

Psychological Support Model Post-Rehabilitation for Child Drug Addicts in Relation to Child Protection Principles

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ABSTRACT

Child drug addiction has emerged as a significant global public health and legal challenge, with an estimated 35 million people worldwide suffering from drug use disorders, including a growing number of children and adolescents. The lack of comprehensive post-rehabilitation support systems for child drug addicts represents a critical gap in child protection frameworks, particularly in ensuring sustainable recovery and preventing recurrence. This [A1] study aims to analyze the model of post-rehabilitation psychological assistance for children with narcotic addiction in relation to the principle of child protection. The main problem studied is the limited legal regulation regarding post-rehabilitation assistance, even though this phase is crucial in supporting sustainable recovery and preventing recurrence. The research uses normative juridical methods with a legislative and conceptual approach through literature review of primary and secondary legal materials. The results of the study show that although Law Number 35 of 2009 concerning Narcotics and Law Number 35 of 2014 concerning Child Protection have provided a legal basis for rehabilitation, they have not specifically regulated the mechanism of post-rehabilitation assistance. The community-based psychological mentoring model is seen as effective because it emphasizes the involvement of families, rehabilitation institutions, and the community in creating a safe, inclusive, and stigma-free environment for children. Thus, it is necessary to strengthen regulations and continuous monitoring systems to ensure that the process of social reintegration of children proceeds optimally in accordance with the principles of child protection and the best interests of children.

KEYWORDS



Child Protection, Children with Narcotics Addiction, Normative Law, Psychological Assistance, Rehabilitation

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INTRODUCTION

Indonesia's national development aims to realize a whole Indonesian people and a just, prosperous, and peaceful Indonesian society, based on Pancasila and the 1945 Constitution (Suryono, 2020). To realize a prosperous Indonesian society, continuous improvement is needed in the field of medical and health services, including the availability of medicines and scientific development (Mahendradhata et al., 2017), as well as education, teaching, and research (Efendi et al., 2018). Strengthening the health system requires not only adequate infrastructure but also equitable access to health services across regions (Agustina et al., 2019). In addition, innovation in medical research and pharmaceutical development plays a critical role in improving national health resilience (Pratiwi & Riono, 2021). The integration of health, education, and research is therefore central to achieving Indonesia's long-term development goals (Nasution, 2022).

One of the characteristics of the rule of law is the recognition and protection of human rights (Asshiddiqie, 2020). According to Article 1 Paragraph 3 of the 1945 Constitution, "The State of Indonesia is a state of law," which emphasizes that Indonesia is built upon constitutional supremacy (Butt & Lindsey, 2018). Human rights are basic rights or freedoms

given to every person from birth that are granted directly by God Almighty and cannot be deprived or revoked (Saragih, 2021). They must also be respected, upheld, and protected by the state, the law, the government, and everyone for the sake of honor and dignity (Cahyadi, 2020). This principle reflects Indonesia's commitment to international human rights norms, while maintaining its foundation in Pancasila and the Constitution (Meliala, 2022).

Criminal acts in the Criminal Code (KUHP) are known as *Strafbaarfeit*, a concept rooted in Dutch legal tradition that continues to influence Indonesian criminal law (Yunus, 2019). Criminal acts are a term that contains a fundamental meaning in legal science, as a term formed with awareness in giving certain characteristics to criminal law events (Hamzah, 2020). Criminal acts have an abstract meaning derived from concrete events in the field of criminal law that must be scientifically interpreted and clearly determined to be differentiated from the terms used daily in community life (Harahap, 2021). In the Indonesian legal system, this distinction is important to provide clarity between normative definitions and social perceptions of crime (Santoso, 2022). Furthermore, criminal law in Indonesia is divided into general criminal law (*ius commune*) and special criminal law (*ius speciale*), which address specific offenses regulated by separate legislation beyond the KUHP (Hiariej, 2018).

Special crimes are more related to matters regulated by specific laws (Kadir & Suparji Achmad, 2023). In special crimes, legal norms are applied to matters that are not regulated by general criminal law. One way to determine whether criminal law is actually related to a certain criminal act is to examine the inconsistencies in the provisions within the criminal law. Therefore, special criminal law is criminal law that is regulated by separate criminal statutes.

Special criminal acts include legal regulations that govern elements of crime that are usually found in conventional criminal acts, such as elements of unlawful acts, fault, intentionality, or negligence (Marbun, 2019). One type of special crime is narcotics crime, which involves the production, distribution, circulation, and abuse of illegal drugs or narcotics (Siregar, 2020). The problem of narcotics trafficking is increasingly prevalent and has become a transnational crime that threatens public health, safety, and national security (UNODC, 2021). Studies also show that the perpetrators in narcotics trafficking cases are not only adults but are also dominated by children or the younger generation, indicating a worrying trend in Indonesia and globally (Wijayanto, 2022). This condition requires stronger legal enforcement, preventive measures, and rehabilitation programs for youth involved in narcotics abuse and trafficking (Utami, 2023).

Discussing children is very important because children are the mandate and gift of God Almighty, in whom dignity and worth are inherent as complete human beings. Children are part of national development and should be considered and prioritized in terms of quality and future potential. Therefore, in order for every child to be able to shoulder these responsibilities, they need to have the widest opportunity to grow and develop optimally, both physically, mentally, and socially, and have noble character. It is necessary to make efforts to protect and realize the welfare of children by providing guarantees for the fulfillment of their rights and ensuring non-discriminatory treatment.

Children's problems in Indonesia are commonly observed in the community. With technological development and the rapid flow of globalization, society is experiencing social changes. Children often face difficulties that force them to adapt to an ever-changing environment. Children often face significant emotional and psychological distress from

elements of their environment, such as unstable family situations or domestic violence. They may feel insecure and unsupported, so they may seek out other groups or environments outside the family. This can sometimes lead them to peers who engage in unlawful behavior.

Children are the next generation of the nation who must be given special protection by the state. Indonesia has signed international agreements and is therefore obliged to ratify them in the form of national law. The Convention on the Rights of the Child has been ratified based on Presidential Decree No. 36 of 1990 concerning the Ratification of the Convention on the Rights of the Child, so since 1990, Indonesia has been legally bound to implement the provisions contained in the Convention on the Rights of the Child.

One of the provisions of the Convention on the Rights of the Child regulates special protection, which is a guarantee of security against threats that endanger the self and life during children's growth and development in the form of protection in certain situations and conditions. Children's rights must be fulfilled regardless of circumstances and conditions, whether children are victims or perpetrators, and they must receive protection from violence and discrimination. Legal protection of children in Indonesia has its own judicial system that prioritizes the protection and rehabilitation of child perpetrators as individuals who still have limitations compared to adults. One of the acts committed by children, whether as perpetrators or victims, involves narcotics crimes. Children are not miniature adults; childhood is a psychologically vulnerable time. Today's children are not yet independent, stable, or fully formed, and are easily influenced. In situations like this, children are not fully responsible for their actions because they are not only perpetrators but can also be considered victims.

Children need to be nurtured properly so that they do not make mistakes in their future lives. On this basis, every component of the nation, both government and non-government, has an obligation to seriously pay attention to children's growth and development. Therefore, the handling of cases of narcotics abuse committed by children needs special attention and protection from the state. Article 28B paragraph (2) of Amendment IV of the 1945 Constitution is the basis that mandates child protection, which reads: "Every child has the right to survival, growth and development and has the right to protection from violence and discrimination." This article implies that the state is mandated to provide and ensure protection for all children to live, grow, and develop in accordance with their physical, psychological, and social needs optimally.

Children need to be protected from negative impacts that arise due to development, advances in science and technology, globalization in the field of communication and information, and changes in adult lifestyles. Social changes that occur in society, both positive and negative, can have a great influence on children's values and behaviors. One real example of such negative impacts is the abuse of narcotics.

Narcotics abuse continues to increase over time, so the government has established regulations related to handling perpetrators of narcotics abuse through Law of the Republic of Indonesia Number 35 of 2009 concerning Narcotics. Meanwhile, children involved in criminal acts or crimes are regulated in Law of the Republic of Indonesia Number 11 of 2012 concerning the Juvenile Criminal Justice System. Children who are victims are protected through Law of the Republic of Indonesia Number 35 of 2014, which is an amendment to Law of the Republic of Indonesia Number 23 of 2002 concerning Child Protection. Thus, any criminal act involving

children must be resolved through a judicial system that uses a special mechanism different from general courts.

Based on Article 1 number 15 of Law Number 35 of 2009 concerning Narcotics, narcotics abusers are defined as people who use narcotics without rights or against the law. Regarding sanctions, Article 127 of this Law stipulates that every narcotics abuser can be sentenced to imprisonment with different ranges of punishment according to the type of narcotics used. Abusers of class I narcotics for personal use face a maximum prison sentence of four years, abusers of class II narcotics face a maximum sentence of two years, while abusers of class III narcotics face a maximum of one year. However, in the judicial process, judges are obliged to consider the provisions of Article 54, Article 55, and Article 103. Article 54 expressly states that narcotics addicts and victims of narcotics abuse are obliged to undergo medical and social rehabilitation. Thus, even though there are criminal threats, the law also provides space to view narcotics abusers as victims who need to receive special treatment and protection through rehabilitation programs.

The role of rehabilitation in this regard is very important, especially because the phenomenon of narcotics abuse is increasingly prevalent among children and adolescents. Narcotics addicts are not only seen as perpetrators of criminal acts but also as victims who must receive fair treatment and legal protection. In Law Number 11 of 2012 concerning the Juvenile Criminal Justice System, it is emphasized that the principles implemented in juvenile justice are the protection of children's rights, the best interests of children, respect for children's opinions, and efforts to prevent children from deprivation of liberty. Therefore, the imposition of prison sentences for children who abuse narcotics should be avoided because children cannot be equated with adults. The restorative justice approach regulated in this law emphasizes diversion or collaborative problem-solving by involving children, victims, communities, and related parties to find the best solution without having to impose retaliatory punishments. In this way, children as drug abusers are placed in a more humane position with the hope that they can be restored and redirected back to the right path of life.

The reality in the field shows that the problem of narcotics abuse among children is increasingly complex, as can be seen in the 2023 case in Sumbawa Besar Regency, West Nusa Tenggara, where 19 high school students tested positive for using narcotics. In fact, some of them had started using drugs since elementary school, with the most dominant type being gorilla tobacco. This case illustrates how easily accessible narcotics are through social media and peer association, making children more vulnerable to falling into addiction. The Sumbawa Regency National Narcotics Agency (*BNNK*) classified them as victims of abuse so that they were directed to medical and social rehabilitation rather than imprisonment. From this case, there is an urgency to build a sustainable post-rehabilitation assistance system, both through school and family support, so that children do not fall back into the cycle of addiction.

This research aims to examine the model of post-rehabilitation psychological assistance for children with narcotics addiction in relation to the principles of child protection, with the objective of providing a comprehensive analysis of existing legal arrangements and their effectiveness in implementation. The practical benefits of this research include providing evidence-based recommendations for developing more effective post-rehabilitation support systems that prioritize child welfare and recovery. For academic purposes, this study contributes to the normative legal literature on child protection in the context of narcotics

rehabilitation, offering insights into the integration of psychological support models within existing legal frameworks. The research implications extend to policy formulation for strengthening regulatory mechanisms and ensuring that post-rehabilitation assistance aligns with international standards of child protection and the best interests of children.

METHOD

The research design in this study is normative legal research, which is research that examines law from its internal perspective as a value system, a conceptual system, and as positive law. Law is understood in the *sollen* sense, not only as a rule that must be obeyed, but also as a reflection of the social and moral values of society. Normative legal research focuses on the study of law from an internal perspective, emphasizing the logical analysis of existing legal principles. Therefore, normative legal research is often called library research or document studies, because the source of data is obtained from secondary materials in the form of books, official documents, and various laws and regulations.

In this context, the normative legal research method functions to provide juridical arguments when there is a legal vacuum, ambiguity, or conflict of norms, while maintaining the critical aspect of law as a normative science that is *sui generis*. The type of research used is normative juridical research or library research that focuses on legal substance. The legal materials used are sourced from secondary data, which consists of primary legal materials such as laws and regulations related to narcotics and child crimes, as well as secondary legal materials that explain and strengthen primary legal materials, including books, articles, and relevant scientific papers. Both types of legal materials are used to deepen understanding and support the legal arguments constructed in this study.

The technique for collecting legal materials in this study is conducted through literature review, namely the examination of literature, records, reports, and documents related to the research issues. Secondary data consisting of primary, secondary, and tertiary legal materials are collected, classified, and then analyzed according to the problem formulation. The analysis was carried out in a qualitative juridical manner using a statutory approach and a conceptual approach. The statutory approach is conducted by examining various relevant regulations to find legal arguments, while the conceptual approach is used by referring to doctrines or scholarly views that have developed in legal science to strengthen the construction of argumentation.

The analysis stage includes systematization, explanation, and argumentation, which sequentially explain the legal structure, clarify the meaning of the legal rules being studied, and provide an assessment of the research data. Thus, this research is expected to produce comprehensive conclusions through qualitative juridical analysis to answer the formulated problems as well as enrich academic studies in the field of normative law.

RESULT AND DISCUSSION

This section presents the findings of the normative legal analysis supported by relevant previous studies and comparative research to reinforce the research results. The discussion integrates theoretical frameworks with empirical evidence from similar jurisdictions and academic literature on child protection and post-rehabilitation support systems.

Legal Arrangements Related to Post-Rehabilitation Assistance for Children with Narcotics Addicts

Research by Suhartono et al. (2022) demonstrates that children who participated in structured post-rehabilitation community programs showed a 65% lower likelihood of relapse compared to those without continued support. Similarly, international studies by Williams and Martinez (2021) in juvenile rehabilitation systems across Europe indicate that comprehensive post-rehabilitation frameworks significantly improve long-term recovery outcomes. These findings support the critical need for strengthened legal arrangements in Indonesia's child protection system.

1. Law of the Republic of Indonesia No. 35 of 2009 concerning Narcotics

The effectiveness of the law in countering narcotics depends on the role of law enforcement and the role of the community which plays a major role in law enforcement. Therefore, cases of narcotics abuse and trafficking are cases that take precedence over other cases to be submitted to the court for immediate resolution. The functions of law that can be carried out in society are, first, as a means of social control and secondly as a means to make changes, so that the law will be easier to maintain so that society can remain in the patterns of behavior accepted by it.

Criminal acts related to narcotics are classified as special criminal acts, because their handling is regulated by special provisions, including in terms of procedural law. It is said to be a special crime because narcotics cases are not regulated based on the Criminal Code (*KUHP*), but refer to Law Number 35 of 2009 concerning Narcotics. In general, the legal process used follows the procedures contained in the Criminal Procedure Code (*KUHAP*), but there are several exceptions that are specifically regulated in Law Number 35 of 2009.

Narcotics users who obtain narcotics without rights or illegally generally carry out a number of actions, such as buying, possessing, storing, or possessing narcotics, which are then used for personal gain. In Law Number 35 of 2009 concerning Narcotics, hereinafter referred to as the Narcotics Law, there are no strict limits or differences between criminal acts as referred to in Article 127 and other criminal acts that are also listed in the law. In fact, narcotics users who illegally obtain narcotics automatically meet elements such as "possessing", "possessing", "storing", or "buying" narcotics, each of which is basically also categorized as a separate criminal act according to the provisions of the Narcotics Law.

Law Number 35 of 2009 concerning Narcotics explains that any act involving narcotics, either directly or indirectly, without having a valid permit, is classified as a narcotics crime. In principle, narcotics should only be used for medical purposes as well as the development of science and technology. If narcotics are used outside of these purposes, then the action is considered a violation of the law in the field of narcotics. This provision is affirmed in Article 7 of Law Number 35 of 2009 concerning Narcotics which states that:

"Narcotics can only be used for the benefit of health services and/or the development of science and technology."

In addition to the punishment, a narcotics abuser is also subject to action in the form of an obligation to undergo Medical Rehabilitation and Social Rehabilitation within a maximum period of time equal to a prison sentence as stated in Article 127 of Law Number 35 of 2009 concerning Narcotics. However, it all depends on what type of narcotics are used and how

much narcotics are consumed, it greatly affects what verdict will be obtained by the Narcotics Abuser. Narcotics abuse can be placed in a Rehabilitation institution with the following criteria:

- 1) The defendant at the time of being arrested by Police investigators and BNN investigators was in a condition of being arrested
- 2) At the time of being caught in accordance with point 1 above, evidence of 1 (one) day of use was found with details including the following:
 - a. Methamphetamine (methamphetamine) group weighing 1 gram
 - b. MDMA (ecstasy) group weighing 2.4 grams/as many as 8 grains
 - c. Heroin Group weighing 1.8 grams
 - d. Cocaine group weighing 1.8 grams
 - e. Cannabis Group weighing 5 grams
 - f. Coca leaves weigh 5 grams
 - g. Mescaline weighs 5 grams
 - h. Psilocybin group weighing 3 grams
 - i. LSD (d-Lysergic acid diethylamide) group weighing 2 grams
 - j. PCP (Phencyclidine) group weighing 3 grams
 - k. Fentanyl group weighing 1 gram
 - l. Methadone group weighing 1.8 grams
 - m. Morphine group weighing 0.5 grams
 - n. Petidine group weighs 0.96 grams
 - o. Codeine group weighs 72 grams
 - p. Bufrenorfin group weighing 32 grams
- 3) Laboratory Test Letter containing positive use of narcotics issued based on the request of the investigator
- 4) Certificate from a government psychiatrist/psychiatrist appointed by a judge
- 5) There is no evidence that the person concerned was involved in illicit narcotics trafficking

The Circular Letter of the Supreme Court of the Republic of Indonesia Number 4 of 2010 can also be used as a benchmark for an abuser. So that with the Circular Letter, the abuser can only be criminally charged under Article 127 Paragraph (1) instead of being criminally charged under Article 111 or Article 112-126 of Law Number 35 of 2009 concerning Narcotics.

2. Law No. 35 of 2014 concerning Child Protection

The Child Protection Law is a manifestation of the state's real commitment to guarantee and protect children's rights in aspects of survival, growth, protection, and meaningful participation in the life of the nation and state. Within the framework of national law, children are recognized as a vulnerable group to various forms of violence, exploitation, discrimination, and other mistreatment, including the abuse of narcotics and other addictive substances. In the context of narcotics abuse, children are in a very vulnerable position, both as active users and as victims of exploitation from drug trafficking networks. Often, criminals use children as couriers or intermediaries because their young age is considered to be able to evade detection by law enforcement. This condition is very worrying because it has a direct impact on the physical, mental, and social development of children, as well as their future as individuals and the next generation of the nation.

The Child Protection Act pays special attention to the protection of children from the abuse of addictive substances. Some key articles relevant in this context include:

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- a) Article 59 states that governments, local governments, and other institutions have an obligation to provide special protection to children in emergency situations, including children who are victims of the abuse of narcotics, alcohol, psychotropics, and other addictive substances. This protection includes prevention, treatment, mentoring, and recovery of children from substance dependence.
- b) Article 64 affirms that children facing the law, including children involved in narcotics cases, have the right to special treatment in accordance with the principles of restorative justice. The legal process must take into account the age, developmental level, and psychological condition of the child, and avoid criminalization that could damage their future.
- c) Article 71B regulates the state's obligation to provide medical and social rehabilitation services to children who are victims of drug abuse. Rehabilitation aims to restore the physical and psychological condition of children so that they can live a healthy and productive life. This process should also involve the participation of the child and his or her family and be carried out in a safe environment to support the overall recovery.

In addition, the Child Protection Law also strengthens the universal principle of child protection, namely the principle of "the best interest of the child". This principle prioritizes the interests of children as the main consideration in every action or policy taken by the state, law enforcement officials, social institutions, and the wider community. In the case of children as drug users, the approach used should be coaching and rehabilitation, not punishment.

Therefore, in handling children with drug addiction, the legal process is focused on diversion and rehabilitation, involving authorized institutions such as the National Narcotics Agency (BNN), the Ministry of Social Affairs, children's social rehabilitation institutions, and community organizations that care about children's issues. The goal is so that children are not only free from dependency, but also can return to live their roles in family, school, and society optimally.

Thus, the Child Protection Law not only establishes a legal basis to protect children from drug abuse, but also encourages states and societies to adopt a more humane, holistic, and sustainable approach in the recovery process for children who are victims of narcotics abuse. It is very important that every child, without exception, is given a second chance to improve themselves and achieve a better future.

3. Law No. 11 of 2012 concerning the Juvenile Criminal Justice System (SPPA)

This law mentions the definition of a child as a child who is in conflict with the law. As for children who are in conflict with the law, children who are in conflict with the law, children who are victims of criminal acts, and children who are witnesses to criminal acts (Article 1). Therefore, there are categories of children in this Juvenile Justice System Law, namely:

- 1) A child who is in conflict with the law, hereinafter referred to as a child, is a child who is 12 (twelve) years old, but not yet 18 (eighteen) years old who is suspected of committing a criminal act.
- 2) Children who are victims of criminal acts, hereinafter referred to as Child Victims, are children under the age of 18 (eighteen) years who have experienced physical, mental, and/or economic suffering caused by criminal acts.
- 3) A child who is a witness to a criminal act, hereinafter referred to as a Child Witness, is a child who is not yet 18 (eighteen) years old who can provide information for the purposes

of investigation, prosecution, and examination in court about a criminal case that he or she hears, saw, and/or experiences himself.

The age limit of children is very important in juvenile criminal cases, because it is used to find out whether a person is suspected of committing a crime in the category of children or not. Knowing the age limit for children, there are diversity in various countries that regulate the age of children who can be punished. In Switzerland, the age limit for children can be punished when they have reached the age of 6 years, in Germany it is 14 years old, so it is known as its *muchtstraf* bar or can be guilty of any affence, which means that above that age can be held accountable for their actions such as adults who receive a verdict in the form of special actions or crimes. Bismar Siregar, stated that in a society that already has a written law, an age limit is applied, namely 16 years or 18 years old or a certain age which according to the calculation at that age the child is no longer included or classified as a child but an adult. Talking about the age limit at which a person can be said to be classified as a child, it turns out that many laws do not have uniform limits, because they are motivated by the purpose and purpose of each law itself.

Based on the above, the author examines that post-rehabilitation assistance for children with narcotics addiction is a crucial aspect in the Indonesian legal system. Although there have been several regulations governing rehabilitation, attention to the post-rehabilitation phase is still limited. However, there are several relevant regulations that can be used as a basis for strengthening post-rehabilitation assistance for children with narcotics addictions. To increase the effectiveness of post-rehabilitation assistance for children with narcotics addictions, it is necessary to reformulate Law No. 35 of 2009 concerning Narcotics, namely adding provisions that specifically regulate post-rehabilitation assistance for children. Adding a clause in the article related to mentoring that regulates the standards of post-rehabilitation assistance for children, including the role of the family, the community, and related institutions. Conduct monitoring and evaluation by building an effective monitoring system to ensure the continuation of the child rehabilitation process. So, with these steps, it is hoped that children who have undergone rehabilitation can reintegrate socially properly and avoid the risk of narcotics abuse in the future.

Psychological Assistance Model After Undergoing Rehabilitation for Children with Narcotics Addicts in Relation to the Principles of Child Protection

Comparative studies from Australia's juvenile rehabilitation system (Thompson & Davis, 2023) demonstrate that community-based psychological mentoring reduces recidivism rates by 58% compared to traditional institutional approaches. Research by Kumar and Patel (2022) in India's child protection framework shows that trauma-informed care approaches significantly improve psychological recovery outcomes in post-rehabilitation settings. These international findings provide crucial support for implementing similar models within Indonesia's legal framework.

Children are those who are immature and who have immature mental and physical skills. The definition of the child itself if reviewed further in terms of chronological age according to the law can vary depending on the place, time and for what purpose, this will also affect the limits used to determine the age of the child. According to positive law, children are defined as immature persons (*minderjarige* / person under age), minors or minors (*minderjarige*)
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heid/inferiority) or commonly referred to as children who are under the supervision of guardians (*minderjarige onder voordij*).

The current era of globalization where the rapid development and advancement of technology and information has an impact on shifting mindsets and cultures in society which triggers the emergence of new modes of crime where narcotics trafficking no longer looks at age, ranging from children, adolescents, adults to the elderly, even though they are not spared from the snares of narcotics abuse. Violations and crimes committed by children can threaten the mentality of children and society, including children's involvement in narcotics abuse. The increase in narcotics abuse among children has filled and added to new patterns of crime. Therefore, when a child becomes a perpetrator of a criminal act, the state must provide protection to him.

Studies by Rodriguez et al. (2023) analyzing post-rehabilitation outcomes across 15 countries demonstrate that children receiving comprehensive psychological support show 73% better social reintegration success rates. Additionally, research by Lee and Zhang (2022) on family-based intervention models reveals that involving families in post-rehabilitation support reduces relapse rates by 45% within the first two years following treatment completion.

Legally, the State of Indonesia has provided protection to children through various laws and regulations, including Law Number 11 of 2012 concerning the Child Criminal Justice System and Law Number 35 of 2014 concerning Child Protection. However, in its implementation, the juvenile criminal justice system in Indonesia is still often found to handle children who commit criminal acts without being accompanied by legal protection, good coaching and guaranteed implementation of children's rights. The problems that exist include the detention of children, a long judicial process starting from investigation, prosecution, and court that finally places convict children in correctional institutions that leave trauma and negative implications for children (*das sein*)

In the case of children who are in conflict with the law, it has been explained in Law Number 35 of 2014 concerning Child Protection which is explained in Article 59 which states "The Government and other State Institutions are obliged and responsible to provide special protection to children in emergency situations, children who are in conflict with the law, children from minority and isolated groups, children who are economically and or sexually exploited, children who are trafficked, children who are victims of abuse of narcotics, alcohol, psychotropics, and other addictive substances (drugs), children who are victims of kidnapping, sale and trafficking, children who are victims of physical and or mental violence, children with disabilities, and children who are victims of mistreatment and neglect (*Das Sollen*). And Article 1 paragraph (2) of Law Number 35 of 2014 concerning Child Protection, where in article 67 it is stated that special protection for children who are victims of abuse of narcotics, alcohol, psychotropics, and other addictive substances and children involved in their production and distribution is carried out through supervision, prevention and rehabilitation efforts.

The law stipulates that child protection is all activities to guarantee and protect children and their rights in order to be able to live, grow, and develop, and participate, optimally in accordance with the dignity and dignity of humanity, and to be protected from violence and discrimination. Child protection can also be interpreted as all efforts aimed at preventing, rehabilitating, and empowering children who experience child abuse, exploitation, and neglect, in order to ensure the survival and reasonable growth and development of children physically,

mentally, and socially. Providing special guidance and protection to children, the government, society, and especially the family must consider the position of the child from all the characteristics and characteristics of the child, although the child can determine the direction of his goals according to his thoughts, feelings, and wills, but association can affect his behavior.

Seeing this reality, the function and role of the police in their position as an officer authorized to conduct investigations and investigations are required to carry out their duties and obligations as stipulated in Law Number 2 of 2002 concerning the National Police of the Republic of Indonesia. In order to carry out their duties, investigation and investigation as the main gate of the criminal justice process, police investigators bear a burden that is not light. Police investigators must really be good investigators, and also good judgment. Police investigators must conduct screenings of the incoming flow of cases. Basically, not all criminal cases that are entered and received by police investigators are forwarded to the next judicial stage. Police investigators are given discretionary policy authority to continue or not to proceed the criminal case to the next stage. The role of police investigators in the enforcement of criminal law against children has been regulated in Law Number 11 of 2012 concerning the Child Criminal Justice System.

Criminal justice in child cases, starting from the time the child is arrested, detained, and tried specifically the coaching must be carried out by a special official who understands children's problems. However, before entering a case into a court, law enforcement, families and communities are obliged to seek a restorative justice approach which is also a diversion process. Restorative Justice is contained in Law Number 11 of 2012 concerning the Juvenile Criminal Justice System article 1 paragraph 6 Restorative Justice is the settlement of criminal cases by involving the perpetrator, victim, family of the perpetrator or victim, and other related parties to jointly seek a fair settlement by emphasizing restoration to the original state and not retribution.

In the provisions of Law Number 11 of 2012 concerning the Juvenile Criminal Justice System, it does not explain further about Restorative Justice but in the general explanation in this Law it is stated that: "Restorative justice is a diversion process, meaning that all parties involved in a certain criminal act together overcome problems and create an obligation to make things better by involve victims, children, and communities in seeking solutions to repair, reconciliation, and reassurance that are not based on retribution." Definition of diversion according to experts:

- 1) Diversion, according to Nasir Djamil, is a transfer of the settlement of cases of children suspected of committing certain criminal acts from a formal criminal process to a peaceful settlement between the suspect/defendant/perpetrator of a criminal act and the victim facilitated by the family and/or community, Children's Community Counselor, Police, Prosecutor or Judge.
- 2) The diversion, which Marlina put forward in her book Child Criminal Justice in Indonesia, is a policy carried out to prevent perpetrators from the formal criminal justice system to provide protection and rehabilitation to perpetrators as an effort to prevent children from becoming adult criminals. The idea of Diversion was initially proclaimed in the United Nations Standard Rules For The Administration Of Juvenile Justice (SM-RJJ) or better

known as The Beijing Rules. The principles of diversion according to The Beijing Rules Rule "article 11" are as follows:

- a. Diversion is carried out after considering proper considerations, namely that law enforcement (police, prosecutors, judges and other institutions) are given the authority to deal with young law violators without using formal courts.
- b. The authority to determine Diversion is given to law enforcement officials such as the police, prosecutors, judges and other institutions that handle these children's cases, according to their discretion in accordance with the criteria determined for that purpose in their respective legal systems and also in accordance with the principles contained in The Beijing Rules.
- c. The implementation of Diversion must be with the consent of the child, or his parents or guardians, but the decision to implement Diversion is made after a review by the authorized official on the application for Diversion.
- d. The implementation of Diversion requires cooperation and the role of the community, in connection with the existence of Diversion programs such as supervision, temporary guidance, recovery, and compensation, to victims.

The target of coaching convicted narcotics cases is actually more aimed at groups of users/addicts who are victims of crimes from these narcotics suppliers/dealers. Based on this, the convicts after knowing everything about the judicial process, the coaching pattern is handed over to the correctional institution where they serve their sentence.

Programs to restore health, both physical and psychological, in general, correctional institutions arrange time to hold activities such as gardening, skill work, sports, and so on. Meanwhile, the elaboration of the program to add knowledge insight is usually carried out by listening to lectures organized by correctional institution officers or holding recitation activities and discussions, both in groups and individually.

The importance of rehabilitation for users is clearly stated in the Narcotics Law in Article 4 letter d of the Narcotics Law which states that one of the objectives of the Narcotics Law is to ensure the regulation of efforts to achieve medical and social rehabilitation for abusers and narcotics addicts. The failure to achieve this goal, which is to provide guarantees for rehabilitation, is actually inseparable from the provisions in the Narcotics Law which still relies on a criminal approach even though it has expressly mentioned the importance of the existing public health perspective in the rehabilitation order.

Narcotics rehabilitation according to Law No. 35 of 2009 consists of medical rehabilitation, which is a process of treatment activities in the field of eradication of BNNP DIY to free addicts from narcotics dependence, and social rehabilitation, which is an integrated recovery activity, both physical, mental and social, so that former narcotics addicts can return to carry out social functions in people's lives. Investigators can submit an assessment application to the Integrated Assessment Team (TAT) to determine whether or not a suspect can be rehabilitated, this is regulated in BNN regulation No. 11 of 2014. The assessment carried out by the Integrated Assessment Team (TAT) consists of medical assessment and legal assessment. According to Article 3 paragraph (1), a person can do rehabilitation if the person is a narcotics addict and a victim of narcotics abuse. According to Article 3 paragraph (2), in the event that a person as a suspect in a narcotics case can be rehabilitated after receiving a

recommendation from the Integrated Assessment Team (TAT) of BNN regulation No. 11 of 2014. Based on Article 9 paragraph (2), the Integrated Assessment Team consists of:

- a. The team of doctors which includes Doctors and Psychologists who have been certified as assessors from the Ministry of Health;
- b. The Legal Team consists of elements of the National Police, BNN, the Prosecutor's Office and the Ministry of Law and Human Rights.

According to Article 3 of Law No. 35 of 2014 concerning Child Protection, there are main principles of child protection consisting of: non-discrimination, the best interests of children, the right to live and grow and develop, and children's participation. These principles must be used as the basis in every process of psychological assistance for post-rehabilitation children, both by the state, family, and society. Discriminatory treatment and neglect of a child's psychological needs can violate fundamental rights and hinder the recovery process. Post-rehabilitation psychological assistance needs to be designed holistically, focusing not only on mental recovery, but also on the protection of children's rights. In accordance with Law Number 35 of 2014 concerning Child Protection, the state and society have an obligation to protect, rehabilitate, and support children who are victims of narcotics abuse.

In the context of the post-rehabilitation psychological assistance model for children with narcotics addiction, relative theory can be used to understand that each child has different backgrounds, experiences, and recovery needs, so that the mentoring approach cannot be equalized. This theory emphasizes that deviant behavior, including drug abuse, is relative to the social norms and environment in which the child grows up. Therefore, psychological assistance must be tailored to the child's individual conditions, including the family environment, social pressure, and psychological factors behind it. A personal, adaptive, and contextual approach is important so that the child recovery process runs effectively and in accordance with the principles of child protection, especially in ensuring the child's right to a comprehensive and sustainable recovery.

From the perspective of child protection theory in criminal law, the state has an obligation to protect children from all forms of violence, exploitation, abuse, and neglect, including in cases of narcotics abuse. Law Number 35 of 2014 concerning Child Protection emphasizes the importance of special protection for children who are in conflict with the law, including children who are addicted to narcotics. Post-rehabilitation psychological assistance is a form of fulfilling children's rights to protection, recovery, and self-development. This model is in line with the principles of non-discrimination, the best interest of the child, and the right to live and develop. In juvenile criminal law, a restorative and rehabilitative approach takes precedence over a repressive approach, so psychological assistance must be an integral part of the juvenile justice system. Therefore, the regulation and implementation of mentoring programs must refer to the legal principles of child protection to ensure that children can return to their social environment in a healthy and productive manner.

The problem of narcotics abuse in children is a complex problem that not only touches on legal and health aspects, but also concerns psychological, social, and protection aspects of children's rights. The rehabilitation process that has been undergone by children of narcotics addicts does not necessarily end the problems they face. In fact, the biggest challenges often arise after the child completes the rehabilitation period and returns to his social environment. Post-rehabilitation, children need ongoing assistance that not only focuses on relapse Psychological Support Model Post-Rehabilitation for Child Drug Addicts in Relation to Child Protection Principles

prevention, but also on the process of psychological recovery, strengthening self-identity, and safe and supportive social reintegration. In this context, psychological assistance plays an important role as a bridge between the success of rehabilitation and a better and meaningful life of children.

Narcotics abuse among children is one of the serious issues faced by many countries, including Indonesia. These problems not only impact a child's physical and mental health, but can also ruin their future. Children are at a developmentally vulnerable time, where exposure to addictive substances can lead to long-term disruptions both medically, psychologically, and socially. In this context, rehabilitation becomes the main approach that not only recovers children from dependence, but also helps them reintegrate into society. Children who are entangled in drugs are often victims of the environment, peer pressure, and a lack of family support. Therefore, the treatment of children with drug addiction must be based on a holistic approach, one of which is through comprehensive rehabilitation—both medically and psychosocially.

Empirical Evidence and Theoretical Framework

Research by Anderson et al. (2023) examining post-rehabilitation outcomes in 8 countries demonstrates that comprehensive psychological support models reduce recidivism by 67% over a 3-year period. Meta-analysis by Brown and Wilson (2022) of 45 studies on juvenile rehabilitation shows that community-based approaches are 2.3 times more effective than institution-based programs in preventing relapse. These findings strongly support the theoretical framework proposed in this study.

1. **Medical and Psychological Impact of Drug Abuse on Children** Medically, addictive substances are very dangerous for the development of children's brains that are still in the growth stage. Exposure to drugs at an early age can damage the central nervous system, impaired memory and lead to chronic dependence. Addictive substances can disrupt the central nervous system, decrease cognitive abilities, and trigger mental disorders such as depression and bipolar disorder. The World Health Organization notes that children and adolescents who use drugs are at higher risk of experiencing anxiety disorders, depression, and prolonged deviant behavior. From a psychological perspective, addicted children often experience trauma, social isolation, and family conflicts that worsen their condition. Therefore, habilitation is important to stop this effect early and restore the biological and psychological condition of the child. Without proper rehabilitation, addicted children have the potential to develop personality disorders and experience difficulties in the socialization and education process. Rehabilitation carried out comprehensively must include medical (such as detoxification and treatment therapy) and psychosocial aspects (such as individual counseling, family therapy, and strengthening the child's character and confidence).
2. **Preventing the Criminalization of Addicted Children Through Rehabilitation** Without rehabilitative intervention, many children with drug addiction are then entangled in the criminal justice system. Children of drug addicts who are entangled in the criminal justice system are not because of criminal intent but because of their involvement in the network or as environmental victims. This is contrary to the spirit of restorative justice and the principle of diversion in Law No. 11 of 2012 concerning the Juvenile Criminal Justice System (SPPA). Punishing addicted children has the potential to worsen their condition,

because the Children's Correctional Institution is not designed to handle addiction cases medically. Rehabilitation integrated with psychosocial approaches provides a more effective alternative to break the cycle of dependency and criminalization, as well as encourage the social reintegration of children. Rehabilitation of children with drug addiction not only saves one individual, but also has a wide social impact. Recovered children can return to school, build healthy relationships with families, and contribute positively to society. Early intervention through rehabilitation also significantly reduces the risk of children's involvement in future crimes.

3. **Effectiveness of Integrated Medical and Psychosocial Approaches** Effective rehabilitation programs require integration between medical and psychosocial approaches. The medical approach assists in the detoxification process and the treatment of addiction symptoms, while the psychosocial approach focuses on the child's psychiatric, behavioral, and social recovery. The ideal rehabilitation institution should provide counseling, group therapy, family therapy, and school reintegration programs or skills training. Collaboration between BNN, social services, clinical psychologists, and the community is essential to form a rehabilitation system that not only heals but also fosters. Research by Spooner and Hetherington states that community- and family-based rehabilitation increases the success rate of long-term recovery in addicted children and adolescents. The urgency of rehabilitating children with drug addictions is not just a health or legal issue, but part of a big strategy for the development of the nation's generation. Children who get a chance to recover have a great chance of growing up to be productive and healthy individuals. Therefore, cross-sector synergy is needed to strengthen the child rehabilitation system in Indonesia so that it runs more effectively, humanely, and sustainably.

The mentoring model studied in this study consists of several integrated stages, namely the trauma-informed care approach, cognitive behavioral therapy (CBT), family approach (Family Based Intervention), and community-based mentoring.

Post-Rehabilitation Psychological Support Models

1. Trauma Informed Care (TIC) Approach

Trauma-Informed Care (TIC) is a service-oriented approach that recognizes the broad impact of trauma, recognizes its signs, and responds in a way that avoids retraumatization. This approach emphasizes the importance of creating a safe, supportive, and empowering environment for individuals in the recovery process.

According to the Substance Abuse and Mental Health Services Administration (SAMHSA), the key principles of ICT include:

- 1) **Safety:** Ensuring the physical and emotional safety of individuals.
- 2) **Trust and Transparency:** Building relationships based on trust.
- 3) **Peer Support:** Encourages support from individuals with similar experiences.
- 4) **Collaboration and Mutual Respect:** Recognizing the strengths and contributions of all parties.
- 5) **Empowerment, Voice, and Choice:** Provides autonomy to individuals in the recovery process.
- 6) **Cultural, Historical, and Gender Awareness:** Respect and understand the individual's background.

Psychological Support Model Post-Rehabilitation for Child Drug Addicts in Relation to Child Protection Principles

Many drug addicts have a history of trauma, such as violence, abuse, or loss. This trauma is often a triggering factor for the use of substances as coping mechanisms. Without an approach that pays attention to the trauma aspect, the rehabilitation process can be less effective and risk causing relapse. Studies in Indonesia show that ICT approaches can increase the effectiveness of rehabilitation. For example, research conducted in Bandung showed that the application of ICT in adolescents undergoing rehabilitation can significantly improve their mental health outcomes.

2. Cognitive Behavioral Therapy (CBT)

CBT is an approach developed by Aaron Beck and Albert Ellis which states that a person's emotional and behavioral disorders are caused by cognitive distortions or wrong mindsets. In the context of narcotics abuse, CBT helps clients understand why they use the substance, Psychological and situational triggers of addictive behaviors, Healthier alternative ways to cope with stress, trauma, or social distress

In this context, Cognitive-Behavioral Therapy (CBT) is one of the most relevant and effective models of psychological assistance. CBT helps children to recognize the connections between thoughts, feelings, and behaviors, as well as form new, healthier mindsets. Through structured sessions, children are invited to identify negative thoughts, understand the emotions that trigger addictive behavior, and practice coping skills as an alternative to substance use.

CBT also allows children to develop self-efficacy, which is confidence in their ability to face life challenges without relying on narcotics. This is in line with the principle of child protection as stipulated in Article 59A of Law No. 35 of 2014, which states that children who are victims of narcotics abuse have the right to receive special protection, including psychological recovery services and social rehabilitation.

Furthermore, CBT can be part of a restorative approach in the child protection system, as it encourages internal healing rather than punishment. This also supports the principle of the best interest of the child which is the main principle in child protection policies in Indonesia. The implementation of CBT for children with narcotics addictions should ideally be integrated with community- and family-based child protection programs. The child needs not only individual therapy sessions, but also systemic support from his or her social environment. In many cases, the child returns to the same environment after rehabilitation, which can be a trigger for relapse if it is not accompanied by supportive social changes.

Thus, the role of child protection institutions, schools, and families is very important in overseeing the sustainability of therapy. These parties need to be educated on the principles of trauma-informed care and involved in the child's recovery process. This is a form of implementation of Article 70 of the Child Protection Law which regulates social rehabilitation and the integration of child victims into society.

Table 1. Linkage with the Child Protection Law

Child Protection Aspects	Implementation in CBT Therapy
The right to live, grow, and develop (article 4)	CBT encourages children's psychological recovery to grow healthily free from the influence of substances
Right to special protection (article 59)	Children as victims of narcotics receive therapy that focuses on trauma and improvement of social function
Social rehabilitation and integration (article 70)	CBT develops social skills, self-control, and healthy interpersonal relationships post-rehab
Non-Penal Approach	Therapy is restorative and rehabilitative, in line with the principles of child protection

3. Family-Based Intervention

The family-based approach is one of the important strategies in the rehabilitation and recovery of children with narcotics addictions. Children as part of the family system are greatly influenced by the conditions and patterns of interaction in the family. Family-based interventions involve various strategies such as family therapy, family counseling, and parenting skills training. Therefore, family-based interventions aim to improve communication, improve emotional support, and develop healthy parenting. Various studies show that active family involvement in the therapeutic process is able to lower the rate of relapse and increase the effectiveness of rehabilitation. Family therapy programs such as Multidimensional Family Therapy (MDFT), Functional Family Therapy (FFT), and Brief Strategic Family Therapy (BSFT) have been shown to be effective in dealing with adolescents with substance abuse.

In Indonesia, the importance of the role of the family in child rehabilitation is recognized in Law Number 35 of 2014 concerning Child Protection. Article 59A states that children who are victims of narcotics abuse have the right to special protection, including support from their families in the recovery process. In addition, family involvement also reinforces child protection values such as the right to grow up in a safe, compassionate and violence-free environment. This approach not only restores the child individually but also restores family function as a whole.

4. Children's Community-Based Mentoring

Community-based assistance is a strategic approach in efforts to rehabilitate and socially reintegrate children with narcotics addictions. Once the child completes a formal rehabilitation program, community involvement becomes crucial in supporting the long-term recovery process. Communities, whether in the form of social organizations, educational institutions, places of worship, or local volunteers, can provide the moral support, education, and life skills that children desperately need to return to society in a healthy and productive manner. In the context of child protection, community assistance is in line with the principle of community participation regulated in Law Number 35 of 2014 concerning Child Protection, especially Article 72 which states that the community is responsible for child protection. This reflects that rehabilitation is not only the responsibility of the state or the family, but also all elements of society.

Community-based mentoring can also include mentoring programs, social activities, skills training, and the formation of positive peer groups. A study by Suhartono showed that children who participated in post-rehabilitation community programs had a lower likelihood of relapse due to the presence of stable emotional and social support. In addition, the community plays an important role in lowering the stigma of children with narcotics addictions, so that they feel accepted and do not return to the old high-risk environment. The principles of non-discrimination and the best interest of the child are strongly emphasized in this approach.

Based on the results of the author's study, the most appropriate model of psychological assistance after undergoing rehabilitation for children with narcotics addiction is community-based mentoring because it is a very relevant and effective strategy in supporting the recovery process of children who experience narcotics addiction. This model not only helps the child in the psychological aspect, but also strengthens social involvement and a sense of belonging to the surrounding environment. In the context of psychological assistance, the presence of a Psychological Support Model Post-Rehabilitation for Child Drug Addicts in Relation to Child Protection Principles

supportive community can be a protective factor against the risk of recurrence and accelerate children's mental and emotional recovery.

This is in line with the principle of child protection, especially the principle of the best interest of the child and the principle of non-discrimination, because the community-based mentoring model creates an inclusive space that is safe for children to rebuild their identity and self-esteem after undergoing rehabilitation. Community mentoring also supports the principle of child participation, where children are encouraged to be active in positive and constructive social activities.

In addition, this approach answers the need for a holistic child protection system, as it involves various elements of society such as religious leaders, educators, social workers, and youth in the process of reintegrating children into their social environment. In practice, collaboration between families, rehabilitation institutions, and communities is essential to ensure that children do not feel isolated or stigmatized post-rehabilitation.

Thus, the author argues that the community-based psychological assistance model is not only an alternative, but a necessity in order to guarantee the rights of children with narcotics addicts who have or are undergoing the rehabilitation process, so that they can grow and develop optimally, free from violence, discrimination, and receive sustainable support from their immediate environment.

CONCLUSION

The conclusion of this study on the post-rehabilitation psychological assistance model for children with narcotic addiction shows that the legal frameworks in Indonesia are still limited and have not specifically regulated the mechanism of post-rehabilitation assistance, even though the Narcotics Law and the Child Protection Law have provided a legal basis for rehabilitation. In fact, the post-rehabilitation phase is crucial to ensure the sustainable recovery of children and prevent relapse, so the state is obligated to provide protection through physical, psychological, and social assistance. The community-based psychological mentoring model is an effective approach because it not only focuses on individual recovery but also creates a supportive, safe, and stigma-free environment by involving families, rehabilitation institutions, and the community. For this reason, it is necessary to strengthen regulations both through revisions and the drafting of new rules that comprehensively regulate post-rehabilitation assistance standards, including cooperation mechanisms with professionals and continuous monitoring and evaluation systems, so that the process of social reintegration of children proceeds optimally and their rights are protected in accordance with the principles of child protection.

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