



**IMPLEMENTATION OF RESTORATIVE JUSTICE IN THE SETTLEMENT OF NARCOTIC
CASES TO SOLVE OVERCROWDING
(DECISION OF THE DIRECTOR GENERAL OF THE GENERAL JUSTICE AGENCY
NUMBER: 1691/DJU/SK/PS.00/12/2020
CONCERNING GUIDELINES FOR IMPLEMENTING RESTORATIVE JUSTICE)**

UNDERGRADUATE THESIS

Submitted as one of the requirements to obtain Sarjana Hukum

Arfan Maulana Andriyansyah

017201900044

FACULTY OF HUMANITIES


LAW STUDY PROGRAM

CIKARANG, 2023

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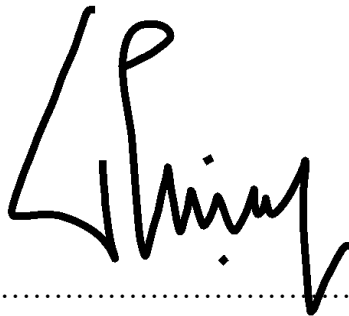
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Cikarang, 13 March 2023

Acknowledge by,



Arfan Maulana Andriansyah

017201900044

Name : Arfan Maulana Andriyansyah

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ABSTRACT

Circulation and abuse of narcotics is a serious problem and has become a national problem that is considered serious by the government. In addition, the variety of the domino effects brought on by drug usage is growing, and measures to stop drug addiction are difficult to put into action. The Ditjenpas Kemenkumham noted that currently there are 278,849 prison residents in Indonesia, of which 135,758 people are from narcotics cases as of April 2022, which causes overcrowding in prisons. After the decision issued by the Dirjen Badilum regarding guidelines for the general public courts to implement restorative justice, This mandates the implementation of Restorative Justice in the judiciary by all district courts. with the aim of reforming the Criminal Justice System, which still prioritizes prison sentences in the interests of restoring victims or accountability for perpetrators of crimes. with the applicable provisions in the hope that it can provide a fair recovery to victims who suffer and can resolve Overcrowding at the detention center. A normative juridical approach was used for the research in this paper, Which is a method based on the primary legal information by looking at associated laws and regulations, theories, concepts, and"legal principles. This approach is supported by descriptive analysis, because the issue raised in this research is how to implement Restorative Justice for Narcotics abusers in Indonesia which will be a solution to solve the problem of overcapacity in prisons.

Keywords: Restorative Justice;justice;Narcotics;Overcrowding.

ABSTRAK

*Peredaran gelap narkotika dan penyalahgunaan narkotika merupakan masalah serius dan telah menjadi masalah nasional yang dianggap serius oleh pemerintah. Selain itu, berbagai efek domino yang ditimbulkan oleh penggunaan narkoba semakin meningkat, dan langkah-langkah untuk menghentikan kecanduan narkoba sulit dilakukan.. Ditjenpas Kemenkumham mencatat, penghuni lapas di Indonesia sekarang 278.849 orang dan yakni 135.758 orang berasal dari kasus narkotika per April 2022 yang membuat overcrowding dalam rutan. Setelah keluar keputusan dari Direktur Jenderal Badan Peradilan Umum tentang Pedoman di Lingkungan Peradilan Umum Untuk Melakukan Penerapan Restorative Justice yang mewajibkan untuk semua peradilan negeri menerapkan Restorative Justice di lingkungan peradilan dengan tujuan untuk mereformasi hukuman pidana yang masih mengedepankan hukuman penjara menjadi mengutamakan pemulihan korban atau pertanggungjawaban bagi pelaku tindak pidana dengan ketentuan-ketentuan yang berlaku dengan harapan dapat memberikan pemulihan kepada korban yang menderita dengan adil dan dapat mengatasi Overcrowding pada rutan. Metode yang digunakan dalam penelitian ini adalah Pendekatan yuridis normatif yang dilakukan berdasarkan bahan hukum utama dengan caramenelaah teori-teori, konsep-konsep, asas-asas hukum serta peraturan perundang-undangan yang berhubungan dan didukung dengan metode deskriptif analisis, karena yang ingin dikaji dalam penelitian ini adalah bagaimana penerapan Restorative Justice bagi para penyalahguna narkotikadi indonesia yang akan menjadi solusi dalam mengatasi permasalahan over kapasitas dalam lapas. **Kata Kunci: Restorative Justice;keadilan;narkotika;Overcrowding***

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