

Impact of Pandemy in Public Services on Human Rights

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Abstrak. The Covid -19 pandemic affects all Indonesians in almost all sectors of community activities, especially in the State of Indonesia. This pandemic has an impact on fulfilling the need for human rights which has made it even harder to enforce the law on human rights. Moreover, public services are increasingly constrained due to the lack of implementation of human rights caused by the lack of understanding of government officials in upholding human rights. The method used in this research is field observation, interviews, other sources of books. Public services due to the Covid-19 pandemic have become less effective in carrying out their obligations to the community for administrative processes due to limited time and space. Prior to the pandemic, the human rights situation in general did not increase, even during the pandemic, the same thing happened in the process of upholding human rights. The covid-19 pandemic has made public services pay less attention to the enforcement of human rights.

Keywords: Pandemic; Covid-19; Human Rights; Government Officials; Public Services

1 Introduction

The Covid 19 pandemic is a historical event for the world's population or all countries, including the Indonesian nation. The Covid 19 pandemic paralyzed all sectors of community activities, not only about health but all aspects of community activities which were completely limited by the scope of movement and activities carried out. The Covid 19 pandemic has claimed many lives throughout the country and affected people's lifestyles. Before the Covid 19 pandemic, people interacted with no boundaries and distance when the Covid 19 pandemic had people to keep their distance and wear masks to break the chain of the spread of Covid 19. This Covid 19 pandemic also shook the government system and the order of human life in various affected countries. As the Covid 19 pandemic spreads in Indonesia, the Indonesian government has declared a national health emergency status. Paying attention to the spread of the corona virus, which is currently increasingly spreading, the government has issued a physical distancing policy and recommends work from home to stop the spread of the corona virus. Of course, it is not only the upper class who are affected by this virus but all the people from the middle to lower classes.

In terms of public services, Covid 19 also makes State officials hesitant in public service activities because they have to prepare a good public service process carried out in the middle

of the Covid 19 pandemic which must pay attention to public health programs. The implementation of public services is still faced with conditions that are not in accordance with the needs and changes in various fields of community, national and state life. This is due to changes in the social order of life and unpreparedness to respond to a wide-dimensional value transformation and the impact of various complex development problems.

Human rights in the Covid 19 pandemic have been severely affected because all human activities are limited by the applicable system. Human rights are very closely related to everything that must be obtained. In the midst of the COVID-19 pandemic, human rights law is very important because it can regulate human rights itself. Even in public servants, human rights are quite troublesome because they have to serve the community well, especially in the conditions of the Covid 19 pandemic, which must pay attention to health programs both from officers and from the community. Apparatus understanding and human rights enforcement in the midst of public service does not take place efficiently and still raises various questions.

2 Problem Statement

The problem that arises in this research is that public services are ineffective in carrying out their obligations to protect human rights in the midst of the Covid 19 pandemic, even before the Covid 19 pandemic is still not efficient in the process of enforcing human rights.

3 Research Methods

The methods used in this research are:

3.1 Field Observation Methods

In this field observation method, the authors see and understand the field conditions regarding the enforcement of human rights in public services in the midst of the Covid 19 pandemic and before the Covid 19 pandemic. Field observations are not only for one place but several public places. Gather various kinds of problems in the process of upholding human rights in public service. Drawing on common problems in the public service process.

3.2 Interview Method

In this method, the author conducts interviews with several communities related to public service activities conducted by government agencies and private agencies. Not only the public but also interviewed some public service officers about their obligations. Collect various kinds of raw data from the results of the interview to draw out common problems.

3.3 Book Source

The method used is to find raw data related to the enforcement of human rights in public services both before the Covid 19 pandemic and during the Covid 19 pandemic. Looking for book sources to support this research so that this research becomes a good scientific work. Looking for other related sources in order to increase the scientific level of this research.

4 Literature Review

4.1 Public Services

In government regulations in the form of Laws there are regulations that are enforcing about public services, namely Law no. 25 of 2009. In the Law what is meant by Public Servers are activities or series of activities in the framework of fulfilling service needs in accordance with statutory regulations for every citizen and resident for goods, services, and / or administrative services provided by service providers. public.[1] A service activity carried out by institutional bodies to meet the needs of the community. The organizers themselves are meant to be every State administering institution, cooperative, independent institution that is formed under the law for public service activities. Public service can be defined as any activity carried out by the government against a number of people who have every beneficial activity in a group of people or a unit and offer satisfaction even though the results are not tied to a physical product. Public service also means providing services (serving) the needs of people or communities who have an interest in the organization in accordance with predetermined basic rules or procedures.[2]

According to Kepmenpan No. 63 / KEP / M.PAN / 7/2003 regarding guidelines for Service Implementation states that: public services are all forms of services carried out by Government Agencies at the Central, Regional and Regional Government-Owned Enterprises in the form of goods and or services, either in the context of fulfilling community needs and in order to enforce statutory provisions, while Ratminto & Winarsih defines: Service as an activity or a series of activities that are invisible (cannot be felt) that occur as a result of interactions between consumers and employees or other matters. anything else provided.[3]

If public services are required to be implemented, the government must respond to what services must be provided. The government must pay attention to the best way of service and not be discriminatory. Public services do not consider dignity, be it rich and poor. Everything that must be done is fair and in accordance with the prevailing laws and regulations in the Republic of Indonesia. Services according to the customer's point of view are divided into 2 (two), namely internal services and external services. Internal services are services provided within the organization itself. while external services are services to customers outside the organization. There are various types of services, namely:

- a. Based on the service function divided into 3 (three) namely: (1) Environmental services: providers of public facilities and infrastructure; (2) Development Services: enabling and facilitating, to help smooth the service that occurs; and (3) Protective Services: providers of security and protection services to customers.
- b. Decree of the Minister of State Apparatus Empowerment No. 63 / KEP / M.PAN / 7/2003 regarding general guidelines for the implementation of public services are: (1) The administrative service group is a service that produces several forms of official documents required by the public; (2) Goods service group is a service that produces several forms of goods needed by the public; and (3) The service group is a service that produces several forms of services needed by the public.
- c. The pattern of public service management according to the decree of the Minister of Administrative Reform is divided into 4 (four), namely: (1) Functional is a pattern of public services by service providers in accordance with their duties, functions and authorities; and (2) Centralized is a pattern of public services provided singly by the operator based on the delegation of authority from other relevant service providers.

- d. Integrated: (1) One-stop integrated is a service pattern whose services are carried out under one roof or one place, which includes various types of services that have no process linkages and are served through several doors; (2) One-door integrated is a service pattern whose services are carried out under one roof or one place, covering several types of services that have process linkages and are served through one door.
- e. A Task Force is an individual public service officer or a form of a task force occupied by a service provider agency. Based on economic reasons, divided into: (1) Profit Oriented Service is a service that aims to seek maximum profit. Conducted by BUMN / BUMD with state-owned capital and looking for large profits, with principles and service standards for the business world; (2) Services as a tax instrument are realized by granting land and building rights, management rights subject to tax or retribution; and (3) Non Profit Oriented Service is a service that does not seek profit in the form of money.

4.2 Types of Public Services

Public services are carried out in a series that is simple, open, smooth, precise, complete, reasonable and affordable. Decree of the Minister for Administrative Reform (Men PAN) Number 81 of 1993 also states that public services contain the following elements:

- a. The rights and obligations of the providers and recipients of public services must be clear and know with certainty by each party.
- b. The regulation of every form of public service must be adjusted to the conditions and capacity of the public to pay based on the provisions of the prevailing laws and regulations while still adhering to efficiency and effectiveness.
- c. Efforts are made to ensure the quality, process and results of public services can provide security, comfort, smoothness, and accountable legal certainty.
- d. If the public service provided by a government agency is considered expensive, the government agency concerned is obliged to provide opportunities for the public to participate in organizing it in accordance with the prevailing laws and regulations.[2]

According to Moenir, there are 3 (three) types of service, namely:

- 1. Oral service is a service in the form of oral form which is carried out by officers in the field of public relations (PR), information services and other fields whose job is to provide explanations or information to the public regarding the various service facilities available.
- 2. Service through writing is a service in the form of writing that can be provided in the form of giving explanations to the public with information in the form of information about a matter or problem
- 3. Service in the form of an action is service in the form of an act or the result of an action which is not only trance and verbal explanation.

Talking about the services provided by the government, of course, cannot be separated from government services in the public sector because generally the services provided by the government are in fields / sectors related to public interests such as managing ID cards, birth certificates, family cards, credit distribution and others, all of which are carried out for the sake of public welfare.

4.3 Principles of Public Service

- a. Transparency. It is open, easy and accessible to all parties who need it and is provided adequately and is easy to understand.

- b. Accountability, Can be accounted for in accordance with the provisions of laws and regulations.
- c. Conditionally. In accordance with the conditions and capabilities of service providers and recipients by adhering to the principles of efficiency and effectiveness.
- d. Participative. Encouraging community participation in the delivery of public services by taking into account the aspirations, needs and expectations of the community.[4]

4.4 Human Rights

The term HAM in Indonesia is better known as human rights. In several other literatures, the terms human rights and obligations or basic rights or in other words Human Rights are rights that enable humans to live a life of society and state as citizens of a common life without being disturbed. These rights can be in the form of civil and political rights.[5] In article 1 paragraph 1 (one) of Law No. 39 of 1999 concerning Human Rights, it is explained in the article that human rights are a set of human rights that are inherent in the nature and existence of humans as creatures of God Almighty and are His gifts that must be respected, upheld and protected by the State, law, government and every person for the honor and protection of human dignity.[6]

The Republic of Indonesia recognizes and upholds human rights and basic human freedoms as rights inherently inherent in and inseparable from humans, which must be protected, respected and upheld for the sake of commemoration of human dignity, welfare, happiness, intelligence and justice. Human rights laws specially made for peacetime apply to everyone. Its main purpose is to protect individuals from arbitrary behavior by their own governments. In fact, most of the regulations regarding human rights come from international law which could later become a source of inspiration for the formation of local laws in a country. Sources of human rights law internationally can refer to article 38 paragraph (1) of the statute of the International Court of Justice.[7]

5 Analysis and Discussion

The impact of the Covid 19 pandemic affects almost all parts of every human life that lives in today's society. A very influential and clearly visible impact is the impact on human health, which is increasing day by day at the beginning of the Covid 19 pandemic. The impact of the Covid 19 pandemic has also greatly affected public services, especially in Indonesia. This is because the government issued new policies during the pandemic, making public services overwhelmed in responding to policies issued by the government. New policies, for example, limiting the distance between one person and another to break the chain of spread of the covid virus 19. Public service officials set strategies in implementing and implementing policy recommendations issued by the government. This policy applies to all types of public services, be it goods, services, or administration. There are many problems that make public services not run properly in accordance with applicable regulations. Before the Covid 19 pandemic, public services were still lacking in terms of services to the community.

The officers only carry out their obligations but the obligations that are carried out are sometimes not in accordance with the rights of the people being served. The problem that is very often encountered is the culture of queuing which is still weak in implementation, public service officers see the status of the people being served. Things like feeling bad do not respect other human rights. Sometimes human rights that are felt by small people or poor

people have the right to be left without being served, even though they get time to be served instead of being left alone.

In the world of public service, people who have power have more right to go first than people who don't have the power to be left alone and given the last time of service. Such public services are not very good in the midst of human life based on human rights. Therefore, human rights are upheld in order to protect the rights of people who are oppressed by the rights of others. During a pandemic, public services are still the same as before the pandemic, the difference is also from the health program system. Many people are not served due to restrictions on time, distance, and people served. In terms of public services, various other problems are still found, such as extortion practices, convoluted services, even the attitude of officers who are not good or polite to people who want to be served.

That is what makes the government image bad by the people. Public services can be a reflection of government performance because the process is direct to the community. Coupled with the Covid 19 pandemic, of course, the public service process will be disrupted because services will be increasingly restricted and public services will be limited. The current pandemic condition is a challenge for the government and private institutions in the process of providing good services to the community to meet community needs.

Some of the efforts made by the government to continue to implement public services without ignoring the widespread spread of covid 19. Mulia with the WFH (Work From Home) system where officers provide services from home, reduce the number of services by limiting the number of queues, to optimizing online services. In the current pandemic condition, online service is the most appropriate thing to use to help meet the needs of the community amid the COVID-19 pandemic. Due to limited information about technology, many people choose offline services. Of course, here human rights must always be guarded and respected in order to support good public services for all people in Indonesia. In any condition, it is hoped that the government's performance in providing services to the community must run well and not interfere with human rights.

Efforts from the government must be accompanied by education for the community so that the efforts carried out can run well. Moreover, online services must have steps in their use from the beginning to the end, people can use this online service properly. A good step must be to disseminate information to the community so that services to the community will continue to run well and not be disturbed by the COVID-19 pandemic situation. With the above efforts, services to the community will be more effective and efficient in demonstrating human rights amid the pandemic.

6 Conclusion

The conclusion of this study is that before the pandemic, public services were still poorly organized and problems arose. During the Covid 19 pandemic, there were also many problems that occurred in public servants. Even the problems that appeared before a pandemic also occurred during a pandemic. The government's efforts in overcoming these problems are quite good. Public services are directly related to the community, which makes this public service effective and efficient so that the public's image of the government is considered good. Socialization about efforts to overcome public services online must be done as well as possible so that every online service that is carried out can reach all the community so that the needs of every human being can be met with the efforts made by the government. Human

rights must always be maintained and respected in every service provided to reflect good service to society, especially in Indonesian society.

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