

ABSTRACT

Roedi Djatmiko's dissertation. **LEGAL PROTECTION FOR CHILDREN AGAINST FAKE VACCINES IN THE IMMUNIZATION PROGRAM IN INDONESIA**, under the guidance of Prof. Waty Suwarti Haryono, SH, M.H as Promoter and Prof. Dr. St. Laksanto Utomo, SH, M.Hum as Ko. Promoter.

Background: Children are a trust and gift from God Almighty. Children are also the shoots and young generation who will continue the ideals of the nation's struggle, having a strategic role that ensures the continuity of the nation and state in the future. Therefore, it is very important to safeguard and protect children's rights so that they can grow and develop optimally into adult humans who will be able to shoulder these responsibilities. One of the basic rights of children is the right to health services as stated in: Article 28 H of the 1945 Constitution, Article 25 paragraph (1) United Nations (UN) Declaration of Human Rights Article 62 Law Number 39 of 1999 concerning Human Rights Humans, and in Article 8 of the Child Protection Law. One effort to improve children's health status is through immunization. The right to receive immunization is contained in Article 130 of Law No. 36 of 2009 concerning Health, in its implementation there are still many obstacles, one of which is the circulation of fake vaccines. The existence of cases of fake vaccines will have a negative impact on children's health.

Problem Formulation: 1) What is the legal protection for children against giving fake vaccines, 2) What is the legal responsibility for children against giving fake vaccines. 3) How to enforce the law against perpetrators of fake vaccines given to children.

Research Method: Normative legal research, using primary data and secondary data which is then carried out descriptive analysis of the research results using theory and relevant laws and regulations with qualitative data analysis techniques

Research Results: The legal aspects in the Child Protection Law do not explicitly/specifically regulate the protection of children in obtaining optimal health, especially regarding the circulation of fake vaccines that occur in Indonesia, the implementing regulations in the Child Protection Law relating to children's health are not specifically regulated It is certain how efforts to improve children's health are regulated by legal norms in the Child Protection Law. The provisions in the Child Protection Law also do not have an optimal impact regarding responsibility, legal remedies, prevention and legal sanctions against children who are harmed materially or immaterially due to fake vaccines in circulation. The provisions of the relevant regulations have also not provided good performance effectiveness in the various cases of fake vaccines that are circulating and are currently widespread. The government has fulfilled its obligation to organize an immunization program for children in order to fulfill the mandate of the law. The right of children to receive immunization is stated in Law Number 36 of 2009 concerning Health article 132 paragraph 3. The Immunization Program is regulated in the Regulation of the Minister of Health of the Republic of Indonesia Number 12 of 2017 concerning the Implementation of Immunization, however, in implementation there are still many obstacles in its implementation, one of which is the circulation of fake vaccines. Law enforcement in cases of fake vaccines, perpetrators of forgers and/or distributors of fake vaccines have been ruled out of violating Article 197 of Law of the Republic of Indonesia Number 36 of 2009 concerning Health.

Keywords: Child protection, immunization, fake vaccines