



THE RIGHT TO REHABILITATION OF NARCOTICS ADDICTS IN THE FRAMEWORK OF THE PROTECTION OF HUMAN RIGHTS

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***Abstract** - Human Rights are gift inherent for humans. Limitations of state responsibility for people who are being a victims. They are harmed by control a supervision by the government in importing, exporting and using narcotics. Research objectives how is results rehabilitation of victims of narcotics abuse is an effective solution in suppressing the rate of narcotics abuse in Indonesia because it can break the chain of narcotics illicit traffic to get the rehabilitation. Why should the state be rehabilitation. What kind of the rehabilitation towards victims of Narcotics abuse. Rehabilitation for the people who in narcotics an effective get suppressing rate narcotics abuse in Indonesia because it can break the judicial process for victims of narcotics abuse.*

Keywords: Rehabilitation, Drug Addict, Human Rights;

INTRODUCTION

Human rights is the gifts that must be respected, upheld and protected [1]. Discrimination due to unclear legal policies distinguishing between Narcotics users, dealers and abusers makes access to rehabilitation not touch all Narcotics users. Narcotics punitive policies clearly prevent access to essential health, namely rehabilitation for narcotics addicts, because addicts will be sentenced to prison.

Table 1. Law Regulating Criminal Witness Against Narcotics Abuse [2].

No	Section	Sanctions fines
1	Article 111 phrase (1)	Sentenced imprisonment a maximum
2	Article 112 phrase (1)	Minimum imprisonment
3	Article 127	Minimum imprisonment

From the table above, it can be seen that legal policies that do not clearly distinguish between narcotics users, dealers and abusers have prevented access to rehabilitation from touching all narcotics users and/or addicts. The narcotics punitive policy clearly makes essential health access, namely rehabilitation for narcotics addicts not available, because addicts will be sentenced to prison.

METHODS

This watchfulness starting in August until October 2022 and used normative juridical and empirical that is qualitative in nature in the form of evaluative [3,4]. The sources in this research is primary legal materials, namely legal rules. The second sources is secondary which provide that legal materials to explanations and to analyzing we can use the contact or personal relationship between data collectors and data sources (respondents and informants).

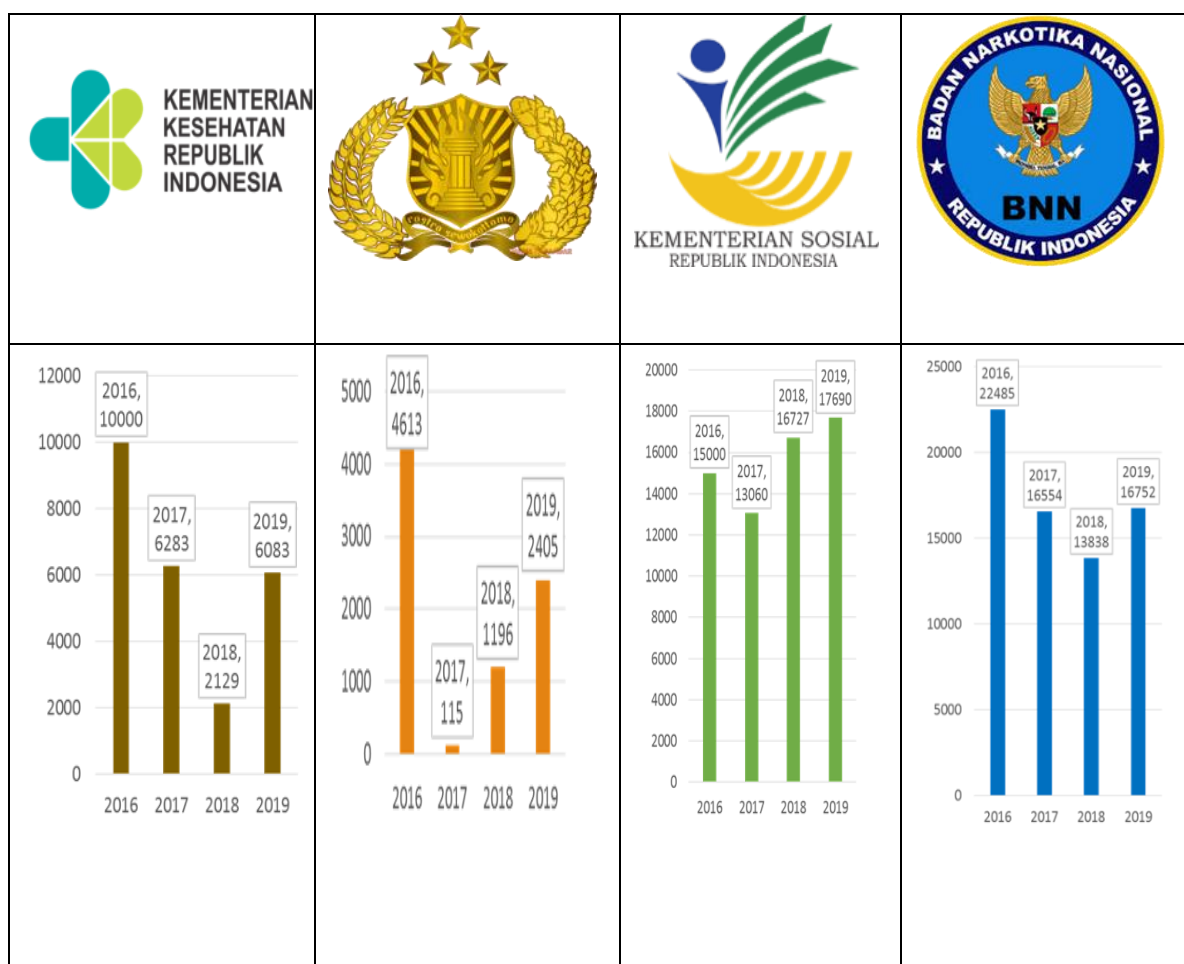
RESULTS AND DISCUSSION

Drugs are active substances that are dangerous and if used frequently can lead to dependence which is detrimental to human health. Basically, the distribution of narcotics in Indonesia is seen from a juridical perspective. In Indonesia, drug abuse is a crime and can have an impact on the future of the nation and destroy life, particularly the younger generation. The paradigm in viewing narcotics addicts as people who suffer from chronic illnesses must receive treatment and recovery in stages and rehabilitation is a way to save them. Rehabilitation is intended so that abusers who are categorized as addicts are released from their dependence on narcotics.



So far, in Indonesia, perpetrators of narcotics abuse are processed according to criminal law and on average the perpetrators will be given criminal sanctions in the form of prison confinement [5]. This certainly has an impact on the large number of narcotics abusers who should be rehabilitated for their recovery but in reality this is not done so that prisons in Indonesia are filled with narcotics abusers and this creates very serious problems for law enforcement, especially against narcotics abusers. For this reason, in the future, perpetrators of narcotics abuse should no longer be sentenced to prison, but rehabilitation efforts should be made so that these users can live a normal life again.

Table 2. Number of narcotics abusers who received rehabilitation in 2016-2019 [6][7].



From the table above, it can be concluded that the number of narcotics abusers who received rehabilitation from the Ministry of Health of the Republic of Indonesia in 2016 was 1,000 people, while in 2017 there were 6,283 and in 2018 there were 2,129 people and in 2019 there were 6,083 people. Meanwhile, data from the Indonesian National Police in 2016 was 4,613 people, in 2017 there were 115 people, in 2018 there were 1,196 people and in 2019 there were 2,405 people. Data from the Ministry of Social Affairs of the Republic of Indonesia recorded that in 2016 there were 15,000 people, in 2017 as many as 13,060, in 2018 as many as 16,727, in 2019 as many as 17,690. Finally, data from the National Narcotics Agency of the Republic of Indonesia recorded that in 2016 as many as 22,485, in 2017 as many as 16,554, in 2018 as many as 13,835, in 2019 as many as 16,752 people [8,9,10]

In Indonesia, narcotics crime is seen as a form of crime that has serious consequences for the future of this nation, destroying life and the future [11,12]. The handling to takes them by first conducting an assessment, both a medical assessment and a legal assessment [13,14,15]. For addicts who report themselves voluntarily (of their own volition/parents/guardians) to the Recipients for Compulsory Lapor (IPWL), an assessment is carried out, urine, tests to detect, the presence or absence [16,17,18].

Narcotics addicts who is a sick person and implementing for rehabilitation to narcotics abusers is a sanction that reflects the value of human rights. The implementation can use health facilities in the form of hospitals and health centers in Indonesia.

CONCLUSION

Narcotics addicts deserve protection, especially in the fulfillment of their basic rights in health services. Fulfillment of basic rights for human rights that get addicts can filled in the form measures, so that they can run optimally are formulated explicitly in Law Number 35 of 2009. The government needs to improve facilities, infrastructure as well as service facilities for Narcotics Addicts Rehabilitation in the rehabilitation program.

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