

BAB 5

KESIMPULAN

5.1 Kesimpulan

Berdasarkan pembahasan pada bab sebelumnya, maka penulis dapat menarik sebuah kesimpulan sebagai jawaban atas pokok permasalahan yang mendasari penelitian ini ialah:

1. Tidaklah mudah untuk memintai pertanggungjawaban atas kasus pandemi covid-19 terhadap Tiongkok dikarenakan hal tersebut harus didukung dengan adanya fakta hukum yang kuat. Adanya kesulitan memintai pertanggungjawaban kepada Tiongkok sebagai negara awal mula terjadinya pandemi covid-19, hal ini karena Tiongkok dianggap tidak transparan mengenai adanya penyebaran virus covid-19 dan Tiongkok juga terlambat melaporkan hal tersebut kepada WHO. Pihak yang menggugat Tiongkok juga wajib untuk membuktikan apa yang ditudingkan kepada Tiongkok, akan tetapi hal tersebut tidak akan mudah dilakukan karena pemerintah Tiongkok sendiri tidak memberikan akses kepada siapapun untuk mendapatkan adanya bukti-bukti yang diperlukan terkait hal tersebut. Tanggung jawab Tiongkok atas pandemi di bawah Hukum Internasional ini terlepas dari kenyataan bahwa undang-undang tanggung jawab negara belum pernah diterapkan pada kasus-kasus epidemi atau pandemi yang konkret sebelumnya. Namun, jika tanggung jawab Tiongkok diputuskan secara resmi, dalam Hukum Internasional sendiri bentuk pertanggungjawaban yang mungkin dapat diberikan oleh Tiongkok ialah adalah kepuasan (*satisficaction*).

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