

Criminal Threats Against The Injection of Empty Vaccines into the Body Based on Law Number 6 Year 2018 About Health Quarantine

Rama Dona, Bernat Panjaitan, Nimrot Siahaan
Faculty of Law, Labuhanbatu University
ramadona270285@gmail.com

Abstract (Indonesia)

Received: November 19,
2022
Revised : November 21,
2022
Accepted: November 22,
2022

Latar Belakang: Saat ini Indonesia telah berjalan selama 2 tahun dengan adanya pandemi COVID-19 yang telah menyebar ke berbagai pelosok tanah air di Indonesia. Gejala yang ditimbulkan oleh virus ini beragam, yaitu *Influenza*, sesak napas, atau infeksi serupa seperti SARS dan MERS.

Tujuan: Penelitian ini bertujuan untuk mengetahui dan menganalisis dampak Vaksin Covid-19 terhadap Tubuh Manusia serta mengetahui dan menganalisis ketentuan pidana bagi pelaku vaksinasi kosong yang dimasukkan ke dalam tubuh.

Metode: Penelitian ini termasuk dalam jenis penelitian normatif. Sehingga dapat diketahui bahwa vaksin merupakan salah satu bentuk intervensi medis untuk memperkuat imunitas masyarakat di tengah pandemi, selain itu juga dapat diketahui bahwa pelaku kasus suntikan vaksin kosong dapat diajukan ke pengadilan untuk dapat mempertanggungjawabkan perbuatannya apabila perbuatannya tidak memiliki unsur kelalaian atau kelalaian.

Hasilnya: Corona Virus Disease-19 (COVID-19) memberikan dampak yang signifikan terhadap seluruh aspek kehidupan manusia di dunia, khususnya di Indonesia yang memiliki wilayah yang sangat luas dan jumlah penduduk yang besar (sekitar 267 juta jiwa) dengan berbagai profesi. Vaksinasi adalah proses pemberian vaksin ke dalam tubuh.

Kesimpulan: Berdasarkan penjelasan di atas, dapat disimpulkan bahwa vaksin merupakan salah satu bentuk intervensi medis untuk memperkuat imunitas masyarakat di tengah pandemi.

Kata Kunci: Ancaman Pidana, Vaksin Kosong, Karantina Kesehatan.

Abstract (English)

Background: Currently, Indonesia has been running for 2 years with the COVID-19 pandemic that has spread to various corners of the country in Indonesia. The symptoms caused by this virus vary, namely Influenza, shortness of breath, or similar infections such as SARS and MERS.

Objective: This study aims to find out and analyze the impact of the Covid-19 Vaccine on the Human Body and know and analyze the criminal provisions for perpetrators of empty vaccinations that are put into the body.

Methods: This research belongs to the normative type of research. So it can be known that vaccines are a form of medical intervention to strengthen people's immunity in the midst of a pandemic, besides that it can also be known that the perpetrator of an empty vaccine injection case can be submitted to the court to be able to account for his actions if his actions do not have an element of negligence or negligence.

Results: Corona Virus Disease-19 (COVID-19) has a significant impact on all aspects of human life in the world, especially in Indonesia which has a very large area and a large population (around 267 million people) with various professions. Vaccination is the process of administering a vaccine into the body.

Conclusion: Based on the explanation above, it can be concluded that vaccines are a form of medical intervention to strengthen people's immunity in the midst of a pandemic.

Keywords: Criminal threats, empty vaccines, health quarantine.

*Correspondent Author : Rama Dona
Email : ramadona270285@gmail.com



INTRODUCTION

In the Law of the Republic of Indonesia Number 6 of 2018 concerning Health Quarantine, it is explained that in the context of implementing the full development of Indonesian people, it is necessary to have health protection for all Indonesians spread across various large and small islands located in a very strategic position and are on international trade routes, which play an important role in the traffic of people and goods.

Currently, Indonesia has been running for 2 years with the COVID-19 pandemic that has spread to various corners of the country in Indonesia.

(Susanna, 2020) The symptoms caused by this virus vary, namely *Influenza*, shortness of breath, or similar infections such as SARS and MERS. This makes people more cautious in limiting normal activities to prevent the transmission of this virus.

Criminal Threats Against The Injection of Empty Vaccines into the Body Based on Law Number 6 Year 2018 About Health Quarantine

The government has made efforts to address the rising number of COVID-19 victims by imposing blockades in places such as shopping malls, schools, workplaces or crowded places that cause pressure or skin touch. The government also urges people to always increase their immune system, for example by consuming vitamins and a healthy diet to prevent transmission (Susanto et al., 2021) .

Nowadays, many empty syringes are found injected into humans. This matter has become a hot topic on social media. Currently, the Police are investigating this case by obtaining a series of evidence in the form of syringes for tablets or vials of the Covid-19 vaccine. In addition to collecting evidence, investigators also examined witnesses (Geovanie & Dana, 2021).

It has been two years since the Covid-19 vaccination was held in Indonesia. Starting from the first vaccine, the second vaccine, and the third vaccine or also known as the *booster* vaccine and the fourth vaccine. Vaccination aims to strengthen the body's resistance, reduce the risk of contracting Covid-19, reduce the morbidity and mortality rate, and accelerate the end of the pandemic (Yuningsih, 2020).

Currently, more than 182 million doses of vaccine I or 87.80% of the total vaccine target and more than 126 million doses of vaccine II or 60.58% of the total vaccine target have been recorded. The central government, regional governments, BIN, TNI, Polri and other institutions participated in efforts to accelerate the achievement of Covid-19 vaccination in each region.

Vaccination is the most effective effort in preventing infection with infectious diseases. Vaccination is also one of the health quarantine measures. As referred to in Article 15 paragraph (2) of Law Number 6 of 2018 concerning Health Quarantine which reads:

- 1) Health Quarantine at the Entrance and in the area is carried out through disease observation activities and Public Health Risk Factors for Transportation Equipment, People, Goods, and/or Environments, as well as responses to Public Health Emergencies in the form of Health Quarantine measures.
- 2) Health Quarantine measures as referred to in paragraph (1) are:
 - a. Quarantine, Isolation, vaccination or prophylactic, referral, disinfection, and/or decontamination of people as indicated;
 - b. Large-Scale Social Restrictions;
 - c. Disinfection, decontamination, disinsection, and/or deratization of Transportation Equipment and Goods; and/or
 - d. Nourishment, security, and control of environmental media.
- 3) The health, security, and control of environmental media as referred to in paragraph (2) letter d are carried out in accordance with the provisions of laws and regulations.

Vaccination is also an effort to overcome the outbreak as stated in Article 5 of Law Number 4 of 1984 concerning Infectious Disease Outbreaks which reads:

- 1) Efforts to contain the outbreak include:
 - a. Epidemiological investigation;
 - b. Examination, treatment, treatment, and isolation of sufferers, including quarantine measures;
 - c. Prevention and immunization;
 - d. Extermination of the cause of the disease;
 - e. Handling of remains due to the plague;
 - f. Counseling to the community;
 - g. Other countermeasures.
- 2) Efforts to overcome the outbreak as referred to in paragraph (1) are carried out by taking into account environmental sustainability.

The implementation of the provisions of paragraphs (1) and (2) is regulated by a Government Regulation.

Criminal Threats Against The Injection of Empty Vaccines into the Body Based on Law Number 6 Year 2018 About Health Quarantine

RESEARCH METHODS

The research method used in this study is a normative legal research method. Normative legal research is legal research carried out by examining library materials or secondary data (Soekanto, 2007).

According to Peter Mahmud Marzuki, normative legal research is a process to find a rule of law, legal principles, and legal doctrines to answer the legal issues at hand (Marzuki, 2010).

In this type of legal research, often the law is conceptualized as what is written in legislation or the law is conceptualized as a rule or norm that is a benchmark for human behavior that is considered appropriate (Asikin, 2004).

RESULTS AND DISCUSSION

1.1 The Impact of the Covid-19 Vaccine on the Human Body.

Corona Virus Disease-19 (COVID-19) has a significant impact on all aspects of human life in the world, especially in Indonesia which has a very large area and a large population (around 267 million people) with various professions.

The vaccination program began to be run by the government as an effort to break the chain of spread of the Corona virus infection and suppress the number of COVID-19 cases which are still increasing. A vaccine is a substance or compound that serves to form immunity to a disease.

The content of the vaccine can be bacteria or viruses that have been weakened or turned off, it can also be part of the bacteria or viruses. The vaccine can be administered in the form of injections, drinking drops, or through steam (aerosol). Vaccination is the process of administering a vaccine into the body. If a person has received a vaccine for a disease, his body can quickly form antibodies to fight germs or viruses that cause the disease when he is exposed later.

Therefore, vaccination is important to do as a form of self-protection against disease, especially during the COVID-19 pandemic (Kunarso & Sumaryanto, 2020).

Immunity or endurance is the body's protection system against disease attacks. In addition to undergoing vaccination, adequate nutritional intake, adequate rest, regular exercise, and relieve stress also need to be done to strengthen the body's immunity. The benefit of giving vaccines is to prevent the transmission of diseases, especially infectious diseases, because vaccines make the body recognize bacteria or viruses that cause disease so that it can more quickly provide resistance (Ayunda R, 2021).

After getting the vaccine, you can do a serological test to see if your body has formed antibodies or immunity to the Corona virus. However, these antibody tests are not required to be performed on the general population, but rather only for study participants or specific groups.

The purpose of conducting a series of clinical trials in the manufacture of vaccines is certainly to ensure the safety and effectiveness of vaccines before they are given to the public. Because the COVID-19 vaccine is still very new, research and evaluation is still being carried out to assess the body's response and possible side effects of the COVID-19 vaccine in humans.

The results to be achieved by making and administering the COVID-19 vaccine are a decrease in the number of positive cases and deaths due to COVID-19, as well as the

formation of *herd immunity*. The government's efforts to maintain public safety and maintain economic stability, in the spread of COVID-19 (Taun & Nugraha, 2020).

The economic and social impacts of this outbreak can also be minimized. So, what does *herd immunity* have to do with vaccination. When a person gets the vaccine, his body will form a specific immunity to diseases that can be prevented by the vaccine.

The immune system of this person's body will be ready to fight bacteria or viruses that cause the incoming disease, so that no infection occurs. Even if an infection occurs, the symptoms will be milder and the recovery is faster. Well, that way, automatically the rate of disease transmission will also decrease.

Covid-19 cases that show safety as well as promising effectiveness in vaccine clinical trials, many States have advocated vaccination programs for their citizens (Nugroho & Hidayat, 2021).

So, the more people who receive the vaccine, the less the spread of the disease will be. After vaccination, is it okay to ignore health protocols.

The presence of a vaccine does not mean that it can immediately eliminate COVID-19. The potential for transmission of this disease remains, especially since vaccination in Indonesia is carried out in stages. To achieve *herd immunity* against COVID-19 disease, it is necessary that about 60–80% of the entire population is immune to this disease.

This means that at least 165 million people in Indonesia must get a COVID-19 vaccination. This is one of the reasons why achieving the vaccination target in Indonesia takes a long time.

Therefore, continue to comply with health protocols by applying physical distancing, wearing a mask when outside the home, diligently washing hands, and always maintaining endurance.

The types of Covid-19 vaccines used in Indonesia are:

1. *Sinovac vaccine*
2. *Sinovac vaccine made by PT Bio Farma*
3. *Novavax vaccine*
4. *Vaksin Oxford-AstraZeneca*
5. *Pfizer-BioNTech vaccine*
6. *Vaksin Modern*
7. *Sinopharm vaccine.*

The following are some of the criteria for recipients of the COVID-19 vaccine (Masnun et al., 2021) :

1. Never been confirmed to have COVID-19 or have recovered from COVID-19 for at least 3 months.
2. Normal body temperature, not more than 37.5oC.
3. Blood pressure below 180/110 mmHg during screening before vaccination.
4. Not pregnant. Breastfeeding mothers are still allowed to get vaccinated against COVID-19.
5. People with diabetes mellitus can be vaccinated as long as there are no acute complications.
6. People with HIV can be vaccinated against COVID-19 if the CD4 number is more than 200.
7. Patients with pulmonary diseases, such as asthma, COPD, or tuberculosis, can only be vaccinated if they have been controlled through treatment (tb sufferers can be vaccinated after taking antituberculosis drugs regularly for more than 2 weeks).
8. Have not experienced symptoms of ARI in the past 7 days and do not have any specific medical conditions, such as allergies to vaccines and autoimmune diseases, such as lupus, rheumatoid arthritis, or

Sjogren's disease Cancer survivors can get vaccinated. However, if you have a special condition or a history of severe illness, you should first consult a doctor before undergoing vaccination. The administration of the COVID-19 vaccine by the government will be carried out in stages, because the supply of vaccines is not enough to be given to everyone at the same time.

Ethical considerations and the impact of requiring COVID-19 vaccination are quite complicated thoughts, especially in Indonesia. The public has varying degrees of trust in COVID-19 vaccines, perhaps due to limited information regarding the type of vaccine, the date of its availability, and its safety profile.

A survey conducted in Indonesia in September 2020 showed that only two-thirds of respondents were willing to receive the COVID-19 vaccine. Currently, there are 53 COVID-19 vaccines that are in the human clinical trial stage, and 92 vaccines in the preclinical trial stage.

Some countries have even started the vaccination process for their citizens, through the issuance of *Emergency Use Authorization* (EUA) policies. However, there is controversy about efforts to make the COVID-19 vaccine a mandate or obligation to the wider community.

According to John Stuart Mill, mandates (restrictions on freedom of choice) by the state can be justified if one risks harming others. Reducing the risk of harming others is the basis of bioethical arguments in favor of COVID-19 vaccination as an obligation. Over time, the Covid-19 vaccine has also developed.

There are several side effects that you need to know are: dizziness, nausea, muscle pain (myalgia), joint pain (arthralgia), pain at the injection site, fatigue, fever. However, you don't need to worry because vaccine side effects are normal when the body builds up the immune system.

This side effect is common, especially after getting the second dose of vaccine. After getting the second vaccine, the body's condition can be considered prime and will give a reaction. That's what causes side effects. Side effects can also be a sign that the vaccine is actually working.

However, people are urged not to be afraid to get the Covid-19 vaccine. In December 2020, the Ministry of Health of the Republic of Indonesia (Kemenkes RI) issued a decision on the distribution of the Sinovac (*CoronaVac*) vaccine immediately starting with the first wave targeting priority groups, namely health workers, public officials, and the elderly without charges.

This program is in accordance with who's decision regarding the allocation of COVID-19 vaccines. For this reason, the main recommended effort to increase the acceptance of the COVID-19 vaccine in Indonesia is to communicate true and accurate information about vaccines, especially through social media as the most popular channel for disseminating information.

Launching *Best Life*, there are only 2.1 cases of allergic reactions per 1 million doses of Moderna and 6.2 cases of allergic reactions per 1 million *Pfizers*. Allergic reactions can also be handled effectively by health workers. The vaccine aims to provide immunity to individuals who get the vaccine.

The vaccine shot is expected to induce or stimulate the human body's cells. Especially B cells to produce immunoglobulins. So that individuals have immunity to SARS-CoV-2. If there is SARS-CoV-2 entering, it can be overcome with human immunity.

The goal is only to increase immunity. The potential for the virus still occurs so that after the vaccine but follow health protocols. Thus the sick will decrease mortality mortality also decreases. Then the pandemic is coming to an end.

About the side effects that will be felt after being injected with the vaccine, namely pain, fever, fever, dizziness and others, which can be seen quickly (about an hour after the injection), moderate (the day after the injection) to slow (up to a week just felt).

Reporting from Tempo.co, it is known that the administration of vaccines, including the Covid-19 vaccine, does cause *lymphocytosis*. However, the increase in lymphocyte levels after vaccination is useful for forming antibodies that are actually useful for preventing or reducing the severity of Covid-19 infection.

This was also confirmed by a clinical pathologist from Sebelas Maret University, Tonang Dwi Ardiyanto, who stated that the dose of the Covid-19 vaccine had been measured and did not cause a high spike in lymphocytes. Lymphocytosis is an increase in the number of lymphocytes in the blood.

Absolute lymphocytosis is a condition in which there is an increase in the number of lymphocytes exceeding the normal number (how far) while relative lymphocytosis refers to a state in which the share of lymphocytes relative to the approximate white blood cells is above the normal number.

Regarding the news that attaches that many medical personnel who have been vaccinated have died, until now the truth of the news cannot be proven. So as an educated society, you should not be consumed by news without clear evidence (Hoax).

1.2 Provisions for Punishment for Perpetrators of Empty Vaccinations Inserted into the Body.

The occurrence of empty vaccine injection cases is an irony when thousands of expired vaccines are found in various regions and many people are enthusiastic about participating in the Covid-19 vaccination program, both primary and *booster*.

The occurrence of this case can give a bad image and add hoaxes around vaccinations in the community. This will also hinder the acceleration of vaccination achievements that are being carried out by the Government, where cases of empty vaccine injections can cause concern for parents and schools.

Basically, the act of injection is the authority of a doctor or medical personnel. This authority can be delegated delegatively (accompanied by the delegation of responsibility) to the nursing staff. Covid-19 vaccination is one of the government programs that can be delegated to nursing staff.

This is stated in Article 32 of Law Number 38 of 2014 concerning Nursing (Nursing Law). Of course, medical personnel and nursing personnel in carrying out their professional practice must be based on professional standards, service standards, SOPs, laws and regulations and codes of ethics. Empty vaccine injections are definitely not up to standard.

Article 14 of the Law on Plagues provides for criminal sanctions against a person whose negligence results in obstruction of the implementation of outbreak management.

In addition, the injection of empty vaccines does not correspond to the agreement made in advance with the client; harming clients who don't get the benefits of the vaccine; and does not uphold the interests of humanity, so that it can be regarded as a violation of professional ethics.

The provisions for punishment for perpetrators of empty vaccinations that are inserted into the body can be seen from several rules, including:

1. Criminal Code (KUHP)

In the Criminal Code (KUHP) there are two reasons to punish something, including for intentionality and negligence or negligence.

- Intentional Factor (Dolus)

According to *Memorie van Toelichting*, the word "intentionally" (*opzettlijk*) which is widely encountered in the articles of the Criminal Code is interpreted the same as *willens en wetens* i.e. something that is desired and known . There are 3 (three) forms of intentionality, namely: (Shofie, 2002)

Criminal Threats Against The Injection of Empty Vaccines into the Body Based on Law Number 6 Year 2018 About Health Quarantine

1. Intentionality As Intent (*dolus directus*). This pattern of intentionality is the simplest, that is, the perpetrator's actions are indeed desired and he also wants or imagines the consequences that are prohibited. If this desired or imagined consequence would not exist, he would not have done so. Reviewed as a formal deed this means that he has done the deed deliberately, while the deed is indeed desired or referred to as such. Reviewed as a material matter this means that the result of the death of another person is desirable or intended to occur.
2. Intentionality with Conscious Certainty of Shades. intentional consciously certainty is based on the consequences. As a result, it can be a separate offense or not. But in addition to those consequences there are other unintended consequences that are bound to occur.
3. Intentionality with Conscious Possibility (*Dolus Eventualis*). This pattern of conscious intentionality is sometimes referred to as "intentionality with conditions" or *dolus eventualis*. The perpetrator does so by wanting a certain effect-until here it is intentional as an intention-but in addition it is possible to have other prohibited consequences that are not desired or imagined.

- Negligence or Negligence Factor (*Culpa*)

In the opinion of experts this negligence is equated with negligence and lack of caution. According to Wirjono Prodjodikoro *culpa* is defined as an error in general.

However, in legal science, it has a technical meaning, which is a kind of mistake by the perpetrator of a criminal act that is not as severe as intentionality caused by lack of caution so that unintentional consequences occur.

Culpa is distinguished by two, namely *culpa levissima* and *culpa lata*. *Culpa levissima*, is a mild forgetfulness. While *culpa lata* is a heavy forgetfulness. According to jurists *culpa levissima* is found in the type of crime, because of its mild nature.

However, it can also be found in violations from book III of the Criminal Code. On the contrary there is a view that *culpa levissima* by the Act is not noticed so as not to be criminally threatened. As for the *culpa lata* is seen as a crime because of negligence (Chazawi, 2002).

Article 359 of the Criminal Code states that "Whoever by his negligence causes the death of another person, shall be punished with imprisonment for not more than five years or confinement for not more than one year".

Whereas Article 360 of the Criminal Code states that:

- (1) "Whoever because of his negligence causes another person to be seriously injured, shall be punished with imprisonment for not more than five years or confinement for not more than one year".
- (2) "Whoever by his negligence causes others such injuries that there arises from illness or obstruction of carrying out the work of office or search for a certain time, shall be punished with imprisonment for not more than nine months or confinement for not more than six months or a fine of not more than three hundred rupiah".

Based on the foregoing, it can be concluded that the perpetrator of an empty vaccine injection case can be submitted to the court to account for his actions if his actions have an element of negligence or negligence or there is no element of intentionality for his actions, Although there is no intentionality of the perpetrator, it can still be qualified Article 359 or Article 360 of the Criminal Code if the perpetrator's actions contain elements of negligence or negligence. (<https://www.hukumonline.com/klinik/a/perawat-suntikvaksin-kosong--begini-jerat-hukumnya-lt611ca4a239f2d>, accessed 20 November 2022).

However, if the perpetrator has good faith, apologizes and promises not to repeat his actions, he is subject to sanctions and minor crimes.

2. Law Number 4 of 1984 concerning Infectious Disease Outbreaks

The explanation of Article 5 Paragraph (1) of Law Number 4 of 1984 concerning Infectious Disease Outbreaks explains what is the purpose of overcoming outbreaks. Efforts to overcome the outbreak have 2 (two) main objectives, namely:

- Trying to reduce the mortality rate from the plague with treatment.
- Limiting the transmission and spread of the disease so that sufferers do not multiply, and the outbreak does not spread to other areas.

Efforts to overcome outbreaks in an outbreak area must be carried out by considering the circumstances of the local community, including: religion, customs, customs, level of education, socio-economic, and community development.

So it is hoped that efforts to overcome the outbreak will not experience obstacles from the community, instead through intensive counseling and an educational persuasive approach, it is hoped that the community will provide assistance, and participate actively.

In the Law of the Republic of Indonesia Number 4 of 1984 concerning Infectious Disease Outbreaks Article 14, it confirms that;

- (1) Whoever deliberately obstructs the implementation of the epidemic response as stipulated in this Law, is threatened with imprisonment for a period of 1 (one) year and/or a fine of as high as Rp 1,000,000,- (one million rupiah).
- (2) Whoever because of his negligence results in obstruction of the implementation of the epidemic response as stipulated in this Law, is threatened with imprisonment for a period of 6 (six) months and/or a fine as high as Rp. 500,000,- (five hundred thousand rupiah).
- (3) A criminal act as referred to in paragraph (1) is a crime and a criminal act as referred to in paragraph (2) is an offense.

Based on the foregoing, it can be concluded that the perpetrator of an empty vaccine injection case can be submitted to the court to account for his actions if his actions do not have an element of negligence or negligence and intentional or planned acts to result in obstruction of the implementation of the outbreak and disease management can be threatened with criminal penalties of confinement and fines.

3. Law Number 8 of 1999 concerning Consumer Protection

Consumer protection law is a law that regulates the provision of protection to consumers in order to meet their needs as consumers.

The consumer protection law also regulates the rights and obligations of consumers, the rights and obligations of business actors, as well as ways to maintain these rights and carry out these obligations (Sidabalok, 2006).

For this reason, Law Number 8 of 1999 concerning Consumer Protection regulates the circulation of vaccines in Chapter IV of Law Number 8 of 1999 concerning Consumer Protection regulated regarding actions that are prohibited for consumer actors, regarding the circulation of vaccines regulated in Article 8 Paragraph (1) point a of Law Number 8 of 1999 concerning Consumer Protection.

Article 8 paragraph (1) point a reads as follows, "Business actors are prohibited from producing and/or trading goods and/or services that do not meet or are not in accordance with the required standards and provisions of laws and regulations".

4. Law Number 6 of 2018 concerning Health Quarantine

In Law number 6 of 2018 concerning health care, it talks about vaccineization contained in article 15.

The criminal sanctions refer to Article 9 Jo Article 93 of Law Number 6 of 2018 concerning Health Quarantine. Article 9 paragraph (1) of the Health Quarantine Law states: "*Everyone must comply with the implementation of the Health Quarantine*".

Article 93 of the Health Quarantine Law 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 Criminal Threats Against The Injection of Empty Vaccines into the Body Based on Law Number 6 Year 2018 About Health Quarantine

of the Health Quarantine, thereby causing a Public Health Emergency shall be sentenced to a maximum imprisonment of 1 (one) year and/or a maximum fine of Rp. 100,000,000.00 (one hundred million rupiah)".

Article 93 says that any person who does not comply with the implementation of the Health Quarantine as referred to in Article 9 paragraph (1) and obstructs the implementation of the Health Quarantine so as to cause a Public Health Emergency shall be punished with a maximum imprisonment of 1 (one) year and/or a maximum fine of Rp. 100,000,000.00 (one hundred million rupiah).

CONCLUSION

Based on the explanation above, it can be concluded that vaccines are a form of medical intervention to strengthen people's immunity in the midst of a pandemic. The vaccination program must be followed by public awareness and discipline of health protocols. Without discipline on health protocols, efforts to resolve the pandemic will be difficult.

In addition, the perpetrator of an empty vaccine injection case can be submitted to the court to be held accountable for his actions if his actions do not have an element of negligence or negligence and intentional or planned acts to result in obstruction of the implementation of the outbreak and disease response can be threatened with criminal penalties of confinement and fines.

Suggestion

- 1) The government is obliged to socialize in the regions about the vaccines used for vaccination activities. More Active if there are reports from the public of cases about cases of injecting empty vaccines.
- 2) The government is obliged to supervise the medical team that will inject vaccines in various regions.

BIBLIOGRAFI

- Asikin, Z. (2004). Amiruddin, Pengantar Metode Penelitian Hukum, Jakarta: PT. Raja Grafindo Persada.
- Ayunda R, K. V. D. H. (2021). Perlindungan Hukum Bagi Masyarakat Terhadap Efek Samping Pasca Pelaksanaan Vaksinasi Covid-19 Di Indonesia. *Nusantara: Jurnal Ilmu Pengetahuan Sosial*, 194–206.
- Chazawi, A. (2002). *Pelajaran hukum pidana bagian I, stesel pidana, tindak pidana, teori-teori pemidanaan & Batas berlakunya hukum pidana*.
- Geovanie, D. G., & Dana, K. B. R. A. (2021). Perlindungan Konsumen Terhadap Kasus Vaksin Palsu Dalam Perspektif Undang-Undang. *Jurnal Locus Delicti*, 2(1), 1–12.
- Kunarso, K., & Sumaryanto, A. D. (2020). Eksistensi Perjanjian Ditengah Pandemi Covid-19. *Batulis Civil Law Review*, 1(1), 33–46.
- Marzuki, P. M. (2010). Penelitian Hukum, Kencana Prenada Group. *Jakarta. h*, 35.
- Masnun, M. A., Sulistyowati, E., & Ronaboyd, I. (2021). Pelindungan hukum atas vaksin Covid-19 dan tanggung jawab negara pemenuhan vaksin dalam mewujudkan negara kesejahteraan. *DiH: Jurnal Ilmu Hukum*, 17(1), 35–47.
- Nugroho, S. A., & Hidayat, I. N. (2021). Efektivitas Dan Keamanan Vaksin Covid-19: Studi Refrensi. *Jurnal Keperawatan Profesional*, 9(2), 61–107.

Criminal Threats Against The Injection of Empty Vaccines into the Body Based on Law Number 6 Year 2018 About Health Quarantine

- Shofie, Y. (2002). *Pelaku usaha, konsumen, dan tindak pidana korporasi*.
- Sidabalok, J. (2006). *Hukum perlindungan konsumen di Indonesia*. Bandung: Citra Aditya Bakti.
- Soekanto, S. (2007). *Penelitian hukum normatif: Suatu tinjauan singkat*.
- Susanna, D. (2020). When will the COVID-19 pandemic in indonesia end? *Kesmas: Jurnal Kesehatan Masyarakat Nasional (National Public Health Journal)*, 15(4).
- Susanto, I. N. F., Satria, B. A., & Al-Fatih, S. (2021). Government Legal Act Comparison Between Indonesia And South Korea In Handling Covid-19 Pandemic. *Indonesian Journal of Law and Policy Studies*, 2(1), 43–55.
- Taun, T., & Nugraha, A. (2020). Penerapan Hukum dalam Pemutusan Hubungan Kerja dan Kebijakan Bank Terhadap Debitur yang Terdampak Pandemi Covid-19. *Batulis Civil Law Review*, 1(1), 24–32.
- Yuningsih, R. (2020). *Uji Klinik Coronavac dan Rencana Vaksinasi COVID-19 Massal Di Indonesia*. *Puslit BKD DPR RI, vol. XII (16)*, 13–18.



© 2021 by the authors. Submitted for possible open access publication under the terms and conditions of the Creative Commons Attribution (CC BY SA) license (<https://creativecommons.org/licenses/by-sa/4.0/>).