
Policy to Combat Illegal Narcotics Trafficking in Indonesia

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Keywords:

Policy; Illicit Drug Trafficking;
Law Enforcement; Prevention;
Repression

ABSTRACT

The illicit trafficking of narcotics in Indonesia is a serious problem that is complex, organized, and transnational in nature, requiring a comprehensive and sustainable countermeasures policy. This research aims to analyze the policy for combating illicit drug trafficking in Indonesia, including the effectiveness of its implementation and the obstacles faced by law enforcement officials. The research method employed is a normative juridical approach utilizing statutory and conceptual approaches, supported by secondary data in the form of primary, secondary, and tertiary legal materials. The results indicate that the policy for combating illicit drug trafficking in Indonesia is still dominated by a repressive approach through firm law enforcement, as stipulated in Law Number 35 of 2009 concerning Narcotics. However, the implementation of this policy has not been fully optimal due to various obstacles, including limited human resources, weak inter-agency coordination, and technological developments exploited by drug trafficking networks. Furthermore, preventive and rehabilitative approaches have not been implemented optimally, and have thus far failed to significantly reduce drug abuse rates. Therefore, strengthening policies that integrate penal and non-penal approaches, enhancing synergy between institutions, and optimizing the role of the community in prevention efforts are necessary. It is expected that these measures will render the policy for combating illicit drug trafficking in Indonesia more effective in protecting the public and maintaining national resilience.

INTRODUCTION

Narcotics have become a controversial and complex topic, with widespread impacts worldwide. On the one hand, narcotics are considered a serious crime that damages communities, destroys families, and harms public health. On the other hand, the illegal drug trade has grown into a large and highly profitable industry, attracting many parties to participate in this activity (Hadiman, 2005; Hakim, 2007; Widjaya, 1985). From a business perspective, the drug business can be considered a highly efficient illegal enterprise (Fajar & Achmad, 2010; Mardani, 2008). They have complex supply chains, effective marketing strategies, and the ability to adapt to changing business environments. Drug crimes are essentially business crimes, with the goal of generating revenue (Silitonga et al., 2019; Sunarso, 2004).

The enormous profits and constant market make this business highly attractive to criminals. High consumer demand creates a stable and profitable market for perpetrators. Legal issues, such as relatively light sentences for drug offenders, often serve as an incentive to continue this business (Mohseni, 2022; Santiago, 2017; Supratman et al., 2022). The state experiences significant economic losses due to the drug business, ranging from medical costs and law enforcement to decreased productivity. Numerous drug trafficking networks have been discovered in countries, including Indonesia, which, upon investigation, have been found to

have international connections (Hendianti & Uthis, 2018; Osler & Johnson, 2015; Rahmawati, 2021).

Regulations regarding the crime of corruption are regulated in Article 610 of Law Number 1 of 2023 concerning the Criminal Code (KUHP), which states (Fafore & Adekoye, 2019):

- (1) Any person who, without authorization, produces, imports, exports, or distributes:
 - a. Category I narcotics shall be punished with imprisonment for a minimum of 5 (five) years and a maximum of 15 (fifteen) years and a fine of at least category IV and a maximum of category V;
 - b. Category II narcotics are punishable by imprisonment for a minimum of 4 (four) years and a maximum of 12 (twelve) years and a fine of at least category IV and at most category V; and
 - c. Category III narcotics are punishable by imprisonment for a minimum of 3 (three) years and a maximum of 10 (ten) years and a fine of at least category IV and at most category V.
- (2) If the act referred to in paragraph (1) is committed against:
 - a. Category I narcotics in the form of plants weighing more than 1 (one) kilogram or more than 5 (five) tree trunks, or Category I narcotics not in the form of plants weighing more than 5 (five) grams, the punishment is death, life imprisonment, or imprisonment for a minimum of 5 (five) years and a maximum of 20 (twenty) years and a fine of at least category V and at most category M;
 - b. Class II narcotics weighing more than 5 (five) grams are punishable by the death penalty, life imprisonment, or imprisonment for a minimum of 5 (five) years and a maximum of 20 (twenty) years and a fine of at least category V and at most category VI; and
 - c. Class III narcotics weighing more than 5 (five) grams are punishable by imprisonment for a minimum of 5 (five) years and a maximum of 15 (fifteen) years and a fine of at least category V and at most category VI.

Furthermore, Article 113 of Law Number 35 of 2009 concerning Narcotics states that :

- (1) Any person who, without the right or against the law, produces, imports, exports, or distributes Class I narcotics shall be punished by imprisonment for a minimum of 5 (five) years and a maximum of 15 (fifteen) years and a fine of at least Rp1,000,000,000.00 (one billion rupiah) and a maximum of Rp10,000,000,000.00 (ten billion rupiah).
- (2) In the case of the act of producing, importing, exporting, or distributing Class I Narcotics as referred to in paragraph (1) in the form of plants weighing more than 1 (one) kilogram or more than 5 (five) tree trunks or in non-plant form weighing more than 5 (five) grams, the perpetrator shall be punished with the death penalty, life imprisonment, or imprisonment for a minimum of 5 (five) years and a maximum of 20 (twenty) years and a maximum fine as referred to in paragraph (1) plus 1/3 (one third).

Illegal narcotics trafficking is a form of transnational crime that poses a threat to global security and welfare, which can harm countries around the world. One region that is famous for narcotics crime is the Southeast Asian region. This region is known as the Golden Triangle or the Golden Triangle which is the second largest producer of illegal drugs in the world. The

Golden Triangle is located in the border area of Thailand, Myanmar, and Laos, which is the producer of opium and heroin, production amounting to 60% in the world (Herindrasti, 2018; Siregar, 2021; Undang-Undang Nomor 1 Tahun 2023 Tentang Kitab Undang-Undang Hukum Pidana (KUHP), 2023; Vanessa et al., 2024).

According to the National Narcotics Agency (BNN) survey data, the prevalence of drug abuse in Indonesia in 2023 was 1.73%, equivalent to 3.33 million people aged 15-64. Narcotics are a commodity used by organized crime. High consumer demand for narcotics creates a stable illegal market, encouraging criminals to continue expanding their businesses (U.-U. RI, 1945; Soekanto & Mamudji, 2001; Undang-Undang Nomor 2 Tahun 2002 Tentang Kepolisian Negara Republik Indonesia, 2002). Organized crime activities cross national borders and therefore involve the territories and laws of at least two countries. The drug problem poses a security risk to a nation, being transnational in nature, involving multiple countries (BNN et al., 2023; Nations, n.d.; Organization, n.d.; B. N. N. RI, 2020). Therefore, it constitutes an obstacle that hinders the growth and development of future generations.

Narcotics crime is an international crime and organized crime, with extensive networks. This international crime demonstrates an increase in the quantity and quality of crime, leading to transnational criminal organizations that transcend national borders and foster regional and international cooperation. According to Law Number 35 of 2009 concerning Narcotics, Article 1 paragraph (15) defines narcotics abuse as a person who uses narcotics without authorization or against the law. Drug abuse can be defined as an inappropriate (deviant or contrary to what is expected) action or behavior involving excessive use of narcotics (overdose) that endangers oneself, both physically and psychologically.

The narcotics problem encompasses profound legal complexities, as it is closely linked to organized crime and illegal businesses that are difficult to eradicate. On the one hand, narcotics have serious impacts on public health, public safety, and social stability. On the other hand, the illegal drug trade is growing rapidly and generating substantial profits that fund other criminal activities (Nursobah, n.d.; Undang-Undang Nomor 20 Tahun 2025 Tentang Kitab Undang-Undang Hukum Acara Pidana (KUHAP), 2025; Undang-Undang Nomor 35 Tahun 2009 Tentang Narkotika, 2009).

Several previous studies have examined issues related to narcotics policy and law enforcement in Indonesia. Herindrasti (2018) analyzed Indonesia's challenges in tackling drug abuse in the context of the Drug-Free ASEAN 2025 initiative, finding that weak inter-agency coordination and limited rehabilitation facilities remain significant obstacles. Siregar (2021) conducted a criminological analysis of police officers involved in money laundering from narcotics crimes, revealing that law enforcement officials are not immune to involvement in drug-related criminal networks. Silitonga, Karim, and Puspitasari (2019) examined the involvement of organized crime in bribery practices among law enforcement officials in narcotics trafficking cases, finding that bribery has become systemic and entrenched in the culture of law enforcement. Fikri et al. (2021) studied social resilience in drug-prone areas, identifying that economic and social vulnerability triggers drug crimes in communities. Supratman, Josias, and Runturambi (2022) analyzed the drug problem in Indonesia and its threat to the demographic bonus, concluding that drug abuse poses a serious risk to the quality of Indonesia's future human resources. Mohseni et al. (2022) examined lapse and relapse rates in narcotics anonymous versus methadone maintenance treatment, highlighting the importance

of rehabilitation approaches in addressing drug addiction. Hendianti and Uthis (2018) identified factors related to methamphetamine relapse risk, emphasizing the need for comprehensive rehabilitation programs. Vanessa, Siswanto, and Tamza (2024) analyzed the application of the *ultimum remedium* principle in imposing criminal sanctions on narcotics abuse cases, finding that this principle has not been optimally applied. However, these studies tend to focus on specific aspects such as rehabilitation, enforcement against officials, or community impacts, without comprehensively analyzing the overall policy framework for combating illicit narcotics trafficking in Indonesia. No previous research has specifically examined the integration of penal and non-penal approaches in Indonesia's narcotics policy, nor has it comprehensively evaluated the effectiveness of existing policies in balancing repression, prevention, and rehabilitation.

From the description, the author is very interested in discussing this research with the title "POLICY TO COMBAT THE ILLEGAL CIRCULATION OF NARCOTICS IN INDONESIA," where, in the future, the Government can create a regulation/policy to overcome the problem of illicit trafficking of narcotics in Indonesia. This research aims to analyze the policy to combat illicit drug trafficking in Indonesia, including the effectiveness of its implementation and the obstacles faced by law enforcement officials, focusing on: examining the current policy framework for combating narcotics trafficking, analyzing the obstacles and challenges in implementing narcotics policies, evaluating the integration of penal (repressive) and non-penal (preventive and rehabilitative) approaches, and identifying policy reforms needed to create a more comprehensive and effective narcotics control system. The benefits of this research are expected to contribute theoretically to the development of criminal law and narcotics policy, particularly in understanding the relationship between repressive, preventive, and rehabilitative approaches. Practically, this research is expected to provide recommendations for policymakers in formulating integrated narcotics policies, assist law enforcement officials in strengthening inter-agency coordination, offer guidance for rehabilitation institutions in improving treatment programs, and contribute to the discourse on narcotics policy reform in Indonesia. Furthermore, this study is expected to support the achievement of a more balanced approach between law enforcement, public health protection, and human rights respect in addressing the narcotics problem in Indonesia.

METHOD

This research uses a normative legal research method (doctrinal legal research) with a primary focus on the analysis of corruption cases. This method was adopted because law enforcement against illicit drug trafficking in Indonesia has not been fully implemented optimally. Many drugs still enter Indonesia illegally through land and sea routes. Therefore, this research is designed to optimize government policies to eradicate illicit drug trafficking in Indonesia. This approach allows for a systematic examination of relevant legal norms, doctrines, and judicial practices.

This study utilizes three approaches: First, a conceptual approach that examines fundamental legal concepts through relevant theories, including *ultra petita*, procedural justice, and substantive justice (Azwar, 1998). Second, a statutory approach that encompasses a comprehensive review of all laws and regulations relevant to the issue under investigation to

identify applicable legal provisions, such as Law No. 1 of 2023 on the Criminal Code, Law No. 20 of 2025 on the Criminal Procedure Code, and Law No. 35 of 2009 on Narcotics.

By integrating these three research approaches, this study evaluates both the legal substance and existing narcotics trafficking cases to provide prescriptive guidance to limit their future application.

RESULT AND DISCUSSION

A. Policy Implementation Regarding Narcotics Crimes as an Illegal Business

The Republic of Indonesia is a state based on law. This is enshrined in Article 1, paragraph 3 of the 1945 Constitution of the Republic of Indonesia, which states, "The State of Indonesia is a State of Law." To maintain the continuity of social, national, and state life, these principles must be implemented as legal regulations. The Indonesian nation is mandated to protect all Indonesians and participate in maintaining world order, as stated in the Preamble to the 1945 Constitution. Therefore, the enactment of Law No. 35 of 2009 concerning Narcotics aims to prevent, protect, and rehabilitate Indonesia from drug abuse, eradicate drug trafficking, and ensure medical and social rehabilitation for drug addicts and users. Illicit drug trafficking is an activity or series of activities carried out without authorization or against the law.

The drug business is fundamentally profitable. When one person is caught and another escapes, it is still considered profitable. Although law enforcement is increasingly stringent, this can actually lead to an increase in drug prices. In the discourse on narcotics, the view is often held that narcotics are a crime that must be eradicated. However, there is a growing argument that narcotics should be viewed as an illegal business with its own dynamics and complexities. Narcotics criminals reach the stage of drug abuse and turn to illegal businesses and even money laundering to conceal the proceeds from these illegal activities. Therefore, from a business perspective, narcotics can be considered a highly profitable and well-organized illegal industry. Several aspects supporting this view include:

a. A Profitable Industry

Illegal narcotics are a highly profitable business. High demand for illicit drugs creates a stable and profitable market. Drug syndicates, often well-organized, can generate substantial revenues from the narcotics trade. This high financial return is one of the main reasons why this business continues to thrive despite the high legal risks.

b. Complex Supply Chain

The narcotics business involves a complex supply chain, similar to other legal industries. This process includes the production, smuggling, distribution, and sale of narcotics. Drug syndicates often employ various methods to evade detection and law enforcement, such as disguising goods in international shipments or using undetected trafficking routes.

c. Marketing Strategy and Adaptation

Illegal narcotics traffickers often demonstrate sophisticated marketing strategies and the ability to adapt to changing business environments. They employ effective marketing techniques to attract customers and maintain their market share. Adapting to changes in laws and law enforcement is also a key part of their strategy, enabling them to continue operating despite pressure from authorities.

Law No. 1 of 2023 on the Criminal Code (KUHP) regulates various criminal offenses, including narcotics offenses. This law revokes Articles 111 to 126 of Law No. 35 of 2009 concerning narcotics. Law No. 1 of 2023 concerning the Criminal Code (KUHP) provides several changes and adjustments to the rules on narcotics crimes, which are also specifically regulated in Law No. 35 of 2009 concerning Narcotics. The 2023 Criminal Code (KUHP) provides several concessions regarding the implementation of the death penalty, including a 10-year review period. The death penalty in narcotics cases is only imposed on drug dealers or traffickers who pose a danger to society at large, taking into account the perpetrator's age, psychological condition, and social contribution. The death penalty is implemented as a last resort and still allows for clemency or pardon if the convict demonstrates significant behavioral changes during the sentence.

While narcotics can be viewed as a highly profitable illegal business, their negative impact on public health, security, and social structure cannot be ignored. For example, the economically and socially fragile situation of the community in Muara Bahari Village has become a trigger for drug crimes in the area. With drug crimes occurring in Muara Bahari Village, the community and environment are increasingly fragile, increasing economic and social vulnerability. Addressing the drug problem requires a comprehensive approach, including law enforcement, education, and rehabilitation support. By understanding narcotics as an illegal business with significant impacts, we can more effectively design strategies to reduce abuse and protect the community from its negative impacts.

B. Impacts and Risks of Drug Abuse and Illicit Trafficking

Drug abuse is a serious problem affecting millions of people worldwide. Victims of drug abuse include not only individuals who use drugs, but also their families, communities, and society as a whole. The impact of drug abuse is broad, encompassing health, social, economic, and security aspects.

a. Health

The WHO definition of health is "Health is a state of complete physical, mental, and social well-being and not merely the absence of disease or infirmity." Health is not merely the absence of disease or infirmity, but rather a state of complete physical, mental, and social well-being. Physical health encompasses optimal physical condition, freedom from disease and injury, and the ability to perform physical functions effectively. Mental health encompasses mental stability, the ability to think clearly, manage emotions, and establish healthy relationships with others. Social health encompasses the ability to adapt and interact effectively in social environments, as well as a sense of belonging and acceptance by society. Mental health, or mental well-being, is a state of emotional, psychological, and behavioral well-being. Just as physical health is important to maintain, mental health is equally important. Drug use can significantly impact a user's mental health. These impacts can vary depending on the type of drug used, the frequency of use, and the user's previous mental health condition. Relapse in Indonesian means to relapse. This term is often used in the medical field, especially in relation to someone's addiction to certain substances, such as drugs, alcohol, or cigarettes. In psychology, relapse is the return of core symptoms when someone has almost recovered from a mental disorder such as depression. This

can be interpreted as a relapse, which can happen to anyone experiencing a mental health condition. A person recovering from an addiction is said to have relapsed if they use the substance again after having previously successfully stopped. Participants who come to rehabilitation centers for treatment are predominantly forced, because it is mandatory for them. The prevalence of relapse within 12 months is 60.5%. Participants who are forced to come to rehabilitation centers show that the majority of them lack motivation to undergo treatment.. Participants who lack motivation are highly susceptible to relapse.

b. Organized Crime

Organized crime, or "organized crime," is a centralized group that operates illegal businesses, usually for profit. Van Duyne (1997) defines organized crime as a sustained, planned criminal activity with a division of labor, which also applies to business practices rather than to class, ethnicity, or formal structures such as Cosa Nostra, the Mafia, or other identified criminal groups. Drug crime is one of the most serious and dangerous forms of organized crime in the world. This crime involves organized networks that produce, distribute, and sell narcotics illegally. Although the distribution of illicit narcotics is carried out through a disconnected system, each member, whether recognized or not as a group, assumes a distinct role within a network. This network collaborates to produce, distribute, and sell narcotics in an organized manner. In many cases, drug control is carried out by convicts within correctional institutions, as prisons are considered the safest and most comfortable place to consume and control the illicit drug business. Severe penalties, including the death penalty, are still in effect in Indonesia. Besides sparking much debate about the effectiveness of the death penalty as a deterrent to drug crimes, arguments are often raised that the death penalty does not deter drug dealers. Many drug dealers continue their illegal activities despite knowing the risks of the death penalty, perhaps due to economic factors, social pressure, or a lack of other options. Death row inmates involved in drug crimes within prisons are not afraid of the threat of additional punishment, as the death penalty they receive is already the highest penalty in Indonesia. Therefore, they cannot be sentenced to other principal penalties.

c. Corruption (Bribery)

The enforcement of narcotics criminal law in Indonesia continues to face obstacles. The most serious problem is the element of corruption (bribery) in handling narcotics cases, which can threaten the lapses and resilience of law enforcement. Corruption (bribery) and weaknesses in the law enforcement system are critical factors that facilitate and strengthen the narcotics business. These two factors are interrelated and can create an environment in which the narcotics business thrives relatively safely. Several internal and external factors influence the formation of corrupt/bribery behavior among law enforcement officials. Bribery has become increasingly systemic and ingrained because a permissive environment dominates internal factors. Through the assistance of lawyers, Organized Crime activities have a significant impact on external factors. Bribery among law enforcement has been systemic and entrenched in the culture. Bribery has become a common practice through a learning process and has become part of the culture, understood collectively by both offenders

and law enforcement officials. This habit can be categorized as crime-as-culture, as it involves learning from personal experience and from others. Bribery, the giving or receiving of something with the intent to influence another party's decisions or actions, is a form of corruption that undermines the integrity of the justice system. In Indonesian law, corruption includes accepting bribes, where gifts or promises are made to civil servants or state officials to persuade them to do or refrain from doing something in their official capacity. This has been regulated in Indonesian law since 1999. When law enforcement officials, such as police, prosecutors, or judges, engage in bribery, the impact is devastating. Corruption within law enforcement undermines the justice system and has the potential to create injustice and harm to society. This practice allows lawbreakers to avoid accountability, undermines public trust in law enforcement institutions, and blurs the line between justice and injustice. Corruption, particularly bribery, is a major obstacle to enforcing narcotics criminal law in Indonesia. This corruption threatens the integrity and resilience of the law enforcement system, as it can facilitate and strengthen the narcotics business. Internal factors, such as a permissive environment for bribery, and external factors, such as the influence of organized crime involving lawyers, have made bribery increasingly systemic and ingrained among law enforcement officials. This combination of internal and external factors creates a conducive environment for the relatively safe growth of the narcotics business, worsening the situation in law enforcement, which often leads to unfair treatment of suspects. Law enforcement that disregards the principle of "equality before the law" results in discriminatory behavior, undermining the criminal justice system and creating structural harm that can negatively impact its image.

d. Over Crowding

The current condition of prisons in Indonesia remains challenging. Improvement efforts are ongoing, but much remains to be done to achieve ideal prison conditions. The condition of correctional institutions (Lapas) in Indonesia remains far from ideal. Indonesian prisons remain overcrowded and inadequate. According to data from the Ministry of Law, drug crimes dominate. The high prison population creates an imbalance between the number of officers and inmates, leading to problems such as suboptimal correctional programs, declining service quality, and an increased risk of security disturbances, such as fights and violence. Alternatives to punishment, such as rehabilitation programs, sentence reductions through community service, or more proportional sentences, are crucial for consideration in the justice system. This approach focuses not only on punishment but also on the recovery and rehabilitation of offenders, as well as protecting the interests of victims and the community. Adopting these alternatives to punishment can provide a more holistic and equitable solution to addressing crime. Rehabilitation programs, for example, can help offenders understand their mistakes, improve their behavior, and prevent future reoffending. Meanwhile, community service allows offenders to make positive contributions to society as a form of accountability for their actions. The use of more proportional sentences is also crucial to ensure that sanctions are commensurate with the seriousness of the crime, thereby preventing excessive or unfair punishment. Thus, this approach can reduce the burden on the justice system and correctional institutions,

increase opportunities for criminal social reintegration, and maintain justice and public safety.

Imposing imprisonment is no longer an effective deterrent, and criminal sanctions do not provide solutions either. Therefore, many experts and policymakers are beginning to advocate for a more restorative and rehabilitative approach to achieve more sustainable solutions for criminals and the wider community. This is particularly true for children who abuse drugs, which is in line with the diversion policy. This is based on the consideration that the police, as the first line of defense for children in conflict with the law, determine whether a child will proceed to the judicial process or to other informal measures, such as penal mediation through medical and social rehabilitation programs, without having to face the criminal justice process.

The harsh penalties imposed for drug crimes have, in reality, been unable to eradicate drug trafficking and illicit trafficking. 35 The imposition of fines is not always considered negative; In fact, fines can be an alternative for perpetrators of drug crimes and the distribution of drug precursors to avoid prison sentences while still providing a deterrent effect. The approach to dealing with narcotics by fining users and dealers, rather than simply imposing imprisonment, is considered economical and efficient within the system. Several reasons, from an economic perspective, explain why this approach is considered more effective:

a. Reducing Prison Overcrowding

Prison overcrowding is a major problem that drains state resources. By fining drug users and dealers, the state can reduce the number of people incarcerated, thereby reducing the financial burden associated with prison maintenance, security, and administration.

b. State Revenue

Fines imposed on users and dealers can be a source of state revenue. The money collected from these fines can be allocated to drug prevention programs, rehabilitation, and public awareness campaigns.

c. Economic Deterrent Effect

Significant fines can deter perpetrators, especially if they perceive a substantial loss of assets or income. This can be more effective than imprisonment, especially if the prison sentence is perceived as disproportionate to the profits from drug sales.

d. Focus on More Effective Law Enforcement

By focusing on fines, the legal system can more efficiently prosecute violations without lengthy, expensive judicial processes. This allows legal resources to be allocated to more serious crimes or to tackle large, more dangerous cartels.

e. Rehabilitation and Education

Funds generated from fines can be used to fund rehabilitation and education programs for drug users, helping them overcome addiction and prevent future abuse.

Several countries have successfully implemented fines as an effective form of punishment, particularly for minor, economic, and environmental offenses. These countries incorporate fines into their justice systems to encourage perpetrators to take responsibility for their offenses without increasing the burden of imprisonment. The Netherlands is known for its legal system, which grants judges broad discretion in sentencing, including the power to impose fines. The Dutch legal system applies alternatives to imprisonment to offenders facing sentences of less than six years. In drug cases, judges can choose to impose fines as an

alternative to imprisonment, depending on the severity of the crime and the defendant's circumstances. These fines can be a more favorable option for the state because they eliminate the costs of maintaining a prison.

The 2023 Criminal Code emphasizes the principle of "partial decriminalization" for certain drug users, namely those deemed victims of drug abuse. With this approach, rehabilitated users or those not part of illicit trafficking networks will be directed more toward rehabilitation than criminal punishment. The 2023 Criminal Code recognizes the importance of rehabilitation for drug users, especially those who are dependent. This aligns with the goal of law enforcement, which aims not only to punish but also to prevent and mitigate the negative impacts of drug abuse. The 2023 Criminal Code incorporates the principle of restorative justice in handling narcotics cases. This principle is implemented to provide drug users, who are classified as victims, with opportunities for rehabilitation and reintegration into society. This demonstrates a paradigm shift in law enforcement towards a more humane approach. In court, judges must consider cases involving drug users for personal consumption. This law aims to respect human rights, especially those of users with the potential for rehabilitation.

CONCLUSION

As an illegal business, narcotics is a highly profitable industry with a complex supply chain and sophisticated marketing strategies. Despite increasingly stringent law enforcement, this business continues to thrive, contributing to social and public health problems. Drug abuse impacts not only individuals but also families and communities. Mental health issues, organized crime, and corruption within law enforcement agencies pose serious challenges in addressing this problem. Correctional institutions in Indonesia are experiencing overcrowding, primarily due to the large number of drug convicts. Rehabilitative and restorative justice approaches need to be implemented to address this problem effectively.

The principle of *ultimum remedium* suggests that criminal punishment should be a last resort, considering alternatives such as rehabilitation and fines. This approach can reduce the burden on prisons and provide a more equitable solution. The Netherlands' drug policy, which focuses more on health and rehabilitation, could serve as a model for Indonesia. A non-criminal approach to drug addiction is more effective than a punitive approach. Reforms to drug laws are needed, including reducing penalties for drug addicts and increasing support for rehabilitation programs. Addressing the drug problem requires a comprehensive and sustainable approach, prioritizing rehabilitation and social justice to create a healthier and safer society.

Based on these conclusions, the author outlines the following recommendations:

1. Research is also recommended to examine the role of the community in efforts to combat illicit drug trafficking, particularly through a community-based approach. Active community participation, including families, educational institutions, and social organizations, is a crucial factor in the early prevention of drug abuse. Therefore, research is needed to measure the effectiveness of education, outreach, and community empowerment programs in reducing drug distribution and abuse.
2. Future research is recommended to conduct comparative studies with other countries deemed successful in combating illicit drug trafficking. Through a comparative approach,

relevant best practices can be identified for adoption or adaptation to Indonesia's social, cultural, and legal conditions.

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