



## **KONSTRUKSI PEMBENTUKAN PERLINDUNGAN HUKUM BAGI DOKTER DALAM OPERASI INTELIJEN NEGARA**

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### **INTISARI**

Penyelenggaraan Intelijen Negara Republik Indonesia diatur dalam Undang-Undang Nomor 17 Tahun 2011 tentang Intelijen Negara (UU Intelijen Negara). Dokter intelijen negara adalah seorang dokter yang telah disumpah intelijen dan secara umum telah dilindungi oleh negara. Namun, tingginya tugas dokter intelijen, perlu adanya kajian tentang perlindungan hukum secara khusus bagi profesi dokter intelijen.

Melalui tulisan ini, penulis mencoba mengkaji implikasi yuridis tentang pembentukan perlindungan hukum secara khusus bagi dokter intelijen. Tujuan penelitian ini adalah; (1) menjelaskan peran dualisme dokter intelijen dalam UU Intelijen Negara; (2) mengkaji pendapat ahli intelijen, pembuat kebijakan, dan dokter intelijen tentang perlindungan hukum bagi dokter intelijen (perspektif hukum kesehatan, HAM, dan Etika); (3) menjelaskan kedudukan intelijen medis di luar negeri (Amerika Serikat dan Rusia).

Peran dokter intelijen belum tertulis secara khusus di UU Intelijen Negara. Perlu adanya pembentukan perlindungan hukum dokter intelijen dengan melihat perspektif hukum kesehatan, UU Intelijen Negara dan etika. Intelijen medis di luar negeri belum memiliki acuan struktur dan organisasi yang baku. Namun, intelijen medis Amerika Serikat, dapat di adopsi di Intelijen Medis Indonesia dengan menyelaraskan berbagai Peraturan perundang-undangan yang terkait. Badan Intelijen Negara (BIN) sebagai lembaga tertinggi intelijen negara diharapkan mampu menginisiasi pembentukan perlindungan hukum bagi dokter intelijen sehingga mampu menjaga keamanan kesehatan.

**Kata kunci: Intelijen Medis, Hukum Kesehatan, HAM, Etika, Intelijen Luar Negeri**

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## CONSTRUCTION OF THE FORMATION OF LEGAL PROTECTION FOR DOCTORS IN STATE INTELLIGENCE OPERATIONS

### *Abstract*

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The implementation of the State Intelligence of the Republic of Indonesia is regulated in Law Number 17 years 2011 concerning State Intelligence (State Intelligence Law). A state intelligence doctor is a doctor who has been sworn in as an intelligence officer and is generally protected by the state. However, the high duties of intelligence doctors require a study on legal protection specifically for the profession of intelligence doctors.

Through this article, the author tries to examine the legal implications of establishing special legal protection for intelligence doctors. The objectives of this study are; (1) to explain the dualistic role of intelligence doctors in the State Intelligence Law; (2) to examine the opinions of intelligence experts, policy makers, and intelligence doctors regarding legal protection for intelligence doctors (perspectives of health law, human rights, and ethics); (3) to explain the position of medical intelligence abroad (the United States and Russia).

The role of intelligence doctors is not specifically written in the State Intelligence Law. There needs to be the establishment of legal protection for intelligence doctors by looking at the perspective of health law, the State Intelligence Law and ethics. Medical intelligence abroad does not yet have a standard structure and organizational reference. However, the United States' medical intelligence can be adopted in Indonesian Medical Intelligence by aligning various related laws and regulations. Badan Intelijen Negara (BIN) as the highest state intelligence institution is expected to be able to initiate the establishment of legal protection for intelligence doctors so that they are able to maintain health security.

**Keywords: Medical Intelligence, Health Law, Human Rights, Ethics, Foreign Intelligence**

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