

Pelayanan kesehatan bagi narapidana dalam pemenuhan hak asasi manusia di lembaga pemasyarakatan: (studi kasus di lembaga pemasyarakatan Serang)

Dasep Rana Budi, author

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Abstrak

Hak-hak si pelanggar hukum harus dipenuhi tidak saja hanya terbatas selama dalam proses peradilan pidananya tetapi selama yang bersangkutan menjalani pidananya sehingga tujuan penegakan hukum dapat dicapai secara utuh. Hal ini berakibat pada tumbuhnya kepercayaan masyarakat baik nasional maupun internasional terhadap penegakan hukum dan HAM.

Berkaitan dengan pelaksanaan pidana penjara, Lembaga Pemasyarakatan memegang peranan penting sebagai institusi yang melaksanakan pidana penjara yang telah dijatuhkan oleh hakim di pengadilan, yaitu bagaimana memperlakukan seorang narapidana tersebut selama berada di Lembaga Pemasyarakatan sesuai dengan tuntutan hukum dan Hak Asasi Manusia. Lembaga Pemasyarakatan sebagai institusi negara yang dipercaya untuk melaksanakan pidana, berkewajiban untuk memenuhi semua hak yang dimiliki oleh narapidana. Kewajiban ini sebagai bentuk implementasi kepedulian terhadap aturan-aturan nasional dan instrumen internasional dalam rangka pengakuan dan perlindungan hak-hak yang dimiliki oleh orang terpenjara selaku manusia.

Pelayanan kesehatan bagi narapidana di beberapa Lembaga Pemasyarakatan. Berdasarkan hasil pengalaman penulis yang pernah bekerja di beberapa lembaga pemasyarakatan (Lapas), mulai di Lapas Sijunjung (Sumbar) tahun 1990, Lapas Bengkulu pada tahun 1994, Ratan Pandeglang tahun 1999 dan terakhir di Lembaga Pemasyarakatan Serang tahun 2003 bahwa kondisi pelayanan kesehatan bagi narapidana ini kurang mendapat perhatian. Berbagai kendala banyak ditemui tetapi upaya penanggulangan terhadap kendala tersebut masih jauh dari memuaskan.

Berdasarkan hasil penelitian secara kualitatif, bahwa pelaksanaan pelayanan kesehatan di Lembaga Pemasyarakatan Serang sudah berjalan walaupun masih kurang memadai, hal ini disebabkan karena selain sarana/prasarana, sumber daya manusia, dan koordinasi instansi organisasi terkait yang kurang mendukung, juga anggaran yang tersedia sangat minim. Dengan pelaksanaan pelayanan kesehatan tersebut maka secara tidak langsung penegakan Hak Asasi Manusia di Lembaga Pemasyarakatan Serang sudah berjalan tetapi masih kurang maksimal.

The rights of the outlaw have to fulfill not even only during in course of criminal justice him, but during pertinent experience his judged, so that the target of the straightening of law can reach intact. Of course this matter will cause at growing of trust of good society of national society and international society to straightening of human right and law. Equally that process of straightening of clean law also for the sake of wide of society in general, importance of victim, importance of law the outlaw, and for the sake of straightening of itself law, what in the end is for the sake of prosperity of society, importance of good state,

nation seen from national view, and interaction of international world.

Relating to execution of conviction, correction institution hold important role as institution executing conviction which have been dropped by judge in justice. If we see the expression, very modestly and very easy to told. But if we study the sentence, over there consist in complicated problems. Not even only limited to input of the outlaw punish into correction institution pursuant to justice decision which have owned legal force which remain to, but how to treat the convict during residing in correction institution as according to human right and prosecution.

Correction institution as state institution trusted to execute crime has obliged to fulfill all rights of convict. This obligation as caring implementation form national order and international instrument for the agenda of confession and protection of rights had by people served a sentence as human being.

Service of health for convicts some correction institution. Pursuant to result writer experience which have worked at some correction institution (Lapas), start at Sijunjung (Sumbar) correction institution in the year 1990, Bengkulu correction institution in the year 1994, PandegIang correction institution in year 1999 and the last at Serang correction institution in the year 2003 till now, writer see that condition service of health for this convict still less get competent attention. Various constraints in service of correction institutions health met many, but effort of curing still far from satisfying. Confession of convict rights especially rights of service of health seen at payload which implied in Code/Law of No.12 Year 1995 concerning correction section 14 sentences (1), Convict entitled to: (d) Get service of competent food and health.

Pursuant to research result qualitative, that execution of service of health in Serang correction institution have walked although still less adequate, this matter is caused by besides facilitation, human resource, and institution coordination/ relevant organizational which less support, also budget which available to service of health in correction institution very minim. With existence of execution of service of health, hence indirectly the straightening of Human right in Serang correction institution have walked but still less from maximal.</i>