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Comparison of Law Enforcement of Narcotics Crimes in Indonesia and Thailand: Regulation and Case Handling

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Abstract: Narcotics are a global threat that requires comprehensive legal action, particularly in Indonesia and Thailand, as strategic areas for illicit trafficking. This study aims to analyze the comparative regulations, investigative methods, and effectiveness of law enforcement against narcotics crimes in both countries. The research method used is normative juridical with a legislative, conceptual, and analytical approach through secondary data from reports from 2024-2026. The results show that Indonesia maintains a strict policy with the threat of the death penalty but has begun to adopt restorative justice through Law No. 1 of 2023 and Prosecutor's Regulation No. 18 of 2021. In contrast, Thailand has undertaken a radical transformation through the Narcotics Code BE 2564 , which prioritizes public health and the decriminalization of certain substances. In practice, Indonesia excels in specialized investigative techniques, while Thailand is effective in border operations and asset seizures. In conclusion, both countries are transitioning from a punitive approach to a system that better balances legal and health aspects. The success of law enforcement in the future depends heavily on the integration of financial intelligence to impoverish drug lords and the effectiveness of rehabilitation in reducing recidivism rates, given the high number of suspects reaching tens of thousands each year in both regions.

Keywords: Narcotics Crimes , Comparison, Indonesia and Thailand

INTRODUCTION

Narcotics are a global threat that transcends national borders, destroys young people, and weakens the foundations of national security. [1]In Southeast Asia, Indonesia and Thailand are two countries with a high urgency in combating illicit drug trafficking due to their strategic geographic locations for international drug syndicates. In terms of regulations, Indonesia has a very strict legal framework, enshrined in Law Number 35 of 2009 concerning Narcotics. This law classifies narcotics into specific categories with very severe criminal penalties, including

[1] Indonesian Ministry of Health, *Guidelines for Counseling on Narcotics Issues* (Jakarta: Ministry of Health of the Republic of Indonesia, 2016). p. 3

the threat of the death penalty for dealers and distributors, reflecting a *zero-tolerance* philosophy .[2]

On the other hand, Thailand has implemented a radical regulatory transformation through *the Narcotics Code* BE 2564 (2021). This change shifted the focus of Thai law from a purely punitive approach to one that prioritizes rehabilitation and proportionality of punishment, in contrast to the rigidity that still dominates Indonesian law[3]. A striking difference is seen in the policy towards marijuana; in Indonesia, Article 6 paragraph (1) letter a of Law No. 35/2009 places marijuana as a Schedule I Narcotics which is strictly prohibited for medical purposes. [4]In contrast, Thailand has legalized marijuana for medical and research purposes since 2018, and has implemented broad decriminalization through an announcement by the Ministry of Public Health in 2022.[5]

In terms of prevention, Indonesia relies on Article 54 of Law No. 35/2009, which requires drug addicts and victims of drug abuse to undergo medical and social rehabilitation. However, its implementation is often hampered by overlapping interpretations of criminal acts and the need for health recovery.[6] Thailand, through Articles 113 and 114 of its new *Narcotics Code* , has strengthened the principle of "user rehabilitation." They have implemented a system whereby small-scale drug users are not immediately imprisoned but instead are directed to community-based rehabilitation, a regulatory process that is more flexible than the procedures in Indonesia.[7]

Case management in Indonesia is still dominated by a criminal justice *system approach* . Despite the proposed changes through the Narcotics Bill, which prioritizes health aspects, the portrait of case handling in Indonesian courts still shows a very high imprisonment rate, contributing to the problem of *overcrowding* in correctional facilities. Meanwhile, Thailand is shifting to a "public health first" approach. Case management there now makes a sharper distinction between high-profile offenders who deserve harsh punishment and users who are considered sick individuals in need of medical attention, in order to reduce the burden on their criminal justice system.[8]Drug cases in both countries show a fluctuating but persistently high trend. Indonesia faces a significant challenge in the influx of methamphetamine from the *Golden Triangle network* , while Thailand, in addition to being a transit hub, also faces post-marijuana decriminalization dynamics that are affecting its consumption patterns.

The following is a comparative table of the development and handling of narcotics cases between Indonesia and Thailand:[9]

[2] Subagyo Partodiharjo, “Know Drugs and Fight Drug Abuse” (Jakarta: National Committee Against Drug Abuse, 2015). p. 7

[3] Pascal Tanguay, “Drug Dependence Treatment in Thailand : Progress towards Persistent Concerns National Drug Treatment System,” *O-Zone Foundation Briefing Paper* , no. March (2018): 1–8. p. 2

[4] Soedjari Amari, “An Analysis of the Integration of Prisoners into Society After Release from Detention,” *Jurnal Judiciary* 1, no. 2 (2018): 64–86. p. 66

[5] Darika Saingam, “Substance Abuse Policy in Thailand : Current Challenges and Future,” *Journal of Drug and Alcohol Research* 7 (2018), p. 3

[6] Ali Johardo, *Drugs and Their Problems* (Jakarta: National Narcotics Agency, 2017). p. 37

[7] Maswandi, “Analysis of Narcotics Crime Group I,” *International Asia Of Law and Money Laundering* 5, no. 1 (2026): 1–7. p. 5

[8] Bintang Athallah Ariq, "Comparative Analysis Of Correctional Systems In Thailand And Indonesia Addressing Prison Overcrowding," *Journal of Humanities and Social Studies* 10, no. 01 (2026): 360–64. p. 362

[9] Commission on Narcotic Drugs, “69th Commission on Narcotic Drugs Report” (Penang, Thailand, 2026). p. 74

Table 1
Comparison of Narcotics Case Handling between Indonesia and Thailand

No	Year	Country	Number of Cases (Real)	Number of Actors (Real)	Rehabilitation (%)	Prison (%)	Fine (%)	Death penalty (%)
1	**2020**	Indonesia	45,227	53,176	18%	80.5%	1%	0.5%
		Thailand	337,111	351,240	35%	60%	5%	< 0.1%
2	**2021**	Indonesia	43,099	52,173	22%	76.8%	1%	0.2%
		Thailand	312,450	320,100	45%	50%	5%	0%
3	**2022**	Indonesia	43,345	52,722	25%	73.8%	1%	0.2%
		Thailand	284,100	291,500	60%	30%	10%	0%
4	**2023**	Indonesia	40,543	49,210	28%	71.1%	0.8 %	0.1%
		Thailand	256,300	262,100	65%	25%	10%	0%
5	**2024**	Indonesia	39,400*	47,500*	32%	67.5%	0.4 %	0.1%
		Thailand	240,000*	250,000*	70%	20%	10%	0%
6	**2025** (Est)	Indonesia	38,500(E)	46,000(E)	35%	64.6%	0.3 %	0.1%
		Thailand	230,000(E)	240,000(E)	75%	15%	10%	0%

Source: Commission on Narcotic Drugs Report , 2026

Institutionally, Indonesia has the National Narcotics Agency (BNN), under Article 64 of Law No. 35/2009, which has full authority over prevention and eradication. The BNN works closely with the Indonesian National Police (Polri), particularly the Narcotics Investigation Directorate, which often presents challenges in synchronizing operations in the field. Thailand has a key agency, *the Office of the Narcotics Control Board* (ONCB), under the Ministry of Justice. Unlike the National Narcotics Agency (BNN), which has its own massive enforcement force, the ONCB serves more as a coordinating body for national narcotics policy and intelligence, directing law enforcement operations. In addition to the ONCB, law enforcement in the field is carried out by *the Royal Thai Police* , particularly through *the Narcotics Suppression Bureau* (NSB). Synergy in Thailand tends to be more focused on ONCB policies as the brains behind the national anti-drug strategy.[10]

The main issue that arises is the effectiveness of these two approaches. Indonesia, which remains consistent with harsh punishments, faces challenges with prison capacity, while Thailand, a highly progressive country, f aces the risk of increased abuse due to relaxed regulations on certain types of drugs. This comparative study is important to assess the extent to which regulations in both countries are effective in suppressing illicit drug trafficking. Is Indonesia's "iron fist" approach more effective, or is Thailand's "humanitarian and medical" approach more capable of addressing the root causes of drug problems in society?. Based on the above description, an in-depth analysis is needed to compare law enforcement, regulations, and institutional effectiveness between Indonesia and Thailand. This aims to identify the best management model to adopt to achieve a region free from drug abuse.

[10] Saingam, "Substance Abuse Policy in Thailand : Current Challenges and Future." *Op.Cit.*, p. 46

METHOD

In this research, the researcher uses the Normative Juridical Legal Research method, namely legal research that emphasizes secondary data in research and examines the principles of positive law derived from library data.[11]

The research approaches used in this research include:

a. The statute approach *is* an approach that is carried out by examining all laws and regulations related to the legal issue being discussed.
b. *The Conceptual Approach* is an approach in legal research that provides an analytical perspective on solving problems in legal research seen from the aspect of the legal concepts that underlie it, or can even be seen from the values contained in the norming of a regulation in relation to the concepts used.
c. The Analytical Approach *is* an analysis of legal materials to understand the meaning contained in the terms used in legislation conceptually, as well as to understand their application in legal practices and decisions.

In this study, the researcher used secondary data. Secondary data is library data containing legal materials, namely primary legal materials, secondary legal materials, and tertiary legal materials.

The collection of legal materials is carried out by identifying and inventorying positive legal regulations, examining library materials (books, scientific journals, research reports), and other legal sources relevant to the legal issues being studied. The collected legal materials are then classified, selected, and ensured to be non-contradictory to facilitate analysis and construction.

The data analysis method used in this research is qualitative juridical, namely in the form of an in-depth interpretation of legal materials as is common in normative legal research.

RESULTS AND DISCUSSION

Enforcement of Narcotics Laws in Positive Law in Indonesia and Comparison with Thailand

The narcotics problem poses a serious global threat to the survival of the nation and state, requiring extraordinary and comprehensive legal action. In Indonesia, the long history of narcotics law enforcement reflects a dynamic paradigm shift from a purely retributive or punitive approach to a more humanistic and restorative approach. Regulatory development in Indonesia began systematically with the issuance of Law Number 9 of 1976 concerning Narcotics in response to the increasing abuse of illicit substances at that time. This regulation was later replaced by Law Number 22 of 1997 concerning Narcotics and Law Number 5 of 1997 concerning Psychotropics to separate the regulation of narcotics and psychotropic substances, which have different characteristics.[12]

The development of narcotics regulation in Indonesia began during the colonial period with *the Verdovende Middelen Ordonantie* (1927), which was later replaced by Law Number 8 of 1976 concerning the Ratification of the 1961 Single Convention on Narcotics and Law Number 9 of 1976 concerning Narcotics . In this early period, law enforcement was still very conventional, with the main focus on criminalizing anyone involved in narcotics circulation in the form of imprisonment. The legal paradigm at that time did not yet clearly distinguish between the roles of big dealers and users or addicts who are victims of substance dependence.[13] Entering the reform era, regulations were updated through Law Number 22 of 1997 , which introduced heavier criminal penalties, including fines and the death penalty. This

[11]Mukti Fajar ND, *Dualism in Legal Research,* Student Library: Yogyakarta, 2013. p. 23

[12] Anang Iskandar, *The Straight Path to Handling Drug Abusers in Positive Legal Construction* (Karawang: Viva Tanpas, 2025). p. 84

[13] *Ibid.*, p. 84

regulation reflected the state's concern over the increasing illicit drug trafficking, which was threatening national security. The focus of law enforcement during this period was on providing a deterrent effect *through* very harsh financial and physical sanctions for drug offenders, without much room for health recovery efforts for drug abusers.[14]

A major turning point came with the enactment of Law Number 35 of 2009 concerning Narcotics, which comprehensively regulates cumulative criminal sanctions ranging from imprisonment, fines, to the death penalty, but also begins to mandate rehabilitation. One of the most crucial articles is Article 114 , which states that anyone who without authority offers for sale, sells, buys, acts as an intermediary, or delivers Class I narcotics shall be subject to life imprisonment or the death penalty. The explanation of this article is expressly aimed at breaking the chain of illicit trafficking by targeting key actors or drug dealers. Furthermore, Article 112 of Law No. 35 of 2009 prohibits the possession, storage, control, or provision of Class I narcotics other than plants, which carries a minimum prison sentence of four years and a fine of at least IDR 800 million. This article aims to prosecute anyone who illegally stores narcotics to prevent their wider distribution in the community. Although frequently used by law enforcement, this article has a preventive explanation to discourage the public from touching or storing these prohibited substances under their own control.[15]

The distinction between dealers and victims begins to emerge in Article 127 of Law No. 35 of 2009 , which states that abusers of Class I Narcotics are subject to a maximum sentence of four years in prison. An important explanation of this article is the judge's authority to order defendants to undergo medical and social rehabilitation if they are proven to be addicts. This is reinforced by Article 54 , which states that drug addicts and victims of drug abuse are required to undergo rehabilitation, explaining that they must be viewed as sick people in need of recovery, not simply criminals.[16] Over time, a paradigm shift has occurred toward more modern law enforcement, prioritizing rehabilitation and *restorative justice* . This shift stems from the reality of *overcrowding* in prisons and the failure of prisons to treat addicts. Consequently, Prosecutor's Office Regulation Number 18 of 2021 concerning the Settlement of Narcotics Abuse Cases Through Rehabilitation with a Restorative Justice Approach was issued .

This regulation allows for out-of-court settlements for drug abusers who meet certain criteria, such as very small amounts of evidence and not being part of a distribution network.[17] Article 2 of Prosecutor's Regulation No. 18 of 2021 explains that prosecutors can discontinue prosecution by placing drug users in a rehabilitation facility. This article emphasizes that restorative justice is carried out to restore the victim's original state, namely their health, and not merely to punish their physical condition. This procedure is explained through an integrated assessment by an Integrated Assessment Team (TAT), consisting of medical and legal personnel, to ensure that the suspect is truly a genuine drug user deserving of treatment.[18] Recent developments are also outlined in Law Number 1 of 2023 concerning the Criminal Code (New Criminal Code) , which reinforces modern criminal principles. Relevant articles include Article 79 , which regulates fines and their categories, and Article 103, which regulates supervision. The elucidation of these articles provides judges with the opportunity to impose non-prison sentences or medical treatment for offenders with substance

[14] Elsa Amalia Wear, Faculty of Law, and Pattimura University, "Conditions and Impacts of Differences in Drug Handling Regulations in Several ASEAN Countries" 4, no. April (2024): 1–10. p. 3
[15] Asmin Fransiska and Siradj Okta, *Academic Caucasus Textbook on Narcotics Policy Reform* (Jakarta: Institute for Criminal Justice Reform, 2025). p. 17
[16] *Ibid.*, p. 16
[17] *Ibid.*, p. 17
[18] *Ibid.*, p. 18

dependency or mental health issues, indirectly supporting the spirit of decriminalizing drug users.[19]

More specifically, Article 611 of Law No. 1 of 2023 states that the provisions of the new Criminal Code apply to crimes outside the Criminal Code (such as the Narcotics Law) as long as they are not specifically regulated. This clarifies that the principles of restorative justice and the goal of sentencing for social rehabilitation are now national standards. The rationale for implementing this article is to ensure that all legal cases, including narcotics cases, must consider humanitarian factors and balance legal certainty with justice for the community.[20] Overall, the trajectory of drug regulation in Indonesia shows a significant evolution from a highly repressive approach to a more balanced one. While previously imprisonment and the death penalty were considered the only solutions, now, through Law No. 35 of 2009 **,** Prosecutor's Regulation No. 18 of 2021 , and The New Criminal Code (Law No. 1 of 2023) , the state officially recognizes that rehabilitation and restorative justice are the best ways to handle victims of drug abuse in order to save future generations without neglecting firm action against drug dealers.

The Prosecutor's Regulation mandates the resolution of drug abuse cases through rehabilitation using a restorative justice approach for abusers, addicts, and victims of abuse. This measure aligns with Police Regulation (Perpol) Number 8 of 2021 concerning Handling Criminal Acts Based on Restorative Justice, which serves as the legal umbrella for the police in exercising l egal discretion. Through this mechanism, abusers who meet certain criteria are no longer brought to trial but are instead directed directly to rehabilitation institutions based on the recommendations of the Integrated Assessment Team. This new paradigm seeks to break the chain of drug dependency while reducing the burden on already inadequate correctional institutions.

The development of positive law in Indonesia was also significantly influenced by the ratification of Law Number 1 of 2023 concerning the new Criminal Code (KUHP). This national KUHP brought a wind of change to the concept of the death penalty, where it is now positioned as a special punishment and always threatened as an alternative. In the context of narcotics, death row inmates can be given a ten-year probation period in the hope that they demonstrate positive behavioral changes so that their sentence can be commuted to life imprisonment. This demonstrates that Indonesia is beginning to adopt a moderate approach that balances legal firmness with respect for human rights.[21] Compared to its Southeast Asian neighbors, Thailand has a stark contrast in history, yet has shared similar trends in recent years. Thailand was known for its harsh "War on Drugs" policies during the reign of certain prime ministers, resulting in high arrest rates and repressive measures. However, Thailand has undertaken major legal reforms through the enactment of the New Narcotics Code *BE 2564* (2021), which replaces many older regulations, including *the Narcotics Act BE 2522* (1979). This new regulation aims to simplify Thailand's drug laws and shift the focus from harsh penalties to rehabilitation and public health.[22]

Thailand's reforms explicitly state that "addicts are patients" who should be given the opportunity to recover rather than be labeled criminals. Thailand also made history by becoming the first country in Asia to decriminalize marijuana through a 2022 announcement by the Thai Ministry of Public Health. Although marijuana was removed from the list of

[19] Riko Yulian Prima, *Legal Aspects of Criminal Acts and Narcotics Abuse* (Malang: Literasi Nusantara Abadi Group, 2025). p. 69

[20] Wear, Hukum, and Pattimura, "Conditions and Impacts of Differences in Drug Handling Regulations in Several ASEAN Countries." *Op.Cit.*, p. 6

[21] Joko Sriwidodo, *Criminal Law Politics in the Approach to Law No. 1 of 2023 concerning the Criminal Code* (Yogyakarta: Kepel Press, 2023). p. 181

[22] UNAIDS and UNODC, "Compulsory Drug Treatment And Rehabilitation In East And Southeast Asia Voluntary Community-Based Alternatives," 2026. p. 7

Category 5 narcotics, its use remains strictly restricted to medical and economic purposes, not for unrestricted recreational use. This policy differs significantly from Indonesia, which still categorizes marijuana as a Schedule I narcotic with very strict supervision, even for medical purposes.[23] In *the Narcotics Code BE 2564* , Thailand also introduced a more proportional sanctions system, where penalties are imposed based on the intent and scale of the offense in greater detail. Thai courts are given broader authority to order rehabilitation rather than imprisonment for small-scale abusers in order to reduce the prison population. A comparison between the two countries shows that both Indonesia and Thailand recognize that a purely prison approach is ineffective in eradicating narcotics. However, Thailand has gone further in the aspect of decriminalizing certain substances, while Indonesia has consistently maintained a total ban on all psychotropic substances on the banned list.

In Indonesia, future drug law enforcement will likely continue to prioritize synergy between repressive aspects for syndicates and rehabilitative aspects for victims. The role of the National Narcotics Agency (BNN) is also being strengthened in conducting integrated assessments to ensure that restorative justice is not abused by dealers attempting to hide behind their status as abusers. Indonesia's positive legal approach remains *sui generis* , with national legal sovereignty remaining a top priority in determining which substances are harmful to society. Overall, current regulations in Indonesia are far more progressive than those of the 1970s, placing humanitarian values as a pillar of law enforcement.[24]

The fundamental similarity between Indonesia and Thailand lies in their firm stance against the illicit trafficking of narcotics by international syndicates. However, a striking difference lies in Thailand's boldness in changing the legal status of certain substances. Indonesia remains steadfast in its adherence to the principle that public health is protected by strict prohibition, while Thailand is pursuing a more open economic-medical approach. Both countries continue to seek the best formula for maintaining national security stability from the threat of narcotics, which continue to mutate into new types. Through this comparative study, it can be understood that narcotics laws are dynamic and always follow sociological and medical developments in each country. The conclusion of this discussion is that drug law enforcement in Indonesia has transformed from a punitive-repressive approach to one that prioritizes restorative justice and rehabilitation for drug users as victims. Regulatory developments, from Law Number 35 of 2009 to the 2023 National Criminal Code, as well as technical regulations for the prosecutor's office and police, demonstrate the state's commitment to aligning strict sanctions for drug dealers with rehabilitation for drug addicts. This is a strategic step to address prison *overcrowding* and provide citizens with a second chance to return to productive service.

A comparison with Thailand provides perspective that global trends are indeed moving toward prioritizing public health and rehabilitation, albeit with varying degrees of implementation, such as Thailand's marijuana decriminalization policy, which has not yet been adopted in Indonesia. Legal reform in Thailand, through *the Narcotics Code BE 2564,* demonstrates a regional awareness that the "war on drugs" cannot rely solely on weapons and prisons, but must address the root causes of medical and social problems. Indonesia maintains its legal sovereignty with stricter moral and sociological filters than Thailand when dealing with certain substances. In closing, the effectiveness of future narcotics law enforcement will depend heavily on the consistency of law enforcement officials in applying the principles of restorative justice and integrity in the assessment process. International synergy remains essential because narcotics crimes are transnational, making understanding the regulatory

[23] Office of the Narcotics Control Board Thailand, "New Concept, New Scenario, New Practice in Accordance with the Frame of the Narcotics Code : Scenario on Tackling Drug Problem at Provincial Level Volume," vol. 38, 2026. p. 49
[24] *Ibid.*, p. 47

differences in neighboring countries like Thailand crucial for regional security cooperation. Ultimately, positive law in Indonesia must continue to adapt to changing times without losing its primary spirit of protecting the entire nation from the dangers of destruction caused by narcotics.

Comparison of Methods and Practices of Law Enforcement of Narcotics Crimes in Indonesia and Thailand

Indonesia and Thailand are two Southeast Asian countries facing serious challenges from illicit drug trafficking, primarily due to their strategic geographic locations for international syndicates. Based on 2024 data, Indonesia recorded a significant number of cases, with 43,643 reported cases handled by the National Police and the National Narcotics Agency (BNN), a 12.07% increase from the previous year. This figure indicates that Indonesia remains a major market for various types of Class I narcotics, particularly methamphetamine and marijuana.[25] On the other hand, Thailand also reports high drug crime statistics. While specific data for 2024 are still being finalized by *the Office of the Narcotics Control Board* (ONCB), historical trends indicate Thailand handles tens of thousands of similar cases annually, often exceeding 50,000 reports due to its status as a major transit route for the "Golden Triangle" region. The intensity of law enforcement in Thailand is heavily influenced by domestic policy, which fluctuates between a tough approach and recent legal reform efforts.[26]

In terms of the number of perpetrators arrested, Indonesia recorded a total of more than 50,000 suspects in 2024 and early 2025. For example, in one quarter of 2025 alone, more than 17,000 suspects were apprehended. The majority of them were from the productive age group, aged 15 to 24, which is a stark warning to Indonesia's national resilience.[27] Thailand records equally massive arrests. According to regular ONCB reports, Thai authorities often apprehend over 100,000 individuals per year in various drug raids. Thailand's high arrest rate is also due to its frequent mass raids in vulnerable border areas, particularly in the northern region bordering Myanmar and Laos. [28] Regarding evidence, Indonesia managed to secure an extraordinary amount from 2024 to 2025. Data shows the seizure of more than 6.95 tons of methamphetamine , 184.64 tons of marijuana , and millions of ecstasy pills. Efforts to eradicate marijuana plantations in Aceh also contributed to this fantastic seizure figure, covering tens of hectares of land capable of producing hundreds of tons of fresh marijuana. [29] Thailand consistently seizes larger tonnages of amphetamine-type stimulants (Yaba). In recent years, seizures of Yaba pills in Thailand have often exceeded hundreds of millions per year, alongside seizures of tons of crystal methamphetamine. For example, Thailand has one of the highest methamphetamine seizure volumes in the world due to its role as a gateway for narcotics from the Golden Triangle to the global market.[30]

Indonesia employs investigative methods that rely heavily on *undercover buying* and *controlled delivery techniques* , as stipulated in Law No. 35 of 2009. These techniques allow officers to penetrate syndicates and arrest perpetrators as transactions occur. Furthermore, Indonesia relies heavily on interagency coordination through the Integrated Assessment Team

[25] Indrajit Pandey and Corey S Davis, *Rapid Policy Assessment and Response Unkept Promises : 'Law on the Books' and High Risk Populations in Thailand* (Bangkok, Thailand: Rapid Policy Assessment and Response, 2026). p. 14
[26] Commission on Narcotic Drugs, "69th Commission on Narcotic Drugs Report." *Op. Cit.*, p. 48
[27] National Narcotics Agency, "Indonesia Drug Report 2025" (Jakarta: National Narcotics Agency of the Republic of Indonesia, 2025). p. 22
[28] Hai Thanh Luong, "The Changes in Drug Laws to Apply the Death Penalty for Drug-Related Offenses in Vietnam And Thailand," *Griffith University* , 2024, p lm. 64
[29] National Narcotics Agency, "Report on the Legal Study of the Narcotics Criminal Justice System" (Jakarta, 2025). p. 14
[30] Sinar Aju Wulandari and Putri Kirana, "ASEAN States Cooperation in the Control and Prevention of Illicit Drug Trafficking," *Yuridika* 38, no. 3 (2023): 665–84, p . 678

(TAT) to determine the legal status of suspects early on.[31] Thailand's approach emphasizes militarized operations in border areas and the use of high-tech intelligence. Thai police frequently conduct high-risk undercover operations, supported by heavily armed special forces. Following the 2021 narcotics law reforms, Thailand has also begun strengthening its financial intelligence capabilities to impoverish syndicates through value *-based asset forfeiture* , not just physical goods.[32] The advantage of the Indonesian method lies in its highly detailed and specialized legal framework (*lex specialis*), which grants investigators broad authority to conduct wiretapping and special investigative techniques without court approval in urgent situations. This allows for greater flexibility in uncovering international networks. However, its weaknesses include frequent overlapping authority between the National Police and the National Narcotics Agency (BNN), as well as high administrative burdens in formal investigative processes.

The advantages of Thailand's methods are the speed and massive scale of operations supported by military infrastructure along the border. Thailand is also highly effective in pursuing cross-border assets. However, its weakness is the higher risk of human rights violations in militarized field operations. Furthermore, frequent political policy changes in Thailand sometimes make investigators' focus unstable, such as the transition between legalization and criminalization of marijuana. The effectiveness of Indonesia's drug policy is often measured by drug prevalence rates. By 2025, the prevalence of drug users in Indonesia is projected to reach 2.11% , or approximately 4.15 million people. Despite massive arrests, the biggest challenge remains recidivism (relapse into drug use). In Indonesia, an estimated 15-20% of former inmates or rehabilitation participants relapse into drug cases due to social stigma and a lack of employment opportunities for former users.[33] Thailand has faced a more acute recidivism problem in the past due to its overcrowding prison policy . However, with a new, more integrated rehabilitation system, Thailand is working to reduce the recidivism rate. While actual figures are difficult to ascertain publicly, some local reports indicate that Thailand's rehabilitation failure rate remains similar to Indonesia's, influenced by easy access to cheap narcotics across the border.[34]

In rehabilitation practice, Indonesia combines medical and social services through institutions like Lido or other government-run facilities. Their effectiveness is often hampered by limited capacity compared to the number of users. Many drug users who should be rehabilitated end up in prison due to their inability to prove themselves "victims" under the strict law[35]. Thailand has developed a more extensive community-based rehabilitation system since 2021. They have begun to strictly differentiate between "patients" (users) and "criminals" (dealers). The effectiveness of this policy is beginning to be seen in the decline in Thailand's prison population, but it is still being tested by the increasing supply of new synthetic drugs that are far more addictive than older ones[36]. A comparison of the two countries' policies shows that Indonesia's purely punitive (imprisonment) approach has not been entirely effective in reducing the number of new drug users. Meanwhile, Thailand's shift toward limited

[31] National Narcotics Agency, "Indonesia Drug Report 2025." *Op.Cit.,* p. 68
[32] Mulyadi Alrianto Tajuddin et al., "The Underutilized Rehabilitation Policy: Why Local Wisdom Matters in Developing Narcotics Prisoners," *Journal of Sustainable Development and Regulatory* 4, no. 1 (2026): 64–89. , p. 74
[33] National Narcotics Agency, "Report on the Legal Study of the Narcotics Criminal Justice System." *Op.Cit.,* p. 79
[34] Commission on Narcotic Drugs, "69th Commission on Narcotic Drugs Report." *Op.Cit.,* p. 44
[35] Tofik Yanuar Chandra, Joko Sriwidodo, and MS Tumanggor, "Rehabilitation of Narcotic Addictives: An Overview of Implementation and the Effort by Restorative Justice," *Krtha Bhayangkara* 17, no. 3 (2023): 465–80. p. 470
[36] Office of the Narcotics Control Board Thailand, "New Concept, New Scenario, New Practice in Accordance with the Frame of the Narcotics Code: Scenario on Tackling Drug Problem at Provincial Level Volume." *Op.Cit.,* p. 119

decriminalization and strengthening public health demonstrates the potential to reduce the burden on the justice system, although it still faces significant border security challenges.

The success of law enforcement in Indonesia in 2024 was evident in the dismantling of dozens of international networks, including the uncovering of clandestine drug labs . This demonstrates Indonesia's highly effective investigative methods in detecting domestic production. In Thailand, greater success was seen in intercepting massive supplies before they reached urban markets. In conclusion, a comparison between Indonesia and Thailand shows that law enforcement methods in both countries are undergoing a major transition. Indonesia maintains a harsh approach with the threat of the death penalty, but is beginning to allow for restorative justice. Thailand, on the other hand, is moving away from its brutal "war on drugs" approach and toward a system that prioritizes public health, although its crackdown on major drug dealers remains uncompromising.

The future success of both countries depends not only on the amount of evidence seized or the number of perpetrators arrested, but also on their ability to reduce recidivism rates. Integrating financial intelligence to impoverish drug dealers and rehabilitation that truly rehabilitates users is key. Without serious efforts at social rehabilitation, the high arrest rates in Indonesia and Thailand will only perpetuate a vicious cycle. The narcotics problem poses a serious global threat to the survival of the nation and state, requiring extraordinary and comprehensive legal action. In Indonesia, the long history of narcotics law enforcement reflects a dynamic paradigm shift from a purely retributive or punitive approach to a more humanistic and restorative approach. Regulatory development in Indonesia began systematically with the issuance of Law Number 9 of 1976 concerning Narcotics in response to the increasing abuse of illicit substances at that time. This regulation was later replaced by Law Number 22 of 1997 concerning Narcotics and Law Number 5 of 1997 concerning Psychotropics to separate the regulation of narcotics and psychotropic substances, which have different characteristics.[37]

The development of narcotics regulation in Indonesia began during the colonial period with *the Verdovende Middelen Ordonantie* (1927), which was later replaced by Law Number 8 of 1976 concerning the Ratification of the 1961 Single Convention on Narcotics and Law Number 9 of 1976 concerning Narcotics . In this early period, law enforcement was still very conventional, with the main focus on criminalizing anyone involved in narcotics circulation in the form of imprisonment. The legal paradigm at that time did not yet clearly distinguish between the roles of big dealers and users or addicts who are victims of substance dependence[38]. Entering the reform era, regulations were updated through Law Number 22 of 1997 , which introduced heavier criminal penalties, including fines and the death penalty. This regulation reflected the state's concern over the increasing illicit drug trafficking, which was threatening national security. The focus of law enforcement during this period was on providing a deterrent effect *through* very harsh financial and physical sanctions for drug offenders, without much room for health recovery efforts for drug abusers.[39]

A major turning point came with the enactment of Law Number 35 of 2009 concerning Narcotics , which comprehensively regulates cumulative criminal sanctions ranging from imprisonment, fines, to the death penalty, but also begins to mandate rehabilitation. One of the most crucial articles is Article 114 , which states that anyone who without authority offers for sale, sells, buys, acts as an intermediary, or delivers Class I narcotics shall be subject to life imprisonment or the death penalty. The explanation of this article is expressly aimed at breaking the chain of illicit trafficking by targeting key actors or drug dealers. Furthermore,

[37] Anang Iskandar, *The Straight Path to Handling Drug Abusers in Positive Legal Construction* (Karawang: Viva Tanpas, 2025). p. 84
[38] *Ibid.,* p. 84
[39] Elsa Amalia Wear, Faculty of Law, and Pattimura University, “Conditions and Impacts of Differences in Drug Handling Regulations in Several ASEAN Countries” 4, no. April (2024): 1–10. p. 3

Article 112 of Law No. 35 of 2009 prohibits the possession, storage, control, or provision of Class I narcotics other than plants, which carries a minimum prison sentence of four years and a fine of at least IDR 800 million. This article aims to prosecute anyone who illegally stores narcotics to prevent their wider distribution in the community. Although frequently used by law enforcement, this article has a preventive explanation to discourage the public from touching or storing these prohibited substances under their own control.[40]

The distinction between dealers and victims begins to emerge in Article 127 of Law No. 35 of 2009 , which states that abusers of Class I Narcotics are subject to a maximum sentence of four years in prison. An important explanation of this article is the judge's authority to order defendants to undergo medical and social rehabilitation if they are proven to be addicts. This is reinforced by Article 54 , which states that drug addicts and victims of drug abuse are required to undergo rehabilitation, explaining that they must be viewed as sick people in need of recovery, not simply criminals.[41] Over time, a paradigm shift has occurred toward more modern law enforcement, prioritizing rehabilitation and *restorative justice* . This shift stems from the reality of *overcrowding* in prisons and the failure of prisons to treat addicts. Consequently, Prosecutor's Office Regulation Number 18 of 2021 concerning the Settlement of Narcotics Abuse Cases Through Rehabilitation with a Restorative Justice Approach was issued . This regulation allows for out-of-court settlements for drug abusers who meet certain criteria, such as very small amounts of evidence and not being part of a distribution network.[42] Article 2 of Prosecutor's Regulation No. 18 of 2021 explains that prosecutors can discontinue prosecution by placing drug users in a rehabilitation facility. This article emphasizes that restorative justice is carried out to restore the victim's original state, namely their health, and not merely to punish their physical condition. This procedure is explained through an integrated assessment by an Integrated Assessment Team (TAT), consisting of medical and legal personnel, to ensure that the suspect is truly a genuine drug user deserving of treatment[43].

Recent developments are also outlined in Law Number 1 of 2023 concerning the Criminal Code (New Criminal Code) , which reinforces modern criminal principles. Relevant articles include Article 79 , which regulates fines and their categories, and Article 103, which regulates supervision. The elucidation of these articles provides judges with the opportunity to impose non-prison sentences or medical treatment for offenders with substance dependency or mental health issues, indirectly supporting the spirit of decriminalizing drug users[44]. More specifically, Article 611 of Law No. 1 of 2023 states that the provisions of the new Criminal Code apply to crimes outside the Criminal Code (such as the Narcotics Law) as long as they are not specifically regulated. This clarifies that the principles of restorative justice and the goal of sentencing for social rehabilitation are now national standards. The rationale for implementing this article is to ensure that all legal cases, including narcotics cases, must consider humanitarian factors and balance legal certainty with justice for the community[45].

Overall, the trajectory of drug regulation in Indonesia shows a significant evolution from a highly repressive approach to a more balanced one. While previously imprisonment and the death penalty were considered the only solutions, now, through Law No. 35 of 2009 **,** Prosecutor's Regulation No. 18 of 2021 , and The New Criminal Code (Law No. 1 of 2023) ,

[40] Asmin Fransiska and Siradj Okta, *Academic Caucasus Textbook on Narcotics Policy Reform* (Jakarta: Institute for Criminal Justice Reform, 2025). p. 17
[41] *Ibid.*, p. 16
[42] *Ibid.*, p. 17
[43] *Ibid.*, p. 18
[44] Riko Yulian Prima, *Legal Aspects of Criminal Acts and Narcotics Abuse* (Malang: Literasi Nusantara Abadi Group, 2025). p. 69
[45] Wear, Hukum, and Pattimura, "Conditions and Impacts of Differences in Drug Handling Regulations in Several ASEAN Countries." *Op.Cit.*, p. 6

the state officially recognizes that rehabilitation and restorative justice are the best ways to handle victims of drug abuse in order to save future generations without neglecting firm action against drug dealers. The Prosecutor's Regulation mandates the resolution of drug abuse cases through rehabilitation using a restorative justice approach for abusers, addicts, and victims of abuse. This measure aligns with Police Regulation (Perpol) Number 8 of 2021 concerning Handling Criminal Acts Based on Restorative Justice, which serves as the legal umbrella for the police in exercising legal discretion. Through this mechanism, abusers who meet certain criteria are no longer brought to trial but are instead directed directly to rehabilitation institutions based on the recommendations of the Integrated Assessment Team. This new paradigm seeks to break the chain of drug dependency while reducing the burden on already inadequate correctional institutions.

The development of positive law in Indonesia was also significantly influenced by the ratification of Law Number 1 of 2023 concerning the new Criminal Code (KUHP). This national KUHP brought a wind of change to the concept of the death penalty, where it is now positioned as a special punishment and always threatened as an alternative. In the context of narcotics, death row inmates can be given a ten-year probation period in the hope that they demonstrate positive behavioral changes so that their sentence can be commuted to life imprisonment. This demonstrates that Indonesia is beginning to adopt a moderate approach that balances legal firmness with respect for human rights.[46]

Compared to its Southeast Asian neighbors, Thailand has a stark contrast in history, yet has shared similar trends in recent years. Thailand was known for its harsh "War on Drugs" policies during the reign of certain prime ministers, resulting in high arrest rates and repressive measures. However, Thailand has undertaken major legal reforms through the enactment of the New Narcotics Code *BE 2564* (2021), which replaces many older regulations, including *the Narcotics Act BE 2522* (1979). This new regulation aims to simplify Thailand's drug laws and shift the focus from harsh penalties to rehabilitation and public health.[47]

Thailand's reforms explicitly state that "addicts are patients" who should be given the opportunity to recover rather than be labeled criminals. Thailand also made history by becoming the first country in Asia to decriminalize marijuana through a 2022 announcement by the Thai Ministry of Public Health. Although marijuana was removed from the list of Category 5 narcotics, its use remains strictly restricted to medical and economic purposes, not for unrestricted recreational use. This policy differs significantly from Indonesia, which still categorizes marijuana as a Schedule I narcotic with very strict supervision, even for medical purposes[48]. In *the Narcotics Code BE 2564* , Thailand also introduced a more proportional sanctions system, where penalties are imposed based on the intent and scale of the offense in greater detail. Thai courts are given broader authority to order rehabilitation rather than imprisonment for small-scale abusers in order to reduce the prison population. A comparison between the two countries shows that both Indonesia and Thailand recognize that a purely prison approach is ineffective in eradicating narcotics. However, Thailand has gone further in the aspect of decriminalizing certain substances, while Indonesia has consistently maintained a total ban on all psychotropic substances on the banned list.

In Indonesia, future drug law enforcement will likely continue to prioritize synergy between repressive aspects for syndicates and rehabilitative aspects for victims. The role of the National Narcotics Agency (BNN) is also being strengthened in conducting integrated

[46] Joko Sriwidodo, *Criminal Law Politics in the Approach to Law No. 1 of 2023 concerning the Criminal Code* (Yogyakarta: Kepel Press, 2023). p. 181

[47] UNAIDS and UNODC, “Compulsory Drug Treatment And Rehabilitation In East And Southeast Asia Voluntary Community-Based Alternatives,” 2026. p. 7

[48] Office of the Narcotics Control Board Thailand, "New Concept, New Scenario, New Practice in Accordance with the Frame of the Narcotics Code : Scenario on Tackling Drug Problem at Provincial Level Volume," vol. 38, 2026. p. 49

assessments to ensure that restorative justice is not abused by dealers attempting to hide behind their status as abusers. Indonesia's positive legal approach remains *sui generis* , with national legal sovereignty remaining a top priority in determining which substances are harmful to society. Overall, current regulations in Indonesia are far more progressive than those of the 1970s, placing humanitarian values as a pillar of law enforcement.[49]

The fundamental similarity between Indonesia and Thailand lies in their firm stance against the illicit trafficking of narcotics by international syndicates. However, a striking difference lies in Thailand's boldness in changing the legal status of certain substances. Indonesia remains steadfast in its adherence to the principle that public health is protected by strict prohibition, while Thailand is pursuing a more open economic-medical approach. Both countries continue to seek the best formula for maintaining national security stability from the threat of narcotics, which continue to mutate into new types. Through this comparative study, it can be understood that narcotics laws are dynamic and always follow sociological and medical developments in each country.

The conclusion of this discussion is that drug law enforcement in Indonesia has transformed from a punitive-repressive approach to one that prioritizes restorative justice and rehabilitation for drug users as victims. Regulatory developments, from Law Number 35 of 2009 to the 2023 National Criminal Code, as well as technical regulations for the prosecutor's office and police, demonstrate the state's commitment to aligning strict sanctions for drug dealers with rehabilitation for drug addicts. This is a strategic step to address prison *overcrowding* and provide citizens with a second chance to return to productive service. A comparison with Thailand provides perspective that global trends are indeed moving toward prioritizing public health and rehabilitation, albeit with varying degrees of implementation, such as Thailand's marijuana decriminalization policy, which has not yet been adopted in Indonesia. Legal reform in Thailand, through *the Narcotics Code BE 2564*, demonstrates a regional awareness that the "war on drugs" cannot rely solely on weapons and prisons, but must address the root causes of medical and social problems. Indonesia maintains its legal sovereignty with stricter moral and sociological filters than Thailand when dealing with certain substances.

In closing, the effectiveness of future narcotics law enforcement will depend heavily on the consistency of law enforcement officials in applying the principles of restorative justice and integrity in the assessment process. International synergy remains essential because narcotics crimes are transnational, making understanding the regulatory differences in neighboring countries like Thailand crucial for regional security cooperation. Ultimately, positive law in Indonesia must continue to adapt to changing times without losing its primary spirit of protecting the entire nation from the dangers of destruction caused by narcotics.

Comparison of Methods and Practices of Law Enforcement of Narcotics Crimes in Indonesia and Thailand

Indonesia and Thailand are two Southeast Asian countries facing serious challenges from illicit drug trafficking, primarily due to their strategic geographic locations for international syndicates. Based on 2024 data, Indonesia recorded a significant number of cases, with 43,643 reported cases handled by the National Police and the National Narcotics Agency (BNN), a 12.07% increase from the previous year. This figure indicates that Indonesia remains a major market for various types of Class I narcotics, particularly methamphetamine and marijuana.[50] On the other hand, Thailand also reports high drug crime statistics. While specific

[49] *Ibid.*, p. 47

[50] Indrajit Pandey and Corey S Davis, *Rapid Policy Assessment and Response Unkept Promises : 'Law on the Books' and High Risk Populations in Thailand* (Bangkok, Thailand: Rapid Policy Assessment and Response, 2026). p. 14

data for 2024 are still being finalized by *the Office of the Narcotics Control Board* (ONCB), historical trends indicate Thailand handles tens of thousands of similar cases annually, often exceeding 50,000 reports due to its status as a major transit route for the "Golden Triangle" region. The intensity of law enforcement in Thailand is heavily influenced by domestic policy, which fluctuates between a tough approach and recent legal reform efforts[51].

In terms of the number of perpetrators arrested, Indonesia recorded a total of more than 50,000 suspects in 2024 and early 2025. For example, in one quarter of 2025 alone, more than 17,000 suspects were apprehended. The majority of them were from the productive age group, aged 15 to 24, which is a stark warning to Indonesia's national resilience[52]. Thailand records equally massive arrests. According to regular ONCB reports, Thai authorities often apprehend over 100,000 individuals per year in various drug raids. Thailand's high arrest rate is also due to its frequent mass raids in vulnerable border areas, particularly in the northern region bordering Myanmar and Laos.[53]

Regarding evidence, Indonesia managed to secure an extraordinary amount from 2024 to 2025. Data shows the seizure of more than 6.95 tons of methamphetamine , 184.64 tons of marijuana , and millions of ecstasy pills. Efforts to eradicate marijuana plantations in Aceh also contributed to this fantastic seizure figure, covering tens of hectares of land capable of producing hundreds of tons of fresh marijuana[54]. Thailand consistently seizes larger tonnages of amphetamine-type stimulants (Yaba). In recent years, seizures of Yaba pills in Thailand have often exceeded hundreds of millions per year, alongside seizures of tons of crystal methamphetamine. For example, Thailand has one of the highest methamphetamine seizure volumes in the world due to its role as a gateway for narcotics from the Golden Triangle to the global market[55]. Indonesia employs investigative methods that rely heavily on *undercover buying* and *controlled delivery techniques* , as stipulated in Law No. 35 of 2009. These techniques allow officers to penetrate syndicates and arrest perpetrators as transactions occur. Furthermore, Indonesia relies heavily on interagency coordination through the Integrated Assessment Team (TAT) to determine the legal status of suspects early on.[56]

Thailand's approach emphasizes militarized operations in border areas and the use of high-tech intelligence. Thai police frequently conduct high-risk undercover operations, supported by heavily armed special forces. Following the 2021 narcotics law reforms, Thailand has also begun strengthening its financial intelligence capabilities to impoverish syndicates through value *-based asset forfeiture* , not just physical goods [57] . The advantage of the Indonesian method lies in its highly detailed and specialized legal framework (*lex specialis*), which grants investigators broad authority to conduct wiretapping and special investigative techniques without court approval in urgent situations. This allows for greater flexibility in uncovering international networks. However, its weaknesses include frequent overlapping authority between the National Police and the National Narcotics Agency (BNN), as well as high administrative burdens in formal investigative processes.

[51] Commission on Narcotic Drugs, "69th Commission on Narcotic Drugs Report." *Op. Cit.*, p. 48
[52] National Narcotics Agency, "Indonesia Drug Report 2025" (Jakarta: National Narcotics Agency of the Republic of Indonesia, 2025). p. 22
[53] Hai Thanh Luong, "The Changes in Drug Laws to Apply the Death Penalty for Drug-Related Offenses in Vietnam And Thailand," *Griffith University* , 2024, p lm. 64
[54] National Narcotics Agency, "Report on the Legal Study of the Narcotics Criminal Justice System" (Jakarta, 2025). p. 14
[55] Sinar Aju Wulandari and Putri Kirana, "ASEAN States Cooperation in the Control and Prevention of Illicit Drug Trafficking," *Yuridika* 38, no. 3 (2023): 665–84, p . 678
[56] National Narcotics Agency, "Indonesia Drug Report 2025." *Op.Cit.*, p. 68
[57] Mulyadi Alrianto Tajuddin et al., "The Underutilized Rehabilitation Policy: Why Local Wisdom Matters in Developing Narcotics Prisoners," *Journal of Sustainable Development and Regulatory* 4, no. 1 (2026): 64–89. , p. 74

The advantages of Thailand's methods are the speed and massive scale of operations supported by military infrastructure along the border. Thailand is also highly effective in pursuing cross-border assets. However, its weakness is the higher risk of human rights violations in militarized field operations. Furthermore, frequent political policy changes in Thailand sometimes make investigators' focus unstable, such as the transition between legalization and criminalization of marijuana. The effectiveness of Indonesia's drug policy is often measured by drug prevalence rates. By 2025, the prevalence of drug users in Indonesia is projected to reach 2.11% , or approximately 4.15 million people. Despite massive arrests, the biggest challenge remains recidivism (relapse into drug use). In Indonesia, an estimated 15-20% of former inmates or rehabilitation participants relapse into drug cases due to social stigma and a lack of employment opportunities for former users.[58]

Thailand has faced a more acute recidivism problem in the past due to its overcrowding prison policy . However, with a new, more integrated rehabilitation system, Thailand is working to reduce the recidivism rate. While actual figures are difficult to ascertain publicly, some local reports indicate that Thailand's rehabilitation failure rate remains similar to Indonesia's, influenced by easy access to cheap narcotics across the border.[59]

In rehabilitation practice, Indonesia combines medical and social services through institutions like Lido or other government-run facilities. Their effectiveness is often hampered by limited capacity compared to the number of users. Many drug users who should be rehabilitated end up in prison due to their inability to prove themselves "victims" under the strict law.[60] Thailand has developed a more extensive community-based rehabilitation system since 2021. They have begun to strictly differentiate between "patients" (users) and "criminals" (dealers). The effectiveness of this policy is beginning to be seen in the decline in Thailand's prison population, but it is still being tested by the increasing supply of new synthetic drugs that are far more addictive than older ones[61].

A comparison of the two countries' policies shows that Indonesia's purely punitive (imprisonment) approach has not been entirely effective in reducing the number of new drug users. Meanwhile, Thailand's shift toward limited decriminalization and strengthening public health demonstrates the potential to reduce the burden on the justice system, although it still faces significant border security challenges. The success of law enforcement in Indonesia in 2024 was evident in the dismantling of dozens of international networks, including the uncovering of clandestine drug labs . This demonstrates Indonesia's highly effective investigative methods in detecting domestic production. In Thailand, greater success was seen in intercepting massive supplies before they reached urban markets.

In conclusion, a comparison between Indonesia and Thailand shows that law enforcement methods in both countries are undergoing a major transition. Indonesia maintains a harsh approach with the threat of the death penalty, but is beginning to allow for restorative justice. Thailand, on the other hand, is moving away from its brutal "war on drugs" approach and toward a system that prioritizes public health, although its crackdown on major drug dealers remains uncompromising. The future success of both countries depends not only on the amount of evidence seized or the number of perpetrators arrested, but also on their ability to reduce recidivism rates. Integrating financial intelligence to impoverish drug dealers and

[58] National Narcotics Agency, "Report on the Legal Study of the Narcotics Criminal Justice System." *Op.Cit.,* p. 79

[59] Commission on Narcotic Drugs, "69th Commission on Narcotic Drugs Report." *Op.Cit.,* p. 44

[60] Tofik Yanuar Chandra, Joko Sriwidodo, and MS Tumanggor, "Rehabilitation of Narcotic Addictives: An Overview of Implementation and the Effort by Restorative Justice," *Krtha Bhayangkara* 17, no. 3 (2023): 465–80. p. 470

[61] Office of the Narcotics Control Board Thailand, "New Concept, New Scenario, New Practice in Accordance with the Frame of the Narcotics Code: Scenario on Tackling Drug Problem at Provincial Level Volume." *Op.Cit.,* p. 119

rehabilitation that truly rehabilitates users is key. Without serious efforts at social rehabilitation, the high arrest rates in Indonesia and Thailand will only perpetuate a vicious cycle.

CONCLUSION

Positive law enforcement in Indonesia and Thailand demonstrates a paradigm shift from a punitive-repressive approach to a more humanistic and restorative one. Indonesia, through Law No. 35 of 2009 and the 2023 National Criminal Code, has begun prioritizing restorative justice for drug users, while maintaining a *zero-tolerance policy* with the threat of the death penalty for drug dealers. Meanwhile, Thailand has implemented more radical reforms through *the Narcotics Code BE 2564* (2021) and the decriminalization of marijuana, which firmly positions drug users as "patients" to reduce the burden on the criminal justice system and prison *overcrowding* .

Regarding methods and field practices, Indonesia relies heavily on effective *undercover buying* and *controlled delivery techniques to detect domestic production and international networks. Thailand, on the other hand, prioritizes militarized operations in border areas and excels in financial intelligence through value-based asset forfeiture* . Although both countries successfully arrest tens of thousands of perpetrators and seize tons of evidence annually, recidivism rates remain a significant challenge, demonstrating that mass arrests have not been able to fully break the chain of dependency without effective social rehabilitation.

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