



***IMPLEMENTATION OF MEDICAL AND SOCIAL
REHABILITATION FOR VICTIMS OF NARCOTICS ABUSE
ACCORDING TO LAW NUMBER 35 OF 2009
AT THE NATIONAL NARCOTICS AGENCY OF
LHOKSEUMAWE CITY***

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ABSTRACT

The National Narcotics Agency (BNN) is a non-ministerial government agency in Indonesia that focuses on preventing and eradicating narcotics. Narcotics, although useful in treatment, can cause dependence and social problems if misused. Rehabilitation of addicts is regulated in Law Number 35 of 2009, which differentiates between perpetrators of criminal acts and victims of addiction. In Lhokseumawe, data shows a decrease in the number of addicts being rehabilitated, indicating the importance of rehabilitation in improving the quality of life of addicts and preventing crime. This research aims to analyze the implementation, obstacles and solutions in the Lhokseumawe City BNN rehabilitation program using empirical juridical methods and a descriptive approach. Data was collected through interviews with informants and respondents. The research results identified three stages of rehabilitation: medical (detoxification), social, and further development. Internal obstacles include favoritism in the legal process, budget limitations and human resources. External barriers include the addict's lack of motivation, economic conditions, social stigma, and lack of family and community support. Efforts to resolve obstacles include education about the Narcotics Law, supervision, online support, screening tests, and community capacity building. It is recommended that the Lhokseumawe City BNN increase the effectiveness of rehabilitation by strengthening the justice of law enforcement, improving budget and facility management, and improving the quality of human resources.

Keywords: Rehabilitation, Victims of Narcotics Abusers, National Narcotics Agency.

INTRODUCTION

The National Narcotics Agency (BNN) in Indonesia is a non-departmental government agency responsible for preventing and eradicating the abuse and illicit trafficking of narcotics, psychotropics, precursors, and other addictive substances, excluding those related to tobacco and alcohol. Its primary mandate is to combat the spread of drug addiction and criminal activities related to the illicit drug trade. The agency plays a vital role in maintaining public health and safety by implementing effective measures to address the country's drug problem.¹

Narcotics are a diverse group of substances or drugs that play an important role in treating various medical conditions, because they are derived from plant sources or synthesized in the laboratory. These powerful drugs play a vital role in managing pain and improving the quality of life of individuals suffering from various diseases and illnesses. Narcotics refer to a wide range of substances, including natural and synthetic drugs, that have the ability to alter a person's state of consciousness, reduce pain, and potentially cause addiction. These substances can be derived from plants or created in a laboratory, and their effects on the mind and body can vary widely. While they have the potential to relieve physical discomfort, narcotics also carry the risk of dependence and abuse.²

According to statistics from the National Narcotics Agency clinic in Lhokseumawe City, there has been a marked increase in the number of drug addicts seeking rehabilitation in recent years. In 2018, there were 29 people hospitalized, followed by 40 in 2019, and 28 in 2020. Projections for the coming years show a slight decrease, with 14 people expected to register in 2021, 15 in 2022, and 10 in 2023. This trend highlights the ongoing fight against drug addiction in the Lhokseumawe City area.³

Article 54 of Law Number 35 of 2009 concerning Narcotics discusses the rules surrounding rehabilitation for individuals who are addicted to narcotics. The law mandates that those who are addicted to narcotics or become victims of substance abuse must undergo medical and social rehabilitation programs. This article underlines the importance of providing support and treatment to individuals facing addiction, emphasizing the need for comprehensive rehabilitation services to address both physical and social aspects of recovery. The enforcement of narcotics laws by law enforcement officers is an important instrument in eradicating drug crimes. However, it is ultimately the responsibility of the family to prevent their loved ones from becoming victims of drug addiction. The family unit plays a vital role in keeping individuals away from drug use and criminal activity.

This is further strengthened by the enactment of Government Regulation Number 25 of 2011 which regulates the need for reporting of drug addicts. As stated in Article 2 of the policy, reporting is mandatory for individuals who are addicted to drugs. This requirement is implemented to ensure that addicts have access to the necessary treatment and rehabilitation, by involving families, guardians, and the community in taking responsibility for their welfare. In addition, reporting helps the government in formulating effective policies to combat drug abuse and trafficking.

The concept of rehabilitation is further elaborated in the Supreme Court Circular (SEMA) Number 4 of 2010 which outlines specific criteria for identifying cases of abuse, determining the severity of drug addiction, and improving treatment programs for individuals struggling with drug

¹ National Narcotics Agency of the Republic of Indonesia, "Tasks of the National Narcotics Agency", <https://Bnn.Go.Id/Profil/>. Accessed on March 7, 2024, at 13:30 WIB.

² Amir Basuki, *Penegakan Hukum Terhadap Penyalahgunaan Narkotika*, Airlangga University Press, Surabaya, 2017, hlm. 23.

³ Interview with Sayuti, M. Kes, Counselor of the Lhokseumawe City BNN, March 7, 2024, at the Lhokseumawe City National Narcotics Agency.

addiction.⁴ The rules outlined in Joint Regulation Number 1/PB/MA/III/2014 focus on the effectiveness of handling drug addicts and victims of drug abuse in rehabilitation institutions. Article 2 letter (a) emphasizes the importance of coordination and cooperation in handling drug problems to reduce the prevalence of addiction and abuse. This includes the implementation of treatment, care, and recovery programs for individuals struggling with drug addiction, both those undergoing legal proceedings and those in prison, as well as efforts to eradicate the illegal drug trade.

Rehabilitation plays a vital role in helping individuals who are struggling with addiction or are victims of drug abuse. This process aims to address and heal the physical, psychological, and emotional impacts of substance abuse. Research conducted at the BNN Lhokseumawe City plays a vital role in gaining insight into the issues surrounding drug abuse and enabling the development of better strategies and policies to combat this pressing problem more effectively.

RESEARCH METHODS

This study uses an empirical legal method. The approach applied includes analysis of legislation based on Law Number 35 of 2009 concerning Narcotics. This research is descriptive. The location of the research was conducted at the National Narcotics Agency of Lhokseumawe City, with research samples including psychologists, counselors, social workers, and drug addicts. Primary data were obtained directly from the field, while secondary data included legal documents such as Law Number 35 of 2009. Data collection techniques included field research and literature, with qualitative analysis to compile and interpret data.

DISCUSSION

1. Implementation of Medical and Social Rehabilitation for Victims of Drug Abuse According to Law Number 35 of 2009 at the National Narcotics Agency of Lhokseumawe City

The rehabilitation process for drug addicts is an important aspect of social support that aims to help the individual reintegrate into society and prevent them from continuing their drug abuse habits.⁵ In accordance with Law Number 35 of 2009 concerning Narcotics, there are at least two forms of rehabilitation for individuals who are addicted to drugs: medical rehabilitation and social rehabilitation. Both types of rehabilitation aim to provide individuals with the tools and support needed to overcome their addiction and successfully reintegrate into society.

According to Article 1 number 16 of Law Number 35 of 2009 concerning Narcotics, Medical Rehabilitation is described as a comprehensive treatment process that aims to help individuals overcome their addiction to narcotics. Likewise, Article 1 number 17 of the same law defines Social Rehabilitation as a comprehensive recovery process that pays attention to the physical, mental, and social aspects of former drug addicts to facilitate their reintegration into society and encourage personal growth.⁶

Rehabilitation provided to victims of drug abuse aims to:

- a. Rebuild and strengthen self-esteem, self-confidence, attention, and accountability for the well-being and success of oneself, loved ones, and the wider community or environment.
- b. Restore the capacity to engage effectively in social activities and interactions. This includes the ability to communicate, connect, and participate in various social functions easily and successfully.
- c. In addition to encouraging physical healing, it also contributes to the improvement of the overall social environment.

⁴ Gatot Supramono, Indonesian Drug Law, Djangkat, Jakarta, 2007, Pg. 18.

⁵ Ridwan Harahap, Handling of Narcotics Cases in Indonesia, USU Press, Medan, 2018, p. 39.

⁶ Republic of Indonesia, Law Number 35 of 2009 concerning Narcotics, Article 1 Number 16 and Article 1 Number 17.

d. People with disabilities or drug dependence strive to achieve autonomy in various aspects of their lives, including mental, physical, emotional, and social well-being. This means finding a harmonious balance between their abilities and limitations.⁷

According to the results of the interview with Mrs. Dr. Sari Wahyuni, as the BNN Lhokseumawe City Rehabilitation Doctor, she said that there are stages of rehabilitation carried out at the BNN Lhokseumawe City Pratama Clinic that must be passed. The following are the stages that must be passed, namely:

a. Medical Rehabilitation Stage (Detoxification), During the Medical Rehabilitation Stage, also known as Detoxification, individuals struggling with addiction undergo a comprehensive health assessment conducted by a qualified doctor. This evaluation includes physical and mental health to determine the right treatment. The doctor is responsible for determining whether treatment is needed to relieve withdrawal symptoms. The administration of medication depends on the specific drug used and the severity of the withdrawal symptoms. It is essential for the doctor to have the sensitivity, experience, and expertise to be able to accurately identify and treat these symptoms.

b. Social Rehabilitation Stage, During the Social Rehabilitation Stage, the main goal is to help victims regain their social abilities and equip them with the skills necessary for successful reintegration into society. BNN Lhokseumawe City offers a social rehabilitation program that includes various services such as skills training, psychological counseling, and group therapy sessions to facilitate the social recovery process. This approach is in line with legal requirements to address not only the physical impacts of drug addiction but also its social impacts, thus ensuring a holistic and lasting recovery path.

c. Advanced Development Stage, At this stage, individuals who have experienced trauma and those who have caused harm are given tailored activities based on their unique interests and skills to fill their time and reintegrate them into society. They have the opportunity to continue their education or employment while still receiving the necessary care and support.⁸

2. Obstacles in the Implementation of Medical and Social Rehabilitation for Victims of Drug Abuse According to Law Number 35 of 2009 at the National Narcotics Agency of Lhokseumawe City

Barriers are obstacles that prevent the achievement of desired goals and outcomes. They serve as barriers that hinder progress and prevent successful achievement of a target. The provision of medical and social rehabilitation services for individuals experiencing drug abuse is currently still below standard, largely due to the many challenges faced by law enforcement officers. These obstacles come from various internal and external factors that hinder the effectiveness of the implementation of rehabilitation programs for victims of drug abuse.⁹

a. Internal Barriers

Internal barriers are barriers caused by personal and individual factors in law enforcement officers. These barriers are influenced by subjective beliefs, attitudes, and biases of officers, which can impact their decision-making and actions in various situations. The Lhokseumawe City BNN is faced with various internal challenges, one of which is the issue of favoritism in the justice system. This can be seen in cases where upper-middle-class people who are caught using drugs are given rehabilitation, while ordinary people are charged with criminal charges. To address this problem, it is important for leaders to closely monitor and improve training for law enforcement officers to prevent potential exploitation by drug traffickers.

⁷ Chaidir, MKM, Interview, Director of Permata Atjeh Drug Rehabilitation Center, July 16, 2024, at the Permata Atjeh Peduli Foundation.

⁸ Dr. Sari Wahyuni, Interview, Rehabilitation Doctor, BNN, Lhokseumawe City, July 16, 2024, At BNN, Lhokseumawe City

⁹ Nurkhalidah, SKM, Interview, Counselor of BNN Lhokseumawe City, July 16, 2024, at the National Narcotics Agency of Lhokseumawe City

b. External Barriers

External barriers are challenges that originate from outside the law enforcement system.¹⁰ The Lhokseumawe City BNN faces various external challenges, including the lack of motivation and determination of individuals struggling with drug addiction to fully recover. According to the Lhokseumawe City National Narcotics Agency, there are alarming statistics showing a 75% chance of relapse in individuals who have undergone rehabilitation. These recurring issues highlight the ongoing struggle to combat drug addiction and underscore the importance of addressing the underlying factors that contribute to drug addiction relapse.

According to the author, the challenges in implementing medical and social rehabilitation programs for individuals affected by drug abuse, as outlined in Law Number 35 of 2009 concerning the National Narcotics Agency in Lhokseumawe City, are complex and diverse. Although the law itself provides a strong foundation for rehabilitation efforts, the practical implementation of these programs is often hampered by a number of obstacles that hinder the overall success of the program. Inadequate family support can be a major obstacle to the successful implementation of rehabilitation programs. Many families lack the understanding and skills needed to effectively assist the rehabilitation process, and in some cases, there may be family members who are also struggling with drug abuse problems. The presence of a supportive family environment is crucial to the success of rehabilitation efforts, as it can accelerate the individual's recovery process and prevent relapse.

In general, although Law No. 35 of 2009 has provided a solid foundation for the implementation of medical and social rehabilitation, there are several challenges in its implementation that need to be addressed immediately and with a mature strategy. Through persistent efforts and fruitful collaboration among various stakeholders, it is hoped that the rehabilitation initiative for individuals affected by drug abuse at the National Narcotics Agency (BNN) of Lhokseumawe City can be implemented more efficiently and ultimately provide great benefits.¹¹

3. Efforts to Settlement in the Implementation of Medical and Social Rehabilitation for Victims of Drug Abuse According to Law Number 35 of 2009 at the National Narcotics Agency of Lhokseumawe City

Related to the obstacles faced, there are efforts made to minimize the obstacles faced in providing rehabilitation, the efforts made are as follows:¹²

a. Counseling to the Community about the Narcotics Law

The Lhokseumawe City National Narcotics Agency is committed to spreading awareness and educating the community about narcotics, with the help of local community leaders, in various environments such as schools, campuses, offices, and other areas. By reaching a wider audience, they aim to increase understanding of the dangers of narcotics and the importance of rehabilitation.

b. Supervision and Monitoring

To prevent the recurrence of narcotics abuse, individuals who have completed rehabilitation at the Lhokseumawe National Narcotics Agency are subject to routine monitoring for 4 months. In addition, they are required to submit a written promise to stay away from narcotics to the Lhokseumawe BNNK. Failure to comply with this promise will result in legal consequences. Fear of punishment is expected to be a deterrent and discourage individuals from abusing narcotics again.

c. Conducting recruitment for health workers.

To address the shortage of health workers at the Lhokseumawe National Narcotics Agency, we will conduct an annual recruitment drive to increase the number of medical professionals available to assist individuals seeking drug addiction rehabilitation at the Lhokseumawe City National Narcotics Agency Pratama Clinic. This initiative aims to ensure that we can accommodate more people who need support and care for drug abuse issues.

d. Online Counseling and Support

¹⁰ Yogi Mahendra, *Rehabilitation of Victims of Drug Abuse*, Gramedia Pustaka Utama, Jakarta, 2019, p. 13.

¹¹ Samsudin. *Rehabilitation of Drug Addicts in Indonesia Policy and Implementation*, University of Indonesia, Jakarta, 2010, p. 45.

¹² Sayuti, M.Kes, Interview, Counselor of BNN Lhokseumawe City, July 15, 2024, at the National Narcotics Agency of Lhokseumawe City

Social media platforms offer a valuable avenue for the Lhokseumawe City National Narcotics Agency to provide psychological support and information to victims and their families. Through Q&A sessions, webinars with experts, and responding to public questions and concerns, the agency can provide personalized interactions to meet the individual needs of victims. This approach ensures that victims receive the information and support they need.

e. Implementation of Screening Tests

To detect potential drug abuse, it is important to conduct basic screening tests in the field. These tests can be surveys or questionnaires that are specifically designed to reveal signs and symptoms of drug abuse. By conducting these assessments, individuals who may be involved in drug abuse can be identified and provided with appropriate support and resources.

f. Community Capacity Building

Educating community members, as well as local leaders and volunteers, about the problem of drug abuse and how to effectively address it is essential. This training can cover topics such as how to identify the signs of drug abuse, provide basic counseling, and provide information to individuals about available resources and services for rehabilitation. By equipping individuals with this knowledge and skills, we can work together to combat the problem of drug abuse in our communities.

The rehabilitation program at the Lhokseumawe National Narcotics Agency is essential to preventing future drug abuse. Rehabilitation efforts must be prioritized in order to effectively address the problem of addiction. The success of the rehabilitation process will not only create a sense of pride for the Lhokseumawe National Narcotics Agency for helping individuals overcome their addiction, but it will also play a significant role in increasing self-esteem and fostering a sense of responsibility among drug abusers. This is essential for them to reintegrate into society as productive and moral individuals.

CONCLUSION

The process of providing medical and social rehabilitation to individuals affected by drug abuse at the Lhokseumawe City BNN is guided by the regulations outlined in Law Number 35 of 2009. This process includes various stages, starting from detoxification and ending with social reintegration aimed at reintegrating individuals back into society. Although based on legal principles, the implementation of this rehabilitation program often faces challenges both internally, such as discriminatory legal practices, and externally, including a lack of motivation from individuals seeking recovery. To address these challenges, the Lhokseumawe BNNK has implemented a series of strategies such as involving the local community, conducting routine monitoring, recruiting additional health workers, and providing virtual assistance. The goal of these initiatives is to increase the efficiency of rehabilitation initiatives, facilitate the recovery of individuals affected by drug abuse, and ultimately reduce the prevalence of long-term drug use.

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