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## The Execution of Burning of Seized Narcotics Goods in Open Space on Environmental Health from a Rights Perspective

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**Abstract:** In the verdict of a narcotics case, the destruction of confiscated narcotics is usually one of the rulings that must be implemented. In Indonesia, the method of destroying confiscated narcotics goods that is commonly used in the execution of decisions in the form of destroying confiscated narcotics goods is by using the open burning method. However, this method of burning confiscated goods is considered to potentially violate human rights because it affects the environment and public health. This research aims to find out how human rights views on the open burning of confiscated narcotics and to determine the destruction procedure that is in accordance with human rights standards in Indonesia. The research method used in this research is socio-legal by using descriptive analytical research specifications. The research stages were carried out with secondary data library research and field research in the form of interviews with the National Narcotics Agency. Based on the results of the research, it can be concluded that the method of burning confiscated narcotics in open spaces can violate human rights. This is because the smoke from the combustion still contains high levels of dangerous narcotic substances, thus violating the right to a clean, healthy and sustainable environment. Furthermore, regarding the method of destroying confiscated narcotics that is safe for the environment and the surrounding community, namely using an incinerator. This is because incinerators do not produce smoke from combustion, so they do not pollute the environment and are not harmful to the surrounding community.

**Keyword:** Execution of Judgement, Destruction of Narcotics, Human Rights.

### INTRODUCTION

One of the methods of destroying confiscated narcotics according to the Regulation of the Head of the National Narcotics Agency (BNN) Number 7 of 2010 (hereinafter referred to as Perka BNN No. 7 of 2010) Annex II which is still often used today is the open-air burning method using barrels. This destruction process is carried out by putting the drug in a barrel and adding fuel oil, then burning it. The ash from the burning is then disposed of in a landfill to ensure that there are no residual narcotics circulating in the community. However, this method of destroying confiscated goods has the disadvantage that it has the potential to disturb the

health of the community around the destruction site. In addition, this method also makes the surrounding environment unhealthy and unsafe. This condition certainly causes a violation of human rights, namely the right to a healthy and safe environment as stipulated in Article 28H paragraph (1) of the 1945 Constitution of the Republic of Indonesia and also Article 6, Law Number 36 of 2009 concerning Health which explains that environmental health is also one of the human rights. One example of the burning of confiscated narcotics in the open was the destruction of narcotics at Lampung Police Headquarters on 22 March 2023 which was attended by various parties, including representatives from the Bandar Lampung District Attorney's Office, South Lampung District Attorney's Office, Pesawaran District Attorney's Office, and Lampung Province BNN. The total evidence destroyed was quite large, namely 54.4 kg of marijuana, 129.7 kg of methamphetamine, 18,898 items of ecstasy, and 24.35 grams of synthetic tobacco (Tribrata News, 2023). The next example of destroying confiscated narcotics by burning in an open space was at the East Jakarta District Attorney's Office (Kejari Jaktim) on 27 June 2023. This destruction was carried out on narcotics evidence seized from various cases from 2022 to March 2023. The narcotics evidence destroyed was also quite large, with a total weight of 21.8 kg of marijuana, 1.3 kg of crystal methamphetamine, 3654 grains of ecstasy, 4.1 kg of ecstasy-making powder, and various other narcotics. The narcotics evidence was then destroyed by burning it in a barrel that had been provided, using a torch (East Jakarta City Government, 2023).

BNN stated that marijuana and methamphetamine are the most common items found in narcotics cases in Indonesia (Tribunnews, 2023). The case example above also states that marijuana and methamphetamine are the most types of narcotics that use the method of burning in open spaces. Meanwhile, the use of cannabis narcotics is also through burning and one way of using methamphetamine is also burned on tin. Therefore, in practice, this method of burning confiscated goods is considered to have the potential to violate human rights because it can have an impact on the environment and public health. The smoke from burning drugs such as cannabis or methamphetamine is known to contain harmful elements that can pollute the air and also have the potential to interfere with the health of the surrounding community. The right to a clean, healthy and sustainable environment has been recognised by the world as a fundamental human right. This can be seen from various international instruments such as the Universal Declaration of Human Rights (UDHR) and also UN General Assembly Resolution No. A/RES/76/300 which has seen that the right to a clean and healthy environment is part of human rights (United Nations, 2022). From Indonesia's perspective, it also intersects with the 1945 Constitution of the Republic of Indonesia Article 28H Paragraph (1) which explains that a good and healthy environment is the right of every citizen. Therefore, the practice of destroying confiscated drugs that can pollute the environment and endanger public health needs to be carefully considered so as not to violate human rights.

This research aims to find out how human rights views on the open burning of seized narcotics and to determine destruction procedures that comply with human rights standards in Indonesia. The main focus of this research is on how the practice of destroying seized drugs by open burning is conducted in Indonesia, the right to a clean, healthy and sustainable environment and how the procedural framework for destroying seized drugs by burning should be designed and implemented in Indonesia to ensure effectiveness, environmental safety, and compliance with human rights standards.

## **METHOD**

This research will use socio-legal methodology. Socio-legal is a methodology that can be considered as an "umbrella concept" because it covers various dimensions of law, legal processes, and also the legal system (Wiratraman, 2008). Identification in socio-legal studies does not only focus on the text, but also involves a deep understanding of the context, covering the entire process from law formation to its application. The term "socio-legal studies" has

slowly evolved into a widely accepted term that covers a wide range of disciplines that incorporate social science perspectives in the study of law. This includes legal sociology, legal anthropology, legal history, legal psychology and law, judicial political science, and comparative law (Tamanaha, 1997).

The researcher used descriptive analytical research specifications in this study. This specification involves an in-depth description and analysis of the facts relevant to the applicable legal regulations, then linking them to relevant legal theories and their application in the positive legal framework that addresses the core issue of this research. In terms of research stages, this study will follow a series of systematically structured steps, including a literature review, examination of secondary legal materials, and field research that will be conducted at the National Narcotics Agency, Deputy for Eradication.

## **RESULTS AND DISCUSSION**

### **A Human Rights Perspective on the Implementation of Destruction of Confiscated Narcotics Goods by Burning in Open Space Method**

It should be noted that the destruction of confiscated narcotics is one of the steps taken by the state to prevent further narcotics trafficking or the use of the remaining confiscated narcotics and then circulate back to the community (Aisyah & Sahari, 2022). According to Article 1 paragraph (23) of Government Regulation No. 40 of 2013 concerning the Implementation of Law No. 35 of 2009 concerning Narcotics (PP No. 40 of 2013), destruction is a series of activities to destroy confiscated items, either by burning, using equipment, or other means with or without the use of chemicals, as a whole, which includes stems, leaves, flowers, seeds, roots, and other parts of narcotics in the form of plants so that the confiscated narcotics in the form of plants can no longer be used or destroyed. One of the processes of destroying confiscated narcotics is by using the open burning method. This method is carried out because this method of destroying confiscated narcotics is considered the simplest and most cost-efficient method. However, the open-air incineration method has several disadvantages in that the process of burning confiscated items that have been considered waste causes the smoke produced to pollute the environment and health for individuals who inhale the smoke from burning confiscated narcotics. This is especially true if there are a large number of seized narcotics items to be destroyed.

Destruction of confiscated narcotics by burning in an open space is usually carried out by placing confiscated narcotics in the form of marijuana, methamphetamine, and others in a barrel made of iron then placed in a field or open space and then burned using a torch (Regulation of the Head of the National Narcotics Agency, 2010). This method of destroying confiscated goods burns the substance of narcotics that has received a court decision to be destroyed just like burning garbage in general. The implementation of the destruction of confiscated narcotics by combustion method must be in accordance with the provisions listed in Article 30 of PP No. 40 of 2013, namely destruction must be carried out in a safe place through combustion or other chemical means, which does not cause adverse effects on health or damage to the environment. This is because narcotics are dangerous goods. Therefore, when destruction is carried out, it must be ensured that the impact is safe on the environment and society. With the enactment of regulations regarding the destruction of confiscated narcotics, state apparatus should be obliged to pay attention and follow all directions in the regulations. This needs to be done in order to avoid damage to the environment and also negative impacts on health for both officials who carry out destruction and the people who live around the destruction site.

Indonesia can also look at the rules for destroying confiscated narcotics that are regulated internationally by UNODC or the United Nations Office on Drugs and Crime, which is a United Nations (UN) agency formed to assist member countries in combating global threats, especially combating narcotics problems. This union has special guidelines related to the handling of confiscated narcotics that have been approved by the world and declared safe for humans and

the environment, namely the Illustrated guide for the Disposal of Chemicals used in the Illicit Manufacture of Drugs (Revised Edition), which in this guideline says that if you want to destroy confiscated narcotics using combustion, you must protect sensitive locations, burning must comply with the "buffer distance", which is the minimum distance that must exist between the disposal site and one of the sensitive locations and one of the minimum limits in conducting this open burning method is 750 metres of settlements and must ensure that wind gusts are not directed towards personnel and residential communities (United Nations Office on Drugs and Crime, 2020). In this case, Indonesia does not have detailed rules or regulations related to the destruction of confiscated goods, and there are also no specific guidelines regarding the selection of the place to carry out the destruction of confiscated narcotics.

In reality, there are still practices of destroying confiscated drugs that are carried out in an unsafe manner or have a negative impact on the surrounding community. As in 2015, several Palmerah communities were affected by the smoke from the destruction of 3.3 tonnes of confiscated narcotics by burning in an open space, this was then highlighted by British media sites, one of which was the Daily Mail. The smoke from the burning spread to houses around the Palmerah Police Station, causing dizziness and headaches due to the smoke (Sandy Mahaputra, 2015). The method of destroying confiscated narcotics by burning in an open space can potentially violate human rights, especially the right to have a clean, healthy and sustainable environment, if the right method is not used to prevent such violations. Human rights themselves are defined as moral rights that are universal in nature, meaning that they are binding on everyone, regardless of anything, without exception. This right is given to everyone because they are human and cannot be ignored or revoked from someone without causing serious harm to justice (Hakim & Kurniawan, 2021).

The right to a healthy environment, a clean, healthy and sustainable environment, has been recognised as a human right by the UN Human Rights Council and officially recognised as a human right at the international level. This provision is contained in UN General Assembly Resolution Number A/RES/76/300 (Saura-Freixes, 2022). Indonesia is one of the UN member states that agreed to the resolution so that Indonesia should respect human rights, especially the right to have a clean, healthy and sustainable environment (United Nations, 2022). In addition, UN Resolution No. A/RES/76/300 is in line with the 1945 Constitution of the Republic of Indonesia Article 28H Paragraph (1) which explains that the right to a clean and healthy environment is one of the human rights (Indonesia, 1945 Constitution, Article 28H Paragraph 1).

The practice of destroying confiscated drugs by burning in open spaces also violates the right to have a clean, healthy and sustainable environment in that it can pose additional risks to members of the surrounding community who inhale the smoke from burning cannabis. People who inhale the smoke may become secondhand smokers of cannabis. The smoke from burning cannabis also still contains high amounts of THC so it has been shown to have a negative impact on secondhand smoke (Cone et al., 2015). Exposure to cannabis smoke can result in the generation of cannabinoid metabolites in body fluids that can produce positive results in oral fluid, blood and urine tests, and can also result in psychoactive effects (Lee & Huestis, 2014).

The impact of exposure to cannabis smoke and its psychoactive effects can cause people to become dependent on cannabis. In addition, exposure has also been linked to an increased risk of developing schizophrenia, panic disorder, and possibly bipolar disorder (Jiang et al., 2014). Exposure to combustion smoke from residual cannabis use on a regular basis can also have effects such as cognitive dysfunction, motivational deficits, psychotic symptoms, and affective disorders, and can lead to decreased psychosocial functioning of individuals exposed to cannabis smoke (Hall & Degenhardt, 2014). The above is evidence that the method of burning confiscated narcotics in open spaces clearly harms the health of the surrounding community who are exposed to the smoke from the burning.

We need to know that public health is a problem that needs to be addressed by the state and is the responsibility of the state because the right to a clean, healthy and sustainable environment is a major part of human rights, as stipulated in Article 28H Paragraph 1 of the 1945 Constitution (Sepriady Utama, 2023). State responsibility in the context of this human rights-based approach can be explained into three forms, among others: (Human Rights Research and Development Agency, 2009)

1. **Obligation to Respect:** The state is obliged to respect individual rights by not interfering with their realisation. In this regard, the state cannot take actions that interfere with or impede the fulfilment of all human rights.
2. **Duty to Protect:** The state has an active responsibility to provide protection to its people. In this regard, the state must be proactive to prevent human rights violations by third parties and to ensure that all human rights of everyone are properly protected.
3. **Obligation to Fulfil:** The state needs to take active measures to fulfil the rights of its people. In this case, the state develops legislative, administrative, legal, budgetary and other measures to ensure that the human rights of its people are fulfilled.

These obligations need to be implemented and upheld, including the rights to life, personal integrity, privacy, as well as the rights to work, food, health, and education (Nowak, 2005). As mentioned, the state's obligation is to respect, protect and fulfil the human rights of its citizens. If the state does not fulfil its obligations, irregularities will occur. In the Theory of State Obligations and the Concept of Human Rights Violations, human rights is a contemporary legal concept that clearly distinguishes between individuals as rights holders and the state as an obligation holder. The violation of human rights in this issue occurs as a result of a person or group of people who are carrying out their duties or obligations on behalf of their position as state administrators violating the rights of individuals. There are two types of deviations that can occur from state obligations, namely: (Eko Riyadi, 2019)

#### 1. Actively Violating Human Rights

In this case, the state has an obligation to take a passive stance by only respecting human rights and should not intervene, but instead be actively involved in certain actions. For example, when individuals should be free to choose a political party according to their personal preferences, but the state intervenes to favour a particular political party. (C.de Rover, 2000)

#### 2. Passively Violating Rights

In this case, the state has an obligation to take an active stance by respecting, protecting and promoting human rights, but fails to fulfil its obligations. For example, when the state allows the industrial activities of companies that are proven to pollute the environment to the detriment of the surrounding community.

Based on Article 30 of PP No. 40 of 2013, destruction must be carried out in a safe place through burning or other chemical means, which does not cause adverse effects on health or damage to the environment. However, the destruction of confiscated narcotics by burning in an open space is proven to have a negative impact on the health of the community around the destruction location, the smoke or pollutants generated from burning can also pollute the environment. The things that are affected by the destruction of confiscated narcotics are rights that should be owned by the community, namely the right to live in a clean, healthy and sustainable environment which has been recognised by the world and also the 1945 Constitution of the Republic of Indonesia Article 28H paragraph 1, so this issue is contrary to the basic rights protected by human rights.

Based on Perka BNN RI No.7/2010, destruction of confiscated narcotics by open burning is still allowed. However, based on news, articles, theories and findings, this method of destroying confiscated narcotics has many shortcomings, and can be concluded to violate human rights. The state has an obligation to respect, protect and fulfil the rights of its citizens, including the right to a clean, healthy and sustainable life. However, if this method of open burning is still carried out, then based on the theories that have been explained, the state fails

to fulfil its responsibilities because the state is passive or allows activities that endanger public health. Therefore, the state should reconsider or affirm the implementation of the open burning method of destroying confiscated narcotics to reduce the negative impact on society and the environment.

### **Drug Seizure Destruction Procedures that Ensure Effectiveness, Environmental Safety, and Compliance with Human Rights Standards in Indonesia**

Article 1 point 16 of the Criminal Procedure Code (KUHAP) states that confiscation is a series of actions by investigators to take over and or keep under their control movable or immovable, tangible or intangible objects for the purposes of evidence in investigation, prosecution and trial. Article 39 Paragraph (1) of KUHAP regulates several items that can be confiscated, namely:

1. Goods or rights owned by the suspect or accused that are suspected of being obtained from a criminal offence or as a result of the criminal offence;
2. Goods used directly to commit a criminal offence or to prepare one;
3. Items used to obstruct the investigation;
4. Goods specially made or intended for the commission of a criminal offence; and
5. Other items that have a direct relationship with the criminal offence committed.

Furthermore, all items that can be confiscated as mentioned in Article 39 Paragraph (1) of KUHAP are referred to as evidence (Afiah, 2010). Narcotics are included in the confiscated items because narcotics are items owned by the suspect or defendant as a result of a narcotics offence. One of the reasons is because narcotics is an item that is easily stored, disposed of, or tucked away somewhere, so investigators generally confiscate it in an urgent situation.

Then it is explained in Article 44 paragraph (1) of KUHAP that, "State confiscated goods are kept in the State Confiscated Goods Depository or Rupbasan)" (Law No. 8, 1981). If there is no designated State Confiscated Goods Depository in the relevant location, drug evidence can be stored at the police station, prosecutor's office, court, government bank building, or in urgent circumstances, at another place or places where the goods were seized (Harahap, 2006).

However, narcotics confiscated items are handled differently. Article 45 paragraph (4) of KUHAP explains that confiscated items that are prohibited or prohibited from being circulated must be destroyed. Confiscated objects or booty in the form of narcotics, are goods that are prohibited and prohibited from being circulated, so the confiscated goods will be destroyed or handed over to the health department, this includes starting from narcotics, precursors and also goods resulting or assets from narcotics crimes (Harahap, 2006). Therefore, confiscated narcotics will be made available for forfeiture to the state or destruction.

The step of law enforcement related to narcotics during or after the trial takes place is the process of destroying confiscated narcotics. Basically, the method of destroying narcotics as evidence in criminal cases can be divided into two, including the destruction of evidence at the investigation stage and the destruction of evidence based on a court decision (Supramono, 2009). If it is carried out after a court decision, then one of the verdicts must contain an order stating that the evidence in the form of narcotics must be confiscated for destruction (Hariantika & Sukinta, 2016). This research will focus on the destruction of confiscated narcotics evidence using the appropriate and effective combustion method based on court decisions.

The purpose of destroying narcotics evidence itself is contained in various regulations, one of which is in the Head of BNN Regulation Number 7 of 2010 concerning Technical Guidelines for Safe Destruction of Narcotics Seized Goods, Narcotics Precursors, and Other Chemicals (Perka BNN No. 7, 2010). In the legal field, this destruction process refers to the destruction of evidence seized by officers or law enforcement officials with the aim of preventing the evidence from being used by others in a way that is not justified through existing regulations (Diani, 2015). The purpose of destruction is also in accordance with the implementation of national policies and strategies which state that the rapid destruction of

narcotics evidence is one of the efforts to eradicate narcotics abuse in Indonesia in general. In addition, this step also aims to prevent abuse of authority by the apparatus handling the case (Eduward et al., 2016).

In the practice of destroying confiscated narcotics, this activity must be carried out by the authorised party, namely the prosecutor's office. The prosecutor's office acts as an executing agency assigned to destroy confiscated narcotics resulting from court decisions (Aisyah & Sahari, 2022). This is in accordance with the provisions of Article 91 paragraph (2) of Law of the Republic of Indonesia Number 35 of 2009 concerning Narcotics which states that BNN must destroy narcotics evidence carried out at the maximum within 7 (seven) days after the evidence has been determined by the local State Attorney. Then the investigator must make an official report of the destruction within a maximum of 1 x 24 hours from the time the destruction is carried out to then be submitted to the BNN or Police investigator, as well as a copy of the official report to the head of the local district attorney's office, the chairman of the local district court, the Minister and the Head of the Food and Drug Administration.

KUHAP does not explain in detail the technicalities of destroying confiscated narcotics. The handling and destruction of confiscated narcotics is regulated in detail in the Regulation of the Head of the National Narcotics Agency of the Republic of Indonesia No. 7 of 2010 concerning Technical Guidelines for Handling and Destruction of Confiscated Narcotics, Narcotics Precursors, and Other Chemicals (Perka BNN RI No.7 of 2010). To conduct the destruction of confiscated narcotics, Indonesia has certain methods, these methods are listed in detail in Perka BNN RI No.7/2010 Annex II which states that there are 3 applicable ways that can be done to destroy confiscated narcotics, namely:

1. Burn with incinerator
2. Chemical Neutralisation
3. Open-air burning away from residential areas

Destruction of seized drugs in Indonesia needs to ensure effectiveness, environmental safety, and compliance with human rights standards as it can have a direct impact on the health of the public around the destruction site and the environment. Inappropriate drug seizure destruction processes can harm public health and pollute the environment, violating citizens' right to live in a clean, healthy and sustainable environment. Therefore, it is important to use methods that are not only effective for destruction but also minimal in terms of negative impacts.

Of the three methods of drug destruction, the safest and most effective method is incineration. This is because incinerators have two combustion chambers, namely the Primary Chamber and the Secondary Chamber. The Primary Chamber is used for burning materials such as confiscated narcotics, this tool can also regulate the amount of air so that the combustion process of organic materials such as methane and carbon monoxide can be degraded. As for the smoke from combustion that cannot be managed in the Primary Chamber, it will be processed in the Secondary Chamber. Combustion in this second Chamber has a high temperature of 800-1000 degrees centigrade which makes it possible to break down harmful substances from the smoke from combustion (Susastrio et al., 2020).

One example of the positive impact of using incinerators in drug destruction can be seen in the destruction in East Jakarta in 2019. The destruction process was carried out on methamphetamine weighing 77 kg and cannabis weighing 631 kg. According to BNN incinerator operator Hermawan, the evidence is destroyed with an incinerator so that the environment is not contaminated with pollution from combustion. This incinerator works optimally to minimise smoke pollution coming out of the chimney. In fact, during this combustion process, there is no smell of smoke at all (Antaraneews, 2019).

The Chief Operator of the National Narcotics Agency Incinerator, Yopi Budiman, in his interview also said that the practice of destroying confiscated narcotics with an incinerator burns material at very high temperatures and uses a two-burning system, namely burning

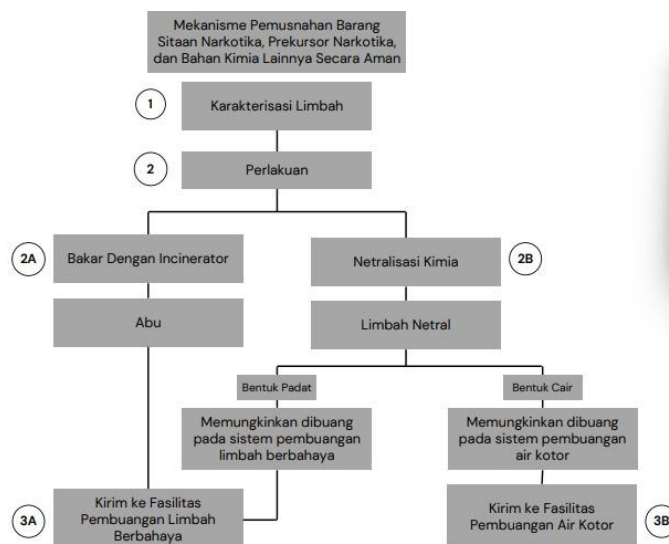
material or confiscated narcotics in the first or lower combustion chamber, then the smoke from the destruction of confiscated narcotics is burned again in the second combustion chamber to break down the smoke from the destruction, so this method is considered the safest method for the environment and the surrounding community because it does not produce smoke (Budiman, 2024). To prove this, the narcotics confiscated goods destruction team has conducted urine testing before and after carrying out the destruction of confiscated narcotics by incineration and both results were negative. This is inversely proportional to the results of the destruction of narcotics by burning using barrels in an open space, because the results show that there are several positive teams.

Head of the Supervision and Detention Section, Hazairin, also said in his interview that in conducting the destruction of confiscated narcotics, BNN generally invites community leaders, religious leaders, health services, BPOM, prosecutors, supervisory inspectorates, BNN laboratories, investigators and suspects. Hazairin also said that the method of destroying confiscated narcotics items by burning in open spaces using barrels is no longer recommended because it is dangerous for the environment and the surrounding community. Hazairin suggested that if an agency does not have the equipment to destroy confiscated narcotics, it can directly direct it to borrow an incinerator from BNN or use a third party such as a large hospital that has an incinerator or a landfill that has a large capacity incinerator to help destroy confiscated narcotics (Hazairin, 2024).

If an agency does not have a competent incinerator, then they can carry out the destruction by inviting third parties to collaborate in destroying narcotics, so that there is no need to use the method of burning with barrels in open spaces. Examples include large hospitals that have incinerators to destroy drug waste and landfills that have large capacity incinerators.

Based on the explanation and evidence above, the safest procedure for destroying confiscated narcotics in Indonesia is the transition from open burning to the use of incinerators. This is because the incinerator is designed to burn waste or evidence at very high temperatures so that the combustion that occurs is more effective and efficient. In addition, the incinerator also has 2 combustion chambers, one of which is used for a filtration system that is able to decompose toxic gases so as to minimise the smoke that comes out. If there is smoke from the combustion of confiscated narcotics coming out of the combustion chamber, it can be ensured that the smoke is safe for health and the environment.

With the transition of the destruction method from open burning to using an incinerator, the destruction procedure according to the Regulation of BNN No. 7/2010 should follow the stages as shown in the chart below.



**Schematic of the Safe Destruction of Seized Narcotics Procedure**



This chart explains the mechanism for safely destroying confiscated narcotics, drug precursors and other chemicals without open burning. The process begins with waste characterisation (Stage 1) to identify the type of waste to be destroyed, followed by treatment (Stage 2) which is divided into two methods: incinerator burning (2A) and chemical neutralisation (2B). Incinerator combustion produces ash, while chemical neutralisation produces neutral waste. Furthermore, the waste generated is classified into two forms, namely solid form and liquid form. Waste in solid form that allows for disposal will be sent to the hazardous waste disposal facility (3A), while waste in liquid form that meets the requirements will be discharged through the sewerage system and sent to the sewerage facility (3B).

By following this procedure, it is hoped that the realisation of the right to a clean, healthy and sustainable environment can be fulfilled through the role of legal politics in overcoming existing problems in order to achieve state goals so that the state's role in providing protection to the environment and human rights is also achieved. By using this method, the community's right to a safe, clean and healthy environment can be fulfilled properly

## CONCLUSION

Destruction of confiscated narcotics by open burning has the potential to violate human rights, especially the right to a clean, healthy and sustainable environment. This method is considered a simple and efficient method, but open burning produces air pollution that is harmful to the health of the surrounding community because the smoke produced still contains dangerous compounds such as psychoactive substances and other pollutants that can cause health problems to the community. In addition, this practice is also not in line with national and international regulations governing environmental protection and public health.

As a solution, a method of drug destruction that does not have a negative impact on public health and environmental pollution is destruction using an incinerator. The use of incinerators is in line with BNN Head Regulation No. 7/2010 on Technical Guidelines for Destruction of Seized Narcotics and reflects compliance with the principles of environmental protection and human rights because the smoke produced from incinerators is small and it can be ensured that it does not contain psychoactive substances and other pollutants, making it safe for the environment and society. If an agency does not have incinerator facilities, they can utilise other options such as borrowing the equipment from the National Narcotics Agency (BNN) or working with third parties, such as large hospitals or landfills that have large capacity incinerators. This step demonstrates the state's commitment to protecting the community's right to a clean, healthy and sustainable environment and is in line with the principles of human rights protection and environmental sustainability.

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