



Implementation of the Minister of Law and Human Rights Decree No. M.HH-01.PK.07.02 of 2009 on Guidelines for Food Provision for Inmates

Article	Abstract
Author Reva Rizky Pratama ¹ S. Endang Prasetyawati ²	Food service is one of the fundamental rights of inmates and detainees that must be fulfilled by prison and detention center administrators to support the core functions of guidance, service, and security. This study aims to analyze the implementation of the Decree of the Minister of Law and Human Rights No. M.HH-01.PK.07.02 of 2009 concerning Guidelines for Food Provision for Inmates at the Class I Correctional Institution and State Detention Center in Bandar Lampung, as well as to identify the inhibiting factors in its implementation. The research method used is a combination of normative juridical and empirical approaches with a deductive reasoning process to provide a general overview of the answers to the research problems based on field findings. The results indicate that the implementation of the Decree has been carried out but remains suboptimal. Several inhibiting factors were identified, primarily limited budget allocations, which impact the adequacy of facilities and infrastructure required to ensure proper food provision. It is suggested that to improve implementation, the prison management must exercise greater responsibility, attention, and supervision over every stage of food procurement and distribution from contractors' delivery to the final serving of meals to inmates to guarantee the fulfillment of the right to proper food.
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INTRODUCTION

Every state administration is regulated by law, including the provision of sanctions for violations of those laws(Oliinyk et al., 2022). Law represents a set of rules or norms within a communal life whose implementation can be enforced through sanctions(Ramadhani, 2021). This implies that every individual must comply with the regulations established by the government in the course of social and national life(Litvinenko et al., 2022). The 1945 Constitution of the Republic of Indonesia affirms that Indonesia is a state based on the rule of law(Thontowi et al., 2024). As a legal state, Indonesia is obliged to uphold human rights, guarantee equality before the law and government, and ensure that no one is exempt from legal obligations(Akmal, 2023).

Within the Indonesian penal system, which is founded on the philosophy of Pancasila, punishment is no longer viewed merely as a means of deterrence for prisoners but as a process of rehabilitation and social reintegration for inmates. This approach involves coordination between correctional officers, the inmates themselves, and society(Maculan & Rodelli, 2023). The rights and obligations of inmates are stipulated

within the correctional system, which replaces the old prison system(Gann & Palmer, 2021). According to Law Number 12 of 1995 in conjunction with Law Number 22 of 2022 on Corrections, one of the fundamental rights of correctional inmates is the right to adequate food(Joisangadji et al., 2023). Food is a primary human need and serves crucial functions in maintaining bodily processes, supporting growth, replacing damaged tissues, and generating energy for daily activities(Singh et al., 2024).

The standard of food provision for inmates and detainees still refers to the Circular of the Minister of Justice of the Republic of Indonesia No. M.02.UM.01.06 of 1989 concerning Guidelines for Food Cost Implementation for Prisoners and Detainees(Wijayanto et al., 2020). This regulation stipulates that every inmate should receive a daily calorie intake of approximately 2,250 calories. To ensure good nutritional status, the caloric and nutritional content of each food item must be considered in accordance with established health and nutrition adequacy standards. Since imprisonment is the most frequently imposed sanction in Indonesia, the welfare and nutritional adequacy of inmates require serious attention.

Food service is one of the rights of inmates and detainees that must be fulfilled by correctional and detention center administrators(Ika Darmawati, 2024). The provision of balanced, nutritious food supports the implementation of the core functions of correctional facilities in guidance, service, and security as regulated in Article 14 of Law Number 12 of 1995 in conjunction with Law Number 22 of 2022(Nugroho & Haerah, 2024). Adequate and nutritious food helps maintain inmates' health, reduces the risk of illness, and enables them to participate in rehabilitation programs effectively(Wangmo et al., 2018). Conversely, insufficient quantity or quality of food may cause nutritional deficiencies, apathy, and health deterioration, increasing the operational burden of correctional institutions.

Efforts to improve the nutritional and health status of the Indonesian population, including those residing in correctional institutions (Lembaga Pemasyarakatan or Lapas) and detention centers (Rumah Tahanan Negara or Rutan), aim to develop human resources capable of recognizing, preventing, and addressing health problems independently. However, in practice, many inmates still experience violations of their basic rights, particularly regarding the provision of proper and hygienic food. Detainees, although deprived of liberty, retain their fundamental human rights. The food served to them must meet health standards hygienic, nutritious, and sufficient.

The implementation of food management in correctional facilities requires adherence to hygiene and sanitation principles, including food preparation, storage, and distribution. Studies such as those conducted by (Yeni Handayani, 2012), (Sailan & Ilyas, 2018), and (Sultonudin, 2021) highlight the continuing challenges in ensuring that food services in prisons meet health and nutrition standards. Poor food management and sanitation not only compromise inmates' physical well-being but also violate their rights under the correctional law framework.

Inadequate nutrition has been linked to decreased motivation, apathy, and increased susceptibility to disease among inmates. Research by (Hapsari & Ritohardoyo, 2013)revealed that the average food waste among inmates reached 86.2%, with significant energy and protein loss, indicating that most inmates did not consume sufficient nutrients. Similarly, studies conducted at Kutoarjo Correctional Institution and

Class I Semarang Prison showed that malnutrition prevalence reached 13.6%, directly associated with inadequate food quality and intake.

Food and drink constitute essential basic needs and are the sole sources of human energy(Pérez-Escamilla, 2017). Therefore, all food provided within correctional institutions must meet the requirements of taste, nutrition, and safety, meaning that it should not contain substances or microorganisms harmful to human health. Unfortunately, in practice such as in the Class I Detention Center of Bandar Lampung the cleanliness and hygiene of food served to inmates remain substandard.

Although inmates have lost their freedom, they are still entitled to proper food service and healthcare to maintain optimal health. Providing balanced, nutritious food contributes to better human resources, supports correctional objectives, and enhances the dignity of correctional management. The implementation of food service in correctional and detention centers must therefore follow the guidelines stipulated in the Decree of the Minister of Law and Human Rights No. M.HH-01.PK.07.02 of 2009 concerning Guidelines for Food Management for Inmates in Correctional Institutions and State Detention Centers.

Based on this description, the legal issue to be examined in this study is: How is the implementation of the Decree of the Minister of Law and Human Rights No. M.HH-01.PK.07.02 of 2009 concerning the Guidelines for Food Management for Inmates in Correctional Institutions and State Detention Centers at the Class I Detention Center of Bandar Lampung?

RESEARCH METHODS

This study uses an empirical juridical method that combines normative legal analysis with empirical field research to examine the implementation of the Decree of the Minister of Law and Human Rights No. M.HH-01.PK.07.02 of 2009 concerning Guidelines for Food Management for Inmates in Correctional Institutions and State Detention Centers. The empirical juridical approach is employed to identify the relationship between the legal provisions governing food service for inmates and their actual application in the Class I Detention Center of Bandar Lampung. The data used consist of primary data obtained from field observations and interviews with officers, food service providers, and inmates, as well as secondary legal materials, including relevant laws and regulations, books, and scientific journals related to correctional law and the fulfillment of inmates' rights(Hartono et al., 2024). Data collection techniques include library research and field research, while data analysis is conducted qualitatively through description, interpretation, and evaluation of the collected data to determine whether the implementation of the decree aligns with the applicable legal standards and principles of human rights protection within the Indonesian correctional system.

RESULTS AND DISCUSSION

1. Implementasi Surat Keputusan Menteri Hukum dan HAM Nomor M.HH-01.PK.07.02 Tahun 2009 tentang Pedoman Penyelenggaraan Makanan Bagi Warga Binaan Pemasyarakatan di Lembaga Pemasyarakatan dan Rumah Tahanan Negara Kelas I Bandar Lampung

Food services constitute one of the fundamental rights of inmates and detainees that must be fulfilled by the administration of correctional institutions and detention centers. This obligation supports the execution of core duties and functions in the areas of rehabilitation, services, and security as stipulated in Law Number 22 of 2022 on Corrections. Balanced-nutrition meals are essential for inmates and detainees to maintain and improve their health so they can avoid illness and carry out daily activities. Inadequate quantity or poor quality of food may lead to various health problems, including malnutrition, vulnerability to disease, lack of motivation, and apathy. Such conditions may increase the burden on correctional institutions in their efforts to improve the welfare of inmates and detainees.

The commitment and work ethic of all parties involved in food service activities in correctional and detention facilities play a key role in ensuring that meals are provided properly and that their quantity and quality align with applicable standards. Efforts to improve the health and nutritional status of the population, including those residing in correctional institutions, aim to ensure that individuals are aware of, willing, and able to identify, prevent, and address health problems. This includes avoiding health disturbances caused by illness, disasters, environmental factors, or unhealthy behavior.

Food provision for inmates and detainees involves a series of activities, starting from the preparation of ingredients to distribution and supervision, in order to achieve optimal health conditions. The fulfillment of food and beverage rights must differ from general public practices. Food service consists of activities beginning with menu planning and ending with food distribution. Institutional food service aims to provide meals that meet health and nutritional requirements. One simple indicator used to evaluate food service quality and menu effectiveness is the amount of leftover food.

Article 14 of Law Number 22 of 2022 emphasizes that inmates are entitled to the rights listed in the law, including the right to appropriate food services. The success of food provision is often associated with the presence of food waste, which may indicate suboptimal meal distribution caused by factors such as taste, appearance, food quality, officer attitudes, menu variation, and external food sources. Menu variations may include differences in ingredients, flavor, color, texture, and cooking methods. Food appearance can be assessed based on color, form, consistency, portion size, and presentation, while taste may be influenced by aroma, seasoning, tenderness, and doneness.

Efforts to improve public health and nutrition, including for individuals in correctional and detention institutions, aim to achieve a condition where people recognize, wish to, and are capable of preventing and managing health issues to remain free from health disturbances, whether caused by disease, disasters, environmental factors, or unhealthy behavior.

According to Law Number 22 of 2022, officers must provide food and beverages that meet nutritional, sanitary, and health standards. Every inmate and detainee must receive food of adequate nutritional value, prepared and served properly at standard mealtimes, and drinking water must be available at all times.

In an interview, Iwan Setiawan, Head of Class I Detention Center Bandar Lampung, stated that the nutritional status of inmates is greatly influenced by the quality and quantity of nutrients consumed and the presence or absence of disease. These factors are closely related to food availability. Protection of all citizens, including inmates, is a

human right; thus, improving the quality and quantity of nutrient intake significantly contributes to enhancing inmates' nutritional status.

In another interview, Nekson Iskandar, Head of Detainee Services at Class I Detention Center Bandar Lampung, emphasized that inmates must be protected from unsafe food and beverages to avoid health risks. Food and beverages provided must meet health standards, and adequate supervision is required. Since food is a fundamental human need, proper management is essential to ensure its benefits. Ingredients of unclear origin should be avoided to ensure safety and nutritional integrity. All food supplies entering the institution must be thoroughly inspected. A yearly procurement auction is held to select contractors responsible for daily food distribution.

Food service is one of the rights of inmates and detainees that must be fulfilled to support the institution's core duties in rehabilitation, services, and security, as mandated by Law Number 22 of 2022. Regulation of the Minister of Law and Human Rights No. M.HH-01.PK.07.02 of 2009 on Food Service Guidelines outlines procedures from budgeting and menu planning to food distribution, recordkeeping, monitoring, and evaluation.

Requirements for inmate food include:

- a. Each detainee is entitled to food and drink according to regulations.
- b. Caloric content must meet health standards.
- c. Sick, pregnant, breastfeeding, or child detainees must receive additional food per medical advice.
- d. Food storage and equipment maintenance must follow sanitation standards.
- e. All incoming food supplies must be carefully checked for quantity, type, and quality.
- f. Weekly menus must be displayed in kitchen and dining areas.
- g. Meals must be served in designated dining areas.
- h. Detainees may receive food and beverages from family or others.
- i. All food supplies must be officially documented.
- j. Breakfast, lunch, and dinner must be provided according to the established menu.
- k. Utensils may be provided, but dangerous items are prohibited.
- l. Fasting detainees must receive additional meals as stipulated.

Characteristics and challenges of inmate food service include:

- a. Food service is handled by the institution and is non-profit.
- b. Funding is fixed and must be managed efficiently.
- c. Meals are prepared in the institution's kitchen.
- d. Menus follow weekly or ten-day cycles.
- e. Meals resemble typical family dishes.

Food service success is partly measured by the amount of leftover food. Menu variations and food appearance factors such as color, form, consistency, portion size, and presentation affect acceptance. Taste is influenced by aroma, seasoning, texture, and cooking.

These findings align with Lawrence M. Friedman's theory, which states that legal effectiveness depends on three elements: legal structure, legal substance, and legal culture. Legal structure involves law enforcement institutions; legal substance covers laws and regulations; and legal culture reflects societal norms and behavior.

Based on the above explanation, the implementation of the Minister of Law and Human Rights Decree No. M.HH-01.PK.07.02 of 2009 at Class I Correctional Institution Bandar Lampung has been carried out but remains suboptimal. Many inmates still complain about poor food quality, insufficient cleanliness, lack of flavor, and unbalanced nutrition. Food service procedures are often not fully aligned with established guidelines. Consequently, the fulfillment of inmates' rights to proper food under Law Number 22 of 2022 has not yet been achieved effectively.

2. Faktor Penghambat Implementasi Surat Keputusan Menteri Hukum dan HAM Nomor M.HH-01.PK.07.02 Tahun 2009 tentang Pedoman Penyelenggaraan Makanan Bagi Warga Binaan Pemasyarakatan di Lembaga Pemasyarakatan dan Rumah Tahanan Negara Kelas I Bandar Lampung.

The provision of food services for inmates and detainees in correctional facilities constitutes an essential component of institutional responsibilities, as it ensures the fulfillment of their nutritional needs and supports the continuity of their daily physical, mental, and social activities. International standards on the treatment of prisoners, particularly those regulating meal provision within correctional settings, underscore that every inmate must receive nutritious food adequate for maintaining health and physical stamina. Such meals must be properly prepared, hygienically managed, and served in a manner that upholds human dignity.

The right to food forms part of the broader spectrum of rights guaranteed to inmates under national legislation. When correctional institutions are able to deliver food services that meet optimal nutritional standards, these services directly reinforce the core institutional functions of rehabilitation, care, and security. As a result, improvements in meal quality are expected to contribute to a decline in morbidity and mortality rates among inmates, while simultaneously enhancing their overall welfare during incarceration.

From a human rights perspective, efforts have been made by the Directorate General of Corrections to align meal provision with the internationally recognized Minimum Standard Rules for the Treatment of Prisoners. These efforts are reflected in the regular distribution of meals three times daily. However, despite adherence to the required frequency and timeliness of food distribution, the menus remain limited in variety and do not fully meet recommended nutritional adequacy levels. This shortfall is largely attributable to constraints in budget allocation, which affect both food quality and diversity.

The implementation of the Decree of the Minister of Law and Human Rights No. M.HH-01.PK.07.02 of 2009 on Guidelines for Food Management for Inmates and Detainees has faced numerous challenges at the Class I State Detention Center in Bandar Lampung. These challenges include administrative barriers as well as practical and technical limitations in daily operations. As a result, the fulfillment of inmates' right to receive proper and nutritious meals is obstructed at various stages of implementation.

According to an interview with Iwan Setiawan, Head of the Class I State Detention Center in Bandar Lampung, one of the primary obstacles is the limited operational budget, which directly impacts the availability and condition of kitchen facilities. Staff members reported that several pieces of kitchen equipment have been in use for decades without

proper replacement. Such outdated equipment restricts efficient and safe food preparation, ultimately affecting the quality of meals provided to inmates and hindering the fulfillment of their nutritional needs during incarceration.

A related issue concerns the shortage of qualified personnel, particularly cooks and nutritionists, as highlighted in an interview with Nekson Iskandar, Head of Inmate Services. Ideally, additional professional staff should be recruited to enhance the quality of food preparation and to reduce reliance on fellow inmates as cooks. Many inmates have expressed dissatisfaction with meals prepared by other inmates, citing issues related to taste, hygiene, and nutritional adequacy. The absence of trained nutritionists further aggravates the situation, as no professional evaluation exists to ensure compliance with established dietary standards.

The absence of nutritionists also contravenes the technical requirements of the Ministerial Decree No. M.HH-01.PK.07.02 of 2009, which mandates that each meal must be portioned according to predetermined nutritional guidelines, including a daily intake of 2,250 calories. Without expert supervision, it becomes difficult to ensure that meals consistently meet these requirements, resulting in potential nutritional deficiencies that compromise inmates' health and well-being.

Overall, although the implementation of inmates' rights to receive healthy and nutritious meals at the Class I State Detention Center in Bandar Lampung has proceeded to a reasonable extent, several persistent structural and operational obstacles remain. These challenges are not unique to the facility but reflect broader systemic issues that affect many correctional units across Indonesia. Consequently, the current provision of healthy and nutritious meals has not yet reached an optimal standard, as evidenced by the various impediments identified above.

CONCLUSION

Based on the research and analysis conducted, it can be concluded that the implementation 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 at the Class I State Detention Center of Bandar Lampung has not yet achieved optimal effectiveness. Although the detention center has made administrative efforts to apply the provisions of the decree through structured food-management procedures, the quality, hygiene, and nutritional adequacy of the meals provided remain below the standards required by the regulation. This condition is largely due to limited state budget allocations, the absence of professional nutritionists, and inadequate kitchen facilities, resulting in the incomplete realization of the decree's normative objectives. Consequently, the fulfillment of inmates' rights to obtain proper, nutritious, and hygienic food as mandated by statutory regulations and human rights principles has not been fully accomplished in practice.

In addition, the study identifies several inhibiting factors, including financial constraints, insufficient human resources, substandard kitchen infrastructure, weak inter-institutional coordination, and overcrowded housing conditions. These findings indicate that the effectiveness of policy implementation depends not only on the clarity of legal norms but also on the availability of adequate resources, the quality of inter-agency collaboration, and the degree of commitment among policy implementers. To strengthen

the realization of the decree's objectives, the government must increase budget allocations, reinforce coordination between the Ministry of Law and Human Rights and the Ministry of Health, and enhance the competencies of correctional officers through specialized training in nutrition and food safety. A continuous evaluation mechanism should also be established to ensure that food provision adheres to legal standards and human rights obligations.

As a recommendation, the detention center should develop a scientifically grounded nutrition-monitoring system to ensure measurable compliance with dietary standards, and implement periodic audits by independent health professionals to strengthen accountability and improve the overall quality of food services for inmates.

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