



## Debatable of Indonesian Citizens' Rights and Obligations Regarding the Covid-19 Vaccination Policy

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**Abstract:** The purpose of this study is to examine the rights and obligations of Indonesian citizens regarding vaccination. This research uses a type of normative legal research with a *statute approach*. Collect data by grouping and reviewing regulations, library materials, books, and other sources related to problems in this study. The results showed that polemics that led to pros and cons related to vaccination were caused by several factors such as vaccines being new, the safety of vaccines that cannot be passed, and the sanctions imposed on those who refuse vaccines. The pro-life community considers vaccination to be an obligation and the contras think that the imposition of vaccination is in line with the right to health. There are several variables for the reason for the vaccination policy to be implemented, namely the state in a state of emergency, namely in a pandemic crisis, and subsequently related to the human obligation to respect the human rights of others (the right to the health of others). Thus, the problem of legal certainty from the implementation of vaccination is an obligation of Indonesian citizens.

**Keywords:** Pros and Cons; Policy; Vaccination.

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# 1. Introduction

Coronavirus disease 2019 (COVID-19) is an infectious disease that is sweeping the world and the number of cases is increasing every day. Attacking everyone, regardless of age or gender, is considered a global pandemic. The global COVID-19 pandemic was first announced on March 11, 2020, indicating that the virus has infected many people in different countries.<sup>1</sup> As of December 25, 2021, a total of 1,414,179 confirmed cases have been reported, including 181,440 deaths (CFR 4.4%), of which 192 countries/regions have reported cases. In this case, some health workers were reportedly infected with the coronavirus.<sup>2</sup>

Indonesia is one of the countries with confirmed COVID-19. On March 2, 2020, Indonesia reported 2 confirmed cases of COVID-19. Starting from these cases, the number of cases of Indonesians infected with the coronavirus is increasing every day, until February 18, 2022, COVID-19 cases in Indonesia have reached 5.35 million confirmed cases with many deaths due to COVID-19 147 thousand cases. This condition has a direct impact on millions and even the entire world community, as a result of the enactment of health protocols that must be set on all aspects of activities, from social restrictions to total lockdowns to hinder all community activities. If the spread of the virus is not effectively controlled, the sequelae of COVID-19 could be a major challenge to the world's health system and have a major impact on the global economy.<sup>3</sup>

It is known that there are still many people who underestimate the coronavirus and do not implement health protocols according to the rules made by the government, so the risk of transmission of COVID-19 is increasing. Therefore, it is not only necessary to intervene in the implementation of health procedures, but also it is necessary to immediately carry out other intervention measures that are effective to stop the spread of disease, namely through vaccination efforts. Vaccines not only protect those who vaccinate but also protect the wider community by reducing the spread of disease in the population. The development of a safe and effective vaccine is very important because it is expected to stop the spread and prevent the spread of the disease in the future. In addition, because the virus spreads very quickly, a vaccine is needed that can be applied in a short time so that it can minimize its impact.<sup>4</sup>

In addition, the Government has also implemented other policies, such as social distancing and mandatory use of masks in public places, which have been socialized by the President, leaders of state institutions, and public figures through print and electronic

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<sup>1</sup> World Health Organization, 2021. "Corona Virus Disease."

<sup>2</sup> Direktorat Jenderal Pencegahan Penyakit, "Pedoman pencegahan dan pengendalian coronavirus disease", 2021.

<sup>3</sup> Rahman, "Tingkat Persepsi Masyarakat Terhadap Vaksinasi Covid-19." access Oktober 18, 2022. <https://validnews.id/opini/tingkat-persepsi-masyarakat-terhadap-vaksinasi-covid-19>

<sup>4</sup> I Wayan Desta Gafatia and Novri Hadinata, "Analisis Pro Kontra Vaksin Covid 19 Menggunakan Sentiment Analysis Sumber Media Sosial Twitter," *Jurnal Pengembangan Sistem Informasi Dan Informatika* 2, no. 1 (2021): 34–42.

media. The policy is expected to overcome the spread of COVID-19. But unfortunately, the facts show that the level of public awareness tends to be still low.<sup>5</sup>

The Covid-19 vaccination is one of the many government programs in tackling this Covid-19 outbreak. as stated in Presidential Decree No.12 of 2020 concerning the Implementation of the Nonalam Disaster of the Spread of Corona Virus Disease 2019 (COVID-19) as a National Disaster.<sup>6</sup>

The implementation of government in Indonesia itself, currently shows that national development policies are already running and there are significant changes, but there are still some challenges in its implementation, especially when in the current situation of the COVID-19 pandemic which demands general administrative services must be paid extra attention to.<sup>7</sup>

In this regard, in terms of the implementation of administrative services during the current pandemic in certain regions or agencies in Indonesia including several regions in Gorontalo Province such as Bonebolango Regency which is the domicile area of researchers has imposed additional conditions to obtain public services, especially in terms of administrative, that is, people are required to show a vaccine certificate or vaccine card to obtain services. This is implemented by the government in the hope that it can encourage the acceleration of COVID-19 vaccination to achieve herd immunity or communal immunity. So, Indonesia can get out of the COVID-19 pandemic soon. In addition, with the requirement to show a vaccine certificate as access, shopping centers, and some essential and non-essential sectors can operate. So that the economy continues to run and the social impact due to PPKM can be prevented.<sup>8</sup>

The requirement to show vaccine certification is a form of follow-up policy to encourage faster and more effective vaccination programs. This vaccine itself is part of the constitutional protection of people's rights in the health sector. This is reflected in article 28H paragraph 1 of the Law of the State of the Republic of Indonesia of 1945 which states "Everyone has the right to live a prosperous life born and mentally, to live and get a good and healthy living environment and the right to obtain health services".<sup>9</sup> Vaccine card holders themselves currently have the right to gain access to various places that require showing proof of having been vaccinated, namely in the form of vaccine certificates/vaccine cards.

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<sup>5</sup> Waode Mustika, Nova Septiani, and Tomayahu Mellisa, "The State ' s Responsibility in Fulfilling Human Rights during the COVID-19 Pandemic" 592, no. Iclhr (2021): 113-20.

<sup>6</sup> Sri Nanang And Meiske Kamba, "Covid-19 Pandemic At Gorontalo Religious Court" 15, no. 6 (n.d.): 76-91.

<sup>7</sup> Indah Pitaloka Sari and Sriwidodo Sriwidodo, "Perkembangan Teknologi Terkini Dalam Mempercepat Produksi Vaksin COVID-19," *Majalah Farmasetika* 5, no. 5 (2020): 204.

<sup>8</sup> Aminudin, "Implementation of Good Village Governance in Village Development." *Journal of Public Administration and Local Governance* 1 Vol 3 nomor 1"

<sup>9</sup> Pasal 28H Ayat 1 Undang-Undang Dasar Negara Republik Indonesia Tahun 1945.

In implementing the vaccination policy and the implementation of the Vaccine Card as a mandatory card to get this administrative service, the government hopes that all people can follow it without obstacles to breaking the chain of the spread of the COVID-19 virus. However, in reality, this policy causes problems that are now not limited to the pandemic problems that we currently have to face together, but also the presence of the COVID-19 vaccine is also a polemic that arises in the midst of society to become a new branch of problems in society. Some people are pros of this government policy and some are cons of this policy. This is partly because to get a vaccine certificate, you must have participated in vaccine activities at least once and registered in the Ministry of Health database, but the reality is that there are still some people who have not participated in vaccine activities until now due to high public concerns about the safety of the vaccine itself. In addition, those who oppose the vaccination policy<sup>10</sup>erta the implementation of this vaccine card argue that this policy is contrary to the rights of the community in article 5 paragraph (3) of Law Number 36 of 2009 concerning Health which states that "Everyone has the right to independently and responsibly determine for himself the health services needed for himself." In addition, the legal issue that arises is that many people question whether the policy of enforcing vaccination and the application of vaccine cards as wajib cards get this administrative service as a right and obligation or not, so in this situation, the community needs a legal review related to this policy.<sup>11</sup>

Thus, researchers are interested in raising a study on whether this vaccination policy (including the implementation of vaccine certificates) is the right and obligation of Indonesian citizens or not.

## 2. Method

In this study, the author will use a type of Normative Law research. In its application, a law must be in harmony and appropriate, and consistent as a milestone of justice for the community. Therefore, this study uses normative research because it is to seek a juridical review of the legal polemics of the implementation of vaccinations<sup>12</sup>(including the implementation of vaccine certificates). In this normative legal research, the author uses a *statute approach*. Data collection techniques are carried out by grouping laws and regulations, researching library materials, reading books, and other sources related to problems in this study. The Data that has been obtained is then analyzed through a qualitative analysis approach.

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<sup>10</sup> Enju Juanda, "Penalaran Hukum," *Jurnal Fakultas Hukum Universitas Galuh* 5, no. 1 (2007): 7.

<sup>11</sup> Rina Tri Handayani et al., "Pandemi Covid-19, Respon Imun Tubuh, Dan Herd Immunity," *Jurnal Ilmiah Stikes Kendal* 10, no. 3 (2020): 373–80.

<sup>12</sup> Gusti Ketut Ariawan, *Normative Legal Research Methods, Kertha Widya*, vol. 1, 2013.

### 3. Analysis And Discussion

#### Debatable of Vaccination Policy to Suppress the COVID-19 Pandemic

No one expected the Covid-19 pandemic to boil down to the threat of a multidimensional crisis. Problems stemming from the health sector extend to the economic to political sectors. There is no choice, but to move together to anticipate the impact arising from the pandemic.<sup>13</sup>

The government's policy in dealing with COVID-19 has been implemented since the beginning of the pandemic. Starting from the implementation of Large Scale Social Restrictions (PSBB), the Implementation of Community Activity Restrictions (PPKM), emergency PPKM, to the PPKM Level has been implemented to reduce the rate of transmission of COVID-19 in Indonesia. The ups and downs in the number of COVID-19 cases in Indonesia from the peak phase of the number of people who are positive for COVID-19, to gradually falling are colored by various policies.<sup>14</sup> Not only the problem of the pandemic k that we currently have to face together but also the presence of the COVID-19 vaccine becomes a polemic that arises in the midst of society and becomes a branch of new problems in society.

Vaccination policies including the introduction of vaccine cards as a condition of traveling to public places reap pros and cons among the public. Both pros and cons have logical reasons. People who are pro, generally, think that vaccinating and making a vaccine card as one of the conditions can encourage the acceleration of vaccination to achieve herd immunity. This policy is also seen as limiting the space for people to move, especially those who have not been vaccinated, to minimize the potential spread of the virus.<sup>15</sup>

However, the opposing public, sees that the vaccine card policy as one of the conditions for traveling to public places is discriminatory. Because not everyone has or does not want to, be vaccinated due to their distrust of the effectiveness of the vaccine and/or the limited availability of the vaccine in their place.

According to the author, several things that cause doubts between the public and the public at large about the COVID-19 vaccine are pros and cons, namely :

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<sup>13</sup> Mohamad Rusdiyanto Puluhulawa and Nuvazria Achir, "Peningkatan Kesehatan Masyarakat Desa Melalui Pembentukan Gugus Tugas Pencegahan Stunting Dan Penyuluhan Hukum Kesehatan Lingkungan Di Desa Buntulia Tengah," *DAS SEIN: Jurnal Pengabdian Hukum Dan Humaniora* 1, no. 2 (2022): 89-99

<sup>14</sup> Latest Official Information Media of Emerging Infectious Diseases, "Covid-19 Situation Dashboard," n.d., <https://infeksiemerging.kemkes.go.id/dashboard/covid-19>.

<sup>15</sup> Miky Mulyanus, "Pro Kontra Kebijakan Pelayanan Publik Wajib Sertifikasi Vaksin Di Kota Pekanbaru," *Seminar Nasional Karya Ilmiah Multidisiplin* 1, no. 1 (2021): 268-71.



1. The COVID-19 vaccine is a novelty. Broadly speaking, the public's hesitancy towards vasin is none other than because the COVID-19 vaccine is a new thing that has emerged amid society, just like the opinion expressed by psychologist Gracia Ivonika, M. Psi that "people who are currently apathetic about vaccines can be influenced by various factors, moreover, the COVID-19 vaccine is a very new thing".<sup>16</sup> Pro-life people think that although vaccines are new, they are worth trying given the rapid spread of the pandemic. Meanwhile, people who oppose think that instead of trying vaccines, which in this case are new, they prefer to buy protein and nutrients that they think can increase the body's immunity instead of doing vaccines.
2. In addition to the vaccine factor being a new thing, the use of vaccines that are directly injected into the body is also included in the cause of public hesitancy so that it reaps pros and cons. This doubt became even stronger when there was a lot of information that when it was finished with the vaccine there were many people who experienced side effects even to the point that some died after being injected with the COVID-19 vaccine. As stated by the Chairman of the National Commission for Post-Immunization Follow-up Events (komnas KIPI) Hendra Irawan Safari revealed, from hundreds of KIPI reports, there were 30 cases of death after being vaccinated against COVID-19. This is not an easy thing for someone to accept and be sure to get vaccinated against COVID-19. In general, every human being considers health is the most rewarding thing in their lives there are many ways that people do to maintain health, ranging from exercise, and eating healthy foods to adding supplements. Therefore, seeing and hearing the tragic events after Vaccine-19 is a frightening scourge for the community, and people who experience this fear should not be forced and threatened so that they still have to be vaccinated.<sup>17</sup>
3. After several things that make people hesitant regarding vaccination, the uncertainty of the vaccine itself is also one of the reasons whether the COVID-19 vaccine can prevent transmission and be infected with COVID-19 or not. If previously many people thought that the COVID-19 vaccine could prevent the transmission of COVID-19 turned out to be very wrong, the vaccination that has been given to a person does not guarantee that he will be free from the attack of COVID-19. "What prevents transmission is 3M, including avoiding crowds and avoiding mobility. Because of being infected, the virus enters our bodies, and our bull is 3M". This was conveyed by the Vaccination spokesperson from the Ministry of Health, Siti Nadia Tarmizi, from this it can be concluded that the COVID-19 Vaccine is not at all one hundred percent prevention. Therefore, openness in

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<sup>16</sup> Farina Gandryani and Fikri Hadi, "Pelaksanaan Vaksinasi Covid-19 di Indonesia: Hak Atau Kewajiban Warga Negara (The Vaccination Of Covid-19 In Indonesia: Citizen Right Or Citizen Duty)," vol. 10, 2021.

<sup>17</sup> Jurnal Penelitian dan Pengembangan et al., "32 JPPKMI 1 (1) (2020) Perilaku Pencegahan Covid-19 Ditinjau Dari Karakteristik Individu Dan Sikap Masyarakat Abstrak," 2020.

providing transparency of vaccination information can be one of the good steps for the government to prevent this from happening.<sup>18</sup>

4. Adanya news that everyone who refuses vaccination will be subject to administrative sanctions and even criminal sanctions. The regulations that have been issued by the government related to the action given to someone who refuses vaccination are in Presidential Decree No.14 of 2021 concerning Amendments to Presidential Regulation Number 99 of 2020 concerning Vaccine Procurement and Implementation of Vaccination in the Context of Overcoming the Corona Virus Disease 2019 (Covid-19) Pandemic. As stated in Article 13A paragraph (4) the sanctions given to everyone who has been designated as a target recipient of the Covid-19 vaccine who does not take part in the Covid-19 Vaccination as referred to in paragraph 2 are subject to administrative sanctions in the form of delaying or stopping the provision of social security or social assistance, delaying or stopping the provision of government administration and fines. According to people who are pro-this policy, the sanctions imposed are deemed necessary to encourage people to vaccinate. However, according to the people who oppose this policy, this is contrary to the constitution regarding the rights of citizens as stated in Article 28H paragraph (3) which reads "Everyone has the right to social security that allows the full development of himself as a dignified human being". In addition to the contra community, this policy is also contrary to Law Number 36 of 2009 concerning Health in nature Article 5 paragraph (30) which states unequivocally that everyone has the right to independently and responsibly determine the health services needed by himself.<sup>19</sup> In addition, according to those who oppose this policy, forcing vaccinations is a violation of human rights.<sup>20</sup> According to them, vaccination is indeed a good program to increase the immune system of the human body but let us know together again that vaccination is not the only way to prevent the spread of Covid-19 but to increase immunity not to kill the virus in the body.

If you look at the various reasons for the pros and cons of the vaccination policy above, one legal issue that arises is whether vaccination for the community is a right or an obligation, because many contra communities refuse vaccines using the legal basis of article 5 paragraph (3) of Law Number 36 of 2009 concerning Health which states that "Everyone has the right to independently and responsibly determine for themselves the health services that necessary for him."

At first glance, these legal reasons can be legitimate against the refusal of the COVID-19 vaccine under the law in Indonesia. However, when studied based on the conditions of the Indonesian state during the COVID-19 pandemic, the implementation of vaccination

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<sup>18</sup> Edon Ramdani, "Formulasi Strategi Korporasi Dalam Ketidakpastian Masa Depan Pasca Covid-19," *Jurnal Akuntansi Bareleng* 4, no. 2 (2020): 17–28.

<sup>19</sup> Osgar S. Matompo, "Pembatasan Hak Asasi Manusia," *Jurnal Media Hukum* 21, no. Hak Asasi Manusia (2014): 1–16.

<sup>20</sup> Dedi Afandi, "Hak atas Kesehatan dalam Perspektif Hak Asasi Manusia," *Hak atas Kesehatan dalam Perspektif Hak Asasi Manusia* 2, no. 8 (2016): 2.

is mandatory, so this also raises new questions about the legal certainty of the implementation of this policy.<sup>21</sup>

According to Sudikno Mertokusumo, legal certainty is a guarantee that the law must be carried out in a good way. Legal certainty requires legal regulation efforts in legislation made by authorities and authorities so that these rules have juridical aspects that can guarantee certainty that the law functions as a regulation that must be obeyed.<sup>22</sup>

Based on the theory above, researchers position themselves as drafters of laws and regulations, so that researchers can find the basis for why a law is drafted and why a regulation needs to be issued.

Based on research by researchers, there are many reasons related to the implementation of vaccinations and the policy of being required to show vaccine cards/certificates to get administrative services, namely:

1. When studied, article 5 paragraph (3) of Law Number 36 of 2009 concerning Health does provide the right for everyone to determine for themselves the health services needed for themselves. However, when viewed in the context of handling outbreaks, especially during the COVID-19 pandemic, there are 2 other laws to determine whether vaccination is a right or an obligation. The first is article 14 paragraph (1) of Law Number 4 of 1984 concerning Infectious Disease Outbreaks which states that "Whoever deliberately obstructs the implementation of the outbreak response as stipulated in this law is threatened with imprisonment for a period of 1 year and/or a fine as high as Rp.1,000,000,- (one million rupiahs). Second, article 93 of Law Number 6 of 2018 concerning Health Quarantine states "Any person who does not comply with the implementation of the Health Quarantine as referred to in article 9 paragraph (1) and/or obstructs the implementation of the Health Quarantine to cause a public health emergency shall be punished with a maximum imprisonment of 1 year and/or a maximum fine of Rp. 100,000,000 (One Hundred Million Rupiah)." Indonesia currently does not enforce the PSBB, so what applies is article 14 paragraph (1) of Law Number 4 of 1984 concerning Infectious Disease Outbreaks. This sees the condition of Indonesia which is currently still not fully recovered from the COVID-19 Pandemic and is still at a vulnerable level so vaccination is a way that is currently available to reduce and anticipate if there is another COVID-19 wave attack, then Law Number 36 of 2009 and set aside and the applicable regulation is Law Number 4 of 1984 concerning Infectious Disease Outbreaks. In this case, applies the principle of <sup>23</sup>*Lex*

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<sup>21</sup> Kurnia Fajar Suryani, Nadya Eka, and Sigmawati Widyaningrum, "Analisis Yuridis Penggunaan Sertifikat Vaksinasi Sebagai Syarat Pelaporan Dugaan Tindak Pidana," *Jurnal Suara Hukum* 4, no. 1 (2018): 1-21.

<sup>22</sup> "Teori Kepastian Hukum Menurut Para Ahli," accessed December 28, 2022, <https://www.gramedia.com/literasi/teori-kepastian-hukum/>.

<sup>23</sup> "Infectious Disease Outbreaks," Law No. 4 (1984).



*Specialis derogate legi general.*<sup>24</sup> So in this context, the obligation to have a vaccine card is considered a necessity to encourage vaccination to break the chain of the spread of COVID-19.

2. The application of vaccine cards as a condition of receiving administrative services is an effort to accelerate vaccination coverage as a result of the announcement of the state in an emergency, so in this case, the emergency Constitutional Law applies. Andrey Heywood Duulumen argues that states of emergency are "*a declaration by the government through which it assumes special powers, supposedly to allow it to deal with an ordinary threat.*"<sup>25</sup> In some literature, Emergency Constitutional Law is called *Staatsnoodrecht* or State Emergency Law. About the Emergency Law of the State Duulumen put forward his theory in his book *staatsnoodrecht en democratie* mentioning that the *Staatsnoodrecht* must meet 3 conditions, namely:<sup>26</sup>
  1. The action taken was no other option to save the country;
  2. The declaration of the state in a state of emergency was uttered by parliament;
  3. The measure is temporary

This has a lot to do with emergencies in the principle of *salus populi suprema lex*. This principle means the salvation of the people is the supreme law. Based on this, the implementation of vaccination and the implementation of vaccine certificates/vaccine cards as a condition for obtaining services in the administrative field is to save the community itself.

3. Article 5 paragraph (3) of Law Number 36 of 2009 concerning Health does provide the right for everyone in terms of determining for themselves the health services needed for themselves. This article also relates to the constitutional basis in article 28H paragraph 1 of the 1945 Act. However, it must be noted that everyone's rights even including the human rights of one are limited by the human rights of others. Related to this, article 28J of the 1945 Constitution of the Republic of Indonesia states as follows:<sup>27</sup>
  - 1) Everyone is obliged to respect the human rights of others in the orderly life of society, nation, and state
  - 2) In exercising their rights and freedoms, everyone shall be subject to the restrictions established by law to guarantee recognition and respect for the right to freedom of others and to meet just demands under considerations

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<sup>24</sup> Peter Mahmud Marzuki, "Introduction to Legal Science Ed.Revision/," *Pt RajaGrafindo Persada*, no 5. October (2015): 260, [http://ucs.sulsellib.net//index.php?p=show\\_detail&id=90791](http://ucs.sulsellib.net//index.php?p=show_detail&id=90791).

<sup>25</sup> John C. Morris et al., "COVID-19 Pandemic Response," in *Policy Making and Southern Distinctiveness*, 2021.

<sup>26</sup> Fikri Hadi and Farina Gandryani, "Status Darurat Kesehatan Akibat Pandemi Covid-19 Dalam Perspektif Hukum Tata Negara Darurat Di Indonesia," 2022, 582–609.

<sup>27</sup> "Pasal 28J UUD Republik Indonesia Tahun 1945 Tentang Pembatasan Hak Pribadi Dengan Hak Orang Lain".

of morals, religious values, security, and public order in a democratized society.

If referring to the above situation according to Thomas R. Dye's theory which defines public policy as "whatever the government chooses to do something or not do something", then the researcher argues that the government chooses to implement the vaccination policy for the benefit of the community. According to the author, this is done by the government to accelerate and expand vaccination coverage, while vaccination is not only aimed at protecting oneself but also others to create herd immunity. And other people also have the right to live a healthy life, so in this case, the implementation of vaccination should not be rejected.<sup>28</sup>

According to the government reviewer, it should also consider people who have certain diseases, which are medically discouraged from being injected with vaccines. No less important is how the protection of the state to the people does not have an impact on the injury of their rights in obtaining public services, this needs to be considered and considered so as not to cause discrimination. Do not let the vaccine card, to its degree, be used as an instrument of legitimacy in discrediting people's rights. After all, everyone naturally wants to get equal protection and treatment from the state. However, not everyone is lucky to get that.

This vaccination policy is a manifestation of the state's responsibility in this case the Indonesian government in fulfilling the right to health as a basic right and inseparable from other human rights, such as the right to life.<sup>29</sup> According to the author, seeing the high pros and cons of this vaccination policy, the state should use persuasive methods, inviting the public through community leaders both local and national to contribute to the success of the vaccination program launched by the Government by placing more emphasis on legal awareness. In addition, legal awareness as the fruit of legal culture can give rise to a person's belief that obeying the law is not only for fear of sanctions, but is based on the belief that if he violates the law, then he feels that there is a violation of the rights of other human beings.<sup>30</sup>

## 4. Conclusion

Based on the results of the analysis and discussion that have been presented above, it can be concluded that the polemic that leads to pros and cons related to vaccination is caused by several factors such as vaccines being new, the safety of vaccines that cannot be pasted, and the sanctions imposed for those who refuse to be vaccinated. Pro-parties consider

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<sup>28</sup> Muhammad Azhar, "Relevansi Asas-Asas Umum Pemerintahan Yang Baik Dalam," *Notarius* 8, no. 2 (2015): 274-87.

<sup>29</sup> Grizelda Mellisa Towadi, Waode Mustika, "International Health Regulation 2005, Covid-19 Vaccination In Fulfilling Human Rights," *AIP Publishing*, 2022, <https://doi.org/https://doi.org/10.1063/5.0104113>.

<sup>30</sup> Novia A. Paruki Ahmad Wijaya, "Efektivitas Penegakan Hukum Tambang Ilegal," *Batulis Civil Law Review* 3, no. 2 (2022): 177, <https://doi.org/10.47268/ballrev.v3i2.966>.

vaccination to be an obligation and the contra-party thinks that the imposition of vaccination is in line with the right to health. According to the author, several variables are the reason why the vaccination policy is implemented, namely the state in a state of emergency in this case is in the midst of a pandemic crisis and is related to the human obligation to respect the human rights of others (in this case the right to the health of others). Based on the explanation above, the issue of legal certainty of the implementation of vaccination and the policy of being obliged to show a vaccine card/certificate to receive administrative services is also an obligation of Indonesian citizens.

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