

ABSTRACT

PERSPECTIVE STUDY MEETING OF ABORTION IN ASPECTS OF JUSTICE AND VICTIMS PROTECTION

**By
Dwi Esti**

Pregnancy is not desired, especially victims of rape basically bring bad consequences for the victim. Abortion is an act that is expected to reduce the suffering of the victims. Law No. 39 of 2009 on Health allows abortion rape victims with certain conditions. The problem in this research is how prospective abortion-related aspects of the fulfillment of justice and the protection of victims and bagamanakah form of legal protection against the fulfillment of the rights of abortion.

The approach used is a matter of normative juridical approach. The data used are primary and secondary data. Data that has been processed and then presented in a narrative form, and then to subsequently drawn a conclusion.

Based on the results of research and discussion in mind that prospective abortion under the Act 36 of 2009 the view that abortion is not a criminal offense. In Article 75 of this law states that the prohibition of abortion can be excluded based on the indication of a medical emergency and pregnancy caused by rape. Then the Government Regulation No. 61 of 2014 in Article 31, Paragraph (2) describes the act of abortion due to rape can only be done if the longest gestation age of 40 days counted from the first day of the last menstrual period. While medical emergency Indications include: life-threatening pregnancy and the health of the mother and fetus. Fulfillment of the legal protection of the rights granted in the form of abortion: abortion perpetrator is the victim of rape; Abortion perpetrators in a state suffering from Post Traumatic Stress Disorder, Actors abortion in circumstances noodtoestand and overmach, Protection of Family and Community.

Expected to law enforcement officials in providing protection to women victims of rape should be guided by a sense of humanity. It is expected the public to help support women victims of violence to gain legal protection, so that the Indonesian people become successful country that is based on the public welfare of humanity.

Keywords: Abortion, Justice, Victim Protection.