

## ABSTRACT

*Dwi Edi Wahono; NIM, 19730266, Legal Protection for Organ Donation in Kidney Transplantation in Indonesia, Dissertation under the guidance of Prof. Dr. Faisal Santiago, SH, MM as Promoter and Dr. Azis Budianto, SH, MS, as Co. Promoter.*

*Health services are every person's right guaranteed in the 1945 Constitution of the Republic of Indonesia which must be realized by efforts to increase the level of public health as high as possible. Kidney failure is a type of disease that affects people and is considered quite dangerous. As an alternative healing effort, namely through kidney transplant surgery, with the help of organ donation. The problem is; 1. What is the legal protection for organ donation in kidney transplantation in Indonesia? 2. What are the ethical principles as a basis for organ donation in kidney transplantation? 3. What is the legal construction of kidney transplantation in Indonesia? The methodological approach of this research is through normative and empirical research. The theoretical framework includes; Rule of Law Theory, Legal System Theory, Legal Protection Theory, Welfare State Theory, Responsive Legal Theory, and Legal Construction Theory. As for the research results; that the legal protection for organ donation in kidney transplantation in Indonesia from 1977 until now, given to organ donation is more of a preventive nature of protection which emphasizes that organ donation or donors are obliged to fulfill administrative requirements and health requirements before taking medical action. The hospital has begun to carry out therapeutic agreements between organ donation patients or kidney donors, kidney donor recipients and medical personnel who carry out medical procedures for kidney transplantation. The construction of legal protection, namely the ratification of approval for medical treatment or informed consent, is proven by signing by the organ donation patient or their representative family. Ethical Principles as the basis for Organ Donation in Kidney Transplantation from living donors are the best and recognized by various national and international forums. Because in principle, organ transplantation is a noble act, where a donor gives part of his body or organs to help patients who experience certain organ failure. Legal Construction in Kidney Transplantation in Indonesia, enacts statutory regulations which are intended to provide legal protection for organ donation or kidney donors and kidney organ recipients in the medical procedure of kidney transplantation, in the form of an agreement.*

*Keywords; Legal protection of organ donation, Kidney Transplantation*