

Understanding and Offering Solutions to Cases of Victims of Covid-19 Vaccination in Indonesia (Legal Literacy Review Study)

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Abstract

This paper aimed to understand and provide solutions to several victims of Covid vaccination in Indonesia, which are the topic of news and the issue of National vaccination by the government to the citizens. To expedite the discussion of this topic, the author has successfully carried out a series of electronic data collection in many publications such as health journals, both national and international, both on mass media, social media, and discussed how the implementation of vaccination runs smoothly, safely and fairly. So, the following process of this paper involved data analysis methods, including coding systems, non-in-depth data evaluation, so that the author can conclude the final data as findings to answer this study problem with valid and reliable findings. Before presenting the case, first, we also get a core understanding of the topic of discussion about Covid-19 and cases of vaccination failure, and finally, we try to offer a solution which we believe is that the solution will provide a sense of justice for the restoration of the rights to safety and health for the people who are victims of the national vaccine program.

Keywords

understanding; solutions; fatal cases; pandemi; and health and law



I. Introduction

Health services to all Indonesians are the ideals of Indonesian independence, which must be achieved through various state developments, namely realizing health and legal protection and human rights in a just and sustainable manner (Nurhalimah, 2020). Therefore, the state has the right to intervene and handle all issues related to the health and welfare of every citizen, following the mandate given by the constitution (Ardita, 2020). In particular, in handling the pandemic, the state has committed to the guidance of Law number 2 of 2020, namely the law on protection for people affected by the Covid-19 disaster. Based on this law, the government must protect every citizen from all disturbances due to the Coronavirus that is still hitting Indonesia and other countries (Erowati & Dewi, 2021).

At the same time, the public also has the right to health protection and protection from the coronavirus outbreak. Although the public has received protection through legal products carried out by the Ministry of Health because the Covid-19 issue is a new problem that has penetrated the world with all the information circulating that is troubling the general public, finally the issue of the Covid-19 Outbreak has become a new problem, a problem that leads to social attitudes and conflicts between community members; between true and non-existent Covid-19 that can happen to every citizen (Pulido et al., 2020). In line with that, the wider community is also bombastic with issues from various sources; word of mouth, social media, government media, and issues within the community itself that cannot be contained. This case happened not only from the state media but also from media outside the government, which also colored the dynamics of the development of issues related to whether or not the existence of the Covid-19 pandemic was actual (Nørgaard Kristensen & Mortensen, 2021).

As anticipated, the solution provided by the government in preventing Covid-19 through a simultaneous national vaccination program for residents is regulated with extensive regulations and funds (Labolo, 2021). However, in the implementation of vaccination, the state also faces difficulties and challenges where people are afraid of the effectiveness of the vaccine program to protect them from the dangers of contracting the Coronavirus (Spoorthy et al., 2021). Over time, the regional and central governments have begun to implement the vaccination program given in stages 1, 2, and 3, hoping that all residents of the target population of the coronavirus vaccine program can be completed (Judge, 2021).

II. Review of Literature

Understanding Covid-19 Vaccine

Before proceeding further with this discussion, we think it is good to get to the reader what to understand about something related to the core topic of this discussion. Medically, the COVID-19 vaccine has been proven safe and effective in fighting the Coronavirus. The period of potential side effects is approximately two weeks after getting the whole vaccine because humans are medically building protection or immunity against viruses that cause death. On the other hand, if a person does not get the vaccine or does not seek the vaccine, this is a sign of risk until he gets the vaccine. If a person has received a complete vaccine, this means that the person can carry out everyday activities, something that could have been done before this epidemic period; however, that person must remain in a state of wearing a mask when in a public room because when in a public room the potential for transmission is enormous. So it is better to continue wearing masks and maintaining social institutions as much as possible—the following understanding of how the body's immune system fights COVID-19 infection.

So understanding how this coffee vaccine works in the body is a battle between antibodies after being vaccinated with a virus that will come, so once it has been vaccinated, the immune system will increase, and the body will get used to the Coronavirus. The virus has fused into the body. So, everybody that has received a complete vaccine, his body will provide strength in the form of a robust set against all attacks of this Coronavirus according to the understanding given by experts how a person after getting the covid vaccine will be able to protect his body and keep it from getting out easy entry. Furthermore, there are several types of vaccines; as has been understood, there is a brand called mRNA vaccine, whose task is to give strength to how the protein from this vaccine is unique in fighting viruses, so it continues to kill every vaccine that comes from outside.

The next vaccine model is the new Seguni protein which works in the same way as other vaccines; how does this third vaccine work, namely the Hector vaccine, which contains the Coronavirus, which has been modified medically so that the modification can easily fight and detect if Coronavirus has attacked later people who are infected. As reported by the national newspaper Kompas on May 20, 2002, it was reported that as many as 30 people had lost their lives after receiving the 19 vaccine virus injection (Rochana, 2021). Some of these cities are a disaster and also cost the lives of citizens who must receive protection from the state (Febrianti et al., 2021) as the victim's family, the chairman of the national commission for post-Covid-19 immunization events will undoubtedly be helped at least by compensation for the victims. If we think with sound logic for the sake of justice for the health of the people, whatever the cause of death behind the conflict disaster, of course, this is an event that cannot be accepted by common sense if the government itself remains silent, does not carry out solutions that provide justice to all the victims who spread in several places (Ayunda et al. Al., 2021).

III. Research Methods

In this method and material section, we will present a series of procedures and strategies for implementing this study of law and human rights and health sciences, starting from the formulation of the problem then searching for data analysis data until the end of the closing (Daniel & Cross, 2018). We reiterate that the primary goal of the paper is to acknowledge case by case victims of the COVID-19 vaccination, and we, in the end, have gained an in-depth understanding from the point of view of rights and human rights, and health as Indonesian citizens (Durrheim et al., 2021). We also try to offer a solution to cover the gap between the victim and her family after receiving the Covid 19 vaccine injection (Taub, 2020). We see that the state is responsible for the functions and roles, and authorities in providing legal protection, health, and welfare of its citizens (Camilleri, 2017). For this discussion to run smoothly, we have conducted a series of online data searches on several publication databases, including journals, books, and online government update information on issues surrounding the vaccine program and victims after injection of the Covid-19 vaccination (Mathieu et al., 2021).

After a series of data searches, we discussed it to gain understanding through a data coding system, in-depth evaluation, and drawing conclusions which would later become data findings so that as far as possible, the data would answer the main problems of this study, provided that the data were as valid and up to date as possible. (Janiaud et al., 2020). Then this study is also very dependent on secondary data that has been published, considering that this study is carried out in a phenomenological approach where our goal is to explore as much information and databases as possible that can answer this problem well (Sloan & Bowe, 2014). Meanwhile, we report the design of this study in the form of a descriptive qualitative research, where this is an attempt to gain an understanding of the problem and also a solution or solution for the sake of health justice and welfare in the realm of the state regulation (Mohajan, 2018). Because we designed this study as a review and literature review, we followed the model done in several latest studies in the literature research and publication review (Kirk et al., 2018).

Searching for electronic data starts from several technicalities; for example, we rely on keywords, then we type in Google search engines and Google Scholar, then based on the keyboard, the relevant databases will come out, and then we say one by one. We import them into the reference sheet automatically online (Granger, 2014). We are also trying to update data as possible so that all of this is entirely new and becomes an import of helpful information, so in our main search, we focus on published data starting from 2010 to 2021 (Chuen, 2015). Thus, in the end, we were able to get as many as 100 published journals and books, but from that fiber, only about 60 books were relevant to this discussion topic (Simonson et al., 219).

IV. Discussion

4.1 Death Case

Sihombing (2020) state that Covid-19 pandemic caused everyone to behave beyond normal limits as usual. The outbreak of this virus has an impact especially on the economy of a nation and Globally (Ningrum, 2020). The problems posed by the Covid-19 pandemic which have become a global problem have the potential to trigger a new social order or reconstruction (Bara, 2021). The first victim is a 22-year-old resident from Jakarta who has received the Covid vaccination program at Bung Karno Jakarta (Kompas, 2021). The story is that after the young man received the Covid-19 vaccination, he felt the vaccine's side effects from dizziness to high fever. Then the young man balked at being taken to the hospital when

his body temperature reached 39 Celsius, then the next day, his condition worsened, and he eventually died in a clinic. They were reading a newspaper that tells how the storyline experienced by the young man from the city of Jakarta who was previously healthy and then received the vaccine finally died regardless of the causes and consequences suffered by the youth as a country that has legitimacy and responsibility, of course, not letting its victims just like that without a settlement so that the families of these victims receive assistance and compensation for legal justice and human rights (Qadariah, 2021).

The next victim was an older adult of about 60 years who worked as a motorcycle taxi driver or local two-wheeler transportation driver who was believed to have died of pneumonia. This older man was also reported to have died after receiving the covid-19 vaccine the day after that he died although it was later confirmed that he could indeed receive the vaccine, his health condition was experiencing shortness of breath. They were reading a newspaper that tells how the storyline experienced by the young man from the city of Jakarta who was previously healthy and then received the vaccine finally died regardless of the causes and consequences suffered by the youth as a country that has legitimacy and responsibility, of course, not letting its victims just like that without a settlement so that the families of these victims receive assistance and compensation For the sake of legal justice and human rights.

The next victim was an older adult of about 60 years who worked as a motorcycle taxi driver or local two-wheeler transportation driver who was believed to have died of pneumonia. This older man was also reported to have died after receiving the covid vaccine one day after that, and he died. Although it was later confirmed that he could indeed receive the vaccine, his health condition was experiencing shortness of breath. Again and again, as a family who experienced this disaster, of course, we felt very devastated because after this older adult died, both the hospital and other legal parties stayed silent and did nothing just by saying that the person concerned died of shortness of breath, there was no link about this vaccine. The form of the failure of the vaccine program to provide comfort if the vaccination committee implements better management, namely providing a detailed examination of which vaccine recipients are eligible and safe to use and which are not.

In carrying out the mandate, namely serving people with vaccines, there is a legal basis for health justice and human rights to obtain health and welfare protection from the state. The following case came from Ambon, a 45-year-old man who died after receiving the Astra Zeneca-branded vaccine. Paralysis cases after vaccination. The next victim, 31-year-old Susan Yani, a teacher from Sukabumi City, West Java, complained that she had vision problems and was eventually paralyzed after receiving the Covid-19 vaccination.

4.2 Solution Offering

It was citing the daily Gatracom, which released that the government must prepare compensation for victims of the COVID-19 vaccine (Halabi et al., 2020). In order to help and relieve victims as a sense of government responsibility and reduce the social impact of implementing a covid vaccine for victims, this must be a consideration for the government (Forman et al., 201). For example, in the case of Trio Fauqi, a young man who died on May 16, 2021, after receiving the Astrazeneca vaccine must have been paid for compensation (Planas et al., 2021). Moreover, after a series of autopsies, this victim did not find any comorbidities, heart attacks, or lung failure. The following case was Amelia Wulandari, one of the university students in Nanggroe Aceh Darussalam, paralyzed after undergoing the Covid-19 vaccination at the Meulaboh Nursing Academy on July 27, 2021.

Based on these two cases, which have been widely disseminated in the media, these represent cases that have occurred so that the government is spoken of by politicians where the government should provide a solution in the form of participating and expressing

concerns and also to reduce about the side effects of vaccines (Nel & Miller, 2021). Not to mention the problem of vaccine victims who are not disseminated themselves was essential. However, this is according to the monitoring of this Member of Parliament by exemplifying how governments in the United States and several other countries have reported side effects from the implementation and management of Covid-19 (Christensen & Læg Reid, 2020). With this report, the government should do the same thing as how it is carried out abroad in the form of guarantees and compensation given to victims of vaccines (Shadmi et al., 2020).

If this is a solution, we offer a solution that the government needs to create something similar in some countries. So that in the future, this will be an improvement starting from the implementation mechanism by the government with a series of readiness checks on every citizen who will be vaccinated as transparently as possible so that the government, in addition to thinking about compensation methods, also increases more mature and better preparation efforts so that the number of victims can be reduced (Ouslander & Grabowski, 2020). By doing this, the side effects that cause both the victim to die and the disabled victim can be given compensation and other compensation so that the side effects and also the social effects suffered by the families can be a valuable lesson and input to the government (Klenert et al., 2020).

Because it is impossible and proven that the side effects of this coffee vaccine also cause death, such as the side effects that also occurred when the flu vaccine was implemented in 1996, which was approximately 25 years ago, which claimed nearly 1000 lives and this is below the effect that occurred in the implementation conflict vaccination, which only amounted to 4812 cases (Chauhan t al., 2020), taking lessons from the case of several countries such as America, this study asks for and provides a solution that both the Indonesian government, whether from the center or at the regional level, must be extra careful in managing conflict vaccination nationally, which is currently in the second stage of implementing the program (Sarnoto, & Hayatina, 2021). This way means that there will be many more victims, either dead or disabled or paralyzed.

Kwok et al. (2021) judged that when viewed from the effectiveness, it can be said that 90 percent of this vaccine is booming, but every vaccine called still has side effects that are also at risk of death and others, as has happened in several other countries which compensation funds also follow. For recipients of patients who suffer from severe toxic failure, including death (Mahase, 2020). This solution is considering that based on the studies conducted, it turns out that many people are still afraid to worry and hesitate to respond to the national invitation. During the vaccination program, logically granting this compensation solution, concerns about side effects can be emphasized; thus, the official program in terms of implementing the law, namely requiring the vaccine program, can be categorized as successful (Corey et al., 2021).

We observe what the Singapore government has done, such as compensation funds worth S\$451 or around 4.8 billion for every citizen affected by fatal side effects from a similar vaccine program. Likewise, Malaysia has successfully allocated around 5000 Malaysian Ringgit or about 1.7 billion rupiahs for every community that suffers permanent disability or death. Similar to neighboring Thailand, which contributed in the form of compensation in the form of 400,000 Thai Bath or around 180 million for anyone experiencing side effects severe cases, including experiencing death (Van Tassel et al., 2021). For this reason, this study also proposes that the government should have a compensation mechanism because this has also been confirmed by the world health agency (WHO) in which 92 low- and middle-income countries, including African and Southeast Asian countries, including Indonesia, are required to carry out compensation regularly transparent and non-bureaucratic (Walach et al., 2021).

V. Conclusion

Finally, in this section, the author will conclude in the form of essential points which constitute the overall implementation of this research and study report with the theme of gaining understanding and also offering solutions to cases of COVID-19 vaccine victims in terms of health laws and legal protection and human rights in Indonesia. Through a study of various literary sources that we obtained electronically from several publications in the journal *Toma*, the government regulation book, and the data in the database on health and compensation for victims of the COVID-19 vaccine, we focus on the documents released from 2010 to 2021 get up to date data and findings following vaccination themes and issues that are still being carried out, especially in Indonesia

Looking at the exposure and discussion with evidence from previous research, we believe that the findings of this data follow the question where we see that the government does not yet understand and the right solution in responding to each issue and victim. The findings that we can conclude here include many cases of death and paralysis, which are negative impacts after the victims receive vaccines from the government, so based on this data, we try to provide a solution that helps victims and also helps the government where people's doubts and concerns will reduce to accept the fear of receiving vaccines. The first form of a solution that we offer is that the government must have an understanding in responding to how to ease the burden on the victims, both the dead and the disabled, by looking at how the national vaccine governance is implemented in several developed countries, including Singapore, Malaysia, and Thailand, where each country has success in budgeting compensation funds with varying amounts according to the ability of each country. Our solution is by considering what other countries are doing; the government can review and think about finally deciding on a firm rule, starting from the governance of the implementation of health checks for prospective vaccine recipients so that the government, through health service staff and field officers will later apply strict requirements and transparent so that similar cases, namely the failure and negligence of the officers, especially in ensuring that someone who is a candidate for the covid vaccine is eligible or not. We realize that the data we describe here certainly has many weaknesses and advantages; therefore, hopefully, through these findings, competent parties will correct if there is much data generated so that similar studies can be refined again in the future.

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