



Identification of Legal Protection on Covid-19 Vaccine Services to the Public During the Pandemic Crisis in Indonesia: Legal Health Study

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Abstract

This study examines the identification of legal protection for recipients of the COVID vaccine during the pandemic crisis in Indonesia, which is viewed from the point of view of the study of the health law. We believe that the Government certainly has some supporters and protectors in carrying out its policies, namely vaccination services for citizens. To discuss this topic, we are supported by some scientific publications, especially findings on vaccination studies in the context of legal protection for vaccine recipients and the legal basis for state action in implementing policies. We found data from various study sources from legal and health scientific journal publications, especially vaccination conflicts, both from international and domestic journals. In order to make it easier for us to take essential points as the findings of this study, first, we have listed them under the phenomenological approach, which is a method or method that we do to obtain information, then we examine them to get the gist of the relevant answers. Based on the data exposure and discussion, we found that in carrying out the vaccination program, the Government first has a responsibility, namely to ensure that its citizens are healthy and prosperous so that based on this obligation, the Government makes a policy. Then the Government also coordinates with health parties in the field and the community irregularities in its implementation. The Government is considered unable to carry out vaccinations as mandated by this policy because people still need awareness and belief to run optimally.

Keywords: - Protection, Legal, Vaccine, pandemics, and Covid-19.

A. Introduction

Since the 2019 coronavirus (Covid-19) was designated as a virus that endangers humans, since that day it was designated a dangerous disease by whom that causes severe acute respiratory syndrome, the Government of every country exposed to the virus began implementing various policies to combat the deadly epidemic. Due to the speedy spread of infection from human to human, concerns are getting heavier; the world leaders of each country simultaneously break the chain of spread, starting with the lockdown system and the use of masks, followed by various other socialization policies. One of the efforts to prevent the spread of the Covid-19 outbreak, policies continue to be issued. With these strict policies and rules, state leaders hope to make various policies that accelerate recovery from exposure to the Covid-19 meeting. Finally, in late 2020, every country is here to use vaccines so that it does not happen in the future; since then, various issues related to safety, vaccines, and protection have become seriously discussed for application.

The spread of the Coronavirus is evidenced by medical evidence, which states that the virus spreads from human to human. The separation of man from man is the

most basic and accessible mechanism. How it happened to prevent it; increasingly convinced every Government to implement various anticipations ranging from social distancing to seeking an immune system through a vaccination program that requires the Government to direct this program nationally; which is supported by specific legal policies taking into account the various consequences and risks that must be shared. Therefore, the state began to make policies with binding regulations that oblige every citizen to get vaccinated starting stages 1, 2 and 3. Although here and there faced challenges because of the vaccination program carried out by the Indonesian Government. So, of course, the Government has an approach with vaccinations permitted by the Government. WHO explained that a safe implementation model was carried out in several neighboring countries, Indonesia and other developed countries. Finally, Indonesia prepared a vaccine program despite the rejection of its citizens. This happens because the Indonesian approach ignores the wishes of its citizens, especially the legal status and rights of citizens if there is a failure or fatal risk due to vaccines.

Regarding the socialization of the Covid-19 vaccine, which declared the COVID-19 episode 2019-2021 an International Public Health Emergency on January 30, 2020, and a pandemic on March 11, 2020. This episode of the disease has so shaken local areas of the world that the infection, including Indonesia, has affected only about 200 countries on the planet. Countries have also completed various efforts to prevent the spread of Covid-19 infections in countries on the planet to break the chain of transmission of Covid-19 infections, referred to as social lockdowns and erasures. It can help the community break the chain of the spread of Covid-19. Immunization makes the human body fight against contamination, infection, and certain diseases. Immunization is an antigenic substance used to create immunity against disease. Immunization is carried out to prevent or reduce the impact of contamination that causes specific diseases. Antibodies, in general, contain specialists who look like disease-causing microorganisms and are regularly prepared from a weakened or dead organism, from its poison, or one of its surface proteins. Immunization is called inoculation. Immunization is the best strategy to prevent intolerable disease.

Immunity due to inoculation is widespread worldwide and is mainly responsible for killing smallpox and preventing diseases such as polio, measles, and lockjaw. The adequacy of inoculation has been extensively checked and confirmed; for example, immunizations have been shown to work, including flu antibodies, HPV immunization, and chickenpox antibodies. The World Health Organization (WHO) reports that official antibodies are currently accessible for 25 preventable diseases. Immunization comes from the word *vaccinia*, which makes cowpox which, when administered to humans, would greatly influence the major inoculations carried out in China in the tenth century. However, it was not until 1796 that Edward Jenner understood that a milder disease of cowpox could protect people from smallpox contamination. Jenner tried his hypothesis, and his findings were distributed two years later. Immunization comes from the Latin expression "*Vacca*," which means cow. Immunization is generally seen as one of the best clinical achievements to date. According to World Health Organization information, immunization prevents several million deaths each year and reduces people's risk of contracting 20 types of disease.

Immunization triggers a secure framework to spot approaching intruders and produce antibodies. The goal is a safe framework for combating organic entities that invade the body. This interaction does not make the feeling go away, although specific individuals can experience side effects, most often things like sensitive arms or a permanent fever. From then on, cultivate an attitude of insensitivity to disease—the Centers for Disease Control and Prevention. Therefore, immunization is essential: unlike most drugs, which treat or improve disease, antibodies fight. Specialist investigations in Norway surveyed seriously incapacitated patients immunized to decide on any troubling indications or side effects. Specialists in Norway have surveyed the condition of very debilitated and seriously ill patients to find out the benefits of inoculation to offset the danger of side effects.

Reports of many respiratory medical circles also recommend that the symptoms of Covid-19 antibodies may have caused damage and death in certain patients. The Norwegian Medicines Agency obtained reports of unfavorable incidental effects after inserting Pfizer/BioNTech antibodies on January 17, 2021. Each individual who kicked the bucket was in the north of 75 years; most of the elderly were fragile, whatever the symptoms of Covid-immunization 19 that would be commensurate with the reduced risk of severe COVID-19 illness. It can find actual results. After getting it, this is the greatest fear towards individuals.

Legally, many world leaders are in a state of crisis of failure; less than 2 minutes each, a person transmits from Covid-19. Many individuals are financially and socially dispossessed. The private areas supporting themselves all this time are currently kicking the bucket and crouching. Directed by science, antibodies are essential and fundamental in protecting the population. Therefore, President Jokowi has conveyed that Covid-19 immunization is wide open as directed in Minister of Health Regulation Number 10 of 2021. The President has also sent 2 million immunization developments in a day, a regulatory thought that is generally very good. This is based on information that immunization in Indonesia is still far from the goal of putting out-group resistance. Amidst the tumultuous administration of the treatment of the pandemic notwithstanding the current emergency, the Minister of Health as the right hand to the President gave Regulation of the Minister of Health Number 19 of 2021, which makes antibodies aware and an honor. This strategy opposes the soul of the past Regulation of the Minister of Health 10 of 2021, which expressed that inoculation would not be charged to the client yet to the organization as expected for other health care coverage. The issuance of Regulation of the Minister of Health Number 18 of 2021 related to Regulation of the Minister of Health Number 19 of 2021 goes against the public is on the right track to wellbeing during the pandemic period. The people group has effectively encountered a heavy financial and social weight, and in this manner, it would not be fitting assuming it was deciphered by the public authority to welcome the local area to ease up the weight on the state by forcing immunization costs on the local area.

B. Method

In this section, this study examines the identification of legal protection for COVID vaccine recipients during the pandemic crisis in Indonesia in terms of health law studies. We believe that the Government certainly has supporters and protectors.

In carrying out its policies, namely vaccination services for residents. To discuss this topic, we are supported by several scientific publications, especially the findings of vaccination studies in the context of legal protection for vaccine recipients and the legal basis for state action in implementing policies. We found data from various study sources from legal and health scientific journal publications, especially vaccination conflicts, both from international and domestic journals. To make it easier for us to take the critical points as the findings of this study, first of all, we have listed them under the phenomenological approach, that is, a method or methods that we use to obtain information, then we examine them to get the gist of the relevant answers. Based on the presentation and discussion of the data, we found that in implementing the vaccination program, the Government first has a responsibility, namely ensuring that its citizens are healthy and prosperous. Based on this obligation, the Government makes policies. Then the Government also coordinates with health authorities in the field and the community. In reporting the results, we follow the previous reports reported in a descriptive qualitative study format. This study relies on secondary data from electronic search data based on scientific literature.

C. Result and Discussion

1. Vaccine and Legal basis

Inevitably, citizens' right to welfare is a standard of freedom in a democratic country like Indonesia that must be fulfilled by government commitments and policies. The following are some legal arrangements that confirm that the right to welfare is essential freedom 1. Article 28H paragraph (1) of the Constitution of the Republic of Indonesia: Everyone has the right to live in physical and spiritual prosperity, to be inhabited and a healthy living climate, and to provide options for welfare administration. Article 25 of the Universal Declaration of Human Rights: Everyone has a choice of life satisfaction for the wellbeing and prosperity of himself and his family, including the right to food, clothing, lodging and welfare administration, vital social administration, as well as the right to security when unemployed, exterminated, disabled, abandoned by his gang. Old age or different circumstances result in a decline in life beyond their ability to do anything. Article 12 of the International Covenant on Economic, Social and Cultural Rights, as ratified by the Government of Indonesia with Law Number 11 of 2005, read carefully: (1) The States Parties to this Covenant view the right of everyone to enjoy the most appropriate norms attention to physical and emotional wellbeing. (2) The means adopted by the States Parties to this Treaty to carry out the whole exercise of this right include c) Prevention, treatment, and control of pestilence, endemic, work-related diseases, and other infections.

For the Vaccine question, ideally, the Government is responsible for the accessibility of assets in welfare areas that are fair and impartial for all regions to obtain the highest welfare. Regulation No. 39/1999 on Human Rights: Article 9: Everyone has the right to live, follow their daily routines and work on the norms of their experience. Article 8 The guarantee, promotion, implementation, and fulfillment of everyday freedoms are the obligations of the Government. All of the above arrangements confirm that welfare is a resident's right. As a state administrator, the

Government is obliged to fulfill welfare administration to achieve the highest level of welfare. The principles of daily freedom have provided a system to fulfill the right to welfare through the General Comment of the Committee on Economic, Social and Cultural Rights Number 14 that the implementation of welfare must meet 4 (four) markers, namely: Aspects accessibility of immunization must be accessible in large numbers adequate in these unique circumstances. Part of the availability of Vaccines must be open to everyone. There should be no segregation or honor for anyone. Immunizations should be open and reasonable for everyone. Data on the administration of immunization must be open and available to anyone. The community must recognize part of the hospitality Vaccine. The Government should provide training to people who refuse immunization on the notion of protecting the freedom of others. Vaccines must meet the quality guidelines as per science.

2. The Covid-19 Vaccine and Its Impact on the Human Body

The issue of COVID-19 and its vaccine fundamentally affects all parts of human life on this planet, especially in Indonesia, which has a vast area and a substantial population (around 267 million people) with various professions. Public authorities have started an inoculation program to break the chain of the spread of the Corona infection disease and contain the number of COVID-19 cases, which is still growing. Immunization is a substance or mixture that can frame insensitivity to a disease. The antibody content can be a weakened or killed microbe, infection, or part of a microscopic or infectious organism. Antibodies can be given an infusion, oral drops, or steam. Immunization is the method involved in managing antibodies in the body. Whenever a person is exposed to an infection, his body can quickly form antibodies to fight the microorganism or infection that causes the disease when he or she is exposed to the infection. Thus, immunization becomes essential as a form of confidence in disease, especially during the COVID-19 pandemic.

Resistance is the body's protective framework against disease. Apart from inoculation, good healthy reception, adequate rest, regular exercise, and stress reduction must also strengthen the immune system and provide resistance faster. After getting immunized, patients can have serological tests to check whether their bodies have framed antibodies or are immune to Corona infection. However, this neutralization test is not expected to be carried out on everyone except for specific research or association members. The reason for leading clinical advances in antibody assembly is to ensure the safety and adequacy of immunization before it is administered to the general public. Because COVID-19 immunization is still very new, examinations and assessments continue to be carried out to evaluate the body's reaction and possible results of COVID-19 antibodies in humans. The outcomes to be achieved with the preparation and implementation of COVID-19 immunization are a reduction in the number of positive cases and deaths due to COVID-19 and the basis for group vulnerability.

The efforts of public authorities to maintain the welfare and health of their citizens and maintain financial stability in the spread of COVID-19 are significant. The economic and social effects of this outbreak can also be limited. Overall, what exactly does crowd immunity have to do with immunization? When a person gets antibodies, his body will form a particular susceptibility to infections prevented by immunization. This individual's immune system will be prepared to fight microbes or

disease-causing infections that are approaching so that contamination does not occur. The side effects will be minor and faster recovery regardless of the contamination. As a result, the transmission rate of infection will also be reduced. Cases of COVID-19 have shown guarantees of health and survival in antibody clinical trials, and many countries have suggested inoculation programs for their citizens.¹ So, the more individuals who get immunized, the less disease will spread. After inoculation, is it okay to ignore welfare conventions? The presence of immunization does not mean that it can quickly eradicate COVID-19. The potential for transmission of this infection remains, mainly because immunization in Indonesia is carried out in stages.

3. Vaccine products for Covid-19 protection

To achieve cohort susceptibility to COVID-19, it is essential to have around 60-80% of the population immune to this infection. This means that at least 165 million people in Indonesia must receive COVID-19 inoculation. This is one of the reasons why immunization achievement focuses on consumption most of the day in Indonesia. Next, stick to wellbeing conventions by practicing physical distancing, wearing cover-ups outside, washing hands frequently, and maintaining physical distancing. Types of Covid-19 Vaccines Used in Indonesia 1) Sinovac Vaccine 2) Sinovac Vaccine made by PT Bio Farma 3) Novavax Vaccine 4) Oxford-AstraZeneca Vaccine 5) Pfizer-BioNTech Vaccine 6) Moderna Vaccine 7) Sinopharm Vaccine. Moral reflection and the impact of the need for COVID-19 immunization are very complicated considerations, especially in Indonesia. Individual confidence levels in COVID-19 antibodies are changing, perhaps because of limited data regarding immunization types, accessibility dates, and safety profiles. A September 2020-led review in Indonesia showed that 66% of respondents could get a COVID-19 immunization. There were 53 COVID-19 antibodies in the early human clinical stage and 92 immunizations in the early preclinical stage. Some countries have even started immunization programs for their population by issuing the Emergency Use Authorization EUA strategy.

However, there is a discussion about efforts to make COVID-19 antibodies an order or commitment to a broader area. As Stoddard et al., (2021) show, the state's orders (limiting decision-making opportunities) can be supported on the assumption that one individual harms another. Reducing the stakes of hurting others is the premise of a bioethical challenge for mandatory COVID-19 inoculation. People want to be aware of the incidental effects: motion sickness, nausea, muscle aches, joint pain, pain at the IV site, fatigue, and fever. However, they should not stress because the secondary antibody effect is characteristic when the body builds a safe framework. This incidental effect is typical, especially in getting the second immunization portion. After getting further immunizations, the body condition can be prime and respond. This causes an after-effect. Side effects can also indicate that immunization was successful.

Nevertheless, the general public is educated not to worry about getting Covid-19 antibodies. In December 2020, the Ministry of Health of the Republic of Indonesia chose to deliver Sinovac immunization (CoronaVac) quickly, starting from a central cluster that focuses on gathering needs, especially welfare workers, public officials, and Manul et al., (2020). This program is the following choice regarding the designation of COVID-19 immunization. Therefore, the established principle for

recognizing COVID-19 immunization in Indonesia is to convey relevant and precise data on antibodies, primarily through online media as the most popular data dissemination channel. Delivering the best life, there were only 2.1 unwanted vulnerable responses per 1 million servings of Moderna and 6.2 hypersensitive responses per 1 million Pfizer. Hypersensitivity responses can also be handled well by health professionals. Antibodies are expected to provide immunity in immunized people.

Antibody infusion is used to incite or strengthen the human body's cells. B cells to make immunoglobulins. With the aim that the community has immunity to SARS-CoV-2. If SARS-CoV-2 enters, it is likely to be treated with human susceptibility. The goal is to increase vulnerability. The potential for infection occurs immediately after immunization but adheres to welfare conventions. As a result, the annihilated people would reduce deaths and decrease deaths. Then, at that point, the pandemic would be over. The secondary effects that will be felt after the antibody infusion, especially pain, fever, chills, unsteadiness, etc., should be seen quickly (about one hour after the infusion), moderate (a day after the infusion). infusion) to slow down (for seven days after infusion).

Every kinship system, such as a kinship system bound by blood relations (It is known that the administration of immunization, including Covid-19 antibodies, causes lymphocytosis. Nonetheless, post-immunization elevated lymphocyte levels help form valuable antibodies to prevent or reduce the seriousness of Covid-19 contamination. Romano et al., stated that the antibody portion of Covid-19 was predictable and did not cause a high lymphocyte spike. Lymphocytosis is an increase in the number of lymphocytes in the blood. Direct lymphocytosis is a condition in which lymphocytes increase past a certain number (how far). In contrast, relative lymphocytosis refers to a condition in which the number of lymphocytes compared to the white platelet count is above the usual number.

4. Vaccine and people protection

Regarding the news that much medical personnel who have been injected have died until now, the truth of the news cannot be proven. So as a scholarly society, try not to be consumed by news without clear evidence. Legitimate Protection for Vaccine Recipients protection in general, two robust legal instruments make up the premise of regulating buyer safety in Indonesia, in particular: First, the 1945 Constitution, as the source of all legal sources in Indonesia, orders that public progress be focused on making just and prosperous society. The goal of public improvement is recognized through a popularity-based monetary progress framework in order to have the option to develop and develop a world that produces decent labor and products for local use. Second, Law no. 8 of 1999 concerning people Protection. The ratification of this regulation gives Indonesian individuals the desire to get insurance against the misfortunes experienced by the exchange of labor and products. It ensures legal confidence for buyers.

The purpose of citizen protection following Article 3 of the Consumer Protection Law, the objectives of Consumer Protection are 1) Increase buyer awareness, capacity, and freedom to protect themselves, 2) Increase customer respect by protecting them from negative spillovers from product use and additional benefits, 3) Increase the strengthening of buyers in choosing, deciding and claiming their

privileges as buyers, 4) Creating a buyer assurance framework that contains components of legal confidence and data disclosure along with access to data, 5) Raising the attention of businesspeople about the importance of customer insurance, thereby developing perspectives who are straightforward and reliable in trying to work on product properties or potential benefits that ensure the coherence of product delivery issues as well as the administration, welfare, convenience, safety, and security of buyers.

Protection Principles Vaccine buyers or users: 1) Benefit Principle; ordered that all efforts in the implementation of shopper guarantees must provide the most extreme benefits for the benefit of buyers and businesses, as a whole, 2) equality rules; cooperation, all things being equal (Ciliberti et al., 2011) can be maximally recognized and provide valuable open doors for buyers and business people to gain their freedom and complete their commitments sincerely, 3) balance standards; provide harmony between the interests of customers, business people, and public authorities in a material or deep sense, 4) Principles of Consumer Security and Safety; provide safety and welfare certification to buyers in the utilization, use, and use of products or potential benefits that are consumed or utilized; 5) Legal certainty rules; both business people and buyers are subject to the law and get justice in the implementation of buyer insurance, and the state guarantees legal confidence.

5. Immunization as antibody seller

Is immunization regulated as a trade route for labor and products?" Thus the recipients of antibodies are 'customers: buyers and clients' and 'Antibody Providers as Sellers', implying that both are 'subject to articles of the Consumer Protection Act. (Law No. 8 concerning Consumer Protection) If in the 'system' of traders and buyers or suppliers of labor and products, then at that time, buyers of labor and products as buyers can 'sue' the seller if what they buy is not following the quality, is damaged, etc. Is it the equivalent of immunization not 'just essential' or, conversely, 'assuming you have cash, you want to inject, especially about Immunization for Covid-19. (anti) Covid-19 cannot be called 'If you want to be injected. However, it has become a necessity (International and National Society) to slow down or even kill the Covid-19 -19 Pandemic, and this is world cooperation. For these things, the Indonesian people need to clarify all of this.

Therefore, in particular, Legal professionals must provide state-funded training so that the beneficiaries of Covid-19 antibodies have a sense of security and are 'protected' as customers. Customers are individuals or individuals who purchase (obtain, utilize, utilize) labor and products; or use them to help themselves, their families, others, etc.; however, there is no incentive for anyone to buy (acquire, use, use) this labor and product. For the most part, buyers buy (get, use, use) labor and products. The assistance is due to convenience, need, quality, which is indicated by capacity or purchasing power. Recipients of inoculation are those individuals or groups who get antibodies to acquire resistance (immune) from a particular disease (or disease). Immunization is carried out (recognized) as a necessity (and a commitment) to achieve regional and regional vulnerabilities, for free or purchased, according to the Consumer Protection Act.

As buyers, the general public is expected to carry out immunizations to help public authorities manage the pandemic. After all, customers also have freedom and

commitment. The choice for convenience-safety and welfare is the main center". The public authorities have chosen to start the inoculation program with the ultimate aim of conquering the Covid 19 pandemic. This inoculation program should continue for a very long time, with the primary objective being given to 1,3 million health workers spread across 34 regions. However, people generally ignore vaccination programs initiated by public authorities; several figures are known to refuse to immunize because the consequences of the third stage antibody test are not yet known. As buyers of Covid-19 antibodies, the public has the privilege of observing the insurance guarantees from the Government as immunization recipients. He also stressed that public authorities need to focus on buyer privileges related to the Covid-19 inoculation program, which includes: providing antibody safety data disseminating an appropriate assessment data framework. Grumble and get a sense of belonging with the symptoms of Covid-19 immunization.

There is a problem or misfortune due to the use of immunization; remuneration as a state obligation is very important and significant for the Indonesian people as buyers. Assuming there is a violation by public authorities in the implementation of Covid-19 immunization, the public, in general, can sue the public authorities in the hope that the region must show or have evidence that the implementation of Covid-19 inoculation does not meet the guidelines resulting in damage in the local area. This is regulated in Article 1365 of the Civil Code, which reads: Every demonstration that ignores the law and harms others requires the person who caused the misfortune because of his mistake to replace the misfortune. An individual must be able to carry out his activities and his carelessness. This is emphasized in Article 1366 of the Civil Code, which confirms that: Everyone is capable of misfortunes caused by activities other than accidents caused by carelessness or negligence. In addition, an individual will also be responsible for the activities of the individual under his or her consideration or the goods under his supervision. Article 1367 of the Civil Code is read carefully.

D. Conclusion

In this final section, the author will summarize some of the critical things that we have described in the results section, and we will repeat the discussion that this study aims to obtain various views and studies regarding legal protection for the COVID vaccine program. This finding certainly has many advantages, including how the Government has convinced the public regarding the implementation of vaccination. The primary role is to see that we have the vaccine and the legal basis implemented by the state. In this case, the Government certainly has a series of legal umbrellas in carrying out various matters relating to the implementation of coffee accents. We also see that the COVID-19 vaccine affects the human body, so a legal basis is needed for vaccine implementers.

Furthermore, we note that there are several types of vaccine products circulating in the world, and so on that have been marketed in Indonesia, which has become a problem for the community not to receive payment, but this has been handled by the state so that people are no longer burdened with obtaining the various vaccines needed. Then we also note that this vaccine is a new thing, so that the public needs to be given awareness and protection as far as we find the community needs to

get strict legal protection if there are problems related to safety and comfort, only the Government carries out its duties following the policy.

However, there are a few obstacles where the Indonesian Government has not been able to create legal protection for who gets the vaccine failure, which makes Indonesia a bit overwhelmed by the Government in implementing the covid vaccine. The next thing is that this vaccine immunization is the goal is like antibodies, so this patient, the Government, is like giving antibodies to patients or their citizens so that in the future they will be protected from various threats from the dangers of coffee. Thus, we believe there are many weaknesses and shortcomings in describing the findings in a brief story we describe in the results section. Therefore, we ask for input and improvements from various parties to be better in the future.

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