

Fulfillment of the Right to Decent Food for Inmates of Correction According to the Correction Law from the Human Rights Perspective in Class II B Karangasem Prison

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Abstract

The Correctional System for Inmates is implemented through the Correctional function as ratified by Law Number 5 of 1998 concerning the Ratification of the Convention Against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment. One of the human rights stated in Law of the Republic of Indonesia Number 22 of 2022 concerning Corrections is (Articles 7d and 9d) Prisoners and Convicts Have the Right to "Obtain Health Services and adequate food according to nutritional needs," meaning that all correctional inmates (WBP) must receive adequate nutritious food. Food services for inmates, based on the Regulation of the Minister of Immigration and Corrections of the Republic of Indonesia Number 1 of 2025 concerning Guidelines for Food Provision, focuses more on the Food Provision System in Correctional UPTs, starting from the food provision process, procurement of food ingredients, serving, distributing food, to recording and reporting, the constraints are budget, overcapacity, human resources, and infrastructure.

Keywords: Rights, Nutritious Food, Inmates

Introduction

The Correctional System is organized to provide protection guarantees for the rights of Prisoners, Children, and inmates in improving the quality of personality and independence of Inmates so that they realize their mistakes, improve themselves, and do not repeat criminal acts so that they can be accepted back by the community, can live normally as good citizens, obey the law, are responsible, and can actively play a role in development and at the same time provide protection to the community from repeating criminal acts.

The development of prisoners known as correctional was first put forward by Sahardjo when the Prison Service conference was held in Lembang regarding the change in the purpose of prison development from the prison system to the correctional system. The Correctional

System as a treatment system for Prisoners, Children, and Inmates is implemented through the Correctional function, which includes Services, Development, Community Guidance, Care, Security, and Observation by upholding respect, protection, and fulfillment of human rights. This is by the Convention Against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment as ratified by Law Number 5 of 1998 concerning the Ratification of the Convention Against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment.

One thing that must be remembered is that any action taken against prisoners, whether in the context of guidance or otherwise, must be protective and not contradict the goals of correctional institutions. One of the main tasks of prisons, detention centers, and detention center branches is organizing activities in health and care and providing food services according to nutritional standards. Meet the requirements for adequate nutrition, hygiene, and taste as part of efforts to prevent disease and other health disorders, explained in Law of the Republic of Indonesia Number 22 of 2022 concerning Corrections (Articles 7d and 9d) that Prisoners and Convicts Have the Right to "Obtain Health Services and Adequate Food According to Nutritional Needs," meaning that all Correctional Inmates (WBP) must receive nutritious food that is appropriate for health and stamina, quality, cooked and served well.

Correctional institutions operate based on systems and institutions; according to Yantho, Prisons function as facilities and infrastructure to provide guidance and rehabilitation to Prisoners undergoing the process of reintegration into society after committing a crime. The main goal is to facilitate the transformation of Prisoners into productive members of society who obey the law. Based on these provisions, researchers are interested in researching "Fulfillment of the Right to Adequate Food for Correctional Inmates according to statutory regulations.e.

Methods

The research method used in this study is a normative research method that uses various types of primary legal materials in the form of laws and regulations and secondary legal materials in the form of library materials concerning the provision of food for inmates as sources of research materials. Johnny Ibrahim argues that normative legal research is a form of scientific research aimed at finding the truth based on the logic of legal science reviewed from the normative part or in the form of an effort to find law adjusted to a particular case. The sources of legal materials obtained are then analyzed Descriptively, Systematically, Evaluatively, and Argumentatively, and describe legal materials in a quality manner with regular, sequential, logical, non-overlapping, and practical sentence forms to facilitate the interpretation of legal materials and understanding of the results of comprehensive analysis. This research method is also supported by empirical research..

Results and Discussion

Provision of Adequate Food for Inmates from the Perspective of Human Rights and the Correctional Law at Class IIB Karangasem Penitentiary

Referring to the Preamble to the 1945 Constitution of the Republic of Indonesia, Paragraph 4 states that the Government of the Republic of Indonesia protects all Indonesian people and advances public welfare, educates the nation's life and participates in implementing world order based on independence, eternal peace, and social justice. This applies to all Indonesian people, without exception for Prisoners, Convicts, Children, and Foster Children who are in the Correctional UPT so that they also have the right to obtain facilities related to their living needs while undergoing a period of guidance and guidance for social reintegration as mandated in Law of the Republic of Indonesia Number 22 of 2022 concerning Corrections.

One of the rights of Prisoners, Convicts, Children, and Foster Children above is to obtain health services and adequate food according to nutritional needs to improve their health. This is in line with the mandate stated in the Standard Minimum Rules of The Treatment for Prison

Article 22 paragraph (1) that every Detainee and/or Convict has the right to receive quality, nutritious food to maintain health and endurance and the Law of the Republic of Indonesia Number 39 of 1999 concerning Human Rights Article 11 which states that everyone has the right to fulfill their basic needs to grow and develop properly. The fulfillment of the rights of Detainees, Convicts, Children, and Foster Children in question, especially the fulfillment of the right to receive proper food according to nutritional needs, can support the implementation of the main tasks and functions of the Correctional UPT in the fields of guidance, services, and security. Based on Article 9 letter d and Article 12 letter d of Law of the Republic of Indonesia Number 22 of 2022 concerning Corrections, it is mandated that prisoners receive proper health and food services according to nutritional needs. This must be done because the treatment of correctional inmates must adhere to the basic concept or fundamental values contained in the Universal Declaration of Human Rights, which implies that even though they are people who have been declared guilty/lost and are undergoing rehabilitation in prisons and detention centers, they remain members of society and as humans have the same rights as other citizens who are outside prisons, detention centers, including the right to receive proper food services. In organizing food services for prisoners and detainees, attention must be paid to aspects of the quality of food ingredients, nutritional needs, food processing, and presentation. A basic reference is needed to provide optimal food services for prisoners and detainees, including food ingredient standards, nutritional value, food distribution processes, food equipment, and kitchens. To meet the above demands, there needs to be a Food Service Standard (Food Ingredients, Nutritional Value of Food and Cost Standards, Food Process and Distribution, Eating Equipment, and Kitchen) in Prisons to be used as a guide and reference for Correctional Officers in implementing good food service by the Standards that have been issued. Based on the latest nomenclature changes in the field of food services for inmates, the Regulation of the Minister of Immigration and Corrections of the Republic of Indonesia Number 1 of 2025 concerning Guidelines for Food Provision in Correctional Technical Implementation Units was

issued and revoked the Regulation of the Minister of Law and Human Rights Number 40 of 2017 concerning Guidelines for Food Provision for Prisoners, Children and Convicts (State Gazette of the Republic of Indonesia 2018 Number 249), and declared invalid.

Permen IMPAS No. 1 of 2025 focuses more on the Food Provision System in Correctional UPT, food provision process, food procurement, Procurement of additional food, food, and additional food needs, Request for Food Materials, receipt of food materials, Storage and management of food materials, Serving food, distributing food, Recording, and reporting.

Implementation of Food Provision for Inmates at Class IIB Karangasem Penitentiary has a 10-Day Menu for morning, afternoon, and evening consisting of various menus. A banner listing the 10-Day Meal Menu for inmates is installed in the visiting room of Class IIB Karangasem Penitentiary so that visitors can see the provision of food in the Penitentiary. The 10-day Meal Menu is arranged in the following order: staple food; animal side dishes and vegetable side dishes; vegetables; and fruit. Information about the 10-day food menu is provided through the installation of posters so that inmates and visiting families can find out the variety of foods available. This is an effort to support transparency, health and welfare of inmates," said I Wayan Bondan Wahyu Kusuma Dusak Interview with the Head of Prison.

In addition, the Head of the Inmate/Student Care Sub-Section, added that with the 10-Day Meal Menu list for inmates, visitors will know that the food consumed by inmates every day has a varied menu. Class IIB Karangasem Penitentiary is committed to providing the best service in organizing food, from the request stage to distribution to inmates.

The Head of Class IIB Karangasem Penitentiary I Wayan Bondan Wahyu Kusuma Dusak, ensures that the food served to inmates not only meets food safety standards, but also has a balanced nutritional content. This commitment is expected to make a positive contribution to the health and welfare of inmates at Karangasem Penitentiary.

Karangasem Penitentiary is committed to ensuring that every meal served to inmates

has a balanced nutritional content. Food that is ready to be distributed must be checked by the ranks of officers / supervisors. After being assured that the quality of the food is in a decent and good condition, it can be distributed. Based on the results of initial observations that have been carried out at the Class II B Karangasem Prison, Mr. I Made Merteka as the Head of the Administration Sub-Division provided information that the condition of the Class IIB Karangasem Prison in general is not adequate in providing decent food, especially in terms of facilities and infrastructure, then officers with special expertise in the field of health and nutrition, although they have met the requirements, namely at least one doctor and medical personnel, according to officers as implementers, it is said that it is still lacking due to the overcapacity of the Prison.

Obstacles to Providing Nutritious Food for Inmates

Regulation of the Minister of Immigration and Corrections of the Republic of Indonesia Number 1 of 2025 Concerning Guidelines for Food Provision in Correctional Technical Implementation Units, Article 2 (1) Guidelines for food provision in Correctional UPT are a reference for Correctional UPT in providing quality and proper food according to the nutritional needs of Detainees, Children, Inmates, and Inmates. Guidelines for food provision in Correctional UPT, as referred to in paragraph (1), are also used as a reference in providing quality and proper food according to nutritional needs.

Food service is one of the rights of prisoners/detainees that the correctional institution must fulfill. This is intended to support the implementation of the main tasks and functions in the field of guidance, services, and security to meet the rights of prisoners as stated in Articles 9 and 10 of the Correctional Law. (Law No. 22 of 2022).

To maintain nutritional balance, guidelines are needed to prepare a daily menu that contains the appropriate types and quantities of nutrients. The quality and amount of nutrients consumed and the presence of disease can affect prisoners' health and nutritional status. Factors

such as the availability of food also affect their nutritional status. To meet health standards, a properly supervised food supply is essential. The availability of food and drink is a basic human need that must be met at all times and appropriately managed to ensure health. Without food and beverages, humans cannot survive

Officers often face various administrative and other obstacles when carrying out a task or activity. Likewise, in the Class IIB Karangasem Penitentiary, the process of fulfilling the right to obtain decent food for inmates faces many obstacles. According to regulations, the main obstacles in providing food to inmates are budget limitations, the capacity of correctional institutions (Lapas) that exceed the limit, and the lack of infrastructure. This impacts the quality and quantity of food served, as well as the failure to fulfill the rights of inmates to obtain decent food.

Conclusion

The implementation of restorative Justice for fraud crimes by Bali Regional Police investigators formally refers to the regulations of Article 16 paragraph (1) letter L in conjunction with Article 18 of Law No. 2 of 2002 concerning the Indonesian National Police in conjunction with Regulation of the Chief of Police Number 8 of 2021 concerning Handling of Criminal Acts Based on Restorative Justice, using the Family and Community Group Conference model, namely restorative Justice that involves families and community leaders to produce a comprehensive agreement.

Obstacles to implementing Restorative Justice for Fraud Crimes at the Investigation Level at the Bali Regional Police 1) Public understanding of Restorative Justice is still low, 2). The difficulty of finding common ground or agreement, 3) The parties to the case are not cooperative.

1. Budget

Constraints and provision of food ingredients (scarcity and/or expensive food ingredients) in the UPT area have an impact on the failure to implement the planning mechanism for preparing a budget to support the implementation of food in the Ministry of Immigration and Corrections environment following the planning and budget procedures as stated in the Regulation of the Minister of Finance Number 62 of 2023 concerning Budget Planning, Budget Implementation, Accounting, and Financial Reporting. Menu planning, Varying food, Maintaining taste, Preventing boredom with the food menu served, and Supporting the planning stages for the procurement of food ingredients by local wisdom, food availability on the market, and the food cost index.

2 Kitchen Facilities and Infrastructure and Equipment

Inadequate facilities and infrastructure in the kitchen are not met. The equipment used to provide food is made of food-grade materials and meets health standards. In reality, some kitchen equipment, according to correctional institution employees, has been used for decades and has never been replaced. Places and infrastructure that may interfere with, harm, and endanger human health impact the provision of food for inmates in terms of poor quality because the kitchen equipment used is outdated and should have been replaced with better equipment. This, of course, also has an impact on the failure to fulfill the nutritional adequacy of inmates while serving a sentence of temporary loss of independence in the Correctional Institution.

3 Human Resources (HR)

IMPAS Regulation No. 1 of 2025 Officers in the Correctional UPT kitchen have the following requirements:

- a. Be in good health as evidenced by a doctor's certificate;
- b. Each officer must have a valid health check-up book and undergo regular health checks;
- c. Behavior while working/managing food:
 - 1) Do not smoke;

- 2) Do not eat/chew;
 - 3) Do not wear jewelry except for unadorned wedding rings (plain);
 - 4) Do not use equipment and facilities that are not for their needs;
 - 5) Always wash hands before work, after work, and after leaving the toilet/latrine;
 - 6) Always wear work clothes and protective clothing properly;
 - 7) Always wear clean work clothes that are not worn outside the catering service;
 - 8) Do not talk too much, and always cover your mouth when coughing or sneezing by staying away from food or leaving the room;
 - 9) Do not comb your hair near food that will be or has been processed
- d. Have a food sanitation hygiene course certificate;
 - e. Do not suffer from infectious diseases such as typhoid, cholera, tuberculosis, hepatitis, etc., or are carriers of germs (carriers).

These provisions are not adequate in Class IIB Karangasem Prison. The number of employees and UPT is still lacking compared to the number of inmates. Especially in the chef and nutritionist sections, should recruitment of employees be carried out so that the food quality can be better compared to that of the inmates who cook? Based on observations, inmates complained that the food cooked by their fellow inmates was not tasty, the cleanliness of the food was not guaranteed, and the nutritional value of the food served was questionable. No nutritionist could directly assess whether the food served was nutritious because each food must be measured for its nutritional content before being served to inmates and based on the Circular of the Decree of the Minister of Law and Human Rights Number M.HH-01.PK.07.02 of 2009 concerning Guidelines for the Provision of Food for Inmates in Correctional Institutions and State Detention Centers (Rutan) with 2250 calories.

4. Over Capacity

CapacityOvercapacity is a problem faced by almost all correctional institutions in Indonesia. The density of prisons/detention centers significantly affects the implementation of tasks, such as health services and food for correctional inmates. In addition to affecting the implementation of functions, overcapacity prison conditions also affect supervision and security. This occurs because the increasing number of prison/detention center residents requires an increase in the need and quality of supervision.

The condition of correctional institutions that exceed Capacity causes the fulfillment of prisoners' rights to be less than optimal. Efforts to overcome or reduce this overcapacity problem include providing substitute sentences and conditional sentences. Substitute and conditional sentences are intended to reduce the high number of criminal sentences against perpetrators of criminal acts.

Based on the author's observations in prisons, the right of prisoners to get decent food has been fulfilled by existing regulations. Still, most prisoners prefer to eat food brought by their families during visits unless the prisoner rarely or never visits (visited) by his family or acquaintances. Inmates who are seldom visited also tend to choose to buy food at the Class II B Karangasem Prison canteen, which provides a variety of drinks, instant noodles, vegetables, and side dishes such as fried eggs, omelets, or fried foods. Unless they don't have money to buy at the canteen, they rely on gifts from friends and food rations. This is done for the following reasons: although the raw materials for prison food are of good quality, such as meat, eggs, fish, tofu, and tempeh, because they cook for many people and the spices are weighed/measured, the taste sometimes becomes less tasty. In addition, the selection of a menu that is not very creative makes them feel bored with the menu. This may be because officers tend to stick to the example of a 10-day cycle menu in the menu implementation guidelines for fear of violating it, thus reducing creativity in menu selection.

Conclusion

- a. Implementation of the fulfillment of obtaining decent food for inmates in Class IIB Karangasem based on the Decree of the Minister of Law and Human Rights Number 40 of 2017, which has been amended by the Regulation of the Minister of IMIPAS 1 of 2025 concerning Guidelines for Food Provision, is still in the adjustment stage.
- b. Obstacles to fulfilling the right to obtain decent food for inmates in the Class IIB Karangasem Penitentiary include inadequate budget, facilities, and infrastructure, lack of human resources, and unavailability of expert cooks and nutritionists. The unbalanced capacity of the number of inmates in the correctional institution continues to increase (over capacity), resulting in the Implementation of the fulfillment of the right to obtain decent food not being maximized.

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