

# The Fulfilment of Political Rights of Surabaya Covid-19 Patients at the 2020 Simultaneous Elections in the During Pandemic

Iman Pasu Marganda H.P.<sup>1,\*</sup>, Alifia Widianti<sup>2</sup>, Irma Lianna Nabilah<sup>3</sup>

<sup>1,2,3</sup> Universitas Negeri Surabaya

\*Corresponding author. Email: imanpurba@unesa.ac.id

## ABSTRACT

The state must be responsible for fulfilling the political rights of every citizen. Political rights are one of the human rights that cannot be reduced by the state. Even though at the time of the 2020 Simultaneous Elections in the During Pandemic, Indonesia was experiencing the Covid-19 Pandemic, the Government decided to hold simultaneous regional elections due to various considerations. So the concern and no less important is how to fulfil the political rights of Covid-19 patients who meet the requirements to vote and participate in democratic parties. This research will focus on the efforts and realities of the government or authorized institutions in fulfilling the political rights of Covid-19 patients in the Simultaneous Elections in the During Pandemic. The type of this research is empirical normative research with analytical descriptive qualitative approach. The data used are primary data through interviews and secondary data obtained through documentation. The results showed that the government through the General Election Commissions and The General Election Supervisory Agency as the Simultaneous Elections in the During Pandemic organizers had paid enough attention to Covid-19 patients in exercising their voting rights. However, it all comes down to the choice of each of the patients themselves.

**Keywords:** *Political Rights, Simultaneous Local Elections, Patient Covid 19*

## 1. INTRODUCTION

The government of Indonesia is still facing Covid 19 with various policies. The Covid-19 pandemic has resulted in a government crisis and pandemic management policies in various countries in the world. Almost every country has to compete fast with the spread of Covid-19 to reduce the negative impact it has. Indonesia first confirmed the Covid-19 case on March 2, 2020. However, this case is suspected to be not the first case.[1] The team of experts from the University of Indonesia's Faculty of Public Health assessed that the prediction of the Corona virus had entered Indonesia since the 3rd week of January 2020.[2] This was based on cases of people under surveillance (ODP) and patients under surveillance (PDP) reported since the 3rd week of 2020.

Slightly different from other countries which immediately went into lockdown after it was indicated that Covid-19 had infected their country, the Indonesian government with all considerations from an economic, social and health perspective took steps to issue a policy, namely Large-Scale Social Restrictions (PSBB)[3] which is expected to cut the

eyes of the people.[4] The chain of Covid-19 spread by limiting community activities that allow crowds to form. In the political field, especially the Covid-19 pandemic, it has caused a polemic regarding the holding of the Simultaneous Elections.

The State of Indonesia is a legal state that adheres to the basic law, namely the 1945 Constitution and Pancasila, Indonesia National Values. Pancasila in the fourth precept explicitly regulates the existence of democratic rights that involve citizens playing an active role in determining their leaders.[5] The holding of simultaneous elections as a form of political fulfillment of citizens has been regulated in Article 201 paragraph (6) of Law 10 of 2016 which states that simultaneous voting is carried out to elect the Governor and Deputy Governor, Regent and Deputy Regent, as well as Mayor and Deputy Mayor. However, the Covid-19 pandemic requires the government not to neglect the health of its citizens.[6] For this reason, the Government, The House of Representative of Republic Indonesia and General Election Commissions have agreed to postpone the 2020 Simultaneous Election which was originally planned for September to

December 2020 until the country's conditions due to the pandemic improve with the issuance of Government Regulation Law (Perpu) No. 2 of 2020.

Regarding the holding of the 2020 simultaneous elections, it is not much different from the previous elections. Election instruments include The General Election Supervisory Agency (BAWASLU), General Election Commissions and DKPP. Not unlike other regions in Indonesia, Surabaya is also holding the 2020 simultaneous elections to elect the next mayor and deputy mayor[7]. This general election was followed by two pairs of candidates for mayor and deputy mayor. So then the question is how the state fulfills the political rights of Covid-19 patients in Surabaya at the 2020 simultaneous elections with various considerations related to the health[8] of Surabaya residents during this pandemic.

According to General Election Commission Regulation No. 06 of 2020 in Article 72 Paragraphs 1 to 5 e it states that voters who are undergoing hospitalization, self-isolation, and are positive for Covid-19 can exercise their voting rights at polling stations adjacent to hospitals. Aprista Ristyawati, "Efektivitas Pelaksanaan Pilkada Serentak 2020 Pada Masa Pandemi Darurat Covid-19 Di Indonesia" 02, no. November (2020): 85–96. The process that needs to be carried out in order to implement the regulation includes, among others, the families of positive Covid-19 patients who are hospitalized or are being isolated must report to the Voting Committee (PPS) at least H-1 before the election to the regions, so that PPS can find out where the patient is.[10] Covid-19 positive is quarantined. Furthermore, there is a process for filling out the A5 form (transfer form) for positive Covid-19 patients at the hospital and also the guarding family in order to facilitate the administration of the voting implementation. With this regulation, it can be seen that the Surabaya General Election Commissions is trying its best to guarantee the political rights of Covid-19 positive patients. In its implementation, voters who are positive for Covid-19 in isolation places or hospitals will be visited by two officers and two witnesses using complete PPE, so that Covid-19 patients can continue to vote and do not lose their right to vote as citizens while still adhering to the principles of health protocols.

However, the increase in the number of positive cases of Covid-19 in Surabaya cannot be avoided, as the data on the increase in Covid-19 cases in Surabaya on H+5 after the implementation of the Regional Head Election, precisely on December 14, 2020, reached 111 new positive cases of Covid-19, even though before the implementation of the Regional Head Election, the increase in the number of new positive cases of Covid-19 was not as high as the figure after the Regional Head Election, which only amounted to 76 new cases. Based on all the problems above, it would be interesting to conduct research related to the regulation of the fulfillment

of the political rights of Covid-19 patients, especially in the city of Surabaya and to find out more about how the government is taking steps to carry out simultaneous elections in the midst of the Covid-19 pandemic.

The problem formulation in this research is how to regulate and fulfill the political rights of Covid-19 patients in the city of Surabaya in the 2021 Simultaneous Regional Head Elections in the Era of the Covid-19 Pandemic?

## **2. METHODS**

### **2.1 Research Stages**

Research stages are described in general as follows:

- Identification of problems  
Identifying what issues will be discussed regarding the Synergy of Central and East Java Provincial Government Policy regarding health quarantine for Covid-19 positive patients so that they continue to get their rights as citizens.
- Literature review  
Studying the literature that will be used as a study in this research.
- Collecting Legal Materials  
Collecting legal materials both primary and secondary.
- Legal Material Analysis  
Analyzing the results of legal materials with existing theories
- Collecting empirical data through interviews with related institutions.
- Draw a conclusion  
The conclusions drawn are based on the analysis of legal materials and checked whether they are by the aims and objectives of the study.

### **2.2 Legal Research Method**

The type of research conducted in this research is normative legal research or empirical normative research. Empirical normative research refers to the legal norms contained in legislation and judicial decisions as well as legal norms that exist in society. Normative legal research is carried out by examining library materials, also known as secondary data and library research.[9] Because empirical normative research starts from positive legal provisions that are applied to legal events in society, in the research, there are always two combined stages of study, namely the first stage regarding the study of applicable normative law and the second stage is the application of events in concerto to achieve the research objectives.

Judging from its form, this research is descriptive analysis research, which is to reveal the laws and regulations relating to legal theories that are the object of research. Descriptive analysis is a method used to describe a condition or situation that is happening or ongoing and aims to provide data as accurately as possible about the object of study so that it can explore ideal things, then be analyzed based on the legal theory or applicable laws. The relevant approach and will be used in this normative legal research is the statutory approach and the case approach regarding the election of regional heads in the city of Surabaya during the 2019 Covid-19 pandemic.

### **2.3 Analysis of Legal Materials & Empirical Data**

In this study, the method of analysis of legal materials used is qualitative analysis. The qualitative analysis method which has five characteristics, namely using the natural environment as a data source, analytical descriptive nature, emphasis on process and not results, inductive, and prioritizing meaning is a suitable method in this research.

## **3. RESULTS AND DISCUSSION**

### **3.1 Fulfillment of the Political Rights of Covid Patients**

Political rights is fundamental rights that are inherent in each individual as long as the individual has met the terms and conditions that have been determined so that means that these rights must be fulfilled by the state. In addition, it can also be said that political rights are part of the right to participate in government activities. Political rights, including the right to vote, have been regulated in the Constitution of the Republic of Indonesia, namely Article 1 paragraph (2), Article 2 paragraph (1), Article 6A (1), Article 19 paragraph (1), and Article 22C (1) of the Indonesian Constitution. 1945. The provisions of the 1945 Constitution of the Republic of Indonesia contain that the state must fulfill all forms of human rights of every citizen, especially those relating to the right to vote for citizens in [4] General Elections (Election) both Presidential Elections (Pilpres) and Regional Head Elections (Pilkada) in Indonesia. Therefore, this provision emphasizes that the state should open up the widest opportunity for every citizen to be able to exercise their right to vote because limiting the rights of citizens to vote is a form of human rights violation.

Since early 2020, Indonesia has been confirmed as one of the countries in the world that have not escaped the spread of the Covid-19 virus. This started with the confirmation of the first case by President Jokowi in early March 2020. Until finally the positive cases of Covid spread and attacked many parties on a large scale. This has finally prompted the President to officially designate Covid-19 as a non-natural

national disaster through [11] Presidential Decree (Keppres) of the Republic of Indonesia Number 12 of 2020. During the Covid-19 pandemic that was rampant in Indonesia, in the political field, inevitably, countries with various considerations must be to continue to run the Democratic Party to fulfill legal and political certainty as well as other legitimate reasons that are deemed important and cannot be postponed without clear certainty.[12] So then the government through the election administration institution is trying its best to hold the Simultaneous Election in 2020.

The holding of the 2020 simultaneous Election during a pandemic is not an easy thing that can be held just like that, but this is a challenge and obstacle for election organizers. This can be seen from the postponement of the schedule for the general election, which was originally scheduled to be held in September, to be postponed to December. The delay of 3 months became something that further strengthened the reason for holding the simultaneous Election in Indonesia at that time, although on the other hand there were many rejections and pressures to postpone the implementation date on the pretext of the condition of the Indonesian nation in December which was predicted to be quite vulnerable. But then through various considerations started from the legal, health, and social aspects, the Government and the Indonesian House of Representatives agreed to hold simultaneous local elections on December 9, 2020. [13] The agreement was reached in a working meeting between Commission II of the DPR RI and the Ministry of Home Affairs (Kemendagri), the General Elections Commission, The Election Supervisory Body (The General Election Supervisory Agency (BAWASLU)), and the Election Organizing Honorary Council (DKPP) in the DPR RI Commission II meeting room on Monday, September 21, 2020.

So then all planning and possible things that will happen are prepared optimally by The General Election Supervisory Agency (BAWASLU) and the General Election Commissions as the election organizing body. One of the things that becomes a special urgency in the implementation of the 2020 Simultaneous Election in the midst of a pandemic is the fulfillment of the political rights of Covid-19 patients. What is meant is the political right to become voters or voters in a democratic party in Indonesia.[6] It can be said that it is important to investigate because it is certain that with the number of positive patients on December 9 which reached thousands, it is possible that there are also thousands of people who have the right to vote in the implementation of the Simultaneous Election but the conditions are less likely to vote at polling stations as in general. Covid-19 patients themselves can be classified into 2 if based on the location of treatment, namely in the hospital and at home. In hospitals, most are those who have been confirmed positive for Covid-19 and

require extra care, while at home are those who are self-isolating so as not to make contact with other individuals who at that time were usually called ODG where they had positive symptoms of Covid. -19 but has not yet tested positive.

Then the fulfillment of the political rights of Covid-19 patients is important because after all those who are positive are citizens who also have the same rights as other citizens regardless of their health condition. In terms of the right to vote, of course, all citizens who have met the terms and conditions and have been registered with the DPT have the right to use their votes in an effort to participate in the government sector, because by voting at the time of the election, citizens also take part in determining voters. In the future, which means that it will have an impact on the condition of the government as well as further policies that will be issued. So that in the end, the state has an obligation to fulfill the political rights of its citizens without exception including by making clear regulations and concrete actions to facilitate political fulfillment in Covid-19 patients at the time of voting at the polling station, the opportunity to vote in a special place outside the polling station by the Covid-19 prevention and control health protocol. In addition to point h, it is written that The General Election Supervisory Agency (BAWASLU) assist voters who are undergoing hospitalization and/or positive for Covid-19 infection in hospitals until they are finally forced to exercise their voting rights in hospitals and provide assistance to voters who are undergoing independent isolation so they must use voting rights at home.

Not to forget, the General Election Commissions of the Republic of Indonesia through General Election Commissions Number 6 of 2020 mentioned in more detail the implementation of the Simultaneous Election which is more aimed at Covid-19 patients or those who are in self-isolation. This is stated in Article 71 paragraph (3) of points a – f which contains regulations as well as procedures if it is found that voters who have a body temperature of 37.3 ° Celsius or more will be directed to a special place provided outside the TPS by using additional attributes, namely: gloves. Then Article 72 paragraphs (1), (2), (3), and (4) discuss clearly and in sufficient detail regarding the handling of voters who are undergoing hospitalization, self-isolation and positive for Covid-19 based on data obtained from the Covid Task Force. - 19 can channel their voting rights at the polling station closest to the hospital who previously voted or can be accompanied by their family by filling out the A5-KWK model form no later than 1 day before the voting is done.

Finally, in General Election Commissions Number. 6 of 2020 also found articles that regulate voters for Covid-19 patients or self-isolation in Article 73 paragraphs (1), (2), (3), (4) and (5) where it is stated that KPPS can serve their voting rights by visiting with the approval of the Witness and

Panwaslu or TPS Supervisor and also explained the process starting from the implementation at noon until various other provisions that follow it. From the two central agency regulations, namely The General Election Supervisory Agency (BAWASLU) and General Election Commissions as the organizers of the General Election in Indonesia, it was found that there were clear and detailed regulations governing the implementation and facilitation of Covid-19 patients and people who were self-isolating from the beginning of the data collection process to implementation. So this has explicitly shown that the government through the election administration agency has seriousness or seriousness in conducting the 2020 elections during a pandemic by participating in paying attention to and preparing special regulations for Covid-19 patients so that they do not lose their right to vote.

### ***3.2 Fulfillment of the Political Rights of Covid-19 Patients in Surabaya***

Indonesia is a democratic country based on the principles of the people, by the people, for the people. The output of the Indonesian state which has a democratic system is the public in general, especially the Indonesian people who have been legally recognized by the existence of an Identity Card and are recognized as Indonesian citizens so that they can channel their rights as a citizen. The position of citizens within the scope of a democratic country like Indonesia has a very high position, this is because citizens have an absolute right to determine the leader who will later lead and direct the direction of Indonesia's progress in the future as stated in the Constitution of the Republic of Indonesia, namely the Constitution. Republic of Indonesia in 1945 Article 27 Paragraph (1), Article 28D Paragraph (3), and Article 28E Paragraph (3). This is also regulated in Article 43 Paragraph (1) of Law Number 39 of 1999 concerning Human Rights.

All the provisions contained in the article become the legal basis for every citizen to determine the direction of the Republic of Indonesia in the future, where they have the freedom to participate in determining their representatives who have great power within the scope of the Indonesian state administration, both within the scope of the state, namely the presidential election, both in The scope of the Regional Head is the election of the Regional Head and within the scope of determining the legislative body, namely through the legislative election. With this article, it can be reflected that the right of citizens to be elected and to vote is the embodiment of the responsibility of state institutions to realize the form of the Indonesian state as a democratic country, besides that the right of citizens to be elected and to vote is also a representation of the fulfillment of human rights of every citizen. . This is because the sovereignty of citizens within the scope of a democratic state is very calculated both in terms of quantity and quality, thus every citizen who is

legally involved and has the right to use his voice has the freedom to participate in determining their representatives in the state government order. Therefore, every citizen who has the right to vote and be elected must be free from all pressures, namely they must be free from all actions that cause fear in their minds and minds as well as from all forms of discrimination from some parties who feel they have more power. More than citizens who have the right to vote, and if this can be implemented properly, the Indonesian state can realize a people's sovereignty system on the basis of a democratic Indonesian state through general elections.

Furthermore, in the implementation of the fulfillment of citizens' rights as a form of citizen sovereignty within the scope of a democratic country through elections, it is necessary to have state institutions that are focused on managing the household in the implementation of general elections, be it general elections to elect the President, Regional Heads or legislative institutions. The institutions that have this authority are the General Election Commission or commonly referred to as the General Election Commissions and the National Election Commission Election Supervisors or commonly called The General Election Supervisory Agency (BAWASLU). The two institutions have different functions and substances of authority but synergize with each other for the sake of carrying out democratic general elections and can fulfill every right of citizens in a complex manner.

General Election Commissions And The General Election Supervisory Agency (Bawaslu) have regional coverage in accordance with their regional powers, this can also be found in the Surabaya City area, more precisely in the implementation of the Surabaya City Regional Head Election which was held on December 9, 2020 yesterday, the institution in charge of the successful implementation of the Simultaneous Election in Surabaya is the General Election Commissions And The Surabaya City The General Election Supervisory (BAWASLU) where they also have the duty and authority to bridge the whole community of the City of Surabaya, both people who are physically healthy and people who are positive for Covid-19 so that they require them to carry out treatment, this action is carried out so that they can channel their voting rights in the implementation Simultaneous Election 2020.

This policy is in line with what was conveyed by the chairman of the Surabaya General Election Commissions , namely Mr. Nur Syamsi S.Pd and the chairman of the Surabaya The General Election Supervisory Agency (BAWASLU), namely Mr. Muhammad Agil Akbar, S.Pd. which between the two are in harmony saying that the general election institutions of the city of Surabaya, namely the General Election Commissions And The General Election, Supervisory Agency (BAWASLU), have tried their best to

facilitate the people of the city of Surabaya in the 2020 Simultaneous Election 2020 event to elect the Mayor and Deputy Mayor of Surabaya, this is supported by the evidence of reports and documentation explaining that the General Election Commissions Surabaya has collaborated well with the Surabaya The General Election Supervisory Agency (BAWASLU) to visit every hospital in Surabaya to pick up Covid-19 patients who are being isolated or to bring ballot boxes directly in the area of the community who are implementing self-isolation. In addition to these efforts, as stated in the The General Election Supervisory Agency (BAWASLU) regulation number 4 of 2020 which requires the implementation of the 2020 PILKADA must be carried out with strict health protocols because at that time Indonesia was still in a Covid-19 emergency status with a number of 6,058 new cases on December 9, 2020. In addition, the General Election Commissions And The General Election Supervisory Agency (BAWASLU) have prepared special booths for voters who if they have signs of Covid-19 such as having a body temperature above 37.30 and others, those who have these signs will be given separate facilities and equipment which of course distinguished from society in general.

### ***3.3 Realization of the Fulfillment of the Political Rights of the Surabaya City Community***

The holding of General Elections in Indonesia must be carried out according to a predetermined grace period for each leader both within the scope of the state and within the scope of the region in the process of holding their positions of power. In addition, general elections must also be held so that people can protect their rights as citizens in a democratic country that has the authority and sovereignty to determine honestly, freely and fairly the leader who will lead them according to the deadline determined by law. Even though Indonesia is currently in a slightly unfavorable position, which is in the phase of fighting and fighting for themselves to fight the Covid-19 pandemic, the relevant institutions should not use this excuse to delay and prolong the time for the general election and regional head elections. Because these actions can injure the 1945 Constitution of the Republic of Indonesia as well as the General Election Law that has existed for a long time and has indeed been a guide in organizing general elections to date. With such a background, this year's regional head election, namely in 2020, must continue to be carried out as a community democratic party event even though there is a slight shock, this is because the regional head election this year coincides with the Covid-19 pandemic situation which is currently indiscriminately.

In Indonesia, with the number of cases stepping on to five thousand people who were positively exposed to Covid-19. The schedule for the regional head election which was originally planned for September 23, 2020, had to be

postponed to December 9, 2020, considering that the government had to choose between two fairly heavy choices, namely between choosing to maintain the democracy of the Indonesian nation or choosing to protect and maintain the safety of citizens from exposure to Covid-19 and the government must also think about how to make the 2020 Simultaneous Election which should be a contestant of democracy become an arena for the expansion of the new Covid-19 cluster.

With all the obstacles from the Covid-19 pandemic which until now has not subsided, the implementation of the 2020 Simultaneous Election which was held in early December was very influential and actually carried out differently when judged from the implementation of the regional head election in the previous year, this is because the many challenges that arise both from the KPPS and from the voters, especially the Covid-19 patients who have not been forgotten in the implementation of the 2020 Simultaneous Election. For this reason, the Surabaya City election institutions, namely The General Election Supervisory Agency (Bawaslu) And the Surabaya General Election Commissions, continue to facilitate the right to vote and be elected by Surabaya residents even though at that time they were exposed and became Covid-19 patients. In addition, there are also several regulations that need to be implemented as conveyed by Mr. Imam as a staff of the Surabaya City Election Supervisory Board who told of the many challenges for KPPS officers in the field, including KPPS parents who came and did not allow their children to help carry out the Simultaneous Election. 2020 and go directly to the field hospital, but it can't be helped. Like it or not, the KPPS must be willing, including myself, to come directly to supervise the 2020 Simultaneous Election process, where the difference from the previous year was that during this year's Election there was only one person and one tool so that the tools used for voting were disposable and direct. We count separately as well (Imam, 2021).

Apart from the point of view of the Election Supervisory Body which needs to be considered in relation to the implementation of the 2020 Regional Head Election, there is a point of view from other institutions that indeed also have a large role and authority in the implementation of the 2020 Simultaneous Election to promote public awareness in politics in the course of the Regional Head Election which continues to work together. With the Election Supervisory Body, namely the General Elections Commission. According to the Commission, implementation the 2020 Simultaneous Election during a systemic pandemic when socialization has been carried out to minimize physical contact or gather people, each face-to-face meeting is limited to 50 people and PPE is prepared, then the second General Election Commissions has increased socialization around to avoid direct contact with the

community, socialization The tour itself is carried out approximately 2-3 times in a month. This mobile socialization was carried out from village to village, from alley to alley, where in the next the General Election Commissions also carried out socialization from social media. Many forms of socialization that were initially arranged face-to-face but looked at the situation were eventually transferred to social media and print (Knur Swamis, 2021).

However, with all the obstacles that exist in the implementation of the Surabaya City Regional Head Election in 2020 there is an increase in the number of voters compared to the previous year, and if there is an increase in the number of voters as mentioned, it can be said that the participation of the people of Surabaya City is good, considering that during the pandemic Covid-19 certainly has many challenges to overcome, but the number of voters is increasing. This of course reflects the cooperation between the Surabaya City Election Supervisory Board and the General Election Commission when the 2020 Surabaya City Regional Head Election has gone well. There are several efforts carried out by the Surabaya City Election Supervisory Agency together with the Surabaya City General Election Commission to provide political awareness for the people of Surabaya, namely by observing data on Covid-19 patients, both patients who are being hospitalized and patients who are self-isolating. Although the implementation of these observations can risk the leakage of voter data, the Surabaya City Election Supervisory Board can resolve them properly as explained by the Chairperson of the Surabaya City Election Supervisory Board Mr. Agil Akbar who explained that when there are voters who carry out self-isolation, there must be a family or KPPS.

Inform The General Election Supervisory Agency (Bawaslu), So That The General Election Supervisory Agency (Bawaslu) And General Election Commissions will come directly including those at the hospital at 12.00. However, the day before the pick-up, coordination will be carried out in advance regarding the number of positive Covid-19 patients being treated, so that the The General Election Supervisory Agency (Bawaslu) And the General Election Commissions can determine personnel to come there and so that they do not exceed the specified hours. So before the implementation, The General Election Supervisory Agency (Bawaslu) has coordinated with Panwascam by the district where the existing hospital or health center is located, then the KPPS together with The General Election Supervisory Agency (Bawaslu) go to the hospital, and near the hospital there must be the closest TPS and at the nearest TPS there must be a letter. reserve votes that have not been used, so that backup letter is used to vote for Covid-19 patient voters, and they categorized in the

additional voter list or DPTP 2 as long as the patient still has an official Surabaya ID card (Agil Akbar, 2021).

In terms of the source of data on Covid 19 patients obtained by The General Election Supervisory Agency (BAWASLU), the involvement of the patient's family is important as the representative who registers the patient in exercising their voting rights. Covid-19 patients as sick people are defined as not being able to exercise their voting rights at the initial polling station. So they are categorized as voters who move to vote. The family as representatives as long as they have obtained approval from the patient can register it by filling out the A5 form which is taken care of by another person or his family and after that it is only registered to the KPPS, and by the new sub-district KPPS it is recorded and submitted to the PKK (Sub-district Election Committee), the new PPK is submitted to the KPPS. General Election Commissions that there is a need for additional ballots at the previously mentioned TPS.

As for the Covid-19 voter data obtained by the General Election Commissions, it is also not well systematized, this is because the General Election Commissions did not specifically record Covid-19 patients who gave their voting rights in the 2020 PILKADA implementation, so in general the data came from Covid-19 patients. 19 generalized to data from the general public as explained by the General Chairperson of the Surabaya General Election Commissions that the Covid-19 patients who participated in the 2020 Course de Philosophy Positive yesterday were not confirmed by data and if the Covid-19 patient carried out self-isolation, only service preparation was carried out, how much which was later facilitated was not confirmed. Because indeed the regulations governing the implementation of the 2020 PILKADA do not state that there is an obligation for KPPS members must mark that A is a voter who is positive for Covid-19 whether he is self-isolating or being hospitalized in a hospital. Because of the function of electoral institutions, both General Election Commissions and the General Election Supervisory Agency (BAWASLU) in Surabaya only must facilitate voters, and voters are only obliged to fill out the attendance list and exercise their voting rights (Nur Syamsi, 2021).

Based on the results of a survey conducted by The General Election Supervisory Agency (BAWASLU) after the PILKADA implementation period was completed, it was found that the results were quite inconsistent with the provisions that had previously been stipulated in the Regulations. This is related to the classification of voters who come to TPS where there should be a special place provided for voters whose temperature at that time reached 37.3 degrees Celsius which was not fully implemented properly at TPS. This is by what was obtained from the staff of the Surabaya

Election Supervisory Board (Usman, 2021), namely as follows.

"So, from our survey results, the provisions are generally not implemented, so many people do not know it to be normal, because sometimes it is sad to see that if the temperature is high and you have to shift, I feel discrimination. So we ask to normalize it first, just like there is a high temperature, we ask to rest first because we just got out of the AC car, the minimum is 33 and the top one is 37, we apply it specifically but it's minimal. "

However, this is contrary to what was conveyed by the General Election Commissions, that the existence of a special booth at the time of the general election does not discriminate against people who have a body temperature above 37.3 degrees and the existence of a special booth is one of the facilities that should be provided by the General Election Commissions. Election institutions to facilitate the public can channel their rights as a citizen and they also must duty to continue to ensure the safety of the participants in the general election.

#### **4. CONCLUSION**

From the results of interviews conducted by the research team with the General Election Commissions And The General Election Supervisory Agency (Bawaslu), it indicates that the 2020 Simultaneous Elections has been carried out well, this is evidenced by the increase in the number of voters as the data obtained from the Surabaya General Election Commissions on the results of the 2020 Simultaneous Elections implementation, namely voters who use male suffrage as much as 507,496 and 590,973 women with a total of 1,098,469 voters who exercised their voting rights as stipulated in a special regulation that was stipulated in the implementation of the 2020 Simultaneous Elections during the current pandemic, this is also in line with what was conveyed by The General Election Supervisory Agency (Bawaslu) and General Election Commissions Surabaya that the rights of Covid patients -19 at the time of the 2020 Simultaneous Elections has been fulfilled even though at the time of implementation many obstacles must be passed both from the organizers and voters. In addition, the General Election Commissions also explained that the 2020 Simultaneous Elections has been running as it should and has been good for facilitating the community to channel their rights, this is in line with the Simultaneous Elections statement which said that until today there has not been a single voter party who officially reports or complains to the public. We are related to facilitating voters who are in the hospital or at home for those who are exposed to Covid. So you could say that the Covid patients themselves still don't have a sense of obligation to

vote, because as stated earlier, we from the organizers have tried to facilitate, it's up to them to decide whether they want to vote or not.

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