

Implementation Of The Provision Of Tenth Decade Remission Based On Presidential Decree No. 174 of 1999 Concerning Remission (Case Study: Law Enforcement and Justice at Gunung Sugih Prison)

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Abstract

The implementation of the ten-year remission at Gunung Sugih Penitentiary (Lapas) is based on Presidential Decree Number 174 of 1999 concerning Remission. The main focus of this research is on the suitability of the implementation of remission with the principles of justice, particularly the principle of equality before the law . This research aims to identify factors that hinder the implementation of the ten-year remission and evaluate the extent to which the granting process reflects the principles of justice and legal certainty. The researcher used a normative and empirical juridical approach with a descriptive analytical method. The normative juridical approach aims to examine the legal provisions governing remission, while the empirical approach is used to collect data through observation and field studies at Gunung Sugih Penitentiary. The results of this research indicate that the implementation of the ten-year remission has followed procedures in accordance with statutory regulations. Inmates who meet the administrative and substantive requirements are entitled to remission as a form of appreciation for participation in the development program. This process aims to support social rehabilitation and reduce prison sentences. However, implementation in the field still faces obstacles such as limited human resources, a suboptimal inmate data system, and external pressures that affect the objectivity of

699



remission grants. Researchers recommend that prisons improve the quality of human resources, strengthen inmate information and data management systems, and conduct regular evaluations of remission implementation. Continuous outreach to the community is necessary to ensure that remissions are understood as part of the correctional system, not as a disregard for legal justice.

Keywords : Decade Remission, Justice, Prisoners.

INTRODUCTION

Law is essentially a set of norms that govern human behavior in society, the nation, and the state, and is accompanied by sanctions for violations. In the context of the correctional system, law is not only intended to impose punishment but also serves as a tool for developing inmates so they can return to society as law-abiding individuals.¹

Remission is part of the legal system, a conditional right granted by the state to reward changes in a prisoner's behavior during their sentence. However, in practice, the implementation of this law often raises issues, particularly when the criteria for granting remission are not consistently applied, or when the decision to grant remission is perceived as violating the public's sense of justice.

Justice as a fundamental principle of law has a complex and multidimensional meaning. From a retributive perspective, justice means that criminals should receive punishment commensurate with their actions. However, in a modern and humanist legal paradigm, justice also encompasses aspects of rehabilitation and social reintegration, where prisoners are given the opportunity to improve themselves.²

Therefore, remission can be considered fair if it is based on objective and transparent criteria, and takes into account the public interest and the rights of victims. When remission is granted without considering these principles of justice, or is granted merely as an administrative formality, the primary purpose of the law, which is to create order and social justice, may be threatened.

Remission, as a form of prisoner rights, is an integral part of the correctional system in Indonesia. In the context of national law, remission is not only seen as a reduction in prison sentence, but also as a form of state appreciation for the good behavior of prisoners while

¹Kadri Husin and Budi Rizki Husin. 2022. *The Criminal Justice System in Indonesia* . Sinar Grafika.

²Hesti Sri Flora. 2017. *Restorative Justice Approach in Resolving Criminal Cases in the Criminal Justice System in Indonesia*. Law Pro Justitia.



serving their sentences. ³This mechanism is regulated by laws and regulations, such as Law Number 12 of 1995 concerning Corrections and its derivative regulations, including Government Regulation Number 99 of 2012, which regulates the terms and conditions for granting remission to certain prisoners, such as those convicted of corruption, narcotics, and terrorism.

In the Indonesian legal system, granting remission is part of the implementation of prisoners' rights guaranteed by applicable legal principles. Article 28D paragraph (1) of the 1945 Constitution states that *"Everyone has the right to recognition, guarantees, protection, and certainty of fair law and equal treatment before the law."* This provision emphasizes that prisoners, even though they have served their criminal sentences, still have basic rights that cannot be ignored, including the right to receive fair treatment and development programs, one of which is through the remission mechanism. Therefore, granting remission should not merely be an administrative instrument, but must also reflect the values of justice and equality before the law.

Furthermore, the noble values enshrined in the Preamble to the 1945 Constitution, particularly the second and fourth paragraphs, are also relevant in this context. The second paragraph reads, *"... and the struggle for Indonesian independence has reached a happy moment, safely leading the Indonesian people to the gates of independence of the Indonesian State, which is free, united, sovereign, just and prosperous ."* Meanwhile, the fourth paragraph states that the state's goal is to *"protect the entire Indonesian nation and all of Indonesia's native land... and to realize social justice for all Indonesian people."* In the context of granting remission, the state is obliged to ensure that the rights of prisoners as citizens are respected and protected in order to achieve social justice, not only from a legal perspective, but also from a humanitarian and social rehabilitation perspective.

In practice, the remission system in Indonesia aims to support the development of prisoners so they can become better individuals and be ready to reintegrate into society. ⁴However, the granting of remissions often sparks controversy, particularly when granted to prisoners convicted of serious cases or those involving broader public interest.

On the other hand, the principles of justice and legal certainty are two frequently at odds when granting remissions. Substantive justice, which encompasses the inmate's human right to

³Dewi Fitriana MS. 2020. *Legal Aspects of Granting Remission to Corruption Convicts* (Thesis, Faculty of Sharia and Law, UIN Syarif Hidayatullah Jakarta).

⁴Sujoko, I., Humaira, A., Syarif, E., & Adhha, N. 2021. Prisoner development in Indonesian correctional institutions.



receive dignified treatment, often clashes with public perceptions of justice, particularly when remissions are deemed too lenient, non-transparent, or disproportionate to the gravity of the violation.⁵

A mismatch between the normative criteria for granting remissions and field practice can foster distrust in the legal and correctional systems and open up room for allegations of irregularities or discrimination in law enforcement. Over the past decade, the granting of remissions in Indonesia has exhibited significant dynamics, particularly related to changes in regulations and policies governing the criteria for granting remissions. Policy reforms leading to tightening or loosening remission requirements have always been a sensitive subject and have had far-reaching impacts. Therefore, a comprehensive evaluation of the implementation and application of remission criteria over the past decade is crucial to determine the extent to which the principles of justice and legal certainty have been upheld.

The granting of remissions is clearly regulated in Presidential Decree (KEPPRES) No. 174 of 1999 concerning Remissions, which serves as the legal basis for implementing sentence reductions in Indonesia. One form of remission that is interesting to examine in more depth is the decade remission, which is a remission granted to prisoners to commemorate a specific ten-year milestone deemed important for the nation and state.

The process of granting a decade-long remission is carried out through several administrative and substantive stages that must be complied with in accordance with applicable laws and regulations. First, inmates must meet administrative requirements, such as having served a specified sentence and exhibiting good behavior while in prison. Second, a substantive requirement that must be met is not having served a serious disciplinary sentence within a specified period before the remission is granted. After that, the remission proposal will be processed by the Correctional Institution (Lapas) and verified by the Lampung Regional Office of the Directorate General of Corrections before being finally approved by a ministerial decree. This entire process must be carried out with the principles of openness, accountability, and fairness in mind.

Within the context of the principle of justice, the granting of a decade-long remission must reflect the principle of equality before the law. This means that every eligible inmate must receive their rights without discrimination based on background, social status, or previous offenses irrelevant to the remission requirements. Furthermore, the principle of justice also

⁵Rumapea, EL 2023. *Supervision of Remission Granting to Prisoners (Study at Class II B Tebing Tinggi Penitentiary)* (Doctoral dissertation, Faculty of Law, Islamic University of North Sumatra).



requires an objective evaluation of the inmate's behavior during their sentence, rather than granting them solely based on political or administrative interests.

Gunung Sugih Penitentiary, as one of the correctional institutions in Lampung Province, serves as an important representative in assessing the effectiveness and consistency of the implementation of remission policies. This prison is an interesting object of study because it has a diverse population of inmates with diverse criminal backgrounds, and has experienced dynamics in terms of inmates and the implementation of rehabilitative programs over the past decade. Through this case study, the research will examine how the criteria for granting remissions are applied, whether these criteria have been implemented in accordance with applicable regulations, and how their implementation reflects the principles of justice and legal certainty.

However, in practice, as in the Gunung Sugih Prison, various obstacles often hinder the implementation of the decade-long remission in accordance with the principles of justice. Factors such as limited human resources, a lack of understanding of applicable regulations, and external pressure from various parties can affect the objectivity of the process. Therefore, it is important to examine more deeply how the decade-long remission mechanism is implemented and how the principles of justice can be truly upheld in practice.

Based on this description, this study aims to comprehensively analyze the process of granting decade-long remissions at Gunung Sugih Prison based on Presidential Decree No. 174 of 1999 concerning Remissions, while also examining the application of the principle of justice in its implementation. Therefore, the results of this study are expected to contribute to improving the correctional system to be fairer and more transparent in the future.

DISCUSSION

Obstacles in the Implementation of the Granting of Decade Remission Based on Presidential Decree No. 174 of 1999 concerning Remission (Case Study at Gunung Sugih Prison)

a. Administrative and Regulatory Inefficiencies

Administrative inefficiencies are one of the biggest obstacles to the implementation of remissions at Gunung Sugih Prison. Although the implementation of remissions has a strong legal basis through Presidential Decree No. 174 of 1999 concerning Remissions, its implementation at the executive level has not run as expected. Many administrative procedures are not carried out consistently and in a timely manner. For example, the process of collecting inmate data, which should be carried out periodically, is often delayed due to a lack of coordination between internal



parties. This makes the process of verifying the eligibility of remission recipients ineffective and raises the potential for neglecting the rights of inmates who should receive remissions according to regulations.

Furthermore, problems arise from the inconsistency between applicable technical regulations and implementation in the field. In practice, many correctional officers interpret the provisions of the Presidential Decree from their own perspectives. As a result, there are differences in procedures and assessments for determining eligibility for remission, even between prisons within the same jurisdiction. This inconsistency risks creating injustice for prisoners in similar situations who receive different administrative treatment. This demonstrates that despite the existence of regulations, the lack of harmonization in their implementation is a major obstacle to creating a fair and standardized system.

Furthermore, oversight of the implementation of remission administration has not been comprehensive and sustainable. The absence of an adequate monitoring and evaluation system prevents potential irregularities or negligence in remission administration from being identified early. This is certainly detrimental to both prisoners entitled to remission and the correctional institution itself, which will be judged unprofessional and non-transparent. Therefore, a more integrated administration system, strict implementation of standard operating procedures (SOPs), and regular training for officers are needed to ensure that remission implementation adheres to the principles of efficiency, fairness, and legal certainty.

b. Human Resource and Support System Limitations

Human resources (HR) are a vital element in the remission process, but at Gunung Sugih Prison, limited staff numbers and competencies remain a significant challenge. Remission officers must possess not only administrative skills, but also an understanding of the law, inmate psychology, and skills in assessing individual behavior and development. Unfortunately, many officers have not received intensive and regular training. This leads to an unpreparedness to understand the latest regulatory or policy changes, which can lead to errors in the remission recipient selection process. The limited number of officers also results in a high workload, potentially compromising the quality of assessments.

This human resource shortage is exacerbated by weaknesses in the support systems that should serve as the foundation for objective decision-making. The information system at Gunung Sugih Prison is not yet fully digital, so recording inmate data, behavioral records, and documentation of remission requirements is still done manually. This is prone to data input errors,



lost documents, and delays in the validation process. As a result, inmates who should receive their rights are delayed or even denied access. The lack of integration between information units also hinders transparency and accountability in the remission process.

Beyond technical issues, inter-institutional coordination is also a crucial concern. Granting remissions involves not only prison officers but also requires synergy with other parties, such as the Prosecutor's Office, the Courts, and the Ministry of Law and Human Rights. The absence of an effective coordination system leads to delays in obtaining supporting data, such as court decisions, inmate development data, and certificates of good conduct. Time and personnel constraints in managing inter-institutional communication often lead to inefficiencies in the remission process. Therefore, strengthening human resources needs to be accompanied by investment in information technology and the development of an integrated coordination system, so that the remission process can be implemented in a timely, objective, and accountable manner.

c. Lack of Harmonization with the Modern Correctional System

The remission system in Indonesia, including at Gunung Sugih Prison, still relies on the old regulation, Presidential Decree No. 174 of 1999, which tends to be administrative in nature and has not fully adapted to the modern correctional paradigm. In the current context, the correctional system should no longer be solely focused on reducing sentences, but should also be aligned with a social development and rehabilitation approach. When remission regulations focus on formal criteria without considering the behavioral development, educational values, and emotional maturity of inmates, the potential benefits of remission as a motivational tool for behavioral change are suboptimal.

The disparity between remission regulations and the goals of modern correctional systems is also evident in the lack of integration between the prisoner development system and the assessment of remission eligibility. Remissions should be awarded not only based on sentence length and administrative compliance, but also through a holistic evaluation of the prisoner's rehabilitation progress, such as participation in educational programs, skills training, and social activities within the prison. Unfortunately, in practice, this assessment system has not been comprehensively developed, and standard indicators for remission have not been uniformly applied. As a result, remissions often do not reflect the actual transformation of prisoner behavior.

On the other hand, this disharmony is also caused by weak evaluation of the social impact of the remission policy. There is no system that consistently monitors how remissions affect prisoners' reintegration into society after release. Many cases of recidivism actually tarnish the values of humanity and justice that underpin the correctional system. However, if the remission



system were harmonized with a modern correctional approach, remissions could be a crucial part of a strategy for comprehensive prisoner rehabilitation, both mentally, socially, and legally. Therefore, regulatory reforms and rehabilitation-oriented assessment systems are urgently needed to improve the correctional system in Indonesia.

d. Social Pressure and Negative Public Perception

The implementation of remission policies is also inseparable from external influences, particularly social pressure and negative public perceptions. In many cases, the public views remissions as an inappropriate form of forgiveness or sentence reduction, particularly when granted to prisoners convicted of serious crimes such as corruption, drug trafficking, or sexual violence. This perception creates strong public opposition, even giving rise to the opinion that the state is not on the side of justice for victims. This strong public reaction directly impacts the working atmosphere of correctional institutions, which must then face the dilemma of enforcing the law and maintaining the institution's reputation.

Public distrust of the correctional system also stems from a lack of transparency in the remission assessment process. The general public does not receive adequate information regarding the indicators or requirements used to determine inmates' eligibility for remission. This lack of public awareness and transparency reinforces the negative assumption that remissions are arbitrary, unfair, or even nepotistic. In fact, in many cases, remissions follow legally binding mechanisms and procedures. However, without effective public communication, the policy will continue to be viewed with suspicion and politicized.

This situation undoubtedly creates psychological pressure and a moral burden for prison officials and policymakers. They are required to remain objective in implementing regulations, but must also consider the social and political impacts of their decisions. This pressure can lead to excessive caution or even fear in granting remissions to deserving inmates, thus creating unequal treatment among inmates. To address this, it is crucial for correctional institutions to establish a robust public communication system, educate the public about the role of remissions in the correctional system, and build trust through transparency and accountability.

Based on the four constraints outlined above, namely administrative and regulatory inefficiencies, limited human resources and support systems, lack of alignment with the modern correctional system, and social pressure and negative public perception, it can be concluded that the implementation of remissions at Gunung Sugih Prison still faces quite complex structural and cultural challenges. The remission policy, which is intended to encourage development, recognize behavioral changes, and accelerate the social reintegration of inmates, has not been fully



implemented effectively, fairly, and transparently.

First, from an internal institutional perspective, weak administrative management and a lack of technical human resource competency result in inaccurate data and a suboptimal inmate selection process. Second, the lack of integration between the remission system and a rehabilitation-based correctional approach means that remissions tend to be merely an administrative formality, rather than an incentive for successful inmate development. Third, externally, strong social pressure and negative public perceptions contribute to psychological barriers and ethical dilemmas for officers in making objective decisions in accordance with legal procedures. Therefore, the implementation of remissions requires comprehensive reform, encompassing regulatory, institutional, human resource, and public communication strategies. There needs to be an alignment of regulations with the modern correctional system, which emphasizes restorative and reintegrative approaches. Furthermore, strengthening the capacity of officers and information systems, as well as increasing transparency and accountability in the remission process, are crucial steps to ensure this policy is not only legally valid but also socially accepted. This way, remissions can function as intended: as a fair, effective, and humane development tool.

Implementation of the Granting of Decade Remission Based on Presidential Decree No. 174 of 1999 concerning Remission (Case Study at Gunung Sugih Prison)

The implementation of the decade-long remission at Gunung Sugih Prison is based on Presidential Decree (Keppres) No. 174 of 1999 concerning Remission, which serves as the primary legal basis for granting sentence reductions to prisoners in Indonesia. The decade-long remission is a special form of remission granted to commemorate important moments in the nation's history, such as the anniversary of independence or other monumental national celebrations. This remission is not only interpreted as a reduction in sentence, but also as a form of state appreciation for positive changes in the inmate's behavior during their rehabilitation period. In practice, the decade-long remission is granted to inmates who have met administrative requirements, such as the time served, as well as substantive requirements, namely demonstrating a cooperative attitude, being active in rehabilitation programs, and not currently serving disciplinary sanctions. The remission process is carried out through a tiered mechanism, starting with a proposal by prison officers, verification at the Regional Office of the Ministry of Law and Human Rights, and finally, a determination by the Ministry of Law and Human Rights. At Gunung Sugih Prison, the implementation of the decade-long remission reflects the correctional



efforts to realize the principles of humanization and restorative justice, although in practice it still faces administrative and social challenges that require continuous improvement. The following are the stages and realities of its implementation:

a. Procedures for Implementing the Decade Remission

The implementation of the decade-long remission at Gunung Sugih Penitentiary (Lapas) is based on Presidential Decree No. 174 of 1999 concerning Remission, which provides the legal basis for reducing prison sentences for prisoners who meet certain requirements. The decade-long remission itself is a special form of remission granted on important national occasions, such as Independence Day or other decades-long commemorations considered to have historical and symbolic significance for the nation. In this context, remission not only serves as an incentive to encourage changes in prisoner behavior, but also as a form of state appreciation for the rehabilitation and rehabilitation efforts undertaken by prisoners during their sentences.

Technically, the implementation of the decade-long remission involves several important stages. The first stage is the identification of prospective inmates to receive remission by correctional officers at the prison. This assessment is based on two main categories: administrative requirements and substantive requirements. Administrative requirements include having served at least six months of a sentence, not currently serving a disciplinary sentence, and being officially registered as an inmate actively participating in the correctional program. Substantive requirements assess the inmate's overall behavior, including adherence to prison regulations, commitment to educational programs, religious practices, and job skills, as well as participation in social reintegration activities.

Once inmates who meet these criteria are identified, the prison will prepare an administrative remission proposal, which will then be submitted to the Lampung Province Regional Office of the Ministry of Law and Human Rights (Kanwil Kemenkumham). At this stage, further verification and validation of the completeness of the documents and the suitability of the inmate's data will be conducted. Once all requirements have been verified, the proposal will be forwarded to the Directorate General of Corrections (Ditjen PAS) in Jakarta for final evaluation and issuance of a Decade Remission Decree by the Minister of Law and Human Rights of the Republic of Indonesia.

This process involves a work system that must uphold the principles of accountability, transparency, and legal justice. At Gunung Sugih Prison, the implementation of the decade-long remission program strives to prioritize administrative order and thorough review of inmates'



behavioral histories to ensure that remission is only granted to those who are truly legally and morally deserving. Although this system has been implemented according to procedure, in practice, obstacles remain, such as limited staff, suboptimal data system integration, and pressure from public perception that influences the objectivity of decision-making.

Thus, the implementation of the decade-long remission at Gunung Sugih Prison is not only part of the implementation of prisoners' rights, but also a reflection of the extent to which the correctional system is able to carry out its rehabilitative and corrective roles fairly and consistently, in accordance with the constitutional mandate and applicable laws and regulations.

b. Fulfillment of Administrative and Substantive Requirements

The implementation of the decade-long remission at Gunung Sugih Prison technically refers to two main categories of requirements: administrative and substantive, which serve as the basis for assessing an inmate's eligibility for a sentence reduction. Administrative requirements encompass formal matters and must be documented. Proposed inmates must have served at least six months of their sentence, not be serving a serious disciplinary sentence, and possess complete identity documents and be registered in the correctional registration system with clear legal status. These criteria serve as the initial step in selecting inmates eligible for consideration in the remission process.

Furthermore, substantive requirements emphasize the inmate's behavior and active participation during their sentence. This requirement includes active participation in prison development programs, including skills training, religious education, and other social activities. Furthermore, consistent positive behavioral assessments are a key consideration. The inmate must not have committed any violations during the period prior to the proposed remission, as violations can invalidate their eligibility for a decade of remission, regardless of whether they meet all administrative requirements.

These two categories of requirements complement each other and serve as important indicators in ensuring that remissions are only granted to inmates who are truly deserving, both legally and morally. By consistently implementing administrative and substantive requirements, Gunung Sugih Prison strives to implement a decade-long remission that not only meets legal and formal requirements but also reflects the values of justice, development, and social reintegration within the correctional system.

c. Implementation of the Principle of Justice in Implementation

The principle of justice is a fundamental foundation in the Indonesian legal system and is



the main spirit in the implementation of granting remissions, including decade remissions. At Gunung Sugih Prison, the implementation of the principle of justice in granting decade remissions is aimed at ensuring that every inmate who meets the administrative and substantive requirements receives their rights equally without any discriminatory treatment. This is in line with the mandate of Article 28D paragraph (1) of the 1945 Constitution concerning the right to equal treatment before the law and the values of social justice as stated in the Preamble to the 1945 Constitution. In the context of corrections, the principle of justice is not only interpreted as granting procedural rights, but also includes substantial aspects in the form of recognition of the inmate's self-improvement efforts. Therefore, inmates who show positive changes in attitude, are active in development activities, and do not commit disciplinary violations are entitled to receive awards in the form of remissions, including decade remissions. The selection mechanism used by Gunung Sugih Prison emphasizes the objectivity of evaluation based on the inmate's behavioral track record and participation in the reintegration program, without considering social status, economic background, or type of crime, as long as legal requirements have been met.

However, although conceptually the principle of justice has become the foundation for granting remissions, in practice, various serious challenges remain. One is the public's perception of injustice when decade-long remissions are granted to prisoners convicted of serious crimes, such as corruption or drug offenses, which often leads to public rejection or pressure. This pressure can impact the independence of correctional officers in making decisions, resulting in decisions that are compromised by public opinion. Furthermore, the lack of transparency and outreach to prisoners regarding the procedures and rights they have in the remission process is also a source of inequality. Many prisoners feel they don't understand the reasons behind decisions to reject remission proposals, due to limited access to information or the lack of adequate channels for complaints and clarification. This indicates that the application of the principle of justice in the correctional context remains formal and has not fully addressed the participatory dimension and procedural justice. Therefore, it is necessary to strengthen the internal accountability system, transparency in the decision-making process, and continuous evaluation of the implementation of the decade-long remission so that the values of justice can be truly felt by all inmates and recognized by society as part of a just and humane legal system.

d. Obstacles in Implementing Remissions at Gunung Sugih Prison

Although the procedure for granting ten-year remissions at Gunung Sugih Prison generally complies with the provisions of Presidential Decree No. 174 of 1999 and its implementation guidelines, a number of obstacles remain in practice, hindering the effectiveness and fairness of



the process. One major obstacle is the difficulty in verifying inmates' eligibility, caused by limited data and documentation related to their correctional track records. Incomplete or regularly updated reports on correctional activities make it difficult for officers to assess the extent to which inmates have demonstrated behavioral changes and active participation in correctional programs. Furthermore, the lack of public outreach and information dissemination to inmates regarding their right to ten-year remissions and the application procedure has resulted in many inmates not understanding the proposal mechanism or even being unaware that they have the right to be nominated. This situation has resulted in low inmate participation in the active correctional process because they are unaware of the incentives in the form of remissions that can be obtained.

On the other hand, internal oversight of the remission process is also considered suboptimal. The absence of a comprehensive audit system and minimal involvement of independent oversight units mean that potential discriminatory practices or procedural irregularities cannot be quickly detected. This raises the risk that decisions to grant or deny remissions do not always reflect an objective evaluation of inmates' behavior, but rather are influenced by subjective assessments by officers or other non-substantive factors. Therefore, despite the formal existence of procedures, implementation challenges remain a significant obstacle to achieving fair, transparent, and accountable ten-year remissions. To address this, improvements to the inmate information system, increased awareness of inmates' rights, and strengthened internal oversight are needed to ensure that the entire process is conducted in accordance with the principles of legal justice and does not deviate from the primary goals of correctional institutions.

e. Impact on the Correctional System

The implementation of the decade-long remission program has significantly contributed to the effectiveness of the correctional system in Indonesia, including at Gunung Sugih Prison. One of the main benefits of this policy is increasing inmates' motivation to participate more seriously in correctional programs and maintain good behavior throughout their sentences. When inmates recognize the incentive of reduced sentences, which is awarded as a reward for behavioral changes and active participation, this can encourage a more conducive and productive correctional climate within the prison system. Furthermore, the implementation of the decade-long remission program also plays a significant role in alleviating overcrowding, a chronic challenge in many prisons, including Gunung Sugih Prison. By selectively and responsibly reducing



sentences, the number of inmates can be gradually reduced, allowing correctional facilities to be used more optimally for their rehabilitative purposes.

However, despite these benefits, it is important to emphasize that the implementation of the decade-long remission must be managed fairly, transparently, and accountably. If the remission process is not based on the principle of justice and is not carried out through a clear, objective, and accountable mechanism, the risk is a decline in public trust in the legal and correctional systems. This is particularly true when remissions are granted to prisoners with serious or controversial cases without adequate explanation to the public, or when allegations arise that the selection process was discriminatory. Therefore, the success of the decade-long remission will not only be measured by the number of prisoners released early, but also by the extent to which the policy reflects the values of justice, humanistic law, and public trust in the state's ability to uphold justice equitably and with dignity.

Based on the analysis, the implementation of the Decade Remission Granting Based on Presidential Decree No. 174 of 1999 concerning Remission (Case Study at Gunung Sugih Prison) has generally been carried out in accordance with applicable procedures and legal provisions, based on the fulfillment of administrative and substantive requirements by inmates. The decade remission is given as a form of appreciation for behavioral changes and active participation in the development program, as well as being a correctional strategy to encourage the social rehabilitation of inmates. However, implementation in the field still faces a number of challenges, such as limited development data, lack of socialization to inmates regarding remission rights and mechanisms, and weak internal supervision that can give rise to potential discrepancies or discrimination. Therefore, in order for the implementation of the decade remission to truly reflect the values of justice, transparency, and accountability, strengthening of technical and managerial aspects is required, as well as continuous evaluation at the implementation level.

CONCLUSION

Based on the research results and discussion, it can be concluded that:

1. The implementation of the ten-year remission program, based on Presidential Decree No. 174 of 1999 concerning Remissions, at Gunung Sugih Prison continues to face various obstacles that impact its effectiveness and the principle of justice. These obstacles include administrative aspects that have not been optimally implemented, inconsistencies between technical regulations and field practices, and the lack of harmonization with more modern correctional systems. Furthermore, limited human resource numbers and competencies, weak



information systems and inaccurate prisoner data, and social pressure and negative public perceptions of remissions also complicate decision-making.

2. The implementation of the ten-year remission program at Gunung Sugih Prison has followed the procedures stipulated in Presidential Decree No. 174 of 1999, with reference to the fulfillment of administrative and substantive requirements by inmates. This remission serves as a form of appreciation for inmates' active participation and behavioral changes in the rehabilitation program, while also being part of a correctional strategy that supports the social rehabilitation process. However, implementation in the field has not been entirely free from obstacles, particularly in terms of data updates, inmates' understanding of remission rights, and weak internal oversight mechanisms.

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