

TINJAUAN ETIS DAN YURIDIS STATUS EMBRIO SISA BAYI TABUNG (*IN VITRO FERTILIZATION*) DI INDONESIA

INTISARI

Oleh:

Gunawan Aineka¹, Heribertus Jaka Triyana²

Tujuan penelitian ini adalah untuk mencari jawaban atas dua buah permasalahan yang timbul karena terdapat sisa embrio hasil program bayi tabung (*in vitro fertilization*) di Indonesia, yaitu:

1. Bagaimana status embrio sisa bayi tabung (*In Vitro Fertilization*) di Indonesia dari sudut pandang etis agama dan yuridis?
2. Bagaimana peran pihak-pihak yang terlibat dalam pengelolaan embrio sisa bayi tabung di Indonesia?

Penelitian ini merupakan penelitian hukum normatif, bahan penelitiannya meliputi bahan hukum primer, bahan hukum sekunder dan bahan hukum tersier. Cara memperoleh data melalui penelitian kepustakaan, sedangkan alat memperoleh data digunakan studi dokumen. Metode pendekatan dalam penelitian ini meliputi pendekatan undang-undang, pendekatan konseptual dan pendekatan komparatif. Analisis data menggunakan metode kualitatif.

Hasil penelitian menunjukkan bahwa kedudukan embrio sama halnya dengan manusia yang mempunyai hak untuk hidup. Manusia pada tahap embrio, pada tahap telah dilahirkan ke dunia dan hingga matinya manusia dewasa (usia tua) adalah sama. Unsur, struktur beserta statusnya sebagai manusia telah terbentuk sejak terjadinya konsepsi. Orang tua pemilik embrio berperan penting dalam menentukan keberlanjutan embrio sisa bayi tabung.

Kata kunci: Etika dan hukum, embrio sisa, bayi tabung.

¹ Mahasiswa Magister Hukum Kesehatan Fakultas Hukum Universitas Gadjah Mada

² Dosen Fakultas Hukum Universitas Gadjah Mada

ETHIC AND LAW REVIEWS ABOUT THE STATUS OF SURPLUS EMBRIO IN VITRO FERTILIZATION IN INDONESIA

ABSTRACT

By:

Gunawan Aineka¹, Heribertus Jaka Triyana²

The purpose of this study is to find answers to two problems that arise because there are remaining embryonic results of in vitro fertilization program in Indonesia,

1. How is the status of embryo in vitro fertilization (In Vitro Fertilization) in Indonesia from an ethical and juridical point of view?
2. What is the role of the parties involved in the management of infant embryo in Indonesia?

This research is normative law research, the research material covers primary law material, secondary law material and tertiary law material. How to obtain data through library research, while the tool obtained data used document study. Methods of approach in this study include the approach of law, conceptual approach and comparative approach. Data analysis using qualitative method.

The results of research indicate that the position of the embryo is the same as the human being who has the right to live. Humans at the embryonic stage, at the stage have been born into the world and until the death of adult human (old age) is the same. Elements, structures and their status as human beings have been formed since the occurrence of conception. The parents of the embryo owners play an important role in determining the sustainability of embryo remaining tube babies.

Kata kunci: Ethic and law, surplus embrio, in vitro fertilization.

¹ Student Master's Degree Program in Health Law Faculty of Law Universitas Gadjah Mada.

² Lecturer Faculty of Law Universitas Gadjah Mada.