



ISSN 0249-4655

INTERNATIONAL JOURNAL OF CREATIVE RESEARCH AND STUDIES

Volume 5 Issue 12, December - 2021



Published By
KNOWLEDGE RIDGE PUBLISHERS



Volume 5 Issue 12, December-2021

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**INTERNATIONAL JOURNAL OF
CREATIVE RESEARCH AND STUDIES**

www.ijcrs.org

ISSN-0249-4655

**Research on the path of constructing a modern industrial system
with international competitiveness in Guangdong-Hong Kong-
Macao Greater Bay Area from the perspective of
Double Circulation**

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Abstract

This paper analyzes the current situation of industrial development, technological innovation and financial resource endowment of the Guangdong-Hong Kong-Macao Greater Bay Area from the perspective of double circulation, and analyzes the practical problems faced by the modern industrial system of the Greater Bay Area. Under the guidance of the idea of dual circulation development pattern, the paper puts forward several ways to construct a modern industrial system in the Guangdong-Hong Kong-Macao Greater Bay Area: Speed up the digitalization and intelligent transformation of traditional industries, and to shape emerging industrial clusters; Strengthen international cooperation in industrial technology, speed up cooperation and innovation with foreign-funded enterprises, attract talents and talents, and explore diversified cooperation models in the Science and technology corridor of Guangdong, Shenzhen, Hong Kong and Macao; build an international technology trade platform, make full use of domestic and international factors and resources such as market, technology, finance and human resources, and shape the Greater Bay Area as a resource hub; use digital elements to enhance the comprehensive influence of trade economy and build a world-class logistics network.

Keywords: modern industrial system; dual circulation; path selection; Greater Bay Area

Introduction

According to the report of the 19th CPC National Congress, "China's economy has shifted from a stage of high-speed growth to a stage of high-quality development" and "we will accelerate the building of an industrial system featuring coordinated development of the real economy, scientific and technological innovation, modern finance

and human resources". "Accelerate the development of a modern industrial system and promote the optimization and upgrading of the economic system," said the outline of the 14th Five-Year Plan. The urgent need for China to build a modern industrial system comes from two aspects. On the one hand, it is the realistic requirement for China to transform the mode of economic development, adjust the economic structure, improve the total factor productivity and solve the problem of "stuck neck, off the chain". Since China joined the WTO, the export-oriented economic prosperity, good economic and trade relations with developed countries cover problem, a lot of manufacturing industry is big but not strong with weak foundation, "stuck neck" fields began to emerge, manufacturing technical difficulties make developed countries to kill good situation of China's economic development, to a great extent it restricts the rapid economic growth and affects industrial security. Therefore, building a modern industrial system is the inevitable choice to adapt to the new normal of economic development, implement the new development concept, build a modernized economic system, and finally achieve high-quality economic development. On the other hand, Pattern of world science and technology industry rapidly changes, in the perspective of the global catching the historical opportunity of a new round of technological revolution and industrial revolution, implementing the international economy and the industrial competitiveness ascension need to speed up the upgrading in a traditional industry in China, expand advantage in the field of emerging industries, narrow the gap, to realize independently controllable advantage industry, promote the industry in the global value chain towards the high-end. To realize the benign interaction and high integration of the international and domestic markets, and create a good situation for the high-quality development of the modern industrial system.

In 2019, the CPC Central Committee and The State Council issued the Outline of the Development Plan for the Guangdong-Hong Kong-Macao Greater Bay Area, making the development of the Area a national strategy. The Guangdong-Hong Kong-Macao Greater Bay Area is an important space carrier for China to face global competition, and has been entrusted with a high mission by the state. According to the Outline, the Greater Bay Area should be built into an international scientific and technological innovation center and a modern industrial system with international competitiveness. The formulation of the Outline is not only to serve regional economic development, but also to realize the great rejuvenation of China, the implementation of innovation-driven development strategy to the Greater Bay Area. After more than 40 years of reform and opening-up, the Guangdong-Hong Kong-Macao Greater Bay Area has developed a complete industrial system, with rapid development in advanced manufacturing, modern service industry, strategic emerging industries and other fields. Affected by the fourth global industrial transfer, the return of manufacturing in developed countries, trade protectionism and other factors, the economic development of the Guangdong-Hong Kong-Macao Greater Bay Area, which is dominated by export-oriented economy, has been negatively affected. It is imperative for the Guangdong-Hong Kong-Macao Greater Bay Area to implement the innovation-driven development strategy, accelerate the transformation and upgrading of its economic structure, build a modern industrial system with international competitiveness, achieve high-quality economic development, and provide support for China's overall economic development.

To achieve high-quality economic development, we need to focus on supply-side structural reform and improve and strengthen the real economy. Building a modern industrial system with international competitiveness is an important point to achieve high-quality economic development. 《Guangdong province decision to accelerate the construction of the modern industry system》, points out that the modern industry system has the high-tech content, high added value, low energy consumption, low pollution, strong capacity for independent innovation. A new industrial system with innovative, open, integrated, concentrated and sustainable characteristics is supported by an industrial development environment with beautiful environment, complete infrastructure, strong social security and good market order. Realizing the coordinated development of real economy, scientific and technological innovation, modern finance and human resources has become an inevitable choice to build a modern industrial system.

Development status of traditional and emerging industries in Greater Bay Area

Traditional industry and emerging industry are the organic components of modern industrial system. The Guangdong-Hong Kong-Macao Greater Bay Area has made significant progress in the construction of a modern industrial system. It has accumulated rich talents and resources in traditional pillar industries and strategic industries, and thousands of high-tech enterprises.

The construction of modern industrial system in the Greater Bay Area includes two aspects: the technological progress of traditional pillar industries and the shaping of emerging industrial clusters. 《The Opinions of Guangdong Provincial People's Government on Cultivating and Developing Strategic Pillar Industry Clusters and Strategic Emerging Industry Clusters》 released in May 2020, ten strategic pillar industries and ten strategic emerging industries that Guangdong province focuses on developing are defined (see Table 1). In 2019, the ten strategic pillar industries achieved revenue of 15 trillion yuan, and the ten strategic emerging industries achieved revenue of 1.5 trillion yuan. Guangdong province has initially formed the prototype of 20 strategic industrial clusters. Among the strategic pillar industries, new-generation electronic information, modern light industry and textile, advanced materials, green petrochemical, smart home appliances, modern agriculture and food, software and information services have all exceeded one trillion yuan in output value. Among strategic emerging industries, new energy, digital creativity, safety emergency response and environmental protection, high-end equipment manufacturing, precision instruments and equipment, semiconductors and integrated circuits have all exceeded 100 billion yuan in output value.

Table 1: Operating income of strategic pillar industry cluster and strategic emerging industry cluster in Guangdong Province

Strategic pillar industry	Operating income	emerging sectors of strategic importance	Operating income
A new generation of electronic information	4.3 trillion	New energy	410 billion
Modern light industrial textile	2.6trillion	Digital creative	420 billion
Advanced materials	2.1 trillion	Safety emergency and environmental protection	250 billion
Green petrochemical	1.46trillion	High-end equipment manufacturing	180 billion
Intelligent home appliances	1.3 trillion	Precision instrument and equipment	132.3 billion
Modern agriculture and food	1.3 trillion	Semiconductors and integrated circuits	120 billion
Software and information services	1.1 trillion	Laser and additive manufacturing	90 billion
The car industry	840.4billion	Cutting-edge new materials	50 billion
Ultra high definition video display	600 billion	Intelligent robot	32.5 billion
Biomedical and health	500 billion	Blockchain and quantum information	

Source: Compiled according to the Opinions of Guangdong Provincial People's Government on Cultivating and developing strategic Pillar Industry Clusters and Strategic emerging industry clusters in 2020

As the core manufacturing cities of the Guangdong-Hong Kong-Macao Greater Bay Area, Guangzhou and Shenzhen have established a solid position in shaping new generation of electronic information, intelligent home appliances, automobile industry, advanced materials, modern light industry and textile, software and information services, biomedicine and health and other pillar industry clusters (see Table 2). Under the influence of the spillover

effect of industrial core cities, the new generation of electronic information industry has formed an information and communication equipment industrial cluster in Zhuhai, Huizhou, Dongguan and Zhongshan as the supporting cities. In the field of smart home appliances, it has formed innovation, R&D and operation bases with Guangzhou, Shenzhen and Foshan as the core, and manufacturing bases with Zhuhai, Huizhou and Zhongshan as supporting bases. In the field of automobile industry, it has formed an industrial layout with Guangzhou, Shenzhen, Zhuhai, Foshan and Zhaoqing as the core, new energy vehicle enterprises such as BYD, Xiaopeng Automobile, Tengze Automobile have developed rapidly. In the field of advanced materials, it has formed industrial clusters with Guangzhou, Shenzhen, Zhuhai, Foshan, Huizhou, Dongguan and Zhaoqing as the core. In the field of biomedicine and health industry, within the greater Bay Area, there are Guangzhou International Biological Island, Shenzhen Pingshan National Biological Industry Base, Zhuhai Jinwan Biomedical Industrial Park, Zhongshan National Health Science and Technology Industry Base and other industrial clusters and Foshan, Zhuhai, Zhongshan high-end medical equipment industry base.

Table 2: Layout of strategic pillar industries and strategic emerging industries in the Guangdong-Hong Kong-Macao Greater Bay Area

city	Distribution of strategic pillar industries	Distribution of strategic emerging industries
Guangzhou	New generation electronic information, green petrochemical, intelligent household appliances, automobile industry, advanced materials, modern light industry and textile, software and information services, biomedicine and health	Semiconductor and integrated circuits, high-end equipment manufacturing, intelligent robots, blockchain and quantum information, cutting-edge new materials, new energy, laser and additive manufacturing, digital creativity
Shenzhen	New generation electronic information, software and information services, intelligent home appliance industry, automobile industry, advanced materials, modern light industry and textile, biomedicine and health	Semiconductor and integrated circuit industry, high-end equipment manufacturing industry, intelligent robot industry, blockchain and quantum information industry, cutting-edge new materials industry, new energy industry, laser and additive manufacturing industry, digital creative industry, precision instrument and equipment industry
Zhuhai	Intelligent home appliances, automotive industry, advanced materials, software and information services, biomedicine and health	Semiconductor and integrated Circuits, high-end equipment manufacturing, intelligent robots, blockchain and quantum information, cutting-edge new materials, Laser and additive Manufacturing, Digital Creativity,
Foshan	Intelligent home appliances, automotive industry, advanced materials, software and information services, biomedicine and health	High-end equipment manufacturing, intelligent robots, blockchain and quantum information, cutting-edge new materials, new energy, laser and additive manufacturing, digital creativity
Huizhou	Green petrochemical, intelligent home appliances, advanced materials, software and information services, biomedicine and health	Laser and additive manufacturing industry
Dongguan	Advanced materials, software and information services, biomedicine and health	Semiconductor and integrated circuits, high-end equipment manufacturing, intelligent robots, blockchain and quantum information, cutting-edge new materials, laser and additive manufacturing, digital creativity

Zhongshan	Smart home appliances, biomedicine and health	High-end equipment manufacturing, intelligent robots, blockchain and quantum information, laser and additive manufacturing, digital creativity
Jiangmen	Advanced materials, modern agriculture and food	High-end equipment manufacturing, laser and additive manufacturing
Zhaoqing	Automotive industry, advanced materials	Cutting-edge new materials
Hong Kong	Finance, trade and logistics, professional services and other production tourism	Biomedicine, artificial intelligence, fintech, robotics, new materials
Macau	Gaming, tourism, export processing, Traditional Chinese medicine	Biological medicine and Traditional Chinese medicine health, modern Marine industry, new energy, new materials

Data source: According to the Opinions of Guangdong Provincial People's Government on Cultivating and Developing Strategic Pillar Industry Clusters and Strategic Emerging Industry Clusters in 2020, data collected on the website of Hong Kong Census and Statistics Department and Statistics and Census Bureau of Macao Government.

Guangdong province has also made great progress in strategic emerging industrial clusters. In the field of semiconductor and integrated circuit industry, an industrial pattern has been basically formed with Guangzhou, Shenzhen and Zhuhai as the core, driving the coordinated development of Foshan, Dongguan, Zhongshan and Huizhou, etc. Shenzhen, Zhuhai and Dongguan have arranged the development of the third-generation semiconductor. In terms of high-end equipment manufacturing industry, industrial agglomeration has initially formed in Guangzhou, Shenzhen, Dongguan, Zhuhai, Foshan, Zhongshan, Jiangmen and other places, with Guangzhou, Zhongshan, Shenzhen, Huizhou satellite equipment industry base, and Guangzhou, Shenzhen, Foshan, Dongguan photovoltaic equipment industry base. In the field of intelligent robots, Guangzhou, Shenzhen and other cities carry out robot research and innovation, with Zhuhai, Foshan, Dongguan, Zhongshan and other cities supporting robot production base. In the field of frontier new materials, the industrial technology level and comprehensive strength rank among the top in China, forming the cluster of frontier new materials in Guangzhou, Shenzhen, Zhuhai, Foshan, Dongguan and so on. In the field of precision instruments and equipment, there are nearly 20 specialized and new "little Giants", "Single champion" and "unicorn" enterprises.

The Pearl River Delta region has initially formed the trend of cluster development. For example, advanced materials industry is distributed in Guangzhou, Shenzhen, Zhuhai, Foshan, Huizhou, Zhaoqing and other cities. The semiconductor and high-end equipment manufacturing industry of strategic emerging industries are planned in many cities. Industrial homogeneity is the result of cluster development, but we should pay attention to the problem of industrial decentralization and homogeneity development under the promotion of policy.

Since the 1980s, Hong Kong has entered into the process of industrialization, the proportion of manufacturing industry gradually decline, the proportion of service industry is rising, the industrial added value of GDP in 2019 in Hong Kong is only 6.26%, the added value of service industry in Hong Kong as a share of GDP is 89.98%, Hong Kong pillar industry have warehousing logistics, financial and professional services and other modern producer services. Hong Kong is strong in scientific and technological innovation. Emerging industries such as artificial intelligence, robotics and new materials are speeding up. In 2019, the added value of Macao's industry accounted for only 4.23% of its GDP, while the added value of Macao's service sector accounted for 94.04% of its GDP, among which the gaming industry was the dominant industry. Thanks to Macao's inclusion in the Belt and Road Initiative and sound economic and trade exchanges with Portuguese-speaking countries, the total value of imports

and exports between China and Portuguese-speaking countries reached US \$147.354 billion in 2018, up 25.31 percent year on year. Hong Kong and Macao have a high proportion of tertiary industry and a low degree of industrial diversification. Their import and export trade industries are also negatively impacted by the international trade environment. Hong Kong and Macao are rich in human resources. They need to develop manufacturing and strategic emerging industries through re-industrialization, get deeply involved in the development of the Guangdong-Hong Kong-Macao Greater Bay Area, and achieve appropriate industrial diversification.

Technological innovation and financial resource endowment of Greater Bay Area

1. Technological innovation resource endowment of Greater Bay Area

Innovation is the key to construct modern industrial system. On 2 September 2020, the World Intellectual Property Organization (WIPO) released "Who Pays for Innovation?" Global Innovation Index 2020 (GII 2020), which evaluates technology clusters around the world based on PCT patent filings and scientific publications, China has 17 of the world's leading technology clusters in the list. Shenzhen-Hong Kong-Guangzhou technology cluster ranked second, ranking higher than international technology clusters such as San Jose, San Francisco, Boston, New York and Seoul, and higher than domestic technology clusters such as Beijing, Shanghai, Nanjing and Wuhan.

In 2019, the nine PRD cities invested 296.235 billion Yuan in R&D, accounting for 2.5% of GDP on average. Guangdong, Shenzhen, Zhuhai, Foshan, Huizhou and Dongguan topped the national level of 2.19%. Among them, Shenzhen's R&D investment reached 132.828 billion Yuan, accounting for 4.93% of GDP (see Figure 1), far exceeding the national level.

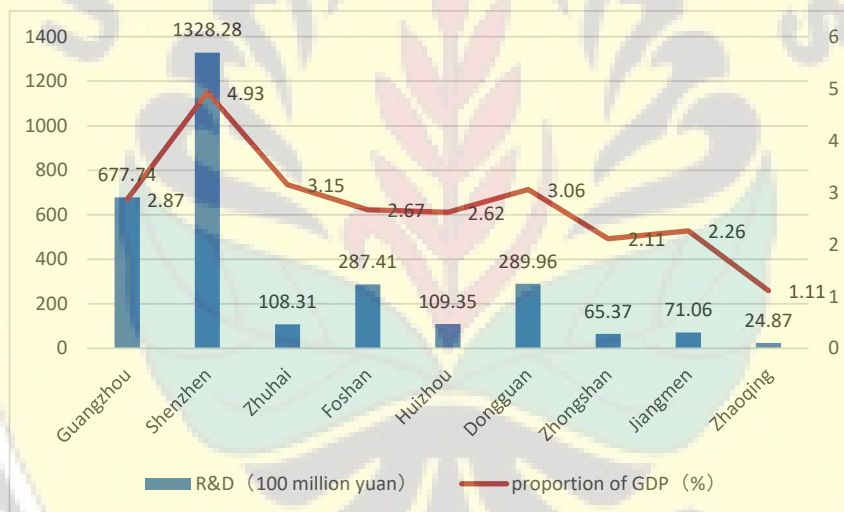


Figure 1: R&d investment and its proportion of GDP of the nine Pearl River Delta cities in Greater Bay Area in 2019

Source: Guangdong Science and technology Innovation Dynamic Data [2020], Guangdong Science and Technology statistics in 2020

In 2019, 729,000 patent applications were accepted and 475,000 patents were granted in the Guangdong-Hong Kong-Macao Greater Bay Area (See Figure 2), with the number of invention patents 2.38 times that of Tokyo bay Area, 5.72 times that of San Francisco Bay Area and 8.16 times that of New York Bay Area respectively.

In 2019, the number of PCT international patent applications in nine PRD cities was 24,500. According to the 2020 PCT Yearbook released by the World Intellectual Property Organization (WIPO), Huawei topped the list of PCT international patent applicants in 2019 with 4,411 PCT international patent applications published. OPPO Mobile Communications and Ping An Technology ranked fifth and eighth respectively. Shenzhen University and South China University of Technology ranked third and fifth respectively in the global PCT list of international patent applicants. In 2019, the turnover of technology contracts in nine cities in the Pearl River Delta reached 264.782 billion Yuan, with Guangzhou, Shenzhen and Dongguan ranking the top three in terms of technology turnover.

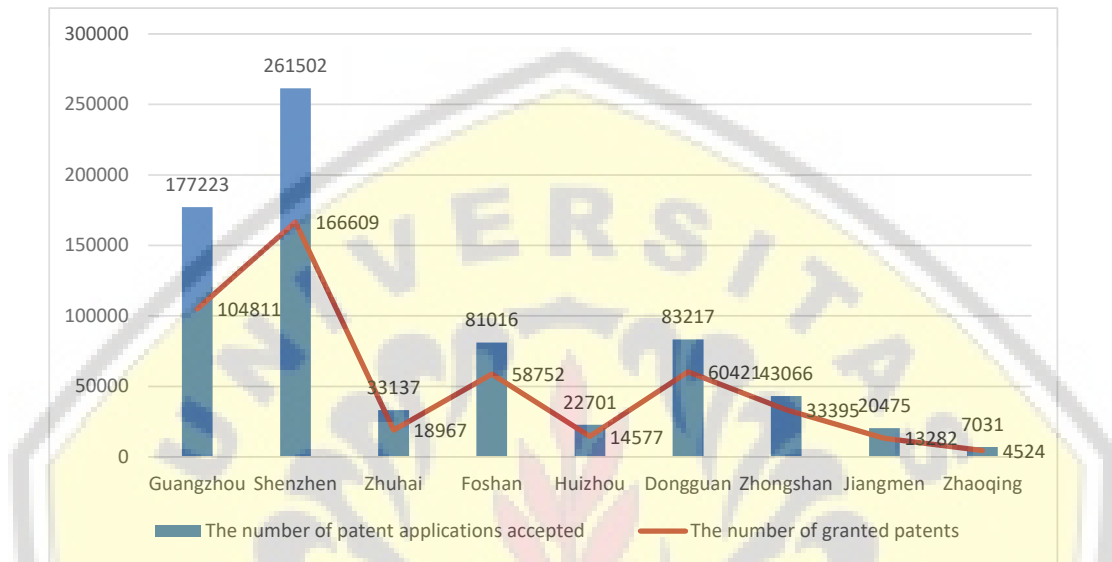


Figure 2: Number of patent Applications and number of patents granted in 9 PRD cities in 2019

Source: Guangdong Science and technology Innovation Dynamic Data [2020] phase I, Guangdong Science and Technology statistics in 2020

There were more than 40,000 high-tech enterprises in the nine PRD cities, and the output value of high-tech products was 7.11 trillion yuan, accounting for 52.6% of the total industrial output value on average. The output value of high-tech products in Shenzhen is far ahead, reaching 2.62 trillion yuan, accounting for more than 70.4% of the total industrial output value (see Figure 3). The output value of high-tech products in Shenzhen, Zhuhai, Huizhou, Dongguan, Zhongshan and Jiangmen all accounts for more than 50% of the total industrial output value.

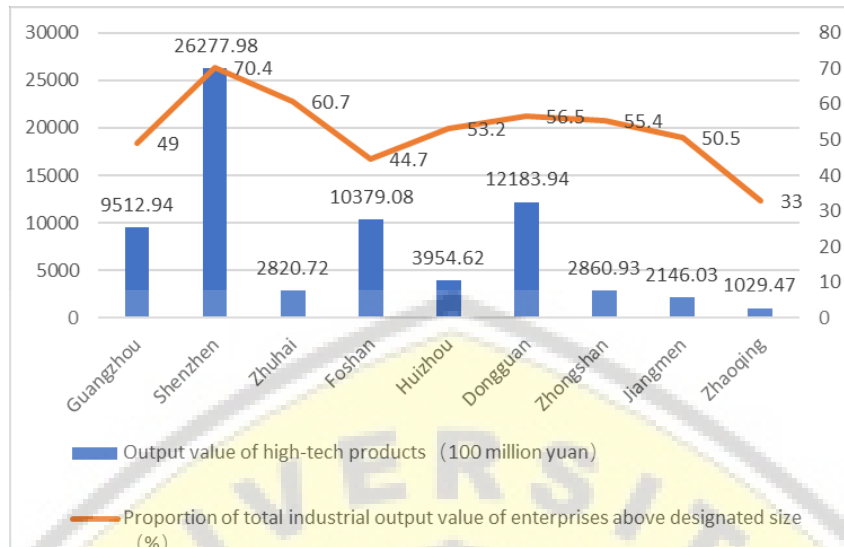


Figure 3: Output value of high-tech products and proportion of total industrial output value in the nine Pearl River Delta cities in 2019

Source: Guangdong Science and technology Innovation Dynamic Data [2020] phase I, Guangdong Science and Technology statistics in 2020

In 2018, Hong Kong invested HK \$24.4 billion in R&D, of which HK \$10.9 billion went to industry and commerce and HK \$12.3 billion went to higher education. In 2019, 17,323 patent applications were filed in Hong Kong, and the output value of high-tech products was HK \$2.5 trillion. In 2019, only 38 patents were filed in Macao.

2. Research institutions in the Guangdong-Hong Kong-Macao Greater Bay Area

There are more than 240 national innovation centers in the Guangdong-Hong Kong-Macao Greater Bay area, including national key laboratories, national engineering technology research centers, national engineering laboratories, national engineering technology research centers, state-local joint engineering research centers, and national Enterprise technology centers. By the end of 2020, Guangdong had 45 state-local joint engineering research centers.

There are more than 300 provincial-level industry-university-research platforms, 5944 provincial-level engineering technology research centers, 108 provincial-level engineering laboratories, and 1434 provincial-level enterprise technology centers. In December 2019, the first 10 Guangdong-Hong Kong-Macao joint laboratories were officially inaugurated.

Greater Bay Area has the Guangdong branch of Chinese Academy of Sciences, Shenzhen Institute of advanced technology of Chinese Academy of Sciences, South China University of Science and Technology, South China University of Technology, Sun Yat-Sen University, University of Hong Kong, the Hong Kong Polytechnic University, Hong Kong University of Science and Technology, the Chinese University of Hong Kong, University of Macau, Macau University of Science and Technology as the representative of basic and application research base of the world. The Guangdong-Hong Kong-Macao Greater Bay Area has gradually formed a cultural atmosphere conducive to innovation, entrepreneurship and research. Superior scientific research culture gene is conducive to attracting outstanding world-type talents to return home, and lays a cultural foundation for the construction of high-level laboratories and scientific research institutions facing the world's scientific and technological frontier.

Hong Kong and Macao have a solid foundation for education and scientific research. In 2018, the Ministry of Science and Technology with the Hong Kong signed the "mainland and Hong Kong on strengthening innovation of science and technology cooperation arrangement", covering scientific research, scientific and technological cooperation platform and base construction, personnel training, Hong Kong's 16 key lab partner lab officially changed its name to national key laboratory, incorporated into the national scientific research innovation system. In 2018, the Ministry of Science and Technology approved Macao to set up two new national key laboratories, namely, the National Key Laboratory of Smart City Internet of Things at the University of Macau and the National Key Laboratory of Lunar and Planetary Science at the Macau University of Science and Technology. By 2020, Macao had four national key laboratories.

3. Financial resource endowment of the Guangdong-Hong Kong-Macao Greater Bay Area

In 2020, the financial sector GDP of the Greater Bay Area will reach 1.5 trillion yuan, accounting 12% for GDP, significantly higher than the national average of 8%. By the end of 2020, the balance of deposits and loans of financial institutions in the Bay Area will exceed 75 trillion yuan, accounting for 19% of the national total.

The Guangdong-Hong Kong-Macao Greater Bay Area has two of the top 10 global financial centers, namely Hong Kong and Shenzhen. According to the 29th Global Financial Centers Index (GFCI 29) in March 2021, Hong Kong ranks 7th in the list of the world's top financial centers, Shenzhen 8th and Guangzhou 22nd in the list of global financial centers. Shenzhen ranked fourth in the financial sector, while Shenzhen, Hong Kong and Guangzhou ranked fourth, sixth and 11th respectively in fintech.

In December 2020, the 12th "China Financial Center Index (CDI-CFCI) report" showed that Shanghai, Beijing and Shenzhen were the top three financial centers in China, and Guangzhou ranked first among regional financial centers. Shenzhen ranked first in China among the top 10 cities for the development of local financial institutions, the top 10 cities for financial risk management and the top 10 cities for comprehensive financial policy support. Shenzhen ranks third in China among the top 10 cities for the development of corporate financial institutions, top 10 cities for the utilization of capital market, top 10 cities for the ability to gather financial talents, and top 10 cities for the level of financial openness and development. Shenzhen ranks second among the top 10 cities in the fund industry.

Practical problems faced by Greater Bay Area in building a modern industrial system

1. The Industrial layout is unbalanced and faces structural difficulties

Strategic pillar industry and strategic emerging industry are the organic components of modern industrial system. The strategic pillar industry plays the role of stabilizing the basic plate of economic development. The strategic emerging industry not only has its own development rules, but also supports the development of strategic pillar industry with technology spillover.

The Guangdong-Hong Kong-Macao Greater Bay Area has strong strategic pillar industries, but in recent years, the decline in external demand, trade friction and the rise in factor costs have led to the slowdown in the development of traditional industries, and the added value of the industry is still low. At the same time, the proportion of strategic emerging industries in GDP is not high, and emerging industries cannot grow into pillar industries in the short term, causing structural problems in the industrial development of the Greater Bay Area. Pillar industries and emerging industry have not been formed vertical cooperation pattern. In addition, some emerging industries have repeated construction, excessive investment and other phenomena are not conducive to the sustainable development of emerging industries, such as "small but complete", poor professional division of labor, excessive competition for limited high-tech talents, and low capital utilization efficiency.

2. The technological innovation system is not sound, basic research is weak and the supply of high-tech personnel is insufficient

The allocation of scientific and technological innovation resources in the Guangdong-Hong Kong-Macao Greater Bay Area has not yet formed an ecological system, and the infrastructure, such as industry-university-research technology innovation and application platform system and technology supply and demand trading market, surrounding enterprises and industries are not perfect, resulting in the slow commercialization and industrialization of scientific and technological achievements.

Scientific research institutes have many scientific and technological innovation resources input and abundant scientific and technological achievements output, but high-quality scientific and technological achievements cannot be commercialized because there is no matching industrialization platform, resulting in the waste of scientific research funds and scientific and technological achievements. Basic research is weak, the number of key technological innovation platforms around the problem of "bottleneck and chain failure" is limited, and collaborative innovation mechanism has not been established on the platforms.

High-tech talent and technology cultivating skilled talents cannot meet the needs of the development of strategic emerging industry. Semiconductor, robots and other industries need more research and development personnel, education system cannot meet the needs of industrial upgrading, in addition has not cultural ecology to attract international talents such as New York bay.

3. The ecosystem of science and technology and finance is not sound, and the pattern of mutual promotion between science and technology and finance has not yet been formed

Building an efficient and dynamic technology and financial ecosystem in the Guangdong-Hong Kong-Macao Greater Bay Area is an arduous task and a complex process. The Guangdong-Hong Kong-Macao Greater Bay Area has international financial centers such as Hong Kong, Shenzhen and Guangzhou. However, traditional banking, investment banking and securities and fund services remain core businesses. Due to legal restrictions in China, corporate debt financing and equity financing are isolated from each other, and the joint business model of investment and loan for innovative enterprises has not yet been formed. Private equity funds and other equity financing institutions pay insufficient attention to early projects. Traditional financial institutions such as banking and insurance are short of science and technology financial talents, and the supporting modes of science and technology banking, science and technology insurance and science and technology guarantee for science and technology innovation are still in the exploratory stage.

The sci-tech financial system centering on strategic emerging industries is still in its initial stage, and it is still a traditional sci-tech financial model for technology and enterprises to seek funds. Compared with world-class bay, New York, San Francisco bay have large scale of financial talents, innovative financial services model, world-class bay areas are entering into the advanced stage of mutual promoting development of science and technology and finance. It has formed a dynamic cultural atmosphere and ecosystem for innovation and entrepreneurship.

Analysis of the path for the Guangdong-Hong Kong-Macao Greater Bay Area to build a modern industrial system and promote high-quality economic development

The report to the 19th National Congress of the Communist Party of China pointed out that "implementing the new development concept and building a modernized economic system". Modern industrial system is the important content and material base of modern economic system. The modern industrial system is characterized by the coordinated development between the real economy with modern finance, scientific and technological innovation, human resources and other elements. It is of great significance for the Guangdong-Hong Kong-Macao Greater Bay

Area to build a modern industrial system by accelerating the upgrading and transformation of traditional industries, shaping strategic emerging industrial clusters, forming a collaborative innovation system with enterprises as the main body, accelerating the training of high-tech and skilled personnel and the integrated development of science and technology and finance, etc.

1. Raising the effective supply level of the real economy and giving consideration to both traditional and emerging industries

Weak global demand, trade friction, a new round of regional competition of industrial transfer, declining demographic dividend, rising land cost and other internal and external factors have restricted the rapid economic growth of the Greater Bay Area. The Greater Bay Area urgently needs to accelerate the innovation and upgrading of industries and enterprises, accelerate the transformation of innovation-driven economic structure, and avoid falling into the structural trap. We will implement the industrial foundation reconstruction project. Fiscal and tax policies will guide and encourage the upgrading and transformation of traditional industries shifting to intelligent manufacturing and lean manufacturing, accelerate the digital transformation of manufacturing industry, improve the operation and management level and technological innovation level of traditional industries and enterprises, and further consolidate the foundation of strategic pillar industries. Light industry enterprises seize the opportunity of consumption upgrading to accelerate the improvement of production efficiency and product quality, research and develop new products suitable for the market, and build well-known brands. We will develop high-tech industries, strategic emerging industrial clusters, enrich the industrial layout, and strive to form technological leadership in key areas and core technologies such as new-generation information technology, high-end equipment manufacturing, green and low-carbon, new-energy vehicles, biopharmaceutical, digital economy, new materials, and Marine economy. We will strive to have a say in the global industrial chain and value chain in advantageous areas.

With the development of economic globalization, the division of global value chain and industrial chain is further refined and specialized. Producer services are emerging industries that have independently developed from within the manufacturing industry, which proves the great demand and important role of producer services. In GVCS, the proportion of added value of modern services, represented by producer services, is gradually rising, while that of manufacturing terminal links is declining. Developing and improving the quality of modern service industry is of great significance to the transformation and upgrading of industrial structure and the promotion of high-quality economic development. The degree of coupling and coordination between modern service industry and manufacturing industry determines the degree of advanced manufacturing industry. Especially, the direct improvement of the technological level of manufacturing industry in the form of modern producer services such as information service and scientific and technological service will bring about great changes in manufacturing industry and help to accelerate the rapid transformation and upgrading of manufacturing industry.

In July 2021, Guangdong province issued the Implementation Plan for Digital Transformation of Manufacturing Industry in Guangdong Province (2021-2025) and Several Policies and Measures for Digital Transformation of Manufacturing Industry. By 2025, it will promote the implementation of digital transformation of 50,000 enterprises, and drive 1 million enterprises to reduce cost, improve quality and increase efficiency of cloud application. With the wide application of a new generation of information technology, the digital economy has the new development of soil, change the manufacturing production mode, improve the production efficiency, help to achieve the optimal allocation of production materials.

2. Building a system of scientific and technological innovation in which enterprises play a leading role and strengthening international cooperation in scientific and technological innovation

Enterprises are the micro behavior subject of modern industrial system, the carrier of scientific and technological innovation application, and the core subject of participating in global value chain competition. At the Conference of Academicians of the Chinese Academy of Sciences and the 10th National Congress of China Association for Science and Technology on May 28, 2021, General Secretary Xi Jinping stressed that "the key to the integration of innovation chain and industry chain is to establish the leading position of enterprises in innovation." As the main body of the market economy, enterprises can accurately grasp their own technology needs, accurately grasp the market needs, understand the world's cutting-edge technology trends, and have a strong demand for transformation and upgrading. Establishing a collaborative innovation system with enterprises as the main body, exploring the participation role of enterprises under the juguo system, protecting intellectual property rights, and exploring a flexible cooperation model for the transformation of scientific and technological achievements can help solve the long-standing disconnection between scientific research and the needs of economic transformation and upgrading, and form a situation in which scientific and technological innovation and economic development promote each other. The realization of scientific and technological innovation serving the transformation of economic development mode and the adjustment of economic structure is of great significance to the construction of modern industrial system with innovation as the core feature.

The Guangdong-Hong Kong-Macao Greater Bay Area has a relatively complete industrial system. It has many well-known enterprises in traditional industries, and has initially formed high-tech industries and strategic emerging industry clusters. It also has many leading enterprises in science and technology and small and medium-sized enterprises in intelligent manufacturing, advanced manufacturing, modern service industry and other fields. The enterprises in the representative of strategic pillar industries and emerging industries shall take the initiative to undertake the key technology in the field of crucial tasks, provide funds for technology innovation and industrialization experimental base, scientific research institutions of all kinds of enterprises should actively integrate itself technical force for their own needs and the industry development direction, offer innovative resources and innovative talents. We will explore diversified models to build industry-university-research collaborative innovation alliances, accelerate enterprise transformation and upgrading and technological progress, and open up paths for industrialization and commercialization of scientific and technological achievements.

To comprehensively improve the technological innovation level of the Guangdong-Hong Kong-Macao Greater Bay Area from the perspective of building a national innovation system, we should not only encourage applied research from the perspective of technological innovation serving the real economy, but also pay attention to basic research and break the bottleneck in the development of key technological innovation by strengthening basic research. Relying on public laboratories and generic technology laboratories in the Greater Bay Area jointly develops generic technologies, build a generic technology collaborative research and development platform, and concentrate on key and core technologies. Strengthening the internal degree of specialization of strategic emerging industries, and to avoid strategic emerging industry development in the process of "conveniently small" phenomenon, to encourage small emerging enterprise merger and reorganization, improve industrial structure convergence, improve the utilization efficiency of enterprise funds, to avoid the war for talent.

We should strengthen international cooperation in science and technology, learn from advanced experience of developed countries in digital and intelligent transformation, integrate ourselves into international innovation networks, and tackle key technologies with a global perspective and an open mind. Capable enterprises and research institutions will go global, build science and technology innovation centers and joint laboratories with developed countries, jointly tackle the bottleneck problem, make good use of world-class scientific and technological talents,

and increase the speed of scientific and technological innovation. To strengthen cooperation between cities in the PEARL River Delta and Hong Kong and Macao in technology development and commercialization of scientific and technological achievements by relying on the Guangzhou-Shenzhen-Hong Kong-Macao Science and Technology Innovation Corridor, integrate Hong Kong and Macao's innovation strength with the PEARL River Delta industry chain, establish an industrial cooperation platform between cities in the Greater Bay Area, and speed up two-way industrial transfer. To develop higher vocational education, train more technical and skilled talents urgently needed by strategic emerging industries, encourage vocational education colleges and enterprises to jointly train more high-skilled talents with better quantity and quality, and create an innovative atmosphere to attract international talents to settle in the Greater Bay Area from the aspects of culture, livable and entrepreneurial ecology.

3. Promoting the mutually reinforcing and integrated development of the financial sector and the real economy

The upgrading and transformation of traditional industries and the rapid development of strategic emerging industries need the support of a large amount of capital. Diversified capital supply systems such as venture capital fund, mature enterprise private equity fund, stock exchange, science and technology insurance, science and technology credit, and science and technology guarantee can meet the capital needs of enterprises in different life cycles.

With international financial centers such as Hong Kong, Shenzhen and Guangzhou, the Guangdong-Hong Kong-Macao Greater Bay Area is endowed with abundant financial resources. In particular, Hong Kong's financial industry has an international background. Make good use of Hong Kong's role as a channel to attract international capital into the development of the Guangdong-Hong Kong-Macao Greater Bay Area, realize the integrated development of an international science and innovation center and an international financial hub, and realize the sustainable development of scientific and technological innovation. Strategic emerging industry is bound to attract a large number of high-quality domestic and foreign capital investment, help to shape of modern industrial system, collaborative innovation system.

Financial big data and other fintech means are used to establish the evaluation system of science and technology enterprises. The evaluation system can provide comprehensive services for government finance, banks, private equity funds and other institutions to improve financing efficiency and capital utilization efficiency.

4. Use digital factors to enhance the overall influence of trade and economy and boost the pattern of dual-circulation development

The Guangdong-Hong Kong-Macao Greater Bay Area should seize the historic opportunity of the fourth industrial revolution and technological revolution, rely on its strong manufacturing base and huge market size, deeply participate in the redistribution of global value chain and industrial chain, strengthen economic and trade cooperation with countries along the Belt and Road, and build a modern industrial system from an international perspective.

Relying on the pilot of Free Trade Zone (Guangdong), we will improve the transnational optimal allocation of industrial resources, strengthen industrial cooperation, encourage enterprises in the Greater Bay Area with an international perspective and strength to go global, establish an inter-regional industrial division of labor, and jointly build an independent and controllable inclusive global value chain with countries along the Belt and Road. To explore digital elements to drive the global value chain division of labor pattern, reshape global trade interests mechanism, Hong Kong and Macao play a big lead in the field of digital economy in this region, further

strengthening trade and economic influence, using intelligent digital elements cross-border trade platform of digital infrastructure, through digital manufacturing and trade links. We will enhance the overall influence of manufacturing and industrial chains, integrate international and domestic market resources, make good use of the strategic opportunities of the Belt and Road Initiative, expand diversified trade channels, and form a pattern of economic development in which both domestic and international cycles reinforce each other.

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**INTERNATIONAL JOURNAL OF
CREATIVE RESEARCH AND STUDIES**

www.ijcrs.org

ISSN-0249-4655

**Assessment by the National Narcotics Agency in the Settlement
of Narcotics Cases Based on the Perspective of
Criminal Law Policy**

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Abstract

In the context of handling narcotics crime cases in Indonesia, an Integrated Assessment Team has been formed. This is because narcotics crimes are no longer carried out individually, but involve many people who are together, even an organized syndicate with an extensive network that works neatly and very confidentially both at the national and international levels. Based on the impact of the wrong use of narcotics, the participation of the government and the community to combat narcotics abuse is very useful for reducing, eradicating, narrowing the space for illicit narcotics trafficking and implementation as an effort to overcome narcotics crimes.

Keywords: *Assessment, Narcotics, Government and Society*

Introduction

The explanation of the provisions of Article 1 of Law Number 35 of 2009 concerning Narcotics states that narcotics are substances or drugs that are very useful and necessary for the treatment of certain diseases. However, if it is misused or used not in accordance with treatment standards, it can have very detrimental consequences for individuals or society, especially the younger generation. This will be more detrimental if accompanied¹ with the abuse and illicit trafficking of narcotics which can result in greater danger to the life and cultural values of the nation which in the end will be able to weaken national security.

¹Alfi Fahmi Adicahya, Combating Narcotics Crime and Its Challenges, Journal of Law, University of Muhammadiyah Malang : UMM Press, 2016, p. 30

Regarding the problem of narcotics abuse in Indonesia, Siswanto gave the opinion that currently, the Indonesian people and even the world community in general are faced with a very worrying situation due to the increasing number of illegal uses of various narcotics. This concern has been exacerbated by the wide spread of illicit trafficking in society, including among the younger generation.²This will greatly affect the life of the nation and state in the future, because the younger generation is the successor to the ideals of the nation and state in the future. To achieve these goals and maintain the continuity of national development in a safe, peaceful, orderly, and dynamic atmosphere both in the national and international environment, it is necessary to increase control over matters that can disrupt national stability, including the abuse and illicit trafficking of narcotics.

Narcotics if misused or used not in accordance with treatment standards can have very detrimental consequences for individuals or society, especially the younger generation. This will be more detrimental if accompanied by abuse and illicit trafficking of narcotics which can result in greater danger to the life and cultural values of the nation which in turn will weaken national resilience. Regarding the problem of narcotics abuse in Indonesia, Kusno Adi gave his opinion that: The problem of narcotics abuse deserves special attention considering the impact that will be caused is very comprehensive and complex because the crime of narcotics abuse is always increasing every year. This issue is becoming very important for the world,³ This is because Narcotics is a substance that can damage the physical and mental users.

The provisions of Law Number 35 of 2009 concerning Narcotics (hereinafter referred to as the Narcotics Law) have regulated criminal sanctions that will be given to those who violate them. The sanctions given to perpetrators of criminal acts are actually quite heavy, in addition to being subject to imprisonment and fines, the most important thing is to be subject to minimum and maximum criminal penalties, both imprisonment and fines and the threat of a death penalty shows the severity of the criminal sanctions regulated in this Narcotics Act. The formulation of Articles 111 to 148 of the Narcotics Law stipulates that the penalties that can be imposed are: death penalty, imprisonment, confinement, fines, corporate crime, and medical rehabilitation.

Sanctions regulated in the Narcotics Law adhere to a double track system, namely in the form of criminal sanctions and action sanctions. Rehabilitation is one form of action sanctions. According to Article 103 of the Narcotics Law, it is affirmed that judges can decide or assign narcotics addicts to undergo treatment and/or treatment. In 2009 the Supreme Court issued a Supreme Court Circular (SEMA) Number 07 of 2009, which was addressed to district courts and high courts throughout Indonesia to place narcotics addicts in rehabilitation centers and most recently was the issuance of the Supreme Court Circular Letter (SEMA) Number 04 of 2010 concerning Placement of Abuse.

Sentencing by judges in narcotics cases is still not effective in its implementation. Most of the narcotics addicts were not sentenced to rehabilitation as stated in the Narcotics Law, but were sentenced to prison even though the provisions of the Narcotics Law had guaranteed rehabilitation efforts, both medical rehabilitation and social rehabilitation as regulated in Article 54, Article 56, Article 103, and Article 127 of the Narcotics Law. Based on the situation and conditions as described above, the eradication of narcotics crimes is not complete. Criminal witnesses such as imprisoning abusers or addicts in prison walls without any attempt to be cured, can even plunge them into the illicit traffic of narcotics.

The understanding and agreement of the government and law enforcement officers in dealing with narcotics crimes is realized through a Joint Regulation of the Chief Justice of the Republic of Indonesia, the Minister of Law and Human Rights of the Republic of Indonesia, the Minister of Health of the Republic of Indonesia, the Minister of Social Affairs of the Republic of Indonesia, the Attorney General of the Republic of Indonesia, the Chief of the Police. Republic of Indonesia, Head of the National Narcotics Agency of the Republic of Indonesia Number 01/PB/MA/III/2014, Number 03 of 2014, Number 11 of 2014, Number 03 of 2014, No. PER-

² Siswanto S. Legal Politics in the Narcotics Law. PT. Rineka Cipta. Jakarta. 2012. p. 43

³ Kusno Adi, Criminal Policy in Combating Narcotics Crime, UMM Press, Malang, 2009, p. 30

005/A/JA/03/2014, Number 1 of 2014, Number PERBER/01/III/2014/BNN concerning Handling Narcotics Addicts and Victims of Narcotics Abuse in Rehabilitation Institutions, hereinafter referred to as joint regulations. Thus, abuse and narcotics addicts no longer lead to imprisonment,

Based on the joint regulation, an Integrated Assessment Team was formed at the central, provincial, and district/city levels consisting of a team of doctors and a legal team tasked with carrying out an analysis of the role of suspects who were arrested at the request of investigators related to the illicit trafficking of narcotics, especially for addicts. The team then carries out a legal analysis, medical analysis and psychosocial analysis and makes a rehabilitation plan that includes how long rehabilitation is needed.

The results of the assessment as the completeness of the case file function as information such as visum et repertum.⁴The results of the analysis will sort out the role of the suspect as an abuser, abuser concurrently dealer or dealer. The Integrated Assessment Team's analysis of abusers will produce levels of addicts ranging from heavy, middle and light class addicts where each level of addicts requires different rehabilitation. Based on the description of the explanation and description of the background that has been described above, it is important to have an analysis of the implementation of an integrated assessment for narcotics users and addicts, because on the one hand the assessment results are used by judges in making decisions but on the other hand based on evidence and judges' beliefs, the results of the assessment were ignored by the judge.

Research Methods

This research uses normative legal research. Normative legal research includes several sections, including: research on legal principles, legal systematics, level of legal synchronization, comparative law and legal history. The approach used in this research includes a conceptual approach, a statutory approach, and a case approach. The legal materials used consist of primary, secondary and non-legal legal materials. Primary legal materials consist of: Law of the Republic of Indonesia Number 1 of 1946 concerning Criminal Law Regulations (KUHP). Law Number 8 of 1981 concerning Criminal Procedure Code, Law Number 35 of 2009 concerning Narcotics, Joint Regulation of the Chairperson of the Supreme Court of the Republic of Indonesia, Minister of Law and Human Rights of the Republic of Indonesia, Minister of Health of the Republic of Indonesia, Minister of Social Affairs of the Republic of Indonesia, Attorney General of the Republic of Indonesia, Chief of the Indonesian National Police, Head of the National Narcotics Agency of the Republic of Indonesia. No. 01/PB/MA/III/2014, No. 03 of 2014, No. 11 of 2014, No. 03 of 2014, No. PER-005/A/JA/03/2014, No. 1 of 2014, No. PERBER/01/III/2014/BNN concerning Handling of Narcotics Addicts and Victims of Narcotics Abuse in Rehabilitation Institutions, Secondary legal materials are books, journals, legal scientific papers and court decisions. Non-legal materials in the form of non-legal books and information accessed via the internet.

Discussion

The definition of narcotics crime is not found in the Narcotics Act. In the provisions of the Narcotics Law, several narcotic crimes are determined, namely in Articles 111 to 148 of the Narcotics Law. In the Narcotics Law, it is determined that the punishment that can be imposed is in the form of death penalty, imprisonment, confinement and fines. Criminals can also be imposed on corporations in the form of revocation of business licenses; and/or revocation of legal entity status.

Likewise, the definition of narcotics crime is also not mentioned in Law Number 22 of 1997 concerning Narcotics and Law Number 5 of 1997 concerning Psychotropics, as well as the previously applicable laws, such as Stb, 1927. Number 278 in conjunction with Number 536 concerning Ver Doovende Middel en Ordonantie and Law Number 9 of 1976 concerning Narcotics. The Narcotics and Psychotropic Law does not discuss the

⁴ Visum et repertum is a written statement made by doctor in science forensic medicine (See: Forensic pathology) upon request investigator authorities regarding the results of medical examinations against man, good life or dead or part or suspected part human body, based on his knowledge and below oath, for the benefit of pro justitia

definition of narcotics and psychotropic crimes, but on the basis of the understanding and explanation of the criminal acts above, it will assist in providing an understanding of narcotics and psychotropic criminal acts which of course still refers to the provisions contained therein. in Law Number 5 of 1997 concerning Psychotropics.

In proving narcotics criminal cases, the evidence is based on the evidence regulated in Article 184 of the Criminal Procedure Code, where the Narcotics Law is *lex specialis derogat legi generalis*, i.e. special provisions override general provisions. Legal evidence is tools that have to do with a criminal act, where these tools can be used as evidence to raise the judge's belief in the truth of a criminal act that has been committed by the Defendant. According to Article 184 paragraph (1) of the Criminal Procedure Code, that the valid evidence is: (1) Witness Statement, (2) Expert Statement, (3) Letter, (4) Instructions and (5) Defendant's Statement. Here, the author describes the description of the provisions of Article 184 paragraph (1) of the Criminal Procedure Code.

In this case, the government establishes an assessment where this assessment functions as a means to obtain information related to narcotics from addicts and victims of narcotics abusers by forming an integrated assessment team based on a Joint Regulation of the Chairman of the Supreme Court of the Republic of Indonesia, the Minister of Law and Human Rights of the Republic of Indonesia, the Minister of Health. The Republic of Indonesia, the Minister of Social Affairs of the Republic of Indonesia, the Attorney General of the Republic of Indonesia, the Head of the Indonesian National Police and the Head of the National Narcotics Agency of the Republic of Indonesia Number: 01/PB/MA/III/2014, Number: 03 of 2014, Number: 11/2014 Number: 03 of 2014, Number: PER-005/A/JA/03/2014, Number: 1 of 2014, Number: PERBER/01/III/2014/BNN concerning Handling Narcotics Addicts and Victims of Narcotics Abuse in Rehabilitation Institutions.

The assessment process that occurs at the investigation stage both carried out by BNN and the Police is the same. This similarity is due to the fact that the police and BNN (the Attorney General's Office and the Ministry of Law and Human Rights) are members of the legal team in the integrated assessment team. Since the enactment of the Joint Regulations above, the narcotics investigation process in the police against addicts who report themselves will be recommended to visit the Reporting Recipient Institution (IPWL) for an assessment to determine the level of addiction as a determinant of the rehabilitation time. This is not done by the police when arresting a suspect in a case. narcotics. Against this case, the police will first hand over the suspect to an integrated assessment team to determine the level of addiction and to determine whether the person is eligible for rehabilitation. This is in accordance with Article 8 paragraph (3) of the Regulation of the Head of the National Narcotics Agency Number 11 of 2014 concerning Procedures for Handling Suspects and/or Defendants of Narcotics Addicts and Victims of Narcotics Abuse in Rehabilitation Institutions, which reads: "The assessment as referred to in paragraph (2) is carried out based on the investigator's request to the integrated assessment team.

Based on the explanation above, in this case regarding the task of assessment as a means to obtain information related to narcotics from addicts and victims of narcotics abusers, it can be understood with several explanations as follows:

The BNN assessment in the Narcotics case becomes evidence in the trial

One of the interesting things regarding the Narcotics Law is that there are 2 (two) institutions authorized to carry out investigations, namely the Indonesian National Police and the National Narcotics Agency (BNN). This is in accordance with Article 81 of Law Number 35 of 2009 concerning Narcotics, which reads: Investigators of the Indonesian National Police and BNN investigators are authorized to investigate the abuse and illicit trafficking of Narcotics and Narcotics Precursors based on this Law. Furthermore, the Indonesian National Police also synergizes with the National Narcotics Agency plus several other government agencies where the form of

cooperation is carried out by issuing joint regulations in the context of handling narcotics addicts, namely the Joint Regulation of the Chief Justice of the Supreme Court of the Republic of Indonesia,

Rapid action is carried out by institutions bound by these joint regulations. That is, to implement the joint regulation, the agency issues implementing regulations. The Indonesian National Police issued a telegram letter from the National Police Chief No.: STR/865/X/2015 and so on. The implication of handling narcotics addicts is that an Integrated Assessment Team (TAT) must be formed where this team consists of a team of doctors, namely doctors and psychologists as well as a legal team consisting of elements of the National Police, BNN, Attorney General's Office and involving the Ministry of Law and Human Rights (BAPAS) if the suspect and/or the defendant is a child. The involvement of the police in the assessment team is an important part of handling narcotics addicts because the Narcotics Law includes investigators other than BNN. Even in the Narcotics Act.

The portion of BNN's authority for narcotics crimes is greater than that of the police. However, it should be understood that the presence of the police in every investigation and investigation of criminal acts plays a major role because basically the functioning of the law in the field is largely determined by the police in social engineering. In addition, the presence of the police tends to be closer to the community from an empirical and normative perspective. The development of handling narcotics crimes, especially narcotics addicts, is an assessment action against them. It has been given an understanding related to the assessment described in the concept of letter a where the assessment is a process to obtain data/information from the learning process which aims to monitor the progress of the learning process and provide feedback. Furthermore, In the legislation, the term that exists is that an integrated assessment team is a team consisting of a team of doctors and a legal team appointed by the head of the local work unit based on a decree from the head of the National Narcotics Agency, Provincial National Narcotics Agency, Regency/City National Narcotics Agency. Specifically, the term assessment is not found in the legislation.⁵

The description above illustrates that the assessment is a task that must be carried out by a person or a team where if it is understood that the one who carries out the assessment is an integrated assessment team. The integrated assessment team consists of 2 (two) teams, namely a team of doctors, consisting of: doctors and psychologists as well as a legal team consisting of: elements of the Indonesian National Police (Police of the Republic of Indonesia), BNN (National Narcotics Agency), Attorney General's Office and Kemenkumham (Ministry of Law and Human Rights). HAM). In proving narcotics criminal cases, evidence is based on the evidence provided for in Article 184 of the Criminal Procedure Code, where the Narcotics Law is *lex specialis derogat legi generalis*, namely special provisions overriding general provisions. Legal evidence is tools that have to do with a criminal act, where these tools can be used as evidence in order to raise the Judge's belief in the truth of a criminal act that has been committed by the Defendant. According to Article 184 paragraph (1) of the Criminal Procedure Code, that the valid evidence is: (1) Witness Statement, (2) Expert Statement, (3) Letter, (4) Instructions and (5) Defendant's Statement. Here, the author describes the description of the provisions of Article 184 paragraph (1) of the Criminal Procedure Code.

Furthermore, in the provisions of Article 86 of Law Number 35 of 2009 concerning Narcotics, it is stated that:

- 1) Investigators can obtain evidence other than those referred to in the Law on Criminal Procedure.
- 2) The evidence as referred to in paragraph (1) is in the form of:
 - a) Information that is spoken, transmitted, received, or stored electronically by optical or similar means; and
 - b) Recorded data or information that can be seen, read, and/or heard, which can be issued with or without the help of a means, either written on paper, any physical object other than paper or recorded electronically, including but not limited to: (1) writing, sound, and/or pictures; (2) maps, designs,

⁵Gita Santika Ramadhani, Criminal System and Double Track System Action in Indonesian Criminal Law. Diponegoro Law Review, Volume 1, Number 4, Year 2012, p.2-3

photographs or the like; or (3) letters, signs, numbers, symbols, codes, or perforations that have meaning that can be understood by people who are able to read or understand them.

The report on the results of the National Narcotics Agency assessment conducted by the BNN Team against a suspect or defendant is used as evidence in a narcotics crime trial. The proof requires the existence of at least 2 (two) pieces of evidence accompanied by the judge's conviction. In the case of drugs, the evidence used in principle includes the five pieces of evidence as referred to in Article 184 paragraph (1). One of the evidences used in narcotics cases is an assessment from the National Narcotics Agency. The results of the assessment of the integrated assessment team are the basis for BNN investigators in determining a suspected narcotics addict is rehabilitated in a rehabilitation institution or he is rehabilitated in a detention center because of his position not only as a narcotic addict but also a dealer, courier, or dealer.

The report on the results of the National Narcotics Agency assessment conducted by the BNN Team against a suspect or defendant is used as evidence in a narcotics crime trial. The report on the results of the BNN assessment can meet the criteria as evidence of expert testimony, evidence of letters, and evidence of expert testimony a de charge. In terms of the report on the assessment results as expert testimony, it refers to the provisions of Article 186 of the Criminal Procedure Code, namely expert testimony given in court. In the event that the report on the results of the BNN assessment as a letter refers to the provisions of Article 187 letter a of the Criminal Procedure Code with a statement that the report on the results of the BNN assessment is submitted to the judge in the form of a certificate and included in the official report. And then, the assessment report can be used as evidence for ade charge expert testimony, if the defendant's attorney presents a BNN doctor to give his statement in court as regulated in article 65 of the Criminal Procedure Code where the suspect or defendant has the right to present witnesses or experts who have mitigated him. Judges in making their decisions on narcotics addicts, narcotics abusers, victims of narcotics abuse can pay attention to the recommendations as stated in the report on the results of the BNN assessment. In making his decision, the judge considers the juridical and non-juridical aspects. The judge who refers to the report on the results of the BNN assessment includes juridical and non-juridical considerations. Judges in making their decisions on narcotics addicts, narcotics abusers, victims of narcotics abuse can pay attention to the recommendations as stated in the report on the results of the BNN assessment. In making his decision, the judge considers the juridical and non-juridical aspects. The judge who refers to the report on the results of the BNN assessment includes juridical and non-juridical considerations. Judges in making their decisions on narcotics addicts, narcotics abusers, victims of narcotics abuse can pay attention to the recommendations as stated in the report on the results of the BNN assessment. In making his decision, the judge considers the juridical and non-juridical aspects. The judge who refers to the report on the results of the BNN assessment includes juridical and non-juridical considerations.

Criminal Law Policy Against Regulation Assessment of the National Narcotics Agency (BNN) in Narcotics Crime Cases

Narcotics abuse for oneself according to the theory of criminal law is a crime or criminal act without victims, in the sense that the perpetrators of this narcotics abuse consciously and of their own volition use Narcotics without having permission and the perpetrator does not feel like a victim because he feels the benefits or benefits from the use of narcotics. These narcotics. On the other hand, the perpetrators are actually not aware that they have become an easy target for Narcotics dealers who continue to try in various ways to increase the use of Narcotics so that they get more and more profits.

In fact, there is no crime that does not cause victims, all criminal acts must cause victims both for the perpetrators themselves and for others. The author does not agree with the statement that narcotics abuse for oneself is a victimless crime. The perpetrators of this type of crime are increasingly lulled by the false pleasures provided by Narcotics so that they do not realize how terrible the consequences will be if the perpetrator is already in the category of addicts, namely people who consciously use Narcotics to the level of dependence which if reduced or stopped will have an impact. both physically and psychologically.

The rehabilitation policy for victims of narcotics abuse has indeed caused a legal polemic in its application, especially in the implementation of a policy to rehabilitate addicts/narcotics users, often the policies implemented have not fully based on the principles of justice, but on the other hand, rehabilitation policies are carried out aiming to carry out the sentencing process. Narcotics addicts and victims of narcotics abuse are required to undergo medical rehabilitation and social rehabilitation. Elucidation of Article 54 states that "What is meant by 'victim of Narcotics abuse' is someone who accidentally uses Narcotics because he is persuaded, deceived, cheated, forced and/or threatened to use Narcotics",⁶

Judges are also given authority to addicts who are not guilty of narcotics crime to be determined to undergo treatment and rehabilitation. This provision raises the question, is the use of the word "can" an absolute reference so that the judge decides or determines that Narcotics addicts undergo the rehabilitation process? This is contrary to Article 54 which uses the word "compulsory" to undergo rehabilitation. Does the application of treatment and rehabilitation orders that are applied at the level of investigation also have to be ordered by a judge/court? become an absolute reference so that the judge decides or determines that Narcotics addicts undergo the rehabilitation process? This is contrary to Article 54 which uses the word "compulsory" to undergo rehabilitation. Does the application of treatment and rehabilitation orders that are applied at the level of investigation also have to be ordered by a judge/court? become an absolute reference so that the judge decides or determines that Narcotics addicts undergo the rehabilitation process? This is contrary to Article 54 which uses the word "compulsory" to undergo rehabilitation. Does the application of treatment and rehabilitation orders that are applied at the level of investigation also have to be ordered by a judge/court?⁷

Taking into account that the majority of prisoners or detainees in narcotics cases are categorized as users or even victims, which if viewed from the aspect of their health are actually people who are sick, therefore imprisoning the person concerned is not the right step, then the Supreme Court with a benchmark the provisions of article 103 of Law Number 35 of 2009 concerning Narcotics take a step forward in building a paradigm of stopping criminalization or decriminalization of narcotics addicts by issuing a Supreme Court Circular (SEMA) Number 4 of 2010 concerning the determination of Narcotics Abusers and Addicts to Medical Rehabilitation Institutions and Social Rehabilitation. Where SEMA Number 4 of 2010 can be used as a basis for consideration or reference for judges in imposing rehabilitation sanctions.⁸

Victims in a crime need to get legal protection, to avoid the trauma experienced in order to carry out life normally again. The same thing must also be done to victims of narcotics abuse crimes. The nature of narcotics which has an addictive effect on the victim must be of more concern to the authorities to ensure that the victim does not repeat his actions in the future. To find out the legal protection efforts given to victims of narcotics abuse. The author conducted research at the East Java Provincial National Narcotics Agency (BNNP) and interviewed the Head of the Rehabilitation Division, AKBP Firmansyah, regarding the efforts made by BNN to provide legal protection for victims of narcotics abuse. He stated that the legal protection provided was a rehabilitation process for victims of narcotics abuse. The Indonesian government has targeted around 10,000 rehabilitation for addicts in Indonesia, while the East Java BNNP itself has completed around 6,187 narcotics addicts who entered rehabilitation from the target of 5,782 rehabilitation for narcotics addicts.

If a narcotics addict has been convicted by a judge of a narcotic crime he has committed, in order to provide an opportunity for the person concerned to be free from his addiction, the judge may decide to order the person

⁶ Krinawati, Dani & Niken Subekti Budi Utami, Implementation of Rehabilitation for Narcotics Addicts at the Investigation Stage After the Enforcement of Joint Regulations 7 (Seven) State Institutions of the Republic of Indonesia, Yogyakarta: Research Results of the Faculty of Law, Gadjah Mada University, 2014

⁷ Sholehuddin, Sanction System in Criminal Law, Basic Idea of Double Track System and Its Implementation. Raja Grafindo Jakarta, 2003, p.27

⁸ Directorate of Guidance for the Police, Combating the Abuse of Narcotics Hazards, Jakarta, Directorate of Guidance for the Police, 2018

concerned to undergo treatment and/or treatment. Likewise, if the narcotics addict is not proven guilty on charges of committing a narcotic crime, the judge may decide to order the person concerned to undergo treatment and/or treatment. Within the limits of the possible protection of the rights of Indonesian citizens, the principles contained in the Narcotics Law are:

- a) Whereas the Narcotics Law is also used to affirm or re-enforce the basic social values of people's behavior in life in the Unitary State of the Republic of Indonesia which is imbued with the philosophy of the State of Pancasila.
- b) That the Narcotics Law is the only legal product that effectively fortifies the perpetrators of Narcotics crime.
- c) In using other legal products, efforts must be made in earnest that the minimum method does not glorify individual obligations without compromising the protection of the interests of a democratic and modern society.⁹

The implementation of rehabilitation for addicts/narcotics users in this offense needs to be understood that a punishment does not have to be harsh in the form of confinement or imprisonment, but the implementation of punishment can also be in the form of restoring physical and mental health from negative to positive. One of them is with rehabilitation.

The establishment of Law no. 35 of 2009 concerning Narcotics is aimed at affirming or re-establishing the basic social values of people's behavior in life in the Unitary State of the Republic of Indonesia which is imbued with the philosophy of the State of Pancasila.¹⁰The statement provides an illustration that the purpose of the establishment of the Narcotics Law is not only to eradicate criminal acts of narcotics abuse, but there is another side to the purpose of the establishment of the Narcotics Law is to re-establish the basic social values of people's life behavior, on the basis of which the rehabilitation policy is based. is a form of punishment that maintains the ethics of punishment based on the principles of humanity, justice and expediency without destroying moral values in society?

The eradication of criminal acts of narcotics is an effort made by law enforcers in the enforcement of narcotics abuse crimes and the juridical consequences of violations of the Narcotics Law. The eradication of narcotics crime is related to social facts. Pound places great emphasis on effective work and for that he attaches great importance to the operation of law in society. Therefore, Pound distinguishes the meaning of Law in books on the one hand and law in action on the other.¹¹This distinction can be applied to all areas of law. The teachings highlight the problem of whether the law is applied to patterns of behavior. This can be expanded further to include issues of court decisions and their implementation as well as between the content of a regulation and its real effect.¹²

Policies in the prevention and eradication of narcotics crime are part of legal politics. The policy is a comprehensive effort in realizing a healthy young generation in order to improve the welfare of the community. This is in line with the opinion of Soehardjo Sastrosoehardjo in Wisnubroto and Widiatama that: "Legal politics does not stop after the issuance of the Act, but it is precisely here that problems begin to arise. Both those that have been estimated or calculated from the start as well as other problems that arise unexpectedly. Each Law requires a long period of time to conclude how far the legal political objectives of the Law can be achieved. If the expected results are difficult to achieve,¹³

⁹Mardjono Reksodiputra. 1995. Criminal Law Reform, Center for Legal Services and Control (formerly the Criminology Institute). Jakarta : University of Indonesia. pp. 23-24.

¹⁰Barda Nawawi Arif. 2008. Capita Selekta of Criminal Law on Integrated Criminal Justice System. Semarang: Diponegoro University Publishing Agency. hlm. 19-20.

¹¹Roscou Pound. 1996. Introduction to the Philosophy of Law (translation of Mohammad Radjab). Jakarta: Bharatara Publisher. p. 55.

¹²Otje Salman. 1999. Some Aspects of Sociology of Law. Bandung: Alumni. p. 35.

¹³AL Wisnubroto and G. Widiatana. 2005. Renewal of the Criminal Procedure Code. Bandung : Citra Aditya Bakti. p. 10.

An addict and victim of narcotics abuse is a victim of narcotics so he deserves to be called a sick person. As a result, an addict and a victim of narcotics abuse must undergo treatment by entering him into a medical rehabilitation institution and/or social rehabilitation. The placement of addicts and victims of narcotics abuse into the rehabilitation institution is in accordance with the objectives of the law as mandated in Article 4 letter d of Law Number 35 of 2009 concerning Narcotics. Addicts and victims of drug abuse. In addition, Article 127 of Law Number 35 of 2009 concerning Narcotics is also used as a guideline by judges in passing rehabilitation decisions to addicts and victims of narcotics abuse (although not mandatory) by considering the provisions of Article 54, Article 55 and Article 103 of Law Number 35 of 2009 concerning Narcotics. Law Number 35 of 2009 concerning Narcotics, specifically the placement of rehabilitation for addicts and narcotics abusers who are in the legal process is also regulated in Article 13 paragraph (4) to paragraph (6) of Government Regulation No. 25 of 2011 concerning the Implementation of Compulsory Reporting Narcotics Addicts.

Assessment actions that lead to rehabilitation can already be started at the investigation stage. The authority to conduct investigations against narcotics crimes is the National Narcotics Agency (BNN) and the Indonesian National Police. The assessment process that occurs at the investigation stage both carried out by BNN and the Police is the same. This similarity is due to the fact that the police and BNN (the Attorney General's Office and the Ministry of Law and Human Rights) are members of the legal team in the integrated assessment team. Since the enactment of the Joint Regulations above, it is recommended that narcotics investigations in the police against addicts who report themselves will be recommended to visit the Reporting Compulsory Recipient Institution (IPWL) for an assessment to determine the level of addiction as a determinant of the rehabilitation time. This is not done by the police when arresting a suspect in a narcotics case. In this case, the police will first hand over the suspect to an integrated assessment team to determine the level of addiction and to determine if the person is worthy of rehabilitation.

Narcotics as already mentioned are substances or drugs that are very useful and necessary for the treatment of certain diseases. However, if it is misused or used not in accordance with treatment standards, it can have very detrimental consequences for individuals or society, especially the younger generation. This will be more detrimental if accompanied by abuse and illicit trafficking of Narcotics which can result in greater danger to the life and cultural values of the nation which in the end will be able to weaken national resilience in the life of the community, nation and state.¹⁴Based on this, it is necessary to increase efforts to prevent and eradicate narcotics crimes as stated in Law Number 35 of 2009 concerning Narcotics to prevent an increasing trend both quantitatively and qualitatively with widespread victims, especially among children, adolescents. and the younger generation in general.

Then in addition to the implementation of medical rehabilitation is social rehabilitation. As stated in Article 58 of Law Number 35 of 2009 that the social rehabilitation of former Narcotics Addicts is carried out both by government agencies and by the community. Social rehabilitation of ex-narcotics addicts is carried out at social rehabilitation institutions appointed by the Minister of Social Affairs. Here it is necessary to underline the word ex-narcotics addict, where in this case the former can be interpreted as someone who has recovered, recovered or no longer uses drugs. Social rehabilitation has benefits as a provision for former drug addicts to return to society so that they can be accepted and socialize with the community. Likewise, with the community, should be able to accept and help former addicts or former drug users.

In this case the most dominant main role is the family by providing love, attention, education and religion properly and sufficiently. In essence, the community must participate to prevent a former drug user from falling into the same hole again, namely drug abuse. So far, the rehabilitation program for victims has focused on

¹⁴Elrick Christovel Sanger, Law Enforcement Against Drug Trafficking Among the Young Generation, *Lex Crimen Journal*, Vol. 2, No 4, 2013

medical rehabilitation, while social rehabilitation has often been neglected. Whereas social rehabilitation plays an equally important role with medical rehabilitation. Even if medical rehabilitation has succeeded in eliminating a person's addiction to psychotropics, if it is not followed by social rehabilitation, the person will easily return to his old environment, then will become addicted to drugs.

This problem is often faced by drug users. Medical rehabilitation in practice often applies the isolation method as an effort to restore medical attention to victims. This method certainly has a logical consequence, that the victims lose their "social touch" during the process. At the same level, when the victims have finished the stage of medical rehabilitation, social rehabilitation is often not followed so that when the addict returns to public life, they are "social stutterers". Often there is an unpreparedness to adapt in social life so that the victim has a great chance to return to his old environment which is considered more comfortable and then return to drug addiction.

In the point of view of Law Number 35 of 2009 concerning Narcotics, that rehabilitation is a treatment and/or care. The implementation of rehabilitation in the perspective of Article 103 of Law Number 35 of 2009 is given by the judge who examines and decides on the narcotics abuse case where the judge can:

- a) Decide to order the person concerned to undergo treatment and/or treatment through rehabilitation if the Narcotics Addict is proven guilty of committing a Narcotics crime; or
- b) Determine to order the person concerned to undergo treatment and/or treatment through rehabilitation if the Narcotics Addict is not proven guilty of committing a Narcotics crime.

The period of undergoing treatment and/or treatment for narcotics addicts as referred to above is calculated as the period of serving the sentence. Thus, the implementation of rehabilitation decisions can be prioritized as an effort to overcome narcotics crimes along with the increasing number of victims of narcotics abuse. A criminal sentence with imprisonment is not an effective solution because the abuse of narcotics and illegal drugs (drugs) can penetrate the prison door. Instead of being a deterrent, drug trafficking in prisons makes them even more addicted. The rehabilitation verdict is expected to break the dependency chain.¹⁵

Institutions and law enforcement in Indonesia should start choosing alternative sentences for rehabilitation for drug users. Criminal verdicts in the perspective of the state can be said to be detrimental to the government. Imagine how much money the government has to spend to provide food rations for drug users in prison. In addition, the state also cannot guarantee a proper place in prison. Almost all Narcotics Correctional Institutions in Indonesia are overcrowded. As a result, the residents have to jostle and often, because of the minimal conditions, it is easy for violence to occur in prisons.

The Assessment Team was formed after the issuance of joint regulations and other regulations governing the obligation to carry out rehabilitation for addicts and narcotics users, both those caught red-handed. In carrying out an integrated assessment, of course, a large amount of funds is needed, especially until now the perpetrators of narcotics crimes, both from the ordinary community, artists, officials, students, children, parents, law enforcement officers and the military, even though there have been indications of narcotics abuse. Therefore, the first action that must be taken to determine that the perpetrator is categorized as an addict, a victim of narcotics abuse or a dealer must be carried out an integrated assessment.

There were so many people who came/surrendered themselves or were caught red-handed and then an assessment process was carried out by the Integrated Assessment Team, because they wanted to be rehabilitated rather than being held in prison. Especially after the issuance of regulations regarding the obligation of rehabilitation, of course, addicts are increasingly being used. and victims of narcotics abuse, as if they will be spared from criminal responsibility for the actions they have committed. In practice, it is known that the lack of budget/funds for the investigation process (integrated assessment) of narcotics crimes, of course, will hinder the

¹⁵Alfi Fahmi Adicahya, Rehabilitation of Narcotics Users, article on the Internet accessed on July 13, 2015

achievement of goals. This is due to the increasing number of narcotics criminals who prefer to be rehabilitated rather than imprisoned.¹⁶

The assessment of the National Narcotics Agency is in accordance with the principle of legal certainty, because through a series of careful and thorough analysis procedures on a person's involvement in a narcotic crime, it can then be determined that a person is an addict who will receive rehabilitation. However, this assessment is basically not the judge's main consideration in deciding because it must be supported by other evidence at trial along with the judge's conviction. Obstacles that are often faced in the process of cooperation between BNN and the National Police are the limited quality of human resources in preventing and acting against narcotics criminals, both the BNN and the National Police, the limited number of members owned by the BNN, and the limitations of the tools owned by the National Narcotics Agency. prevent and prosecute drug offenders. In the future, the government needs to immediately form legislation regarding the rehabilitation of narcotics criminals so that it is hoped that there will be clear rules of the game regarding its implementation, its form and criteria that can be used by judges in making decisions. Other than that, the government is expected to provide adequate and adequate facilities and infrastructure for the implementation of the rehabilitation by conducting it in every provincial area, even if it is adequate at every district level. In this case, the government plays a role in financing and providing the rehabilitation facilities and infrastructure.¹⁷

Based on this description, in principle, future legal policies need to include assessments in the Narcotics Law, even if possible, they are made in separate provisions of the law. The purpose of the results of the integrated assessment is so that clients who use narcotics can recover or recover, can be given life provisions through collaboration with the Job Training Center at the BNN Damping House, and can be accepted again by the community as productive individuals. The assessment team is a form of government policy that has begun to use a health service approach in handling narcotics abuse cases. However, the assessment team needs to be given a legal basis to make their decisions more binding. So what the government has done by creating an assessment team under BNN and the Ministry of Health deserves appreciation.

Conclusion

Based on the description of the discussion, it can be concluded that:

The integrated assessment system is a criminal law policy established by the government to implement a rehabilitation program for addicts and narcotics abusers. The report on the results of the National Narcotics Agency assessment conducted by the BNN Team against a suspect or defendant is used as evidence in a narcotics crime trial. The report on the results of the BNN assessment can meet the criteria as evidence of expert testimony, evidence of letters, and evidence of expert testimony a de charge. In terms of the report on the assessment results as expert testimony, it refers to the provisions of Article 186 of the Criminal Procedure Code, namely expert testimony given in court. In the event that the report on the results of the BNN assessment as a letter refers to the provisions of Article 187 letter a of the Criminal Procedure Code with a statement that the report on the results of the BNN assessment is submitted to the judge in the form of a certificate and included in the official report. And then, the report on the results of the assessment can become evidence of expert testimony a de charge, if the defendant's attorney presents a BNN doctor to give his statement in court as stipulated in Article 65 of the Criminal Procedure Code where the suspect or defendant has the right to present witnesses or experts who mitigate against him. Judges in making their decisions on narcotics addicts, narcotics abusers, victims of narcotics abuse can pay attention to the recommendations as stated in the report on the results of the BNN assessment. In making his decision, the judge considers the juridical and non-juridical aspects. The

¹⁶ Muhammad Mustafa, Journal: Criminology: Sociological Studies of Crime, Deviant Behavior and Law Breakers, Jakarta: FISIP University of Indonesia Press, 2007

¹⁷ Anton Sudanto, Application of Narcotics Crime Law, University of Law Journal August 17, Jakarta, 2019

judge who refers to the report on the results of the BNN assessment includes juridical and non-juridical considerations.

In principle, the assessment really needs to be included in the substance of the upcoming Narcotics Law. The normalization of assessment for narcotics addicts in the Narcotics Law, both in separate articles and as part of, even if possible, is made in the provisions of a separate law. The purpose of the results of the integrated assessment is so that clients who use narcotics can recover or recover, can be given life provisions through collaboration with the Job Training Center at the BNN Damping House, and can be accepted again by the community as productive individuals. The assessment team is a form of government policy that has begun to use a health service approach in handling narcotics abuse cases. However, the assessment team needs to be given a legal basis to make their decisions more binding. So what the government has done by creating an assessment team under the BNN and the Ministry of Health should be appreciated, but not enough because it requires a legal basis. The implementation of an integrated assessment for addicts and narcotics abusers is carried out at every level of examination, starting from the level of investigation, prosecution, and trial in court. For addicts and victims of narcotics abusers whose status as suspects and/or defendants are arrested, but without evidence of narcotics and are positive for using narcotics according to the results of urine, blood or hair tests, they can be placed in medical rehabilitation institutions and/or managed social rehabilitation institutions. by the government after the Minutes of Laboratory Result Examination and Minutes are made. but it's not enough because it needs a legal basis. The implementation of an integrated assessment for addicts and narcotics abusers is carried out at every level of examination, starting from the level of investigation, prosecution, and trial in court. For addicts and victims of narcotics abusers whose status as suspects and/or defendants are arrested, but without evidence of narcotics and are positive for using narcotics according to the results of urine, blood or hair tests, they can be placed in medical rehabilitation institutions and/or managed social rehabilitation institutions. by the government after the Minutes of Laboratory Result Examination and Minutes are made. and trial in court. For addicts and victims of narcotics abusers whose status as suspects and/or defendants are arrested, but without evidence of narcotics and are positive for using narcotics according to the results of urine, blood or hair tests, they can be placed in medical rehabilitation institutions and/or managed social rehabilitation institutions. by the government after the Minutes of Laboratory Result Examination and Minutes are made. and trial in court. For addicts and victims of narcotics abusers whose status as suspects and/or defendants are arrested, but without evidence of narcotics and are positive for using narcotics according to the results of urine, blood or hair tests, they can be placed in medical rehabilitation institutions and/or managed social rehabilitation institutions. by the government after the Minutes of Laboratory Result Examination and Minutes are made. and trial in court. For addicts and victims of narcotics abusers whose status as suspects and/or defendants are arrested, but without evidence of narcotics and are positive for using narcotics according to the results of urine, blood or hair tests, they can be placed in medical rehabilitation institutions and/or managed social rehabilitation institutions. by the government after the Minutes of Laboratory Result Examination and Minutes are made.

Suggestions and Recommendations

Suggestions that can be given are that: Examination by investigators and has been completed with a letter of assessment results from the Integrated Assessment Team. Meanwhile, addicts and victims of narcotics abuse who are arrested or caught red-handed and there is evidence of a certain amount with or without using narcotics according to the results of urine, blood, hair, or DNA tests during the judicial process within a certain period of time may be placed in a medical rehabilitation institution and a hospital managed by the government, after the Minutes of Laboratory Result Examination and Minutes of Examination by BNN Investigators have been made and have been completed with a letter of assessment results from the Integrated Assessment Team. The implementation of an integrated assessment for addicts and narcotics abusers is still experiencing various

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Circular Letter of the Supreme Court Number 04 of 2010 concerning Placement of Abuse, Victims of Abuse and Narcotics Addicts into Medical Rehabilitation and Rehabilitation Institutions