

PERBANDINGAN PERLINDUNGAN HUKUM TERHADAP PELAKSANAAN TRANSPLANTASI ORGAN MATA DI INDONESIA DAN SRI LANKA

ABSTRAK

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Regulasi terkait perlindungan hukum transplantasi organ mata di Indonesia masih sangat minim diterapkan khususnya bagi pihak pendonor, penerima donor, dan tenaga medis. Berbanding terbalik dengan Negara Sri Lanka yang jauh lebih mengutamakan perlindungan hukum bagi pihak pendonor, penerima donor, dan tenaga medis transplantasi organ mata. Optimalisasi regulasi perlindungan hukum tentunya harus tetap ditingkatkan oleh pemerintah Indonesia dan Sri Lanka. Permasalahan di dalam penelitian ini yakni terkait bentuk perlindungan hukum terhadap pendonor, penerima donor, dan tenaga medis dalam pelaksanaan transplantasi organ mata di Indonesia dan Sri Lanka serta kelemahan dan kelebihan juga solusi yang mengatur pelaksanaan transplantasi organ Indonesia dan Sri Lanka. Tujuan penelitian untuk mengetahui perlindungan hukum bagi para pihak dalam pelaksanaan transplantasi organ mata di Indonesia dan Sri Lanka, menganalisis kelemahan dan kelebihan antara pengaturan pelaksanaan transplantasi organ di Indonesia dengan Sri Lanka. Penelitian ini menggunakan Metodologi Penelitian Hukum Normatif dan *Comperative law*. Perlindungan hukum bagi tenaga kesehatan, penerima donor, dan pemberi donor organ mata di Indonesia merujuk pada Pasal 5 Undang-Undang Dasar Republik Indonesia tahun 1945, Undang-Undang Nomor 17 Tahun 2023 Tentang Kesehatan, Peraturan Pemerintah Republik Indonesia Nomor 53 Tahun 2021 tentang transplantasi organ manusia. Perlindungan Hukum Sri Lanka merujuk pada *Transplantation of Human Tissue Act of 1987*. Kelebihan perlindungan hukum transplantasi organ mata di Indonesia yakni kejelasan pengaturan yang sejauh ini memberikan jaminan keamanan bagi pihak pendonor, penerima donor, dan tenaga medis. kekurangannya yakni minimnya edukasi transplantasi organ mata sehingga kasus ilegal semakin marak terjadi.

Kata Kunci: Perbandingan, Perlindungan Hukum, Transplantasi Organ Mata, Indonesia dan Sri Lanka.

COMPARISON OF LEGAL PROTECTION OF EYE ORGAN TRANSPLANTATION IN INDONESIA AND SRI LANKA

ABSTRACT

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Regulations regarding the legal protection of eye organ transplantation in Indonesia are still minimally implemented, especially for donors, donor recipients and medical personnel. In contrast to Sri Lanka, which prioritizes legal protection for donors, donor recipients and eye organ transplant medical personnel. Optimization of legal protection regulations must of course continue to be improved by the Indonesian and Sri Lankan governments. The problems in this research relate to the form of legal protection for donors, donor recipients and medical personnel in carrying out eye organ transplants in Indonesia and Sri Lanka as well as the weaknesses and strengths as well as solutions that regulate the implementation of organ transplants in Indonesia and Sri Lanka. The aim of the research is to determine legal protection for parties in the implementation of eye organ transplants in Indonesia and Sri Lanka, to analyze the weaknesses and strengths between the arrangements for implementing organ transplants in Indonesia and Sri Lanka. This research uses Normative and Comperative Law Research Methodologies. Legal protection for health workers, donor recipients and eye organ donors in Indonesia refers to Article 5 of the Constitution of the Republic of Indonesia of 1945, Law Number 17 of 2023 concerning Health, Government Regulation of the Republic of Indonesia Number 53 of 2021 concerning organ transplantation man. Sri Lankan Legal Protection refers to the Transplantation of Human Tissue Act of 1987. The advantage of legal protection for eye organ transplantation in Indonesia is the clarity of the regulations which so far provide security guarantees for donors, donor recipients and medical personnel. The drawback is the lack of education on eye organ transplantation so that illegal cases are increasingly common.

Keywords: Comparison, Legal Protection, Eye Organ Transplantation, Indonesia and Sri Lanka.