
AUTHORITY OF CIVIL SERVANT INVESTIGATORS (PPNS) ACCORDING TO ARTICLE 424 PARAGRAPH (1) LAW NUMBER 17 OF 2023 CONCERNING HEALTH AGAINST ADDICTIVE SUBSTANCE ABUSE LINKED TO ARTICLE 82 OF LAW NUMBER 35 OF 2009 CONCERNING NARCOTICS

By

Abdul Hayy Nasution

Universitas Pamulang

Jl. Raya Puspitek, Buaran, Kec. Pamulang, Kota Tangerang Selatan, Banten 15310

E-mail: hayy7574@gmail.com

Article Info

Article history:

Received Nov 24, 2024

Revised Dec 09, 2024

Accepted Dec 27, 2024

Keywords:

The authority to investigate Civil Servants for Health (PPNS Health), addictive substances (Narcotics) and the National Narcotics Agency (BNN).

ABSTRACT

Looking at current developments, this has an impact on narcotics abuse in all levels of society in Indonesia. The targets of narcotics distribution are not limited to people who experience broken homes, are frustrated, or people who live the nightlife, but have spread to other circles, especially students and students, and not a few even among executives. To be able to prevent and overcome these crimes, the role of Narcotics Investigators in the territory of the Republic of Indonesia is required. This research uses a type of normative legal research with a qualitative approach. Legal Regulation of the Authority of Investigators in Handling Narcotics Crimes in the Territory of the Republic of Indonesia is regulated in Article 7 to Article 9 of the Criminal Procedure Code (KUHAP), Article 13 to Article 14 of Law Number 2 of 2002 concerning the Position of the Republic Indonesia, Article 424 of Law Number 17 of 2023 concerning Health Health, and Articles 73 to 88 of Law Number 35 of 2023 concerning Health 2009 Concerning Narcotics. The planned output for this research will be published in the form of an accredited journal *This is an open access article under the [CC BY-SA](https://creativecommons.org/licenses/by-sa/4.0/) license.*



Corresponding Author:

Abdul Hayy Nasution

Universitas Pamulang

Jl. Raya Puspitek, Buaran, Kec. Pamulang, Kota Tangerang Selatan, Banten 15310

E-mail: hayy7574@gmail.com

1. INTRODUCTION

Legal guarantees and certainty in the context of law enforcement and human rights are embodied in statutory regulations as a basis for law enforcement officials to act and the public for their protection. In Article 10 of Law Number 26 of 2000 concerning Human Rights Courts, it is stated; The Indonesian Criminal Justice System must guarantee human rights (HAM). The provisions of Article 27 paragraph (1) of the 1945 Constitution state that; "All citizens have the same position under the law and government, and are obliged to uphold the law and government without exception."

This article implies a very fundamental legal principle, namely the principle of equality of position in the law (APKDH) or known as "Equality Before The Law". Likewise, after the second amendment (amendment) to the 1945 Constitution, this was confirmed in Article 28D paragraph (1) and Article 28 I paragraph (1) and Paragraph (2).

One of the efforts to protect human rights in Indonesia that is just, prosperous, prosperous, orderly and peaceful based on the values of Pancasila and the 1945 Constitution. To create a prosperous society, it is necessary to make efforts to improve all fields, including the legal field, because one of the principles in the context of national

development is the principle of legal awareness.¹ One form of society that is aware of the law is that they are free from criminal acts of drug abuse.

Tackling the narcotics problem cannot be carried out by the National Narcotics Agency (BNN) of the Republic of Indonesia alone. Therefore, besides implementing a hard power approach, soft power approach and smart power approach strategy, the National Narcotics Agency (BNN) of the Republic of Indonesia is implementing a cooperation strategy through collaboration and synergy with stakeholders. The National Narcotics Agency (BNN) of the Republic of Indonesia collaborates with government agencies and components of society at the national, regional and international levels.

The National Narcotics Agency (BNN) is one of the agencies that has duties and authorities, namely coordinating 25 related government agencies and has operational authority, as well as duties and functions;²

1.As Coordinator of relevant Government Agencies in the process and actualization of national policies in tackling narcotics;

2.As Coordinator in implementing the National Narcotics Control Policy. Furthermore, in 2003 the National Narcotics Agency (BNN) first received budget allotments/allocations from the State Revenue and Expenditure Budget (APBN).

In response to the increasingly critical growth of the problem of narcotics crimes, MPR-RI Decree VI/MPR/2002 was issued through the General Session of the People's Consultative Assembly of the Republic of Indonesia (MPR-RI) in 2002, which has considered and provided suggestions to the DPR-RI and the President of the Republic of Indonesia to implementing modifications to Law Number 22 of 1997 concerning Narcotics. Therefore, State or Government Officials and the Indonesian House of Representatives legally proclaimed and enforced Law Number 35 of 2009 concerning Narcotics, as a modification or Law Number 22 of 1997. Sourced from Law No. 35 of 2009, the National Narcotics Agency (BNN) has the authority to carry out investigations and investigations into criminal acts of narcotics and narcotics precursors. In Law no. 35 of 2009 concerning Narcotics in Article 71 which states "In carrying out the task of eradicating the abuse and illicit trafficking of Narcotics and Narcotics Precursors, BNN has the authority to carry out inquiries and investigations into the abuse and illicit trafficking of Narcotics and Narcotics Precursors" Juncto 72 paragraph (1) "The authority as intended in Article 71 is exercised by BNN Investigators" so it can be understood that Article 71 in conjunction with Article 72 paragraph (1) clearly has the authority or duty to carry out investigations into narcotics crimes in the context of eradicating and abuse and illicit trafficking of narcotics and narcotics precursors are investigators from the National Narcotics Agency (BNN).³ Meanwhile, Article 424 of Law Number 17 of 2023 concerning Health states that PPNS Health also has the authority to carry out inquiries and investigations related to narcotics abuse, so the author feels interested in conducting research on the role of PPNS Health in conducting investigations and investigations regarding Narcotics, while on the one hand there are also special ones who can carry out inquiries and investigations as regulated by the National Narcotics Agency.

Coordination between investigators in narcotics abuse cases has a very important role in eradicating narcotics crimes in Indonesia.⁴ Specifically, in this article, we want to examine the coordination between the authority of Health Civil Investigation Officers (PPNS), Police Investigators and National Narcotics Agency (BNN) Investigators in narcotics abuse in the territory of the Republic of Indonesia.

Formulation of the problem

1. How is the Implementation of the Authority of Civil Servant Health Investigators (PPNS) according to Article 424 of Law Number 17 of 2023 concerning Health, regarding Narcotics Abuse?
2. How is the authority mechanism for Health Civil Servant Investigators (PPNS) according to Article 424 of Law Number 17 of 2023 concerning Health connected to BNN Investigations in Article 82 of Law Number 35 of 2009 concerning Narcotics?

¹ Penjelasan Undang-undang Republik Indonesia Nomor 35 Tahun 2009 tentang Narkotika.

² Ferry Kurniawan Goenawi. "Batas Kewenangan Antara Penyidik Polri dalam Penegakan Tindak Pidana Narkotika" *Badamai Law Journal*, VOL. 4. Issues 2 September (2019): 315-316.

³ Daenunu, Annisa Refi, Lisnawaty W. Badu, and Jufryanto Puluwulawa. "Analisis Batas Kewenangan Antara Penyidik Kepolisian Republik Indonesia Dan BNN Dalam Melakukan Koordinasi Penyidikan Kasus Tindak Pidana Narkotika." *Jaksa: Jurnal Kajian Ilmu Hukum dan Politik* 1.4 (2023): 73- 89.

⁴ Handayani, Faisal Rachmat. "ANALISIS KEWENANGAN PEJABAT PENYIDIK NEGERI SIPIL (PPNS) IMIGRASI, PENYIDIK POLRI DAN PENYIDIK BADAN NARKOTIKA NASIONAL (BNN) DALAM TINDAK PIDANA PENYALAHGUNAAN NARKOTIKA DI WILAYAH PERBATASAN REPUBLIK INDONESIA-PAPUA NEW GUINEA." *Dinamika Hukum* 13.1 (2022).

Research purposes

1. To find out how the authority of Civil Servant Investigators (PPNS) for Health is implemented according to Article 424 of Law Number 17 of 2023 concerning Health, regarding Narcotics Abuse.
2. To find out how the authority mechanism for Civil Servant Investigators (PPNS) for Health according to Article 424 of Law Number 17 of 2023 concerning Health is linked to Article 82 of Law Number 35 of 2009 concerning Narcotics.

Benefits of research

It is hoped that this research will provide benefits both theoretically and practically. Theoretically, it provides benefits to the author as material for developing insight in the field of knowledge of law, while the practical benefits are to contribute ideas to the community and law enforcers (investigators) in providing information to authorities in efforts to overcome criminal acts of narcotics abuse, as well as training the author's ability to carry out research scientifically and formulate it in written form and apply theoretical and practical legal knowledge and connect it with data that the author has obtained in the field, and so that this research can answer the author's curiosity regarding the authority of Civil Servant Investigators (PPNS) in Health in carry out inquiries and investigations into narcotics crimes.

2. METHODS

Approach Method

The type of research used is an empirical juridical approach. This research was descriptive in nature. The empirical juridical approach is legal research regarding the enactment or implementation of normative legal provisions in action at each particular legal event that occurs in society. Furthermore, according to Rukajat, descriptive research is a research method that aims to describe the characteristics or phenomena being studied.⁵

Research Specifications

Research specifications in preparing this writing are using descriptive research. According to Sumadi Suryabrata, descriptive research is research that aims to create a systematic, factual and accurate picture of situations or events.⁶

Data Sources and Data Types.

In conducting this research, data collection tools were carried out through document studies with the data used in the form of secondary legal data. Secondary legal data consists of primary legal materials and secondary legal materials. Data collection uses interviews and literature study. Primary Legal Material is obtained through applicable laws and regulations relating to the authority of investigators in dealing with criminal acts of narcotics abuse in the jurisdiction of the Republic of Indonesia.

Research Location

Ministry of Health of the Republic of Indonesia, on Jl. H. R. Rasuna Said No. Kav 4-9 Blok x-5, RT.1/RW.2, Kuningan, Setiabudi District, South Jakarta City, Special Capital Region of Jakarta 12950. (Interview Meeting: Health Development Policy Agency of the Indonesian Ministry of Health on Jl. Percetakan Negara No. 29 RT.23/RW.7, Johar Baru, Johar Baru District, Central Jakarta City, Special Capital Region of Jakarta 10560.

Data collection technique

Literature study is also a data collection technique that is also widely used by researchers. Data collection techniques are carried out by collecting data that is relevant or in accordance with what is needed for research from books, scientific articles, news, or other credible sources that are reliable and also in accordance with the research topic being conducted. Literature studies are more often carried out by writers of scientific papers because they have stricter rules and regulations, compared to non-scientific papers. Then this term became familiar for research activities, because at the beginning of research it was necessary to make a research plan proposal. According to the researcher, this research plan is to make this literature study. After completing the research, the researcher must also write a report on the research results and then carry out another literature study. Literature study also helps writers to find relevant information. By conducting literature studies, researchers or writers can deepen their understanding of the chosen topic. It also helps expand knowledge, so that in the future you can find more interesting topics to discuss as writing or research topics.

Data Analysis Methods

⁵ Ajat Rukajat, *Pendekatan Penelitian Kuantitatif*, CV Budi Utama, Sleman, 2018.

⁶ Sumadi Suryabrta, *Metodologi Penelitian*, Rajawali, Jakarta, 1983, hlm. 19.

The data analysis used in this research is qualitative data analysis, namely data that has been inventoried is analyzed descriptively, logically and systematically using existing theories, and then conclusions are drawn using both inductive and deductive thinking frameworks.

3. RESULTS AND DISCUSSION

Results

Based on the Problem Formulation in number 1 (one), Article 424 of Law No.17 of 2023 concerning Health, with PP Number 43 of 2012, the authority contained in Article 424 of Law No.17 of 2023 concerning Health is in line with coordination between The National Police of the Republic of Indonesia, the National Narcotics Agency, and Civil Servant Investigators, as well as the Drug and Food Control Agency as stated in PP Number 43 of the Year 2012.

It was explained again that Civil Servant Investigators (PPNS) coordinated with the Indonesian National Police (Polri) and the National Narcotics Agency (BNN) to carry out investigations into Narcotics Abuse and Narcotics Precursors. These include, for example, confiscating Narcotics and Narcotics Precursors which are handed over to the National Narcotics Agency (BNN) or the Indonesian National Police (Polri), where copies of the minutes are submitted to the Local District Prosecutor's Office, the Chairman of the Local District Court, and the Head of the Supervisory Agency. Food and Drugs (BPOM), as explained in the previous interview with Mr. Yudhistira and Mrs. Ismiati, the Food and Drugs Supervisory Agency (BPOM) also has a role in conducting Narcotics investigations, because Narcotics are included in the Medicines category, so that is the authority of the Food and Drug Supervisory Agency (BPOM). Civil Servant Investigators (PPNS) at the Food and Drug Supervisory Agency (BPOM) have their own Directorate, namely under the Deputy for Medicine and Food.

Apart from that, Civil Servant Investigators (PPNS) have the task of setting aside a small portion of confiscated Narcotics and Narcotics Precursors to be used for testing in the Laboratory. The Food and Drug Supervisory Agency (BPOM) also has a role, namely that a small portion of narcotic plants that are not destroyed are used for the benefit of the development of science and technology.

Based on the Problem Formulation in number 2 (two), the National Narcotics Agency (BNN) has an important role in carrying out investigations into Narcotics Crimes which have previously been described in Article 71 and Article 72 of Law Number 35 of 2009 concerning Narcotics, as well as the existence of the Narcotics Agency National Agency (BNN) based on Presidential Regulation Number 83 of 2007 has the authority to coordinate the Prevention and Eradication of Narcotics Abuse and Illegal Trafficking (P4GN).

Regarding coordination between the National Narcotics Agency (BNN) and the National Police of the Republic of Indonesia (Polri), the National Narcotics Agency (BNN) and the National Police of the Republic of Indonesia (Polri) must coordinate and notify each other when starting investigations into Narcotics Crimes, the Role The National Narcotics Agency (BNN) is indeed broader in conducting investigations into narcotics crimes in Law Number 35 of 2009 concerning Narcotics. However, as coordinator and supervisor, he remains with the Police of the Republic of Indonesia as outlined in Article 7 paragraph (2) of the Criminal Procedure Code.

Mr. Yudhistira in his interview explained, among other things, a description of the coordination of Civil Servant Investigators (PPNS) with the National Narcotics Agency (BNN), where the Police in carrying out coordination cannot be separated from PERKAPOLRI No. 20 of 2010, then related to implementation in the field, everything is carried out based on their respective authorities, both Indonesian National Police (Polri) investigators, National Narcotics Agency (BNN) investigators and Civil Servant Investigators (PPNS).

Regarding the investigation mechanism by Civil Servant Investigators (PPNS) in coordination with the Indonesian National Police (Polri), it is carried out based on PERKAPOLRI No. 20 of 2010, as explained previously, where the coordination carried out by Civil Servant Investigators (PPNS) as stated in PERKAPOLRI No. 20 of 2010 is in line with the Authority of Civil Servant Investigators (PPNS) as stated in Article 424 of the Law -law no. 17 of 2023 concerning Health.

Discussion

Implementation of the Authority of Health Civil Servant Investigators (PPNS) according to Article 424 of Law Number 17 of 2023 concerning Health, regarding Narcotics Abuse.

The object of Health Civil Servant Investigators (PPNS) covers all criminal acts in the health sector, including aspects of health efforts and health resources. Mrs. Ismiati said: "Household health supplies are a commodity, Sir, and supervision too, they also have a commodity there. I cannot conclude that Civil Servant Investigators (PPNS) at the Ministry of Health are not working, perhaps we cannot reach that conclusion, Sir, because Civil Servant Investigators (PPNS) here are spread across various Units (Directorates). If we focus on Narcotics, it can be said that we don't handle it at all, the Ministry of Health's Civil Servant Investigators (PPNS) don't handle Narcotics, because their supervision is the authority of the Food and Drug Supervisory Agency (BPOM). : because there is already a division of authority, sir, between the Ministry of Health and medicines and food, that authority lies with the Food and Drug Supervisory

Agency (BPOM), not with us, so if we want to go too deep into that matter, unless we are invited by the Drug and Food Supervisory Agency Food (BPOM), Civil Servant Investigators (PPNS) at the Food and Drug Supervisory Agency (BPOM) exist, they have their own Directorate which contains Civil Servant Investigators (PPNS) there." ⁷

Mr. Yudhistira said: "In essence, Civil Servant Investigators (PPNS) can carry out investigations in the field of Narcotics, but have never done that, often at the Food and Drug Monitoring Agency (BPOM), because they have their own Deputy there. Enter the deputy for enforcement at the Food and Drug Supervisory Agency (BPOM). "For investigations, it falls under a separate Deputy, namely the Deputy for Enforcement, and into the Directorate of Drug and Food Investigation." ⁸

In accordance with PP No. 43 of 2012 concerning Procedures for Implementing Coordination, Supervision, and Technical Guidance for Special Police, Civil Servant Investigators, and Forms of Independent Security, the Indonesian National Police (Polri) carries out Coordination, Supervision, and Technical Guidance for the Police. Special (Polsus), Civil Servant Investigators (PPNS), and Pam Swakarsa who have limited police authority, aim to increase cooperation, support smooth implementation of duties, as well as to ensure that activities carried out can run in accordance with the provisions of statutory regulations, which are stated in Article 1 number 7, Article 2 number 2, Article 7, Article 8, Article 9, and Article 10. PP 43 In 2012; Then it is also explained in Article 83, Article 84, Article 85, Article 86, Article 87, Article 88, Article 89, Article 90, Article 91, Article 92 PP 43 of 2012.

The Authority Mechanism for Health Civil Servant Investigators (PPNS) according to Article 424 of Law No. 17 of 2023 concerning Health is linked to BNN Investigations and Article 82 of Law Number 35 of 2009.

Whereas in Law Number 35 of 2009 concerning Narcotics in Article 71 "In carrying out the task of eradicating the abuse and illicit trafficking of Narcotics and Narcotics Precursors, BNN has the authority to carry out inquiries and investigations into the abuse and illicit trafficking of Narcotics and Narcotics Precursors" juncto 72 paragraph (1) " The authority as intended in Article 71 is exercised by BNN investigators." So, with the meaning of Article 71 in conjunction with Article 72 paragraph (1), it is clear that those who have the authority to carry out investigations into narcotics crimes in the context of eradicating the abuse and illicit trafficking of narcotics and narcotics precursors are BNN investigators.

The existence of BNN was born based on Presidential Regulation Number 83 of 2007 concerning the National Narcotics Agency, Provincial Narcotics Agency, and Regency/City Narcotics Agency, which have the authority to coordinate the prevention and eradication of narcotics abuse and illicit trafficking (P4GN).

When compared with Police Investigators, the authority of the BNN as regulated in Presidential Regulation Number 83 of 2007 concerning the National Narcotics Agency, Provincial Narcotics Agency and Regency/City Narcotics Agency does not give investigative authority to the BNN, so that the Polri institution is the only authority to carry out criminal acts. narcotics. Even though BNN is the only state institution that specifically handles drug problems in Indonesia.

Therefore, to improve drug prevention and eradication in Indonesia, BNN needs to be given investigative authority in Law Number 35 of 2009 concerning Narcotics.

Article 64 paragraph (1) of Law Number 35 of 2009 concerning Narcotics clearly states that in the context of preventing and eradicating the abuse and illicit trafficking of Narcotics and Narcotics Precursors, with this Law the National Narcotics Agency, hereinafter abbreviated as BNN, was established.

Regarding the authority of Polri investigators in Law Number 35 of 2009 concerning Narcotics, namely; Article 81, Article 84, Article 85, Article 87, Article 88, Article 90, Article 91, Article 92.

Based on the analysis in the previous section, the authority of BNN investigators in investigating narcotics crimes as contained in Law Number 35 of 2009 concerning Narcotics is very broad, when compared to the authority of National Police investigators in investigating narcotics crimes. In Article 75 and Article 80 of Law Number 35 of 2009 concerning Narcotics, 27 authorities of BNN Investigators are determined in order to carry out investigations. Meanwhile, the authority of Polri investigators in Law Number 35 of 2009 concerning Narcotics, is only limited to 4 authorities in investigating narcotics crimes.

In Chapter , and covert purchases, if linked to Article 75 of Law Number 35 of 2009 concerning Narcotics which It is the authority of the BNN to regulate this matter.

The National Narcotics Agency is given the authority to carry out investigations into narcotics crimes in addition to being carried out by Indonesian Police Investigators. Both must coordinate with each other and notify each

⁷ Interview with Mrs. Ismiati from the Ministry of Health.

⁸ interview with Mr Yudhistira from the Ministry of Health.

other when they have started an investigation into a narcotics crime. Then the Civil Servant Investigator's position is also an investigator who is given authority by Law Number 35 of 2009 concerning Narcotics but as coordinator and supervisor remains on the side of the Indonesian National Police as outlined in Article 7 paragraph (2) of Law Number 8 of 1981 concerning the Book of Criminal Procedure Law (KUHP).

Law Number 35 of 2009 concerning Narcotics gives authority to the Republic of Indonesia Police, namely Article 81, as well as the position of the National Narcotics Agency as a Non-Ministerial Government Institution which is located under and is responsible to the President through the coordination of the Head of the National Police of the Republic of Indonesia and the Narcotics Agency headed by a chief. The duties of the National Narcotics Agency in Presidential Regulation of the Republic of Indonesia Number 23 of 2010 concerning the National Narcotics Agency are contained in Article 2 of Presidential Regulation of the Republic of Indonesia Number 23 of 2010.

Narcotics crime investigators have the authority to reveal the abuse and illicit trafficking of narcotics, which will certainly have a positive impact in eradicating narcotics crimes, which are increasingly trending both quantitatively and qualitatively. Therefore, an effective and efficient mechanism must be created, so that it can contribute healthily between BNN investigators and the Indonesian National Police or with other investigators (PPNS). Previously it was regulated in Law Number 35 of 2009 concerning Narcotics. In carrying out investigations into the abuse and illicit trafficking of narcotics, investigators from the Republic of Indonesia Police notify in writing the start of the investigation to investigators from the National Narcotics Agency and vice versa.

Meanwhile, for Civil Servant Investigators, all investigative efforts are directed at assisting and submitting the results to Indonesian Police Investigators and National Narcotics Agency investigators. BNN in Law no. 35 of 2009 is contained in Article 75 and Article 80.

In accordance with Law Number 2 of 2002 concerning the State Police of the Republic of Indonesia, Article 42 paragraph 2 states that the cooperative relationship between the State Police of the Republic of Indonesia and other parties is intended to carry out functional police duties without interfering in the affairs of their respective agencies. Specifically for cooperation with BNN in Presidential Regulation of the Republic of Indonesia Number 23 of 2010 concerning the National Narcotics Agency, Article 2 paragraph 1 states that BNN's task is to coordinate with the Chief of Police of the Republic of Indonesia in preventing and eradicating the abuse and illicit trafficking of Narcotics and Narcotics Precursors. Referring to Minister of Health Regulation Number 82 of 2019 concerning Civil Servant Investigators in the Health Sector Article 19 paragraphs (2) and (3) In carrying out the duties of Investigating Civil Servants in the Health Sector, they can ask for guidance and investigative assistance from National Police Investigators as needed. In the event that investigations are carried out related to crimes involving Narcotics and Narcotics Precursors, or Psychotropic Substances, PPNS for Health can coordinate with PPNS for the National Narcotics Agency, PPNS for Customs and other related PPNS.

Mr. Yudhistira said: "Going back to the regulations, because the authority is regulated in the law so it cannot come out of the law, the authority of the National Narcotics Agency (BNN) as in the Narcotics Law is in Article 75, Article 80, then The authority of Civil Servant Investigators (PPNS) is in Article 82, meaning that it is in accordance with each corridor, in addition to PP 43 of 2012, which relates to the coordination of Civil Servant Investigators Civil Service (PPNS) cannot be separated from PERKAPOLRI No. 20 of 2010, concerning Coordination, Supervision and Guidance of Investigations for Civil Servant Investigators, we cannot carry out our own analysis because when we talk about authority, the legal basis again refers to that authority. "Regarding the implementation of the Narcotics abuse investigation process, of course the information can be further investigated by the Food and Drug Supervisory Agency (BPOM), regarding the implementation in the field of handling Narcotics, whether there are any conflicts or not, because everyone already has the authority."⁹

Furthermore, coordination between the Indonesian National Police and PPNS is explained based on PERKAPOLRI NO. 20 OF 2010, here are several articles in PERKAPOLRI NO. 20 OF 2010 (Article 6 - Article 24).

Regarding the Handling of Narcotics Addicts and Victims of Narcotics Abuse, it is discussed in Joint Regulation Number 1 of 2014 Number PERBER/01/III/2014/BNN concerning Handling of Narcotics Addicts and Victims of Narcotics Abuse in Rehabilitation Institutions, where the objectives of the joint regulation are stated in Article 2, which among other things is to realize optimal coordination and cooperation in order to reduce the number of Narcotics Addicts and victims abuse through treatment, care and recovery, namely by carrying out medical rehabilitation or social rehabilitation, and at the investigation level there is also the implementation of the rehabilitation process. Then in Articles 3 to 7 he explains the implementation of the Joint Regulations, namely from the results of urine, blood and hair or DNA tests after the Investigation Report has been prepared by the Investigator, and has been declared with the results of the assessment from the Integrated Assessment Team, treatment can be given and treatment for rehabilitation. Apart from coordination between BNN, National Police Investigators and PPNS, regarding Narcotics for rehabilitation,

⁹ interview with Mr Yudhistira from the Ministry of Health.

Investigators also coordinate with rehabilitation institutions regarding the process of sending and picking up suspects or defendants in Narcotics Crimes. After the victim has permanent legal power to carry out the rehabilitation process, he is then handed over to the prosecutor's office to the designated medical rehabilitation or social rehabilitation institution. So coordination between investigators related to handling narcotics crimes is not only between PPNS, BNN and the police, but coordination is also with rehabilitation institutions in terms of the process of sending and picking up suspects or defendants in narcotics crimes.

Research Image



Source: Resource Person (Interview)

Figure 1. Interview with the Ministry of Health (Health Development Policy Agency of the Indonesian Ministry of Health)

4. CONCLUSION

1. Regarding Authority and Coordination, if it is linked to Article 424 of Law No.17 of 2023 concerning Health, with Government Regulation Number 43 of 2012, the authority contained in Article 424 of Law No.17 of 2023 concerning Health is in line with coordination between the National Police of the Republic of Indonesia, the National Narcotics Agency, and Civil Servant Investigators, as well as the Drug and Food Control Agency as stated in PP Number 43 of 2012.
2. Regarding the investigation mechanism by Civil Servant Investigators (PPNS) in coordination with the Indonesian National Police (Polri) based on PERKAPOLRI No. 20 of 2010, as explained previously, where the coordination carried out by Civil Servant Investigators (PPNS) as stated in PERKAPOLRI No. 20 of 2010 is in line with the Authority of Civil Servant Investigators (PPNS) as stated in Article 424 of the Law -law no. 17 of 2023 concerning Health.
3. Civil Servant Investigators (PPNS) can carry out investigations in the field of Narcotics, investigations related to Narcotics often occur at the Food and Drug Supervisory Agency (BPOM), because there is a Deputy there. Enter the deputy for enforcement at the Food and Drug Supervisory Agency (BPOM). For investigations, it falls under a separate Deputy, namely the Deputy for Enforcement, and into the Directorate of Drug and Food Investigation.

5. ACKNOWLEDGEMENTS

I would like to thank Pamulang University as the organizer of the research, to the Ministry of Health who was willing to accept the invitation and provide a meeting schedule to discuss this research, especially the membership of the Ministry of Health which at that time was in the Health Development Policy Agency of the Indonesian Ministry of Health, which is where I met with several sources to be interviewed, including Mr. Yudhistira, Mrs. Ismiati, Mr. Charli, and Mr. Fajar Ramaditia, thank you also to other colleagues who have supported in completing the research results It is hoped that the results of this research can provide benefits both practically and theoretically.

REFERENCES

- [1] Ajat Rukajat, *Pendekatan Penelitian Kuantitatif*, CV Budi Utama, Sleman, 2018.
- [2] Daenunu, Annisa Refi, Lisnawaty W. Badu, and Jufryanto Puluhulawa. "Analisis Batas Kewenangan Antara Penyidik Kepolisian Republik Indonesia Dan BNN Dalam Melakukan Koordinasi Penyidikan Kasus Tindak Pidana Narkotika." *Jaksa: Jurnal Kajian Ilmu Hukum dan Politik* 1.4 (2023).
- [3] Ferry Kurniawan Goenawi. "Batas Kewenangan Antara Penyidik Polri dalam Penegakan Tindak Pidana Narkotika" *Badamai Law Journal*, VOL. 4. Issues 2 September (2019).
- [4] Handayani, Faisal Rachmat. "ANALISIS KEWENANGAN PEJABAT PENYIDIK NEGERI SIPIL (PPNS) IMIGRASI, PENYIDIK POLRI DAN PENYIDIK BADAN NARKOTIKA NASIONAL (BNN) DALAM TINDAK PIDANA PENYALAHGUNAAN NARKOTIKA DI WILAYAH PERBATASAN REPUBLIK INDONESIA-PAPUA NEW GUINEW." *Dinamika Hukum* 13.1 (2022).
- [5] Interview with Mrs. Ismiati from the Ministry of Health.
- [6] interview with Mr Yudhistira from the Ministry of Health.
- [7] Penjelasan Undang-undang Republik Indonesia Nomor 35 Tahun 2009 tentang Narkotika.
- [8] Sumadi Suryabrta, *Metodologi Penelitian*, Rajawali, Jakarta, 1983.