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Legal Implications of the Application of Restorative Justice to Narcotics Crimes in Order to Realize Restorative Justice and Rehabilitation for Perpetrators

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Abstract: Narcotics crime is one form of offense that has systemic impacts on public health, security, and order. The conventional penal system, which tends to focus on imprisonment, has not been entirely effective in addressing the root problems of narcotics abuse, especially among users. As an alternative in this situation, the restorative justice method seeks to rebuild the community, the victim, and the criminal via communication and rehabilitation. In order to achieve restorative justice and offenders' rehabilitation, this study looks at the legal ramifications of applying restorative justice to drug-related offenses. Law Number 35 of 2009 about narcotics, Supreme Court Regulation Number 4 of 2010, Attorney General Regulation Number 15 of 2020, and Law Number 1 of 2023 about the Criminal Code are all reviewed using a normative method. The study's findings demonstrate that restorative justice is only appropriate for drug users who meet specific requirements, such as not being a recidivist and having a limited amount of evidence. The application of this approach has a positive impact on reducing overcrowding in correctional institutions and fulfilling the offender's human rights to receive rehabilitation. However, there are still obstacles such as the lack of explicit regulations in the Narcotics Law and the limited availability of adequate rehabilitation facilities. Policy reformulation and the strengthening of synergy among law enforcement officers are important steps in expanding the comprehensive implementation of restorative justice in the future.

Keywords: restorative justice, narcotics crime, rehabilitation, legal implications, sentencing

Abstrak: Kejahatan narkoba merupakan salah satu bentuk kejahatan yang memiliki dampak sistemik terhadap kesehatan masyarakat, keamanan, dan ketertiban. Sistem hukuman konvensional, yang cenderung berfokus pada penjara, belum sepenuhnya efektif dalam menangani akar masalah penyalahgunaan narkoba, terutama di kalangan pengguna. Sebagai alternatif dalam situasi ini, metode keadilan restoratif berusaha untuk membangun kembali komunitas, korban, dan pelaku kejahatan melalui komunikasi dan rehabilitasi. Untuk mencapai keadilan restoratif dan rehabilitasi pelaku kejahatan, penelitian ini mengkaji implikasi hukum penerapan keadilan restoratif pada kejahatan terkait narkoba. Undang-Undang Nomor 35

Tahun 2009 tentang Narkotika, Peraturan Mahkamah Agung Nomor 4 Tahun 2010, Peraturan Jaksa Agung Nomor 15 Tahun 2020, dan Undang-Undang Nomor 1 Tahun 2023 tentang Kitab Undang-Undang Hukum Pidana dianalisis menggunakan metode normatif. Temuan studi menunjukkan bahwa keadilan restoratif hanya sesuai untuk pengguna narkotika yang memenuhi syarat tertentu, seperti bukan pelaku berulang dan memiliki bukti yang terbatas. Penerapan pendekatan ini memiliki dampak positif dalam mengurangi overcrowding di lembaga pemasyarakatan dan memenuhi hak asasi pelaku kejahatan untuk mendapatkan rehabilitasi. Namun, masih ada hambatan seperti kurangnya peraturan yang eksplisit dalam Undang-Undang Narkotika dan keterbatasan fasilitas rehabilitasi yang memadai. Reformulasi kebijakan dan penguatan sinergi di antara petugas penegak hukum merupakan langkah penting dalam memperluas implementasi komprehensif keadilan restoratif di masa depan.

Kata Kunci: keadilan restoratif, kejahatan narkotika, rehabilitasi, implikasi hukum, penetapan hukuman

INTRODUCTION

An increasingly popular strategy for Indonesia's criminal justice system reform is restorative justice, especially in facing the rise in narcotics crimes (Zulhelmi, 2024). Narcotics abuse is not only a legal issue but also a complex health and social problem (Venerdi, 2025). The high rate of criminalization of narcotics users has burdened the justice system and correctional institutions, without addressing the root causes of addiction and dependence (Sugiarti, 2023). The conventional sentencing system tends to focus on punishment rather than healing, thus being ineffective in reducing recidivism among drug users. Many users who should have received rehabilitation are instead imprisoned, which ultimately worsens their psychological and social conditions (Romli, 2025). This issue demands a more humane and transformative approach in handling narcotics cases.

Restorative justice offers an alternative legal approach that places the recovery process as the main focus, rather than mere punishment (Sihombing, 2024). In restorative justice, the offender, the victim (if any), and the community are invited to jointly seek resolution for the consequences of the crime (Sari, 2024). The main principle of restorative justice is to repair the harm caused by the crime and rebuild the disrupted social relationships (Sukedi, 2024). This approach is different from the retributive model which focuses only on retribution, and also different from the rehabilitative approach which is sometimes conducted unilaterally without community involvement. In the context of narcotics abuse, restorative justice can open a space for dialogue and commitment to recover, not just serve a sentence. This model also allows for the involvement of family and community in the recovery process of the offender (Syahputri, 2024).

Old sentencing theories emphasize aspects of retribution and social order, placing the offender as the object of punishment. In contrast, modern sentencing approaches recognize the importance of protecting human rights and the need for offender recovery to prevent reoffending (Fardha, 2023). In cases of narcotics abuse, the modern approach emphasizes the importance of rehabilitation as part of the mitigation effort, as the offender is generally a victim of addictive substances (Fajar, 2022). Rehabilitation becomes a more appropriate form of sentencing for narcotics users because it focuses on preventing repeat offenses and restoring social function (Putri, 2024). This aligns with the principles of contemporary sentencing which emphasize substantive justice, not merely formal legality. Such justice allows the state to act as a facilitator of recovery, not merely as a punishing institution without long-term solutions (Hikmah, 2023).

The significance of rehabilitation in addressing drug-related offenses is already recognized by Law No. 35 of 2009 on Narcotics (Hariyawan, 2025). According to Article 54, those who abuse drugs or are addicted to them must receive medical and social rehabilitation. This article emphasizes that certain offenders should not be immediately criminalized, but should instead be directed toward recovery (Santoso, 2023). Meanwhile, Article 103 gives judges the authority to order rehabilitation for addicts who are legally proven to have committed abuse (Maaroef, 2024). These provisions serve as an essential foundation for the application of restorative justice to narcotics offenders. However, in practice, the implementation of these articles is often hindered by the old law enforcement paradigm that emphasizes punishment.

The enactment of Law No. 22 of 2022 on Corrections strengthens the importance of the social reintegration approach in sentencing, including for narcotics offenders. This law emphasizes that correctional services must be oriented toward guidance and reintegration of inmates into society (Tambunan, 2024). Not only must the execution of punishment be humane, but it must also consider recovery and prevention interests. Rehabilitation is an integral part of the modern correctional system, not just a supplement (Subroto, 2025). For narcotics offenders, this system opens space for more sustainable social and psychological recovery compared to mere physical imprisonment. This framework also shows that justice cannot be separated from humanity and human rights values.

Supreme Court Regulation No. 4 of 2010 regulates the mechanism for submitting rehabilitation requests, which can be done from the investigation stage. This provision provides a way out for narcotics users with good intentions to recover to immediately obtain legal protection and rehabilitation. The regulation states that rehabilitation requests can be submitted by the suspect, their family, or their legal representative to the judiciary. This means that the law provides participatory space for the offender and their family in the recovery effort. This procedure affirms that the justice system can be adaptive to the recovery needs of the offender, not just issue a verdict. The existence of this regulation serves as an important bridge between legal substance and restorative justice values in practice (Abas, 2022).

Attorney General Regulation No. 15 of 2020 provides a legal basis for prosecutors to terminate prosecution against certain criminal offenders based on the principle of restorative justice. Although it does not specifically regulate narcotics crimes, this regulation becomes an entry point for encouraging the application of RJ outside the context of violence or minor theft. In practice, prosecutors can consider not continuing a case to court if the conditions for restorative justice are met and the offender shows a genuine commitment to undergo rehabilitation. This supports the idea that legal processes do not always have to end in prison, especially for offenders with social or psychological vulnerabilities. This provision indirectly expands the understanding of law that prioritizes human values and recovery effectiveness (Azizah, 2023).

The new Criminal Code outlined in Law No. 1 of 2023 provides a fundamental renewal to the direction of Indonesian criminal law, including the recognition of the restorative justice approach. In this law, the principles of restorative justice are included as part of sentencing considerations in certain criminal cases. This reform marks a significant milestone in national criminal law reform, which has been highly repressive and formalistic. The recognition of RJ principles in the new Criminal Code opens opportunities for harmonizing substantive law with the need for social recovery. This provides a stronger and more comprehensive legal foundation for law enforcement to consider RJ, including in narcotics cases. With the support of this new norm, the future practice of criminal law is expected to be more adaptive and outcome-oriented, not just procedural.

The restorative justice approach, based on positive law and modern sentencing theory, offers new hope in resolving narcotics abuse cases. Narcotics users are generally not pure

criminals, but individuals facing mental health and social issues. Restorative justice gives them the opportunity to recover, return to their families, and become productive members of society. This process will be far more beneficial for individuals and the state compared to detention that does not address the root issues. Within this framework, the role of law enforcement, families, and communities becomes very important to create a supportive recovery environment. With the right approach, legal justice can transform into a recovery instrument, not just punishment (Hafid, 2025).

Strengthening regulations, consistent law enforcement, and the development of rehabilitation infrastructure must go hand in hand so that the principles of restorative justice do not remain mere rhetoric. A legal system that is responsive to social realities and the conditions of offenders reflects a living and just law. Law enforcement cannot only be viewed from the aspect of firmness, but also from how far it can resolve conflicts fairly and sustainably. Restorative justice provides such a model by placing recovery as the main goal. In the long run, this approach can prevent repeated cycles of criminalization and build a more humane legal system. This paradigm shift is important not only for victims and offenders, but also for the quality of national legal justice.

METHOD

The statutory approach and the conceptual approach are the two primary normative legal methods used in this study. The statutory method is implemented by carefully analyzing the positive law standards that govern restorative justice and drug offenses. Articles 54 and 103 of Law Number 35 of 2009 concerning Narcotics, which govern rehabilitation as one type of treatment for drug users, are the main subject of the analysis. Law Number 1 of 2023 concerning the Criminal Code, Attorney General Regulation Number 15 of 2020 concerning Termination of Prosecution Based on Restorative Justice, and Supreme Court Regulation Number 4 of 2010 concerning the Placement of Narcotics Abusers into Rehabilitation Institutions are also the primary topics of study. Meanwhile, the conceptual approach is used to understand and elaborate on theories of justice, particularly restorative justice, as well as its relation to the objectives of sentencing and social recovery for narcotics abusers. By combining these two approaches, this research not only traces the applicable regulations but also offers a deep understanding of the meaning, principles, and relevance of restorative justice in law enforcement practices. This method is chosen to provide a comprehensive overview of how positive legal regulations and conceptual frameworks can synergize in creating a more humane and effective sentencing model in the context of narcotics crimes.

RESULT AND DISCUSSION

Application of the Principle of Restorative Justice in Handling Narcotics Crimes Based on the Criminal Justice System in Indonesia

The differentiation of narcotics crime perpetrators is crucial in the context of applying the restorative justice approach. In legal practice, perpetrators are categorized as users, couriers, and dealers. Users are individuals who consume narcotics for personal use, while couriers and dealers are those involved in the distribution and trafficking chain. Law Number 35 of 2009 on Narcotics distinguishes legal treatment between users and traffickers, where Article 54 stipulates that narcotics addicts and victims of abuse are required to undergo medical and social rehabilitation. This approach opens space for restorative justice to be applied to the category of users. This application is not intended for traffickers or couriers because their roles are considered more damaging to social and economic structures.

Restorative justice is relevant when applied to individuals who are genuinely narcotics users, not to those who misuse their status as users to avoid legal consequences as traffickers. The relevance of RJ lies in its main goal: to restore the social condition of the offender and the

community, rather than simply to punish. Narcotics users are generally victims of social and economic circumstances, or even psychological pressure, leading to dependency. In this context, justice oriented toward recovery is more appropriate than retributive justice, which only emphasizes punishment. Law No. 35 of 2009, Article 103, also states that addicts may be placed in rehabilitation institutions by court order. This indicates a legal loophole that can be used to strengthen the application of RJ to narcotics users.

The Regulation of the Attorney General of the Republic of Indonesia Number 15 of 2020 on Termination of Prosecution Based on Restorative Justice provides further operational guidelines for the requirements for using restorative justice in drug cases. One important criterion is that the offender must not be a recidivist or repeat offender. This reflects that RJ is intended for those who genuinely intend to change and have no prior criminal record. Furthermore, based on Supreme Court Circular (SEMA) No. 4 of 2010, the amount of evidence possessed by the user must not exceed a certain threshold in order to be considered a pure user. If the amount is too large, the offender may be categorized as a trafficker, and restorative justice becomes irrelevant. The offender's willingness to undergo rehabilitation is also a main requirement, representing their personal and social accountability for their actions.

The regulatory aspect is also supported by court jurisprudence that demonstrates the application of restorative justice in certain rulings. Some judges have ordered rehabilitation for narcotics users based on integrated assessments from the National Narcotics Agency and the Integrated Assessment Team (TAT). For example, in the South Jakarta District Court Decision Number 1237/Pid.Sus/2021/PN.Jkt.Sel, the judge sentenced the defendant, a narcotics user, to rehabilitation based on medical and social considerations. This approach shows that the application of RJ is not merely theoretical, but has developed in judicial practice. Such decisions reinforce the position of RJ as a legitimate and fair alternative form of sentencing. Judges have discretion as long as they still refer to the applicable legal provisions.

The prosecution plays a crucial role in the early stage of applying restorative justice by utilizing its authority to terminate prosecution. The Attorney General's Regulation Number 15 of 2020 provides a strong legal basis for prosecutors to terminate cases involving eligible narcotics users. In practice, prosecutors may coordinate with families, community leaders, and rehabilitation institutions to ensure that offenders are ready to undergo recovery. Several high prosecutor's offices, such as those in East Java and Jakarta, have begun to implement this approach selectively. This mechanism not only reduces the burden on correctional institutions but also provides a second chance for offenders. RJ at the prosecution level demonstrates the justice system's flexibility in prioritizing humanity and prevention.

Nevertheless, the application of restorative justice in narcotics cases is not free from structural and cultural obstacles. One of the main challenges is the limited understanding of law enforcement officials—including police, prosecutors, and judges—regarding the holistic concept of restorative justice. Many still adopt a retributive perspective and view RJ as a weakening of the law. In fact, RJ does not imply impunity, but rather a redirection of case handling with the goal of repairing the damage caused by the crime. The lack of training and outreach causes the uneven application of RJ across different legal jurisdictions in Indonesia. This presents a major challenge in realizing a fair and socially responsive criminal justice system.

Additionally, normative challenges also arise from the lack of explicit regulation in Law No. 35 of 2009 regarding the implementation of RJ. Although Articles 54 and 103 open the door for rehabilitation, none of the articles in this law explicitly mention the term "restorative justice." The absence of this terminology makes it difficult for law enforcement agencies to align perceptions regarding the legitimacy of the RJ approach. This leads to a legal gap that opens room for varied interpretations. Efforts to revise the Narcotics Law have been planned, but as of now, no regulation has explicitly accommodated RJ as an official approach

to resolving narcotics cases. This shows the importance of cross-sectoral regulatory synchronization to strengthen the sustainability of RJ implementation.

Another factor hindering the implementation of RJ is the limited number of accredited rehabilitation facilities. Medical and social rehabilitation institutions in Indonesia are still few and mostly located in major cities. As a result, offenders living in remote areas struggle to access rehabilitation services. Yet, the application of RJ requires the offender's willingness and ability to actively undergo rehabilitation. The absence of adequate institutions not only hampers the offender's recovery process but also undermines public trust in the effectiveness of the RJ system. The government needs to expand and strengthen the rehabilitation network to support restorative justice on a national scale.

The uneven implementation of RJ is also evident from the disparities in the handling of narcotics cases across regions. Areas such as Jakarta or Bali already have relatively established RJ implementation protocols, whereas other regions lack clear systems. This disparity can create injustice for offenders who should receive similar treatment but are hindered by a lack of structural and technical support. National-level standardization of RJ implementation guidelines is necessary to ensure consistency and legal fairness. Cross-agency coordination—including between the BNN, the prosecution, the police, and rehabilitation centers—is crucial to address these imbalances. Justice is not only about legal substance but also about equality in access and implementation.

Restorative justice in narcotics cases can become a vital foundation in building a more humane criminal justice system that prioritizes social recovery. This approach shifts the focus from punishment to recovery and reintegration of the offender into society. The success of RJ implementation is not only determined by the existence of regulations but also by the commitment of all stakeholders to change the law enforcement paradigm. In the long run, RJ can become part of national criminal law reform that is more adaptive to social and humanitarian issues. Therefore, joint efforts are needed to build understanding, regulations, and infrastructure that support the sustainable and consistent implementation of restorative justice. True justice is born not from retribution, but from sincere and holistic recovery.

Legal Implications of the Application of Restorative Justice to Narcotics Crimes in Realizing Substantive Justice and Offender Rehabilitation

The application of restorative justice in narcotics cases has a significant impact on the sentencing system in Indonesia. One of the most apparent effects is the reduction in overcrowding in correctional institutions, which have long been dominated by narcotics offenders categorized as users. Data from the Directorate General of Corrections shows that the majority of inmates imprisoned for narcotics-related cases are users, not dealers. Through the recovery mechanism via rehabilitation, the sentencing system no longer has to accommodate offenders who in fact require medical and social care rather than imprisonment. This is consistent with the spirit of Law Number 35 of 2009 on Narcotics, Article 54, which mandates that drug users and abuse victims get social and medical rehabilitation. This shift in approach reflects a more rational and humane policy direction in responding to narcotics-related issues.

The paradigm of the criminal justice system has also shifted through the restorative justice approach, from a punishment-oriented to a recovery-oriented perspective. This approach allows for offenders to be viewed not merely as violators of the law, but also as individuals entitled to care for their addiction. In the traditional system, narcotics abusers were immediately sentenced without considering the medical or psychosocial background behind their actions. Restorative justice encourages a new understanding that handling narcotics cases should not be solely based on retributive justice, but should also include inclusive and restorative justice aimed at recovery. This recovery aspect emphasizes that sentencing is not

the only way to resolve legal conflict. The focus on healing and social reintegration brings new hope for the recovery of society as a whole.

In order to ensure that restorative justice is implemented effectively, law enforcement personnel play an increasingly important role. Through the Attorney General's Regulation Number 15 of 2020 of the Republic of Indonesia on Termination of Prosecution Based on Restorative Justice, the Public Prosecutor's Office, is granted the authority to terminate prosecution under specific conditions. In the context of narcotics, this policy serves as an important legal foundation for providing alternative recovery opportunities for users. Meanwhile, judges also have a strategic role in directing sentencing processes toward rehabilitation, as regulated in the Supreme Court Regulation of the Republic of Indonesia Number 4 of 2010 on the Placement of Abusers, Victims of Abuse, and Narcotics Addicts in Medical and Social Rehabilitation Institutions. This mechanism provides a strong legal basis for judges not to impose imprisonment if the offender is proven to be merely a user. At the same time, correctional institutions must also transform from punitive entities into centers of rehabilitation that support social reintegration through a humanistic approach.

The implications of restorative justice are also closely tied to the fulfillment of human rights (HR), especially the right to fair and proportional treatment for narcotics abusers. Human rights principles require that the state not immediately punish every legal offender with a harsh punitive approach, but instead consider their background and potential for recovery. Narcotics offenders who are merely users are often victims of a larger distribution system. Article 54 of Law Number 35 of 2009 affirms that narcotics users should not be treated the same as dealers or traffickers, as they are entitled to rehabilitation. Restorative justice serves as a bridge between criminal law and the protection of fundamental rights, including the right to health and the right to personal development. This approach aligns with the principles of the Indonesian Constitution and international instruments such as the International Covenant on Civil and Political Rights (ICCPR).

In addition to its impact on offenders, the application of restorative justice also expands the state's responsibility to ensure the provision of adequate rehabilitation services. The state must be able to provide medical and social rehabilitation facilities that not only meet administrative standards but are also effective in comprehensively addressing narcotics dependency. The legal implications of this approach point toward the need for adjustments in institutional systems and state budgeting. This demonstrates that restorative justice policies cannot stand alone without cross-sectoral synergy, including the ministries of health, social affairs, and private rehabilitation institutions. The state's commitment in this matter reflects respect for citizens' rights and prioritizes recovery as a key component of public policy in combating narcotics.

An evaluation of current regulations reveals that Law Number 35 of 2009 on Narcotics does not explicitly regulate restorative justice mechanisms as part of the criminal justice process. Although there are provisions that allow for rehabilitation, such as Article 54, the implementation is still highly dependent on the interpretation of law enforcement authorities. The absence of explicit normative provisions has led to inconsistencies in practice, both in court rulings and prosecutorial policies. This results in legal uncertainty and opens up the possibility for unequal treatment of narcotics offenders who should be eligible for rehabilitation. Regulatory refinement is urgently needed to enable the systemic application of restorative justice and to prevent its implementation from being solely dependent on sectoral policies. Such changes will also provide legal certainty and stronger protection for narcotics users.

The need for regulatory reformulation is becoming more urgent following the enactment of the new Criminal Code (KUHP) under Law Number 1 of 2023. In the new Criminal Code, sentencing approaches place greater emphasis on balancing retributive and

restorative justice. Provisions in Articles 54 to 60 of the 2023 Criminal Code regulate supervisory punishment and community service, which are concrete forms of restorative justice principles. The presence of this new Criminal Code reflects a national policy direction that is responsive to the paradigm shift in modern criminal law. Therefore, harmonization between the Narcotics Law and the new Criminal Code is necessary to align both in realizing a fair and humane sentencing system. A mismatch between these two legal regimes will only hinder the effective application of restorative justice in narcotics court practices.

Legal reform efforts cannot be separated from proposals to amend Law Number 35 of 2009. One key proposal is to explicitly include the principle of restorative justice as an alternative method for resolving narcotics cases involving users. The mechanisms for implementation, eligibility criteria for offenders, and the authority of relevant institutions must be clearly regulated to avoid varied interpretations. This amendment can serve as a strong legal bridge between the need for human rights protection and the efficiency of the criminal justice system. With a firm normative foundation, law enforcement officials will no longer hesitate to apply restorative justice consistently. This will also accelerate the shift in legal paradigms to one that is more adaptive to modern social challenges.

Regulatory changes should also take into account input from legal practitioners, academics, and civil society organizations active in narcotics rehabilitation. A multidisciplinary perspective will help create a legal system that is not only legally robust but also socially relevant. The formulation of legal norms should not be based solely on the will of legislators but must also consider real-world conditions and societal needs. Ongoing evaluation of the effectiveness of existing regulations is also essential to ensure the legal system remains dynamic and responsive. Restorative justice is not just a theoretical discourse but a practical approach that can transform the face of Indonesia's criminal justice system toward justice rooted in recovery and humanity.

The transformation of legal approaches to narcotics cases through the application of restorative justice marks progress in building a more just, humane, and human rights-based legal system. The legal implications of this approach are extensive, ranging from changes in the sentencing system and the reform of law enforcement roles to the need for comprehensive regulatory updates. The future challenge lies in making restorative justice a central pillar of narcotics control policies. With consistent legal reform and cross-sectoral support, restorative justice can become an effective instrument in reducing narcotics abuse and improving social welfare. The state's commitment to formulating and implementing recovery-based legal policies will be a vital foundation for addressing narcotics issues sustainably.

CONCLUSION

The regulation of the application of the restorative justice approach in handling narcotics crimes has proven to be of high urgency, especially for offenders categorized as users. The conventional sentencing system, which focuses heavily on punishment, has been unable to address the fundamental issues of narcotics abuse, such as addiction and psychosocial dependence. By providing space for recovery and social reintegration, restorative justice becomes a more humane, fair, and sustainable alternative approach. This approach aligns with the mandate of Drug addicts and abuse victims must get medical and social rehabilitation, according to Article 54 of Law Number 35 of 2009 on Narcotics. The application of restorative justice not only reduces the number of inmates in correctional institutions but also strengthens the role of rehabilitation within the criminal justice process that focuses on healing, rather than mere imprisonment. In this context, restorative justice supports the creation of a more inclusive and progressive legal system, particularly in addressing the complex social dynamics related to narcotics cases.

The optimal application of restorative justice requires adequate normative and institutional support. A revision of Law Number 35 of 2009 on Narcotics must be carried out immediately to explicitly accommodate the principles and mechanisms of restorative justice, ensuring legal certainty in its implementation. Regulatory synchronization must also be accompanied by strengthened coordination between law enforcement officials such as the police, prosecutors, and courts and medical or social rehabilitation institutions so that the recovery process can proceed synergistically. The government must ensure the availability of evenly distributed and affordable rehabilitation facilities across all regions as a crucial instrument in implementing restorative justice, so that access to justice is not a privilege but a basic right of every citizen. Reforming the criminal justice system must be directed away from solely imprisoning, and instead toward offering offenders the opportunity to change and make positive contributions to society. With such a commitment, restorative justice will no longer be merely an alternative discourse but will become an integral part of the new face of Indonesia's criminal law-one that upholds human dignity and social sustainability.

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