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## IMPLEMENTATION OF CRIMINAL LAW ENFORCEMENT ON THE MAKING OF FAKE VACCINE CERTIFICATES

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### Abstract

The crime of forgery of letters is a crime that essentially contains the essence of untruth or false status of an object. Either that looks from the outside as if it is true when in fact it is very contrary to the real thing or to the truth. The crime of forgery of letters develops in line with things that are happening in the world today, especially during the Covid-19 Pandemic. The reason behind why people want to make a COVID-19 vaccine certificate is that many people want to get the vaccine certificate but don't want to be injected with the vaccine. A COVID-19 vaccine certificate if falsified is very dangerous, it can harm many people, those who have received a COVID-19 vaccine certificate are a sign that they have resistance to the virus. this spreads to a crime on the Vaccine Certificate which is in fact an important thing during the current Pandemic. There are irresponsible parties who commit crimes in the form of issuing Counterfeit Vaccine Certificates in order to benefit themselves but can indirectly harm other people, this is in line with Article 263 of the Criminal Code. In carrying out this research, the author uses a normative juridical method based on a qualitative approach. The author conducts an analysis related to the Juridical Impact of the existence of the Counterfeit Vaccine Certificate by taking into account the Decision of the Panel of Judges in Decision Number: 543/Pid.B/2021/PN Btm. The purpose and benefits of this problem are raised into a writing, namely in order to provide an explanation and understanding of the importance of understanding the law and the author hopes that everyone can understand the crime of this fake letter.

**Keywords:** *Crime, Forgery of Letters, Vaccine Certificate, Covid-19.*

### Introduction.

With the natural phenomena that are happening in the world right now, especially with the spread of Covid-19, the government is actively working through vaccination campaigns for the entire community to increase immunity against Covid-19 itself. This effort has been achieved through a large number of medical personnel provided by the government for free, and the government hopes that the community will prosper in terms of health. As proof that a person has been vaccinated, a letter, a vaccine certificate, will be issued, stating that the person has been legally vaccinated.

In such an alarming time, news about Covid-19 never stops spreading in the media. All parties, including the government and the community, have made every effort and effort to fight Covid-19. As a policy maker, the government has made every effort to control the spread of Covid-19 by accelerating community vaccinations and implementing the Community Activity Restriction (PPKM) policy. However, during the implementation, in the midst of worrying conditions, unfortunate news emerged, where there were individuals who sold Covid-19 vaccine certificates. There are irresponsible individuals who undermine the expectations of the government for their own benefit, which is done by issuing Vaccine Certificates without Vaccination. Of course, this is contrary to the government's expectations for the welfare of its people. With the development of the times, especially during the current pandemic, medicines, especially vaccines, which had become a national issue in Indonesia, have circulated in the community. This phenomenon on the one hand seems to be beneficial for consumers to choose various types and quality of vaccines, but on the other hand consumers in this case become the object of business activity, even consumers do not understand the quality of the vaccines they buy. Whereas everyone who has been registered has an obligation to vaccinate. This is stated in Presidential Regulation Number 14 of 2021 concerning amendments to Presidential Regulation Number 99 of 2020 concerning Vaccine Procurement and Vaccination Implementation in the Context of Combating the Covid-19 Pandemic. Vaccination against Covid-19 is important to prevent the spread of Covid-19. In addition to health for yourself, vaccination is a requirement for community activities. However, in practice, a crime mode appears, namely by falsifying vaccine certificate documents. So the public must be aware of the legal bondage for those involved in counterfeiting. With the circulation of this fake Vaccine Certificate, it does not support the government's efforts to improve the welfare of people's lives in order to form antibodies against Covid-19 so that the body cannot be protected from disease attacks that can be prevented by the vaccine, as has happened in several recent cases, which in particular occurred in Batam City which issued a Vaccine Certificate without being vaccinated and in essence it can be said that the existence of this fake Vaccine Certificate causes harm to patients or consumers so that an incident like this is categorized as a crime. In order to follow up on these individuals, the Batam District Attorney together with the Bareleng City Police in accordance with their duties and authorities take action to uphold justice by carrying out prosecutions based on the applicable law. The prosecutor is someone who is tasked with submitting charges or accusations during court proceedings against people suspected of violating the law. In Law Number 16 of 2004, the Prosecutor has the authority to carry out prosecutions, carry out judges' decisions and court decisions that have permanent legal force to supervise the implementation of conditional criminal decisions, supervisory criminal decisions and parole decisions. The Batam District Attorney's Office has a professional base, which is able to teach, share experiences, and provide opportunities for writers to be able to go directly into the real world of working prosecutors. Based on this, the writer chose the Internship Job Program at the Batam District Attorney's Office to find out and expand the legal knowledge that the author did

not get at the University. find a juridical basis, meet witnesses to make correspondence to other agencies ordered by superiors. Internship is an opportunity for writers to choose a field that suits their abilities. The problem that the author experienced in carrying out the Internship activities at the Batam District Prosecutor's Office, the author had difficulty inputting the administration of case files into the Batam District Attorney's online system due to network limitations that the author could access. The author also finds challenges in completing the administration of case files due to the author's lack of understanding in this field.

### **Methods**

In carrying out the Internship activities at the Batam District Attorney's Office, the author is assisted by using the Observation Method which is carried out systematically. In this case, the writer visited the observation location to observe various things or conditions in the field. By being directly involved in the activity of finding the data needed through observation so that the data obtained is more complete. In addition, the author carries out all activities at the Batam District Prosecutor's Office regularly and records data on activities that will and have been carried out in the environment where the internship is carried out at the Batam District Prosecutor's Office both from direct observations and interviews with leaders and staff. at the Batam District Attorney's Office. The data obtained was then processed, analyzed descriptively and compared with the literature, then compiled into a report on the Internship. The author's Internship activities at the Batam District Attorney start on September 1, 2021 until December 03, 2021 with a duration of 3 (three) months.

### **Result and Discussion**

Previously the author has worked as an honorary staff at the Batam District Attorney's Office in 2018 to date, and in this article, the author will discuss the report that the author made on August 23, 2021. The implementation that the author does in this internship activity, the author completes the administration of the case file for the trial starting when the case file is received by the prosecutor concerned, the author conducts a formal and material examination of the case file. With the guidance and supervision of the relevant Prosecutor, the author was assigned to make further administrative arrangements.

The case for the position of the case that became the author's material, which started on Monday, July 5, 2021, witness FUAD MUHAMAD (detained in another case/splitsing) asked the Defendant via WhatsApp message that there were 20 (twenty) people who wanted to get the first Vaccine certificate. without having to be injected, at that time the Defendant had refused but witness FUAD MUHAMAD said that the 20 (twenty) people would go abroad (Taiwan) in the near future so that the Defendant accepted the request of witness FUAD MUHAMAD on condition that the cost per person was Rp. 250.000,- (two hundred and fifty thousand rupiah). Then at around 11.00 WIT witness FUAD MUHAMAD informed the Defendant via WhatsApp message that the 20 (twenty) people were willing to pay Rp. 250,000, - (two hundred and fifty thousand rupiah)

per person, then at around 13.00 Wib Witness FUAD MUHAMAD sent personal data to these 20 (twenty) people via WhatsApp messages to the Defendant's cellphone which contained, among other things, a photo of an ID card and a phone number that could be accessed. contacted. Furthermore, the data was inputted by the Defendant in the PCare Data system as evidence that the 20 (twenty) people had taken the first vaccine, but not long after, witness FUAD MUHAMAD sent the data of one additional person via WhatsApp message so that the total entered in the system The Pcare data that the Defendant falsified were 21 (twenty one) people. Then at around 16.00 Wib, witness FUAD MUHAMAD handed over the money to the Defendant by sending a reference code for withdrawing money, which then the Defendant made a withdrawal at the Bengkong Match Center ATM worth Rp. 5.250.000,- (five million two hundred fifty thousand rupiah) with 5 (five) times sending money withdrawal reference code. Whereas the number of people who were vaccinated at that time was 1020 (one thousand and twenty people) with a calculation of 102 times 10, but due to the actions of the Defendant the number that entered the Database was 1052 (one thousand and fifty two) and there was a difference of 43 (forty three) ) people, but in this case the Defendant only admitted that he had entered the NIP KTP of 21 (twenty one) people, so for the actions of the Defendant, he had issued the first 21 (twenty one) Vaccine certificates without going through the process of injecting the vaccine. That when falsifying the first Vaccine certificate, the Defendant did it without following the Vaccination process, and the Defendant was not assisted by the committee, or any other party when entering the PCare Vaccine system as evidence that the person had taken the first Vaccine injection. Whereas in the case of committing the crime of forging Vaccine certificates without following the vaccination process for the 21 (twenty-one) persons, the Defendant is assisted by witness HERMAN PELANI, whose role is to search for the 21 (twenty-one) congenital persons and forward them to witness FUAD MUHAMAD to make the first Vaccine certificate without following the Vaccination injection process. While the role of witness FUAD MUHAMAD, after obtaining data from 21 (twenty one) people from witness HERMAN PELANI then forwarded it to the Defendant to make the first Vaccine certificate without following the vaccination injection process. Whereas in the case of committing the crime of forging Vaccine certificates without following the vaccination injection process for the 21 (twenty one) persons, the Defendant uses a tool in the form of 1 (one) unit of TOSHIBA brand laptop with maroon color and 1 (one) Iphone. XR is Blue, where the item is the property of the Defendant. Whereas the Defendant's actions caused losses or disturbances to the government program system regarding vaccination so as not to form Health Immunity for the residents of Batam City. Whereas in its handling, the prosecutor is assisted by the author in doing the following things, namely starting with the receipt of the case file from the investigator, then the author examining the file with the direction and guidance of the relevant prosecutor. After the case file is deemed complete, the author makes Letter P-21 as a statement that the file is complete and can be continued at the prosecution stage then the author arranges another stage of administration in the form of an indictment plan that contains a systematic chronology of events in accordance with the article charged against the

defendant which is then a letter The indictment plan was examined and corrected by the Prosecutor. Then the author completes the administrative checklist to record the completeness of the letter attached to the case file. Then the author completes the administration of P-24 by inputting the statements of the Witnesses/Experts and Suspects as well as inputting the List of related Evidence and submitting it to the Prosecutor for signature and then submitting it to the General Criminal secretariat for numbering and signing by the Head of the Batam District Attorney and input into the system. The next stage, after the P-21 file has been signed. The author prepares to coordinate with the Investigator for Phase 2 examination. Then the author prepares the administration of the Delegation of Case Files to the Batam District Court in the form of an Introduction to Delegation, P-31, P-33, P-34 and the Indictment Letter which is then submitted to the relevant Prosecutor to be signed later handed back to the General Crimes secretariat to be signed by the Head of the General Crimes Section and numbered and inputted into the Batam District Attorney's system. After the completeness of P-31 has been signed and returned to the relevant Prosecutor. Then the author delegated the case file and other equipment to the Batam District Court to obtain a trial determination. After the decision of the trial has been notified, the writer is then assigned to make a summons for the witnesses who are called to be present at the trial to give testimony. In the next stage, the author accompanies the Prosecutor during the trial to prepare evidence and collect witnesses who have been summoned for trial purposes. On the next agenda, the author prepares the indictment by inputting the identity of the Defendant, the chronology of the criminal acts as stated in the indictment, inputting the statements of witnesses/experts and the Defendant at the time of examination at the trial as well as inputting the length and amount of criminal penalties and fines then the status of the evidence which is then examined. , corrected and signed by the relevant Prosecutor. And after the case has been decided by the panel of judges, then the author makes a report letter after reading the verdict by the panel of judges which is then submitted to the relevant prosecutor to be signed then the author submits it to the general criminal secretariat to be reported and signed by the head of the general crime section and the head of the Batam district attorney in order to obtain follow-up on cases related to whether an appeal is made or an immediate execution is carried out.

### **Conclusions**

In the internship activities that the author does, the author gets enlightenment in the law enforcement process and gains insight into how the stages are passed until a case can be resolved. The author also gets enlightenment regarding how to apply and analyze the elements in the Article related to a Crime Event about how legal principles are used for the application of the Act on the occurrence of a Crime. The author gets a new perspective on how to work professionally to deal with the general public with a polite and courteous attitude and the author gets an insight on how to properly manage a systematic and orderly organizational structure.

**References**

Ali, Zainuddin. 2009. "Legal Research Methods." In , edited by Wulandari Leni, pertama. Jakarta: Sinar Grafika.

**Constitution**

- The 1945 Constitution of the Republic of Indonesia, Article 31;
- Law Number 16 of 2004 concerning the Prosecutor's Office;
- Law Number 12 of 2012 concerning Higher Education;
- Criminal Code