

The Implementation of Narcotics Law in Indonesia: An Analysis of Issues and Challenges

Nevey Varida Ariani^a Yusramizza Md. Isa^b Yusuff^b Yuhanif Yusof^c

^aPh.D.Candidate Universiti Utara Malaysia and Civil Servant at the Ministry of Law and Human Rights of the Republic of Indonesia

Email: neveyvaridaariani@gmail.com

^bAssociate Professor, Senior Lecturer (PhD) at Universiti Utara Malaysia

Email: yusramizza@uum.edu.my

^cAssociate Professor, Senior Lecturer (PhD) at Universiti Utara Malaysia

Email: yuhanif@uum.edu.my

Abstract:

Narcotics abuse has been a significant issue in Indonesia ever since decades ago. The growing number of narcotics usage cases has called into question the integrity of Indonesia's judicial legal system, notably its judicial institutions. The existing discourse demonstrates that the situation has been significantly impacted by ambiguity and incompatibility in the application of drug laws and regulations. By applying a normative juridical framework, this study analyses the main issues and challenges in the implementation of narcotics legislation in Indonesia. The findings reveal discrepancies and peculiarities in the implementation of narcotics legislation, including divergent categorizations of narcotics use and trafficking, the ongoing development of narcotics varieties, and uncertainty surrounding the concepts of decriminalization and criminalization of narcotics. To prevent diverse interpretations of drug legislation, a key recommendation has been put forth to amend or revise it. Additionally, the paper presents several primary recommendations aimed at addressing the pertinent concerns and obstacles associated with the enforcement of narcotics legislation in Indonesia.

Keywords: *narcotic, drug, crimes, criminal law, law enforcement*

I. Introduction

In Indonesia, the issue of drug-related crimes has been a serious problem for

decades. The increasing number of cases involving drug abuse, trafficking, and illegal production has posed significant threats to the lives of the people, the

nation, and the state.¹ This is because perpetrators of drug crimes come from various sectors of society, including civil servants, artists, politicians, judges, and police officers.

A contemporary example is Teddy Minahasa, a former Chief of Police in West Sumatra, who was sentenced to life imprisonment for unlawfully selling, trading, and distributing Class I narcotics to others without permission.²The unchecked circulation and misuse of narcotics have had a detrimental impact on law enforcement processes. Corruption cases within drug law enforcement also present major obstacles to effectively combating drug abuse.

This problem can hurt the integrity of law enforcement duties both due to a lack of knowledge of the provisions of the law and individuals who do not comply with the law. Relevant legal provisions and regulations have raised

doubts regarding the appropriateness of prison sentences and rehabilitation because they often give rise to various interpretations in society.³

The significant gap between the length of prison sentences and the use of punishment in the context of narcotics abuse. This difference refers to the punishment between narcotics abuse and narcotics trafficking which often results in heavier sentences for the perpetrators. This prompts inquiries into the impartiality of law enforcement and the underlying factors influencing it.⁴

In Indonesia, cases involving narcotics are considered transnational crimes that extend beyond national borders or concerns. On September 14, 2009, the Indonesian Government reaffirmed Law Number 35 of 2009 (UU No. 35/2009) regarding Narcotics to replace the previous legislation, which was considered ineffective in achieving its

¹ Erwin. Asmadi, "Procedure for Destruction of Evidence of the Crime of Narcotics Abuse Based on Formal Law in Indonesia," *International Journal Reglement & Society (IJRS)* 1, no. 2 (2020): 77–85, <https://doi.org/10.55357/ijrs.v1i2.27>.

² Edi Saputra Hasibuan and Amalia Syauket, "Efforts To Eradicate Narcotics In The National Police: A Case Study Of Teddy Minahasa," *International Journal of Social Service and Research* 3, no. 4 (April 11, 2023): 900–905, <https://doi.org/10.46799/ijssr.v3i4.346>.

³ Muhamad Chaidar and Budiarsih Budiarsih, "Implementation Double-Track System Criminal Sanctions and Rehabilitation Against Narcotic Abusers," *Sasi* 28, no. 3 (2022): 379, <https://doi.org/10.47268/sasi.v28i3.974>.

⁴ Suhendar Suhendar, Annissa Rezki, and Nur Rohim Yunus, "Legal Certainty in the Application of the Crime of Narcotics Abuse Judging from the Disparity of Judges' Decisions," *SALAM: Jurnal Sosial Dan Budaya Syar-I* 9, no. 1 (2022): 121–32, <https://doi.org/10.15408/sjsbs.v9i1.24487>.

intended aims.⁵ This updated law was implemented to guarantee a sufficient supply of drugs for medical purposes, with the objectives of promoting social and medical rehabilitation, advancing scientific research, and combating drug abuse and distribution among addicts.⁶

In addition to these laws, there are supplementary regulations aimed at strengthening the management of narcotics cases. These regulations include Government Regulation Number 25 of 2011 concerning Mandatory Reporting for Narcotics Addicts (PP No. 25/2011). Minister of Health Regulation Number 13 of 2014 concerning revisions to Narcotics Classification (Permenkes No. 13 of 2014). and Supreme Court Circular Number 4 of 2010 concerning the Placement of Abusers, Abuse Victims, and Drug Addicts into Health Rehabilitation and Social Rehabilitation Agencies (SEMA No. 4/2010).⁷ However, issues of duplication, inconsistency, and

incongruity persist in the enforcement of these regulations, attributed to the emergence of 479 New Psychoactive Substances (NPS), which are novel types of narcotics not yet regulated or officially listed in Law No. 35 of 2009 and Minister of Health Regulation No. 13/2014.⁸

The Institute Judicial Research Society (IJS) conducted research in 2022, revealing a contemporary example indicating that 92.3% of narcotics abuse cases in Indonesia result in imprisonment, 3.2% involve rehabilitation, 3.1% undergo both processes simultaneously (imprisonment and rehabilitation), while the remaining 1.3% receive alternative punishments such as returning to their families or parents, particularly if the offender is a minor.⁹ This data underscores that incarceration is the predominant penalty for narcotics abuse cases, contributing to the issue of prison overcrowding in Indonesia.

⁵ Sonangkok Purba. Elpina, Mariah, "The Narcotics Abuse Term Weaknesses in Criminal Law," *Jurnal Pembaharuan Hukum* 8, no. 1 (2021): 34–47, <https://doi.org/http://dx.doi.org/10.26532/jph.v8i1.14547>.

⁷ Hendrio Suherman, "The Problematic Execution Of Criminal Sanction For Minimum Fines In The 1945 Constitution Number 35/2009 Concerning On Narcotics," *Research, Society and*

Development 9, no. 5 (2020): 1–14, <https://doi.org/http://dx.doi.org/10.33448/rsd-v9i5.2520> A.

⁸ Ketan Patil and Astha Pandey, "Voltammetric Analysis of New Psychoactive Substances," *Arab Journal of Forensic Sciences and Forensic Medicine* 3, no. 2 (2021): 297–314, <https://doi.org/10.26735/MZYC3707>.

⁹ Asmadi, "Procedure for Destruction of Evidence of the Crime of Narcotics Abuse Based on Formal Law in Indonesia."

Additionally, the Correctional Data Base System (SDP) operated by the Directorate General of Corrections reports an uptick in narcotics abuse cases from 2019 to 2022.¹⁰ This information suggests that the objectives outlined in current legislation have not been met, casting doubt on the efficacy of punitive measures for narcotics abuse in Indonesia.

This research plays a crucial role in ensuring the effective implementation of law enforcement measures against narcotics abuse. In addition to conducting comprehensive research to understand the complexities of narcotics abuse from various perspectives, further comprehensive and meticulous examination is required to gain a clearer understanding of the primary issues and obstacles in implementing narcotics laws in Indonesia.

II. Legal Materials and Methods

This study employs a normative juridical research methodology, selected due to its

close alignment with the principles of narcotics law and its associated punishment implementation.¹¹ Qualitative techniques are utilized, involving the analysis of legal statutes, as well as the explication, examination, and presentation of facts, principles, considerations, concepts, rules, theories, and functions of specific laws or legal institutions in a systematic manner.¹²

Primary data sources include relevant legislation such as Law Number 35 of 2009 concerning Narcotics; Law of the Republic of Indonesia Number 1 of 2023 concerning the Criminal Code; Government Regulation Number 25 of 2011 concerning the Implementation of Mandatory Reporting for Narcotics Addicts; Supreme Court Circular Letter Number 04 of 2010; and Minister of Health Regulation Number 13 of 2014 regarding Narcotics Classification.

Secondary data encompass court rulings pertaining to narcotics cases, the population of narcotics detainees in correctional facilities, reports from rehabilitation institutions or the National

¹⁰ Direktorat Jenderal Pemasyarakatan, "Jumlah Narapidana," Direktorat Jenderal Pemasyarakatan, 2022, <https://sdppublik.ditjenpas.go.id/>.

¹¹ Tunggal Ansari Setia Negara, "Normative Legal Research in Indonesia: Its Originis and Approaches," *Audito Comparative Law Journal*

(*ACLJ*) 4, no. 1 (2023): 1–9, <https://doi.org/10.22219/acj.v4i1.24855>.

¹² Matthew Mitchell, "Analyzing the Law Qualitatively," *Qualitative Research Journal* 23, no. 1 (January 1, 2023): 102–113, <https://doi.org/10.1108/QRJ-04-2022-0061>

Narcotics Agency (BNN), along with various other relevant reports. Through this research approach, the aim is to comprehensively and systematically investigate legal issues associated with narcotics.

III. Results and Discussion

1. Problems in Implementing Narcotics Laws and Regulations in Indonesia.

UU No. 35 of 2009 reported several inconsistencies in law enforcement, namely (1) the absence of a clear description of the health approach to dealing with the problem of narcotics abuse;(2) the many confusing classifications of narcotics abuse and distribution; and (3) the need for rehabilitation programs as an alternative punishment for various types of uncontrolled narcotics abuse violations.¹³In addition, there are issues of fairness in the ineffective

implementation of the law. For example, imposing a fine that is greater than the prison sentence so that many perpetrators choose prison rather than paying a fine.¹⁴

Several studies state that Malaysia views drug users as victims, not perpetrators.¹⁵Users who consume or use narcotics can receive up to three times the rehabilitation sentence. This method allows countries to prevent narcotics abuse without having to serve prison sentences which have the potential to have negative impacts in the future as is done in Australia, the Czech Republic, and Jamaica.¹⁶ The use and possession of narcotics for personal purposes is not considered a criminal offense. This is different from Indonesia, where every year the number of narcotics abuse increases and prisons are filled with narcotics convicts.

Data from the SDP indicates that Indonesia's total prisoner population has

¹³ Basrawi Basrawi, Sukri Sukri, and Riezka Eka Mayasari, "Law Enforcement of Narcotics Abuse: Case Study of Investigation Process in Narcotics Criminal Acts in The Kolaka District National Narcotics Agency," *Journal of Progressive Law and Legal Studies* 1, no. 02 (2023): 162–71, <https://doi.org/10.59653/jppls.v1i02.150>.

¹⁴ Nuril Mufidah and Intan Izha Rohima, "Judicial Review Of the Crime of Narcotics Abuse Category I," *Uniqbu Journal Of Social Sciences (UJSS)* 7, no. 2 (2020): 33–48,

https://doi.org/https://doi.org/10.31219/osf.io/e3s_jf.

¹⁵ Yusramizza Binti Md Isa, "Harm Reduction in the Context of Drug Use in Malaysia, a Critical Analysis of Its Justification and Its Compatibility with the Criminal Justice Approach," *PQDT - UK & Ireland* (2015).

¹⁶ Asmadi, "Procedure for Destruction of Evidence of the Crime of Narcotics Abuse Based on Formal Law in Indonesia."

reached 270,121 individuals.¹⁷ Among them, 225,472 individuals are classified as prisoners, while 44,649 individuals are

categorized as suspects. Within the prisoner category, there are 256,839 men, 13,285 women, and 2,669 children.

Table 1.1

Number of Prisoners and Types of Punishment in Indonesian Prisons in 2022

NO.	Types of Punishment	Number of Prisoners
1	General Punishment	126,937 people
2	Corruption	4,796 people
3	Terrorist	504 people
4	Drugs	136,612 people
5	Illegal logging	178 people
6	Illegal Currency Exchange	155 people
7	Human trafficking	278 people

Source: SDP Republic of Indonesia (2022)

Table 1.1 illustrates the quantity of incarcerated individuals and the types of sentences administered in Indonesia. Notably, narcotics-related offenses saw the highest number of apprehensions, totaling 136,612 individuals, surpassing those of standard sentences (126,937 individuals) and corruption cases (4,796 individuals).¹⁸

The surge in narcotics-related incidents has heightened the workload of the judiciary and resulted in a rise in the

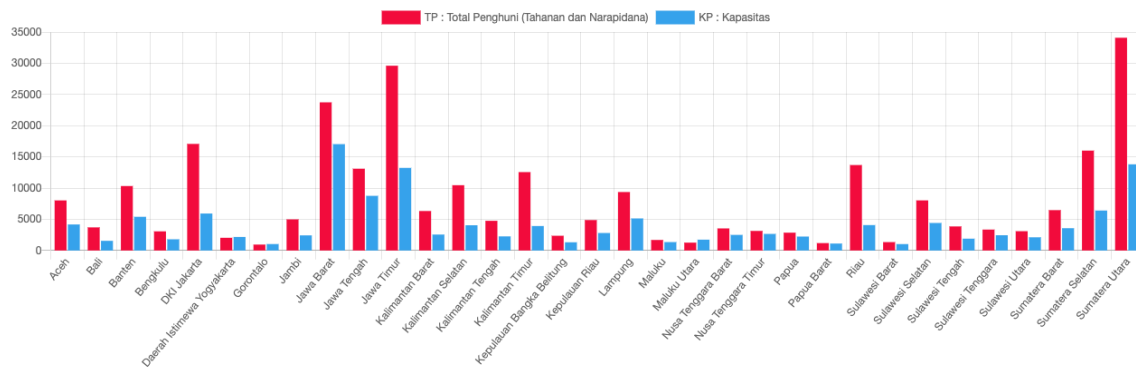
prison population in Indonesia. During the initial years following the implementation of narcotics laws, spanning from 2008 to 2014, the inmate count continued to escalate. However, between 2019 and 2022, there emerged an overcapacity of prisoners in 523 Community Technical Implementation Units (UPT) spread across 33 provinces in Indonesia.

¹⁷ Direktorat Jenderal Pemasyarakatan, "Jumlah Narapidana."

¹⁸ <https://sdppublik.ditjenpas.go.id/>, "Laporan Data Harian," Ditjen Pemasyarakatan Republik Indonesia (Jakarta, 2022).

Graph 1.1

Number of Prisoners and Prison Capacity in 2022



Source: Sistem Data Base Masyarakat (SDP) tahun 2022

Figure 1.1 in the chart reveals that East Java Province ranks as the second-highest nationally in terms of narcotics abuse rates, highlighting the influence of law and regulation enforcement in Indonesia on narcotics abuse trends.¹⁹ Narcotics abuse poses not only a local challenge but also has repercussions across the entirety of Indonesia. Besides necessitating a comprehensive analysis from diverse perspectives to grasp the intricacies of the narcotics issue, this observation underscores the urgency of addressing narcotics punishment promptly.²⁰ Within the framework of the legal system, the execution of drug-

related sentences varies and is contingent upon judicial discretion.

Consequently, numerous legal facets must be taken into account regarding narcotics legislation and the execution of punishment. The fluctuations in the prisoner population and prison capacity across different regions in Indonesia are intricately linked to the duration of various sentences being served.²¹ The duration of drug-related sentences is determined based on the evidence

¹⁹ Syahrul Qiram, "Combating Drug Crimes at the East Surabaya Police," *Khazanah Hukum* 4, no. 1 (2022): 19–28, <https://doi.org/10.15575/kh.v4i1.17261>.

²⁰ Bahtiyar Efendi and Widhi Handoko, "Implementation of Criminal Law in Handling Narcotics Cases in Indonesia," *Pena Justisia: Media*

Komunikasi Dan Kajian Hukum 21, no. 2 (2022): 198–209, <https://doi.org/10.31941/pj.v21i2.2678>.

²¹ Irlan Puluhalawa, "Granting Clemency To Narcotics Convicts: Overview From The Political Perspective Of Indonesian Criminal Law," *Jurnal Legalitas* 14, no. 2 (2021): 107–27, <https://doi.org/10.33756/jelta.v14i2.11147>.

presented during court proceedings following the judge's verdict.²²

Table 1.2

Narcotics Sentences Based on Court Decisions

No.	Court decision	Amount
1	Narcotics Sentence < 5 Years	24,902 people
2	Drug Sentence 5-9 Years	76,657 people
3	Drug Sentence > 10 Years	12,452 people
4	Death penalty	118 people
5	Life sentence	518 people

Source: SDP Republic of Indonesia (2022)

According to the data presented in Table 1.2, 24,902 individuals received sentences of fewer than 5 years in prison, 76,757 individuals were sentenced to imprisonment ranging from five to nine years, and 12,452 individuals were given sentences exceeding 10 years. Additionally, 518 individuals were sentenced to life imprisonment, while 118 individuals were condemned to death. The main characteristic of this law is the variation of drug sentences based on the evidence found.²³ Many judges determine different narcotics sentences for users, dealers, and dealers, causing

the number of narcotics perpetrators to increase.

Varying lengths of criminal sentences for narcotics abuse, distribution, and addiction also have an impact on increasing the number of prisoners and prison capacity. Nevertheless, the current legislation lacks clarity, resulting in numerous narcotics addicts facing punishment for either drug abuse or distribution.²⁴ In the legal proceedings, the public anticipates assistance to ensure that individuals involved in narcotics crimes receive suitable penalties and that those proven guilty are incarcerated according to established

²² Asep Iswahyudi Rachman and Sri Kusriyah, "Law Enforcement Of Narcotics Laws," *Law Development Journal* 2, no. 2 (2020): 139, <https://doi.org/10.30659/ldj.2.2.139-145>.

²³ <https://sdppublik.ditjenpas.go.id/>, "Laporan Data Harian."

²⁴ Suhendar, Rezki, and Yunus, "Legal Certainty in the Application of the Crime of Narcotics Abuse Judging from the Disparity of Judges' Decisions."

laws.²⁵ However, the punitive approach will continue to dominate when there is ambiguity that is not reviewed.

2. The Main Challenges In Implementing Narcotics Laws

Despite the implementation of multiple laws and executive regulations aimed at controlling and eliminating narcotics offenses, the incidence of narcotics crimes remains notably high.²⁶ This law provides harsh penalties for those involved in narcotics crimes, while also increasing the number of inmates in correctional institutions. As a place of confinement, prison is not an ideal environment for rehabilitation because conditions are often not conducive and prisoners tend to have access to narcotics. Apart from that, alternative rehabilitation systems are also ineffective and there are cases where individuals who have undergone rehabilitation

return to their old habits of continuing to use narcotics.

Deciphering the fundamental principles outlined in Law Number 35 of 2009 still encounters obstacles in law enforcement.²⁷ The management of addicts, victims, and perpetrators of narcotics abuse is influenced by the definitions provided in the General Provisions Chapter.²⁸ According to the law, narcotics abuse is defined as the unauthorized consumption of narcotics.

Victims of narcotics abuse are supposed to undergo social and medical rehabilitation as stipulated by narcotics laws, yet a majority end up serving prison sentences. Consequently, individuals convicted of drug abuse are often perceived as dealers due to the ambiguity of the law and the various interpretations arising from the evidence presented. Moreover, the proliferation of sectoral implementing regulations

²⁵ Irsano Marthanova Erisky and Widayati Widayati, "The Law Enforcement Of Rehabilitation Sanctions Against Narcotics Users," *Law Development Journal* 3, no. 2 (2021): 453, <https://doi.org/10.30659/ldj.3.2.453-459>.

²⁶ Rezkiansyah Rahmat Paneo, "Law Enforcement Against Narcotics Crime Recidivists," *Estudiante Law Journal* 2, no. 1 (2020): 206–14, <https://doi.org/10.33756/eslaj.v0i0.13136>.

²⁷ Efendi and Handoko, "Implementation of Criminal Law in Handling Narcotics Cases in Indonesia."

²⁸ Rina Apriliani Sugiarti, "The Problem with Stigma : Identifying Its Impact on Drug Users and Recommendation for Interventions Musuh Dalam Selimut : Identifikasi Dampak Stigma Bagi Pengguna Narkoba Serta Intervensi Yang Dibutuhkan," *Psikologia: Jurnal Pemikiran Dan Penelitian Psikolog* 18, no. 2 (2023), <https://doi.org/https://doi.org/10.32734/psikologi.a.v18i2.11320>.

impedes efforts to enforce the law equitably and transparently.

Article 103 paragraph (1) of the Narcotics Law offers flexibility in criminal enforcement, granting judges the authority to: (1) mandate treatment or rehabilitation for individuals proven to have engaged in criminal behavior, or (2) prescribe treatment or rehabilitation for individuals not proven to have committed a criminal act.²⁹

Therefore, the individual under review may be sentenced to prison or selected to enter a rehabilitation program. This is because individuals who use narcotics are often considered criminals. However, the placement of individuals who use narcotics in medical or social rehabilitation institutions during the trial process is considered part of the criminalization process.

In contrast to research conducted Evaluation of the effectiveness of rehabilitation therapy in overcoming narcotics dependence considers the

challenges faced by narcotics victims or addicts in trying to overcome their addiction.³⁰ Drug addicts frequently find themselves ensnared in adverse circumstances, despite being classified as perpetrators of criminal activities. To support socially marginalized drug addicts, rehabilitation programs aim to reintegrate them into society and deter future instances of drug abuse.

These discoveries underscore the advantages of health and social rehabilitation for victims of drug abuse, benefiting them both individually and as a collective.³¹ According to Article 127, paragraphs (2) and (3) of the Narcotics Law, evidence must undergo comprehensive implementation in order for rehabilitation to be mandated, particularly in combating narcotics abuse.

Joint regulations with law enforcement officials control their implementation to ensure law enforcement against narcotics

²⁹ Dhian Artwitadibrata and Akhmad Khisni, "The Concept of Criminal Law for Personnel of Narcotics Abuse," *Jurnal Daulat Hukum* 3, no. 4 (2020): 411–18, <http://jurnal.unissula.ac.id/index.php/RH/article/view/8428/3934>.

³⁰ Sutarto, "Penerapan Rehabilitasi Medis Dan Rehabilitasi Sosial Terhadap Korban Penyalahgunaan Narkotika Ditinjau Dari Teori

Pemidanaan Relatif," *Jurnal Penegakan Hukum*, 2021, 115–35.

³¹ Bambang Tri Bawono, Dwi Wahyono, and Andri Winjaya Laksana, "Implementation of Rehabilitation for Drug Abuses According To Law Number 35 Of 2009 Concerning Narcotics," *Jurnal Hukum* 38, no. 1 (March 27, 2022): 1, <https://doi.org/http://dx.doi.org/10.26532/jh.v38i1.20869>.

abuse goes hand in hand.³²Addicts can enter treatment early while going through the legal process with an integrated assessment. This can be said to be a restorative justice approach where law enforcement and rehabilitation of individuals affected by drug abuse are carried out simultaneously.

The criminal threats contained in Articles 111 to 148 with three classifications of narcotics give rise to various interpretations of their use.³³This provides an illustration of the complexity and diversity of punishment in narcotics cases where various characteristics and levels of seriousness emphasize narcotics punishment.

The law provides for three types of punishment: basic punishment, additional punishment, and special punishment. As defined in Article 64(a), the basic penalties include imprisonment, closure, supervision, fines, and community service.³⁴ If the basic punishment is not sufficient to

achieve certain objectives, various additional penalties may be imposed. Special punishments such as the death penalty can be applied as an alternative.

Changes to the Criminal Code (KUHP) which will be passed in 2023 will affect the development of the implementation of sentences. The *ultimum medium* principle emphasizes the need to reduce extreme and disproportionate sentences by emphasizing the importance of not rushing to apply punitive sanctions directly without considering other options that are more effective and professional in dealing with these violations.³⁵

The application of punishment in the narcotics law shows a tendency towards punishment as a form of retribution, especially as seen consistently in law enforcement against perpetrators such as distribution, possession, and use of narcotics. An optimistic sentencing approach focuses on high-profile cases. While prisons are designed to deter

³² Efendi and Handoko, "Implementation of Criminal Law in Handling Narcotics Cases in Indonesia."

³³ Bawono, Wahyono, and Laksana, "Implementation of Rehabilitation for Drug Abuses According To Law Number 35 Of 2009 Concerning Narcotics."

³⁴ Bayu Mediansyah, "Restorative Assessment Based On The Results Of Integrated Assessment Prosecution Of Restorative Justice Abuse,"

CEPALO 6, no. 1 (2022): 74–85, <https://doi.org/10.2648/cepalo.v6no1>.

³⁵ Keren Gueta, Sharon Gamliel, and Natti Ronel, "Weak Is the New Strong: Gendered Meanings of Recovery from Substance Abuse among Male Prisoners Participating in Narcotic Anonymous Meetings," *Men and Masculinities* 24, no. 1 (2021): 104–26,

<https://doi.org/10.1177/1097184X19849449>.

crime, the emphasis on punitive measures for drug abuse and trafficking also raises apprehensions regarding human rights violations, notably concerning the rights to life and health in Indonesia.³⁶

The objective of crime and punishment is traditionally focus on penalizing and seeking retribution from the offender.³⁷ Conversely, the contemporary perspective underscores that punishment serves to deter crime and facilitate the reintegration of prisoners into society. Additionally, integration theory emphasizes the utilization of punishment for both deterrence and rehabilitation objectives. Within the realm of human rights, it is crucial to uphold a balance between the rights of criminals, victims, and society throughout the judicial process.

The main focus of punishment is to increase the resulting response to improve social relations between individuals involved in narcotics abuse.³⁸ This development reflects a view

of society that tends towards prison sentences which emphasizes the rehabilitation and integration of individuals into society as the main goals in the modern prison system. However, the true purpose of punishment is to achieve reform, improvement, and positive behavioral changes in the offender for a better future.

The increasingly disturbing problem of drug abuse requires great effort and collective commitment to prevent and overcome it. Prisons have been used to punish offenders; However, the effectiveness of this method is still debated, especially with the increasing cases of narcotics abuse. Therefore, regulations that discriminate against drug users need to be changed immediately because they are considered impractical.

This creates problems with law enforcement and a criminal system that is unable to accommodate all perpetrators. Individuals caught in drug abuse often lose the opportunity to

³⁶ Mei Ristikowati and Lathifah Hanim, "The Implementation of Criminal Sanctions on Criminal Acts of Narcotics," *Law Development Journal* 2, no. 4 (2021): 790–98, <https://doi.org/http://dx.doi.org/10.30659/ldj.3.4.790-798>.

³⁷ Jhoni Fernando Sinaga, Ediwarman, and Mahmud Mulyadi, "Comparison Between Indonesia and the United States in Enforcement

of Narcotics Illicit Trafficking," *Proceedings of the Second International Conference on Public Policy, Social Computing and Development (ICOPOSDEV 2021)* 642, no. Icoposdev 2021 (2022): 22–28, <https://doi.org/10.2991/assehr.k.220204.004>.

³⁸ Suhendar, Rezki, and Yunus, "Legal Certainty in the Application of the Crime of Narcotics Abuse Judging from the Disparity of Judges' Decisions."

receive full treatment. Jeopardizing their right to access basic health services, especially when they are sentenced to prison.³⁹

The enforcement strategy targeting drug users imposes significant burdens on the state, both financially and operationally, and strains the criminal justice system. The prevalence of punitive measures poses numerous critical challenges within Indonesia's narcotics management and criminal justice framework. Fundamentally, there is a pressing need for a well-defined control mechanism to address the narcotics issue, rather than solely relying on punitive measures that reinforce the illicit drug market and neglect health interventions for drug users and addicts.⁴⁰

Despite the provisions for rehabilitation efforts outlined in Law Number 35 of 2009 concerning Narcotics, such rehabilitation is obligatory and not always aligned with human rights principles.⁴¹The narcotics policy in

Indonesia continues to entail the criminalization of drug addicts and abusers. Articles related to the possession, control, and trafficking of narcotics provide great freedom to law enforcers to prosecute all forms of narcotics use and possession with various charges.

This allows for the threat of prison sentences for drug users and addicts.⁴² However, implementing rehabilitation guarantees for them is difficult due to complex administrative requirements. Tough policies against narcotics are closely related to the concept of criminalization in criminal law. Over-criminalization that makes many actions criminal offenses can result in unreasonable law enforcement.

The approach of decriminalization is typically shaped by the principles of international human rights law, particularly in upholding the right to health. Through decriminalization, drug users can access healthcare services without being subjected to the adverse

³⁹ Ahmad Hunaeni Zulkarnaen and Akbar Sanjaya, "The Effectiveness of Prison Sentences on Narcotics Addicts," *UNIFIKASI: Jurnal Ilmu Hukum* 6, no. 1 (2019): 83, <https://doi.org/10.25134/unifikasi.v6i1.1389>.

⁴⁰ Jeremy Levenson et al., "Abolition and Harm Reduction in the Struggle for 'Care, Not Cages,'" *International Journal of Drug Policy* 121 (November

2023): 104163, <https://doi.org/10.1016/j.drugpo.2023.104163>.

⁴¹ Bawono, Wahyono, and Laksana, "Implementation of Rehabilitation for Drug Abuses According To Law Number 35 Of 2009 Concerning Narcotics."

⁴² Ristikowati and Hanim, "The Implementation of Criminal Sanctions on Criminal Acts of Narcotics."

repercussions of a criminal conviction.⁴³ Apart from that, narcotics regulation is also an important aspect of narcotics governance. The enforcement of narcotics prohibition often leads to their proliferation in the underground market, while regulatory measures seek to ensure comprehensive state monitoring of all aspects of narcotics cultivation, manufacturing, and consumption.

Although narcotics prohibition may be construed as a form of regulation, the authentic regulatory strategy entails rigorous oversight with the goal of mitigating the adverse effects of narcotics use.⁴⁴ Overall, the decriminalization and regulation of narcotics is an alternative approach that needs to be considered in addressing the issue of narcotics use, taking into account both human rights principles and policy effectiveness.

The history of narcotics regulation in Indonesia shows that its initial aim was about governance, not prohibition or a

focus on criminalization. The use and possession of narcotics for personal purposes must be regulated by the state and avoid criminalization. The criminalization of drug users can even increase stigma and hinder access to health services.⁴⁵

Various alternative policy models exist for addressing narcotics issues, such as decriminalization. While each model employs a distinct approach, the ultimate goal is to mitigate the adverse effects of criminalization on individuals and society. These models encompass reducing criminal penalties, directing individuals towards health services, or even abolishing criminal sanctions altogether.

Decriminalization, restorative justice, and diversion represent three distinct policy strategies for addressing drug use issues.⁴⁶ Decriminalization refers to reducing the use of criminal sanctions without changing existing legal regulations. Meanwhile, diversion is a policy that allows authorities to refer

⁴³ Ely Aaronson and Gregory Shaffer, "Introduction to the Symposium on Drug Decriminalization, Legalization, and International Law," *AJIL Unbound* 114 (October 12, 2020): 275–78, <https://doi.org/10.1017/aju.2020.54>.

⁴⁴ Idham Malik Shalasa et al., "Implementation of Restorative Justice System for Drug Abusers,"

Journal Of Law Theory And Law Enforcement 2, no. 01 (2023): 67–77, <https://doi.org/10.56943/jlte.v2i3.360>.

⁴⁵ Chaidar and Budiarsih, "Implementation Double-Track System Criminal Sanctions and Rehabilitation Against Narcotic Abusers."

⁴⁶ Shalasa et al., "Implementation of Restorative Justice System for Drug Abusers."

individuals in conflict with the law to social, educational, or health services, rather than putting them into the criminal justice system.

Decriminalization means eliminating criminal sanctions for the use and possession of narcotics for personal purposes. There are several forms of decriminalization, including decriminalization with administrative or civil sanctions, decriminalization with selective diversion, and decriminalization without witnesses. Decriminalization with administrative or civil sanctions allows the state to continue to impose punishments without having to impose criminal sanctions that hurt the future of drug users.⁴⁷

In contrast, decriminalization with selective diversion acknowledges that criminalizing drug users isn't universally equitable and may yield adverse outcomes.⁴⁸ Strategy facilitates access to essential health services for high-risk

drug users. While redirecting other individuals toward alternative pathways outside the realm of the criminal justice system.

Adopting a witness-free decriminalization model, as seen in Germany, circumvents the involvement of law enforcement in addressing drug possession or use incidents. Research conducted in Germany indicates the effectiveness of this approach in easing the burden on the criminal justice system. Reducing instances of drug overdoses and problematic drug use.⁴⁹

The restorative justice method can be applied to addicts, abusers, victims of abuse, individuals addicted to narcotics, and daily narcotics users.⁵⁰ This is in line with the Joint Decree of the Chairman of the Supreme Court, Minister of Law and Human Rights, Minister of Health, Minister of Social Affairs, Attorney General, Chief of Police, and Head of the National Narcotics Agency regarding the

⁴⁷ Lisnawaty Wadju Badu and Julisa Aprilia Kaluku, "Restoratif Justice In the Perspective of Customary Law: A Solution to the Settlement of Narcotics Crimes Committed by Children," *Jambura Law Review* 4, no. 2 (2022): 313–27, <https://doi.org/10.33756/jlr.v4i2.11664>.

⁴⁸ Aan Asphianto, "Implementation Of Criminal Fine on Criminal Acts of Narcotics Based on Law No. 35 Year 2009 Regarding Narcotics," *Journal of Positive School Psychology* 6, no. 5 (2022): 5171–78, <http://journalppw.com>.

⁴⁹ . Adrian et al., "Law Enforcement against Narcotics Crime through Rehabilitation in a Restorative Justice Perspective," *Scholars International Journal of Law, Crime and Justice* 4, no. 4 (2021): 205–11, <https://doi.org/10.36348/sijlcj.2021.v04i04.003>.

⁵⁰ Badu and Kaluku, "Restoratif Justice In the Perspective of Customary Law: A Solution to the Settlement of Narcotics Crimes Committed by Children."

Handling of Narcotics Addicts and Victims of Narcotics Abuse in Rehabilitation Institutions.⁵¹ However, sectoral regulations still lead to conflicts and multiple interpretations in their implementation, and prisons are no longer considered safe places for drug abuse in Indonesia.

Violent offenders can attend rehabilitation institutions from the start and continue to undergo the punishment process with an integrated assessment.⁵² This can be considered a method of restorative justice (restorative justice) where imprisonment and rehabilitation of individuals affected by narcotics abuse are carried out simultaneously. Restorative justice seeks to restore damaged relationships and repair the impact of crime through the active involvement of addicts, victims, and communities in achieving sustainable justice. In these situations, restorative justice involves addicts, victims, communities, and other

stakeholders by emphasizing the importance of collaboration.

Two different approaches to dealing with crime are diversion and restorative justice.⁵³ The main difference between the two is focus and purpose. The diversion approach aims to avoid the formal criminal justice process by allowing offenders to participate in alternative treatment or intensive programs.

This method is used to avoid stigma and other negative impacts that may arise from the formal justice process.⁵⁴ Redirection aims to reduce the use of formal court processes by offering alternatives such as counseling, rehabilitation, or participation in solution-oriented communities where offenders, attorneys, and law enforcement work together to reach solutions outside of court.

Two different strategies in addressing crime include diversion and restorative justice. The primary difference between them lies in their focus and objectives.

⁵¹ Mediansyah, "Restorative Assessment Based On The Results Of Integrated Assessment Prosecution Of Restorative Justice Abuse."

⁵² Mediansyah.

⁵³ Badu and Kaluku, "Restoratif Justice In the Perspective of Customary Law: A Solution to the Settlement of Narcotics Crimes Committed by Children."

⁵⁴ Sugiarti, "The Problem with Stigma : Identifying Its Impact on Drug Users and Recommendation for Interventions Musuh Dalam Selimut : Identifikasi Dampak Stigma Bagi Pengguna Narkoba Serta Intervensi Yang Dibutuhkan."

The diversion approach aims to circumvent the traditional criminal justice system by allowing offenders to engage in alternative interventions or intensive programs.⁵⁵

This approach is implemented to mitigate potential stigma and negative consequences associated with formal legal proceedings.⁵⁶ Conversely, restorative justice endeavors to reduce reliance on formal court procedures by providing alternatives such as counseling, rehabilitation, or involvement in community-based problem-solving initiatives where offenders, legal representatives, and law enforcement collaborate to achieve resolutions outside of the courtroom.

Indonesia and Malaysia are currently addressing penalties in narcotics legislation. The objective of narcotics

laws in Indonesia, aimed at eradicating narcotics-related punishments, aligns with the 1952 Narcotics Law, which underwent revisions in 1980 and the latest amendment (Amendment Law A1457 of 2014) in Malaysia.⁵⁷ However, there are three primary distinctions between the two legal frameworks: (1) Malaysia enforces the death penalty; (2) Malaysia's common law system is grounded in jurisprudence; and (3) the penalty principle known as *premium medium*, emphasized in Indonesia, differs from the "*optimum medium*" principle utilized in Malaysia.⁵⁸ Best practices from various nations serve as the foundation for reducing the severity of narcotics laws.

Imprisonment must be considered as the final step in efforts to effectively address and eradicate drug abuse to break this cycle at its roots.⁵⁹ In response to this,

⁵⁵ Badu and Kaluku, "Restoratif Justice In the Perspective of Customary Law: A Solution to the Settlement of Narcotics Crimes Committed by Children."

⁵⁶ Simona Rodat, "Coping With Stigma and Destigmatizing Intervention Strategies: An Analytical Framework," *Postmodernism Problems* 10, no. 3 (2020): 313–29, <https://doi.org/10.46324/pmp2003313>.

⁵⁷ Beridiansyah Beridiansyah, "Sistem Penegakan Hukum Pidana Terhadap Pencegahan Dan Pemberantasan Penyalahgunaan Narkotika (Studi Komperatif Antara Indonesia Dan Malaysia)," *Al-Risalah: Forum Kajian Hukum Dan Sosial Kemasyarakatan* 16, no. 02 (December 1,

2018): 235–53, <https://doi.org/10.30631/alrisalah.v16i02.310>.

⁵⁸ Romdoni Muhamad and Karomah, "Perbandingan Kebijakan Hukum Pidana (Penal Policy) Terhadap Kejahatan Narkotika Atau Dadah (Studi Komparatif Indonesia Dan Malaysia)," *Al Qisthas* 12, no. 1 (2021): 118–38, <http://jurnal.uinbanten.ac.id/index.php/alqisthas/article/view/4883>.

⁵⁹ Natalia Antolak-Saper et al., "Drug Offences and the Death Penalty in Malaysia: Fair Trial Rights and Ramifications," *Monash University*, 2020, 1–52, https://www.monash.edu/_data/assets/pdf_file/0011/2213867/MU_ADPAN_report_v6.pdf.

further research needs to be carried out regarding legal principles and more effective treatment systems for individuals involved in narcotics abuse to prevent, overcome, and eradicate narcotics abuse to achieve the welfare of individuals, society, and the state.

The concept of collective punishment in criminalizing drug abuse should be in line with the main objectives which include prevention, law enforcement, and rehabilitation. Factors that influence narcotics abuse, such as the social environment and mental health, are the focus to controlling narcotics abuse cases.⁶⁰By optimizing the criminal system according to measurable criminal objectives, this comprehensive approach is expected to have a more long-term impact in preventing and dealing with narcotics abuse in Indonesia.

IV. Conclusions and Recommendations

The elevated occurrence of narcotics-related crimes in Indonesia is attributed to difficulties in enforcing narcotics laws and regulations, leading to inconsistencies and ambiguity in their implementation. This challenge stems

from variations in the classification of narcotics for both usage and distribution, the ongoing evolution of narcotic types, and the complex interplay between the concepts of decriminalization and criminalization of narcotics. To overcome this problem, recommendations are needed that focus on three main things.

First, revise the narcotics law to be more in line with global developments, by emphasizing the integrity of justice in law enforcement by police, prosecutors, judges, prisons, and lawyers. Second, the importance of clarity of terminology from users to distributors and cities must be emphasized to avoid varying interpretations. Third, the high criminalization of law enforcement must be a basis for considering alternatives to decriminalization, such as selective diversion or restorative justice, as an effort to reduce crime rates.

Thus, a revision of the narcotics law that takes into account global developments and emphasizes clarity of terminology and the implementation of selective decriminalization alternatives can help overcome inconsistencies and ambiguities in the implementation of

⁶⁰ Siti Nurulain Binti MD SoBri, "Faktor-Faktor Penyalahgunaan Dadah Dan Penglibatan Jenayah Dalam Kalangan Penghuni Dan Bekas

Penghuni Pusat Pemulihan Dadah Narkotik (Puspen) Bukit Cabang, Perlis" (Universiti Utara Malaysia, 2019).

narcotics laws in Indonesia, as well as effectively reduce the negative impacts of narcotics laws. several narcotics-related crimes.

References

- Adrian, Andi Muhammad Sofyan, Abd. Asis, and Wiwie Heryani. "Law Enforcement against Narcotics Crime through Rehabilitation in a Restorative Justice Perspective." *Scholars International Journal of Law, Crime and Justice* 4, no. 4 (2021): 205–11.
<https://doi.org/10.36348/sijlcj.2021.v04i04.003>.
- Aaronson, Ely, and Gregory Shaffer. "Introduction to the Symposium on Drug Decriminalization, Legalization, and International Law." *AJIL Unbound* 114 (October 12, 2020): 275–78.
<https://doi.org/10.1017/aju.2020.54>.
- Antolak-Saper, Natalia, Sara Kowal, Samira Lindsey, Ngeow Chow, and Ying Thaatchaayini Kananatu. "Drug Offences and the Death Penalty in Malaysia: Fair Trial Rights and Ramifications." *Monash University*, 2020, 1–52.
https://www.monash.edu/__data/assets/pdf_file/0011/2213867/MU_AD_PAN_report_v6.pdf.
- Artwitadibrata, Dhian, and Akhmad Khisni. "The Concept of Criminal Law for Personnel of Narcotics Abuse." *Jurnal Daulat Hukum* 3, no. 4 (2020): 411–18.
<http://jurnal.unissula.ac.id/index.php/RH/article/view/8428/3934>.
- Asmadi, Erwin. "Procedure for Destruction of Evidence of the Crime of Narcotics Abuse Based on Formal Law in Indonesia." *International Journal Reglement & Society (IJRS)* 1, no. 2 (2020): 77–85.
<https://doi.org/10.55357/ijrs.v1i2.27>.
- Asphianto, Aan. "Implementation Of Criminal Fine on Criminal Acts of Narcotics Based on Law No . 35 Year 2009 Regarding Narcotics." *Journal of Positive School Psychology* 6, no. 5 (2022): 5171–78.
<http://journalppw.com>.
- Badu, Lisnawaty Wadju, and Julisa Aprilia Kaluku. "Restoratif Justice In the Perspective of Customary Law: A Solution to the Settlement of Narcotics Crimes Committed by Children." *Jambura Law Review* 4, no. 2 (2022): 313–27.
<https://doi.org/10.33756/jlr.v4i2.11664>.
- Basrawi, Basrawi, Sukri Sukri, and Riezka Eka Mayasari. "Law Enforcement of Narcotics Abuse: Case Study of Investigation Process in Narcotics Criminal Acts in The

- Kolaka District National Narcotics Agency." *Journal of Progressive Law and Legal Studies* 1, no. 02 (2023): 162–71.
<https://doi.org/10.59653/jplls.v1i02.150>.
- Bawono, Bambang Tri, Dwi Wahyono, and Andri Winjaya Laksana. "Implementation of Rehabilitation for Drug Abuses According To Law Number 35 Of 2009 Concerning Narcotics." *Jurnal Hukum* 38, no. 1 (March 27, 2022): 1.
<https://doi.org/http://dx.doi.org/10.26532/jh.v38i1.20869>.
- Beridiansyah, Beridiansyah. "Sistem Penegakan Hukum Pidana Terhadap Pencegahan Dan Pemberantasan Penyalahgunaan Narkotika (Studi Komperatif Antara Indonesia Dan Malaysia)." *Al-Risalah: Forum Kajian Hukum Dan Sosial Kemasyarakatan* 16, no. 02 (December 1, 2018): 235–53.
<https://doi.org/10.30631/alrisalah.v16i02.310>.
- Binti Md Isa, Yusramizza. "Harm Reduction in the Context of Drug Use in Malaysia, a Critical Analysis of Its Justification and Its Compatibility with the Criminal Justice Approach." *PQDT - UK & Ireland*, 2015.
- Chaidar, Muhamad, and Budiarsih Budiarsih. "Implementation Double-Track System Criminal Sanctions and Rehabilitation Against Narcotic Abusers." *Sasi* 28, no. 3 (2022): 379.
<https://doi.org/10.47268/sasi.v28i3.974>.
- Direktorat Jenderal Pemasyarakatan. "Jumlah Narapidana." Direktorat Jenderal Pemasyarakatan, 2022.
<https://sdppublik.ditjenpas.go.id/>.
- Efendi, Bahtiyar, and Widhi Handoko. "Implementation of Criminal Law in Handling Narcotics Cases in Indonesia." *Pena Justisia: Media Komunikasi Dan Kajian Hukum* 21, no. 2 (2022): 198–209.
<https://doi.org/10.31941/pj.v21i2.2678>.
- Elpina, Mariah, Sonangok Purba. "The Narcotics Abuse Term Weaknesses in Criminal Law." *Jurnal Pembaharuan Hukum* 8, no. 1 (2021): 34–47.
<https://doi.org/http://dx.doi.org/10.26532/jph.v8i1.14547>.
- Erisky, Irsano Marthanova, and Widayati Widayati. "The Law Enforcement Of Rehabilitation Sanctions Against Narcotics Users." *Law Development Journal* 3, no. 2 (2021): 453.
<https://doi.org/10.30659/ldj.3.2.453-459>.

- Gueta, Keren, Sharon Gamliel, and Natti Ronel. "Weak Is the New Strong: Gendered Meanings of Recovery from Substance Abuse among Male Prisoners Participating in Narcotic Anonymous Meetings." *Men and Masculinities* 24, no. 1 (2021): 104–26. <https://doi.org/10.1177/1097184X19849449>.
- Hasibuan, Edi Saputra, and Amalia Syauket. "Efforts To Eradicate Narcotics In The National Police: A Case Study Of Teddy Minahasa." *International Journal of Social Service and Research* 3, no. 4 (April 11, 2023): 900–905. <https://doi.org/10.46799/ijssr.v3i4.346>.
- <https://sdppublik.ditjenpas.go.id/>. "Laporan Data Harian." Ditjen Pemasyarakatan Republik Indonesia. Jakarta, 2022.
- Levenson, Jeremy, Lauren Textor, Ricky Bluthenthal, Anna Darby, Rafik Wahbi, and Mark-Anthony Clayton-Johnson. "Abolition and Harm Reduction in the Struggle for 'Care, Not Cages.'" *International Journal of Drug Policy* 121 (November 2023): 104163. <https://doi.org/10.1016/j.drugpo.2023.104163>.
- Mediansyah, Bayu. "Restorative Assessment Based On The Results Of Integrated Assessment Prosecution Of Restorative Justice Abuse." *CEPALO* 6, no. 1 (2022): 74–85. <https://doi.org/10.2648/cepalov6no1>.
- Mitchell, Matthew. "Analyzing the Law Qualitatively." *Qualitative Research Journal* 23, no. 1 (January 1, 2023): 102–13. <https://doi.org/10.1108/QRJ-04-2022-0061>.
- Mufidah, Nuril, and Intan Izha Rohima. "Judicial Review Of the Crime of Narcotics Abuse Category I." *Uniqbu Journal Of Social Sciences (UJSS)* 7, no. 2 (2020): 33–48. <https://doi.org/https://doi.org/10.31219/osf.io/e3sjf>.
- Muhamad, Romdoni, and Karomah. "Perbandingan Kebijakan Hukum Pidana (Penal Policy) Terhadap Kejahatan Narkotika Atau Dadah (Studi Komparatif Indonesia Dan Malaysia)." *Al Qisthas* 12, no. 1 (2021): 118–38. <http://jurnal.uinbanten.ac.id/index.php/alqisthas/article/view/4883>.
- Negara, Tunggul Ansari Setia. "Normative Legal Research in Indonesia: Its Originis and Approaches." *Audito Comparative Law Journal (ACLJ)* 4, no. 1 (2023): 1–9. <https://doi.org/10.22219/aclj.v4i1.24>

- 855.
- Paneo, Rezkiansyah Rahmat. "Law Enforcement Against Narcotics Crime Recidivists." *Estudiante Law Journal* 2, no. 1 (2020): 206–14. <https://doi.org/10.33756/eslaj.v0i0.13136>.
- Patil, Ketan, and Astha Pandey. "Voltammetric Analysis of New Psychoactive Substances." *Arab Journal of Forensic Sciences and Forensic Medicine* 3, no. 2 (2021): 297–314. <https://doi.org/10.26735/MZYC3707>.
- Puluhulawa, Irlan. "Granting Clemency To Narcotics Convicts: Overview From The Political Perspective Of Indonesian Criminal Law." *Jurnal Legalitas* 14, no. 2 (2021): 107–27. <https://doi.org/10.33756/jelta.v14i2.11147>.
- Qiram, Syahrul. "Combating Drug Crimes at the East Surabaya Police." *Khazanah Hukum* 4, no. 1 (2022): 19–28. <https://doi.org/10.15575/kh.v4i1.17261>.
- Rachman, Asep Iswahyudi, and Sri Kusriyah. "Law Enforcement Of Narcotics Laws." *Law Development Journal* 2, no. 2 (2020): 139. <https://doi.org/10.30659/ldj.2.2.139-145>.
- Ristikowati, Mei, and Lathifah Hanim. "The Implementation of Criminal Sanctions on Criminal Acts of Narcotics." *Law Development Journal* 2, no. 4 (2021): 790–98. <https://doi.org/http://dx.doi.org/10.30659/ldj.3.4.790-798>.
- Rodat, Simona. "Coping With Stigma and Destigmatizing Intervention Strategies: An Analytical Framework." *Postmodernism Problems* 10, no. 3 (2020): 313–29. <https://doi.org/10.46324/pmp2003313>.
- Shalasa, Idham Malik, Subekti, Yoyok Ucuk Suyono, and Wahyu Prawesthi. "Implementation of Restorative Justice System for Drug Abusers." *Journal Of Law Theory And Law Enforcement* 2, no. 01 (2023): 67–77. <https://doi.org/10.56943/jlte.v2i3.360>.
- Sinaga, Jhoni Fernando, Ediwarman, and Mahmud Mulyadi. "Comparison Between Indonesia and the United States in Enforcement of Narcotics Illicit Trafficking." *Proceedings of the Second International Conference on Public Policy, Social Computing and Development (ICOPOSDEV 2021)* 642, no. Icoposdev 2021 (2022): 22–28. <https://doi.org/10.2991/assehr.k.220204.004>.

- Siti Nurulain Binti MD SoBri. "Faktor-Faktor Penyalahgunaan Dadah Dan Penglibatan Jenayah Dalam Kalangan Penghuni Dan Bekas Penghuni Pusat Pemulihan Dadah Narkotik (Puspen) Bukit Cabang, Perlis." Universiti Utara Malaysia, 2019.
- Sugiarti, Rina Apriliani. "The Problem with Stigma : Identifying Its Impact on Drug Users and Recommendation for Interventions Musuh Dalam Selimut : Identifikasi Dampak Stigma Bagi Pengguna Narkoba Serta Intervensi Yang Dibutuhkan." *Psikologia: Jurnal Pemikiran Dan Penelitian Psikolog* 18, no. 2 (2023). <https://doi.org/https://doi.org/10.32734/psikologia.v18i2.11320>.
- Suhendar, Suhendar, Annissa Rezki, and Nur Rohim Yunus. "Legal Certainty in the Application of the Crime of Narcotics Abuse Judging from the Disparity of Judges' Decisions." *SALAM: Jurnal Sosial Dan Budaya Syar-I* 9, no. 1 (2022): 121–32. <https://doi.org/10.15408/sjsbs.v9i1.24487>.
- Suherman, Hendrio. "The Problematic Execution Of Criminal Sanction For Minimum Fines In The 1945 Constitution Number 35/2009 Concerning On Narcotics." *Research, Society and Development* 9, no. 5 (2020): 1–14. <https://doi.org/http://dx.doi.org/10.33448/rsd-v9i5.2520> A.
- Sutarto. "Penerapan Rehabilitasi Medis Dan Rehabilitasi Sosial Terhadap Korban Penyalahgunaan Narkotika Ditinjau Dari Teori Pemidanaan Relatif." *Jurnal Penegakan Hukum*, 2021, 115–35.
- Zulkarnaen, Ahmad Hunaeni, and Akbar Sanjaya. "The Effectiveness of Prison Sentences on Narcotics Addicts." *UNIFIKASI: Jurnal Ilmu Hukum* 6, no. 1 (2019): 83. <https://doi.org/10.25134/unifikasi.v6i1.1389>.