

ABSTRAK

Penimbunan masker menjadi salah satu permasalahan serius yang dialami oleh Indonesia di awal masa pandemi covid-19 ini. Mengingat bahwa masker saat ini bukan hanya menjadi kebutuhan beberapa individu dan kelompok tertentu, melainkan kebutuhan setiap orang di seluruh dunia. Akibat dari tindakan tersebut, persediaan masker di pasaran menjadi langkadan harga melonjak tajam yang sangat merugikan masyarakat. Sehingga timbul lah pertanyaan mengenai faktor penyebab terjadinya penimbunan masker pada awal masa pandemi covid-19 dan Penegakan hukum pidana terhadap penimbunan masker diawal masa pandemi covid-19 sebagai upaya penanggulangan penimbunan masker di masa pandemi covid-19. Dalam pembahasan artikel ini metode yang digunakan adalah metode penelitian yuridis normatif. Berbagai faktor penyebab terjadinya penimbunan masker seperti faktor internal dan eksternal menjadi motif pelaku penimbunan masker. Tindakan penimbunan masker tentu bertentangan dengan Undang-Undang Perdagangan yang menyebutkan bahwa pelaku usaha dilarang menimbun barang terkait dengan barang pokok dan barang penting. Namun ketentuan pidana dalam Undang-Undang Perdagangan dapat diterapkan apabila masker ditetapkan sebagai barang penting. Namun dalam persoalan penimbunan ini, tidak hanya terkait dengan Undang-Undang Perdagangan saja, akan tetapi dapat juga terkait dengan Tindak Pidana Korupsi serta Sabotase. Tujuan akhir dari kebijakan hukum pidana terhadap penimbunan masker semata-mata hanyalah demi kenyamanan masyarakat untuk dapat mendapatkan alat perlindungan diri berupa masker dengan harga normal di pasaran.

Kata Kunci: Penegakan Hukum Pidana, Penimbunan Masker, Covid-19

ABSTRACT

The masks hoarding is one of the serious problems experienced by Indonesia during the Covid-19 pandemic. Considering that masks today are not only a need for specific individuals and groups but a need for everyone around the world. As a result of this action, the supply of masks on the market has become scarce, and the price has jumped sharply, which is very detrimental to the

community. The problem arises regarding the factors causing the masks hoarding during the Covid-19 pandemic and the criminal law enforcement against masks hoarding during the Covid-19 pandemic as an effort to overcome mask hoarding during the Covid-19 pandemic. In the discussion of this article, the method used is the normative juridical research method. Various factors cause masks hoarding, such as internal and external factors, to become the motive for mask hoarding perpetrators. The act of hoarding masks is undoubtedly contrary to Law No.7 of 2014 concerning Trade, which states that business actors are prohibited from hoarding goods related to basic and essential goods. However, the criminal provisions in Law No.7 of 2014 concerning Trade can be applied if masks are designated as crucial items. But in this case of hoarding, it is not only related to trade laws, but can also be related to criminal acts of corruption and sabotage. The ultimate goal of the criminal law policy against masks hoarding is none other than the realization of protection for the public to get personal protective equipment in the form of masks at normal prices on the market.

Key Words: Criminal Law Enforcement, Mask Hoarding, Covid-19.