

ABSTRACT

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“LEGAL PROTECTION AGAINST ILLEGAL DRUG USERS IN LEGAL PERSPECTIVE JUSTICE WITH DIGNITY”

(vii + 86 pages)

This study aims to find out how the application of criminal provisions against illegal narcotics users in Indonesia and to find out how criminal law policies should provide protection to users who are caught in the perspective of dignified justice theory. The research method used is the type of empirical normative research, namely legal research carried out by taking directly into the field by means of structured interviews. The data sources used for this research consist of primary data and secondary data. The data collection was carried out with structured interview techniques and data collection supporting literature. While the data analysis used is qualitative, which describes the data in the form of sentences arranged in a systematic, clear and detailed manner which is then interpreted to obtain a conclusion. The results of the study found that first, the application of criminal provisions against illegal narcotics users in Indonesia, which has continued to increase since the implementation of prison sanctions for narcotics users, namely in 2014 the number of abusers who were imprisoned only amounted to 27,719 but as of 2019 the number of abusers who were imprisoned was around 42,386 people. . The punishment of users/users is regulated in Article 116, Article 121, Article 126, Article 127, Article 128, Article 134 of Law Number 35 of 2009 concerning Narcotics, where the crime of possession of narcotics, both abuse and circulation of criminal elements is the same, namely possessing, controlling and save. Second, the criminal law policy provides protection for users who are caught in the perspective of the theory of dignified justice, namely by prioritizing the theory of dignified justice, repressively through Chapter III Pre-Prosecution Guidelines Number 18 of 2021 concerning the Settlement of Handling Cases of Criminal Acts of Narcotics Abuse through Rehabilitation with a Restorative Justice Approach as a Implementation of the Prosecutor's Dominus Litis Principle and preventively include: primary, secondary and tertiary prevention.

References: 38 (1983-2021)

Keywords: Dignified Justice Law, Narcotics Users, Legal protection