

BAB III

PENUTUP

A. Kesimpulan

Dalam penelitian mengenai implementasi Pasal 12 CEDAW dalam konstelasi hukum Georgia tentang perlindungan hak perempuan atas kesehatan reproduksi dengan menggunakan studi kasus *human egg farm* di Tbilisi, diperoleh kesimpulan bahwa Georgia belum sepenuhnya mengimplementasi Pasal 12 CEDAW. *Law of Georgia on Health Care* dan *Law of Georgia on Patient Rights* hanya memenuhi setiap hak perempuan terhadap kesehatan reproduksi secara sebagian. Kedua undang-undang tersebut belum memenuhi setiap hak perempuan terhadap kesehatan reproduksi seutuhnya. Kemudian, Georgia sebagai negara yang memperbolehkan surogasi belum memiliki ketentuan spesifik yang mengatur tentang surogasi, baik dalam segi perlindungan terhadap kesehatan reproduksi maupun perlindungan hukum terhadap risiko terjadinya perdagangan manusia dalam ranah surogasi.

B. Saran

Sebagai negara yang terikat dengan *Convention on the Elimination of All Forms of Discrimination against Women* dan memperbolehkan surogasi, maka sudah seharusnya Georgia bertanggung jawab untuk melaksanakan ketentuan Pasal 12 yang mengatur tentang hak perempuan terhadap kesehatan. Oleh karena itu, Penulis memberikan saran kepada

Pemerintah Georgia untuk meninjau ulang ketentuan-ketentuan yang ada dalam *Law of Georgia on Health Care* dan *Law of Georgia on Patient Rights*. Penulis menyarankan Pemerintah Georgia untuk menyelaraskan kedua undang-undang tersebut dengan *General Recommendation* Nomor 24 yang dibuat oleh Komite CEDAW. Penulis menyarankan Pemerintah Georgia untuk membentuk undang-undang baru atau menambahkan ketentuan yang rinci tentang surogasi ke dalam *Law of Georgia on Health Care*. Penulis juga menyarankan Pemerintah Georgia untuk tegas menangani masalah *human trafficking* yang terjadi di Georgia, terutama *human trafficking* yang terjadi di ranah surogasi.

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