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Legal Protection for Consumer Rights to Obtain Information Regarding COVID-19 Vaccination

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Abstract: Vaccination is one of the Indonesian government's strategies in handling the COVID-19 pandemic, and vaccination is designated as a disaster management measure through legislation. The public, as consumers and vaccine users, must know the type of vaccine they will receive, so they have the right to information about the vaccine they receive. The problem in this study concerns the public's right to obtain information about the COVID-19 vaccine. The research method used is descriptive-normative, which explains the main issues regarding the right to information regarding the vaccine they will consume. The results of this study explain that consumers have the right to information and business actors are obliged to provide information. Information regarding the risks of product use is related to consumer safety and security. The information provided must be clear, not open to multiple interpretations, use non-technical language, and use fonts in an easy-to-read size. The information obligations that must be submitted by business actors regarding medicinal products and medicinal ingredients must meet standards set by government agencies.

Keywords: COVID-19 Vaccine, Legal Protection, Consumer Rights, Legislation.

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I. Introduction

The COVID-19 pandemic has infected millions of people and led to millions of deaths worldwide. COVID-19 is an infectious disease caused by the Severe Acute Respiratory Syndrome Coronavirus 2 (SARS-CoV-2) and has been officially declared a pandemic by the World Health Organization (WHO). This disease can be effectively controlled through vaccination, which involves administering a vaccine to healthy individuals. The legal framework for vaccination during the pandemic is established by the Minister of Health Regulation No. 10 of 2021, which outlines the implementation of vaccination to address the COVID-19 pandemic. This regulation was amended for the third time by Minister of Health Regulation No. 23 of 2021 (Hutagalung & Tobing, 2022). Article 1, number 3 of this regulation defines vaccination as the process of administering a vaccine specifically designed to actively create or enhance a person's immunity against a disease. This means that if an individual is later exposed to the disease, they are less likely to become seriously ill or may experience only mild symptoms, thereby reducing the chance of transmitting the virus to others (Ahmad Erlangga et al., 2022).

Vaccination is a key strategy employed by the Indonesian government to address the COVID-19 pandemic. In addition to the Minister of Health Regulation, the government has enacted Presidential Regulation No. 14 of 2021, which amends Presidential Regulation No. 99 of 2020 concerning vaccine procurement and the implementation of vaccination in response to the Coronavirus Disease (COVID-19) pandemic (Rahmadinia et al., 2022). This legal framework exemplifies Indonesia's commitment to effectively managing the widespread outbreak at that time. The primary goal of health services during disasters is to save lives and prevent disabilities. To achieve this, early outbreak management is essential to avert public health emergencies. The government has the authority to declare the type of disease and identify areas that are sources of infection, as well as to implement health quarantines swiftly and appropriately. Both the government and the community share the responsibility for managing outbreaks according to their respective roles and functions. Vaccination is classified as a disaster management effort, as outlined in various laws and regulations (Kattsoff et al., 2022). Accordingly, one of the key measures taken by the government to combat the COVID-19 pandemic is through vaccination. It is important to note that vaccinated individuals may still contract the virus, but typically experience less severe symptoms than those who are unvaccinated. While many vaccines aim to prevent disease, not all are designed to prevent infection. Some vaccines do serve the dual purpose of preventing both disease and infection, and those that achieve both generally offer long-term protection.

The benefits of vaccines are often intangible because they work through prevention, not treatment. When a sick person is treated, the results are immediately apparent because their initial condition is a disease. This contrasts with vaccines, which are administered to healthy individuals to prevent serious illness. However,

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the benefits of vaccination also raise concerns about vaccines, a long-standing global problem (Malau et al., 2022). One way to minimize vaccine skepticism is to provide accurate information. This includes information on efficacy, safety, and other relevant aspects, including the vaccine's halal status. From a consumer protection perspective, providing information about vaccines before vaccination aligns with the consumer's right to information, as stipulated in Article 4(c) of Law No. 8 of 1999 concerning Consumer Protection. Fulfilling this right not only ensures that vaccines are safe and secure for consumption but also reduces the information gap and enhances consumer empowerment. Fulfilling the right to information about vaccines enhances consumer autonomy in making decisions about vaccination and reflects a higher level of consumer empowerment.

Strengthening health education and communication should be considered to improve vaccination rates. Positive impacts on the target population should be prioritized over negative ones through a series of education programs. Intensive information strategies are needed to increase trust and manage risks. Many countries have implemented mandatory vaccination regulations. One goal is to expand vaccination coverage. Mandatory vaccination is defined as a legal regulation requiring individuals, either as part of a group or as a whole, to be vaccinated. Mandatory vaccination regulations are a cost-effective strategy implemented as national or regional regulations (Gandryani& Hadi, 2021a).

Providing information from a consumer protection perspective is a key element of consumer empowerment, as a consumer is any person who uses goods or services available in the community and not for sale. Armed with the information they obtain, consumers can make informed decisions about choosing products that meet their needs. If they lack sufficient information about a product, consumers will either not make a product selection or will choose a product that does not meet their needs. Correct, clear, and honest information regarding product conditions and warranties is a consumer right guaranteed by Law No. 8 of 1999 concerning Consumer Protection (Tampubolon, 2016).

The problem in this study, as explained above, is the inconsistency between the obligation to get the COVID-19 vaccination and the public's right as consumers to obtain correct, clear, and honest information regarding the conditions and guarantees of the COVID-19 vaccine as a complex product that can only be understood by those with special competence. This problem is focused on the gap between the public having to get the COVID-19 vaccination using the available COVID-19 vaccine, which may not necessarily be in accordance with the indications of the vaccine, with reliable information regarding the COVID-19 vaccine not always being available or easily accessible to the public, even though the public, as consumers, has the right to such information.

II. Research Methode

This study uses a descriptive-normative method, explaining and analyzing the main issue of consumer rights in obtaining information regarding the COVID-19 vaccination. Data sources were obtained through library research, namely, collecting data through document studies and analyzing laws and regulations related to pandemic management, vaccination, and consumers' right to information. In addition to written regulations, researchers also used other references, such as consumer protection law books and national and international journals. This study employed qualitative data analysis techniques. The collected data were systematically compiled and analyzed. After qualitative analysis, the data were presented descriptively and systematically. This means that all collected data was analyzed by systematically organizing and categorizing and classifying them into patterns, categorizing them, classifying them, and connecting them to obtain an interpretation and understanding of the object under study.

III. Results and Discussion

3.1. Consumer Protection and Information Rights

Law Number 8 of 1999 concerning Consumer Protection provides legal protection for consumers. This is as explained in Article 1, number 1, that consumer protection is all efforts that guarantee legal certainty to provide protection to consumers. Furthermore, what is meant by a consumer is every person who uses goods and/or services available in society, whether for the benefit of themselves, their families, other people, or other living beings, and not for trading (Article 1, number 2 of Law No. 8 of 1999)(Tampubolon, 2016). This means that every person who uses goods is a consumer and does not have to be the person who spends money to obtain the goods, because the goods can be given to family, other people, or other living beings. Families, other people, and other living beings are consumers who use goods that they obtain without having to spend money. The definition of consumer is limited by the phrase "goods available in society", meaning existing and available in society, in circulation; and "not for trading", which limits consumers to only end users (Anggraini et al., 2020).

Current advances in science and technology have changed people's perspectives on social behavior. Because of this, social developments, while providing benefits to consumers, also create new risks, resulting in the emergence of vulnerable consumers. Vulnerable consumers are those who are particularly vulnerable because of their mental, physical, or psychological infirmity, age, or credibility(Suparto&Yuanitasari, 2025). The most vulnerable consumers are those aged 55 and over and the youngest group, aged 15-24. The emergence

of vulnerable consumers is caused by the introduction of new, complex products; the level of poverty arising from the economic crisis; and the development of the internet. Vulnerable consumers who emerge due to poverty have impacts that require vigilance. Due to their poverty, they prefer cheaper products and/or services and are less concerned with quality. Vulnerable consumers are affected by the safety of products, food, energy, health, and transportation. In the health sector, vulnerable consumers are characterized by high-risk conditions, complex health needs, acute care needs, and the need for specialized services(Priambodo&Triadi, 2025).

United States President John F. Kennedy outlined the vision of consumer rights in a speech on March 15, 1962, which was later adopted by the United Nations General Assembly in 1985 as a guideline for consumer protection. These basic consumer rights are: a) The right to safety; b) The right to choose; c) The right to be informed; and d) The right to be heard(Maratus&Syafi'iyah, 2025). These guidelines became an important instrument that legitimized the principles of consumer protection and served as the foundation for the development of consumer protection worldwide. Consumer rights are so important that they are recognized as part of human rights.

The state establishes various regulations to regulate the functioning of markets. Simultaneously, these regulations also aim to protect consumers when consuming products and services available on the market. Consumer protection can be viewed in four aspects: consumer information, product liability, contractual relationships (contract law), and consumer protection for doorstep contracts. These four aspects are closely related to information and the state's role in consumer protection(Blaseg et al., 2020).

As a form of product liability, a warning on a product is the most important type of information because it concerns consumer safety and security when using the product or service. The state requires businesses to fulfill consumers' rights to this type of information, and its provision can be the basis for assessing a product's quality. Businesses that fail to provide a warning regarding the use of a product or service may be deemed defective, and the business owner will be liable for compensation(Keeton, 1973).

Warnings issued by business actors will be a primary concern for consumers, particularly regarding safety and security when using products or services. Warnings must be delivered promptly. Warnings included in health information systems play a crucial role in improving public health. This type of information is closely related to the risks posed by the product when consumed by the public. Even if noeveryone has contraindications, warnings are still mandatory as a legal protection measure for consumers. Furthermore, the development of the COVID-19 vaccine is being carried out rapidly to meet urgent global needs. The absence of this information, under the doctrine of product liability, is considered a defective product and requires the business actor to be held responsible (Mulyadi et al., 2018).

Consumers' right to information must be fulfilled to ensure the market functi(Nawi, 2018)ons properly and avoid market failure. State intervention in this regard involves requiring businesses to fulfill consumers' right to information. Information-type regulations are commonly used in many countries, including mandatory labeling, instructions, and warnings. Fulfillment of these information obligations is also universally agreed upon for assessing product standards and granting permits or licenses required for service delivery(Nawi, 2018).

3.2. Information About the Certainty of COVID-19 Vaccine Products for Consumers

The obligation to undergo the COVID-19 Vaccination stipulated by the government is a must for every citizen. Citizens who receive the COVID-19 vaccine are consumers as users of the product, so as consumers, the public has various rights guaranteed in the Consumer Protection Law. The public has the right and obligation to know the COVID-19 Vaccine product that they will consume. This is based on Article 13A Paragraph (2) of Presidential Decree 14 of 2021, which states that "every person" who has been designated as a target recipient of the COVID-19 Vaccine based on data collection is required to participate in the COVID-19 Vaccination. The term "every person" refers to every individual without exception, as stated by Peter Mahmud Marzuki(2008), that a person in civil law can mean a natural person, and a natural person is a human being. Every person, as a human being, has the capacity as a legal subject, namely something that can have rights and obligations. Humans are legal subjects from birth until death, even a child who is still in the womb is considered to have been born if their interests require it. In Article 13A Paragraph (2) of Presidential Regulation 14 of 2021, "every person" means nafuurlijkpersoon or human, so that a consumer is every person who uses goods or services, whether for their own benefit, family, other people, or other living creatures, and not for trading (Umboh, 2018).

Target recipients of the COVID-19 vaccine can be considered consumers because they use the COVID-19 vaccine and obtain it through means other than purchasing it, as it is provided by the government as part of the mandatory COVID-19 vaccination program. Target recipients of the COVID-19 vaccine are therefore bound by a contractual relationship with the COVID-19 vaccine provider. This relationship is a legal relationship established under statutory regulations. Therefore, target recipients of the COVID-19 vaccine have the right to correct, clear, and honest information regarding the conditions and guarantees of the COVID-19 vaccine(Rahayu, 2021).

Business actors in the procurement of the COVID-19 vaccine are business entities assigned or appointed directly by the Minister of Health. The business actor's position as a business entity is as a provider of

government goods/services, referred to as a provider, a business actor that provides goods/services based on a contract. Therefore, the relationship between consumers and business actors in carrying out the COVID-19 vaccination is a contractual relationship between consumers and business actors. Procurement of the COVID-19 vaccine is carried out through assignments, direct appointments, or cooperation agreements. Furthermore, the assignment to procure the COVID-19 vaccine was given to PT. Bio Farma, in collaboration with the Coalition for Epidemic Preparedness Innovations (CEPI) and the Global Forum for Vaccines and Immunizations (GAVI), is involved in research and development collaboration(Yulius, 2013).

Consumers need to know about drugs and drug ingredients, including pharmaceutical preparations, as information. The Health Law regulates pharmaceutical preparations. Pharmaceutical preparations must be safe, efficacious/beneficial, high-quality, and affordable. Procurement, storage, processing, promotion, and distribution of drugs and drug-based ingredients must comply with government-set quality standards. Drugs that meet thesequality standards are granted a distribution permit in the form of registration approval for distribution in Indonesia. In an emergency, a distribution permit is issued in the form of an Emergency Use Authorization (EUA), which is an approval for drug use during a public health emergency. Meanwhile, drugs that have not yet received a distribution permit or drugs that have received a distribution permit but with different indications for use (new indications) for public health emergencies require government permission (Widjaja et al., 2022).

Information consumers need to know about these drugs and ingredients, including the COVID-19 vaccine, must meet safety, quality, and efficacy standards and obtain Emergency Use Authorization (EUA). If it is still in the early stages of development, the procurement process can still be carried out before obtaining an EUA, provided it has been included in the WHO's list of COVID-19 vaccine candidates and has completed phase two clinical trials. However, it can only be used or consumed after obtaining an EUA. Regarding the safety, quality, and efficacy of the COVID-19 vaccine, the government will assume legal responsibility if the COVID-19 vaccine provider requires it(Tran & Witek, 2021).

One of the government's authorities in procuring the COVID-19 vaccine is to continue the procurement process even though the vaccine is still in the development stage, meaning it has not received EUA. Article 3, paragraph 4 of the Minister of Health Regulation states that if there is a need to procure a COVID-19 vaccine that is still in the early stages of development, the procurement process can be carried out before obtaining emergency use authorization or distribution permit, but its use must still be after obtaining EUA.

3.3. Consumers' Right to Information Regarding the COVID-19 Vaccine

Consumer protection in Indonesia aims to create a consumer protection system that incorporates legal certainty, transparency, and access to information. This can be interpreted as meaning that transparency and access to information are the gateway to consumer protection(Santriati& Juwita, 2022). Therefore, the government has established regulations requiring businesses to disclose information about the products or services they offer, as this obligation constitutes consumers' right to information. Consumers have the right to accurate, clear, and honest information, including disclosure of the conditions and guarantees for goods and/or services. Businesses are required to provide accurate, clear, and honest information regarding the conditions and guarantees for goods and/or services, as well as explanations for the use, repair, and maintenance of goods and/or services. The Consumer Protection Law clearly states that product usage instructions must be provided in Indonesian(Siregar, 2024). If a product contains defects, consumers have the right to be informed, and businesses are prohibited from failing to include information regarding the risks of using goods and/or services.

As explained, the conditions and guarantees of the COVID-19 vaccine carry risks due to its imperfect development process and the potential risks inherent in the implementation of the COVID-19 vaccination. COVID-19 vaccine providers have reported their product's condition to the Food and Drug Administration and obtained emergency use authorization for the vaccine(Bahmid et al., 2020). COVID-19 vaccines that have received EUA authorization are being used by the government in the implementation of the COVID-19 vaccination. This transfers the obligation of business actors to inform the government about the conditions and guarantees of their products. The government also assumes legal responsibility for the safety of the COVID-19 vaccine. This reinforces the government's responsibility to provide information regarding the risks of the COVID-19 vaccine and the implementation of the COVID-19 vaccination, fulfilling the public's right to information as consumers. The conditions and guarantees for the COVID-19 vaccine are designed to meet the criteria for safety, quality, and efficacy, enabling its immediate use in addressing the COVID-19 pandemic. Businesses are still required to provide accurate, clear, and honest information regarding the condition of the COVID-19 vaccine, meeting the standards required to obtain an EUA. The Food and Drug Authority (BPOM) continues to conduct evaluations during the EUA grant, ensuring that the COVID-19 vaccine is safe for public consumption(Aziz, 2020).

Article 4, letter c, of the Consumer Protection Law states that consumers have the right to accurate, clear, and honest information regarding the conditions and warranties of products. The mandatory disclosure of information to businesses has been submitted as a requirement for obtaining an EUA. However, this disclosure is delegated to the government, in this case, the BPOM (Indonesian Food and Drug Authority), because vaccines

are considered complicated products that can only be understood by individuals with specific competencies (Gondokesumo & Amir, 2021). The BPOM itself requires information for healthcare workers and patients in the EUA. Thus, information transparency and access to information are transferred from businesses to the government. Regarding the benefits of establishing mandatory COVID-19 vaccination regulations, they are intended to address the COVID-19 pandemic. These regulations aim to prevent people from experiencing worsening health conditions when exposed to COVID-19. Vaccination can reduce the death rate. Vaccination is a preventative measure that can save lives from COVID-19 infection. This action is necessary to prevent further damage (Agustina et al., 2021).

The Consumer Protection Law guarantees consumers' right to information regarding the conditions and guarantees of products and/or services, and businesses are required to provide this information. The relationship between consumers and businesses regarding the obligation to vaccinate against COVID-19 is not straightforward, as this type of vaccine requires special treatment before it can be distributed to the public. COVID-19 vaccines, which contain medicinal ingredients, must meet standards set by the Food and Drug Authority (BPOM). These standards assess safety, efficacy, and quality, as drugs and medicinal ingredients must meet all three criteria(Geovanie & Dana, 2021).

Consumer protection provides basic consumer rights, including the right to information. Information is the basis for consumer decision-making on whether to use certain goods and/or products according to their needs and conditions. The position of consumers and business actors is not balanced because business actors are more aware of the conditions of the products and/or services they offer. The doctrine of caveat emptor has long been recognized in this relationship. The consumer's right to information is a solution to change caveat emptor to caveat venditor and rebalance the positions of consumers and business actors as parties with equal status(Christina &Munishamappa, 2014). This is despite the fact that in practice, there are still many cases where consumers do not obtain sufficient information to complete their knowledge and make the right decision. The principle of fulfilling the right to consumer information is universally recognized in the context of consumer protection. Caveat emptor becomes caveat venditor and rebalances the positions of consumers and business actors as parties with equal status(Shukri et al., 2021). In practice, there are still many cases where consumers do not obtain sufficient information to complete their knowledge and make the right decision. The principle of fulfilling the right to consumer information is universally recognized in the context of consumer protection.

Providing access to information also means enhancing consumer empowerment, which is one of the objectives of the Consumer Protection Law. Consumer protection law stipulates the types of information businesses must provide to consumers without compromising other aspects of the business. One of the most important is providing information regarding the risks of using goods and/or services as they relate to consumer safety and security(Njatrijani, 2025). The COVID-19 vaccination obligation, which is a consumer right, requires accurate, clear, and honest information regarding the conditions and guarantees of the COVID-19 vaccine as a product to be fulfilled. Although the risks inherent in the COVID-19 vaccine and the implementation of the COVID-19 vaccine product cannot be denied. Health, safety, and security are the transactional instruments in the implementation of the free vaccination obligation(Gandryani& Hadi, 2021b). Therefore, a contractual relationship remains, and consequently, there is an allocation of rights and obligations for the parties. Providing information regarding risks, especially for those classified as vulnerable consumers, is necessary to balance the positions of the parties. Fulfilling consumers' right to information also has a positive effect on empowering the community as consumers.

Fulfillment of consumers' right to information regarding the conditions and guarantees of the COVID-19 vaccine is not carried out directly by businesses to consumers. As explained above, the COVID-19 vaccine must meet the standards set by the Food and Drug Authority (BPOM) to obtain EUA approval. Therefore, businesses have submitted information regarding the conditions and guarantees of their products to the BPOM, which determines a series of standards that must be met. Businesses' compliance with vaccine standards does not eliminate the obligation of other business actors to provide information about the COVID-19 vaccine on packaging labels, as stipulated in Article 8 of the Consumer Protection Law(Sinaga &Sulisrudatin, 2015). Labels can contain information regarding the product's conditions, guarantees, features, efficacy, quality, and processing. The information contained in the label must be in accordance with facts. For example, if the halal mark is affixed to the label, the product must be halal, and most importantly, there must be a label explaining the risks of using the product.

Information regarding these risks should be provided to consumers to fulfill their right to accurate, clear, and honest information regarding the conditions and guarantees of the COVID-19 vaccine. In reality, such information is neither available nor accessible; thus, it can be said that the obligation to receive the COVID-19 vaccination does not fulfill consumers' right to information as stipulated in Article 4 letter c of the Consumer Protection Law. Although this is an obligation under consumer protection, the obligation to receive the COVID-19 vaccination is still tainted by the doctrine of caveat emptor because consumers are not provided with information regarding the risks contained in the COVID-19 vaccine(Raodhah et al., 2023). This situation

indicates that consumers are not receiving their right to accurate, clear, and honest information regarding the conditions and guarantees of the COVID-19 vaccine.

IV. Conclusion

Information is an element in the consumer protection system through transparency and access to information. Consumers' right to information is a form of government intervention to protect consumers. Consumers' right to information is universally recognized after a long journey to abolish the doctrine of caveat emptor. Consumers and businesses are connected by these rights and obligations regarding information. Consumers have the right to information, and businesses are obliged to provide information. Information regarding the risks of product use relates to consumer safety and security. The information provided must be clear, not open to multiple interpretations, use non-technical language, and use easily readable fonts. Businesses' information obligations regarding medicinal products and medicinal ingredients must meet standards set by government agencies. Businesses that have fulfilled these requirements receive a distribution permit for their medicinal products so they can be released into the market and consumed by the public. The obligation to vaccinate should not diminish the public's rights as consumers. The types of information that must be provided include the risks of product use and information regarding vaccination. This not only fulfills the requirement for transparency and provides access to information for the public as consumers, but also fosters consumer empowerment so they can make more rational decisions about their own health and that of their environment.

Recommendation: Mandatory vaccination should still consider the public's rights as consumers to obtain information, especially regarding the product, as vaccines are complex products that are sensitive to creating new vulnerable groups. In mandated vaccination, the information provided should be easily understandable for consumers before vaccination. Similarly, accessibility to information should be ensured. Information should be easily visible, easy to understand, and there should be access to specific information that can be delivered by a competent person at the vaccination site.

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