

ABSTRAK

Perlindungan Hukum Jurnalis Yang Bertugas Di Wilayah Konflik Menurut Hukum Humaniter Internasional (Studi Kasus Wilayah Konflik Bersenjata Afghanistan)

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Jurnalis adalah seseorang yang dipekerjakan untuk melayani kepentingan publik dalam mengumpulkan, memproses dan menyebarkan informasi yang akurat dan seimbang. Jurnalis yang bertugas di wilayah konflik sering mengalami penyerangan hingga mengakibatkan kematian. Perlindungan korban dan penegakan hukum terkait konflik tersebut diatur dalam Konvensi Jenewa 1949 dan Protokol Tambahan I dan II Konvensi Jenewa 1977. Sedangkan ketentuan mengenai perlindungan jurnalis diatur dalam Pasal 79 Protokol Tambahan tahun 1977.

Afghanistan merupakan salah satu negara konflik yang sejak tahun 1978 mengalami perang turun-temurun baik perang antar suku maupun antar negara. Permasalahan penelitian ini adalah bagaimanakah bentuk pelanggaran terhadap jurnalis yang bertugas di wilayah konflik Afghanistan berdasarkan klasifikasi hukum humaniter, serta bagaimanakah bentuk perlindungan hukum bagi jurnalis yang bertugas di Afghanistan dan efektifitas penegakan hukum bagi pelaku pelanggaran hukum terhadap jurnalis yang bertugas di wilayah konflik berdasarkan hukum humaniter internasional?

Jenis penelitian yang digunakan adalah penelitian hukum normatif dengan pendekatan masalah yuridis normatif. Sumber dan jenis data yaitu data sekunder. Prosedur pengumpulan dan pengolahan data yaitu dengan cara seleksi data dan klasifikasi data. Hasil penelitian dan pembahasan menunjukkan bahwa bentuk pelanggaran terhadap jurnalis dibagi menjadi 2 (dua) resiko yaitu serangan terhadap jurnalis secara perorangan dan serangan yang berkaitan dengan pekerjaan jurnalis. Perlindungan terhadap pembunuhan, penyiksaan, hukuman fisik, mutilasi, pelecehan, perbuatan yang merendahkan martabat, penyanderaan dan hukuman kolektif terhadap jurnalis yang bertugas dalam konflik internasional

diatur dalam beberapa perjanjian dan konvensi internasional seperti Konvensi Den Haag 1907, Konvensi Jenewa 1949, dan *Additional Protocol I* Konvensi Jenewa 1977.

Kata Kunci: Jurnalis, Resiko Jurnalis Perang Internasional, Perlindungan Hukum Jurnalis Internasional.

ABSTRACT**LAW PROTECTION FOR JOURNALISTS WHO
WERE ON DUTY IN CONFLICT ZONES
ACCORDING TO INTERNATIONAL HUMANITARIAN LAW
(Afghanistan Military Conflict Zone Case Study)**

By

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Journalists are people who are employed to serve public interests in gathering, processing, and propagating accurate and stable information. Journalists who served in conflict zones often experienced assaults that caused death. The protection of victims and law enforcement are regulated on the Protocol II Additional to the Geneva Conventions. Meanwhile, the convention related to the protection of journalists was regulated on the Addition Clause 79 in 1977. One of the dangerous conflict countries to journalists is Afghanistan because their conflict has been going on since 1978 which consisted of continuous wars, whether it's a war between tribes or countries. The problems of this research are about the forms of threats and dangers that were faced by the journalists who were on duty in conflict zones in Afghanistan as well as the law protection toward the journalists who were on duty in conflict zones in Afghanistan and law enforcement for the perpetrators of law violations toward the journalists who were on duty in conflict zones according to international humanitarian law.

The applied form of research is normative legal research with a normative juridical approach. The source and types of data is secondary data. The procedure of data gathering and processing is through the methods of data selection and classification.

The result of the research and study shows that the form of threats and dangers faced by the journalists are divided into 2 (two) risks which are the assaults on journalists in person and assaults related to the work of the journalist.

The protection from killing, torturing, physical punishment, mutilation, sexual assault, demeaning act, hostage, and collective law on journalists who were on duty in international conflict is regulated on a couple of international agreements and conventions such as Den Haag Convention 1907, Geneva Convention 1949, and Additional Protocol I Geneva Convention 1977.

Keywords: Journalists, The Risk of International War Journalists, Law Protection of International Journalists.