

INDONESIAN TRAVEL POLICY DURING THE OUTBREAKS: VACCINATION AND QUARANTINE LEGAL CULTURE AND POLICY BASED ON PEDULILINDUNGI ON INDONESIAN AIR TRANSPORTATION"

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RESEARCH ARTICLE

INDONESIAN TRAVEL POLICY
DURING THE OUTBREAKS: VACCINATION
AND QUARANTINE LEGAL CULTURE
AND POLICY BASED ON PEDULILINDUNGI
ON INDONESIAN AIR TRANSPORTATION⁴

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ABSTRACT

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During the pandemic, the Indonesian government must formulate policies that can protect its citizens from the spread of the pandemic. One form of this policy is that the PeduliLindungi application must be used by passengers who want to travel domestically and abroad via land, sea or air transportation. Through this application, it is also possible to know the vaccine dose carried out by passengers who will travel. The purpose of this study is to analyze government policies related to the use of the PeduliLindungi application by the community and how the existence of the prevailing legal culture is related to vaccination and quarantine policies in the PeduliLindungi application system. The method used is doctrinal research with approaches to laws, concepts, interpretations and cases. The study results indicate that every passenger must use the PeduliLindungi application if they want to travel domestically and abroad. Through this application, passengers can digitally know the dose of vaccine that has been carried out by passengers, which is relevant to the duration of the quarantine. However, this policy does not reach the passengers since its formulation always changes quickly, and this needs to be clarified

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for passengers as consumers. Violations of mandatory quarantine carried out by Indonesian citizens from abroad entering the territory of Indonesia based on Judge Decision No. 21/Pid.S/2021/PN.Tng is subject to imprisonment and a fine. However, not all of these applications can be accessed by the public due to the limitations of smartphone ownership. For this reason, the government needs to formulate policies that can provide a sense of comfort for its citizens when travelling. The public's legal awareness in understanding and implementing legal values and norms related to the use of the PeduliLindungi application is part of the legal culture, which is one of the determining factors in protecting public health. Therefore, it is necessary to strengthen the legal culture so that people better understand the importance of health.

Keywords: Air transportation; Legal culture; PeduliLindungi Application; Quarantine in Indonesia

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INTRODUCTION

PeduliLindungi is an application developed by the Indonesian government as a prevention tool for Corona Virus Disease (COVID-19). This application was implemented in early 2020 when the case of the Covid-19 pandemic was endemic in Indonesia. However, this application is still required to be used as the main requirement for travellers who use public transportation both domestically and abroad. This application is also applied when the public visits several public

facilities¹. This application is used as one of the government's efforts to educate the public to use digital technology and always to pay attention to health protocols even though the Covid-19 pandemic can be controlled².

User satisfaction with the PeduliLindungi application is influenced by perceived benefits, where user satisfaction is influenced by self-efficacy, system quality, and information quality³. Over time, this application continues to develop and improve its functions, including being able to access vaccine certificates⁴. Thus the users who want to travel long distances are selected by this system. This application can detect passengers who have been vaccinated, are not exposed to Covid or are not in close contact with Covid-19 patients. It can also find the results of Covid-19 tests from various laboratories and vaccine results via smartphones.

The government expects the community's active role in downloading and using it. Citizens must use PeduliLindungi to access public places, especially as a prerequisite for departure at the airport, to control the process of validating the health of prospective passengers.

However, there is a public reaction to the obligation to use the protected application where the community faces a new problem: if the passenger does not have a smartphone and has been vaccinated, it cannot be tracked. The government provides a solution with a microsite system, where visitor data is inputted. The status will appear whether airworthy or travel-worthy using the Population Identification Number (not the mobile number), which has been integrated with the ticketing system. The microsite system will read passenger tickets and provide validation information from PeduliLindungi.

However, the problem is that the information on the microsite system needs to be more accepted by the public. As a result, people limit travel. If an application error occurs, the user can contact Instagram PeduliLindungi, call centre 19, or e-mail pedulilindungi@kominfo.go.id.

This topic is important to study because it is related to the legal culture of the community regarding vaccines and quarantine, where the PeduliLindungi

¹ Ministry of Communication and Information of the Republic of Indonesia, "Aplikasi PeduliLindungi Jadi Syarat Utama Bepergian," <https://www.kominfo.go.id/content/detail/36596/aplikasi-pedulilindungi-jadi-syarat-utama-bepergian/0/artike>, 2021.

² Ministry of Communication and Information of the Republic of Indonesia.

³ Mochamad Iqbal Nurmansyah et al., "Measuring the Success of PeduliLindungi Application Use for Supporting COVID-19 Prevention: A Case Study among College Students in Jakarta, Indonesia," *Kesmas: Jurnal Kesehatan Masyarakat Nasional* 17, no. 1 (2022): 11–16, <https://doi.org/10.21109/kesmas.v17isp1.6057>.

⁴ Directorate General of Informatics Applications Ministry of Communication and Information Technology of the Republic of Indonesia, "Kupas Tuntas Aplikasi Pedulilindungi," *Kemendrian Komunikasi dan Informatika RI, Direktorat Jendral Aplikasi Informatika, Kupas Tuntas Aplikasi Pedulilindungi*, 10 Oktober 2021, 2021.

application must be used for passengers entering Indonesian territory. Currently, people who want to travel by public transportation must use this application. Even since September 1, 2022, Overseas Travelers from Indonesia must have received the third or booster dose of Covid-19 vaccination. This rule is stated in the Circular of the Minister of Transportation through the Director General of State Transportation No. 88 of 2022 concerning Guidelines for the Implementation of Overseas Travel by Air Transportation During the Covid-19 Pandemic. The scope of this Circular is related to health protocols for people travelling by air for international flights. Document requirements must be met upon departure from Indonesia. Indonesian citizens aged 18 years and over must show a card/certificate of receiving the third vaccine (booster) through the PeduliLindungi application. The goal is to create safe, secure, comfortable and healthy flights. The booster requirement is mandatory because Indonesian passengers can only board the plane or fly overseas if it is fulfilled.

To use the PeduliLindungi application, legal awareness of the community is needed, which is part of the legal culture. For this reason, it is necessary to study how the community's legal awareness and legal culture in using the PeduliLindungi application, especially the people who use transportation services. The PeduliLindungi application ultimately boils down to detecting the passenger vaccination dose that can be used to determine the mandatory quarantine duration. Therefore, this study aimed to analyze the appropriateness of the policy on the use of the PeduliLindungi application related to vaccination and quarantine to protect the public from being exposed to Covid-19. In addition, it aims to analyze the existence of legal culture concerning the obligation to use the PeduliLindungi application to protect public health.

METHODOLOGY

This research is doctrinal legal research where the norm is a standard for human behaviour that is considered appropriate. Characteristics of this study are using primary legal materials and secondary legal materials related to previous studies. These materials are then reviewed using a legal approach, concept, case approach and interpretation approach. The results of the study were analyzed qualitatively with the presentation of research results in the form of logical narratives, arguments and prescriptions that were deductive in nature⁵.

⁵ Y Annalisa, Firman Muntaqo, and M Syaifuddin, "Principle of Impartiality: Air Transport Restriction Policy During the Covid-19 Pandemic in Indonesia," *Jurnal Magister Hukum Udayana (Udayana Master Law Journal)* 11, no. 2 (2022): 253–62, <https://doi.org/10.24843/JMHU.2022.v11.i02.p02.1>. Introduction.

PEDULILINDUNGI APPLICATION EDUCATES PASSENGERS IN SUPPORT OF HEALTH PROTOCOLS

Various efforts have been carried out by the Indonesian government to protect its people from the transmission of Covid-19 or to reduce the number of people exposed to Covid-19, among others, by means of locking down; [Large-Scale Social Restrictions](#); [Enforcement of Restrictions on Community Activities](#); Vaccinations; and Quarantine for Indonesian citizens and foreigners. For example, in October 2021, the government imposed restrictions on public activities on transportation in Indonesia, including air transportation. This restriction applies the principle of impartiality so that it does not harm the interests of both passengers and carriers, as airlines⁶. The government's consideration regarding restrictions on passenger transportation is to provide passenger safety and comfort in the context of the state protecting its people regarding health. But on the one hand, mobility restrictions reduce the income of airlines or transportation companies and even work in the transportation sector⁷.

The existence of Covid-19, which has been more than two years, has forced the government to carry out more sophisticated updates, including starting by implementing a barcode scanning system in the PeduliLindungi application with the condition that at least 1 (first) vaccination has been carried out in a public area⁸. However, according to the new policy based on The policy according to the Circular Letter of the COVID-19 Task Force Number 22/2022 regarding the Health Protocol for Overseas Travelers During the Corona Virus Disease 2019 (COVID-19), the third Vaccination (Booster) provision applies to entering the Indonesian territory, which is effective on July 17, 2022. This policy was issued due to the outbreak of a new type of coronavirus. Applying a third vaccine (booster) policy for Overseas Travelers and Domestic Travelers is necessary. Indonesian citizens may enter the Unitary State of the Republic of Indonesia territory with the following conditions: mandatory complete dose vaccination (2 times), except for children under 18 years old, post-recovered COVID-19 Overseas Travelers, and

⁶ Annalisa, Muntaqo, and Syaifuddin.

⁷ Elizabeth A. Mack, Shubham Agrawal, and Sicheng Wang, "The Impacts of the COVID-19 Pandemic on Transportation Employment: A Comparative Analysis," *Transportation Research Interdisciplinary Perspectives* 12, no. September (2021): 100470, <https://doi.org/10.1016/j.trip.2021.100470>.

⁸ Sardjana Orba Manullang and Iis Isnaeni Nurwanti, "Kajian Sosiologi Hukum Budaya Scan Aplikasi Peduli Lindungi Pada Kawasan Publik Di Kota Besar," *Binamulia Hukum* 10, no. 2 (2022): 187–93, <https://doi.org/10.37893/jbh.v10i2.631>.

Overseas Travelers with special health conditions. Meanwhile, international travellers (foreigners) can enter the territory of the Unitary State of the Republic of Indonesia on condition that they have carried out the third vaccine (booster) in their country of origin and installed the PeduliLindungi application, which will be checked by transportation operators (airlines) before travelling to Indonesia⁹.

Meanwhile, Requirements for Indonesian citizens who will travel abroad/outside the territory of the Republic of Indonesia are with the following conditions:

“Indonesian citizens over 18 years old are required to submit proof of a third vaccine (booster) as a requirement for departure abroad/out of the territory of the Republic of Indonesia to prevent the transmission of COVID-19 from Indonesian citizens; The transportation operator (airline) will check the third vaccine certificate (booster) on the PeduliLindungi application; and The requirement to submit proof of a third vaccine (booster) for Indonesian citizens to go abroad/outside the territory of the Republic of Indonesia is excluded for children aged less than 18 years, post-recovery COVID-19 Overseas Travelers and Overseas Travelers with special health conditions”¹⁰

Actually, the main function of the PeduliLindungi application is to protect yourself and the people around you, in addition to supporting the implementation of Health protocols in Indonesia. Therefore, the government wants the active role of the community to download and use it. Citizens must use peduliLindungi application to access public places, mainly used as a prerequisite for departure to control the process of validating the health of prospective passengers.

The Covid-19 pandemic has brought about several changes in human life worldwide, including in Indonesia. The influence of the Covid-19 Sars Virus is inevitable on the legal behaviour of the community. One of them is that people must scan the PeduliLindungi application's barcode if they want to enter public areas, especially those in big cities and travel using transportation, whether by land, sea or air.

The massive and very fast spread of the Covid-19 Sars Virus throughout the world has caused leaders in every country to make various efforts to protect their citizens, for example, by giving vaccines¹¹. Overall, as we move towards vaccination

⁹ KBRI Phnom Penh/HJW, "Implementation Of Policy: The Third Vaccination (Booster) For Entering the Indonesian Territory Effectively On July 17 2022," Embassy of The Republic of Indonesia in Phnom Penh, Kingdom of Cambodia, 2022, <https://kemlu.go.id/phnompenh/en/news/19913/implementation-of-policy-the-third-vaccination-booster-for-entering-the-indonesian-territory-effectively-on-17-july-2022>.

¹⁰ KBRI Phnom Penh/HJW.

¹¹ Sardjana Orba Manullang, "Understanding the Sociology of Customary Law in the Reformation Era: Complexity and Diversity of Society in Indonesia," *Linguistics and Culture Review* 5, no. S3 (2021): 16–26, <https://doi.org/10.21744/lingcure.v5ns3.1352>.

programs around the world, some might suggest that we will have the opportunity to make the world a better place, and to get something positive out of this international disaster¹². In Indonesia, the vaccination program is also carried out, apart from that in the form of mandatory quarantine for passengers entering the territory of Indonesia¹³ save passenger vaccine data. Based on this vaccine dose, it is the basis for the mandatory duration of quarantine for passengers when entering the Indonesian territory either through airports, ports or border countries.

The community has the right to enjoy the highest standards of physical and mental health that can be achieved through services from the government as mandated in Article 12 of Law No. 11 of 2005 concerning the Ratification of the International Covenant on Economic, Social, and Cultural Rights which is the basis of international law. Thus, everyone has the same right to obtain legal and health protection from the state.

In early 2020 the Government of Indonesia stipulated the Regulation of the Minister of Health of the Republic of Indonesia Number 9 of 2020 concerning Guidelines for Large-Scale Social Restrictions in the context of Accelerating the Handling of Corona Virus Disease 2019 (Covid-19). This regulation has the impact of changes on countries that will visit Indonesia¹⁴. Changes, both legally and socially then, cannot be avoided as a whole, consequently giving birth to several new habits that must also be implemented throughout the world¹⁵. This new habit is marked by the legal custom that arose due to the Covid-19 virus, in which the public is required to scan the barcode on the PeduliLindungi application if they want to enter public areas, especially big cities in Indonesia. Consequences If you do not do this, you will not be able to enter certain areas¹⁶. In fact, the provisions for using the PeduliLindungi application, in addition to protecting the people, also protect fellow passengers on the plane, and it must be admitted that transportation safety is an important social phenomenon¹⁷

¹² Charles Musselwhite, Erel Avineri, and Yusak Susilo, "Restrictions on Mobility Due to The Coronavirus Covid19: Threats and Opportunities for Transport and Health," *Journal of Transport and Health* 20 (2021): 1–6, <https://doi.org/10.1016/j.jth.2021.101042>.

¹³ Sri Turatmiyah Annalisa Y, Mada Apriandi, Henny Yuningsih, "Wajib Karantina: Penumpang Perjalanan Internasional Transportasi Udara Pada Masa Pandemi Covid-19" (Palembang, 2022).

¹⁴ Manullang and Nurwanti, "Kajian Sosiologi Hukum Budaya Scan Aplikasi Peduli Lindungi Pada Kawasan Publik Di Kota Besar."

¹⁵ Sarjadana Orba Manullang and Erwinsyah Satria, "The Review of the International Voices on the Responses of the Worldwide School Closures Policy Searching during Covid-19 Pandemic," *Jurnal Iqra': Kajian Ilmu Pendidikan* 5, no. 2 (2020): 1–13, <https://doi.org/10.25217/ji.v5i2.1036>.

¹⁶ Manullang, "Understanding the Sociology of Customary Law in the Reformation Era: Complexity and Diversity of Society in Indonesia."

¹⁷ Nikolay A. Dukhno and Olga N. Skuybedina, "The Formation of Legal Culture of a Person in Order to Ensure Transport Safety," *Transportation Research Procedia* 61 (2022): 253–58, <https://doi.org/10.1016/j.trpro.2022.01.042>.

The influence of legal behaviour from policymakers creates social order in not only society but also social changes that are expected to have a harmonious and inclusive social life under the legal framework of legal pluralism¹⁸. Changes in society, which are faced with established traditions and thoughts, will inevitably lead to conflict.¹⁹ that occurs when people have yet to carry out vaccinations, do not have smartphones, and are not allowed to enter these public areas. Social order arises not only because of the element of coercion but also because of the element of social awareness, and the threat of sanctions from the government is something that encourages people to implement social order through social awareness²⁰. Likewise, with the use of the PeduliLindungi application, the threat of sanctions given by the government is something that encourages people to implement social order through social awareness²¹, for example, the Circular of the Minister of Home Affairs Number 440/7183/SJ related to the Enforcement of the use of the PeduliLindungi application contains provisions that the government asks the Regional Head to take steps to prevent and deal with the new Covid-19 variant, including by requiring the use of the PeduliLindungi application and providing sanctions in the form of temporary or permanent revocation of business premises operating permits.

LEGAL CULTURE: AIR TRANSPORT PASSENGER AWARENESS IN USING PEDULILINDUNGI APPLICATION

Culture serves as a normative framework in human life that can determine behaviour. Culture functions as a system of behaviour. Therefore, legal culture greatly influences the effectiveness and success of law enforcement, in which law is a concretization of social values formed from culture. There can be a failure of modern law because it is not compatible with the legal culture of society. For example, it is mandatory to use the PeduliLindungi application during the Covid-19 period, even though not all people have smartphones that can download the

¹⁸ Anne M. Larson, *Tenure Rights and Access to Forests A Training Manual for Research* (Bogor, Indonesia.: CIFOR, 2012).

¹⁹ Sardjana Orba Manullang, *Mengenal Hukum Lingkungan: Hubungan Manusia & Lingkungan* (Jakarta: Cendekia, 2020).

²⁰ Manullang and Nurwanty, "Kajian Sosiologi Hukum Budaya Scan Aplikasi Peduli Lindungi Pada Kawasan Publik Di Kota Besar."

²¹ Manullang and Nurwanty.

application and internet availability is limited, especially in areas²². So that the government needs a solution so as not to hinder the interests of the community in using transportation. This is where the government's public services to the community during a pandemic are very tested. The research argument (Ibrahim, M. A., Pangkey, M., & Dengo, 2021) states that 'public services during the Covid-19 pandemic are still not optimal in terms of productivity, service quality, responsiveness, and accountability indicators and only responsibility indicators show optimal results. '

Amid demands for extraordinary changes during the Covid-19 pandemic, the bureaucracy still maintains hierarchical and rigid procedures. It continues to strive for standardization and formalization in order to create a stable environment. To change this perception, the bureaucracy must be able to show progressive performance towards the needs of public service users and be able to design policies that focus on the public interest²³. According to²⁴ actually, there are two reasons why the Indonesian bureaucracy has yet to be able to respond quickly to strategic problems. First, the bureaucracy still needs to catch up to other countries in formulating policies appropriately and quickly to respond to the changing and dynamic world situation, especially in the fields of information, communication and technology. Second, the public bureaucracy works based on regulations, procedures, hierarchies, and controls.

Public awareness in understanding and implementing applicable legal values and norms related to using the PeduliLindungi application is part of the legal culture. It is one of the determining factors in protecting public health. Therefore, it is necessary to strengthen the legal culture so that people can better understand the importance of health.

According to²⁵, 'legal culture is shaped through history, and each country has a different legal culture which in turn has an impact on the legal system and legal process of the country'. Referring to the legal culture of the operation of a legal system in society (law in action), it cannot be separated from the influence of

²² S. Ibrahim, M. A., Pangkey, M., & Dengo, "Pelayanan Publik Masa Pandemi Covid19 Di Kantor Camat Kema Kabupaten Minahasa Utara," *Jurnal Administrasi Publik* 7 (2021).

²³ Surya Arfan, Mayarni Mayarni, and Mimin Sundari Nasution, "Responsivity of Public Services in Indonesia during the Covid-19 Pandemic," *E-Japest International Research and Critics Institute (BIRCI-Journal)* 4, no. 1 (2021): 552–62, <https://doi.org/10.33258/birci.v4i1.1638>.

²⁴ Purwanto EA, "Pidato Pelantikan Guru Besar: Kebijakan Publik Yang Agile Dan Inovatif Dalam Memenangkan Persaingan Di Era VUCA (Volatile, Uncertain, Complex, and Ambiguous)," 2019.

²⁵ Shiping Hua, *Chinese Legal Culture and Constitutional Order*, *Chinese Legal Culture and Constitutional Order* (London and New York: Routledge, 2019), <https://doi.org/10.4324/9780429203688>.

ideas, attitudes, hopes, opinions, and values related to law that provide an understanding of the workings of the legal system²⁶.

Legal culture according to²⁷ is the values that exist in society in resolving disputes and conflict management. Meanwhile, substantive legal culture is fundamental assumptions, especially regarding what is fair and unfair according to society. Furthermore, Lawrence M. Friedman argues that legal culture can be interpreted as a pattern of community groups' knowledge, attitudes and behaviour towards the legal system. From these patterns, it can be seen the integration of society with related laws. The level of knowledge, acceptance, trust, and dependence of the community on the legal system marks the level of integration. A legal culture shows a pattern of individual behaviour as a member of the community that describes the same response (orientation) to the legal life lived by the community concerned²⁸. In addition, legal culture can be described as a temporary result of interaction and occurs based on the challenge and response paradigm. The core analysis of the legal paradigm forms the individual characteristics and distinctive legal culture. Comparative legal culture is tested by scientific fields, which lie on the borderline of comparative legal and historical jurisprudence (Csaba Varga, 1992).

Legal culture according to²⁹ is the values and attitudes of society that can influence the law. This opinion is similar to Lawrence M. Friedman, who states that legal culture is the totality of general attitudes of citizens and values in society that will determine opinions about the law. Thus the existence of legal culture is very strategic in determining the choice to behave by accepting the law or rejecting the law. Thus a law will become a law that is truly accepted by community and obeyed by the community, which is largely determined by legal cultural factors³⁰.

Talking about the law cannot be separated from other non-legal factors, especially the values, attitudes, and views of the community, all of which are called legal culture. The PeduliLindung application is a policy from the government to protect its people. However, all of that must be connected to the attitude of public acceptance of using the application. In the digital era, the model implemented through the application, on the one hand, makes it easier to monitor whether a

²⁶ Lawrence M. Friedman, *Legal System: A Social Science Perspective* (New York, USA: Russel Sage Foundation, 1975).

²⁷ Daniel S. Lev, *Hukum Dan Politik Di Indonesia, Penerjemah, Nirwono, AE. Priyono* (Jakarta: LP3ES, 1990).

²⁸ Hilman Hadikusuma, *Antropologi Hukum Indonesia* (Bandung: Alumni, 1986).

²⁹ Sajipto Rahardjo, *Aneka Persoalan Hukum Dan Masyarakat* (Bandung: Alumni, 1983).

³⁰ Any Ismayawati, "Pengaruh Budaya Hukum Terhadap Pembangunan Hukum Di Indonesia (Kritik Terhadap Lemahnya Budaya Hukum Di Indonesia)," *Pranata Hukum* 6, no. 1 (2011): 55–68, <http://ejournal.uki.ac.id/index.php/tora/article/view/1114/941>.

person has been vaccinated or the dose of vaccine that has been carried out, which has relevance to the duration of the quarantine that a person will undergo.

According to³¹ Information systems play various roles during a pandemic, including information support to raise awareness, provide preventive care, facilitate community movement, build trust, and provide evaluations. However, in terms of digital use, not all of them can be accepted and understood by the community for certain reasons, for example, for people in rural areas who are still limited in ownership of smartphones and internet networks³².

This legal culture can also be interpreted as an atmosphere of social thought and social power that determines how the law is used, avoided or even abused, as happened in the case of Rachel Venya as a defendant in Judge's Decision No. 21/Pid.S/2021/PN.Tng. The sanction given for violating quarantine obligations (Article 93 of Law No. 6 of 2018 concerning Health Quarantine), the defendant is subject to a sanction of 4 (four) months in prison and a fine of Rp. 50,000,000,- (fifty million rupiahs) provided that if the fine is not paid, it will be replaced with imprisonment for one month. In the judge's decision, it is stated that imprisonment does not need to be served unless, in the future, there is a judge's decision that determines otherwise because the convict commits a crime before the probationary period of 8 months ends. At least the sanctions for these violations are law enforcement that provides a deterrent effect for those who violate the rules and educates the public.

To carry out law enforcement is strongly influenced by 3 (three) aspects, namely structural, cultural and substantive.⁴ Lawrence M. Friedman mentioned earlier that legal culture could be defined as a pattern of people's knowledge, attitudes, and behaviour towards a legal system. From these patterns, it can be seen how far a society can accept the existence of a legal system. A good legal culture will produce the best work. In other words, a person is obedient or disobedient to the law very much depends on the components that exist in his legal culture³³. Therefore, the government must quickly and accurately anticipate the spread of the Covid-19 pandemic.

³¹ Pankush Kalgotra, Ashish Gupta, and Ramesh Sharda, "Pandemic Information Support Lifecycle: Evidence from the Evolution of Mobile Apps during COVID-19," *Journal of Business Research* 134 (2021): 540–59, <https://doi.org/10.1016/j.jbusres.2021.06.002>.

³² et.al Annalisa Yahanan, "Bimbingan Teknis Penerapan Prinsip Kejujuran Dalam Perjanjian Jual Beli Berbasis Ekonomi Digital Di Desa Pulau Panggung Pada Masa Pandemi Global," *Jurnal Widya Laksana* 11, no. 2 (2022): 345–55.

³³ Ismayawati, "Pengaruh Budaya Hukum Terhadap Pembangunan Hukum Di Indonesia (Kritik Terhadap Lemahnya Budaya Hukum Di Indonesia)."

Research³⁴ stated that the government was late in taking steps to anticipate the spread of the Covid-19 pandemic in Indonesia. As a consequence, various policies issued, ranging from general policies to policies at the technical level, are ignored by the public, for example, from the provisions of Large-Scale Social Restrictions regulated through Government Regulations to technical provisions regarding restrictions on people's travel in the context of accelerating the handling of Covid-19.

Social reality shows that the Indonesian people still need to follow the policies taken by the government successfully. Based on Foucault's theory of power relations states that the government has lost its power during the Covid-19 pandemic. This is because the public has not demanded regulations as a reflection of the government's power, and the legal culture that lives in the community is not the cause of the neglect, but the legal culture of the government itself in determining various policies during the pandemic is the main cause.

An influential component in legal development is legal culture because no matter how well the law is made, the legal culture of the community concerned will determine the law's success. The law cannot be separated from other non-legal factors, especially values, attitudes, and community views, all of which are called legal culture. Therefore, legal reform (legal development) must start with cultural renewal (cultural culture). Because the substance and structure of the law are strongly influenced by legal culture³⁵.

MANDATORY QUARANTINE IN INDONESIA DURING THE COVID-19 PANDEMIC

The pandemic that was endemic in Indonesia at the beginning of 2020 brought many changes regarding people's behaviour. Including the behaviour of flight passengers; for example, when there are restrictions on transportation by airlines,

³⁴ R Anggraeni and I M Sari, "Policy in the Era of Pandemic: Is Government'S Legal Culture Affecting?," *Jurnal Dinamika Hukum* 21, no. 1 (2021), <https://doi.org/10.20884/1.jdh.2021.21.1.2864>.

³⁵ Esmi Warassih Pujirahayu, *Pranata Hukum Sebuah Telaah Sosiologis* (Semarang: Suryandaru Utama, 2005).

the seating capacity can only be filled 50% of the seating capacity³⁶, because many claims from transportation entrepreneurs, then it turns into 70% seat capacity³⁷ and after the situation has softened, those exposed to Covid-19 have changed to normal again, namely being able to carry 100% of passengers³⁸ but must continue to follow strict health protocols, such as wearing masks. The government imposed the transportation restriction policy due to the increasing number of infected Covid-19 in Indonesia, which has an impact on increasing the number of deaths. Indonesia needs to regulate how to reduce the transmission and death rates related to Covid-19, such as implementing a Circular from the Minister of Transportation and the Covid-19 Handling Task Force containing mandatory quarantine for passengers travelling abroad who enter Indonesian territory through ports, border countries and other countries airports.

To prevent and protect the public from the spread of Covid-19 with several new variants (with names given by WHO such as alpha, betha, gamma, delta, efsilon, zeta, eta, tetha, lota, kappa and omicron) mandatory quarantine is imposed to passengers travelling abroad which applies to both foreign nationals and Indonesian citizens. However, previously, the latest requirements have also been applied to passengers who are allowed to fly³⁹ namely passengers who have carried out the first, second and even third doses of vaccine or booster⁴⁰. In fact, in order to prevent the spread of the Omicron virus, the Indonesian government has officially imposed a ban on foreign nationals from 14 countries, such as; South Africa, Botswana, Norway, France, Angola, Zambia, Zimbabwe, Malawi, Mozambique, Namibia, Eswatini, Lesotho, United Kingdom and Denmark⁴¹. This rule applies to those who have lived and/or visited the country within 14 days.

³⁶ Ministry of Law and Human Rights of the Republic of Indonesia Director General, Legislation, "Peraturan Menteri Perhubungan Republik Indonesia Nomor 18 Tahun 2020 Tentang Pengendalian Transportasi Dalam Rangka Pencegahan Penyebaran Covid-19" (2020).

³⁷ The Minister of Transportation, "Surat Edaran Kementerian Perhubungan Udara No 13 Tahun 2020 Tentang Operasional Transportasi Udara Dalam Masa Kegiatan Masyarakat Produktif Dan Aman Dari Covid-19." (2020).

³⁸ The Minister of Transportation, "Surat Edaran Kementerian Perhubungan No. 96 Tahun 2021 Tentang Petunjuk Pelaksanaan Perjalanan Orang Dalam Negeri Dengan Transportasi Udara Pada Masa Pandemi Covid-19, Yang Diundangkan Pada 2 November 2021." (2021).

³⁹ National Agency for Disaster Countermeasure, "Surat Edaran (SE) Satuan Tugas (Satgas) Penanganan Covid-19 Nomor 24 Tahun 2022 Tentang Ketentuan Pelaku Perjalanan Dalam Negeri (PPDN) Dalam Masa Pandemi Covid-19 Yang Diterbitkan 25 Agustus 2022" (2022).

⁴⁰ Andika Dwi, "Syarat Naik Pesawat Terbaru September 2022, Wajib Vaksin Booster, 20 September 2022, Tempo.Co, <https://bisnis.tempo.co/read/1636411/Syarat-Naik-Pesawat-Terbaru-September-2022-Wajib-Vaksin-Booster>," TEMPO.COM, n.d., <https://bisnis.tempo.co/read/1636411/syarat-naik-pesawat-terbaru-september-2022-wajib-vaksin-booster>.

⁴¹ Anitana Widya Puspa, "WNA Dari 14 Negara Ini Dilarang Masuk Indonesia, Termasuk Prancis Dan Inggris," 2022, <https://ekonomi.bisnis.com/read/20220106/98/1486164/wna-dari-14-negara-ini-dilarang-masuk-indonesia-termasuk-prancis-dan-inggris.%0A%0A>.

Initially, the mandatory quarantine provisions for foreigners and Indonesian citizens entering the territory of Indonesia were valid for 5 x 24 hours based on ² the Circular of the Ministry of Transportation No. 21 of 2021 concerning Guidelines for the Implementation of International Travel by Air Transportation During the Covid-19 Pandemic, effective from February 9 2021. However, there are slight changes based on the Circular of the Covid-19 Handling Task Force No. 1 of 2022 concerning Health Protocols for Overseas Travel During the Covid-19 Pandemic, effective from January 7, 2022, where the quarantine duration is 7 x 24 hours and RT-PCR retests are carried out for foreign travellers.

The duration of mandatory quarantine has changed from time to time as the number of people exposed to Covid-19 in Indonesia has decreased, which was initially required to be quarantined for 5 x 24 hours to no need for mandatory quarantine if the first, second and third (booster) doses of vaccines have been implemented. Evidence of vaccine doses for Indonesian citizens can be seen in the PeduliLindungi application. Meanwhile, for foreigners, it can be proven by a vaccination letter from the country concerned.

Furthermore, based on the latest regulations ⁹ Covid-19 Handling Task Force Circular No. 22 of 2022 concerning the Health Protocol for Overseas Travel during the Covid-19 Pandemic, effective July 17, 2022, air transportation passengers arriving in Indonesian territory via airports are required to quarantine for ⁶ 5 x 24 hours for those who have not been vaccinated or the first vaccine. Meanwhile, ⁸ those who have already undergone the second or third vaccine are allowed to continue their journey. The provisions of the Circular ¹² Letter of the Covid-19 Handling Task Force above are the same as the contents of the Circular Letter of the Minister of Transportation No. 1 of 2022 concerning Guidelines for the Implementation of International Travel by Air Transportation During the Covid-19 Pandemic ⁹ Period, which is also effective July 17, 2022, imposes mandatory quarantine for 5 x 24 hours for those ⁸ who have not been vaccinated and have had their first vaccine. Furthermore, those ⁸ who have had the second or third vaccine are allowed to continue their journey. However, currently flying requirements for Indonesian passengers, both domestic and overseas, are required to undergo a (third) booster vaccine. This provision is based on the Circular of the Covid-19 Handling Task Force No. 24 of 2022 concerning the Travel Provisions for Domestic Persons During the Covid-19 Pandemic Period, which is effective on August 25, 2022, states, among other things:

“Every Domestic Travel Passenger is required to use the PeduliLindungi application as a condition for travelling domestically; Domestic Travel Passengers aged 18 years and over are required to have received a third dose of vaccine or

booster which is effective August 11, 2022⁴² Domestic Travel Passengers with the status of Foreign Citizens, originating from overseas travel with the age of 18 years and over must have received the second vaccine; Domestic Travel Passengers aged 6-17 years must have received the second dose of vaccine; Domestic Travel Passengers aged 6-17 years originating from overseas travel are exempt from the mandatory vaccination; and Domestic Travel Passengers under the age of 6 are exempt from the vaccination requirements but must travel with a companion who has met the provisions of the Covid-19 vaccination.⁴³

Quarantine policies must be carried out to prevent and reduce the spread of the Coronavirus. Therefore, society should put more emphasis on aspects of self-awareness and a greater sense of responsibility. Because all the actions taken have a big influence on some people. The quarantine rules must be obeyed by the community without exception so that social jealousy does not occur, in accordance with the principles of implementing health quarantine, namely humanity, benefits, protection, justice, non-discrimination, public interest, integration, legal awareness, and state sovereignty⁴³.

Legal certainty is a guarantee of law that contains justice. Norms that promote justice function as rules to be obeyed. According to Gustav Radbruch, justice and legal certainty are permanent parts of the law. According to him, justice and legal certainty must be considered and maintained for the sake of security and order in a country. Finally, positive law must always be obeyed. Based on the theory of legal certainty and the value to be achieved, namely the value of justice and happiness⁴⁴.

The duration of the quarantine obligation for passengers as foreign travellers arriving in Indonesia in 2021 and 2022 is described in Table 1, 2, 3 and 4. If compared to Table 1 and Table. 2, Circular Letters issued by the Covid-19 Handling Task Force and the Ministry of Transportation in 2021, both starting on February 9, 2021, respectively, apply a quarantine duration of 5 x 24 hours. The Ministry of Transportation has issued more Circular Letters than the Covid-19 Handling Task Force has. However, since September 2, the Circular Letter of the Ministry of Transportation CL No. 100 of 2021 has imposed a quarantine duration of 5 x 24 hours with the condition that the first vaccine has been received and the quarantine duration is 3 x 24 hours if the complete vaccine or second vaccine has been obtained. Meanwhile, the Circular Letter of the Covid-19 Handling Unit has not imposed a vaccine obligation for passengers. However, this does not mean that passengers can travel because there are no vaccine provisions. Under these

⁴² National Agency for Disaster The Countermeasure, "Surat Edaran Satuan Tugas Penanganan Covid-19 Nomor 23 Tahun 2022 Tentang Ketentuan Perjalanan Orang Dalam Negeri Dalam Masa Pandemi Corona Virus Disease 2019 (Covid-19)" (2022).

⁴³ Annalisa Y, Mada Apriandi, Henny Yuningsih, "Wajib Karantina: Penumpang Perjalanan Internasional Transportasi Udara Pada Masa Pandemi Covid-19."

⁴⁴ Achmad Ali, *Menguak Tabir Hukum (Suatu Kajian Filosofis Dan Sosiologis)* (Jakarta: Gunung Agung, 2002).

conditions, ² passengers are still required to have the vaccine to travel abroad and those arriving in Indonesian territory.

In November-December 2021, the government enforced temporarily close for foreigners entering Indonesian territory who have lived and/or visited within 14 (fourteen) days from the countries/regions of South Africa, Botswana, Hong Kong, Angola, Zambia, Zimbabwe, Malawi, Mozambique, Namibia, Eswatini, and Lesotho as described in Tables 1 and 2. In other words, Indonesia in the November-December period has yet to accept foreigners to enter Indonesian territory to protect the Indonesian people's health from contracting the virus. For this reason, it is necessary to carry out quarantine efforts as mandated in Law No. 4 of 1984 concerning Contagious Outbreaks. However, the policy issued by this institution makes it easy for heads of foreign representatives and their families on duty in Indonesia, namely being able to self-quarantine at their respective residences for 10 x 24 hours. It is just that the independent quarantine policy at their respective residences is difficult to control for compliance in carrying out quarantine.

Table 1

Circular Letters of the Task Force for Handling Covid-19: Health Protocols for International Travel During the Covid-19 Pandemic in 2021

No.	Circular Letters	Quarantine Duration	Effective Beginning	Validity Period (Days)
1	CL No. 8 of 2021 Concerning International Travel Health Protocols During the Covid-19 Pandemic and SE Addendum No.8	5 x 24 Hours	9/02/2021	172
2	CL No. 18 of 2021 concerning International Travel Health Protocols During the Covid-19 Pandemic	8 x 24 Hours	11/08/2021	50
3	CL No. 20 of 2021 concerning International Travel Health Protocols During the Covid-19 Pandemic	5 x 24 Hours	14/10/ 2021	45
4	CL No. 23 of 2021 concerning International Travel Health Protocols During the Covid-19 Pandemic	7 x 24 Hours 14 x 24 Hours (Passengers from prohibited countries)	29/11/2021	15
5	CL No. 25 of 2021 concerning International Travel Health Protocols During the Covid-19 Pandemic	10 x 24 Hours 14 x 24 Hours (Indonesian passengers come from prohibited countries)	14/12/2021	12
6	CL No. 26 of 2021 concerning International Travel Health Protocols During the Covid-19 Pandemic	10 x 24 Hours 14 x 24 Hours (Indonesian passengers originate	25/12/2021	13

from prohibited countries)

Source: processed from secondary data of 2021

Table. 2
Circular Letters of the Ministry of Transportation: International Trip Passengers by Air Transportation During the Covid-19 pandemic in 2021

No.	Circular Letters	Quarantine Duration	Effective Beginning	Validity Period (Days)
1	CL 21 of 2021 concerning Guidelines for International Travel by Air Transportation during the Covid-19 Pandemic	5 x 24 Hours	9/02/2021	146
2	CL 47 of 2021 concerning Guidelines for International Travel by Air Transportation during the Covid-19 Pandemic	8 x 24 Hours	6/07/2021	35
3	CL 63 of 2021 concerning Guidelines for International Travel by Air Transportation during the Covid-19 Pandemic	8 x 24 Hours	11/08/ 2021	33
4	CL 74 of 2021 concerning Guidelines for International Travel by Air Transportation during the Covid-19 Pandemic	8 x 24 Hours	13/09/2021	7
5	CL 77 of 2021 concerning Amendments to the Circular Letter of the Minister of Transportation Number CL 74 of 2021 concerning Guidelines for Implementing International Travel by Air Transportation during the Covid-19 Pandemic	8 x 24 Hours 14 x 24 Hours (Indonesian passengers originate from prohibited countries)	20/09/2021	24
6	CL 85 of 2021 concerning Guidelines for International Travel by Air Transportation during the Covid-19 Pandemic	5 x 24 Hours	14/10/2021	19
7	CL 100 of 2021 concerning Amendments to the Circular Letter of the Minister of Transportation Number CL 85 of 2021 concerning Guidelines for Implementing International Travel by Air Transportation during the Covid-19 Pandemic	5 x 24 Hours (vaccine 1) 3 x 24 Hours (complete vaccine)	2/11/2021	28
8	CL 102 of 2021 concerning Guidelines for International Travel	7x24 Hours 14 x 24 Hours	29/11/2021	5

Available online at <http://journal.unnes.ac.id/sju/index.php/jils>

	3 by Air Transportation during the Covid-19 Pandemic	(Indonesian citizens from prohibited areas)			
9	CL 106 of 2021 concerning Amendments to the Circular Letter of the Minister of Transportation Number CL 102 of 2021 concerning Guidelines for Implementing International Travel by Air Transportation during the Covid-19 Pandemic	10 x 24 Hours	3/12/2021		12
10	2 CL 114 of 2021 concerning Guidelines for International Travel by Air Transportation during the Covid-19 Pandemic	10 x 24 Hours 14 x 24 Hours (Indonesian passengers originate from prohibited countries)	14/12/2021		24

Source: processed from secondary data of 2021

Changes in the duration of this quarantine occur so quickly from time to time that it causes the user community, such as passengers who will travel to Indonesia, have to continue to monitor the rules related to quarantine. It is getting closer to 2022 showing a decrease in quarantine duration as described in table 3 and table 4 with the policies issued by the Covid-19 Handling Task Force and the Ministry of Transportation.

2 Table 3.
Circular Letters of the Task Force for Handling Covid-19: Health Protocols for Overseas Travel During the Covid-19 Pandemic in 2022

No.	Circular Letters of the 2022 Covid-19 Handling Task Force	Quarantine Duration	Effective Beginning	Validity Period (Days)
1	CL No. 1 of 2022 concerning Overseas Travel Health Protocols During the Covid-19 Pandemic	7 x 24 Hours	7/01/2022	6
2	6 CL No. 2 of 2022 concerning Overseas Travel Health Protocols During the Covid-19 Pandemic	7 x 24 Hours	12/01/2022	13
3	CL No. 3 of 2022 concerning Overseas Travel Health Protocols with Travel Bubble Mechanism in the Batam, Bintan, and Singapore Areas during the Covid-19 pandemic	Does not regulate quarantine obligations	24/01/ 2022	12
4	6 CL No. 4 of 2022 concerning Overseas Travel Health Protocols During the Covid-19 Pandemic	7 x 24 Hours (vaccine 1) 5 x 24 Hours (complete vaccine)	1/01/2022	16

	It was not explained what the full dose meant (whether it was the second or third), the information was vague.			
5	CL No. 71 of 2022 concerning Overseas Travel Health Protocols During the Covid-19 Pandemic	7 x 24 Hours (vaccine 1) 5 x 24 Hours (vaccine 2) 3 x 24 Hours (vaccine 3)	16/02/2022	15
6	CL No. 9 of 2022 concerning Overseas Travel Health Protocols During the Covid-19 Pandemic In this CL, the duration setting for OTP who has taken the second dose is unclear.	7 x 24 Hours (vaccine 1) 3 x 24 Hours (vaccine 2)	2/03/2022	6
7	CL No. 12 of 2022 concerning Overseas Travel Health Protocols During the Covid-19 Pandemic	7 x 24 Hours (vaccine 1) 1 x 24 Hours (vaccines 2 and 3)	8/03/2022	0
8	CL No. 13 of 2022 concerning Overseas Travel Health Protocols During the Covid-19 Pandemic CL does not regulate quarantine obligations.	Specifically for Bali, Batam and Bintan airports, it is mandatory to download the PeduliLindungi application and fill in the Indonesian e-HAC. Show a negative result through the RT-PCR test in the country/region of origin where the sample was taken within a maximum period of 2 x 24 Hours before departure	8/03/2022	0
9	CL No. 14 of 2022 concerning Overseas Travel Health Protocols During the Covid-19 Pandemic Quarantine is not enforced but uses a bubble system instead. Revoking CL No. 5 of 2022 concerning the Bubble System Health Protocol on implementing quarantine principles to minimize the risk of spreading Covid-19	Fill in the e-HAC by showing the certificate; vaccine 2 (in the same group (bubble) and applying the quarantine principle to minimize the risk of spreading Covid-19)	8/03/2022	0
10	CL No. 15 of 2022 concerning Overseas Travel Health Protocols During the Covid-19 Pandemic Revoking CL No. 12 (regulating quarantine obligations) and CL No. 13 (does not regulate quarantine obligations)	5 x 24 Hours (vaccine 1) Can continue the trip if you have Vaccination 2 or 3	23/03/2022	14
11	CL No. 17 of 2022 concerning Overseas Travel Health Protocols During the Covid-19 Pandemic	5 x 24 Hours (not yet or already Vaccine 1)	5/04/2022	44

Revoking CL No. 14 and CL No. 15				
12	CL No. 19 of 2022 concerning Overseas Travel Health Protocols During the Covid-19 Pandemic	5 x 24 Hours (not yet or already Vaccine 1) Can continue the trip if you have Vaccination 2 or 3	18/05/2022	61
13	CL No. 22 of 2022 concerning Overseas Travel Health Protocols During the Covid-19 Pandemic	5 x 24 Hours (not yet or already Vaccine 1) Can continue the trip if you have Vaccination 2 or 3	17/07/2022	44
14	CL No. 25 of 2022 concerning Overseas Travel Health Protocols During the Covid-19 Pandemic	must use the PeduliLindungi application Show a card/certificate (physical or digital) that has received the second dose of the COVID-19 vaccine at least fourteen days before departure, written in English, other than the language of the country of origin.	1/09/2022	Up to now

Source: processed from secondary data of 2022

2 In Table 3, what is most striking is that there are 3 (three) Circulars issued by the Covid-19 Handling Task Force, namely Circular Letters No. 12, 13 and 14, which were set on March 8, 2022. This indicates immaturity in determining policies that change within one day. Initially, CL No. 12 of 2022 concerning Overseas Travel Health Protocols during the Covid-19 Pandemic, enacting 7x 24 Hours (vaccine 1) and 1 x 24 Hours for passengers who have received vaccines 2 and 3. Meanwhile, Circular Letters No. 13 and 14 no longer regulate quarantine obligations, specifically for passengers entering through airports in Bali and Batam and Bintan. However, passengers must download the PeduliLindungi application and fill in the Indonesian e-HAC. The question is why there is no quarantine obligation. So, there is discrimination against other passengers who do not enter the area. The reason for not fulfilling the quarantine obligation is not found in the Circular Letter. However, the date for March 8 2022, Circular Letter stipulation is close to the moment of the March 18-20 MotoGP activities in Mandalika, Lombok. However, on the same date, March 8, 2022, the Ministry of Transportation also issued Circular Letter No. 22 of 2022 (See Table 4), instead requires mandatory quarantine for passengers entering Indonesian territory with a quarantine duration of 7x24 Hours for passengers who receive the first vaccine and 1 x 24 Hours for passengers who have received the second and third vaccines (boosters).

3 Since September 1 2022, all foreign travellers entering Indonesian territory are required to use the PeduliLindungi application and show a card/certificate (physical or digital) and have received the second dose of the COVID-19 vaccine at least 14 days before departure written in English, apart from the language country of origin. For certain circles, not all can access the application, for example, limited smartphone ownership. 4 Indeed, in the Covid-19 pandemic, fast and precise policy formulations are needed to respond to a changing and dynamic

world situation, especially in information, communication and technology. However, not all of these requirements are mandatory. There are some exceptions, such as those being under 18 years of age; comorbid diseases has finished carrying out isolation/treatment; holders of diplomatic and service visas and foreigners with the Travel Corridor Arrangement (TCA) scheme; and foreigners who have not received the vaccine intend to travel domestically in order to continue their trip on international flights out of Indonesian territory.

Table. 4 Circular Letter of the Minister of Transportation: Instructions for Implementing Foreign Travel by Air Transportation during the Covid-19 pandemic in 2022

No.	Circular Letters of Minister of Transportation 2022	Quarantine Duration	Effective Beginning	Validity Period (Days)
1	CL No. 1 of 2022 concerning Guidelines for the Implementation of Foreign Travel by Air Transportation during the Corona Virus Disease 2019 (Covid-19) Pandemic	7 x 24 Hours 10 x 24 Hours (Indonesian citizens from prohibited areas)	7/01/2022	6
2	CL No. 7 of 2022 concerning Guidelines for the Implementation of Foreign Travel by Air Transportation during the Corona Virus Disease 2019 (Covid-19) Pandemic	7 x 24 Hours	12/01/2022	23
3	CL No. 11 of 2022 concerning Guidelines for the Implementation of Foreign Travel by Air Transportation during the Corona Virus Disease 2019 (Covid-19) Pandemic	7 x 24 Hours (vaccine 1) 5 x 24 Hours (complete vaccine)	3/02/2022	5
4	CL No. 12 of 2022 concerning Guidelines for the Implementation of Foreign Travel by Air Transportation during the Corona Virus Disease 2019 (Covid-19) Pandemic It is not explained what the full dose means (is it the second or third and there is no difference in the duration of the quarantine)	7 x 24 Hours (vaccine 1) 5 x 24 Hours (complete vaccine)	7/02/2022	4
5	CL No. 13 of 2022 concerning Guidelines for the Implementation of Foreign Travel by Air Transportation during the Corona Virus Disease 2019 (Covid-19) Pandemic Gives the difference in quarantine duration for the second and third doses	7 x 24 Hours (vaccine 1) 5 x 24 Hours (vaccine 1) 3 x 24 Hours (vaccines 2 and 3)	16/02/2022	10

6	<p>CL No. 20¹³ of 2022 concerning Guidelines for the Implementation of Foreign Travel by Air Transportation during the Corona Virus Disease 2019 (Covid-19) Pandemic</p> <p>Quarantine was shortened from 5 days to 3 days</p>	<p>7 x 24 Hours (vaccine 1)</p> <p>3 x 24 Hours (vaccines 2 and 3)</p>	2/03/2022	7	
7	<p>CL No. 22³ of 2022 concerning Guidelines for the Implementation of Foreign Travel by Air Transportation during the Corona Virus Disease 2019 (Covid-19) Pandemic</p>	<p>7 x 24 Hours (vaccine 1)</p> <p>1 x 24 Hours (vaccines 2 and 3)</p>	8/03/2022	17	
8	<p>CL No. 33 of 2022 concerning Guidelines for the Implementation of Foreign Travel by Air Transportation during the Corona Virus Disease 2019 (Covid-19) Pandemic</p>	<p>5 x 24 Hours (no vaccine or vaccine 1)</p> <p>Not quarantined (vaccines 2 and 3)</p>	24/03/2022	13	
9	<p>CL No. 42 of 2022 concerning Guidelines for the Implementation of Foreign Travel by Air Transportation during the Corona Virus Disease 2019 (Covid-19) Pandemic</p>	<p>5 x 24 Hours (belum vaksin atau vaksin 1)</p> <p>Not quarantined (vaccines 2 and 3)</p>	6/04/2022	14	
10	<p>CL No. 51 of 2022 concerning Amendments to CL No. 42 of 2022 concerning Guidelines for the Implementation of Foreign Travel by Air Transportation during the Corona Virus Disease 2019 (Covid-19) Pandemic</p> <p>amending several provisions of the Circular Letter of the Minister of Transportation Number 42 of 2022</p>	<p>Have had vaccine 2 or 3 and show negative results for the rapid antigen test</p>	19/04/2022	29	
11	<p>CL No. 58 of 2022 concerning Guidelines for the Implementation of Foreign Travel by Air Transportation during the Corona Virus Disease 2019 (Covid-19) Pandemic</p> <p>Analysis: In connection with the stipulation of the Circular Letter of the Chairman of the Task Force for Handling Covid-19 Number 19 of 2022 concerning Health Protocols for Overseas Travel during the Corona Virus Disease 2019 (Covid-19) Pandemic, it is necessary to stipulate guidelines for implementing overseas travel by air</p>	<p>5 x 24 Hours (vaccine 1)</p> <p>vaccine 2 or 3 permitted to continue the trip</p>	18/05/2022	60	

	<p>10 transportation during the corona pandemic viral disease 2019 (Covid-19)</p>	
12	<p>11 CL No. 71 of 2022 concerning Guidelines for the Implementation of Foreign Travel by Air Transportation during the Corona Virus Disease 2019 (Covid-19) Pandemic</p> <p>The background for the issuance of this CL is in connection with the stipulation of a circular letter from the task force's chairman for handling Covid-19 Number 19 of 2022 concerning Health Protocols for Overseas Travel during the 2019 Corona Virus Disease Pandemic (Covid-19).</p>	<p>5 x 24 Hours (not yet vaccinated and already vaccinated 1)</p> <p>Permitted to continue the trip Already vaccinated 2 or 3</p> <p>17/07/2022</p>

Source: processed from secondary data of 2022

Based on CL No. 71 of 2022, as described in Table 4, since July 17 2022, quarantine has been 5 x 24 Hours for passengers who have not been vaccinated or had their first vaccine. If the passenger has received the second and third vaccines, they are permitted to continue their trip.

CONCLUSION

The government's policy that it is mandatory to use the PeduliLindungi application, especially for domestic and abroad travellers, has been well responded to. However, this obligation for certain people is unacceptable because not everyone can access the application due to the limitations of smartphone ownership. Meanwhile, the government needs to implement this application to reduce the number of exposure to Covid in the airport area and on planes. In the situation of the Covid-19 pandemic, it is necessary to formulate policies quickly and precisely to respond to the changing and dynamic world situation, especially in the fields of information, communication and technology. The existence of a legal culture in the use of the PeduliLindungi application system related to vaccination and quarantine policies has been responded to well by the community, but public services still need to be improved. The existence of legal culture becomes very strategic when determining the choice to accept or reject the law, where the law will actually be accepted and obeyed by the community, which is determined by legal culture factors. For this reason, it is necessary to strengthen the legal culture so that people can better understand the importance of health.

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REFERENCES

- Achmad Ali. *Menguk Tabir Hukum (Suatu Kajian Filosofis Dan Sosiologis)*. Jakarta: Gunung Agung, 2002.
- Andika Dwi. "Syarat Naik Pesawat Terbaru September 2022, Wajib Vaksin Booster, 20 September 2022, Tempo.Co, <https://bisnis.tempo.co/read/1636411/syarat-naik-pesawat-terbaru-september-2022-wajib-vaksin-booster>." TEMPO.COM, n.d. <https://bisnis.tempo.co/read/1636411/syarat-naik-pesawat-terbaru-september-2022-wajib-vaksin-booster>.
- Anggraeni, R, and I M Sari. "Policy in the Era of Pandemic: Is Government'S Legal Culture Affecting?" *Jurnal Dinamika Hukum* 21, no. 1 (2021). <https://doi.org/10.20884/1.jdh.2021.21.1.2864>.
- Anitana Widya Puspa. "WNA Dari 14 Negara Ini Dilarang Masuk Indonesia, Termasuk Prancis Dan Inggris," 2022. <https://ekonomi.bisnis.com/read/20220106/98/1486164/wna-dari-14-negara-ini-dilarang-masuk-indonesia-termasuk-prancis-dan-inggris.%0A%0A>.
- Annalisa Y, Mada Apriandi, Henny Yuningsih, Sri Turatmiyah. "Wajib Karantina: Penumpang Perjalanan Internasional Transportasi Udara Pada Masa Pandemi Covid-19." Palembang, 2022.
- Annalisa, Y, Firman Muntaqo, and M Syaifuddin. "Principle of Impartiality : Air Transport Restriction Policy During the Covid-19 Pandemic in Indonesia." *Jurnal Magister Hukum Udayana (Udayana Master Law Journal)* 11, no. 2 (2022): 253–62. <https://doi.org/10.24843/JMHU.2022.v11.i02.p02.1.Introduction>.
- Annalisa Yahanan, et.al. "Bimbingan Teknis Penerapan Prinsip Kejujuran Dalam Perjanjian Jual Beli Berbasis Ekonomi Digital Di Desa Pulau Panggung Pada Masa Pandemi Global." *Jurnal Widya Laksana* 11, no. 2 (2022): 345–55.
- Anne M. Larson. *Tenure Rights and Access to Forests A Training Manual for Research*. Bogor, Indonesia.: CIFOR, 2012.
- Arfan, Surya, Mayarni Mayarni, and Mimin Sundari Nasution. "Responsivity of Public Services in Indonesia during the Covid-19 Pandemic." *Budapest International Research and Critics Institute (BIRCI-Journal)* 4, no. 1 (2021): 552–62. <https://doi.org/10.33258/birci.v4i1.1638>.
- Countermeasure, National Agency for Disaster. Surat Edaran (SE) Satuan Tugas (Satgas) Penanganan Covid-19 Nomor 24 Tahun 2022 tentang Ketentuan Pelaku Perjalanan Dalam Negeri (PPDN) dalam Masa Pandemi Covid-19

- yang diterbitkan 25 Agustus 2022 (2022).
- Daniel S. Lev. *Hukum Dan Politik Di Indonesia, Penerjemah, Nirwono, AE. Priyono.* Jakarta: LP3ES, 1990.
- Director General, Legislation, Ministry of Law and Human Rights of the Republic of Indonesia. Peraturan Menteri Perhubungan Republik Indonesia Nomor 18 Tahun 2020 tentang Pengendalian Transportasi Dalam Rangka Pencegahan Penyebaran Covid-19 (2020).
- Dukhno, Nikolay A., and Olga N. Skuybedina. "The Formation of Legal Culture of a Person in Order to Ensure Transport Safety." *Transportation Research Procedia* 61 (2022): 253–58. <https://doi.org/10.1016/j.trpro.2022.01.042>.
- Esmi Warassih Pujirahayu. *Pranata Hukum Sebuah Telaah Sosiologis.* Semarang: Suryandaru Utama, 2005.
- Hilman Hadikusuma. *Antropologi Hukum Indonesia.* Bandung: Alumni, 1986.
- Hua, Shiping. *Chinese Legal Culture and Constitutional Order. Chinese Legal Culture and Constitutional Order.* London and New York: Routledge, 2019. <https://doi.org/10.4324/9780429203688>.
- Ibrahim, M. A., Pangkey, M., & Dengo, S. "Pelayanan Publik Masa Pandemi Covid19 Di Kantor Camat Kema Kabupaten Minahasa Utara." *Jurnal Administrasi Publik* 7 (2021).
- Ismayawati, Any. "Pengaruh Budaya Hukum Terhadap Pembangunan Hukum Di Indonesia (Kritik Terhadap Lemahnya Budaya Hukum Di Indonesia)." *Pranata Hukum* 6, no. 1 (2011): 55–68. <http://ejournal.uki.ac.id/index.php/tora/article/view/1114/941>.
- Kalgotra, Pankush, Ashish Gupta, and Ramesh Sharda. "Pandemic Information Support Lifecycle: Evidence from the Evolution of Mobile Apps during COVID-19." *Journal of Business Research* 134 (2021): 540–59. <https://doi.org/10.1016/j.jbusres.2021.06.002>.
- KBRI Phnom Penh/HJW. "Implementation Of Policy: The Third Vaccination (Booster) For Entering the Indonesian Territory Effectively On July 17 2022." Embassy of The Republic of Indonesia in Phnom Penh, Kingdom of Cambodia, 2022. <https://kemlu.go.id/phnompenh/en/news/19913/implementation-of-policy-the-third-vaccination-booster-for-entering-the-indonesian-territory-effectively-on-17-july-2022>.
- Lawrence M. Friedman. *Legal System: A Social Science Perspective.* New York, USA: Russel Sage Foundation, 1975.
- Mack, Elizabeth A., Shubham Agrawal, and Sicheng Wang. "The Impacts of the COVID-19 Pandemic on Transportation Employment: A Comparative Analysis." *Transportation Research Interdisciplinary Perspectives* 12, no. September (2021): 100470. <https://doi.org/10.1016/j.trip.2021.100470>.
- Manullang, Sardjana Orba. "Understanding the Sociology of Customary Law in the Reformation Era: Complexity and Diversity of Society in Indonesia." *Linguistics and Culture Review* 5, no. S3 (2021): 16–26. <https://doi.org/10.21744/lingcure.v5ns3.1352>.
- Manullang, Sardjana Orba, and Iis Isnaeni Nurwanty. "Kajian Sosiologi Hukum

- Budaya Scan Aplikasi Peduli Lindungi Pada Kawasan Publik Di Kota Besar.” *Binamulia Hukum* 10, no. 2 (2022): 187–93.
<https://doi.org/10.37893/jbh.v10i2.631>.
- Manullang, Sarjadana Orba, and Erwinsyah Satria. “The Review of the International Voices on the Responses of the Worldwide School Closures Policy Searching during Covid-19 Pandemic.” *Jurnal Iqra’ :Kajian Ilmu Pendidikan* 5, no. 2 (2020): 1–13. <https://doi.org/10.25217/ji.v5i2.1036>.
- Ministry of Communication and Information of the Republic of Indonesia. “Aplikasi PeduliLindungi Jadi Syarat Utama Bepergian.” <https://www.kominfo.go.id/content/detail/36596/aplikasi-pedulilindungi-jadi-syarat-utama-bepergian/0/artike>, 2021.
- Ministry of Communication and Information Technology of the Republic of Indonesia, Directorate General of Informatics Applications. “Kupas Tuntas Aplikasi Pedulilindungi.” Kementerian Komunikasi dan Informatika RI, Direktorat Jendral Aplikasi Informatika, Kupas Tuntas Aplikasi Pedulilindungi, 10 Oktober 2021, 2021.
- Musselwhite, Charles, Erel Avineri, and Yusak Susilo. “Restrictions on Mobility Due to The Coronavirus Covid19: Threats and Opportunities for Transport and Health.” *Journal of Transport and Health* 20 (2021): 1–6.
<https://doi.org/10.1016/j.jth.2021.101042>.
- Nurmansyah, Mochamad Iqbal, Catur Rosidati, Yustiyani Yustiyani, and Narila Mutia Nasir. “Measuring the Success of PeduliLindungi Application Use for Supporting COVID-19 Prevention: A Case Study among College Students in Jakarta, Indonesia.” *Kesmas: Jurnal Kesehatan Masyarakat Nasional* 17, no. 1 (2022): 11–16. <https://doi.org/10.21109/kesmas.v17isp1.6057>.
- Purwanto EA. “Pidato Pelantikan Guru Besar: Kebijakan Publik Yang Agile Dan Inovatif Dalam Memenangkan Persaingan Di Era VUCA (Volatile, Uncertain, Complex, and Ambiguous),” 2019.
- Sajipto Rahardjo. *Aneka Persoalan Hukum Dan Masyarakat*. Bandung: Alumni, 1983.
- Sardjana Orba Manullang. *Mengenal Hukum Lingkungan: Hubungan Manusia & Lingkungan*. Jakarta: Cendekia, 2020.
- The Countermeasure, National Agency for Disaster. Surat Edaran Satuan Tugas Penanganan Covid-19 Nomor 23 Tahun 2022 tentang Ketentuan Perjalanan Orang Dalam Negeri dalam Masa Pandemi Corona Virus Disease 2019 (Covid-19) (2022).
- The Minister of Transportation. Surat Edaran Kementerian Perhubungan No. 96 Tahun 2021 tentang Petunjuk Pelaksanaan Perjalanan Orang Dalam Negeri Dengan Transportasi Udara Pada Masa Pandemi Covid-19, yang diundangkan pada 2 November 2021. (2021).
- . Surat Edaran Kementerian Perhubungan Udara No 13 Tahun 2020 tentang Operasional Transportasi Udara dalam Masa Kegiatan Masyarakat Produktif dan Aman dari Covid-19. (2020).

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