

Mechanism of Rehabilitation Against Narcotics Abuse by Children

Ainun Kasim¹, Lisnawaty W. Badu², Suwitno Y. Imran³

¹ Faculty of Law, Universitas Negeri Gorontalo ainunkasim2001@gmail.com

² Faculty of Law, Universitas Negeri Gorontalo, Indonesia. lisnawatybadu0@gmail.com

³ Faculty of Law, Universitas Negeri Gorontalo, Indonesia suwitno.imran@yahoo.co.id

Korespondensi: indahapriliasidiki99@gmail.com

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ABSTRACT

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This study aims to determine and analyze how the implementation of Article 54 of Law Number 35 of 2009 concerning Narcotics, which is related to rehabilitation, especially for children who are not old enough. Then also to identify the efforts and obstacles faced in the process of implementing the rehabilitation. This research is classified as empirical research, namely research using field data in the form of interviews with parties directly related to the object under study. The results of the study show that Article 54 of Law Number 35 of 2009 concerning Narcotics related to rehabilitation has not reached the maximum point in its implementation in Gorontalo Province. Rehabilitation in its implementation is hampered due to the lack of adequate facilities and infrastructure. Rehabilitation of children also becomes a little more difficult because of the difficulty of creating comfort for children while undergoing rehabilitation which ultimately causes the child and the child's parents to be less cooperative in the implementation of rehabilitation. Therefore.

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1. Introduction

Narcotics in children and adolescents is a very dangerous phenomenon in our society. Narcotics used by children are indeed not as heavy as narcotics used by adults. The type of narcotic that is often used by children is an inhaled addictive substance (glue fox) known as ngelem. Gluing activities and other drug use are often shown by children on public roads. Not surprisingly, one of the chemicals used as a means to get drunk is consumed by minors, including elementary school (SD) students. Our daily life, even in society, to meet the needs of life there are often crimes and violations committed by certain people and people who threaten some members of society,¹

Because of this criminal act, there is a need for responsibility. The term liability in legal terminology is often also replaced by liability. Responsibility can be interpreted as a basic willingness to carry out what is an obligation.² Local government is a subsystem of the government of the Unitary State of the Republic of Indonesia. Therefore, all the goals and ideals mandated by the opening of the 1945 Constitution of the Republic of Indonesia are also the ideals and goals of local governments that must be achieved.³

Toxic substances contained in inhaled glue can be dangerous, which can damage the brain causing other diseases such as Parkinson's and difficulty in learning something, muscle weakness, depression, crazy, stress, headaches and nosebleeds, and nerve damage. . Even the effects of gluing can also cause death. In addition, changes in the character of the child or teenager will be very clearly visible. Therefore, to prevent the worsening of the negative impacts caused by drug abuse, especially on children as the nation's next generation, it is necessary to handle drug addicts by way of rehabilitation. This is also supported in the Supreme Court Circular No. 04 of 2010 concerning the placement of abuse, victims of abuse, Narcotics addicts into medical rehabilitation and social rehabilitation institutions. As well as enacting the Act. No. 35 of 2009 on Narcotics replaces Law. No. 22 of 1997 concerning Narcotics and Law. No. 5 of 1997 concerning Psychotropics.

The form of seriousness in efforts to prevent and eradicate narcotics in terms of their circulation and abuse, through the Narcotics Law, the National Narcotics Agency was formed as confirmed in Article 64 of the Narcotics Law itself. Then in order to achieve the goal of establishing the agency, Article 70 formulates its duties and authorities, where

¹Dian Ekawaty Ismail, Mohamad Taufiq Zulfikar Sarson. (2021). Criminology Analysis of Women's as Perpetrators of Domestic Violence Crimes. *Journal of Law Review*. 3(3), 58

² Tijow, Luciana. (2010). Protection of Human Rights to the Right to Life of Children in the womb outside of a legal marriage. *Legality Journal*. 3(2), 88

³Novendri M. Nggilu. (2020). Juridical Review of Criminal Sanction Arrangements in Gorontalo Provincial Regulations. *Lambung Mangkurat Law Journal*. 5(2), 112

in letter c it reads "to increase the capacity of medical rehabilitation institutions and social rehabilitation of Narcotics addicts, both organized by the government and the community". As part of the tasks formulated through the law, rehabilitation is automatically the responsibility of BNN in terms of guarding, paying attention to and controlling its implementation. However, since the declaration of the rehabilitation program for 100,000 Narcotics addicts in early 2015, not many people know where they can get rehabilitation services in their immediate environment. Efforts made to improve the availability of narcotics health services are quite important, but if there is abuse it will have a very dangerous impact because there will be dependence that is very detrimental to the user, therefore of course strict and careful control and supervision needs to be done.⁴

According to Sudarto, the word narcotics comes from the Greek word "narke" which means "sedated so you don't feel anything", the establishment of the Indonesian Law in 1979 has revoked the laws and regulations governing narcotics, namely: *Verdovende Middelen Ordonnatie* (Staatsblad 1927 No. 278 Jo No. 536) and replaced it with the Law on Narcotics (Law No. 9 of 1976) which has now been revised by Law no. 35 of 2009. So narcotics can be equated with drugs.⁵ According to Article 1 point 1 of Law Number 35 of 2009 explains that the definition of Narcotics is a substance or drug derived from plants or non-plants, both synthetic and semi-synthetic, which can cause a decrease or change in consciousness, loss of taste, reduce to eliminate pain. , and can cause dependence, which is divided into groups as attached in this law.

Narcotics have spread and become a common problem found in all regions in Indonesia, including the Gorontalo Province. Based on information from the National Narcotics Agency of Gorontalo Province, the number of narcotics users in Gorontalo Province refers to BNN RI data, so far it has reached 1.9 percent or as many as 10,244 people from the total population of Gorontalo Province. Even before 2017, users in the area reached 16,000 people, which made Gorontalo the 5th largest user in Indonesia.⁶ The data also includes children who are not old enough, where the 2019 narcotics case in Gorontalo was dominated by students. Of the 110 users handled by the National Narcotics Agency (BNN) of Gorontalo Province, as many as 69 people are classified as students. The existence of students as dominant narcotics abusers in Gorontalo Province then sparked curiosity regarding the implementation of rehabilitation for them, because age determines their mental condition which in turn will distinguish the mechanism and

⁴Koesno Adi, 2014, *Diversion of Child Narcotics Crime*, Setara Press, Semarang, Pg. 3

⁵Djoko Prakoso, Bambang Riadi Lany, Amir Muhsin, 1986, *Crimes That Are Harmful and Dangerous to the State*, PT Bina Aksara, Jakarta, Pg. 480

⁶Kumparan, 2019, Drug Cases in Gorontalo are dominated by students, <https://kumparan.com/banthayoid/case-narkoba-di-gorontalo-didominat-pelajar-1sEWxXYAApu/1>. Accessed December 21, 2021, at 11:25 WITA

pattern of rehabilitation itself, both medically and socially. The following is the data obtained by the author:

Table 1.

No.	Year	Number of Patients	Gender		Age			Education				
			L	P	<18	>18	>60	Elementary School	JUNIOR HIGH SCHOOL	SENIOR HIGH SCHOOL	PT	TS
1.	2016	115	99	16	39	76	0	3	46	52	14	0
2.	2017	204	188	16	83	121	0	54	72	68	8	2
3.	2018	185	97	28	72	113	0	57	48	65	10	5
4.	2019	314	269	45	222	89	3	17	36	212	5	44
5.	2020	195	164	31	131	65	0	23	46	63	26	37
6.	2021	209	159	50	73	176	0	16	57	95	37	63
Amount		1222	976	186	620	640	3	170	305	555	100	151

Rehabilitation Patient Data

Source: BNN Gorontalo Province, 2021

Referring to the table above, it can be seen that in 2019 and 2020, rehabilitation patients were dominated by minors (under 18 years of age). In 2019, out of 314 patients, 222 of them were not old enough. Then the same thing will still happen in 2020, where out of 195 patients, 131 of them are not old enough. The number of children who fall into narcotics is because the cause is dominated by excessive association and family conditions which are enough to trigger depression and despair, so that children tend to take things that are not supposed to calm themselves physically and mentally.

Although many children are not old enough to become addicts or narcotics abusers, all the stages and processes of rehabilitation as mandated by the Narcotics Law

have been fully implemented by the Gorontalo Provincial BNN. The implementation of rehabilitation for children also refers to Law no. 35 of 2014 concerning Child Protection in which the Act confirms that there is special protection for child victims of narcotics abuse, supervision, prevention, treatment and rehabilitation must be carried out.⁷

Often the cause of drug abuse in children is often influenced by promiscuity or the development of increasingly advanced technology. So the rapidly growing development of internet technology has had a very big impact on the world community.⁸ Referring to the table above, it can also be seen that child narcotics cases have decreased in 2019-2021. However, this does not absolutely conclude that child narcotics cases have decreased and have been successfully overcome. From a positive perspective, this can indeed be considered as something good. But on the other hand, this can also be due to the family covering up a child's narcotics case, the reluctance of the family to report it is the reason the case is difficult to detect so it cannot be known.

2. Method

The research method used by the author in this study is empirical research based on the opinion of Mukti Fajar and Yulianto Ahmad where it is said that empirical research is basically collecting data through documentation studies or through literature searches and by conducting interviews or observations.⁹ The research approach uses analytical descriptive and uses qualitative analysis techniques.

1. Mechanism of Rehabilitation Against Narcotics Abuse by Children

In order to maximize protection for children in Indonesia, especially legal protection, Law Number 23 of 2002 concerning Child Protection was issued. Along with developments, this Child Protection Act was later amended through Law Number 35 of 2014 concerning Amendments to Law Number 23 of 2002 concerning Child Protection. In order to maximize protection for children in Indonesia, especially legal protection, Law Number 23 of 2002 concerning Child Protection was issued. Along with developments, this Child Protection Act was later amended through Law Number 35 of 2014 concerning Amendments to Law Number 23 of 2002 concerning Child Protection. The Child Protection Act has determined special protection for children who are victims of narcotics, alcohol, psychotropic and other addictive substances (drugs) abuse. The

⁷Article 67 of Law Number 35 of 2014 concerning Child Protection

⁸Mohamad Rivaldi Moha. (2020). The Urgency of Registration of Electronic System Operators for E-Commerce Businesses. *Journal of Law Review*. 2(2), 115

⁹Mukti Fajar, Yulianto Achmad. *Dualism in Legal Research (Normative and Empirical)*, (Yogyakarta: Pustaka Pelajar, 2010), 153.

government and other state institutions are obliged and responsible for providing special protection to children, one of which is children who are victims of abuse of narcotics, alcohol, psychotropic substances and other addictive substances (drugs).¹⁰

The Unitary State of the Republic of Indonesia guarantees the welfare of each of its citizens, including the protection of human rights. The reason is that government policies as outlined in laws and regulations are always followed by criminal sanctions¹¹ and the involvement of the State which is also one of the characters of the conflict phenomenon.¹² Furthermore, the form of the legal system also requires people to have a sense of love and affection, mutual respect, mutual help, loyalty, honesty, and adequate physical and spiritual support, so that the implementation of the legal system can run in accordance with people's lives in general.¹³ Furthermore, an important point in the preparation of every policy issued by the Government comes solely from the wishes of the people.¹⁴ So that when this does not cause problems and if the policy is not in accordance with the behavior patterns of the community, then the government must resolve a problem with the community itself.¹⁵ Everyone else, including the government must heed it, by making laws on the basis of natural rights themselves.¹⁶ Because of this, one of the aims of the recognition and establishment of the rule of law is to protect human rights, meaning that individual rights and freedoms are recognized, respected and upheld.¹⁷ Considering that Indonesia is also one of the countries that puts forward the constitution in every aspect of the life of the nation and state.¹⁸

In addition, Indonesia also has Law Number 35 of 2009 concerning Narcotics (hereinafter referred to as the Narcotics Law), which stipulates that the government conducts guidance on all activities related to narcotics, including efforts to prevent the

¹⁰Article 67 Paragraph (1) Child Protection Act

¹¹Hwian Christianto, Michelle Kristina. (2022). Fulfilling the Right of Education during Covid-19 Pandemic Period: A Comparative Study. *Journal of Law Review*. 4(1), 1

¹²Yudha Chandra Arowana. (2019). Mediation Path in the Settlement of Land Disputes as an Encouragement for the Fulfillment of Human Rights. *Journal of Law Review*. 1(2), 216

¹³Dedi Sumanto, Titin Samsudin, Fikri Asnawi Amiruddin. (2021). The Existence of the Religious Court in Handling Divorce Cases on the Reason of Domestic Violence. *Journal of Law Review*. 3(2), 228

¹⁴Nuridin, Putri Handayani. (2019). Political Law Regulation of Political Education by Political Parties. *Journal of Law Review*. 1(2), 146

¹⁵Fitriyadi, Ahmad Adi. (2020). Differentiation of Refugees and Asylum Seekers in International Refugee Law and Its Relation to the Principle of Non-Refoulement. *Journal of Law Review*. 2(2), 127

¹⁶Daffodil, Dolot Alhasni. (2020). Determination of Legal Protection for Neighboring Right Holders. *Journal of Law Review*. 2(1), 67

¹⁷Badu, Lisnawaty. (2012). Euthanasia and Human Rights. *Legality Journal*. 5(1), 1-11

¹⁸Fakhris Lutfianto Hapsoro. (2020). Interpretation of the Constitution in the Examination of Constitutionalities to Realize The Living Constitution. *Journal of Law Review*. 2(2), 145

involvement of minors in the abuse and illicit trafficking of narcotics. Preventing the younger generation and school-age children from abusing Narcotics, including by including education related to Narcotics in the elementary school to senior high school curriculum.¹⁹If you refer to what Prof. Fenty Puluhulawa in his writings that the government through the law has provided a starting point for the judiciary, which is carried out for the sake of justice based on the One Godhead.²⁰ To quote as said by Fence M. Wantu in his Journal that the essence of justice is an assessment from one person to another, which is generally seen from the party receiving the treatment only.²¹quoting as said by Suwitno Yutye Imran that Justice serves as a guide to distinguish between fair and unfair actions, elements of the aspect of justice can be contained in the substance.²²

According to the author of Law Number 35 of 2009 concerning Narcotics, there are targets for law enforcement, namely first to carry out rehabilitative law enforcement, in the form of law enforcement without coercive measures in the form of detention, instead being placed in a rehabilitation institution and punished with rehabilitation punishment. Second, carry out repressive law enforcement, in the form of law enforcement by detaining and giving prison sentences. The Narcotics Law is to distinguish the response to abusers and dealers. Traffickers are eradicated while abusers are guaranteed to get rehabilitation efforts. There are two reasons why law enforcement against narcotics abusers is an additional mission for law enforcement. First, because tackling narcotics abusers is the main mission of the apparatus carrying the rehabilitation function because the Narcotics Law requires abusers whose condition is narcotics dependence must undergo rehabilitation. Second, narcotics crimes, consisting of crimes of abuse and crimes of trafficking, must be separated because of different directions.²³

Therefore, law enforcement, especially all stakeholders, must act decisively and seriously in dealing with crime to ensure social welfare for the community.²⁴ The improvement of people's welfare facilitated by this law is certainly synergistic with Subekti who has the thought that "the law is dedicated to the direction of the state which in essence is to produce glory and joy for the people."²⁵

In the author's opinion, in order to be able to carry out the aims and objectives of

¹⁹Article 60 Paragraph (2) letter C of the Narcotics Law

²⁰ Fenty Puluhulawa, Lusiana M, Tujow, Sutrisno. (2020). Application of the Principles of Justice, Legal Certainty and Benefit in Judge's Decisions. *Gorontalo Law Review Journal*. 3, (2), 174

²¹Fence M. Wantu. (2013). Judges Constraints in Creating Legal Certainty, Justice, and Benefits in Civil Courts.*Legal Pulpit Journal*. 25(2), 206

²²Suwitno Y. Imran. (2021). The Urgency of Regulation of the Ultra Qui Judicat Principle in Criminal Judgments. *Journal of Law Review*. 3(2), 398

²³Ibid, 17-18

²⁴Ariefulloh, Abd Asis, Maskun. (2019). The Dilemma of the Implementation of Traffic Violation Sanctions Against Children.*Journal of Law Review*.1(2), 198

²⁵Jufryanto Puluhulawa, Mellisa Towadi, and Vifi Swarianata. (2020). Leato / Japanese Cargo Wreck Underwater Site Legal Protection. *Journal of Legal Reform*, 24(2), 201

Law Number 39 of 2009 concerning Narcotics and the mission of law enforcement to be rehabilitative to abusers, law enforcers, namely investigators, public prosecutors, and judges are given the authority to use coercive measures in the form of placing suspects/defendants of narcotics abusers. into rehabilitation institutions at all levels of examination. It is necessary to emphasize again that those who can undergo rehabilitation in narcotics cases are the category of addicts and victims of narcotics abuse. In addition to these two categories, those involved in narcotics cases must and must undergo legal processes, for example the category of dealers. Therefore, Before undergoing rehabilitation, there is an examination process to conclude whether it is true that the person concerned is only a user or victim of abuse, and not a narcotics dealer himself. The author can describe that there are three institutions that play an important role in the implementation of rehabilitation, namely the Ministry of Health, the National Narcotics Agency, and the Ministry of Social Affairs. The three institutions have their respective roles that need each other in order to save the community from drug addiction. The author also believes that the synergy between the three institutions is very much needed. The three institutions have their respective roles that need each other in order to save the community from drug addiction. The author also believes that the synergy between the three institutions is very much needed. The three institutions have their respective roles that need each other in order to save the community from drug addiction. The author also believes that the synergy between the three institutions is very much needed.

In addition to the role of the National Narcotics Agency and the Ministry of Social Affairs in general, the Ministry of Health has an important role in addition to the National Narcotics Agency. The Ministry of Health oversees existing hospitals specifically dealing with rehabilitation. Each drug rehabilitation hospital has a special program for victims of narcotics, addictive substances and psychotropic substances. The treatment program is aimed at drug users. The goal is to treat dependence and cure diseases as a result of drug use, as well as stop drug use. Not just anyone can treat drug users. Drug use is often followed by the entry of dangerous diseases and mental and moral disorders. Treatment should be carried out by a doctor who studies drugs specifically.²⁶The stages in the process of implementing the rehabilitation are the pre-rehabilitation stage, the stage of implementing the rehabilitation and the stage of fostering the results of the rehabilitation. For more details, the rehabilitation stages will be described as follows:²⁷

- a. The pre-rehabilitation stage includes:

²⁶Setyawati et al. Book Series Dangers of Drugs Procedures for Rehabilitating Drug Addicts. (Surakarta: PT. Tirta Asih Jaya, 2017), 3

²⁷Ahmad Zulfikar Musakir. (2016). The Effectiveness of the Medical and Social Rehabilitation Program for Victims of Narcotics and Drug Abuse in a Legal Sociology Perspective. Thesis. Master of Law, Faculty of Law, Hasanudin University, 43-44.

1. Guidance and counseling to clients, families and communities.
 2. Motivate clients to participate in developing a rehabilitation program.
 3. Convincing the client rehabilitation will be successful if there is a teamwork of experts and patients.
 4. Client self-examination.
- b. The rehabilitation implementation phase includes:
1. The client is already running a rehabilitation program.
 2. Clients receive rehabilitation services, namely rehabilitation: medical, rehabilitation, vocational, and social rehabilitation.
 3. The implementation of these three types of rehabilitation takes place simultaneously in a period.
- c. Implementation of rehabilitation, including:
1. The stage of building rehabilitation results. Given to clients who have already run a rehabilitation program and are considered ready to be independent and return to the community.
 2. To solidify the results of the rehabilitation, the client is still being fostered, and an evaluation is carried out whether the client has really been able to adjust to the community, and whether the community is willing to accept his presence. At this stage there are usually two forms of activity;
 - i. pre-distribution activities,
 - ii. distribution and development activities.
- d. Rehabilitation Goals and Objectives:
1. Restoring a sense of self-esteem, confidence, awareness and responsibility for the future of self, family and society or social environment.
 2. Restoring the ability to be able to carry out their social functions properly.
 3. In addition to physical healing as well as overall social healing.
 4. People with disabilities achieve mental, physical, psychological and social independence, in the absence of a balance between what they can and cannot do.
 5. Rehabilitation for addicts and victims of narcotics abuse is carried out, with the aim of restoring and developing the physical, mental and social abilities of the sufferer concerned.

The implementation of rehabilitation for narcotics users and abusers is one of the objectives of the establishment of Law Number 35 of 2009 concerning Narcotics as confirmed in Article 14 letter d that the Narcotics Law aims to ensure the regulation of medical and social rehabilitation efforts for narcotics abusers and addicts. Therefore, if you read the Narcotics Law, it will be found that rehabilitation is mentioned 32 times. The process for addicts and victims of narcotics abuse to be able to undergo rehabilitation can occur through two things, first by voluntarily reporting themselves to the

Rehabilitation Institute, secondly through a judge's decision while undergoing a legal process.²⁸ Then in practice, although not undergoing a legal process until the court stage, an addict or narcotics abuser can undergo rehabilitation if during the investigation process the person concerned is willing to be referred to the Rehabilitation Institute to undergo a medical assessment. If the person concerned is confirmed as a user and permitted by the investigator, he or she will undergo rehabilitation.²⁹

Rehabilitation of narcotics addicts is carried out in hospitals appointed by the minister. The suspect or defendant who, based on the decision of the Integrated Assessment Team undergoes medical rehabilitation, will then be handed over to the designated institution. Based on the Regulation of the Minister of Health Number 50 of 2015 concerning Technical Guidelines for the Implementation of Compulsory Reporting and Medical Rehabilitation for Addicts, Abusers, and Victims of Narcotics Abuse, the submission procedure is as follows:³⁰

Submission:

- a) The submission is carried out by the investigator or public prosecutor accompanied by the family and the National Narcotics Agency by attaching a recommendation for a rehabilitation therapy plan from the Integrated Assessment Team.
- b) The handover is done during the administrative working hours of the designated medical rehabilitation facility.
- c) The handover of the suspect or defendant at the designated rehabilitation facility must be accompanied by the provision of informed consent (ie approval after receiving information from the rehabilitation facility) from the suspect or defendant, witnessed by the investigator or public prosecutor and his family.

Implementation:

- a) Medical rehabilitation for suspects or defendants is carried out by means of inpatient or outpatient treatment in accordance with a written official request from the police, BNN/BNNP/BNNK (investigators), or the prosecutor's office (public prosecutor) based on recommendations for a rehabilitation therapy plan from the Integrated Assessment Team, to a maximum period of 3 (three) months.

²⁸Article 55 and Article 103 Paragraph (1) of Law Number 35 Year 2009 concerning Narcotics

²⁹Interview with Mr. Budi Kurniawan Kyai, SH

³⁰Regulation of the Minister of Health Number 50 of 2015 concerning Technical Guidelines for Compulsory Reporting and Medical Rehabilitation for Addicts, Abusers, and Victims of Narcotics Abuse

- b) In the event that the suspect or defendant undergoes inpatient rehabilitation therapy, while undergoing care at a medical rehabilitation facility, there are several things that the patient must pay attention to, namely:
 - 1) must follow the program determined by the medical rehabilitation facility;
 - 2) Do not bring communication tools; and
 - 3) Communication with family / other parties must be through health workers who carry out rehabilitation.
- c) In the event that the suspect or defendant undergoes outpatient rehabilitation therapy, the authority to bring the suspect or defendant to the rehabilitation process rests with the investigator or public prosecutor (depending on the level of the case).
- d) The medical rehabilitation facility provides information to the court which determines 2 (two) weeks before the completion of the rehabilitation period.
- e) Patients who have finished undergoing rehabilitation therapy as referred to in letter b are returned to the party who entrusted the suspect or defendant (investigator or public prosecutor) by submitting the final resume of the rehabilitation therapy activity.

After undergoing medical rehabilitation or detoxification, it will continue to social rehabilitation which is divided into several stages.³¹

1. *Entry*(Orientation), at this stage the resident is given an explanation and given direction to adapt to the environment and regulations applied by the rehabilitation center. This stage is carried out within a period of 2 (two) weeks.
2. *Primary Stage*This stage consists of 3 main phases that must be carried out by residents, the first phase is the younger phase, the second is the middle phase, and the third is the older phase. In the younger process, residents will learn some initial points such as self-introduction and introduction to fellow residents, discipline, the concept of a healthy lifestyle, and assigning roles and tasks in groups as an effort to foster a sense of responsibility for themselves. The younger phase usually takes place within 2 (two) months. The second phase is the middle phase, this phase will deepen and strengthen a sense of self-discipline, increase self-confidence in the group, strengthen a healthy lifestyle, as well as the division of tasks and roles in groups as an effort to create a sense of shared responsibility (teamwork). , and strengthening to exercise self-control. Residents will undergo the middle phase within 1 (one) month. The third phase at this stage is older. This process makes residents have self-discipline strengthening into a necessity and no

³¹Risya Hadiansya, Nur Rochaeti. (2022). Implementation of Rehabilitation for Children Abusing Narcotics. Indonesian Journal of Legal Development, 4 (1), 9 - 10

longer as coercion for residents, introduction to residents who are still at the younger stage, strengthening healthy lifestyles that are part of the resident's personality, strengthening in strengthening cooperation in groups and internal social life where residents live. rehabilitation as the initial form of the preparation process that will later return to social life, and is given tasks and roles in certain operations where the resident carries out the rehabilitation and coaching process given to younger residents.

3. *Re-Entry Stage* This stage is divided into three parts, namely A, B, and C. In stage A, the resident will be asked to do an interest and aptitude test, discussion seminar or outbound with the aim of preparing the resident's mental self-confidence, and training in preparing a plan. Phase A is carried out for 1 (one) week. Next is stage B, which is carried out for one week. The activities carried out in stage B are focused on implementing the plans that have been prepared in stage A and accompanied by a counselor. Evaluation should also be carried out in stage B after carrying out the implementation of the plan. At stage B, the resident may get a visit from the family. The last stage is stage C which carries out an overall evaluation, and is given post-rehabilitation program socialization.

If the entire rehabilitation process is carried out properly, the required period of time is approximately six months. Residents have to go through all the stages above, but there are some residents who go through the rehabilitation process for more than 6 (six) months. This happened because the rehabilitation process returned to the resident himself and went through a process of assessment, evaluation and seeing the willingness of the resident himself to recover.

The follow-up to the rehabilitation mandate stated in Article 54 of the Narcotics Law can be seen in the Regulation of the Minister of Health of the Republic of Indonesia No. 4 of 2020 concerning the Organization of Mandatory Reporting Acceptance Institutions. Compulsory Reporting Recipient Institutions, hereinafter abbreviated as IPWL, are public health centers, hospitals, and/or rehabilitation institutions appointed by the government. The Provincial BNN in order to improve the implementation of rehabilitation so far has established a number of eight IPWLs in Gorontalo, one of the most active being IPWL Ummu Syaidah. In addition, BNN has also formed cooperation with hospitals and health centers as government agencies involved in the implementation of rehabilitation. So far, there are 25 institutions that have been optimized and spread across all regencies/cities in the Gorontalo Province.³²

³²Interview with Mr. Budi Kurniawan Kyai, SH

4. Conclusion

In general, the mechanism for the implementation of rehabilitation is the stage of medical rehabilitation (detoxification), the stage of social rehabilitation (non-medical), and the last stage of further development. The mandate of Article 54 of the Narcotics Law related to rehabilitation obligations has been implemented in accordance with applicable regulations both in general and specifically for children who are not old enough

The National Narcotics Agency as the main party in the implementation of rehabilitation must maintain maximum performance. Then also the competent government, in this case the Gorontalo Provincial Government, would be able to assist the National Narcotics Agency in terms of improving rehabilitation facilities and infrastructure in the Gorontalo Province region in order to achieve a more optimal rehabilitation from the side of the implementer.

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