

AMNESTY INTERNATIONAL BRIEFING

**COVID-19 AND ITS HUMAN
RIGHTS IMPACT IN INDONESIA**

**AMNESTY
INTERNATIONAL**



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SUMMARY

As confirmed cases of COVID-19 in Indonesia continue to skyrocket, the Government of Indonesia has put in place measures to respond to the pandemic and mitigate its negative impact on people's health and livelihoods. These measures started with recommendations regarding physical ('social') distancing and working from home, made by President Joko Widodo on March 14, 2020, and culminated in the imposition of large-scale social restrictions on March 30, 2020. The large scale social restrictions include closures of schools and workplaces, restrictions on religious activities, and restrictions on activities held in public facilities or premises, according to the Government Regulation No. 21 of 2020. It is important to recognize that both the COVID-19 pandemic and the measures introduced to contain it have significant human rights consequences, including with regard to the rights of health workers, the right to information, the right to work, and the right to social security. In this briefing, Amnesty International Indonesia will analyze how these rights are being impacted in Indonesia today.

One concern is the fact that health workers in Indonesia do not have access to adequate personal protective equipment (PPE), even though they are working at the frontline of the pandemic and are facing a high risk of exposure to COVID-19. The distribution of PPE to medical centers across the country has been slow and uneven, and -- given the spread of COVID-19 cases in Indonesia -- inadequate.

Also of concern in the Government response to the pandemic is the right of information. The Government has failed to be transparent or forthcoming regarding key information related to COVID-19, including regarding the numbers of health workers infected by COVID-19, and the most affected areas of the country. The right to freedom of expression and opinion is also impacted since the issuance of telegram letter by the National Police Headquarter, instructing the use of criminal measures towards people criticizing the Government's response to COVID-19.

Finally, the rights of workers and social security are also affected. Wages have been cut due to COVID-19 in some cases, and employees have been terminated in others. There have also been threats of wage cuts or leave cuts when workers have not gone to work, effectively blocking such workers from complying with social-distancing policies. Notably, the right to social security puts an obligation on the Government to provide access to adequate benefits or social assistance for workers experiencing a loss of income, especially given the issuance of large-scale social restrictions during the pandemic.

LEGAL FRAMEWORK

The following laws, treaties and general comments are relevant to an assessment of Indonesia's response to the pandemic.

1. International Covenant on Civil and Political Rights (ICCPR)
2. International Covenant on Economic, Social and Cultural Rights (ICESCR)
3. General Comment No. 14 (2000) on the Right to the Highest Attainable Standard of Health (Article 12 of the ICESCR)
4. General comment No. 23 (2016) on the Right to Just and Favourable Conditions of Work (Article 7 of the ICESCR)
5. General Comment No. 19 (2007) on the Right to Social Security (Article 9 of the ICESCR)
6. Law No. 36 of 2009 on Health
7. Law No. 1 of 1970 on Occupational Safety
8. Law No. 6 of 2018 on Health Quarantine
9. Regulation of the National Commission of Information No. 1 of 2010 on the Standards of Public Information Service.

BACKGROUND

The number of COVID-19 cases in Indonesia is growing rapidly. Since the first case of COVID-19 was announced on March 2, 2020,¹ at least 9,511 people have tested positive for COVID-19 across 34 provinces, including cities with relatively high population density, such as Jakarta, Bekasi, Depok, Cirebon, and Bandung.² In addition, the recently disclosed data from the Government revealed that there are 19,987 patients under surveillance (*pasien dalam pengawasan-PDP*) and 210,199 people under observation (*orang dalam pemantauan-ODP*).³

The World Health Organization (WHO) classified COVID-19 as a pandemic on March 11, 2020.⁴ The significant increase in COVID-19 cases in Indonesia in that same period prompted the President of the Republic of Indonesia, Joko Widodo, to call on people to “work, worship, and study at home” on March 14, 2020.⁵ Similarly, the Governor of Jakarta, Anies Baswedan, issued a recommendation for Jakarta residents to maintain a physical distance from others to curb the spread of the virus (‘social-distancing’) recommending the people to maintain distance, reduce encounters, avoid physical contacts, and stay away from places where people gather.⁶ This is followed by a reduction in the frequency of public transportation, such as

¹ Nahdhlatul Ulama, *Kasus Pertama, Dua Orang di Indonesia Positif Terinfeksi Virus Corona*, <<https://www.nu.or.id/post/read/117376/kasus-pertama--dua-orang-di-indonesia-positif-terinfeksi-virus-corona>> accessed on March 16, 2020.

² Badan Nasional Penanggulangan Bencana, *Situasi Virus Corona*, <<https://www.covid19.go.id/situasi-virus-corona/>> accessed on April 29, 2020.

³ Detik.com, *Data Corona di Indonesia: PDP 19.987 Orang, ODP 210.199*, <<https://news.detik.com/berita/d-4993090/data-corona-di-indonesia-pdp-19987-orang-odp-210199>> accessed on April 29, 2020.

⁴ World Health Organization, *WHO Director-General's opening remarks at the media briefing on COVID-19 - 11 March 2020*, <<https://www.who.int/dg/speeches/detail/who-director-general-s-opening-remarks-at-the-media-briefing-on-covid-19---11-march-2020>> accessed on March 16, 2020.

⁵ CNN Indonesia, *Jokowi Imbau Masyarakat Bekerja dan Beribadah di Rumah*, <<https://www.cnnindonesia.com/nasional/20200315141316-32-483586/jokowi-imbau-masyarakat-bekerja-dan-beribadah-di-rumah>> accessed on March 16, 2020.

⁶ CNBC Indonesia, *Warga Jakarta, Ini Pesan Lengkap Anies dalam Hadapi Corona*, <<https://www.cnbcindonesia.com/news/20200315132118-4-144961/warga-jakarta-ini-pesan-lengkap-anies-dalam-hadapi-corona>> accessed on March 16, 2020.

commuter rails and public buses. Several companies in Jakarta also issued work-from-home policies.⁷ Given the large number of COVID-19 cases in Jakarta, the status was escalated to a large scale social restriction effective on April 10, 2020.⁸ Shortly after, Jakarta's satellite cities, Bogor, Bekasi and Depok also imposed the large scale social restriction, effective on April 15, 2020, followed by Pekanbaru and Tangerang.⁹

Human rights should be at the center of all prevention, preparedness, containment, and treatment measures for the COVID-19 pandemic, in order to protect public health and support groups at higher risk. Full respect for human rights is vital to protect the safety and health of the whole community. In addition, respect for human rights is essential at all stages of the crisis. People affected by this public health emergency remain entitled to the full and effective protection of human rights law. With these considerations in mind, Amnesty International Indonesia is concerned about the impact on human rights of certain policies adopted by the Indonesian Government in response to the COVID-19 pandemic. In particular, this briefing sets out our concerns relating to the situation of health workers, the right to information, and the right of workers.

THE HUMAN RIGHTS SITUATIONS ON THE GROUND

RIGHTS OF HEALTH WORKERS

Health workers are at the frontline of this pandemic, continuing to deliver services despite being at high risk of exposure to COVID-19, and often putting their health and the health of their families at risk. Aside from the risk of contracting COVID-19, long working hours, psychological distress, and fatigue are also concerns.¹⁰ While comprehensive information on the impact of the pandemic on health workers is still being gathered, recent reports indicate that there are 46 doctors and nurses have passed away as a result of either COVID-19 infection or fatigue due to long working hours, with further details in the Annex. Moreover, statistics indicate that additional health workers have contracted COVID-19 nationwide, including around 150 in Jakarta, with further details in the Annex 2.

Amnesty International Indonesia is very concerned about reports that health workers in Indonesia do not have access to adequate personal protective equipment (PPE). For example, it has been reported that a doctor in a government-owned hospital in Tasikmalaya City had only a raincoat to wear as protective gear while in contact with people who were suspected of having COVID-19.¹¹ Notably, the chairperson of the Indonesian Doctors Association has explicitly stated that health workers dealing with COVID-19 patients in Indonesia are lacking adequate PPE.¹²

In response to these shortages, the Government has imported 105 thousand sets of PPE for

⁷ Jakarta Post, *Work-from-home policy in effect at major Jakarta companies over virus concerns*, <<https://www.thejakartapost.com/news/2020/03/15/work-from-home-policy-in-effect-at-major-jakarta-companies-over-virus-concerns.html>> accessed on March 16, 2020.

⁸ Tempo, *11 Hari PSBB Jakarta, Pengamat: Enggak Ada Hasilnya*, <<https://metro.tempo.co/read/1333462/11-hari-psbb-jakarta-pengamat-enggak-ada-hasilnya/full&view=ok>> accessed on April 21, 2020.

⁹ Kompas, *Daftar 18 Daerah yang Terapkan PSBB, dari Jakarta hingga Makassar*, <<https://nasional.kompas.com/read/2020/04/20/05534481/daftar-18-daerah-terapkan-psbb-dari-jakarta-hingga-makassar?page=2>> accessed on April 21, 2020.

¹⁰ WHO, *Coronavirus disease 2019 (COVID-19) Situation Report – 35*, 24 February 2020, <www.who.int/docs/default-source/coronavirus/situation-reports/20200224-sitrep-35-covid-19.pdf?sfvrsn=1ac4218d_2> accessed on March 26, 2020.

¹¹ Katadata, *Tim Medis Pakai Jas Hujan, Kemenkes: Ada Stok Alat Perlindungan Corona*, <<https://katadata.co.id/berita/2020/03/10/tim-medis-pakai-jas-hujan-kemenkes-ada-stok-alat-perlindungan-corona>> accessed on March 16, 2020.

¹² Detik News, *IDI Minta Pemerintah Perbanyak Alat Pelindung Diri Petugas Tangani Corona* <<https://news.detik.com/berita/d-4941240/idi-minta-pemerintah-perbanyak-alat-pelindung-diri-petugas-tangani-corona>>, accessed on March 16, 2020.

health workers, which includes N95 masks, gloves, coverall, gown, eye protector, face protector, head protector, feet protector and water-resistant boots, and, according to a March 23 statement by President Joko Widodo, these items have been distributed to several regions.¹³ However, the slow distribution of PPE to date has meant, at least in some cases, that health workers have had to depend on the same item of PPE for hours, while the guideline instructed that health workers are supposed to wear new PPE every time they enter an isolation room.¹⁴ One of the cases occurred in Flores, where one doctor claimed that doctors needed to wash and iron the disposable surgical masks and re-use them since they were out of stock¹⁵

Several areas have reported that they still do not have adequate PPE. The head of the West Kalimantan Health Agency, Harisson Azroi, confirmed that that area had yet to receive the PPE needed by health workers, even though the governor of West Kalimantan had declared the pandemic to be an Extraordinary Event (*Kejadian Luar Biasa-KLB*) on March 17, 2020.¹⁶ The chairperson of the Indonesian National Nurses Association, Harif Fadhillah, stated that various non-referral hospitals in the regions had yet to receive adequate PPE even though the procurement of PPE was being charged to each hospital.¹⁷ Health workers at some hospitals in South Sulawesi had even raised funds independently to purchase PPE before 2,000 PPE units finally arrived in the province.¹⁸

Clearly the slow distribution of PPE is not keeping pace with the vast increase of COVID-19 cases in Indonesia. Amnesty International Indonesia is concerned, therefore, that the slow distribution process of PPE in various regions is putting health workers at risk. We note that the right to health is not only a right that belongs to patients exposed to COVID-19, but that it also extends to health workers who treat these patients. It requires that national policies ensure occupational safety and health, which include the provision of adequate and quality PPE for health workers, among other working conditions, such as Law No. 36 of 2009 on Health (Health Law) and Law No. 1 of 1970 on Occupational Safety.

The right to health is protected under the International Covenant on Economic, Social and Cultural Rights (ICESCR), ratified by Indonesia through Law No. 11 of 2005. The ICESCR requires states parties to achieve full implementation of the right to health, including with regard to “prevention, treatment and control of epidemic, endemic, occupational and other diseases.”¹⁹

The ICESCR also obliges the states parties to utilize “technical assistance and cooperation of WHO” when formulating their national health strategy.²⁰ WHO has published interim guidance to prevent and control the infection during treatment when there is a possibility of novel coronavirus (nCoV) infection. In the guidance, there is a mandatory obligation to use PPE for health practitioners in treating the COVID-19 patients.²¹

¹³ CNN Indonesia, *Jokowi: 105 Ribu APD Tenaga Medis Corona Sudah Disalurkan* <<https://www.cnnindonesia.com/nasional/20200323094226-20-485936/jokowi-105-ribu-apd-tenaga-medis-corona-sudah-disalurkan>>, accessed on March 16, 2020.

¹⁴ World Health Organisation, *Rational Use of Personal Protective Equipment (PPE) for Coronavirus Disease (COVID-19)*, <https://apps.who.int/iris/bitstream/handle/10665/331498/WHO-2019-nCoV-IPCPPE_use-2020.2-eng.pdf>, accessed on April 21, 2020.

¹⁵ Liputan 6, *Kekurangan APD, RS TC Hillers Sikka Terancam Menolak Pasien COVID-19*, <<https://www.liputan6.com/regional/read/4208145/kekurangan-apd-rs-tc-hillers-sikka-terancam-menolak-pasien-covid-19>> accessed on April 21, 2020.

¹⁶ Tempo, *Jokowi Minta Tes Massal COVID-19, Kadis Kesehatan Ini Minta APD* <<https://tekno.tempo.co/read/1321792/jokowi-minta-tes-massal-covid-19-kadis-kesehatan-ini-minta-apd>>, accessed on March 16, 2020.

¹⁷ Katadata, *Perawat Keluhkan Minimnya Alat Pelindung Diri Menangani Pasien Corona* <<https://katadata.co.id/berita/2020/03/21/perawat-keluhkan-minimnya-alat-pelindung-diri-menangani-pasien-corona>> accessed on March 16, 2020.

¹⁸ Media Indonesia, *RS Rujukan Covid-19 di Sulawesi Dapat 2000 APD* <<https://mediaindonesia.com/read/detail/298852-rs-rujukan-covid-19-di-sulawesi-dapat-2000-apd>> accessed on March 26, 2020.

¹⁹ Article 12 ICESCR

²⁰ CESCR General Comment 14, para. 63.

²¹ WHO, *Infection prevention, and control during health care when novel coronavirus (nCoV) infection is suspected*,

In fulfilling its obligations under the right to health, states parties are required to “formulate, implement and periodically review a coherent national policy to minimize the risk of occupational accidents and diseases, as well as to provide a coherent national policy on occupational safety and health services,” including health workers’ working conditions.²² PPE, information, training, and sufficient and high-quality psychosocial support are all needed to support nurses, doctors, and other crisis response staff.²³ The state must also ensure that there is support for the families of health workers who have died or become ill as a consequence of exposure to COVID-19.

The duty to use adequate PPE is also regulated under national law. Article 164 (1) of the Health Law emphasizes the importance of the health of medical workers, addressing their right to enjoy good health and to be free of health disruptions. With regard to the right to health, Law No. 1 of 1970 on Occupational Safety requires that the safety of workers and heads of workplaces must be protected. The Health Law also states that a responsible institution or organization is obliged to perform a continuous physical, mental, and medical examination for its workers following the nature of their occupation.

RIGHT TO INFORMATION

The Indonesian Government, specifically the Health Ministry, has decided not to reveal important data on COVID-19 transmitted contacts, such as recently visited locations or travel history of the suspected people, claiming that it would most likely create a widespread panic among people and to keep the order. The Government preferred to conduct a closed approach to search for the patient’s contacts.²⁴ In addition, the Government has not been transparent in releasing data relating to the numbers of health workers infected by COVID-19, as well as hospitals where they are working. The only announcement by the Government was only made on March 14, 2020, when the spokesperson of the Government’s COVID-19 crisis team, Achmad Yuriyanto, stated that several medical practitioners had been infected by the virus and that some of them had passed away. Before that, the Governor of Jakarta, Anies Baswedan, had also stated that doctors and nurses treating COVID-19 patients had been infected.²⁵ The Secretary of the Indonesian Doctor Association Special Task Enforcement, Dyah Agustina, also stated that she did not know the precise number of medical workers who were suspected of COVID-19 infection or who had tested positive.²⁶

President Joko Widodo has ordered ministries and agencies to disclose and integrate information on the number of persons under observation (*orang dalam pemantauan*, or ODP), patients under surveillance (*pasién dalam pengawasan*, or PDP), confirmed cases, deaths, and recovered patients on April 13, 2020.²⁷ However, important information such as travel history of patients is not yet disclosed, as well as the number of deaths of suspected patients who tested positive after their deaths were announced. The Indonesian Medical Association (*Ikatan Dokter Indonesia* or IDI) has voiced out their criticism on this. Chairman of the Indonesian Medical Association, Daeng Muhammad Faqih, requested the Government to disclose medical data of COVID-19 patients to facilitate contact tracing and treatment.

The Government must be transparent in disclosing necessary information regarding the spread

<[https://www.who.int/publications-detail/infection-prevention-and-control-during-health-care-when-novel-coronavirus-\(ncov\)-infection-is-suspected-20200125](https://www.who.int/publications-detail/infection-prevention-and-control-during-health-care-when-novel-coronavirus-(ncov)-infection-is-suspected-20200125)> accessed on March 16, 2020.

²² CESCR General Comment 14, para. 36.

²³ WHO, Coronavirus disease (COVID-19) outbreak: Rights, roles, and responsibilities of health workers, including crucial considerations for occupational safety and health <https://www.who.int/docs/default-source/coronaviruse/who-rights-roles-respon-hw-covid-19.pdf?sfvrsn=bcabd401_0> accessed on March 26, 2020.

²⁴ Katadata, *Alasan Pemerintah Tak Tiru Singapura Buka Data Penelusuran Corona*

<<https://katadata.co.id/berita/2020/03/10/alasan-pemerintah-tak-tiru-singapura-buka-data-penelusuran-corona>> accessed on March 27, 2020.

²⁵ Tempo.co, *Yuriyanto: Ada Tenaga Medis Meninggal karena Corona* <<https://nasional.tempo.co/read/1319570/yuriyanto-ada-tenaga-medis-meninggal-karena-corona/full&view=ok>>, accessed on March 16, 2020.

²⁶ Detik News, *IDI Minta Pemerintah Beri Data Tenaga Kesehatan yang Terkena Corona* <<https://news.detik.com/berita/d-4941677/idi-minta-pemerintah-beri-data-tenaga-kesehatan-yang-terkena-corona>> accessed on March 16, 2020.

²⁷ Berita Satu, *Jokowi: Buka Data COVID-19 Biar Semua Bisa Akses*, <<https://www.beritasatu.com/kesehatan/619951-jokowi-buka-data-covid19-biar-semua-bisa-akses>> accessed on April 21, 2020.

of COVID-19. A lack of transparency not only violates the right to information -- as guaranteed in the International Covenant on Civil and Political Rights (ICCPR), which is binding on Indonesia -- it can also potentially violate the right to health. When Government officials restrict information and are not transparent, they risk making it harder for people to take the actions necessary to protect themselves from infection, as well as for health workers to give them necessary treatment.

Article 19 of the ICCPR protects the freedom to "seek, receive and impart information and ideas of all kinds." Although the right to information is subject to specific restrictions, such restrictions are only acceptable in limited circumstances. The Siracusa Principles on the Limitation and Derogation of Provisions in the ICCPR ("Siracusa Principles"), an expert interpretation of the ICCPR, provide further guidance on when and how restrictions to human rights may be justified.²⁸ These include the following: (i) no limitation to the rights recognized by the ICCPR shall be discriminatory; (ii) any limitations must respond to a pressing public or social need, pursue a legitimate aim, and be proportional to that aim;²⁹ (iii) states should use no more restrictive means than required for the achievement of the purpose of the limitation; (iv) the burden of justifying a limitation upon a right guaranteed under the ICCPR lies with the state; and (v) every limitation imposed shall be subject to the possibility of a challenge to and remedy against its abusive application.³⁰ In the context of limitations on rights to protect public health, the Siracusa Principles reiterate that these "measures must be specifically aimed at preventing disease or injury or providing care for the sick and injured."³¹

Access to health-related information is a crucial part of the right to health. Providing "education and access to information on the main health problems in the community, including methods of preventing and controlling them" is considered an "obligation of comparable priority" to the core obligations of the right to health.³² Information accessibility is a vital dimension of the accessibility of health care and includes the right to "seek, receive and impart information and ideas concerning health issues."³³ All affected individuals and communities have the right to easy, accessible, timely, and meaningful information concerning the nature and level of the health threat, the possible measures to be taken to mitigate risks, early warning information of possible future consequences, and information on ongoing response efforts. Information should be available in the languages necessary to meet the various needs of those affected, and through media and in formats that can be easily understood and accessed, so that those affected can fully participate and make informed decisions in the response efforts.

Indonesia's domestic legal framework includes provisions to safeguard the right to information. In particular, Article 12 of the Regulation of the National Commission of Information No. 1 of 2010 on the Standards of Public Information Service, requires public institutions to provide information on threats to people's lives, including information regarding epidemics or pestilence. In addition, Article 154(1) of the Health Law obliges the Government to establish the types of diseases, and to disseminate information regarding their potential contagion and/or spread within a short timeframe, while also specifying those areas that could be the source of the contagion.

²⁸ Siracusa Principles on the Limitation and Derogation of Provisions in the International Covenant on Civil and Political Rights, UN Doc. E/CN.4/1984/4 (1984).

²⁹ CESCR General Comment No. 14, para. 29 states that any limitations "... must be proportional, i.e., the least restrictive alternative must be adopted..." and "...they should be of limited duration and subject to review."

³⁰ Siracusa Principles, paras 8-12. The HRC has stressed that "States parties should duly take into account the developments within international law as to human rights standards applicable in emergencies," citing the Siracusa Principles, ICCPR General Comment No. 29, States of Emergency (Article 4), UN Doc. CCPR/C/21/Rev.1/Add.11 (2001), para. 10.

³¹ Siracusa Principles, para. 25.

³² CESCR General Comment 14, para. 44.

³³ CESCR General Comment 14, para. 12(b).

RIGHT TO FREEDOM OF EXPRESSION AND OPINION

On April 4, 2020, the National Police Headquarter issued a Telegram Letter (No. ST/1100/IV/HUK.7.1./2020), instructing the police on the handling of “hoax spreaders” and any act of insult to the President and his administration during the COVID-19 pandemic. According to the police authority, this telegram letter is officially aimed at maintaining the security and order of the community. The telegram ordered the police force to carry out cyber patrols to monitor developments in cyberspace and to counter criminal acts to provide a deterrent effect. It was stated in the telegram that the implementation was guided by Article 14 and 15 of Law No. 1 of 1946 concerning Criminal Law Regulation, with a maximum imprisonment of three years. Besides, the police also uses Article 207 of the Criminal Code on insults to state authorities, Article 45A (1) in conjunction with Article 28 paragraph (1) of Law No. 11 of 2008 concerning Information and Electronic Transactions relating to the distribution of false and misleading news.³⁴

So far, there have been at least 53 people accused of spreading “false news” and insulting the President and his administration related to COVID-19 (in Annex 3). There are concerns on the possibility of criminalization towards more people who spread “false and misleading” information as well as criticize the Government’s response to COVID-19, especially after the police in several provinces have conducted intensive cyber patrols, such as West Java Police,³⁵ Salatiga Police,³⁶ Sangihe Police,³⁷ Cimahi Police,³⁸ Barru Police (in South Sulawesi),³⁹ Banyumas Police,⁴⁰ and other provinces.

This is not in accordance with Article 19 of the Internasional Covenant on Civil and Political Rights (ICCPR), as set out in General Comment No. 34 to Article 19 of ICCPR, which guarantees the right to freedom of expression and opinion. It is elaborated in Paragraph 9 of General Comment No. 34 that “All forms of opinion are protected, including opinions of a political, scientific, historic, moral or religious nature.” Any kind of harassment, intimidation or stigmatization of a person, including arrest, detention, trial or imprisonment for reasons of the opinions they may hold constitutes a violation of Article 19.

Paragraph 38 of General Comment No. 34 stipulates that, “the mere fact that forms of expression are considered to be insulting to a public figure is not sufficient to justify the imposition of penalties” and that “all public figures, including those exercising the highest political authority such as heads of state and Government, are legitimately subject to criticism and political opposition.”

Furthermore, blanket prohibitions on the dissemination of information based on vague and ambiguous concepts, such as “false news” or “spreading misinformation”, which additionally risk having a chilling effect on the population and the media leading to self-censorship out of fear of reprisals, are incompatible with the right to freedom of expression. The media plays a crucial role in informing the public about the factual situation and measures taken by Governments in response to COVID-19. Its capacity to operate should not be unduly restricted,

³⁴ Merdeka, Kapolri Santai Telegram Covid-19 Soal Penghinaan Presiden Dikritik, <<https://www.merdeka.com/peristiwa/kapolri-santai-telegram-covid-19-soal-penghinaan-presiden-dikritik.html>> accessed on April 21, 2020.

³⁵ Okezone, Tekan Kasus Hoaks Corona, POLDA Jabar Gencar Lakukan Patroli Siber, <<https://news.okezone.com/read/2020/04/21/525/2202391/tekan-kasus-hoaks-corona-polda-jabar-gencar-lakukan-patroli-siber>> accessed on April 21, 2020.

³⁶ Kompas, Polres Salatiga Patroli Siber Buru Penyebar Hoaks Corona, <<https://regional.kompas.com/read/2020/03/31/08240961/polres-salatiga-patroli-siber-buru-penyebar-hoaks-corona>> accessed on April 21, 2020.

³⁷ Berita Kawanua, Polres Sangihe Bentuk Tim Patroli Cyber Covid 19, <<http://beritakawanua.com/berita/sangihe/polres-sangihe-bentuk-tim-patroli-cyber-covid-19#sthash.boiQ3zbc.dpbs>> accessed on April 21, 2020.

³⁸ Pikiran Rakyat, Hoaks Terkait Covid-19 Berseliweran, Polres Cimahi Terapkan Patroli Siber, <<https://www.pikiran-rakyat.com/bandung-raya/pr-01356067/hoaks-terkait-covid-19-berseliweran-polres-cimahi-terapkan-patroli-siber>> accessed on April 22, 2020.

³⁹ Barru Pos, Tim Patroli Siber Polres Barru Ciduk Warga Diduga Pelanggaran ITE di Medsos, <<https://barrupos.com/tim-patroli-siber-polres-barru-ciduk-warga-diduga-pelanggaran-ite-di-medsos/>> accessed on April 22, 2020.

⁴⁰ Antara News, Polresta Banyumas tingkatkan patroli siber, <<https://jateng.antaranews.com/berita/300250/antisipasi-hoaks-covid-19-polresta-banyumas-tingkatkan-patroli-siber>> accessed on April 22, 2020.

and journalists and human rights defenders should not be penalized or otherwise sanctioned for carrying out their legitimate activities (Paragraph 46 of General Comment No. 34).

RIGHT OF WORKERS

The COVID-19 pandemic has already affected the right to work and the right to social security, among other human rights. Some of the impacts on workers include: (i) wage cuts and lay-offs by employers whose sectors have been badly affected by the pandemic, and (ii) problematic 'social-distancing' and work-from-home policies, due to the inability of workers from all sectors to work from home. Should they opt to not come to the workplace, they are facing threats of wage cuts or leave cuts by the companies. The negative impacts are most serious among labour-intensive employment. A final issue worth noting is: (iii) COVID-19 response measures have particularly affected informal workers, daily wage earners, and low-income workers as most of these categories of workers are not covered by the social security system. Current response from the Government, such as large-scale social restriction measures, circular letter from the Ministry of Manpower, as well as Direct Cash Assistance (*Bantuan Langsung Tunai*, or BLT) raise concerns on its adequacy to protect particular categories of workers and uphold the right to social security

An example of where workers have experienced wage cuts due to the economic impact of the COVID-19 pandemic is in Magetan. On March 25, 2020, a lingerie factory in Magetan, cut its workers' wages by 50 percent for three months, without prior notice or agreement.⁴¹ In addition, workers in travel agencies and hotels have lost their jobs due to the pandemic.⁴² Moreover, it is likely that large numbers of people will lose their jobs in the future because of the pandemic.⁴³

President Joko Widodo announced the need for 'social-distancing' and working-from-home policies on March 14, 2020, but workers from some sectors are unable to follow such policies. In some cases, employers have threatened to cut their wages or their leave if the employees do not come to work. For example, a worker in a cement company located in Kelapa Gading, Jakarta, was not allowed by her boss to work from home. She was forced to come to the office despite the risk of COVID-19 infection in public transportation.⁴⁴ Similarly, on March 13, 2020, the governor of DKI Jakarta, Anies Baswedan, revealed that there were a number of people categorized as persons under observation (*orang dalam pemantauan-ODP*) who refused to be tested for the virus because of their fear of losing their wages if they were quarantined.⁴⁵

On March 17, 2020, the Ministry of Manpower issued Circular Letter No. M/3/HK.04/III/2020 on Workers Protection and Business Continuity in Response to the COVID-19 Prevention. The letter required all governors to take measures to prevent the spread of COVID-19 and ensure COVID-19 response management in the workplace, together with protecting workers' wages during the pandemic. According to the letter, a worker's wages will be fully covered if the worker is categorized as a person under observation, a suspected COVID-19 infection, or a positive COVID-19 patient. However, for workers who do not go to the workplace because of the Government's restrictions, the workers' wages shall be determined by mutual agreement of

⁴¹ Kompas.com, *Pabrik Pakaian Dalam di Magetan Potong Gaji 50 Persen dengan Alasan Corona, Ribuan Karyawan Demo*, <<https://regional.kompas.com/read/2020/03/25/09334371/pabrik-pakaian-dalam-di-magetan-potong-gaji-50-persen-dengan-alasan-corona>> accessed on March 26, 2020.

⁴² CNBC Indonesia, *Dampak Corona Sudah Bikin PHK, Pengusaha Merapat ke Jokowi*, <<https://www.cnbcindonesia.com/news/20200311081332-4-143948/dampak-corona-sudah-bikin-phk-pengusaha-merapat-ke-jokowi>> accessed on March 26, 2020.

⁴³ KataData, *Ratusan Ribu Buruh Terancam PHK, Serikat Pekerja Usulkan 8 Solusi*, <<https://katadata.co.id/berita/2020/03/25/ratusan-ribu-buruh-terancam-phk-serikat-pekerja-usulkan-8-solusi>> accessed on March 26, 2020.

⁴⁴ Merdeka.com, *Mereka Tetap Bekerja di Antara Kekhawatiran Virus Corona dan Ancaman Potong Gaji*, <<https://www.merdeka.com/jakarta/mereka-tetap-bekerja-di-antara-kekhawatiran-virus-corona-dan-ancaman-potong-gaji.html>> accessed on March 26, 2020.

⁴⁵ CNN Indonesia, *Takut Raib Gaji, Warga Jakarta ODP Corona Enggan Diperiksa*, <<https://www.cnnindonesia.com/nasional/20200313213023-20-483320/takut-raib-gaji-warga-jakarta-odp-corona-enggan-diperiksa>> accessed on March 26, 2020.

the employers and the workers. It is concerned that such discretion cause employers to impose wage-cut for workers to comply with Government's restrictions, forcing workers to come to their workplace. This could result in a large number of workers being put at risk of infection where they are not permitted to work from home

Aside from the Circular Letter, obligation for the companies to put in place health management for workers is already regulated in the Regulation of the Minister of Manpower No. 5 of 2018 on Occupational Safety and Health on Work Environment, requiring companies to ensure hygiene for workers' health, under Article 26 paragraph (1). In addition, Article 2 and Article 4 of the Government Regulation No. 88 of 2019 require companies to take measures to prevent disease among workers.

Since the circular letter was published, many informal workers -- including those engaged in delivery services, workers in garment factories, and restaurant workers -- are still working. Their employers are not taking steps to protect their health, such as by providing handwashing facilities, handing out masks, or imposing policy according to the Government's social distancing policy. In an interview conducted with the BBC on March 23, 2020, a person engaged in delivery service stated that he was more worried about his inability to provide for his family than he was about getting infected. Speaking for many, he added that if he did not come to work, he would not be paid. Similarly, "Linda", a worker in a garment factory, said that she and 900 other workers were still working as usual in her factory, without the company taking precautions to protect them from the risk of COVID-19 infection. Linda, like the other workers in garment factories, said that if she did not go to work at the factory, the company would not pay her wages, unless she obtained a letter from a doctor certifying her illness.⁴⁶ These and other cases show that some companies are not complying with the Circular Letter.

The Circular Letter provides a loophole that it allows employers to cut workers' wages, thus indirectly forcing workers to keep working in order to have their wages paid fully, despite the risk of COVID-19 exposure. Yet the Government's policy of providing incentives for formal workers only helps those workers whose contracts have been terminated or who have been laid off.⁴⁷ Moreover, the incentive for informal workers experiencing layoffs comes in the form of a pre-employment card, with an obligation for these workers to take both online or offline job training, according to the Presidential Regulation No. 36 of 2020.⁴⁸ The incentives provided are money to enroll in available training programs and transport money to attend the training, with further incentives given after the participants finish the training programs.⁴⁹ The existence of the pre-employment card potentially becomes a justification for employers to terminate their workers. Yet this card does not guarantee the re-integration of workers into available fields of work, so that workers' job security, especially that of vulnerable workers, is increasingly threatened.

In addition, the Indonesian Trade Union Committee has stated that the incentive mechanism for workers experiencing layoffs is still unclear. This is because, in practice, the right of workers to get health insurance continuously for six months after layoffs without paying contributions cannot be realized by many workers, so there is no guarantee that this incentive mechanism will be applied to workers fairly and comprehensively. The committee has also pointed out that the training that will be provided with the pre-employment card will be less effective, given that the circumstances of the pandemic do not allow face-to-face training.

⁴⁶ BBC Indonesia, *Virus Corona: Kisah Para Pekerja yang Tak Punya Hak Kerja dari Rumah, 'Kalau Belum Meninggal Diminta Terus Kerja.'* <<https://www.bbc.com/indonesia/indonesia-52018257>> accessed on March 26, 2020.

⁴⁷ CNN Indonesia, *Bantuan Korban PHK Naik Jadi Rp4 Juta di Tengah Wabah Corona,* <<https://www.cnnindonesia.com/ekonomi/20200326103707-532-486981/bantuan-korban-phk-naik-jadi-rp4-juta-di-tengah-wabah-corona>> accessed on March 26, 2020.

⁴⁸ Kompas.com, *Bagaimana Cara Mendapatkan Kartu Pra Kerja?*, <<https://money.kompas.com/read/2020/03/25/103346226/bagaimana-cara-mendapatkan-kartu-pra-kerja>> accessed on March 26, 2020.

⁴⁹ Detik.com, *Seputar Kartu Pra-Kerja yang Bakal Dibagikan Jokowi Awal April,* <<https://finance.detik.com/berita-ekonomi-bisnis/d-4952793/seputar-kartu-pra-kerja-yang-bakal-dibagikan-jokowi-awal-april>> accessed on March 26, 2020.

They put emphasis on the incentives that will only be given upon completion of the training.⁵⁰

The Government has also planned a program of Direct Cash Assistance (*Bantuan Langsung Tunai* or BLT), which will be provided to low-income workers, small traders, day workers, and drivers of ride-hailing applications, such as Grab and GoJek.⁵¹ This BLT is intended to maintain purchasing power and prevent layoffs, and it will only be given in urban areas, not rural areas. In addition, BLT in the form of food will be given to 29.3 million of the poorest households. In all, five million rupiahs of BLT, aimed at preventing layoffs, will be given to formal and informal workers.⁵² Although this step needs to be appreciated, it is unclear whether BLT can be a guarantee that the company will not lay off their workers, following the instruction from President Joko Widodo. The provision of BLT only for workers and their families would exclude workers with no family from its recipients.

Under international law, workers with different occupational statuses and from different sectors are all equally entitled to the right to health without discrimination, in accordance with Article 12 of the ICESCR. Paragraph 12 (b) of General Comment No. 14 to Article 12 of the ICESCR states that access to health services must respect the principle of non-discrimination, to ensure the fulfillment of the right to health for all, including workers. This principle also provides that health services must be accessible to the most vulnerable or marginalised sections of the population. In the context of the COVID-19 pandemic, labour-intensive workers and workers on temporary contracts or in the informal sector are very vulnerable to contracting COVID-19 and their access to health services must be guaranteed.

Paragraph 16 of General Comment No. 14 to Article 12 of the ICESCR explains that control of the epidemic is also part of the right to health, which includes prevention programs and other strategies to control infectious diseases. One of the strategies is to require people to work from home or to enforce social distancing policies. Paragraph 41 General Comment No. 23 of 2016 stipulates that workers, including part-time workers and temporary workers must have paid annual leave. Leave due to illness or other justified reasons should not be deducted from paid annual leave.

The COVID-19 pandemic has had a severe economic impact on informal workers, day workers, casual workers, and other temporary workers who are often excluded from social security coverage. According to 2019 data from the Indonesian Institute of Sciences, 57% of Indonesia's population works in the informal sector, and most informal workers are not protected by social security.⁵³ Moreover, in reality, there are many casual day workers and temporary workers who are not covered by social security.⁵⁴ The COVID-19 pandemic has left these workers vulnerable to losing their sources of income.

The right to social security is addressed in international standards. Paragraph 2 of General Comment No. 19 to Article 17 of the ICESCR on the Right to Social Security states that workers who lose income because of illness have the right to access benefits, both in cash and in other forms. According to Paragraph 59 of this General Comment, the “benefits” must cover some essential minimums, namely, essential health services, housing, water and sanitation, food, and the basic level of education. Paragraph 34 of General Comment No. 19 explicitly states that the social security system must cover workers in the informal sector. The pre-

⁵⁰ Kompas.com, *KSPI Nilai Mekanisme Insentif untuk Buruh yang Terkena PHK Tidak Jelas*, <<https://money.kompas.com/read/2020/03/26/083000526/kspi-nilai-mekanisme-insentif-untuk-buruh-yang-terkena-phk-tidak-jelas>> accessed on March 26, 2020.

⁵¹ Kompas.com, *Pemerintah Akan Berikan BLT ke Pedagang Kecil hingga Pengemudi Online*, <<https://nasional.kompas.com/read/2020/03/26/10571801/pemerintah-akan-berikan-blt-ke-pedagang-kecil-hingga-pengemudi-online>> accessed on March 26, 2020.

⁵² Tempo.co, *Dampak Corona, Driver Ojol Hingga Pedagang Bakal Dapat Bantuan*, <<https://bisnis.tempo.co/read/1324140/dampak-corona-driver-ojol-hingga-pedagang-bakal-dapat-bantuan>> accessed on March 26, 2020.

⁵³ Liputan6, *Pekerja Informal Belum Tersentuh Jaminan Sosial*, <<https://www.liputan6.com/bisnis/read/4139095/pekerja-informal-belum-tersentuh-jaminan-sosial>> accessed on March 26, 2020.

⁵⁴ SPN.or.id, *Jaminan Sosial Pekerja/Buruh*, <<https://spn.or.id/jaminan-sosial-pekerja-buruh/>> accessed on March 26, 2020.

employment card offers incentives to help people to join the training programs, which is not included in the definition of benefits under the frame of the right to social security.

Consistent with these duties, the Government should provide benefits to workers who are losing their income due to this pandemic, ensuring that it upholds the right to an adequate standard of living for all, including workers in precarious employment and low-income workers. These benefits must meet the minimum essential level described in the General Comment, covering not only food but also health services. The BLT provided by the Government does not obviate its obligation to provide adequate health services, and informal workers must not be excluded from this benefit.

Large-Scale Social Restriction

On Monday, March 30, 2020, President Joko Widodo imposed large-scale social restrictions. According to Article 59(3) of Law No. 6 of 2018 on Health Quarantine, the imposition of large-scale social restrictions comprises the temporary closure of schools and offices, and the cessation of religious and other activities in public places.

Large-scale social restrictions may impact individuals' freedom of movement and can amount to arbitrary deprivation of liberty. People may face additional barriers to exercising their human rights due to the Government's large-scale social restriction policy, including challenges accessing basic necessities such as food, hygiene supplies, and health care, and may suffer adverse impacts on their jobs and salaries because they cannot go to work. Large-scale social restrictions have other human rights impacts as well: they may disproportionately affect people living in poverty, because those people may not have sufficient resources to buy food, medicine, and other supplies. They may also have insufficient savings to cover a period of unpaid leave. Thus, any kind of social restriction is only permissible if in compliance with international human rights law.

According to Article 12(3) of the ICCPR, freedom of movement may be restricted if the restrictions are provided by law, and necessary to protect certain specific legitimate aims -- one of which is public health -- and "are consistent with the other rights recognized in the [ICCPR]." When this justification is invoked, safeguards such as those contained in the Siracusa Principles, as described above, must be taken into consideration. In the context of limitations on rights to protect public health, the Siracusa Principles reiterate that these "measures must be specifically aimed at preventing disease or injury or providing care for the sick and injured."⁵⁵

As described in the previous section, in the context of large-scale social restrictions that were recently issued, the Government has an obligation to ensure that the people within its territory have access to benefits to ensure an adequate standard of living.

⁵⁵ Siracusa Principles, para. 25.

CONCLUSION AND RECOMMENDATIONS

Human rights should be at the center of COVID-19 prevention, preparedness, containment, and treatment measures, in order to protect public health and support people at the highest risk of being infected. Amnesty International Indonesia has concerns regarding the response of the Indonesian Government to the pandemic, specifically regarding the rights of health and other workers, the right to information, and the right to freedom of expression and opinion.

Accordingly, Amnesty International Indonesia urges the Government to:

- Protect health workers by ensuring that personal protective equipment (PPE) and health-supporting equipment is rapidly distributed to all health facilities in Indonesia, and safeguard the health of health workers by consistently following the safety protocol for handling COVID-19 infections;
- Be transparent regarding necessary information about COVID-19, while respecting people's right to privacy. Information about affected areas and travel history of the suspected patients must be disclosed to the public to ease contact tracing and treatment;
- Respect the right to freedom of expression and opinion by refraining from criminalization of conduct by people simply criticizing the Government's response to COVID-19;
- Guarantee that health services are affordable and accessible to the most marginalized sections of the population, without discrimination. In the context of the COVID-19 pandemic, the access to health services of labor-intensive workers and workers in temporary contracts or who work in the informal sector must be guaranteed;
- Guarantee access to social security benefits for workers who are losing income due to the pandemic in a manner that guarantees their right to an adequate standard of living. These benefits should include access to adequate food, health care, housing, water, and sanitation, which will allow workers to comply with the policy of large-scale social restrictions. Issue guidance to employers to ensure that where it is not possible for workers to work from home, they are provided with the necessary equipment and infrastructure to protect themselves from infection; and
- Ensure that companies comply with international human rights standards should termination of employment become inevitable. Furthermore, any loss of income as a result of the layoff must be covered by assistance from the Government that fulfills the criteria under the right to social security

ANNEX 1

TABLE OF REPORTED INFORMATION ON DEATHS ON HEALTH WORKERS DUE TO COVID-19

Region	Date	Number of Deaths	Profession
Jakarta	March 12, 2020	1 (dr Laurentius Panggabean) ⁵⁶	Doctor
	March 15, 2020	1 (Ninuk Dwi Pusponingsih) ⁵⁷	Nurse
	March 22, 2020	1 (dr Hadio Ali Khazatsin) ⁵⁸	Doctor
	March 23, 2020	1 (dr Bambang Sutrisna) ⁵⁹	Doctor
	March 26, 2020	1 (dr Bartholomeus Bayu Satrio Kukuh Wibowo)	Doctor
	March 29, 2020	1 (drg Amutavia Pancarsari Artsianti Putri) ⁶⁰	Doctor
	March 31, 2020	1 (Harmoko)	Nurse
	April 1, 2020	1 (dr Ratih Purwarini) ⁶¹	Director of Duta Indah Hospital, Jakarta
		2 (Sugiarto; Mulatsih)	Nurse
	April 2, 2020	2 (dr. Jeanne PMR Winakstu, Sp BS. ⁶² ; Drg. Roselani Widajati Odang ⁶³)	Doctor; Dentist
1 (Setia Wibowo) ⁶⁴		Nurse	

⁵⁶ Kumparan, *Pasien di Cibubur Meninggal Positif Corona, Tetangga Diminta Karantina Mandiri*, <<https://kumparan.com/kumparannews/pasien-di-cibubur-meninggal-positif-corona-tetangga-diminta-karantina-mandiri-1t3Nw2vM6qJ>> accessed on April 1, 2020.

⁵⁷ BBC Indonesia, *Virus corona: Perawat yang meninggal akibat Covid-19: 'Saya hidup, mati untuk orang yang saya sayangi, termasuk untuk profesi'*, <<https://www.bbc.com/indonesia/indonesia-52074437>> accessed on April 1, 2020.

⁵⁸ Pikiran Rakyat, *Dokter Spesialis Saraf Meninggal Terinfeksi Virus Corona di RS Persahabatan*, <<https://www.pikiran-rakyat.com/nasional/pr-01354695/dokter-spesialis-saraf-meninggal-terinfeksi-virus-corona-di-rs-persahabatan>> accessed on April 1, 2020.

⁵⁹ JPNN, *Dokter Bambang Sutrisna Meninggal karena Corona, Putrinya Curhat Hal Paling Menyedihkan*, <<https://www.jpnn.com/news/dokter-bambang-sutrisna-meninggal-karena-corona-putrinya-curhat-hal-paling-menyedihkan>> accessed on April 1, 2020.

⁶⁰ Bekasi Media, *Dokter Gigi yang Meninggal di RS Persahabatan ternyata Tugas di RSUD Jatisampurna*, <<https://bekasimedia.com/2020/03/30/dokter-gigi-yang-meninggal-di-rs-persahabatan-ternyata-tugas-di-rsud-jatisampurna/>> accessed on April 1, 2020.

⁶¹ Liputan6, *Idi soal 2 Dokter Meninggal Dunia: dr Efrizal Positif Corona, Hasil Swab dr Rini Belum Diketahui*, <<https://www.liputan6.com/news/read/4216461/idi-soal-2-dokter-meninggal-dunia-dr-efrizal-positif-corona-hasil-swab-dr-rini-belum-diketahui>> accessed on April 1, 2020.

⁶² SMOL, *Purnawirawan Bintang Satu dr Jeanne Winaktu Meninggal di RSAL Mintoharjo Gegara Corona*, <<https://smol.id/2020/04/02/purnawirawan-bintang-satu-dr-jeanne-winaktu-meninggal-di-rsal-mintoharjo-gegara-corona/>> accessed on April 22, 2020.

⁶³ Tempo, *1 Lagi Perawat Meninggal karena Covid-19, Total 13 Orang*, <<https://nasional.tempo.co/read/1332726/1-lagi-perawat-meninggal-karena-covid-19-total-13-orang>> accessed on April 22, 2020.

⁶⁴ *Ibid.*

	April 3, 2020	1 (Prof. Dr. dr Nasrin Kodim, MPH ⁶⁵)	Professor of Epidemiology at the Faculty of Public Health UI
	April 4, 2020	1 (Dr Lukman Shebubakar ⁶⁶)	Doctor
	April 5, 2020	2 (Dr Ketty Herawati Sultana ⁶⁷ ; Drg Anna Herlina Ratnasari ⁶⁸)	Doctor
	April 6, 2020	2 (Dr. Heru Sutantyo ⁶⁹ ; Dr. Naek L. Tobing ⁷⁰)	Doctor
	April 8, 2020	1 (Adharul Anam) ⁷¹	Nurse
	April 9, 2020	1 (Nur Putri Julianty) ⁷²	Nurse
	April 11, 2020	1 (Novera)	Nurse
	April 12, 2020	1 (dr Sudadi Hirawan) ⁷³	Doctor
	April 19, 2020	1 (Shelly Ziendia Putri) ⁷⁴	Nurse
	April 25, 2020	1 (Reno Tri Palupi) ⁷⁵	Nurse
Depok	April 8, 2020	1 (dr Karnely Herlina) ⁷⁶	Doctor
South Tangerang	April 11, 2020	1 (Elok Widyaningsih)	Nurse
Bekasi	March 17, 2020	1 ⁷⁷	Nurse

⁶⁵ Liputan6, *Guru Besar Epidemiologi UI Prof Dr Nasrin Kodim Meninggal Dunia*, <<https://www.liputan6.com/news/read/4218287/guru-besar-epidemiologi-ui-prof-dr-nasrin-kodim-meninggal-dunia>> accessed on April 22, 2020.

⁶⁶ Inews, *IDI Berduka: Dr Lukman Shebubakar Wafat di RSUP Persahabatan*, <<https://www.inews.id/news/megapolitan/idi-berduka-dr-lukman-shebubakar-wafat-di-rsup-persahabatan>> accessed on April 22, 2020.

⁶⁷ Detik, *Heroisme Dr Ketty yang Pernah Rawat Menteri Gugur Usai Dirawat 7 Hari*, <<https://news.detik.com/berita/d-4966390/heroisme-dr-ketty-yang-pernah-rawat-menteri-gugur-usai-dirawat-7-hari/2>> accessed on April 22, 2020.

⁶⁸ Kumparan, *Seorang Dokter Gigi Meninggal di RSUD Pasar Minggu Karena Corona*, <<https://kumparan.com/kumparannews/seorang-dokter-gigi-meninggal-di-rsud-pasar-minggu-karena-corona-1tAABMDL1Vz>> accessed on April 22, 2020.

⁶⁹ Kenangan, *Dr. Heru Sutantyo*, <<https://www.kenangan.com/beritaduka/dr-heru-sutantyo>> accessed on April 22, 2020.

⁷⁰ Suara, *Seksolog Legendaris Naek L Tobing Meninggal Dokter Ke-19 Positif Corona*, <<https://www.suara.com/news/2020/04/06/180457/seksolog-legendaris-naek-l-tobing-meninggal-dokter-ke-19-positif-corona>> accessed on April 22, 2020.

⁷¹ Tempo, *1 Lagi Perawat Meninggal karena Covid-19, Total 13 Orang*, <<https://nasional.tempo.co/read/1332726/1-lagi-perawat-meninggal-karena-covid-19-total-13-orang>> accessed on April 22, 2020.

⁷² *Ibid.*

⁷³ Ayo Semarang, *Terpapar COVID-19 Kembali 2 Dokter Senior Indonesia Meninggal Dunia*, <<https://www.ayosemarang.com/read/2020/04/13/55228/terpapar-covid-19-kembali-2-dokter-senior-indonesia-meninggal-dunia>> accessed on April 22, 2020.

⁷⁴ Detik, *Sosok Shelly Ziendia Putri Petugas Ambulans yang Meninggal Saat Corona*, <<https://news.detik.com/berita/d-4985503/sosok-shelly-ziendia-putri-petugas-ambulans-yang-meninggal-saat-corona>> accessed on April 22, 2020.

⁷⁵ Liputan6, *Berjuang Menangani COVID-19, Reno Tri Palupi Perawat RSUD Pasar Rebo Meninggal Dunia*, <<https://www.liputan6.com/health/read/4237873/berjuang-menangani-covid-19-reno-tri-palupi-perawat-rsud-pasar-rebo-meninggal-dunia>> accessed on April 28, 2020.

⁷⁶ Suara, *Lagi, Dokter Virus Corona Meninggal Kali Ini Dr Karnely Herlina*, <<https://www.suara.com/news/2020/04/08/120451/lagi-dokter-virus-corona-meninggal-kali-ini-dr-karnely-herlina>> accessed on April 28, 2020.

⁷⁷ Liputan6, *PPNI Sampaikan Ada Perawat yang Terinfeksi dan Meninggal Akibat COVID-19*, <<https://www.liputan6.com/health/read/4203872/ppni-sampaikan-ada-perawat-yang-terinfeksi-dan-meninggal-akibat-covid-19>> accessed on April 1, 2020.

	March 22, 2020	1 (dr Adi Mirsa Putra) ⁷⁸	Doctor
	April 6, 2020	1 (dr Wahyu Hidayat) ⁷⁹	Doctor
	April 25, 2020	1 (dr Michael Robert Marampe) ⁸⁰	Doctor
Bandung	March 19, 2020	1 (dr Toni Daniel Silitonga, due to exhaustion of handling COVID-19 and heart attack) ⁸¹	Doctor
	March 26, 2020	1 (dr. Exsenveny Lalopua, Mkes)	Doctor
	April 10, 2020	1 (dr Soekotjo Soerodiwirio) ⁸²	Doctor
Bogor	March 21, 2020	1 (dr Djoko Judodjoko, Sp.B)	Doctor
	March 28, 2020	1 (drg Yuniarto Budi Santoso)	Doctor
Yogyakarta	March 24, 2020	1 (Prof Iwan Dwiprahasto)	Doctor
Medan	March 17, 2020	1 (dr Ucok Martin)	Doctor
West Sumatra	April 3, 2020	1 (Mursyida) ⁸³	Nurse
Palembang	March 23, 2020	1 (dr Efrizal Syamsudin, MM) ⁸⁴	Director of Prabumulih Hospital
Makassar	April 4, 2020	1 (Dr Bernadette Albertine Fransisca) ⁸⁵	Doctor
Banjarmasin	April 4, 2020	1 (Dr Goenawan Oentaryo) ⁸⁶	Dentist
	April 15, 2020	1 (Dr Hasan Zain) ⁸⁷	Doctor

⁷⁸ Realita Rakyat, *Dari Dokter yang meninggal itu, Ternyata Salah satunya Putra Terbaik Bekasi ,Dr Adi Spesialis THT di RS Mitra Keluarga*, <<https://www.realitarakyat.com/2020/03/22/3-dari-dokter-yang-meninggal-itu-ternyata-salah-satunya-putra-terbaik-bekasi-dr-adi-spesialis-tht-di-rs-mitra-keluarga/>> accessed on April 1, 2020.

⁷⁹ Kenangan, *Dr Wahyu Hidayat*, <<https://www.kenangan.com/beritaduka/dr-wahyu-hidayat-sp-tht-kl>> accessed on April 22, 2020.

⁸⁰ Liputan6, *Positif Covid-19, Ini Curhat Dokter Michael Robert Marampe Sebelum Meninggal Dunia*, <<https://www.liputan6.com/news/read/4238341/top-3-news-positif-covid-19-ini-curhat-dokter-michael-robert-marampe-sebelum-meninggal-dunia>> accessed on April 28, 2020.

⁸¹ Dr Toni Daniel Silitonga is the Head of Infectious Disease Control Section of the Health Agency of Bandung Barat and COVID-19 Task Force

⁸² Ayo Semarang, *Terpapar COVID-19 Kembali 2 Dokter Senior Indonesia Meninggal Dunia*, <<https://www.ayosemarang.com/read/2020/04/13/55228/terpapar-covid-19-kembali-2-dokter-senior-indonesia-meninggal-dunia>> accessed on April 22, 2020.

⁸³ Tempo, *1 Lagi Perawat Meninggal karena Covid-19, Total 13 Orang*, <<https://nasional.tempo.co/read/1332726/1-lagi-perawat-meninggal-karena-covid-19-total-13-orang>> accessed on April 22, 2020

⁸⁴ JPNN, *Innalillahi! Direktur RSUD Prabumulih Meninggal Dunia, Hasil Tes Corona Belum Keluar*, <<https://www.jpnn.com/news/innalillahi-direktur-rsud-prabumulih-dr-efrizal-syamsuddin-meninggal-dunia-hasil-tes-corona-belum-keluar>> accessed on April 1, 2020.

⁸⁵ Vivanews, *Dr Bernadette Albertine Meninggal Dunia Karena Corona*, <<https://www.vivanews.com/berita/nasional/43891-dr-bernadette-albertine-meninggal-dunia-karena-corona>> accessed on April 22, 2020.

⁸⁶ Kenangan, *Drg Gunawan Oentaryo*, <<https://www.kenangan.com/beritaduka/drg-gunawan-oentaryo-m-kes>> accessed on April 22, 2020.

⁸⁷ Tempo, *Dokter Paru Pertama di Kalimantan Selatan Gugur Karena COVID-19*, <<https://nasional.tempo.co/read/1331902/dokter-paru-pertama-di-kalimantan-selatan-gugur-karena-covid-19/full&view=ok>> accessed on April 22, 2020.

Tuban	April 6, 2020	1 (Zaenal Khabib) ⁸⁸	Nurse
Semarang	April 9, 2020	1 (Nuria Kurniasih)	Nurse
	April 17, 2020	1 (Rina Iswati)	Nurse
Surabaya	April 16, 2020	1 (Hastuti Yulistiorini) ⁸⁹	Nurse
TOTAL (PER APRIL 27, 2020)		46 DEATHS	

⁸⁸ Tempo, *1 Lagi Perawat Meninggal karena Covid-19, Total 13 Orang*, <<https://nasional.tempo.co/read/1332726/1-lagi-perawat-meninggal-karena-covid-19-total-13-orang>> accessed on April 22, 2020

⁸⁹ Berita Satu, *Perawat Senior RS Siloam Surabaya Meninggal Akibat COVID-19*, <<https://www.beritasatu.com/kesehatan/621459/perawat-senior-rs-siloam-surabaya-meninggal-akibat-covid19>> accessed on April 22, 2020.

ANNEX 2

TABLE OF HEALTH WORKERS TESTED POSITIVE OF COVID-19

No	Provinces	Infected	Recovered
1	Jakarta	174	23
2	Central Java	61	
3	East Java	62	20
4	West Java	57	
5	North Sumatra	4	
6	Merauke, Papua	3	1
7	Yogyakarta	6	
8	West Sumatra	1	
9	Central Kalimantan	1	
10	South Sumatra	1	
11	South Sulawesi	1	
	TOTAL (PER APRIL 27, 2020)	371	44

ANNEX 3

TABLE OF INDIVIDUALS ALLEGED FOR SPREADING FALSE INFORMATION AND INSULT TO THE PRESIDENT

Dates	Location	Name or Initial	Allegation
February 12, 2020	North Jakarta	RAF	Article 14 and 15 of Law No. 1/1946 on spreading false information
February 3, 2020	Balikpapan, East Kalimantan	1. KR 2. FB	Article 14 and 15 of Law No. 1/1946 on spreading false information
March 1, 2020	Jakarta	Fahira Idris <i>(reported)</i>	Article 14 and 15 of Law No. 1/1946 on spreading false information
March 4, 2020	Ketapang, West Kalimantan	Arina Mahfiro	Article 45 A (1) in conjunction with Art 28 (1) of Electronic Information and Transaction Law Article 14 and 15 of Law No. 1/1946 on spreading false information
March 6, 2020	Surabaya, East Java	Hj. Nur Fadillah	Article 45 A (1) in conjunction with Art 28 (1) of Electronic Information and Transaction Law Article 14 and 15 of Law No. 1/1946 on spreading false information
March 10, 2020	Muara Enim, South Sumatra	Hendry Ardiansyah	Article 14 of Law No. 1/1946 on spreading false information Article 28 (2) in conjunction with Art 45 (2) of Electronic Information and Transaction Law
March 11, 2020	Lampung	Okto Even Rizki	Article 45 A (2) in conjunction with Art 28 (2) of Electronic Information and Transaction Law
March 13, 2020	Surakarta, Central Java	Mohammad Hisbun Payu	Article 45 A (2) in conjunction with Art 28 (2) of Electronic Information and Transaction Law
March 17,	Batam, Riau	Haryadi	Article 45 A in conjunction with Art 28 of Electronic Information and Transaction

2020			Law
	Telukbetung, Lampung	Susanti Aprianti	Article 14 of Law No. 1/1946 on spreading false information
March 18, 2020	Ambon, Maluku	1. PGA 2. JH	Article 14 of Law No. 1/1946 on spreading false information
	Bondowoso, East Java	Siti Fitriyatul Hasanah	Article 46 Electronic Information and Transaction Law
	Blitar, East Java	1. IZ 2. A 3. SES 4. TMJ	Art 28 of Electronic Information and Transaction
March 19, 2020	Sidrap, South Sulawesi	Agussalim	Article 45 A (1) in conjunction with Art 28 (1) of Electronic Information and Transaction Law
March 20, 2020	Payakumbuh, West Sumatra	Khoerurizal Takwa Khanifullah	Article 14 (1) and (2) and 15 of Law No. 1/1946 on spreading false information and/or Art 207 Criminal Code
	Central Lombok	SB	Art 28 (1) of Electronic Information and Transaction
March 23, 2020	Central Lombok	SA	Art 28 (1) of Electronic Information and Transaction
March 24, 2020	West Bangka	Apong Kisantribowo	Article 14 (1) and (2) of Law No. 1/1946 on spreading false information
March 25, 2020	West Lombok	EDA	Art 28 (1) of Electronic Information and Transaction
March 26, 2020	North Jakarta	1. RI 2. H 3. JAT	Art 45 A (1) of Electronic Information and Transaction Law and Art 15 Law No. 1/1946 on spreading false information
	West Jakarta	1. CL 2. LL	Article 45 A (1) in conjunction with Art 28 (1) of Electronic Information and Transaction Law; Article 15 of Law No. 1/1946 on spreading false information
	Bandar Lampung	Nirwan Setiawan	Art 14 (2) Law No. 1/1946 on spreading false information
March 27, 2020	Banjar Baru, South Kalimantan	BZ	Article 14 (2) and 15 of Law No. 1/1946 on spreading false information
	Buleleng, Bali	I Gusti Putu Adi Kusuma	Article 45 (2) in conjunction with Art 28 (2) of Electronic Information and Transaction Law and Article 207 Criminal

		Jaya,	Code
March 28, 2020	Pangkal Pinang, Bangka Belitung	AD	Article 14 and 15 of Law No. 1/1946 on spreading false information
March 29, 2020	Palembang, South Sumatra	Depriandi	Article 14 (1) and 15 of Law No. 1/1946 on spreading false information in conjunction with Law No 71 of 1958
March 30, 2020	Majene, West Sulawesi	AR	Art 28 and Art 45 of Electronic Information and Transaction Law
April 2, 2020	Bogor, West Java	U	Article 14 and 15 of Law No. 1/1946 on spreading false information
April 3, 2020	Parigi Moutong, Central Sulawesi	Initial R	Art 28 and Art 45 A (1) of Electronic Information and Transaction Law
	North Jakarta	MAA	Article 45 A (2) in conjunction with Art 28 (2) of Electronic Information and Transaction Law
	Puncak Jaya, Papua	EW	Art 28 of Electronic Information and Transaction Law
	Banjar, West Java	YN	Art 45 A (2) of Electronic Information and Transaction Law
April 4, 2020	East Jakarta	Ali Baharsyah	Art 28 (2) of Electronic Information and Transaction Law and Art 207 Criminal Code
April 5, 2020	Balikpapan, East Kalimantan	Hendra	Art 28 (1), Art 14 (1) and (2) Law No. 1/1946
April 6, 2020	Ponorogo, East Java	Agus Hariyadi	Article 45 A (1) in conjunction with Art 28 (1) of Electronic Information and Transaction Law
April 7, 2020	Minahasa, North Sulawesi	CL	Art 28 and Art 45 A (1) of Electronic Information and Transaction Law
April 8, 2020	Tanjung Pinang, Riau	Wira Pratama	Article 45 (2) in conjunction with Art 28 (2) of Electronic Information and Transaction Law and Article 208 Criminal Code
April 8, 2020	Poso, Central Sulawesi	1. F 2. A	Article 45 (1) in conjunction with Art 28 (1) of Electronic Information and Transaction Law
April 12, 2020	Banjar, West Java	1. BHS 2. AA 3. DMA	Article 14 and 15 of Law No. 1/1946 on spreading false information;

			Art 160 in conjunction with Art 207 Criminal Code
April 13, 2020	West Java	1. HB 2. AK	1. HB: Article 45 (2) in conjunction with Art 28 (2) and Art 14 (1) and (2), Article 15 of Electronic Information and Transaction Law 2. AK: Article 14 and 15 of Law No. 1/1946 on spreading false information and Article 207 Criminal Code
April 15, 2020	Payakumbuh, West Sumatra	Desmaizar (Ade)	Article 45A (2) in conjunction with Article 28 (2) or Article 45 (3) in conjunction with Article 27 (3) Law No. 19/2016 on Electronic Information and Transaction
TOTAL (PER APRIL 27, 2020)			53