

## Protection of Forensic Doctors in Identification of Victims of Mass Disaster in Yogyakarta

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**Abstract.** *This study aims to analyze and find the protection of Forensic Doctors in identifying victims of mass disasters; to analyze and find obstacles to the protection of Forensic Doctors in identifying victims of mass disasters; to formulate legal protection of Forensic Doctors in identifying victims of mass disasters. This study uses the theory of legal protection and the theory of the legal system, the research method used is empirical juridical, the research specifications are descriptive analysis, the types of primary data and secondary data consist of primary legal materials, secondary legal materials and tertiary legal materials, while the data collection technique uses literature studies and field studies, and the data is analyzed descriptively. The results of the study show that the legal protection of Forensic Doctors in identifying victims of mass disasters in the Health Law has not specifically regulated forensic doctors who are part of the Disaster Victim Identification team. The obstacles to the legal protection of Forensic Doctors in identifying victims of mass disasters are the obstacles of the legal structure where the distribution of DVI police doctors is lacking. b). legal substance obstacles, namely Article 157 of the Health Law has not regulated the existence of Disaster Victim Identification and who has the right to issue identification results in DVI operations for mass disasters. c). legal culture obstacles where the legal culture of disaster awareness is still lacking, resulting in the evacuation process experiencing obstacles that result in many fatalities every time a mass disaster occurs and a culture of awareness of the importance of identification for victims who die from mass disasters. The formulation of protection for Forensic Doctors in identifying victims who die from mass disasters is by making Clear Regulations, the existence of Professional Insurance, Provision of counseling services and psychological support to help forensic doctors overcome trauma and stress due to their work, Training and Competency Development and Legal Protection from Institutions.*

**Keywords:** Doctors; Forensic; Legal; Protection.

## 1. Introduction

Protection for every citizen is an obligation that must be fulfilled by a country. Likewise, the Indonesian state is obliged to protect every citizen wherever they are. This is in accordance with the Opening of the 1945 Constitution of the Republic of Indonesia (UUD NRI 1945) Paragraph 4 (four). The protection provided is one of the rights of citizens as defined in the 1945 UUD NRI Article 28D paragraph (1) which states:

"Everyone has the right to recognition, guarantees, protection and fair legal certainty as well as equal treatment before the law."

Law Number 39 of 1999 concerning Human Rights, which states that:

"The government is obliged and responsible to respect, uphold and promote human rights as regulated in this Law, other statutory regulations and international law on human rights accepted by the Republic of Indonesia."

Health law is a knowledge that studies how to enforce legal rules against the consequences of implementing a medical/health action carried out by a party working as a health worker that can be used as a basis for the certainty of legal action in the world of health. Health law, including the law "lex specialis", specifically protects the duties of health professions (providers) in human health service programs towards the goal of the declaration of "health for all" and specifically protects "receiver" patients to obtain services. Specifically, health law is regulated in Law No. 17 of 2023 concerning Health.

Forensic doctors as legal subjects have legal responsibility for every action they do. Forensic medicine is a branch of medicine that focuses on the application of medical principles for legal purposes, both in civil and criminal cases. This process often involves doctors who specialize in forensic medicine and is often reported in criminal cases. Forensic medicine not only includes laboratory examinations but also extends to the legal aspects of medical practice, the relationship between doctors and patients, and medical ethics.<sup>1</sup>

The role of forensic medicine in identification, especially of unidentified bodies, damaged, rotting, burnt bodies and mass accidents, natural disasters, riots resulting in many fatalities, as well as human body parts or skeletons.

Meteorologically and climatologically, DI Yogyakarta has high rainfall. In addition, DI Yogyakarta is also crossed by 10 large rivers, namely the Code River, Suci River, and Gajahwong River, Krasak River, Kuning River, Opak River, Oyo River, Progo River, Winongo River, and Tinalah River. When the rainy season arrives, some of these rivers often cannot accommodate all the incoming water, causing the water to overflow and cause flooding around the riverbanks. Not to mention if the material from Mount Merapi is carried by the current and causes the river to

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<sup>1</sup> [Forensic and Medicolegal Medicine, These are the Duties and Education - KataSehat.ID](#) accessed on October 20, 2024

become shallow.

Table 3.1

Disaster Cases in Yogyakarta That Underwent DVI Procedures in the Last 10 Years (2010 – 2024)

No	Name of Disaster	Types of Disasters	Location	Time of incident	Number of MD Victims Identified	SpFM Involvement
1	Mount Merapi Erupts	Natural Disaster	Mount Merapi, Sleman DIY and its surroundings	October 26, 2010	125 of 275	5 (3 Police, 2 Non-Police)
2	Mount Merapi Erupts	Natural Disaster	Mount Merapi, Sleman DIY and its surroundings	November 26, 2010	72 of 124	5 (3 Police, 2 Non-Police)
3	Sinking ship	Natural Disaster	Ngreh an Beach, South Gungul	October 15, 2013	5 of 9 (3 missing, 1 not ID)	2 SpFM people
4	Landslide	Natural Disaster	Sadranan Beach, Gunung Kidul	June 17, 2015	3	2 people (SpFM Polri)
5	Landslide	Natural Disaster	Ngawen, Gunung Kidul	March 3, 2017	2	1 person (SpFM)

6	Terrorism	Man Made Disaster	Jl. Kaliurang , Sleman, DIY	July 14, 2018	3	2 people (SpFM)
7	Swept Away by the Waves	Natural Disaster	Cemara Beach, Gunung Kidul	August 6, 2020	2	1 person SpFM
8	Landslide	Natural Disaster	Imogiri, Bantul	March 17, 2019	2	1 or SpFM
9	River rafting accident	Natural Disaster	Turi, Sleman	February 21, 2020	8 (11 people, 3 people identified by their families)	1 SpFM
10	Landslide	Natural Disaster	Semin, Gunung Kidul	November 19, 2022	2	1 SpFM

(Source: Ur DVI Subbiddokpol Biddokkes Polda DIY. 2024)

In the event of a mass disaster, forensic doctors conduct a body examination using the Disaster Victim Identification (DVI) method. Disaster Victim Identification is a procedure to identify victims who died due to a disaster, which can be legally and scientifically accounted for in accordance with Law Number 24 of 2007 concerning Disaster Management. In a mass disaster event, whether due to nature or human actions that always occur suddenly, it has become a universal obligation, where every victim who dies must undergo an identification process, as stated in Government Regulation Number 21 of 2008 concerning the Implementation of Disaster Management Article 51 paragraph (5) states that "for people affected by disasters who die, efforts are made to identify and bury them".

The identification procedure refers to Interpol's DVI (Disaster Victim Identification) procedure. The DVI process consists of 4 phases, namely The Scene, Post Mortem Examination, Ante Mortem Information Retrieval, and

### Reconciliation.

In the first phase, the initial team that came to the scene sorted between living and dead victims as well as securing evidence that could lead to the perpetrator if the disaster that occurred was a disaster suspected to be caused by human actions. Dead victims were given labels as markers. These labels must contain information about the investigation team, the location of the discovery, and the body/corpse number. These labels will be very helpful in the further investigation process.

The second phase in the DVI process is the post-mortem phase. This phase can occur simultaneously with the first and third phases. In this phase, identification experts, forensic doctors and forensic dentists conduct examinations to find as much postmortem data as possible. Fingerprints, examination of teeth, the entire body, and belongings attached to the body. Tissue samples are also taken for DNA examination. This data is entered into a pink form based on Interpol standards.

The third phase is the antemortem data collection phase where a small team receives reports from people suspected of being victims. This team requests as much data input as possible from the victim's family. The data requested starts from the last clothes worn, special characteristics (birthmarks, tattoos, moles, surgery scars, etc.), medical record data from the victim's family doctor and dentist, fingerprint data from the authorities (sub-district or police), and DNA fingerprints if the family has them. If there is no DNA fingerprint data for the victim, blood samples are taken from the victim's family. Ante Mortem data is filled into a yellow form based on Interpol standards.

A person is declared identified in the fourth phase, namely the reconciliation phase, if there is a match between the Ante Mortem and Post Mortem data with the criteria of at least 1 type of Primary Identifier or 2 types of Secondary Identifiers.

Theoretically, the four phases of DVI should be carried out according to standards in every disaster case. However, in reality, many obstacles and constraints are encountered in the field to implement the DVI procedure.

Legal protection for forensic doctors who are members of the Disaster Victim Identification (DVI) team when handling the identification of victims of mass disasters is very important. This is because their tasks are complex and high risk, both physically and psychologically.

The objectives of legal protection for forensic doctors who are members of the Disaster Victim Identification (DVI) team include a). Guaranteeing Security and Safety, namely Providing a sense of security and comfort to forensic doctors in carrying out their duties; b). Improving Work Quality, namely with legal protection, forensic doctors can work optimally without having to worry about the legal risks they may face; Preventing Errors, namely Adequate legal protection can encourage forensic doctors to continue to improve the quality of their work and minimize errors; Increasing Interest in Joining, namely Good legal protection can

attract the interest of medical personnel to join the DVI team and contribute to disaster management.

Based on the background description, the researcher is interested in conducting research in the form of a thesis entitled PROTECTION OF FORENSIC DOCTORS IN IDENTIFYING VICTIMS WHO DIED DUE TO MASS DISASTERS IN YOGYAKARTA.

Granting of Mortgage Rights on Land is regulated by Law Number 4 of 1996 concerning Mortgage Rights on Land and Objects Related to Land. In addition to having economic value, land rights as collateral have other advantages for creditors, namely that creditors will have the right to prioritize the payment of their debts from the proceeds of the sale of land as collateral.<sup>2</sup>Article 20 of Law Number 4 of 1996 concerning Mortgage Rights on Land and Objects Related to Land, one of which is through public auction.

The implementation of auctions for collateral objects is regulated in the Regulation of the Minister of Finance Number 122 of 2023 concerning Auction Implementation Guidelines. It is explained in Article 1 paragraph (1) that an auction is a sale of goods that is open to the public with written and/or oral price offers that increase or decrease to achieve the highest price, which is preceded by an Auction Announcement.<sup>3</sup>

Regulation of the Minister of Finance Number 122 of 2023 concerning Guidelines for the Implementation of Auctions stipulates that in the implementation of the Execution Auction of Article 6 of Law Number 4 of 1996 concerning Mortgage Rights on Land and Objects Related to Land, Fiduciary Execution Auctions, and Bankruptcy Asset Execution Auctions, a Limit Value is required at the time of the auction.<sup>4</sup>Article 1 paragraph (27) of the Minister of Finance Regulation Number 122 of 2023 concerning Auction Implementation Guidelines explains that the Limit Value is the minimum value of the Goods to be auctioned and is determined by the Seller.

The seller (bank) will determine the limit value of the mortgage auction object by considering or based on the assessment report by the Appraiser for the execution auction limit value of at least IDR 10,000,000,000 (ten billion rupiah) in accordance with Article 57 of the Regulation of the Minister of Finance Number 122 of 2023 concerning Auction Implementation Guidelines. Meanwhile, the determination of the execution auction limit value below IDR 10,000,000,000 (ten billion rupiah) is

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<sup>2</sup>Oting Supartini, Anis Mashdurohaturun, Legal Consequences of a Credit Agreement Deed Made by a Notary with a Guarantee of Mortgage Rights, Legal Certainty and Justice for the Parties, *Journal of Legal Reform*, Vol III No. 2 May - August (2018), p. 207

<sup>3</sup>Catur Budi Dianawati, Amin Purnawan, Legal Study of Guarantee of Mortgage Rights Auctioned Without the Process of Application for Execution Auction to the Head of the District Court, *Jurnal Akta* Vol. 4 No. 2 June (2017), p. 126

<sup>4</sup>Nur Muhammad Rajja Agung, Aryani Witasari, Legal Review of Auction Implementation Procedures with Mortgage Rights Objects at the Semarang State Asset and Auction Service Office, *Sultan Agung Scientific Journal*, Sultan Agung Islamic University, Semarang, September 19 (2023), p. 209

not expressly regulated by the Regulation of the Minister of Finance Number 122 of 2023 concerning Auction Implementation Guidelines.<sup>5</sup>

Conflicts of interest between debtors and creditors often occur when the seller (bank) sets a limit value for the mortgage object. According to the debtor's calculation, the limit value of the auction object set by the seller in this case the bank is considered too low, which does not reflect the market price or at least a fair (appropriate) price, so that in the end it will harm the debtor as the land owner.

The author gives an example of CV Multi Guna Machinery entering into a debt agreement with PT Bank Negara Indonesia (Persero) Tbk Semarang in the amount of IDR 20,000,000,000,- (twenty billion rupiah) by pledging the Certificate of Ownership bound by a mortgage. CV Multi Guna Machinery cannot continue to pay to PT Bank Negara Indonesia (Persero) Tbk Semarang the obligation paid by CV Multi Guna Machinery Principal IDR 27,392,500,000 (twenty seven billion three hundred ninety two million five hundred thousand rupiah). Then PT Bank Negara Indonesia (Persero) Tbk Semarang conducted 4 (four) auctions with a limit value that always changed until it was sold.

It cannot be denied that the concept of conducting an auction to obtain the highest price has gradually shifted to the concept of an auction to obtain a lower price.<sup>6</sup> Therefore, in practice, the implementation of auctions without transparency regarding the standard for determining the limit price (what price, how to calculate it, what are the criteria and aspects that influence it) will provide or create a feeling of injustice for debtors.

## **2. Research Methods**

This study uses the theory of legal protection and the theory of legal systems, the research method used is empirical juridical, the research specifications are descriptive analysis, the types of primary data and secondary data consist of primary legal materials, secondary legal materials and tertiary legal materials, while the data collection technique uses literature studies and field studies, and the data is analyzed descriptively.

## **3. Results and Discussion**

### **3.1. Protection of Forensic Doctors in Identifying Victims of Mass Disaster in Yogyakarta**

There are so many aspects that must be done in a DVI operation with various obstacles and barriers. The involvement of various elements is very important for the success of an operation like this. Coordination and cooperation are always

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<sup>5</sup>Article 57 of the Regulation of the Minister of Finance Number 122 of 2023 concerning Guidelines for the Implementation of Auctions

<sup>6</sup>Yusrina Handayani, Miandani Denniz Yuniar, Legal Review of the Bondo Village Rice Field Auction Offer Agreement at the Bumiayu Village Hall, Weleri District, Kendal Regency, *Intelektiva: Journal of Economics, Social & Humanities*, Vol 02 No 02 September (2020), p. 56

prioritized in the implementation of DVI operations in an effort to achieve success in the victim identification process. Many emotions are involved so that often a DVI operation is an operation that must be carried out with all patience and precision. Because returning the body to the family that is not supposed to be is a fatal mistake and should not happen.

Positive legal evidence that the DVI, Post-Mortem, Anti-Mortem Certificate in positive Indonesian regulations refers to Article 184 paragraph (1) letter c of Law Number 8 of 1981 concerning Criminal Procedure Law (KUHAP), is made under an oath of office or strengthened by an oath.

The written evidence to be examined is evidence made by forensic experts. According to Article 187 letter c of Law Number 8 of 1981 concerning Criminal Procedure Code (KUHAP).

“A letter from an expert containing an opinion based on his expertise regarding something or a situation that was officially requested from him.

From the explanation above, the legality of the Disaster Victim Identification identification letter must and must be issued by someone based on their expertise regarding something or a situation in this case the Disaster Victim Identification team. Associated with Article 157 of Law Number 17 of 2023 concerning Health which explains that:

- (1) For the purposes of law enforcement and population administration, every person who dies must be tried to find out the cause of death and their identity.
- (2) In order to determine the cause of death of a person as referred to in paragraph (1), a death audit may be carried out, including a verbal autopsy, clinical post-mortem, forensic post-mortem, and/or laboratory examination and virtual post-mortem autopsy.
- (3) The implementation of clinical autopsies, forensic autopsies, and/or laboratory examinations and virtual post-mortem autopsies as referred to in paragraph (2) must be carried out with the consent of the family.
- (4) In order to determine the identity as referred to in paragraph (1), efforts must be made to identify the corpse in accordance with standards.
- (5) The implementation of efforts to determine the cause of death as referred to in paragraph (1) can be combined with research, education and training, including anatomical autopsies and/or clinical autopsies.

Article 157 of Law Number 17 of 2023 concerning Health does not yet regulate about who is entitled to is suing identification results on DVI operations for mass disasters.

The existence of the legal norm of Article 187 letter c of Law Number 8 of 1981 concerning Criminal Procedure Law (KUHAP) in relation to Article 157 of Law Number 17 of 2023 concerning Health based on the values of Pancasila justice does not yet reflect the values of justice.



Article 157 of Law Number 17 of 2023 concerning Health also does not mention which agency, ministry or institution Which should carry out this Disaster Victim Identification operation if a mass disaster occurs.

Justice is one of the most important legal objectives of a legal system, although there are still several other legal objectives, namely legal certainty and legal benefits which are also the mainstay of a legal system. There are two formulations of justice: first, the view that what is meant by justice is the harmony between the use of rights and the implementation of obligations in accordance with the legal balance argument, namely the measure of rights and obligations. Second, the view of legal experts who basically formulate that justice is the harmony between legal certainty and proportionality law.<sup>7</sup>

Based on the results of interviews with Forensic and Medicolegal Specialists in Yogyakarta in dealing with mass disaster cases in the last 10 years in Yogyakarta, the following results were obtained:

No	Legal Protection question components	N=5 SpF doctors (2014 -2024)		Information
		Yes	No	
1	High Risk Tasks:	5	0	Realizing everything
2	High Work Pressure:	5	0	Realizing everything
3	Are there any Allegations and Lawsuits:	1	0	1 from family (bodies swapped)
4	Are there any clear regulations/procedures for DVI:	3	2	2 people do not fully understand the DVI procedure
5	Professional Insurance:	0	5	there isn't any yet

<sup>7</sup>A. Ridwan Halim, Introduction to Legal Science in Questions and Answers, Ghalia Indonesia, Jakarta, 2005, p. 176.

Article 157 of Law	6	Psychological Support:	0	5	There is no team that supports the SpFM team yet
	7	PPE Support:	2	3	2 there is enough, 3 PPE is very minimal
	8	Training and Competency Development:	3	2	3 SpF from Polri, 2 SpF non Polri
	9	Legal Protection from institutions:	0	5	3 SpF from Polri, 2 SpF non Polri
	10	Getting medical services	0	5	DVI is social work
	11	Getting health insurance	5	0	Health insurance from each agency
	12	Get a break while working	4	1	1 case is a case of attention needed quickly
	13	Get food and drink while working	5	0	3 SpF from Polri, 2 SpF non Polri
	14	Get the opportunity to worship	5	0	1 SpF Muslim, 4 Non Muslim
	15	Received award from DVI Team	3	2	3 SpF from Polri, 2 SpF non Polri

Number 17 of 2023 concerning Health has not yet regulated who has the right to issue identification results in DVI operations for mass disasters, creating legal uncertainty regarding the protection of doctors.

Legal protection consists of two words, namely protection and law. The word protection according to the Great Dictionary of the Indonesian Language is defined as a place of shelter, something (an act and so on) that protects.<sup>8</sup> Meanwhile, according to Soedikno Mertokusumo, the term law is the entire set of regulations regarding behavior that apply in a communal life, the implementation of which can be enforced with sanctions.<sup>9</sup>

Legal protection is providing protection to human rights that are harmed by others and this protection is given to society so that they can enjoy all the rights granted

<sup>8</sup><http://www.prasko.com/2011/02/pengertian-perlindungan-hukum> downloaded on January 11, 2024

<sup>9</sup>Sudikno Mertokusumo, *Understanding the Law*, Yogyakarta: Liberty. 2005, p. 40

by law.<sup>10</sup>Legal protection is the protection of dignity and honor, as well as recognition of human rights held by legal subjects based on legal provisions from arbitrariness or as a collection of regulations or rules that will be able to protect one thing from another.<sup>11</sup>

### 3.2. Barriers to the Protection of Forensic Doctors in Identifying Victims of Mass Disaster in Yogyakarta.

#### 1) Legal Structural Barriers

The distribution of health workers is a weakness in handling the identification of victims of mass disasters, where based on data obtained from the Ministry of Health and several statistical institutions, the results of the distribution of health workers are as follows.

Table 1.

Ratio of Doctors to Population in Indonesia

Island	Ratio of Doctors to Population
Sumatra	1:3,000
Jawa	1:2,800
Bali	1:1,500
Southeast	1:5.200
Kalimantan	1:3,400
Sulawesi	1:3.100
Maluku	1:4,000
Papua	1:4.100

Source: Ministry of Health of the Republic of Indonesia and the National Socio-Economic Survey (SUSENAS) of the Central Statistics Agency in 2019

When viewed by region, the ratio of doctors to the population in Indonesia that is close to the WHO standard is in Bali Island followed by Java, Sumatra, Sulawesi, and Kalimantan. Meanwhile, the ratio of doctors to the large population is in Maluku Island, Papua, and the largest is in Nusa Tenggara with a ratio of 1:5,200. This means that in Nusa Tenggara, one doctor serves 5,200 people. From the ratio obtained, it can be seen that the distribution of doctors in Indonesia is still

<sup>10</sup>Satjipto Rahardjo, *Legal Studies*, Bandung: Citra Aditya. 2014, p.74.

<sup>11</sup>Philipus M. Hadjon, *Legal Protection for the People in Indonesia*, Surabaya: Bina Ilmu. 1987, p. 25.

centered on the islands of Bali and Java, while the distribution of doctors is still very lacking in eastern Indonesia, namely Maluku Island, Papua, and especially in Nusa Tenggara.

As is known, the obstacle still faced by health human resources in Indonesia is the maldistribution of health workers. This occurs due to the uneven placement of health workers, the mismatch between the type and number of health workers needed, which has an impact on low public access to adequate and quality health services. Various problems experienced by health workers can also cause a reduction in the number of health workers which will affect the distribution of health workers throughout the region.

## 2) Legal Substantive Obstacles

Article 157 of Law Number 17 of 2023 concerning Health does not yet regulate about who is entitled to issuing identification results on DVI operations for mass disasters.

The existence of the legal norm of Article 187 letter c of Law Number 8 of 1981 concerning Criminal Procedure Law (KUHAP) in relation to Article 157 of Law Number 17 of 2023 concerning Health based on the values of Pancasila justice does not yet reflect the values of justice.

Justice is one of the most important legal objectives of a legal system, although there are still several other legal objectives, namely legal certainty and legal benefits which are also the mainstay of a legal system. There are two formulations of justice: first, the view that what is meant by justice is the harmony between the use of rights and the implementation of obligations in accordance with the legal balance argument, namely the measure of rights and obligations. Second, the view of legal experts who basically formulate that justice is the harmony between legal certainty and proportionality law.<sup>12</sup> Chapter 157 Law Number 17 of 2023 concerning Health does not yet regulate who has the right to issue identification results in DVI operations for mass disasters.

## 3) Barriers to Legal Culture

Indonesian people's awareness of disasters is still low. Repeated disasters should be able to increase public awareness of disasters. In Indonesia, a disaster is considered more as God's destiny, so they will surrender in facing disasters. In reality, disasters can be prevented and their occurrence can be detected through signs.

The behavior of wanting to learn and being able to recognize signs before a disaster occurs, prevention and knowing what to do, and how to reduce the risk of disaster is meant by disaster response behavior. If everyone is aware of the risk

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<sup>12</sup>A. Ridwan Halim, *Introduction to Legal Science in Questions and Answers*, Ghalia Indonesia, Jakarta, 2005, p. 176.

of disaster and behaves in a disaster response manner, of course the risk of a disaster will be reduced.

Beviola in his book *Disaster Management and Local Government Capabilities* explains that there are several disaster trends that are currently occurring, including:

- a. The total number of people affected by disasters increases. As the population and settlements increase, the risks increase.
- b. Disasters are getting more expensive, the costs caused by disasters around the world are increasing day by day.
- c. Poor countries and poor people are the victims of disasters with the greatest impact, disasters do strike every country but poor countries are the most vulnerable to natural disasters because of social, political, cultural and economic factors that force them to live in risk areas.

The increasing trend of disasters that occur in society and the increasing number of victims and losses due to disasters, it is necessary to make a social change. One of them is through diffusion. The government as an institution responsible for reducing disaster risk creates programs with the aim of reducing the number of disaster victims which are then diffused to the community so that the idea / concept can be well received by the community.

The public needs to understand the forensic workflow in identifying disaster victims who are difficult to recognize. One important thing to prepare if a family member becomes a disaster victim is data before death or antemortem. The more and better quality data submitted, the easier it will be for forensic officers to identify victims.

Head of Data, Information and Public Relations Center of the National Disaster Management Agency (BNPB) Sutopo Purwo Nugroho said that the culture of disaster awareness in Indonesian society is still low. In fact, a culture of disaster awareness is important considering that the threat of disaster can come at any time at an unexpected time. Based on BNPB research, Indonesian people's knowledge of disasters increased after the 2004 Aceh tsunami, however, disaster awareness has not yet become everyday behavior in society.

#### **3.4. Forensic Doctor Protection Formulation in Identifying Victims Who Died Due to Mass Disasters in Yogyakarta.**

Legal protection for forensic doctors who are members of the Disaster Victim Identification (DVI) team when handling the identification of victims of mass disasters is very important. This is because their tasks are complex and high risk, both physically and psychologically.

##### **1) High Risk Assignment**

The work of forensic physicians in DVI teams often involves handling bodies in very poor conditions, such as burned, crushed, or mixed. These conditions can pose

risks of exposure to hazardous materials, psychological trauma, and even safety threats.

#### 2) High Work Pressure

The pressure to identify victims quickly and accurately is high. Misidentification can have major consequences for victims' families and communities.

#### 3) Allegations and Lawsuits

In emergency situations, forensic doctors may face accusations or lawsuits from various parties, including the victim's family, authorities, or other parties who feel aggrieved.

The legal protection formulation that can be applied to forensic doctors who are members of the Disaster Victim Identification (DVI) team is as follows:

##### 1) Clear Regulations

There are laws and regulations that specifically regulate the duties and responsibilities of forensic doctors in the DVI team, as well as the legal protection provided to them.

##### 2) Professional Insurance

The existence of professional insurance that provides financial protection if a forensic doctor is sued for unintentional errors in carrying out his duties.

##### 3) Psychological Support

Provision of counselling and psychological support services to help forensic doctors cope with the trauma and stress of their work.

##### 4) Training and Competency Development

Ongoing training to improve the competence and skills of forensic doctors in handling mass disaster cases.

##### 5) Legal Protection from Institutions

Support from professional bodies or institutions where forensic doctors work in facing legal claims.

The existence of legal protection for forensic doctors who are members of the Disaster Victim Identification (DVI) team aims to:

1) Providing a sense of security and comfort to forensic doctors in carrying out their duties.

2) With legal protection, forensic doctors can work optimally without having to worry about the legal risks they may face.

3) Adequate legal protection can encourage forensic doctors to continue to improve the quality of their work and minimize errors.

4) Good legal protection can attract medical personnel to join the DVI team and contribute to disaster management.

#### 4. Conclusion

Legal protection for forensic doctors in identifying victims who died due to mass disasters in Law Number 17 of 2023 concerning Health has not yet specifically regulated forensic doctors who are part of the Disaster Victim Identification team. Obstacles to legal protection for Forensic Doctors in identifying victims who died due to mass disasters, namely legal structure obstacles where the distribution of competent DVI doctors is lacking. b). Legal substance obstacles, namely Article 157 of Law Number 17 of 2023 concerning Health not set yet regarding the existence of Disaster Victim Identification and who is entitled to issue identification results in DVI operations against mass disasters. c). Legal culture barriers where the legal culture of disaster awareness is still lacking, resulting in the evacuation process experiencing obstacles that result in many fatalities every time a mass disaster occurs, as well as a culture of awareness of the importance of identification for victims who died due to mass disasters. Formulation Legal protection for forensic doctors in the DVI team, namely by creating clear regulations that specifically regulate the duties and responsibilities of forensic doctors in the DVI team, as well as the legal protection provided to them. The existence of professional insurance that provides financial protection if forensic doctors are sued for unintentional errors in carrying out their duties. Provision of counseling services and psychological support to help forensic doctors overcome trauma and stress due to their work. Ongoing training to improve the competence and skills of forensic doctors in handling mass disaster cases. Support from professional institutions or institutions where forensic doctors work in facing lawsuits.

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