STATE RESPONSIBILITY ON INTERNATIONAL SPREAD OF PLAGUE: WITH SPECIAL REFERENCE TO COVID-19 OUTBREAK

Undergraduate Thesis



Written by: Desi Nur Cahya Kusuma Putri NIM. 20170610341

Faculty of Law International Program for Law and Sharia International Law 2021

APPROVAL PAGE

STATE RESPONSIBILITY ON INTERNATIONAL SPREAD OF PLAGUE: WITH SPECIAL REFERENCE TO COVID-19 OUTBREAK

Undergraduate Thesis

Submitted as one of the requirements to obtain bachelor's degree at Faculty of Law Universitas Muhammadiyah Yogyakarta

Written by:
Desi Nur Cahya Kusuma Putri
NIM. 20170610341

UNIVERSITAS
MUHAMMADIYAH
YOGYAKARTA

This Undergraduate Thesis has been approved by the Advisor on March 9th, 2021

Advisor

Yordan Gunawan, S.H., MBA., M.H. NIK 1982020300904153054

DECLARATION PAGE

I am, the undersigned:

Name : Desi Nur Cahya Kusuma Putri

NIM : 20170610341

Judul Skripsi : STATE RESPONSIBILITY ON INTERNATIONAL

SPREAD OF PLAGUE: WITH SPECIAL REFERENCE TO

COVID-19 OUTBREAK

I hereby declare that this Undergraduate Thesis is truly the work of my own and I did not do a plagiarism or quotation in ways that are inconsistent with the prevailing ethics in the scientific community. On this statement, I am ready to bear the risk / any sanction imposed to me in accordance with the applicable regulations. If a breach of scientific ethics is found in the future, I am willing to accept the sanction.

UNIVERSITAS MUHAMMADIYAH Yogyakarta, March 9th, 2021

032AJX106025177

Desi Nur Cahya Kusuma Putri NIM. 20170610341

MOTTO

"The extremists are afraid of books and pens, the power of education frightens them. They are afraid of women."

-Malala Youzafsai



DEDICATION PAGE

This Undergraduate Thesis is dedicated to

My Beloved Parents

Jimanto

Pariyem

My Beloved Siblings

Tini Kusriyaningsing

Asih Susanti

UNIVERSITAS
MUHAMMADIYAH
YOGYAKARTA

Unggul & Islami

FOREWORDS

Assalamu'alaikum Warahmatullahi Wabarakatuh,

Alhamdulillahirobbil'alamin, I thank to Allah SWT The Most Merciful and Greatest for all His endless bless and countless bounties until I complete my Undergraduate Thesis entitled "THE STATE RESPONSIBILITY ON INTERNATIONAL SPREAD OF PLAGUE: WITH SPECIAL REFERENCE TO COVID-19". The research is conducted to fulfill one of the requirements in completing the studies and obtain Bachelor of Laws degree at International Program for Law and Shari'a, Faculty of Law, Universitas Muhammadiyah Yogyakarta.

First and foremost, I would like to express my gratitude and biggest appreciation to my beloved father, Jimanto, my beloved mother, Pariyem, and my beloved siblings, Tini Kusriyaningsih and Asih Susanti who give me such endless in any kinds of support during my study since day one. I could not be more grateful for having you all in my life.

My deepest appreciation also goes to Mr. Yordan Gunawan, S.H., MBA., M.H., as advisor for his time, energy, and thoughts in guiding me writing the thesis. Not limited to that, as my teacher and my lecturer who gave me many precious opportunities, experiences, and knowledge during my study in IPOLS. In truth, I could not have achieved my current level of achievement without strong support groups:

- 1. Mr. Nasrullah, S.H., S.Ag., MCL. as the Director of IPOLS.
- 2. Mr. Iwan Satriawan, S.H., MCL., Ph.D., Mr. Endriyo Susila, S.H., MCL., Ph.D., Dr. Zaid bin Mohammad, and all the lecturers of Faculty of Law for all the lessons and help during my study.
- 3. My one and only CGS, Aji Dita Nur Amanda, Sayydatun Naziah, Mariana Sampe Alik, and Yolanda Dysa Pratiwi.
- 4. Broken and Acne Survivors, Oriza Sativa and Yunike Indiarti. Last but not least, Augustine Archi Mariatama, Badzlina Azzyati Maizan, and Aji Novodna Mita Bunga for accepting me, staying through my ups and downs, and sharing lot of values and affection.
- 5. Farhan Eris Prianto, Agung Nanang Baskara, Rini Ramadani, and Muthia Azzahra for the truckloads of good times and being unpaid therapist for me
- 6. Devi Seviyana, Ananda Prasetya Utami, Aisyah Putri Elsry, and Haning Cesarea Occipita Maharani for being my supportive bestfriends since day one of my study began and accepting the whole version of me.

Yogyakarta, March 9th, 2021

Desi Nur Cahya Kusuma Putri

NIM. 20170610341

TABLE OF CONTENTS

APPI	ROVAL PAGEii
END	ORSEMENT PAGEiii
DEC	LARATION PAGEiv
мот	TTO v
	ICATION PAGE vi
FOR	EWORDSvii
TAB	LE OF CONTENTSviii
LIST	OF STATUTESx
LIST	OF ABBREVIATIONSxi
	ΓRACTxii
	PTER ONE INTRODUCTION
A.	Background of Research
В.	Problem Formulation
C.	Objective of Research 6
D.	Benefits of Research
CHA	PTER TWO LITERATURE REVIEWYAH
A.	State Responsibility YOGYAKARTA 7
В.	Plague9
C.	Coronavirus Disease 2019 (COVID-19)
	PTER THREE RESEARCH METHOD
A.	Type of Research
В.	Types of Data 14
Б. С.	V 1
	Method of Collecting Data
D.	Method of Data Analysis
	PTER FOUR_FINDING AND ANALYSIS
A.	Plagues History: Its Fatality and Destructions
	1. Plagues of the Ancient World
	2. Plagues of the Medieval World
	3. Plague of the Early Modern World21
B.	COVID-19 Outbreak: A Groan of Human Rights Violations
	1. Violation Right to Life41
	2. Violation of Right to the Highest Attainable Standard of Health 42
	3. Violation of the International Health Regulation 2005 (China's Delays
	Information)
	4. Violation of Freedom of Expression, Assembly, and Information
	(Cover-Up Attempts the Outbreak)
	(Co 101 Op 111101111pto tile Outorouk)

C.	State Responsibility on COVID-19 Outbreak	52	
CHAPTER FIVE CONCLUSION AND RECOMMENDATION			
A.	Conclusion	58	
B.	Recommendation	58	
BIBLIOGRAPHY		60	



LIST OF STATUTES

Universal Declaration of Human Rights (UDHR)

International Covenant on Economic, Social, and Cultural Rights (ICESCR)

Responsibility of States for Internationally Wrongful Acts (ILC Draft) 2001

International Health Regulation (IHR) 2005



LIST OF ABBREVIATIONS

CDC : China Center for Disease Control

CESR : Committee on Economic, Social and Cultural Rights

CLC : Chinese Labor Corps

COVID-19 : Coronavirus Disease 2019

DRM : COVID-19 Disability Rights Monitor

EVD : Ebola Virus Disease

HRC: United Nations Human Rights Committee

ILC: International Law Commission

MERS : Middle East Respiratory Syndrome Corona Virus

NPIs : Non-Pharmaceutical Interventions

OHCHR: United Nations High Commissioner for Human Rights

PCIJ : Permanent Court for International Justice

PHEIC: Public Health Emergency of International Concern

PRC : People's Republic of China

SARS : Severe Acute Respiratory Syndrome

SARS-CoV-2: Severe Acute Respiratory Syndrome Coronavirus 2

UN : United Nations

WHO: World Health Organization

WWI : World War I