narcotics addiction. This awareness is unlikely to be a trigger for coming to report to the institution receiving the mandatory report (IPWL). On the contrary, narcotics addicts/users will hide and their families will cover it up.

3) Management and standard operating procedures (SOP) for rehabilitation are not the same

There are 2 (two) categories of rehabilitation service institutions for addicts/narcotics users in Indonesia, namely government-owned rehabilitation institutions and private rehabilitation institutions/institutions that are on the initiative and participation of the community. Nationally,

data on the number of government-owned rehabilitation institutions/institutions in 2021 recorded 341 and 338 private rehabilitation institutions/institutions.

The problems that arise in the implementation of rehabilitation based on the research results of Herlita Eryke, et al are:

- a. Rehabilitation for convicts who use drugs, addicts and victims of narcotics abuse, ranging from medical therapy to social therapy, does not run comprehensively, due to a lack of supervision.
- b. Rehabilitation institutions/homes are used as new "classrooms" to learn from those who were only experimenting with narcotics, learning how to become users and then becoming addicts, then dealers and even dealers;
- c. Rehabilitation is also closely related to the level of awareness of the perpetrators, the rehabilitation pattern implemented by the RSJKO is based on the full awareness of the narcotics abuse patient/resident and the RSJKO cannot implement a prison system that must be maintained optimally in carrying out the rehabilitation program;
- d. The problem of unclear funding from the government (Eryke, 2015).

#### 4) Open opportunities for repetition

Repetition of narcotics abuse is one of the problems suspected of being incomplete in the implementation of rehabilitation. Some examples of repeat cases are users who have undergone the rehabilitation process but after the rehabilitation program is finished, they use drugs again, for example cases of drug users with public figures from celebrities, such as Lucinta Luna and three of her colleagues who were arrested by the West Jakarta Police in Thamrin City apartment, Central Jakarta, on 11 February 2020.

Then there was the case of Vitalia Sessa, an adult magazine model who was arrested in an apartment in the North Jakarta area on Monday, February 24 2020. After conducting a urine test, Vitalia was proven positive for using drugs. Previously, Vitalia was also involved in a drug case in 2015.

Furthermore, the Reza Artamevia case was arrested at a restaurant in the Jatinegara area, East Jakarta on Friday, September 4 2020. During the arrest, the police obtained evidence in the form of a clip of methamphetamine weighing 0.78 grams. Previously, Reza Artamevia was caught in a drug abuse case with his spiritual teacher Gatot Brajamusti in 2016.

Then the Ridho Rhoma case. Ridho Rhoma was again arrested by the police on Thursday, 4 February 2021 with evidence of ecstasy. Previously, Ridho Rhoma was caught in a drug case on March 25 2017. He was sentenced to 10 months in prison and rehabilitation at the Cibubur Drug Addiction Hospital (RSKO) for 6 months and 10 days.

One of the advantages of the system/compulsory model is that it makes tracing easier. Narcotics addicts/users are the "entry point" to carry out the development of investigations and investigations in uncovering narcotics distribution networks. By uncovering this network, the police are able to tackle drug trafficking upstream.



Weaknesses of rehabilitation through the compulsory model include the law enforcement process that takes a long time and costs a lot. Another problem that occurs in the field is the process of implementing the assessment. The availability of assessment services in legal proceedings is still under the authority of investigators, public prosecutors and judges in every criminal procedure process. So that this rehabilitation policy has the opportunity for abuse of power between law enforcement officials, especially in this case investigators and perpetrators whose actual position is as dealers, but investigators in the investigation are positioned as users with the article they suspect is the provisions of Article 127. Thus, by borrowing Sajipto Rahardjo's term, shifting the law into a "game". The meaning of the game here is to lower the degree of law as a tool to fulfill and satisfy one's own interests (Rahardjo, 2003).

The rehabilitation policy through a compulsory system in the experience of law enforcement is still debatable, because law enforcers still treat narcotics users as perpetrators of crimes. The basis is that it is impossible for a user/user not to bring, buy, store and possess drugs, especially if the perpetrator is caught and evidence is found. With this understanding, it is automatically difficult to implement rehabilitation articles (Sujono & Daniel, 2011). Judges tend to impose prison sentences on addicts. The view of law enforcers, of course, also has reasons where Law Number 35 of 2009 concerning Narcotics, adopts a double track system model, namely rehabilitation is an action sanction equivalent to criminal sanctions (Sholehuddin, 2003). So that rehabilitation must be based on a Judge's decision. The implication is that the number of narcotics abuse in Indonesia continues to increase from year to year.

Regarding the implementation of Article 103 of the Narcotics Law, the Supreme Court issued SEMA Number 4 of 2010 in conjunction with SEMA Number 3 of 2011 concerning Placement of Abusers, Victims of Abuse and Narcotics Addicts in Medical and Social Rehabilitation Institutions. According to SEMA Number 4 of 2010, rehabilitation measures can be imposed, namely the accused being caught red-handed by POLRI and BNN investigators; when caught red-handed found evidence of 1 day of use; existence of a positive laboratory test certificate using narcotics at the request of the investigator; existence of a certificate from a government psychiatrist appointed by a judge; it is not proven that the person concerned is involved in the illicit trafficking of narcotics.

Requirements for a suspect, a defendant who can be rehabilitated medically or socially in the perspective of the public prosecutor, namely positive for using narcotics (BAP laboratory results); there is a recommendation from the Integrated Assessment Team; does not act as a dealer, dealer, courier or producer; not a recidivist of narcotics cases; and when arrested or caught red-handed without evidence or with evidence that does not exceed a certain amount.

### **3.2. Formulation of Regulatory Arrangements Regarding Rehabilitation of Narcotics Addicts for Efficiency in Law Enforcement**

Indonesia is considered as one of the countries in the world that has the most regulations (regulation obesity). Data for the month of March 2022, there are approximately 220,346 laws and regulations. The President of the Republic of Indonesia Joko Widodo in 2017 in his speech once complained about the overlapping laws and regulations that apply in Indonesia. This is

because there are too many laws and regulations (hyper regulation). So the President proposed simplifying regulations using the omnibus law method.

After the President's proposal, the omnibus law method quickly became a discourse in the legal academic community, government officials and businessmen. Given that the substance of the laws and regulations that overlap and have multiple interpretations can have an impact, namely the weakening of Indonesia's competitiveness in the global arena.

From the root of the legal system tradition, the omnibus law method is popular and commonly used by countries that adhere to the common law legal system tradition, such as the United States, Germany or the United Kingdom. However, in its development, countries that adhere to the civil law legal system tradition already apply the omnibus law method, such as Vietnam, which unifies various tax regulations in one law, including Indonesia, namely Law Number 11 of 2020 concerning Job creation that amends and/or revokes 78 (seventy eight) laws covering the employment, agrarian, forestry, finance, business licensing, trade, fisheries sectors, including government administration.

The purpose of the omnibus law method is to simplify laws and regulations and solve overlapping regulations and bureaucracy problems (Fitryantica, 2019). Besides that, the use of the omnibus law method is an effort to harmonize laws and regulations and is able to suppress sectoral egos which sometimes cause conflicts between one law and another.

The discourse on the omnibus law method in forming statutory regulations is a good momentum for structuring implementing regulations regarding provisions for the rehabilitation of narcotics addicts mandated by Law Number 35 of 2009 concerning Narcotics. Provisions regarding narcotics rehabilitation are regulated in various sectoral regulations. There are at least 5 (five) sectors/fields that regulate provisions regarding the rehabilitation of drug addicts/abusers, namely:

1. Sector/health sector;
2. Social sector/field;
3. Law enforcement sector/field;
4. Drug and Food Control Agency (BOM) sector;
5. Sector/combination of health, social and law enforcement sectors.

Each of these fields/sectors has regulations (rules) that regulate provisions related to the rehabilitation of narcotics addicts/users. The number of regulations governing rehabilitation provisions for narcotics addicts/users, in law enforcement practice, creates multiple interpretations and overlaps, which has implications for governance in overcoming narcotics abuse.

The omnibus law method is the right choice to streamline various regulations governing narcotics rehabilitation. Black's Law Dictionary defines the omnibus law as "a bill including in one act various separate and distinct matters, and particularly one joining a number of different subjects in one measure in such a way as to comply with the executive authority to

accept provisions which he does not approve or else defeat the whole enactment”. Based on this definition, freely omnibus law can be translated as a statutory regulation that changes and/or revokes several statutory provisions from different sectors to be combined into 1 (one) statutory regulation.

Regulations that contain rules regarding rehabilitation for addicts/narcotics abusers, the following is the author's description in tabular form.

**Table 3: Regulations Concerning Rehabilitation of Drug Addicts/Users**

No	Field/Sector	Regulation
1	Health	Law Number 35 of 2009 concerning Narcotics
		Government Regulation Number 25 of 2011 Concerning Mandatory Reporting of Narcotics Addicts
		Regulation of the Minister of Health Number 26 of 2014 concerning the Annual Requirement Plan for Narcotics, Psychotropics and Precursors
		Regulation of the Minister of Health Number 3 of 2015 concerning Circulation, Storage, Destruction and Reporting of Narcotics, Psychotropics and Pharmacy Precursors
		Regulation of the Minister of Health Number 2415/MENKES/PER/XII/2011 Concerning Medical Rehabilitation of Addicts, Abusers and Victims of Narcotics Abuse
		Regulation of the Minister of Health of the Republic of Indonesia Number 50 of 2015 concerning Technical Guidelines for Compulsory Reporting and Medical Rehabilitation for Addicts, Abusers, and Victims of Narcotics Abuse
		Regulation of the Minister of Health of the Republic of Indonesia Number 4 of 2020 concerning Implementation of Obligatory Report Recipient Institutions
		Regulation of the Minister of Health Number 4 of 2021 concerning Changes in the Classification of Narcotics
2	Social Sector	Law Number 35 of 2009 concerning Narcotics
		Government Regulation Number 25 of 2011 Concerning Mandatory Reporting of Narcotics Addicts
		Regulation of the Minister of Social Affairs Number 03 of 2012 concerning Standards for Social Rehabilitation Institutions for Victims of Narcotics, Psychotropic and Other Addictive Substances Abuse
		Regulation of the Minister of Social Affairs Number 8 of 2014 Concerning Guidelines for Social Rehabilitation of Narcotics Addicts and Victims of Narcotics Abuse in Confrontation with the Law in Social Rehabilitation Institutions
		Regulation of the Minister of Social Affairs of the Republic of Indonesia Number 6 of 2019 concerning Amendments to Regulation of the Minister of Social Affairs Number 16 of 2018 Concerning the Organization and Work Procedures of the Technical Implementation Unit for Social Rehabilitation of Victims of Narcotics, Psychotropic and Other Addictive Substances Abuse within the Directorate General of Social Rehabilitation
		Republic of Indonesia Minister of Social Affairs Regulation Number 16 of 2020 concerning Social Rehabilitation Assistance
3		Law Number 8 of 1981 concerning Criminal Procedure Code (KUHP)

	Law Enforcement Field	<p>Law Number 35 of 2009 concerning Narcotics</p> <p>Government Regulation Number 25 of 2011 Concerning Mandatory Reporting of Narcotics Addicts</p> <p>Supreme Court Circular Letter Number 4 of 2010 Regarding Placement of Abuse, Abuse Victims and Narcotics Addicts Into Medical and Social Rehabilitation Institutions</p> <p>Supreme Court Circular No. 3 of 2011 concerning Placement of Victims of Narcotics Abuse into Medical and Social Rehabilitation Institutions</p> <p>Joint Regulation of the Chief Justice of the Supreme Court of the Republic of Indonesia, Minister of Law and Human Rights of the Republic of Indonesia, Minister of Health of the Republic of Indonesia, Minister of Social Affairs of the Republic of Indonesia, Attorney General of the Republic of Indonesia, Head of the National Police of the Republic of Indonesia, Head of the National Narcotics Agency of the Republic of Indonesia Number: 01/PB/ MA/III/2014, Number : 03 of 2014, Number : 11 of 2014, Number : 03 of 2014, Number : PER-005/A/JA/03/2014, Number : 1 of 2014, Number : PERBER/01/ III/2014/BNN concerning Handling of Narcotics Addicts and Victims of Narcotics Abuse in Rehabilitation Institutions</p> <p>Attorney General Regulation Number 029 of 2015 Concerning Technical Instructions for Handling Narcotics Addicts and Victims of Narcotics Abuse in Rehabilitation Institutions</p> <p>Circular Letter No: Se-3/E/Ejp/12/2020 Concerning Prosecutor's Instructions (P-19) At the Pre-Prosecution Stage Is Conducted Once in the Handling of General Crime Cases</p> <p>Letter of Deputy Attorney General for General Crimes No: B-1589/E/Ejp/07/2021. Regarding: Procedures for Handling Cases of Addicts and/or Victims of Narcotics Abuse</p> <p>Attorney General of the Republic of Indonesia. Guideline No: 11 of 2021 Concerning Handling of Narcotics Crime Cases and/or Narcotics Precursor Crimes</p> <p>Decree of the Director General of Badilum of the Supreme Court No: 1691/Dju/Sk/Ps.00/12/2020 Regarding Enforcement of Guidelines for Implementing Restorative Justice</p> <p>Republic of Indonesia National Police Regulation Number 8 of 2021 concerning Handling of Crimes Based on Restorative Justice</p>
4	National Narcotics Agency (BNN)	<p>Law Number 35 of 2009 concerning Narcotics</p> <p>Government Regulation Number 25 of 2011 Concerning Mandatory Reporting of Narcotics Addicts</p> <p>Joint Regulation of the Chief Justice of the Supreme Court of the Republic of Indonesia, Minister of Law and Human Rights of the Republic of Indonesia, Minister of Health of the Republic of Indonesia, Minister of Social Affairs of the Republic of Indonesia, Attorney General of the Republic of Indonesia, Head of the National Police of the Republic of Indonesia, Head of the National Narcotics Agency of the Republic of Indonesia Number: 01/PB/ MA/III/2014, Number : 03 of 2014, Number : 11 of 2014, Number : 03 of 2014, Number : PER-005/A/JA/03/2014, Number : 1 of 2014, Number : PERBER/01/ III/2014/BNN concerning Handling of Narcotics Addicts and Victims of Narcotics Abuse in Rehabilitation Institutions</p>

	Regulation of the Head of BNN Number 5 of 2012 concerning the Organization and Working Procedures of the BNN Rehabilitation Center
	Regulation of the Head of BNN Number 2 of 2013 Concerning the Organization and Working Procedures of the National Narcotics Agency Rehabilitation Center
	Regulation of the Head of BNN Number 11 of 2014 concerning Procedures for Handling Suspects and/or Defendants of Narcotics Addicts and Victims of Narcotics Abuse into Rehabilitation Institutions
	RI BNN Regulation Number 24 of 2017 concerning Rehabilitation Service Standards for Narcotics Addicts and Victims of Narcotics Abuse
	Regulation of the Head of the National Narcotics Agency of the Republic of Indonesia Number 5 of 2021 concerning Technical Guidelines for the National Action Plan for Prevention and Eradication of Abuse and Illicit Trafficking of Narcotics and Narcotics Precursors for 2020-2024

Based on the results of the inventory of regulations governing the rehabilitation of narcotics addicts/abusers above, it is feared that the regulations will malfunction and become a threat, because these regulations overlap and will ensnare one another. The implication is that the rehabilitation policy will become stagnant. Stagnation in carrying out rehabilitation policies for narcotics addicts/abusers will affect the effectiveness and efficiency of law enforcement.

Efficiency and effectiveness of law enforcement is a common goal and desire that must be realized by law enforcement officials (APH). Efficiency in law enforcement is closely related to time efficiency, namely the duration of the completion of a case. To take advantage of time efficiency in resolving cases, specifically for narcotics cases Law Number 35 of 2009 concerning Narcotics stipulates that cases of abuse and illicit traffic of Narcotics and Narcotics Precursors, including cases that take precedence over other cases to be submitted to court for a speedy resolution. The process of examining cases of Narcotics crime and Narcotics Precursor crime at the appeal level, cassation level, judicial review, and death penalty execution, as well as the process of granting clemency, must be accelerated in accordance with statutory regulations.

In addition to time efficiency, in enforcing the law on narcotics abuse, bureaucratic efficiency is also needed. A "massive" bureaucracy will definitely take a long time, so the bureaucracy for narcotics abuse cases needs to be trimmed. Considering that the rehabilitation policy for narcotics addicts/abusers is believed to be a strategic effort to tackle narcotics abuse. Time efficiency and bureaucratic efficiency in drug addict rehabilitation policies will affect cost efficiency. Streamlining regulations that are closely related to the provisions for the rehabilitation of narcotics addicts/abusers encourages time efficiency, bureaucratic efficiency and cost efficiency so that the effectiveness of law enforcement in overcoming narcotics abuse can benefit the community.

The effectiveness of law enforcement requires physical strength to enforce these legal principles into reality, based on their legal authority (Siswantoro, 2004). John Graham stated that law enforcement in the field by the Police is a law enforcement policy in preventing crime. Hamish MC. Rae added that law enforcement must be carried out by people who are truly

experts in their fields and in law enforcement it would be better if law enforcers had practical experience in the field they handled (Suhartoyo, 2019).

#### 4. CONCLUSION

Based on the results of the analysis above, the importance (urgency) of structuring regulations governing the rehabilitation of narcotics addicts/abusers will make it easier for law enforcement officials (APH) to determine the classification of a person as a Narcotics Addict or Narcotics Abuser or a victim of narcotics abuse. So that the principles and objectives of Law Number 35 of 2009 concerning Narcotics are fulfilled optimally. The ideal formulation of regulatory arrangements regarding the rehabilitation of narcotics addicts/abusers for efficiency in law enforcement is to use the omnibus law method to streamline sectoral regulations governing rehabilitation in one law.

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