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## Justice and Human Rights: A Study of Legal Protection for Victims of Fabricated Arrests in Narcotics Cases

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### **Abstract**

*Ideally, the legal system in Indonesia should guarantee justice and uphold human rights by protecting individuals from arbitrary arrests and fabricated cases. However, in reality, incidents of fabricated arrests, particularly in drug-related cases, continue to occur due to weak law enforcement and deficiencies within the system. This study aims to analyze the legal protection mechanisms for victims of fabricated arrests in drug cases from a human rights perspective, with the goal of achieving substantive justice. The methodology used is juridical-normative with a descriptive-analytical approach, utilizing primary and secondary data from literature review and analysis of relevant legal frameworks. The research findings indicate that although regulations exist that provide access to pretrial, compensation, and rehabilitation, their implementation is hindered by complicated procedures and lack of oversight over law enforcement authorities. The human rights perspective emphasizes the importance of physical, psychological, and social recovery for victims as part of efforts to achieve substantive justice.*

**Keywords:** Legal Protection, Drug Fabrication, Human Rights

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## Abstrak

Seharusnya, sistem hukum di Indonesia menjamin keadilan dan menegakkan hak asasi manusia dengan melindungi individu dari penangkapan sewenang-wenang dan kasus rekayasa. Namun, dalam realitasnya, insiden penangkapan rekayasa, khususnya dalam kasus narkotika, masih sering terjadi akibat lemahnya penegakan hukum dan kekurangan dalam sistem. Penelitian ini bertujuan untuk menganalisis mekanisme perlindungan hukum bagi korban penangkapan rekayasa dalam kasus narkotika dari perspektif hak asasi manusia, dengan tujuan mewujudkan keadilan substantif. Metodologi yang digunakan adalah yuridis-normatif dengan pendekatan deskriptif-analitis, menggunakan data primer dan sekunder dari kajian literatur dan analisis kerangka hukum yang relevan. Hasil penelitian menunjukkan bahwa meskipun terdapat regulasi yang menyediakan jalur praperadilan, ganti rugi, dan rehabilitasi, implementasinya terkendala oleh prosedur yang rumit serta kurangnya pengawasan terhadap aparat penegak hukum. Perspektif hak asasi manusia menegaskan pentingnya pemulihan fisik, psikologis, dan sosial bagi korban sebagai bagian dari upaya mewujudkan keadilan substantif.

**Kata Kunci:** *Perlindungan Hukum, Rekayasa Narkotika, HAM*

## Introduction

Indonesia, as a law-based state regulated under Article 1, Paragraph (3) of the 1945 Constitution, stipulates that every citizen is equal before the law. This principle mandates that the state must provide protection for the fundamental rights of every individual, including the recognition and respect for human rights (HAM). In the context of law enforcement, the police play a crucial role as the front line in enforcing the law and maintaining public order (Sofyant et al., 2023). As an institution granted significant authority, the Indonesian National Police (Polri) is responsible for carrying out its duties professionally and with integrity, in accordance with the principle of 'due process of law.'

However, the reality on the ground shows that in law enforcement practice, violations of this principle often occur. One serious violation that frequently arises is the practice of fabricated arrests, especially in drug-related cases. A fabricated arrest is a manipulative action carried out by law enforcement officers by fabricating evidence or creating a situation as if someone were involved in a criminal act (Iskandar, 2021). This practice not only harms victims physically, psychologically, and socially, but it also tarnishes the integrity of the legal system and violates human rights.

Ideally, the legal system in Indonesia should uphold the principle of justice and provide effective legal protection to every individual, including victims of fabricated arrests. The Criminal Procedure Code (KUHAP) and other regulations, such as Government Regulation No. 92 of 2015, have provided clear legal grounds related to protection mechanisms for victims, including the right to compensation and rehabilitation (Pramesti et al., 2024). Furthermore, Article 28G of the 1945 Constitution guarantees the right of every citizen to be free from arbitrary arrests.

The pretrial mechanism, as well as oversight by institutions like the National Human Rights Commission (Komnas HAM) and the Ombudsman, are instruments that can be used to prevent such violations.

However, in reality, legal protection for victims of fabricated arrests often fails to function as expected. Weak law enforcement, complicated bureaucratic procedures, and a lack of accountability from law enforcement officers are the main obstacles to providing justice for victims. Many fabricated arrest cases are not investigated transparently, and victims often struggle to obtain their rights, whether in the form of compensation or rehabilitation (Supriyanto, 2013). This situation reflects weaknesses in oversight and law enforcement that result in impunity for officers who violate the rules.

Based on these issues, this study focuses on two main points: first, how the practice of fabricated arrests in drug cases is carried out by the police; and second, how the legal protection mechanisms available for victims of fabricated arrests function within the context of human rights. The aim of this research is to identify the patterns of fabricated arrests by police officers, analyze the barriers in legal protection for victims, and provide recommendations that can strengthen the legal system and ensure respect for human rights in Indonesia. This study is expected to contribute a more comprehensive understanding of the practice of fabricated arrests and its impact on victims. Additionally, this research aims to provide input to policymakers for improving regulations and oversight mechanisms for law enforcement officers, thus ensuring justice and respect for human rights within Indonesia's legal system.

## **Literature Review**

Research on legal protection for victims of fabricated arrests in drug cases is not an entirely new topic. Several previous studies have highlighted this issue from various perspectives, both from criminal law and human rights perspectives. Manik and Ravizki, in their work titled; "*Korban Salah Tangkap: Penjebakan Melalui Metode Pembelian Terselubung*", discuss entrapment through undercover buy-bust operations, which are often used in handling drug cases. This study highlights the negative impacts of this method on individuals who are not actually involved in criminal activities (Manik & Ravizki, 2024). The similarity between their research and this study lies in the focus on victims of wrongful arrests in drug cases, particularly due to actions that violate legal procedures. However, Manik and Ravizki's research emphasizes the technical aspects of entrapment through undercover buy-bust operations, while this study explores the dimension of legal protection for victims from a human rights perspective and a broader justice framework.

Martono, in his article titled; "*Perlindungan Hukum terhadap Penangkapan dan Penahanan Tersangka dalam Perspektif Hak Asasi Manusia*", examines how legal procedures related to arrests and detention can be carried out in accordance with human rights principles. This research highlights the importance of due process of law in ensuring the protection of individual rights during legal proceedings (Martono, 2020). The similarity between this research and Martono's work is the focus on legal protection and the enforcement of human rights

principles in the arrest process. However, the difference lies in the scope of the research. Martono's work focuses more on legal protection in the procedural context in general, while this study specifically examines the protection of victims of fabricated arrests in drug cases.

Rahman, in his research titled; "*Problem Pengaturan Upaya Paksa Penangkapan terhadap Pelaku Tindak Pidana Narkotika*", evaluates legal regulations regarding coercive measures, particularly in the process of arresting drug offenders. This study highlights weaknesses in the legal regulations and their implementation, as well as the impact on the effectiveness of law enforcement (Rahman, 2020). The similarity between Rahman's research and this study is the focus on legal aspects related to the arrest process in drug cases. However, Rahman's work focuses more on analyzing legal regulations and implementation issues, while this study delves deeper into the protection of victims of fabricated arrests from the perspective of justice and human rights.

After reviewing the studies mentioned above, it can be concluded that no previous work specifically discusses legal protection for victims of fabricated arrests in drug cases with a holistic approach that focuses on justice and human rights. While there are some similarities in the themes addressed, this study fills the gap in the literature by providing an in-depth analysis of legal protection for victims, while also linking it to efforts to prevent fabricated arrests systematically. Thus, this research positions itself at a critical gap in the existing literature, where the legal protection of victims of fabricated arrests is linked to legal system reforms and law enforcement accountability.

This gap is crucial to fill, given its impact on justice and human rights. The novelty offered by this research is a comprehensive analysis that not only discusses legal aspects but also emphasizes the need for concrete steps to improve the law enforcement system in Indonesia. This research is expected to become an important reference for academics, legal practitioners, and policymakers in efforts to strengthen legal protection and uphold justice.

## **Research Methodology**

This article falls under the category of library research based on qualitative methods using normative legal studies methodology. This approach aims to analyze legal protection for victims of fabricated arrests in drug cases with a focus on the applicable legal norms. The primary data sources in this study include various regulations and legal provisions related to arrests, human rights, and laws governing drug crimes in Indonesia. Meanwhile, the secondary data sources consist of scientific journals and relevant books published in the past 10 years, in order to strengthen the theoretical analysis and provide a broader perspective on the issue discussed.

## **Legal Protection and Human Rights**

Legal protection and human rights are two inseparable concepts in building a just, peaceful, and dignified society. Both serve as the foundation for creating harmony between individual interests and collective interests in social and state

life. Legal protection acts as a tool to maintain this balance, while human rights provide a universal basis that safeguards the fundamental rights of every individual as God's creation. The thinking on the relationship between law and morality is rooted in natural law theory, which was introduced by philosophers like Plato, Aristotle, and Zeno. In natural law theory, law originates from God and is universal and eternal, so law and morality should not be separated in its implementation (Elvahira et al., 2024).

Natural law theory places law as a reflection of both internal and external rules governing human life. As a universal rule, law encompasses morality, which serves as a guide for human life. This thinking has continued to evolve and has become a crucial foundation for modern thinkers like Fitzgerald and Salmond in the theory of legal protection. According to Fitzgerald, law aims to integrate various interests within society by protecting certain rights while limiting other rights to create balance. Therefore, law holds the highest authority to determine which interests should be regulated and protected for the sake of justice. In practice, legal protection is not merely about establishing rules but also involves societal agreements to adhere to these rules. The existing legal provisions serve to regulate the relationships between community members and between individuals and the government as a representation of public interests.

According to Setiono, legal protection is an action that shields society from arbitrary acts of power, thus ensuring order and peace. With legal protection, every individual has the opportunity to enjoy their dignity as a human being without the threat of harm from others. Meanwhile, human rights (HAM) are inherent rights that every individual possesses from birth as a gift from God. These rights include the right to life, freedom, and security, which cannot be revoked by anyone except with the consent of the individual owner (Rante et al., 2022). According to Jimly Asshidiqqie, human rights are universally recognized as a form of freedom from slavery, oppression, or degrading treatment. In other words, human rights serve as a normative guide that protects individuals from inhuman treatment while ensuring their right to live decently.

John Locke, a great thinker on human rights, asserted that humans are born with natural, basic rights, including the right to life, liberty, and property. These rights are inherent in human beings and cannot be taken away by the state or anyone else. Therefore, human rights not only protect individuals from violations by the state but also serve as a foundation to maintain freedom and human dignity in daily life. This thinking has become the basis for the formation of international law that governs the universal protection of human rights. Legal protection and human rights play a vital role in creating social stability (Appleyard & Riggs, 2021). When law is consistently enforced, public trust in the legal system increases. This, in turn, creates a sense of security and justice, which forms the foundation for societal life. On the other hand, respect for human rights ensures that every individual can live without fear or threats that could disrupt their freedom and dignity. These two concepts complement each other in building a harmonious society.

However, the implementation of legal protection and human rights often faces challenges, both in terms of execution and societal awareness. Many cases exist where law is not enforced fairly, creating a lack of trust in legal institutions.

Moreover, human rights violations remain a serious issue in various countries, including Indonesia. This shows that efforts to enforce law and protect human rights require strong commitment from all parties, including the government, society, and individuals. The role of the government is crucial in ensuring that legal protection and human rights can be effectively implemented. As lawmakers and law enforcers, the government is responsible for creating a fair and transparent legal system. Furthermore, the government must ensure that every individual, without exception, has equal access to legal protection. In the context of human rights, the government must protect the rights of citizens from both internal and external threats.

At the societal level, awareness of the importance of legal protection and human rights must be continuously enhanced. Legal and human rights education is one way to instill understanding about the rights and obligations of every individual. With good understanding, society can play an active role in enforcing the law and protecting human rights, both for themselves and others. This awareness also helps prevent legal and human rights violations, which often stem from ignorance or indifference (Maldonado, 2020). Moreover, independent institutions such as the National Human Rights Commission (Komnas HAM) play an important role in overseeing the implementation of legal protection and human rights. This institution functions as a monitor to ensure that the government and society perform their duties correctly. With the presence of independent institutions, legal and human rights violations can be minimized, creating a more transparent and accountable system.

In a global context, legal protection and human rights have become major issues discussed at various international forums. Countries around the world strive to align their national laws with internationally agreed standards. This reflects the importance of international cooperation in ensuring that every individual worldwide receives their rights fairly and equally. The Universal Declaration of Human Rights (UDHR) stands as a key milestone in the global effort to protect human rights.

### **Manipulated Arrest in Narcotics Cases by the Police**

Manipulated arrests in narcotics cases have become an increasingly frequent phenomenon that has garnered serious attention within Indonesia's law enforcement system (Squires, 2006). In criminal legal proceedings, the investigation and prosecution procedures should follow the legal provisions set out in the Indonesian Penal Code (KUHP) and the Criminal Procedure Code (KUHAP). These provisions are designed to provide a sense of justice and legal certainty, in line with the main objectives of the law: to protect individual rights and uphold justice objectively. However, the practice of manipulated arrests creates legal uncertainty and undermines public trust in law enforcement institutions.

The arrest procedure is clearly regulated in Article 17 of the Criminal Procedure Code (KUHAP), which states that an arrest can only be made against someone who is strongly suspected of committing a crime based on sufficient preliminary evidence. In this context, preliminary evidence is a key requirement

that must be met before an arrest can be made. However, in some cases, this principle is often disregarded by law enforcement officers who prioritize quantitative targets or certain interests. Arrests without adequate evidence, especially through manipulative means, reflect a serious violation of applicable legal procedures.

The term 'manipulated case' itself is not found in the legislation, but it refers to manipulative practices aimed at creating the impression that someone has committed a crime, even if this is not the case. According to the Indonesian Dictionary (KBBI), manipulation can be understood as a conspiracy or malicious plan intended to harm another party. In the context of the law, manipulated narcotics cases often involve methods such as manipulating evidence, fabricated testimonies, or even setting traps for innocent individuals. One common method used in manipulated narcotics cases is 'entrapment.' This method creates a situation where a person is unknowingly directed into participating in illegal activity, thus providing a basis for arrest (Heydon, 1973).

In practice, this method is often abused by certain officers to meet operational targets or even for extortion purposes. Such entrapment violates legal principles and human rights, which should be upheld in every law enforcement process. The case of Yoseph in Tangerang serves as a real example of a manipulated arrest carried out by police officers. Yoseph was trapped through a series of events involving manipulation and pressure from the police. Initially, he was accused of carrying methamphetamine based on unclear reports. Despite urine tests showing negative results and no evidence being found, he was arrested again in an incident involving the same police officers. This case highlights the seriousness of the manipulation problem in law enforcement processes in Indonesia.

Such practices not only violate legal principles but also create psychological trauma for the victims and their families. Manipulated arrests damage the reputation of the individual arrested, destroy their social and economic life, and create a stigma that is difficult to erase. Moreover, this action strengthens negative perceptions of law enforcement institutions, leading to increasing distrust. Human rights become the most neglected aspect in manipulated arrest cases. Law No. 8 of 1981 on the Criminal Procedure Code (KUHAP) clearly stipulates that arrests can only be made based on sufficient preliminary evidence (Bella Febrina & Maharani, 595). However, implementation on the ground often contradicts this provision, particularly in narcotics cases, where the pressure to uncover networks or syndicates is often used as a reason to take actions outside the legal procedures.

Investigation techniques such as 'undercover buys' or 'controlled delivery' are actually regulated by law and can be carried out by investigators with written permission from superiors. However, the lack of supervision and transparency in the implementation of these techniques often becomes a gap exploited by officers to carry out entrapment. The public's ignorance of their rights also exacerbates the issue, as many victims lack the ability or courage to challenge the injustices they face. The Indonesian Supreme Court has acquitted defendants in several narcotics cases suspected to have been manipulated by the police (Kamila, 2024). These rulings demonstrate that manipulated cases are unacceptable within a legal system that upholds justice and legal certainty. However, despite efforts at reform through

court decisions, the root causes of this problem still require serious attention, especially in terms of police institution reform and increasing oversight of law enforcement officers. Manipulated cases in law enforcement, especially in narcotics cases, reflect the failure of the system in ensuring a fair and transparent legal process.

In the context of a rule-of-law state, such manipulative actions represent an abuse of power that cannot be tolerated. Therefore, concrete steps are needed to improve the law enforcement system, including strengthening internal supervision, imposing strict sanctions on officers found guilty of manipulation, and increasing legal education for the public (Manik & Ravizki, 2024). By improving the law enforcement system and eliminating manipulative practices like manipulated cases, public trust in legal institutions can be restored. Additionally, the protection of human rights and legal justice can be achieved, so that the primary goal of law—providing justice and legal certainty for all parties—can be optimally realized.

### **Legal Protection for Victims: A Human Rights Perspective**

The issue of fabricated arrests in drug cases by the police has become a serious concern and often leads to violations of human rights. This practice reflects the abuse of power by law enforcement officers, which is often caused by manipulation of facts, procedural errors, or attempts to meet specific targets. Arrests made without a clear basis, legitimate evidence, or through the correct legal procedure not only harm the individuals who become victims but also damage public trust in the judicial system (Spencer, 2001). Victims of fabricated arrests often suffer deep physical, psychological, and social harm, which necessitates firm legal protection to restore justice.

Legal protection becomes an essential instrument to ensure safety and justice for every individual. In general, legal protection refers to the steps taken by the state to ensure that individuals can enjoy their rights as recognized by law. This concept includes protection of honor, dignity, and human rights from arbitrary actions. According to Philipus M. Hadjon, legal protection must ensure justice, order, legal certainty, and peace, especially when facing actions that violate legal procedures, such as fabricated arrests. In the context of Indonesian law, Law No. 8 of 1981 on the Criminal Procedure Code (KUHAP) serves as the primary guideline that regulates investigation and prosecution procedures. KUHAP provides protection for individuals' rights during law enforcement, including the right not to be arrested arbitrarily.

Articles 16 through 19 of KUHAP regulate legitimate arrest procedures. If an arrest does not comply with these provisions, it may be declared unlawful. With these provisions, the state is committed to protecting individuals from the abuse of power by law enforcement officers. The case of Yoseph, a man who became a victim of a fabricated arrest on charges of drug trafficking, serves as a real example of this violation (Mahayuna et al., 2023). In this case, the police used fabricated evidence and unlawful procedures to accuse Yoseph. This case not only violates the fundamental principle of criminal law that a person is presumed innocent until proven guilty but also highlights the weakness of oversight in the law enforcement

process. As a result, the victim had to face severe psychological and social consequences due to the stigma from society.

The importance of legal protection for victims of fabricated arrests cannot be ignored. One of the primary mechanisms available to protect the victims' rights is through pretrial procedures. Pretrial is an oversight institution that ensures the rights of suspects are maintained during the investigation process. Article 1, point 10 of KUHAP grants the district court the authority to examine and decide on the validity of an arrest, detention, or termination of an investigation conducted by investigators. With this mechanism, victims of fabricated arrests have the opportunity to seek justice (Laksana, 2023). The pretrial process provides three main powers. First, to examine the validity of an arrest or detention upon request from the suspect or their family. Second, to test the termination of an investigation or prosecution for the sake of upholding the law and justice. Third, to decide on a request for compensation or rehabilitation by the suspect or other affected parties. In the context of fabricated arrests, pretrial becomes an initial effort to restore the rights of victims that have been violated by unlawful actions of law enforcement officers.

In addition to pretrial, legal protection also includes the right to compensation and rehabilitation. These provisions are regulated in KUHAP and Government Regulation No. 92 of 2015. Compensation aims to offset material and immaterial losses suffered by victims due to unlawful arrests. Meanwhile, rehabilitation aims to restore the victim's reputation and dignity that has been tarnished by unfounded accusations. This mechanism is crucial in providing comprehensive justice for victims of fabricated arrests. However, the implementation of legal protection often faces challenges (Maulidah & Wahyudi, 2022). The lack of professionalism among law enforcement officers, weak supervision, and the public's limited understanding of available legal mechanisms are the main obstacles. Moreover, the social stigma towards victims of fabricated arrests often becomes an additional burden that is difficult to erase. Therefore, strengthening the legal system, providing training for law enforcement officers, and educating the public are essential to create an environment that supports effective legal protection.

In efforts to provide optimal legal protection, the roles of institutions such as the National Human Rights Commission (Komnas HAM) and the Witness and Victim Protection Agency (LPSK) are crucial. Komnas HAM can provide recommendations regarding human rights violations that occur in fabricated arrest cases, while LPSK can provide legal and psychological assistance to victims. The synergy between these institutions and law enforcement can strengthen the existing legal protection mechanisms (Shandyana, 2024). Furthermore, it is important for the government to strengthen regulations related to law enforcement mechanisms. Revisions to KUHAP, enforcement of police professional ethics, and the application of strict sanctions against officers proven to have committed violations should be prioritized.

With more stringent regulations, it is hoped that the practice of fabricated arrests can be minimized and justice for the victims can be realized. Legal protection for victims of fabricated arrests in drug cases by the police is not only about ensuring justice for the individuals harmed. More than that, it is a step to

maintain the credibility of the legal system and create a more just and civilized society. By providing adequate legal protection, the state can demonstrate its commitment to respecting and upholding human rights.

### **Restoration of Reputation and Compensation for Victims of Entrapment Arrests**

The restoration of reputation and compensation for victims of entrapment arrests is one form of injustice that not only violates human rights but also damages a person's dignity, reputation, and standing. In this context, victims have a clear right to seek restoration of their reputation and compensation for the harm they have suffered. This right is guaranteed in the Indonesian Criminal Procedure Code (KUHAP) through compensation mechanisms outlined in Article 1 Paragraph 22 and Article 95 Paragraph 2. Based on these provisions, an individual who has been arrested, detained, or prosecuted without lawful grounds or due to legal error has the right to file for compensation through a pretrial procedure (Darmawan, 2024).

The compensation covers various forms of redress, such as the restoration of reputation, reimbursement for medical expenses resulting from physical injuries, compensation for lost economic opportunities, and replacement for the loss of career potential that the victim should have had. According to Rachmat Trijoono, compensation must aim to return the victim to their original condition or provide equivalent restitution if restoration is not possible. Unfortunately, despite these rights being clearly regulated, their implementation is often hindered by complicated bureaucracy and lengthy procedures, further prolonging the suffering of victims.

In addition to compensation, the restoration of a victim's reputation is also a crucial aspect of rehabilitation. This rehabilitation is regulated in Article 97 of KUHAP, which guarantees an individual's right to restore their abilities, position, as well as their dignity and honor. Rehabilitation processes are typically included in court decisions, whether at the pretrial level or in acquittals or dismissals from all legal charges. In the ruling, the right of the defendant to be restored is explicitly stated, making it an important step in restoring the victim's dignity in the eyes of the public. However, despite the legal framework being available, its implementation often faces various obstacles (Susiyanto et al., 2021).

Slow legal processes, a lack of public awareness regarding their rights, and cumbersome bureaucracy are major challenges. Victims are often forced to undergo lengthy and exhausting processes to achieve justice, which frequently adds to their psychological and social burdens. After all, slow justice is the same as justice denied. Legal protection for victims of entrapment arrests becomes increasingly important in the context of respect for human rights. Data from the National Human Rights Commission (Komnas HAM) shows that the police are the most frequently reported institution for violations of the right to justice. Allegations of arbitrariness, criminalization, and torture during legal processes are just a few of the issues faced. In narcotics cases, for example, entrapment arrests often become a major issue tarnishing the credibility of law enforcement.

Furthermore, the restoration of a victim's reputation is closely related to the protection of human rights guaranteed by various national and international regulations. The 1999 Human Rights Law (No. 39/1999), for example, emphasizes that everyone is entitled to the protection of their human rights without discrimination. Government Regulation No. 3/2002 also regulates compensation, restitution, and rehabilitation for victims of serious human rights violations, underscoring the importance of restoring the psychological and social impacts experienced by victims (Martono, 2020). At the international level, the basic principles of victim protection are also regulated in the Rome Statute and various human rights conventions. Article 68 Paragraph (1) of the Rome Statute, for example, requires the court to take appropriate measures to protect the safety, physical and psychological well-being, dignity, and privacy of victims.

Similarly, the fundamental principles of the right to remedy in international human rights violations affirm the obligation of states to protect victims from intimidation and threats during and after legal proceedings. The biggest challenge in the restoration of reputation and compensation for victims of entrapment arrests is ensuring that existing regulations are truly implemented effectively (Zaidan & Wahyuningsih, 2017). Legal processes are often hindered by political interests, limited budget allocation for compensation, and low transparency in the implementation of laws, causing victims to feel marginalized. In fact, justice for victims is part of the effort to realize the true rule of law.

In addition to material losses, the psychological impact on victims also requires serious attention. Entrapment arrests can cause deep trauma, loss of self-confidence, and social isolation. Therefore, restoring a victim's reputation is not only essential for regaining their public standing but also serves as the first step in restoring their psychological condition. The importance of restoring reputation and compensating victims of entrapment arrests should also be seen as part of the reform of the criminal justice system. The legal system must be more responsive to the needs of victims, with faster, more transparent, and fairer procedures. The establishment of an independent body specifically handling these cases could be a solution to overcome the existing barriers.

### **Challenges, Obstacles, and Solutions**

Victims of fabricated arrests face serious challenges that damage their lives, legally, socially, and psychologically. One of the main obstacles is the prolonged legal process. Even when proven innocent, victims often have to endure a lengthy and complicated legal journey to achieve justice. This not only physically and mentally exhausts them but also makes it difficult for them to return to a normal life. Furthermore, victims also face social stigma attached to the accusations once made against them (Gunawan et al., 2024). Society tends to judge an individual based on initial allegations, without considering the fact that the victim has been cleared of all charges. The impact of this stigma can hinder victims from finding employment, building social relationships, or even reuniting with their families.

Another challenge is the lack of available mechanisms for restoring the reputation of victims within the Indonesian legal system. While, in principle, the law guarantees compensation and rehabilitation for victims, in practice, this is

difficult to achieve. Claims for compensation are often delayed by complicated bureaucratic procedures and a lack of effective regulations. The inadequacy of law enforcement in handling such cases exacerbates the situation for victims. On the international level, various legal instruments such as the Universal Declaration of Human Rights (UDHR) and the International Covenant on Civil and Political Rights (ICCPR) have established protections for victims of arbitrary arrest. However, the implementation of these principles in Indonesia is still far from adequate. The government has not fully adhered to these international standards, which should serve as the primary reference to ensure justice for victims.

Human rights, which are fundamental rights for every individual, are often overlooked in cases of fabricated arrests. Law enforcement that violates the principles of justice, as seen in this case, damages the public's sense of fairness. Without adequate legal protection, victims are left in a very vulnerable position to further violations. The solution to these issues must begin with comprehensive reforms within the criminal justice system. Investigation, inquiry, and prosecution procedures must be redesigned to prevent the occurrence of fabricated arrests. Strengthening independent oversight institutions such as the National Commission on Human Rights (Komnas HAM) and the Ombudsman is a strategic step that can ensure the police operate according to procedures and do not abuse their power (Martono, 2020).

In addition, community empowerment through legal education is crucial. By understanding their rights, the public can better resist injustice and make use of the legal mechanisms available. This knowledge will help victims fight for their rights in an effective and structured manner. Compensation and rehabilitation, carried out systematically, must be a concrete step taken to restore the victims' reputations. The state needs to provide a legal framework that facilitates this process, so victims are not trapped in exhausting bureaucratic procedures. Financial compensation and psychological support, for example, could be ways to assist victims in resuming their lives.

Besides compensation, a social rehabilitation mechanism is also necessary to eliminate the stigma attached to victims. The government and society must actively create inclusive spaces for victims to reintegrate without discrimination. Public campaigns and socialization programs can help raise awareness among the public about the importance of respecting victims' rights. On the international front, Indonesia must be more committed to adhering to human rights standards. As part of the global community, Indonesia has a responsibility to uphold universally recognized principles of justice (Squires, 2006). This step will not only improve Indonesia's image on the world stage but also strengthen public trust in the domestic legal system.

A systematic effort to eliminate the practice of fabricated arrests should also be a priority. The principle 'Fiat Justitia Ruat Caelum'—justice must be upheld, even if the heavens fall—should form the foundation of every legal process. Transparent, fair, and non-discriminatory law enforcement will foster greater public trust in the criminal justice system. Without these concrete measures, victims of fabricated arrests will continue to be marginalized, and justice will remain a difficult aspiration to achieve. The state, society, and legal institutions

must work together to ensure that every individual is treated fairly and equally before the law. Only then can true justice be achieved for all parties involved.

## Conclusion

Fabricated arrests in drug-related cases are illegal and manipulative actions that contradict the principles of justice. These practices are often carried out without strong evidence or through unlawful methods, which not only harm victims physically, psychologically, and socially but also erode public trust in the criminal justice system. A fabricated arrest creates a situation in which it appears that someone is involved in a criminal act, even though they are not involved at all. This practice highlights the weakness of oversight over law enforcement officers and the lack of systematic efforts to eliminate such arbitrary actions.

Legal protection for victims of fabricated arrests, as regulated in the Criminal Procedure Code (KUHAP) and Government Regulation No. 92 of 2015, provides mechanisms such as pretrial hearings, compensation, and rehabilitation to restore the victims' rights. However, the implementation of these regulations still faces major challenges, including complicated bureaucratic procedures and delays in compensation payments. To address this issue, legal system reforms are needed, including strengthening oversight institutions such as the National Commission on Human Rights (Komnas HAM) and the Ombudsman, as well as raising public awareness about their rights. By ensuring the more effective and transparent implementation of legal protections, the state can minimize the practice of fabricated arrests, restore public trust in the legal system, and uphold human rights in accordance with universal principles of justice.

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