

ABSTRAK

Kesehatan merupakan salah satu kebutuhan manusia untuk dapat hidup sejahtera lahir dan batin. Berdasarkan pada ketentuan internasional maupun peraturan perundang-undangan yang berlaku di Indonesia, hak atas kesehatan termasuk dalam hak asasi manusia yang harus dipenuhi, sehingga setiap orang harus menghormati serta tidak melanggar hak kesehatan orang lain dalam menjalankan hak-hak yang mereka miliki. Salah satu kegiatan manusia untuk memenuhi kesejahteraannya adalah dengan menjalankan kegiatan usaha atau bisnis yang dapat memenuhi kesejahteraan manusia secara materiil, namun di sisi lain banyak kegiatan usaha yang dijalankan tanpa memperhatikan hak-hak orang lain. Salah satu kegiatan usaha yang berkembang di Indonesia adalah kegiatan industri tekstil, yang dalam pelaksanaan kegiatan usahanya dapat merugikan kesehatan masyarakat di sekitarnya dengan adanya pencemaran lingkungan. Peraturan perundang-undangan di Indonesia menyebutkan bahwa setiap pelaku usaha berkewajiban untuk melaksanakan tanggung jawab sosial dan lingkungan perusahaan dengan adanya dampak yang ditimbulkan dari kegiatan usaha, termasuk kegiatan industri tekstil, namun saat ini masih ditemui adanya pencemaran lingkungan oleh industri tekstil yang menyebabkan terlanggarnya hak masyarakat atas kesehatan.

Penulis melalui metode yuridis normatif dan menggunakan tahap penelitian kepustakaan serta teknik pengumpulan data melalui studi dokumen dan diskusi langsung sebagai pendukung data sekunder, serta metode komparatif atau perbandingan dengan negara lain, bertujuan menemukan bentuk tanggung jawab sosial dan lingkungan sesuai dengan peraturan perundang-undangan dalam rangka pemenuhan hak atas kesehatan dan merumuskan cara pelaksanaan tanggung jawab sosial dan lingkungan perusahaan di kawasan industri tekstil melalui upaya-upaya yang berkaitan dengan pemenuhan hak masyarakat atas kesehatan.

Hasil penelitian menunjukkan bahwa pemenuhan hak atas kesehatan terutama penyelenggaraan fasilitas kesehatan, belum dilaksanakan dengan baik oleh para pelaku usaha terhadap masyarakat sekitar, termasuk terhadap para tenaga kerjanya sendiri. Tanggung jawab sosial dan lingkungan sebagaimana ditentukan dalam undang-undang masih dianggap sebagai suatu kesukarelaan dan bukan suatu kewajiban hukum. Akhirnya penulis menemukan suatu gagasan dengan harapan bisa diterapkan, yaitu diharapkan adanya peningkatan kesadaran dan pemahaman para pelaku usaha dan masyarakat akan pentingnya pemenuhan hak atas kesehatan melalui program *community development* dalam melaksanakan tanggung jawab sosial dan lingkungan dan adanya kemitraan antara Kementerian Kesehatan dan Kementerian Lingkungan Hidup dalam hal pengawasan penyelenggaraan fasilitas kesehatan oleh perusahaan.

ABSTRACT

Health is one of the human needs to have a prosperous life. Based on the international and Indonesian living law, a health right counted as one of human rights which has to be fulfilled. An optimal health right fulfillment must include various elements, including a fulfillment of a good and healthy environment. A fulfillment of an optimal health right also need an awareness from every person in society to respect and not to against another person's health right. Beside the health right, every person has their right to fulfill their welfare in a various way, including to have and run a business activity. A business activity can fulfill human welfare in material, but in other side many business activity is running without an awareness to another person's right in a society. One of the business activity which has been increased in Indonesia is a textile industry. In its activity, textile industries produces amount of industrial waste which has to be handle carefully, because it causing environmental pollution and harms peoplès health. In purpose to reduce a negative impacts of the business activity, Indonesian law mentions about a corporate social and environment responsibility as an obligation for all the busines practitioners. After the law enforcement, a pollution caused by textile industries waste still can be found and it is against people in society right to have a good and healthy environment which has an impact to the fulfillment of their health right.

The author through legal-normative method, using the stages of library research and field research as well as data collection method through literature study and interview as supporting secondary data, intend to discover the form of corporate social and environment responsibility appropriate to increase society welfare and the procedure of corporate social and environment responsibility to fulfill an optimal health right based on sustainable development principle.

The result of this research shows that the corporate social and environment responsibility, which has been determined as an obligation by law, is not fully performed by business practitioners. Corporate social and environment responsibility considered as an voluntary and not as a an obligation by law. In majority, corporate social and environment responsibility implementations are in the form of donation to the society around the industry region and not in the form of an effort to reduce or remøve the industries waste negative impacts. In conclusion, it is expected tha people can increase their knowledge and understand their right to have an optimal health right and also the understanding from all the business practitioners about their obligation to do a corporate social and environment responsibility. It is also expected an appeaance of the implementing regulation to mentions about a human rights as a part of corporate social and environment responsibility implementation.