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## The Role Of The National Narcotics Agency (BNN) Of North Maluku Province In Handling Of Narcotics Distribution

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### ABSTRACT

This study aims to find out the Role of the National Narcotics Agency (BNN) of North Maluku Province in the Handling and Circulation of Narcotics and the Factors that Hamper the Role of the North Maluku Province BNN. This research was conducted at the BNN Office in North Maluku Province, by looking at legal issues related to the Handling of Narcotics Circulation in North Maluku. This study uses empirical research methods. The data sources used are primary and secondary data. After the data is collected, it is then analyzed quantitatively and descriptively. Based on the data analysis carried out, it was concluded that the Narcotics Agency is an Indonesian non-structural institution whose job is to assist the mayor in coordinating regional apparatuses and government agencies in the Regency/City, coordinating relevant government agencies in formulating policies and implementing them in the field of availability (prevention, eradication, abuse and illicit trafficking of narcotics). The position of the National Narcotics Agency according to Law no. 35 of 2009 in article 65 is: The National Narcotics Agency is domiciled in the capital of the State with a working area covering the entire territory of the Republic of Indonesia

**Keywords:** Narcotics, Distribution, North Maluku

### INTRODUCTION

Drug abuse in Indonesia in recent years has become a serious problem and has reached an alarming state, so that the drug problem has become a national problem. As a developing country, Indonesia is a very potential target as a place for illegal drug trafficking. Drug abuse is still a chronic problem that befalls Indonesia, cases of methamphetamine distribution and the arrests of many international drug dealers in recent years are proof that Indonesia is in a state of drug emergency(1).

Indonesia is also a target for drug dealers, because in Indonesia drug dealers can sell these illicit goods easily because there is still a shortage supervision.(2) Drug abuse and its circulation has reached all corners of the region and no longer recognizes the social strata of society, drug abuse currently does not only reach the uneducated, but drug abuse has spread to all circles, even to the educated.(3) In addition, weak government oversight of drug trafficking also makes it easier for drug dealers to carry out their transactions.(4) Life in the modern era is far from friendly, this can be seen from the high level of activity in society, the high rate of depression, the large number of children who lack the attention of their parents, and the wide variety of activities carried out up to the hectic activities at night. visible from the many places of nightlife open and growing(5). This greatly affects the pattern of people's lives, one of which is the presence of drugs and narcotic substances(6)

Based on the background of the problems described above, to clarify the direction of this research, the authors state the formulation of the problem, namely:

1. What is the role of the North Maluku Province National Narcotics Agency (BNN) in the handling and distribution of narcotics?
2. What factors influence the role of the National Narcotics Agency (BNN) in dealing with drug trafficking in North Maluku?

## METHODS

### Research Type

The type of research used, the researcher in this research is the type of empirical law research. Namely research that uses empirical facts taken from human actors, both verbal behavior obtained through interviews and real behavior carried out through direct observation. Besides that, it also uses normative legal materials as the title of this study, namely "the role of the North Maluku Province National Narcotics Agency in handling of drug trafficking" is a type of empirical research

### Research Locations

This research was conducted in the city of Ternate, by looking at legal issues related to the handling of narcotics trafficking, especially the National Narcotics Agency for North Maluku Province as one of the offices that supervises the distribution of narcotics.

### Types and Sources of Data

This research uses two types of data, namely primary and secondary data:

1. Primary data

Namely the original data obtained directly from the source, this data is in the form of information obtained from interviews.

2. Secondary data

Data obtained from official documents, books, related to research objects, research results in the form of reports, theses, and laws and regulations. The secondary data can be divided into:

- a) Primary legal materials

Binding legal materials consist of laws and regulations related to the research object. Namely, Law Number 35 of 2009

- b) Secondary legal materials

Secondary legal materials are books and legal scientific writings related to the object of this research.

- c) Material tertiary law

Tertiary legal materials are instructions or explanations regarding primary legal materials and secondary legal materials derived from dictionaries, encyclopedias, internet and so on.(7)

### Data Collection Techniques

In this research the techniques used in data collection are as follows:

1. Field research

Field data needed as supporting data was obtained through information and opinions from respondents who were determined by purposive sampling (determined by researchers based on their preferences). This research was conducted directly at the research location of the North Maluku Province National Narcotics Agency conducting direct interviews directly related to this research.

The type of interview that the author uses here is an interview containing structure understanding, namely interviews carried out in a planned manner based on a list of statements that had been prepared beforehand.

## 2. Literature study

Library data obtained through library research by reading and studying various scientific books, official documents and research results related to the object of this research.(8)

### **Data Analysis Techniques**

The data obtained by the author will be poured using the empirical approach method, namely by researching and interviewing and looking at the application of norms in the field, from these series of activities then draw conclusions and determine the gap between normative and empirical(9).

## **RESULTS**

### **Narcotics Abuse Crime Concept**

Based on Law no. 35 of 2009 concerning Narcotics, in which narcotics crimes are divided into 2 groups, namely Crimes against Narcotics Abuse and Crimes against Trafficking of Narcotics. These two groups of crimes have opposite characteristics(10), even though both are declared as narcotics crimes. Perpetrators of narcotics abuse are known as abusers in victimology as victims of narcotics crimes, while dealers are the perpetrators. In business law, the opposite is reflected in the role of abusers as demanders, while the perpetrators of drug trafficking act as suppliers.

Abuse is a person who uses narcotics without rights or against the law, with indications of possessing, controlling narcotics with the intention of using them for themselves. Meanwhile, a dealer is any person who is involved in the distribution of narcotics without rights and violates the law with indications of possessing, controlling narcotics with the intent and purpose of selling them for profit. Another indication that shows the role of a drug abuser is the possession of narcotics when arrested, the amount is small for personal gain it self for one day of use, while dealers indicate ownership when caught in large quantities to be sold for profit(11)

### **Definition of Drugs**

Narkoba is an abbreviation for narcotics, psychotropics and other addictive substances. Drugs are drugs, ingredients or substances and are not classified as food if they are drunk, smoked, inhaled, swallowed or injected, affect especially the work of the brain (central nervous system), and often cause dependence(12).

As a result, the work of the brain changes (increases or decreases), as well as the vital functions of other organs (heart, blood circulation, respiration and others).(13)

## DISCUSSION

### **The Role of the National Narcotics Agency for North Maluku Province in Handling Narcotics Circulation**

According to Article 1 of the Regulation of the Head of the National Narcotics Agency Number: Per/ 04/V/2010/BNN Provincial National Narcotics Agency, hereinafter referred to as the National Narcotics Agency, BNN is a vertical agency of the National Narcotics Agency that carries out the duties, functions and powers of the Narcotics Agency. National in the Province. The Narcotics Agency is an Indonesian non-structural institution whose job is to assist the mayor in coordinating regional apparatuses and government agencies in the Regency/City, coordinating relevant government agencies in formulating policies and implementing them in the field of P4GN availability and operations (prevention, eradication, abuse and illicit trafficking of narcotics).

The position of the National Narcotics Agency according to Law no. 35 of 2009(14) in article 65 is:

- a. The National Narcotics Agency is domiciled in the state capital with a working area covering the entire territory of the Republic of Indonesia
- b. The National Narcotics Agency as referred to in paragraph (1) has representatives in the Province and Regency/City Regions.

Some of the roles carried out by the Narcotics Agency include:

- a. Encouraging community movements to care about anti-drug efforts
- b. Collect data, monitor and evaluate
- c. operational. Assist law enforcement in carrying out their duties on the direction or permission of the police. Facilities.

Provide facilities needed by the community. The existence of a national narcotics agency is in accordance with Presidential Decree RI No.17/2002 dated 22 March 2002, in the context of tackling and eradicating illicit narcotics traffic, presumably it should be more active in coordinating relevant government agencies in formulating policies and implementing the field of availability, prevention and eradicate the abuse and illicit traffic of narcotics, psychotropics, precursors and other additives(15).

The National Narcotics Agency is a non-ministerial Indonesian state institution whose task is to carry out state duties in the field of prevention, abuse and illicit trafficking of psychotropics, precursors and other addictive substances, except addictive substances for tobacco and alcohol. (12)

Law of the Republic of Indonesia Number 35 of 2009(14) concerning Narcotics, article 70 "BNN has the task of:

- a. formulate and implement national policies regarding the prevention and eradication of the abuse and illicit traffic of narcotics and narcotics precursors
- b. preventing and eradicating the abuse and illicit traffic of narcotics and narcotics precursors
- c. coordinate with the head of the State Police of the Republic of Indonesia in preventing and eradicating the use and illicit traffic of narcotics and narcotics precursors
- d. improve the capacity of medical rehabilitation institutions and social rehabilitation of narcotics addicts, both those that organized by the government and society
- e. empowering the community in preventing the abuse and illicit traffic of narcotics from narcotic precursors

- f. to assist, direct, and improve community activities in preventing the abuse and illicit traffic of narcotics and narcotics precursors
- g. carry out bilateral and multilateral cooperation, both regionally and internationally, to prevent and eradicate the illicit traffic of narcotics and narcotics precursors
- h. develop narcotics laboratories and narcotics precursors
- i. carry out the administration of investigations and investigations into cases of abuse and illicit traffic of narcotics and narcotics precursors.
- j. make an annual report regarding the implementation of duties and authorities

Based on the results of the author's research on Tuesday, June 2, 2022, he interviewed Mr. Fadly I Sidik directly as the general head of subak at the North Maluku National Narcotics Agency office. In his presentation, he said that in an effort to break the chain of Narcotics circulation and reduce the number of Narcotics abuse, the BNN of North Maluku Province formed a prevention and eradication division led by a field head who has the task of implementing technical policies for the Prevention and Eradication of Drug Abuse and Illicit Trafficking ( P4GN) in North Maluku Province(16).

In carrying out the tasks referred to above, the prevention sector has the following functions:

- a. Implementation of P4GN information dissemination in the field of prevention within the province
- b. Implementation of P4GN advocacy in the field of prevention within the province
- c. Implementation of P4GN technical guidance in the field of prevention to the Regency/City National Narcotics Agency.

As for the field of prevention, there are two sections to carry out their duties and functions, namely:

1. Information Dissemination Section and The Information Dissemination Section is led by a section head who has the task of preparing the P4GN information dissemination in the field of prevention in every region in the Province.

North Maluku as for the preparation of technical guidance for dissemination of information to the Regency/City National Narcotics Agency. The Information Dissemination Section has duties with the following details(17):

- a. Collecting, processing, and analyzing materials needed for the implementation of activities;
- b. Carry out coordination, integration and synchronization with relevant government agencies and community components in implementing activities;
- c. Dissemination of P4GN information;
- d. Carry out technical guidance on dissemination of information to the Regency/City National Narcotics Agency;
- e. Carry out evaluation and reporting;
- f. Carry out other official duties ordered by superiors in accordance with their duties to support the smooth implementation of tasks.

2. Advocacy Section

The advocacy section is directly led by a Section Head who has the task of preparing P4GN advocacy in the prevention sector within the North Maluku Province and preparing technical guidance advocacy to the Regency/City National Narcotics Agency. The Advocacy Section has duties with the following details:

- a. Compile a time schedule for the implementation of advocacy in the field of prevention on a regular basis

- b Prepare materials for the purpose of presenting P4GN extension materials
- c Coordinate with government and non-government agencies that will be advocated by P4GN
- d Carry out outreach activities as well formation of narcotics awareness cadres;
- e Carry out advocacy technical guidance to the Regency/City National Narcotics Agency;
- f Make a report on the results of the implementation of the duties of the advocacy section in the field of prevention and provide suggestions and considerations to the leadership for further policy determination.
- g Carry out other official duties ordered by superiors in accordance with their duties to support the smooth implementation of tasks.(18)

### CONCLUSION

From the explanation above, the author can conclude that the role of the North Maluku National Narcotics Agency has carried out its role well, with various efforts being made, namely by collaborating with various related agencies such as NGOs, Government Agencies, Collaborating with the community to prevent the distribution of narcotics in the Maluku region North

The obstacle to the role of the National Narcotics Agency is that some people lack legal awareness and lack knowledge about the duties of the North Maluku National Narcotics Agency.

Based on the results of the research and discussion that have been put forward, the author's suggestions are:

Law no. 35 of 2009 concerning narcotics should be revised again considering the many new types of narcotics at this time that have not been regulated in the law and the need to increase the socialization of law no. 35 of 2009 concerning narcotics to the public who are witnesses.

In an effort to increase the quantity and quality of the performance of the Ternate city National Narcotics Agency (BNNK) in efforts to prevent and eradicate narcotics crimes in the administrative area of the city of Ternate which is one of the cities with the most cases in North Maluku province, it should have adequate facilities and infrastructure in the form of facilities equipment, human resources, adequate funding and so on, so that BNN city of Ternate is even more effective in carrying out its duties.

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