**ANNEX 1: Fact sheet on Individual Efforts Made towards the Achievement of the Bogor Goals**

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|  | **Status in 1996** | **Status in 2009** | **Status in 2019** | **Major Achievements incl. Significant Progress**  **after the Mid-term Stocktake and**  **Example of Best Practices** |
| **1. Tariffs** |  |  |  |  |
| 1. Import-weighted average of MFN applied tariff | N/A | 3.84% | 5.67% |  |
| 1. Simple average of MFN applied tariff | 13.015% | 7.645% | 10.109% |  |
| 1. Tariff average, based on import tariff revenue | 2.79% | 1.8% | 1.55% |  |
| 1. Zero tariff lines as a percentage of all tariff lines | 19.22% | 24.06% | 12.09% |  |
| 1. Zero tariff imports as a percentage of all imports | N/A | 24.5% | 12.43% |  |
| 1. Standard deviation for applied tariff | 16.79% | 12.54% | 13.19% |  |
| 1. Transparency in tariff regime |  | All informations related to tariff were published at tarif.kemenkeu.go.id | All regulations related to tariff have been published at [www.jdih.kemenkeu.go.id](http://www.jdih.kemenkeu.go.id) |  |
| **2. Non-Tariff Measures** |  |  |  |  |
| 1. Quantitative import restrictions/ prohibitions | In line with Indonesia’s commitment to the WTO (Schedule XXI), there are 2 (two) tariff-rate quotas commitments: a rice TRQ of 70.000 tonnes at an in-quota tariff rate of 90%; and a milk and cream TRQ of 414.700 tonnes at an in-quota tariff rate of 40%. |  | Until 2019, these TRQs have not been implemented because the MFN applied tariff rates for rice and milk & cream have been lower than the bound in-quota rates |  |
| 1. Import licensing | (Number of tariff lines applicable) | **Automatic**   1. Certain Products (Electronic goods, Clothing, Children Toys, Footwear, Food and beverages) 2. Iron or Steel   **Non-automatic**   1. Sugar 2. Refined sugar 3. Salt     **Neither automatic nor non-automatic**  1. Textile | **Automatic**  1. Certain Products (Electronic goods, Clothing, Children Toys, Footwear, Food and beverages, Traditional Medicine and Herbal, and Cosmetic)  2. Horticultural Products  3. Pearl  4. Ozone Layer Depleting Substances  5. Color Multi-Functional Machines, Color Photocopy Machines and Color Printer Machines  6. Iron or Steel  7. Alloy steel  8. Animals and Animal Products.  9. Cellular Phones, Handheld Computer and Computer Tablet  10. Carcass, Meat, Offal, and/or Its Processed Products  11. Rice  12. Forestry Products  13. Second hand Clothing (Worn Clothes)  14. Plastic raw materials.  15. Goods based on cooling system    **Non automatic**   1. Telecommunication Devices Based On Long Term Evolution (LTE) Technology 2. Nitrocellulose 3. Ozone Depleting Substances     **Neither automatic nor non-automatic**   1. tires |  |
| 1. Import levies | (Number of tariff lines applicable) | (Number of tariff lines applicable) | Indonesia did not apply import levies but import duties. |  |
| 1. Export subsidies | In Indonesia's commitment to the WTO (Schedule XXI), Indonesia takes a subsidy export commitment in rice with 28,348,230 as base outlay level. | (Number of tariff lines/ items applicable) | Indonesia does not maintain any export subsidies and will modify Schedule XXI based on the mandate of the MC 10th (Nairobi) |  |
| 1. Other non-tariff measures maintained | (List of measures) | (List of measures)  Indonesia implemented Anti-Dumping measures on 35 cases and Safeguards measures on 3 cases | (List of measures)  Indonesia implemented Anti-Dumping measures on 29 cases and Safeguards measures on 17 cases |  |
| **3. Services** |  |  |  |  |
| 1. Number of sectors out of 55 services sectors in which market access and/or NT are granted as a result of the commitments in the GATS | 15 | 15 | 15 |  |
| 1. Number of sectors out of 55 services sectors in which MFN exemptions maintained as a result of the commitments in the GATS | 2 | 2 | 2 |  |
| 1. Number of sectors out of 55 services sectors in which market access and/or NT are offered in the DDA under the GATS | Not Applicable (DDA’s initial offer made in 2005) | 21 | 21 |  |
| 1. Number of sectors out of 55 services sectors in which MFN exemptions maintained in the DDA under the GATS | - | N/A | N/A |  |
| 1. Number of RTAs/FTAs in which more market access and/or NT are committed to services sectors than those in the commitments under the GATS | - | 2 | 8 (domestically ratified ones) |  |
| 1. Number of sectors in which licensing and qualification requirements apply specifically to foreign service providers | All licensing and qualification requirements are imposed on both domestic and foreign service providers | All licensing and qualification requirements are imposed on both domestic and foreign service providers | All licensing and qualification requirements are imposed on both domestic and foreign service providers |  |
| 1. Measures to improve transparency in services | Information not available | - All draft and new domestic regulations and its amendments are published in Official Gazette and information available through internet  - Public consultation is conducted during the policy making process or before the policy is entry into force  - Maintenance of Enquiry points and contact points | - All draft and new domestic regulations and its amendments are published in Official Gazette and information available through internet  - Public consultation is conducted during the policy making process or before the policy is entry into force  - Maintenance of Enquiry points and contact points |  |
| **4. Investment** |  |  |  |  |
| 1. Restrictions on foreign investment |  |  | Presidential Regulation Number 44 2016 concerning List of Business Fields which are Closed to Investment and Business Fields which are Conditionally Open to Investment highlights among others:   * 7 Business fields are closed to investment in manufacturing sector; * 25 Business fields in manufacturing sector are reserved for SMEs; * 31 business fields in manufacturing sector are required for partnership; * 10 business fields are conditionally open for foreign investment in manufacturing sector | * Indonesia undertook efforts to liberalize and streamline its foreign direct investment (FDl) regime in several areas, e.g., the regulatory framework, the Negative Investment List and the business/ investment licensing system. * More business fields in manufacturing sectors are open to 100% FDI and foreign majority share ownership (>50%) FDI). * Further, foreign participation could be up to 100% ownership. Those sectors are distributions which related to production, raw material for pharmaceutical, e-commerce, marketplace, film industry and tourism. The relaxation of these industries aims to attract more capital and investment to develop the sector. * In this regard, BKPM has a role to collect the inputs from business associations, investors, academic institution and professional and then to coordinate with related ministries and agencies in order to formulate policies that shall benefit both private and public sectors. On top of that, our President has instructed to make Indonesia more open towards foreign investment to enhance the national competitiveness in the global market. |
| 1. Investment by foreigners entails offsets (performance requirements, export requirements, local content requirements) |  |  | Approval of investment projects is not linked to PPR issue. |  |
| 1. Restrictions on transfers of capital |  |  | ***None*** | In principle, Indonesia has no restriction on repatriation of the funds. It is also explicitly stated in the BITs between Indonesia and her counterparts. |
| 1. Consistency with APEC Non-Binding Investment Principles |  |  | ***Some*** | The NBIP are well reflected in recent international investment agreement including BITs and FTAs/EPAs/CEPAs |
| 1. Number of BITs and FTAs/RTAs which NT and MFN are ensured in relation to foreign investment |  |  | 24 BITs  8 FTAs/CEPA | All investment agreements including BITs and FTA/EPA/CEPA have included NT and MFN commitments |
| BITs and FTAs/RTAs with APEC member economies which NT and MFN are ensured in relation to foreign investment |  |  | 4 BITs/CEPA  7 FTAs | All investment agreements including BITs and FTA/EPA/CEPA have included NT and MFN commitments |
| 1. Measures to improve transparency in investment |  |  | * The Government of Indonesia is committed to enhancing transparency in law/ policy making process. Law Number 12 of 2011 as amended by Law Number 15 Year 2019 concerning the Formulation of Regulatory Regulation is welcoming and encouraging public participation to submit their comments or feedbacks on the proposed law/government regulation/presidential regulation. * In 2012, the Government enacted Presidential Decree No 33 Year 2012 concerning *Jaringan Dokumentasi dan Informasi Hukum* (Legal Documentation and Information Network). The legal information network or JDIH (**jdihn.go.id**), is the government effort to integrate all legal documentation and database into one web portal to increase the dissemination and understanding of legal knowledge; to facilitate the documentation and searchability of regulations, as well as other legal materials; and to improve law enforcement and legal certainty. * In 2014, the Government has dissued Presidential Regulation No. 87/2014. The regulation is to revoke the regulation No. 61/2005, and provide similar detailed mechanisms, including periodically announce draft regulations, as stated on the Law No. 11/2011. | * In 2020, there are 351 Government agencies, Law Libraries, and Parliamentary Secretariats from, both regional and central level, have submitted their with 263,469 legal and related documents to be integrated in the National Legal Information and Documentation Portal with total of 263,469 documents. A significant increase from 135 institutions in 2018. * The issuance and enactment of Presidential Regulation No. 97 of 2014 concerning One Stop Service Licensing, Presidential Regulation No. 91 of 2017 concerning Acceleration of Business Implementation on Doing Business, Government Regulation No. 24 of 2018 concerning Electronically Integrated Business Licensing Services (Online Single Submission), Government Regulation No. 24 of 2019 concerning Awarding Incentives and Ease of Investment in the Regions, and also BKPM Regulation No. 1 of 2020 concerning Guidelines and Procedures for Electronically Integrated Business Licensing Services (Online Single Submission). Thus, Indonesia continues to undertake measures in enhancing transparency of its investment regime both at the federal and regional levels. * Since 2018, the Online Single Submission (OSS) is intended to be the single reference in Indonesia for business licensing and will be the gateway for the existing Government services system at ministerial and regional levels. In which comes with the advantages of: secured business licenses in under an hour; availability of standardized business Licenses; Licenses are electronically integrated; accessibility at any time and anywhere. The licensing process is monitored by a Task Force thus increasing transparency. |
| **5. Standards and Conformance** |  |  |  |  |
| 1. Number of domestic standards aligned with the target international standards for Voluntary Action Plan (VAP) | (Number of standards) | (Number of standards) | According to VAP 8 as of January 2019, there are 65 of 99 National standard that aligned to International standard |  |
| 1. Description of conformity assessment process including participation in and implementation of mutual recognition arrangements | (Description of illustrative measures and number of mutual recognition agreements) | Indonesia became member of IAF since 2002 and signed IAF MRA:   * quality management system certification (since 22 September 2002), * environmental management system certification (since 26 October 2007), * product certification (since 19 October 2009)   Indonesia has joined ILAC since 2001 and signed ILAC MRA on  testing laboratory (since 20 June 2001), calibration laboratory (since 30 December 2003)  Since Indonesia joined  PAC in 2000 and APLAC in 2001 which merged become APAC since 2019, there are 6 implementations of MRA up to 2009:   * Quality Management System Certification Institute (ISO / IEC 17021) since August 24, 2000 * Testing Laboratory (ISO / IEC 17025) since May 22, 2001 * Calibration Laboratory (ISO / IEC 17025) since November 13, 2003 * Environmental Management System Certification Institute (ISO / IEC 17021) since July 8, 2004 * Inspection Body (ISO / IEC 17020) since December 9, 2004 * Product Certification Agency (ISO / IEC 17065) since June 16, 2009 | **International Accreditation Forum (IAF)**  Indonesia signed MRA on  food safety management system certification on October 21, 2015)  **International Laboratory Accreditation Cooperation (ILAC)**  Indonesia signed MRA on  inspection body (October 24, 2012) and medical laboratories (march 14, 2013)  **Asia Pacific Accreditation Cooperation (APAC)**  Indonesia signed MRA on:   * Medical Laboratory accreditation (ISO 15189) on March 14, 2013, * Food Safety Management System accreditation (ISO 22000) on May 22, 2013, * the Personnel Certification Body (ISO / IEC 17024) on June 15, 2016, * Proficiency Testing Body (ISO / IEC 17043) on June 21, 2017, * Energy Management System Certification Institute (ISO / IEC 50001) on December 14, 2017, * Information Security Management (ISO / IEC 27001) on December 14, 2017 | During 2016-2018 and 2018-2020, Indonesia became the Board of Management (BoM) of APLAC.  As the implementation of IAF, Indonesia signed joint cooperation between BSN and ESMA in 2018. This cooperation is related to the acceptance of halal product certificates from Indonesia to the UAE market. In addition, certificate for wood products related to Formaldehyde emissions that issued by Product Certification Body that accredited by KAN can be accepted  At the APAC Forum  As the Implementation APAC MRA, all certificates issued by institutions accredited by the Accreditation Board signing the MRA APAC can be recognized by other MRA members  At the ILAC Forum  The implementation of signing of the MRA ILAC, accreditation certificates and conformity assessment that issued by laboratories and inspection bodies accredited by MRA signatories are recognized by other MRA members. In addition, through this MRA, the results of calibration, testing and product inspection can be accepted throughout the world. Beside that, the number of laboratories and inspection bodies accredited by KAN within the scope of ILAC MRA are increasing |
| 1. Efforts to raise transparency and objectivity of standards | Indonesia as member of WTO since 1996 has ratified Act Number 6 of 1994 |  | * All national standards (SNI) published in BSN website * Indonesia has implemented ‘Good Regulatory Practices’ on the Mandatory Implementation of SNI. * Indonesia notified the Draft of Technical regulation to WTO Secretariat using *eping* application | For Standardization, Conformity Assessment including Metrology Regulated in Act Number 20 Year 2014 and its derivation regulation Government regulation (PP) No.34 Year 2018 |
| **6. Customs Procedures** |  |  |  |  |
| 1. Adoption of HS2007 nomenclature | -- | Indonesia has adopted HS2007 since 2007 | Indonesia has adopted HS2017 since 2017 | Indonesia has adapted BTKI 2017 and implemented 8 digits of Harmonized System Code |
| 1. Conformity with the Revised Kyoto Convention | -- | Not acceded | Indonesia acceded to the RKC on August 29th 2014. It has an entry to force on 22 November 2014.  status of conformity: S**ome** | Indonesia has acceded to the RKC by ratifying the General Annex and Body of Convention under law of customs number 17 of 2006 that has been arranged based on Revised Kyoto Convention.  Under the President Regulation No. 69 of 2014, Indonesia also validated the International Convention on the Simplification and Harmonization of Customs Procedures, as Amended.  Indonesia Customs is also an active member of the Management Committee. |
| 1. Transparency | (Description of illustrative measures) | (Description of illustrative measures) | All regulations related to custom procedures have been published at www.jdih.kemenkeu.go.id, https://inaportnet.dephub.go.id/ and www.beacukai.go.id |  |
| 1. Use of information technology and automation (e.g. Single Window, Harmonised Trade Data Elements, Paperless Trading, etc.) | (Description of illustrative measures) | Indonesia issued Presidential Regulation no 10 of 2008 related to the Use of Electronic Systems in the Indonesian National Single Window Framework which allows delivery, processing and the sole decision making in a single way for the granting of customs clearance and the release of goods. | Under ASEAN Single Window framework, Indonesia has implemented e-ASEAN Custom Declaration Document and e-Form D (Certificate of origins) in 2018.  Indonesia has integrated Delivery Order Online (DOO) into Indonesian National Single Window Portal.  The government has issued the Presidential Regulation Number 44 Year 2018 on Indonesia National Single Window in which at this time this Presidential Regulation comes into force (31st May 2018), Presidential Regulation Number 10 Year 2008 and Presidential Regulation Number 76 Year 2014 are repealed and declared ineffective. | * Under Single Window Framework, Indonesia has implemented Electronic Data Exchange with South Korea by 1 February 2020. * Indonesia has signed MoU with China for electronic data exchange by 27 June 2019 in Brussel. * Indonesia has signed MoU with Singapore for electronic data exchange ASEAN Customs Declaration Document by 8 October 2019 * Indonesia has managed to accommodate the creation Delivery Order (DO) Document for B to B transaction by November 2019 |
| 1. Measures to secure trade (e.g. AEO, etc.) | (Description of illustrative measures) | (Description of illustrative measures) | Indonesia has implemented AEO since 2010 by issuing the Minister of Finance Regulation no. 219/PMK.04/2010 related custom treatment related authorized economic operator which was renewed by Minister of Finance Regulation no. 227/PMK.04/2014 related Authorized Economic Operator. There are 110 firms that implemented AEO up to 2018. | In February, 2020 Indonesia has signed AEO Mutual Recognition Arrangements (MRA) with Korea and is currently negotiating with other economies as well. |
| 1. Implementation of other customs measures to facilitate trade (e.g. Advance Classification Ruling System, Time Release Survey, etc.) | (Description of illustrative measures) | (Description of illustrative measures) | Indonesia has implemented advanced ruling on classification and valuation but not yet in rule of origin.  Indonesia also implemented TRS in 5 ports, which are  a. Tanjung Priok  b. Tanjung Perak  c. Tanjung Emas  d. Belawan and  e. Makassar.  Indonesia plans to do a further implementation of TRS in 2020. | Indonesia implemented dwelling time in customs procedures which were directly monitored by the Minister of Finance. |
| **7. Intellectual Property (IP)** |  |  |  |  |
| 1. Ratification and implementation of the major multilateral agreements relating to IP rights | (List of agreements) | (List of agreements) | Since 2009, Indonesia has ratified the following agreements:   * The Madrid Protocol (October 2, 2017) * The Beijing Treaty on Audio-visual Performances (January 28, 2020) * The Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired or Otherwise Print Disabled (January 28, 2020) |  |
| 1. Measures to ensure the expeditious granting of IP rights | (Description of illustrative measures) | (Description of illustrative measures) | * Establishment of online filling systems for Patent, Trademark, Copyrights, Geographical Indications, and Industrial Design * e-hak cipta, an online copyright recording system. uses the Cryptographic Technology, making it easier for the public to register copyright in one day digitally * Establishment of electronic payment for IP registration using SIMPAKI (http://simpaki.dgip.go.id/). Through this payment system, the business process for PNBP payments that was originally carried out manually has been done centrally with a billing code integrated with the State Revenue System of the Ministry of Finance (SIMPONI) and the Banks * Enable international registration for Trademark through the accession of Madrid Protocol * Endeavour to enable international registration for industrial design through the accession of the Hague Agreement. The draft of the amendment of Industrial Design Law which contains the provision to accommodate the Hague system is currently being discussed in parliament. * Aligning guidelines for substantive examinations (patent, Trademark, Industrial Design) with international standards * Mapping of Industrial Design Potential in the region as one Performance of IP Program for Fiscal Year 2019 * Drafting Strategic Plan and document for Key Performance Indicator (KPI) of DGIP for Period of 2020-2024 |  |
| 1. Measures to provide for the effective enforcement of IP rights | (Description of illustrative measures) | (Description of illustrative measures) | * The establishment of Directorate of investigation and dispute resolution within the DGIP (National IP Office) in 2011 * Enabling mechanism for Customs enforcement of intellectual property rights through the enactment of several legal instruments such as:   a. Government regulation No. 20 of 2017 regarding Controlling Imported or Exported Goods Which Is Allegedly infringing Intellectual Property Rights  b. Regulation of the Minister of Finance of the Republic of Indonesia Number 40/PMK.04/2018 on Recording, Prevention, Warranty, Temporary Suspension, Monitoring and Evaluation to Control Import and Export of Goods Suspected Infringing or Results from Intellectual Property Infringement.  c. Supreme Court Regulation Number 4 of 2012 concerning Temporary Suspension (amended by Regulation of Supreme Court No. 6 of 2019 on Temporary Suspension Order)  d. Supreme Court Regulation Number 5 of 2012 concerning Injunction   * Enabling online reporting system for intellectual property infringement (https://pengaduan.dgip.go.id). DGIP also launched a complaint application that can be downloaded via smartphone so that people can use the online complaints system anywhere and anytime. |  |
| 1. Measures to harmonise IP rights systems in the APEC region | (Description of illustrative measures) | (Description of illustrative measures) | (Description of illustrative measures)  - Establishment of online filling systems for Patent, Trademark, Copyrights, Geographical Indications, and Industrial Design  - Enable international registration for Trademark through the accession of Madrid Protocol  - Endeavour to enable international registration for industrial design through the accession of the Hague Agreement. The draft of the amendment of Industrial Design Law which contains the provision to accommodate the Hague system is currently being discussed in parliament.  - Aligning guidelines for substantive examinations (patent, Trademark, Industrial Design) with international standards |  |
| 1. Public education about IP | (Description of illustrative measures) | (Description of illustrative measures) | Socialization/Dissemination on IP from 2018-2019: the activities in domestic and abroad:  • Seminars  • Workshops  • Exhibitions  • Dialogues  • Focus Group Discussions  • IP Expert Dispatches | • National Activities on IP Public Education and Awareness to all provinces in Indonesia.  • National Dialogue among government, business people, and consumers.  • IP Public Education and Awareness through all media including via DGIP website. |
| 1. International cooperation on IP rights | (Description of illustrative measures) | (Description of illustrative measures) | * MADRID PROTOCOL   Indonesia has been a member of Madrid since October 2017 and began accepting registration in January 2018. Until now, the development of registration through the madrid protocol has improved quite well. It shows that there are enhancement of awareness from trademark holders to file the applications through Madrid System |  |
| * BEIJING TREATY   Indonesia has ratified the Beijing Treaty through Presidential Regulation Number 2 of 2020 on the Ratification of the Beijing Treaty on Audio-visual Performances and submitted a notification to WIPO on January 26, 2020 as the 30th member of the Beijing Treaty and delivered this Treaty entry into force 3 months after the Notification.  The treaty will improve the protection of copyright and related rights especially for actors, actresses, singers, dancers and other audio-visual performers performing live or fixation | . |
| * MARRAKESH TREATY   Indonesia has ratified the Marrakesh Treaty through Presidential Regulation Number 1 of 2020 on the Marrakesh Treaty to facilitate access to published works for persons who are blind, visually impaired, or otherwise print disabled. The notification to WIPO regarding this authorization was made on January 26, 2020 | . |
| * BUDAPEST TREATY   In 2019, the ratification of the Budapest Treaty has been included in the priority formulation and discussion on the ratification has been carried out. The drafting of an explanatory script has been carried out and is being harmonized with other institutions. This year the ratification process carried over into 2020. |  |
| * THE HAGUE AGREEMENT   Currently, Indonesia is preparing an Industrial Design Law revision in which one of the provisions includes international industrial registration through the Hague system. This is an improvement for Indonesia in adopting international registration through the Hague System. The adoption of international registration through the Hagues system can be marked as an improvement in Indonesian IP regime | . |
| * Bilateral Cooperation * MOU between DGIP and IPOS * MOU between DGIP and WIPO * MOU between DGIP and USPTO * MOU between DGIP and EPO * MOU between DGIP and JPO * MOU between DGIP and CNIPA * MOU between DGIP and SECO Swiss |  |
| 1. Measures to promote transparency of IP rights requirement (for example, the APEC Leaders’ Transparency Standards) | (Description of illustrative measures) | (Description of illustrative measures) | DGIP publish several information in our website (http://www.dgip.go.id), which are:  • Text of IP law and regulation  • Information regarding IP registration  • Database of registered IP Attorneys (http://pdkki.dgip.go.id/index.php/pages/index\_)  • Information regarding IP registration as well as the respective fees  • Database contains status of IP registration and registered IP (Trademark, Industrial Design, Patent, and Geographical Indications). Can be found at https://pdki-indonesia.dgip.go.id/ |  |
| **8. Competition Policy** |  |  |  |  |
| 1. Development of competition laws and establishment of competition authority | None | To oversee the implementation of Law Number 5 Year 1999 on the prohibition of monopolistic practices and unfair business competition, Indonesia established an independent institution namely the Indonesia Competition Commission (KPPU) on 7 June 2000.  Since 2000 – 2009, the Commission has received 2827 complaints and has issued 141 Decisions. Around 85% of the Decisions were on bid rigging violations. The Commission has also initiated 28 ex-officio investigations.  In the appeal process, 55% of KPPU’s Decision were being affirmed by the District Court, and in the Cessation process, 70% of KPPU’s Decision were being affirmed by the Supreme Court. | In 2019, the Commission  issued 33 (*thirty-three*) decisions on competition cases, of which 31 (*thirty-one*) cases were found guilty. In that year, the total fines  imposed in the 31 cases reached Rp 165,624,174,188 (*one hundred sixty five billion six hundred twenty four million one hundred seventy four thousand one hundred eighty eight rupiahs*). Most of these decisions (54.5%) constituted bid-rigging cases in the procurement of goods/services. While the rest are cases of delay in notification of mergers and acquisitions (36.5%), cartels (6%), and monopolies (3%).  Related to merger in 2019, the Commission has conducted an assessment of 124 (one hundred and twenty four) notification of mergers and acquisitions with a total transaction value in the evaluation reaches IDR 154.176.280.302.017 (one hundred and fifty-four billion one hundred seventy six billion two hundred eighty million three hundred two thousand seventeen rupiah). | The effectiveness of role and performance of the Indonesia Competition Commission (KPPU), as well as the regulatory framework which embodies it, affects the quantity and quality of investment in Indonesia. Ineffective prevention and enforcement of competition law can lead to industrial concentrations which are detrimental not only to business actors, but also to the detriment of consumers or public from the consequences. This will certainly reduce Indonesia's competitiveness compared to neighbouring countries in the Asian region in obtaining foreign investment to support the Government's development program.  For this reason, KPPU continues to strive and improve its effectiveness, by constantly advancing regulations related to business competition to create a healthy and highly competitive business environment. In 2019, the Commission focused on reforming regulations that are directly related to business actors, such as improving procedural law, ease of notification of merger and acquisition transactions, and legal protection for micro, small and medium enterprises (MSMEs). We believe these various regulations will give a positive contribution to support the Government's programs in the following years.    Efforts to enforce competition law continue to be increased in strategic sectors. Since the year of 2000, the Commission has issued 345 (three hundred and forty five) decisions, with the total administrative fines that has been received by the state from this law enforcement effort is USD 28.2 million. This figure shows 55% of the total receivables of fines for violations of competition which is USD 51.2 million. In the appeal process, 59% of KPPU’s Decision were being affirmed by the District Court, and in the Cessation process, 70% of KPPU’s Decision were being affirmed by the Supreme Court. The affirmed decisions by the Supreme Court included the Decision on Scootermatic Cartel by Honda and Yamaha, Garlic Importation Cartel, and Car Tyre Cartel. This percentage is also a result of regular workshops for the Judges that were being held by KPPU, 2 (two) – 4 (four) times a year since 2002.    In terms of review of merger and acquisition transactions, there are 633 (six hundred and thirty three) notifications submitted and reviewed by the Commission since 2010 – 2019. Most of them are transactions carried out between domestic companies. Currently, the Regulation of the Indonesia Competition Commission Number 3 of 2019 concerning the Assessment of Merger or Consolidation of Business Entities, or Acquisition of Company Shares that Can Result in Monopolistic Practices and/or Unfair Competition was issued to provide ease and certainty for business actors in reporting merger and acquisition transactions, while increasing the scope of supervision by KPPU to the transfer of productive assets to prevent the transfer of control over national strategic assets.  As part of the oversight of large business partnerships with micro, small and medium enterprises (MSMEs) as Law No. 20 of 2008 concerning SMEs, the Commission began to enforce law on violations of business partnerships. In the first year of implementation in 2019 focused on the plantation sector, KPPU was handling 7 (seven) cases related to violations of the business partnership. It is hoped that this role will be further enhanced in order to improve the competitiveness of MSMEs and oversee the implementation of Government policies in upgrading the Indonesian MSME classes.    On the competition policy side, the Commission has issued 214 (two hundred and fourteenth) policy recommendations to the government, since its establishment. From all of those recommendations, 92 (ninety two) policy recommendations were adopted by the government. In 2019 alone, as a partner of the National Interest Team, KPPU issued 8 (eight) policy recommendations on national product protection policies, which have been implemented in the form of Anti-Dumping Import Duty and Safeguard Duty Import Duty on various products.    Related to competition in the region, as an advanced competition authority in ASEAN, KPPU has consistently increased south-south cooperation in helping to increase the capacity of competition authorities in ASEAN through the third party funding namely Japan – ASEAN Integration Fund (JAIF). Since 2017, KPPU as the proponent of JAIF has organized 12 (twelve) workshops and training courses for competition authorities in ASEAN. The Commission has also exchanged its Investigators with competition authorities in Malaysia, Cambodia, Philippines, Singapore, Thailand, and has just dispatched its Competition Expert to Brunei Darussalam. In 2020, the formulation of a set of recommended procedures for handling cross-border competition cases to anticipate various impacts of global competition will also be led by the Commission. |
| 1. Consistency with APEC Principles to Enhance Competition Policy and Deregulation and efforts to become consistent with the Principles | None | Most.  The Commission formulated its own competition checklist to assist the harmonization of government’s policy and regulation with competition value. The competition checklist was formulated by adopting the OECD Competition Assessment Toolkit, with some necessary adjustment to adhere with national condition.  Since 2000 – 2009, KPPU has issued 76 policy recommendations to the government, where 36 of them have been adopted by the government in the form of new regulation or amendment of previous regulation.  In 2009, the Commission also formulated Competition Index to measure the competitiveness in 2 (two) strategic sectors, namely air transport and telecommunication. The index showed that both sectors were competitive at that time. | Most.  In 2010, the Government Regulation No 57 of 2010 on Merger and Acquisition that may cause Monopoly Practices and Unfair Competition, was issued to kick-start the merger review authority of KPPU. Since then, Indonesia has held a voluntary pre-merger notification and mandatory post-merger notification regime.  In 2019, the Commission gave priority to its involvement as a partner in the National Interests Team to safeguard the national interests of foreign products at unreasonably prices. In that year, the KPPU issued 8 (eight) suggestions and recommendations on national product protection policies in the form of anti-dumping import duty (BAMD).  One of the demands of business actors to KPPU is transparency and accountability in law enforcement. Both of these are important factors to support increasing national competitiveness and investment. In realizing it, one of the focus of the Commission in 2019 is the improvement of regulations related to competition. These regulations include:   1. Regulation of the Indonesia Competition Commission Number 1 of 2019 concerning Procedures for Handling Cases; 2. Regulation of the Indonesia Competition Commission Number 3 of 2019 concerning the Assessment of Merger or Consolidation of Business Entities, or Acquisition of Company Shares that Can Lead to Monopolistic Practices and/or Unfair Business Competition; and 3. Regulation of the Indonesia Competition Commission Number 4 of 2019 concerning Procedures for Supervision and Handling of Partnership Cases   Regulation of the Indonesia Competition Commission Number 1 of 2019 concerning Procedures for Handling Cases is aimed at increasing transparency, fairness and legal certainty in the process of handling cases in accordance with the principles of good procedural law. Some of the main points of amendment to regulations concerning the procedure for handling cases include improvement of the *due process of law*, improvement of the procedure for handling cases, and the addition of behaviour change norms (*consent decree*).  Regulation of the Indonesia Competition Commission Number 3 of 2019 concerning the Assessment of Merger or Consolidation of Business Entities, or Acquisition of Company Shares that Can Result in Monopolistic Practices and/or Unfair Competition is intended to provide ease and certainty for business actors in reporting merger and acquisition transactions, while increasing the scope of supervision by the Commission to the transfer of productive assets to prevent the transfer of control over national strategic assets.  Regulation of the Indonesia Competition Commission Number 4 of 2019 concerning Procedures for Supervision and Handling of Partnership Cases governs the procedures for supervision and handling of Partnership cases. For information, KPPU has additional duty to oversee the implementation of partnerships by MSMEs and large or micro and small business actors with medium business actors. Form partnerships supervised consisting of a core-plasma, sub-contracting, franchising, general trading, distribution and agency, profit sharing, operational cooperation, joint venture, Outsourcing, and other forms of partnership. KPPU conducts law enforcement for violations in the implementation of the partnership. |  |
| 1. International cooperation on Competition law/policy | None | In 2002, KPPU became the member of International Competition Network (ICN), which is a network of competition authorities from 92 countries. The ICN’s mission is to advocate the adoption of superior standards and procedures in competition policy around the world, formulate proposals for procedural and substantive convergence, and seek to facilitate effective international cooperation to the benefit of member agencies, consumers and economies worldwide.  In 2003, KPPU and the Ministry of Commerce of Thailand initiated a discussion forum for competition authorities in ASEAN, namely ASEAN Consultative Forum on Competition (ACFC). With the support of ASEAN Secretariat, ACFC was held annually until 2006. Later in 2007, all members of ACFC agreed to escalate their commitment and formed the ASEAN Expert Group on Competition (AEGC), which is a sub fora under ASEAN and having its regular meeting twice a year, to discuss recent development of competition law and policy in the region.  In 2005, KPPU became an Observer/Participant in the OECD Competition Committee. As an Observer/Participant, the Commission is actively involved in formulating written contributions and participating in their regular meeting.  KPPU has been actively involved as Lead Negotiator for Competition Chapter in some Free Trade Agreement (FTA) Negotiation, namely the ASEAN-Australia-New Zealand Free Trade Agreement (AANZFTA) that was signed on 27 February 2009, and Indonesia – Japan Economic Partnership Agreement (IJEPA), that was signed on 20 August 2007. The competition chapter in both agreements covered exchange of information, notification, and technical assistance.  In July 2009, the Commission was peer reviewed by the United Nation Conference on Trade and Development (UNCTAD). The report of peer review stated that the implementation of competition policy and law in Indonesia has been executed in a successful and consistent manner. This report was presented during the Tenth UNCTAD Intergovernmental Group of Expert (IGE) Meeting on 8 July 2009, in Geneva. | To assist the harmonization of competition policy and law in ASEAN, an ASEAN Competition Action Plan (ACAP) 2016 – 2025 was developed. In order to achieve the ASEAN 2019 target in the field of competition, as the *lead agency*, KPPU has completed 2 (*two*) *outcomes* under the ASEAN Competition Action Plan 2016-2025 (ACAP), namely the *ASEAN Competition Business Perception Index*(as an indicator of perceptions of business actors/investors in ASEAN for business competition), and the *Peer Review Guidance Document*(as a reference for ASEAN in evaluating the performance of competition authorities). The Commission also formulated the Term of Reference to establish the ASEAN Competition Enforcers’ Network (ACEN) that was launched in 2018. This network is aimed to assist further cooperation among ASEAN’s competition enforcers in tackling cross-border cases.  KPPU also helped increase the role of Indonesia in South-South Cooperation. Through third-party funding, namely the Japan-ASEAN Integration Fund (JAIF) 2.0 Program, KPPU has in the past few years assisted ASEAN member countries in reducing capacity gap through various activities such as research, workshop and training courses, staff exchange, and secondment of KPPU’s expert to other competition authority in ASEAN.  Related to fulfilling the commitment of the Government of Indonesia with other countries, KPPU has assisted the Government in promoting national interests in various international negotiation agreements, particularly in the aspect of competition. KPPU with the Government has completed negotiations on Indonesia EFTA Comprehensive Economic Partnership Agreement (IECEPA), Indonesia- Australia Comprehensive Economic Partnership Agreement (IA-CEPA) and Regional Comprehensive Economic Partnership Agreement (RCEP). Together with the Government of Republic of Indonesia, the Commission is to negotiate economic agreements, the Indonesia-European Union Comprehensive Economic Partnership Agreement (IEU-CEPA), specifically on areas of subsidy that can affect competition between the two regions.  In the past few years, the Commission has also signed Memorandum of Understanding with some competition authorities, such as the Korea Fair Trade Commission (KFTC), the Authority for Fair Competition and Consumer Protection (AFCCP) of Mongolia, and Competition and Consumer Commission of Singapore (CCCS). |  |
| **9. Government Procurement** |  |  |  |  |
| 1. Increasing transparency of laws, regulations, bidding system, and how to determine bidding qualifications and bid winners | Government procurement has been regulated by Presidential Decree Number 16 of 1994 | * National Public Procurement Agency (LKPP/NPPA) comes from a part unit in the Ministry of National Development Planning. Since December 2007 Indonesia has needed an institution of regulation of procurement. * The history of establishment of NPPA/ LKPP as an independent institution was started from the basic need of independent institutions for developing strategies of regulation on procurement in Indonesia. Our institution came from apart unit of the Ministry of National Development Planning and in 2007 NPA/LKPP was established. NPPA/ LKPP is a central government agency and responsible to president | * Presidential Regulation Number 16 of 2018 regulated government procurement in general. * LKPP/NPPA Regulations Number 10 of 2018 regulated international international tender or selection. | * Procurement Regulation in Indonesia:  1. Presidential Decree Number 16 of 1994 (is not valid now) 2. Presidential Decree Number 80 of 2003 (is not valid now) 3. Presidential Regulation Number 54 of 2010 (is not valid now) 4. Presidential Regulation Number 16 of 2018 5. NPPA Regulations for more detail and specific provisions 6. Standard Bidding Document  * Procurement regulations in Indonesia have been revised in order to get effective and efficient procurement procedures for achieving the goal, which is value for money. It starts with Presidential Decree Number 80 of 2003. Presidential Regulation Number 54 of 2010 was implemented in 2010 to manage the procedures of public procurement for Indonesia and had been amended four times. The last revision was in 2015, which had promoted the use of accelerated tender processing with full implementation of e-procurement system. Further reform initiative was made to issue a revised Public procurement, which become effective since July 2018 i.e. Presidential Regulation Number 16 of 2018 on Public Procurement, superseding the previous Presidential Regulation No 54 2010. All government units at the national and subnational levels are required to continuously adopt e-procurement system to increase transparency and efficiency in the procurement process, and to establish permanent and independent procurement service working units (UKPBJs) with certified personnel at all levels of government, to standardize the organization of procurement across the entire government institutions. LKPP also stipulates several derivative regulations in the form of LKPP Regulations to regulate matters that are more detailed and specific, as well as Standard Bidding Document. * Transparency of Procurement System in Indonesia:  1. E-procurement initiation from 2003 is limited to auction announcements. 2. Presidential Regulation 8 of 2006 implementation procurement through website (pengadaan.bappenas.go.id). 3. In 2008, E-Procurement was implemented  * Transparency of laws, regulations, bidding system in Indonesia: Presidential Regulation Number 16 of 2018 regarding government procurement can be seen on the website: (jdih.lkpp.go.id). |
| 1. Restrictions on foreign goods, services or suppliers, or preferences to domestic suppliers | N/A | Most | Most |  |
| 1. Reciprocity requirements in providing access to government procurement markets | not existing  there are no regulations governing reciprocity requirements in providing access to the Government procurement market | not existing  there are no regulations governing reciprocity requirements in providing access to the Government procurement market | not existing  there are no regulations governing reciprocity requirements in providing access to the Government procurement market |  |
| 1. Consistency with the APEC Non-binding Principles on Government Procurement | None | Most | Most |  |
| 1. Introduction of electronic means for government procurement | Not introduced | Indonesia has initiated e-procurement since 2003 and fully implemented in 2008. | Indonesia through the LKPP/NPPA established the Electronic Procurement Service (LPSE) to organize an electronic procurement of goods / services system whose technical provisions are regulated in LKPP Institution Regulation No. 14 of 2018 concerning Electronic Procurement Services.  Until now LKPP has built integrated procurement system, including procurement plan systems (SIRUP), Selection (E-Purchasing based on e-Catalog, e-Tendering, Non Tendering & Non Purchasing Systems, as well as applications management contract), where all data is put together in a data warehouse and becomes data source for procurement monitoring evaluation. In its development, LKPP also seeks to integrate the electronic procurement system with its ecosystem such as planning and budget, statistic codification, tax system, citizen registration system and payment with other line ministries. |  |
| **10. Deregulation/ Regulatory Reform** |  |  |  |  |
| * 1. Reviews of existing regulations | **None** | **Some** | **Most** | **Economic Policy Packages**  2015 – 2018, Economic Policy Packages from 1st to 16th have deregulated around 222 regulations.    **Online Single Submission**  In 2018, Indonesia launched the ‘Online Single Submission’ (OSS) licensing system. This system was designed to cut lengthy bureaucratic procedures. The information of tax holiday and tax allowance are also available in OSS. This system is based on Government Regulation No. 24/2018 on the Electronically Integrated Business Licensing Service.  **Ease of Doing Business**  The Government has demonstrated commitment to improve the country’s ease of doing business by sustaining the pace of reforms across multiple areas. These efforts have led to improvements across areas measured by the Doing Business survey, enabling Indonesia’s overall rank to jump 33 position from the 106th position (DB 2016) to the 73rd position (DB 2020) out of 190 surveyed economies.  The inter-agency governmental working group first reviewed the existing process and regulatory requirements relevant to the areas measured by the Doing Business survey to set the baseline. Using comparison with international best practices and input from stakeholders, areas where simplification efforts are worth undertaken and can contribute to a better business environment were identified. Based on the findings, the working group developed a set of actionable regulatory as well as administrative reform action plans complete with the agreed timeline for implementation and the targeted outcome.  Among the quick wins that are included in the reform action plans are:  (i) simplification of procedures, time, cost and requirements that are formalized in the form of standard operational procedures, guidelines and technical level regulations,  (ii) leveraging ICT to enhance public service delivery’s efficiency and transparency of its process,  (iii) ensuring effective on the ground implementation of existing regulations. |
| * 1. Reviews of new or proposed regulations | **None** | **Some**  In 2004, the government issued a Law No. 10/2004, to guide the  formulation of laws and regulations. This framework was intended to provide a single document outlining the process to formulate laws and regulations.  Noteworthy, Law 10/2004, for the first time, principles to guide legislative drafting and mark the beginning of the government‟s legislative focus on improving regulatory quality. These principles are, among others: Clarity of purpose and objective; tangible and results-oriented; Clear formulation; and Openness | **Some**  In 2019, Law No. 15/2019 on the Formulation of Laws and Regulations has been enacted to amend the  Law No. 11/2012 on the same subject.    The Law No. 11/2012 describes the major reasons of the changes to the Law No.l0/2004 framework as:  · The expansion of requirements to forward planning of new regulation beyond laws and sub-national regulations to include government and presidential regulations;  · The establishment of mechanisms to revoke regulations in lieu of law;  · The introduction of mandatory academic studies as input into formulating bills and draft sub-national regulations; and  · The involvement of external (i.e. non-governmental) researchers and experts in the formulation of the bills and draft sub-national government regulations.    While the Law No. 15/2019 describes the major changes from Law No. 11/2012 as :  · Carry-over; that the Draft Law which has reached the discussion of the List of Inventory Problems (DIM) and has not been completed, shall be submitted to the Parliament for the next period of the medium-term of National Regulatory Program (Prolegnas) and / or the annual priority Prolegnas;  · Periodic Monitoring and Review of Laws/Sunset Policy; with the aim to periodically assess and evaluate the achievements, impacts, and benefits of Law; and   * Whole Government Approach; the formulation of laws and regulations shall be coordinated by the Minister and Head of Institutions responsible for the formulation of regulations | * All line ministries and local governments have made progress to reduce the number of regulations identified as an impediment to business climate. * Progress to increase the quality of regulation through implementing RIA as a mandatory requirement in the policy process at the ministerial level. * Enactment of Presidential Decree No. 7/2017 on taking over the authority to review and supervise draft ministerial regulations to the Coordinating Ministry of Economic Affairs to ensure that RIA has been conducted and in line with development priority agenda. |
| * 1. Consistency with APEC Principles to Enhance Competition and Regulatory Reform | (All, Most, Some, None) | (All, Most, Some, None) | Most |  |
| * 1. Improving transparency in regulatory regimes | **None** | **Some**  In 2005 the government enacted Presidential Regulation No. 61/2005. The regulation intended to provide a detailed mechanism to formulate regulation as stated in the Law No. 10/2004. These include: the National Regulatory Program (Prolegnas,<http://www.dpr.go.id/uu/prolegnas)/>. It was the government approach to regulatory forward planning by periodically announce draft regulations to be enacted in the next 5 years | **Some**  In 2012, the Government enacted Presidential Decree No 33 Year 2012 about *Jaringan Dokumentasi dan Informasi Hukum* (Legal Documentation and Information Network). The legal information network or JDIH (jdihn.go.id), is the government effort to integrate all legal documentation and database into one web portal to increase the dissemination and understanding of legal knowledge; to facilitate the documentation and searchability of regulations, as well as other legal materials; and to improve law enforcement and legal certainty. In 2020, there are 351 Government agencies, Legal Libraries, and Parliamentary from both local and central level with 263,469 legal and legal related documents now integrated in the National Legal Information and Documentation Portal. A significant increase from 135 agencies in 2018.  In 2014, the Government enacted Presidential Regulation No. 87/2014. The regulation is to revoke the regulation No. 61/2005, and provide similar detailed mechanisms, including periodically announcing draft regulations, as stated on the Law No. 11/2011. |  |
| **11. WTO Obligation/ Rules of Origin** |  |  |  |  |
| 1. WTO/UR Agreements not yet fully implemented | (Number of agreements or number/list of cases) | (Number of agreements or number/list of cases) | WTO/UR Agreements are fully implemented. | Indonesia has fully implemented its WTO commitment (Marrakesh Agreement on establishing the WTO and the Agreements on Annexes), except the Plurilateral Agreements:   * ANNEX 1A: Multilateral Agreements on Trade in Goods   [GATT 1994,] [Agreement on Agriculture] [Agreement on the Application of Sanitary and Phytosanitary Measures], [Agreement on Technical Barriers to Trade], [Agreement on Trade-Related Investment Measures], [Agreement on Preshipment Inspection], [Agreement on Rules of Origin],[Agreement on Import Licensing Procedures], [Agreement on Subsidies and Countervailing Measures], [Agreement on Safeguards]   * ANNEX 1B: General Agreement on Trade in Services and Annexes * ANNEX 1C: Agreement on Trade-Related Aspects of Intellectual Property Rights * ANNEX 2 : Understanding on Rules and Procedures Governing the Settlement of Disputes * ANNEX 3 : Trade Policy Review Mechanism   Along with its development, there are new WTO Agreement that has been implemented by Indonesia:   * Information Technology Agreement (ITA) 1 * Trade Facilitation Agreement, * Acceptance of the Protocol amending the TRIPS Agreement related to Public Health. |
| 1. Ensuring application of rules of origin in an impartial, transparent and neutral manner | **Non Preferential ROO**:  Indonesia has no judicial decisions or administrative rulings of general application relating to non-preferential rules of origin - Notified under WTO Document **G/RO/N/16,** dated 5 March 1997  **Preferential ROO**:  Indonesia has notified Preferential ROO related Bilateral-Regional Trade Agreement to WTO Committee on RTA namely:  1. **ASEAN Free Trade Area -** Notified under WTO Document **L/4581,** dated 19 August 1977;  2. **Global System of Trade Preferences among Developing Countries (GSTP)** **-** Notified under WTO Document **L/6564/add.1,** dated 21 March 1990 | **Non Preferential ROO**:  -  **Preferential ROO**:  Indonesia has notified Preferential ROO related Bilateral-Regional Trade Agreement to WTO Committee on RTA namely:  1. **ASEAN-China Free Trade Area -** Notified under WTO Document **WT/COMTD/N/20,** dated 21 December 2004;  2. **Indonesia-Japan Economic Partnership Agreement (IJEPA) -** Notified under WTO Document **WT/REG241/N/1,** dated 27 June 2008;  3. **ASEAN-Japan Free Trade Area -** Notified under WTO Document **WT/REG277/N/1,** dated 23 November 2009. | **Non Preferential ROO**:  **-**  **Preferential ROO**:  Indonesia has notified Preferential ROO related Bilateral-Regional Trade Agreement to WTO Committee on RTA namely:  1. **ASEAN-Australia- New Zealand Free Trade Area -** Notified under WTO Document **WT/REG284/N/1,** dated 9 April 2010;  2. **ASEAN-Korea Rep. -** Notified under WTO Document **WT/REG287/N/1,** dated 8 July 2010;  3. **ASEAN-India Free Trade Area -** Notified under WTO Document **WT/COMTD/N/35,** dated 23 August 2010;  4. **Indonesia-Pakistan Preferential Trade Agreement (IP-PTA) -** Notified under WTO Document **WT/COMTD/RTA12/N/1,** dated 12November 2019. | **Non Preferential ROO**:  -  **Preferential ROO**:  Indonesia has notified Preferential ROO related Bilateral-Regional Trade Agreement to WTO Committee on RTA namely:  1. **Indonesia-Pakistan PTA**;  2. **ASEAN-Korea Rep.** (Renewed Agreement);  3. **ASEAN-Japan** (Renewed Agreement). |
| **12. Dispute Mediation** |  |  |  |  |
| Dispute mediation methods, process and bodies are available to foreign businesses | 1. Republic of Indonesia is a party to the Convention on Recognition and Enforcement of Foreign Arbitral Awards of 1958 (New York Convention of 1958) as ratified by the Government Regulation No 34 of 1981. The New York Convention of 1958 requires its Members to recognize the arbitration agreement and to enforce the arbitral awards made in the territory of the State party to the Convention. 2. Republic of Indonesia is also a party to the Convention on the Settlement of Investment Disputes between States and Nationals of Other States (ICSID) since 1968. The ICSID Convention provides a mechanism for the investors for the settlement of dispute arising out of their investment with the host states. 3. Republic of Indonesia is also party to a number of Bilateral Investment Agreements which provides for settlement of disputes between investors (private investment entities) and the government of the Republic of Indonesia. | 1. Arbitration and Mediation are found under the Law No 30 of 1999 on Arbitration and Alternative Dispute Resolution. On mediation, no specific procedure mentioned. The parties are given freedom to apply the procedure they desire or applying the mediation procedure available under the mediation institutions. 2. Republic of Indonesia continues to pursue the settlement of disputes amicably with foreign parties. When an investment dispute arises, the government is ready to settle the dispute to international arbitration if there is an agreement between the parties to do so (as referred to Art 32 (4) of Law No 25 of 2007 on Investment). 3. The Indonesia judicial system consisting of district courts, high court and Supreme Court hear the parties in disputes including foreign business (Law No 48 of 2009). 4. The main arbitration institution is Badan Arbitrase Nasional Indonesia (BANI or the Indonesian National Board of Arbitration). Established in 1977 by Kamar Dagang dan Industri (KADIN or the Indonesian Chamber of Commerce), BANI provides facilities and procedures both for arbitration or mediation for the settlement of domestic and foreign business. 5. Following the establishment of BANI, a number of arbitration institutions dealing with a particular dispute were set up. They included: i) Syariah Arbitration (1993, 2003); ii) Capital Market Arbitration (2002); Commodity Arbitration (BAKTI, 2008). | 1. The Supreme Court issued Supreme Court Regulation No 01 of 2016 requiring district courts to settle private disputes including commercial disputes by first of all mediation. 2. A number of arbitration institutions is set up to settle a particular dispute. They include: 3. Board of Mediation and Arbitration on Intellectual Property Disputes (BAM HAKI, 2012); 4. Board of Arbitration for Construction Disputes (BADAPSKI, 2017); 5. Indonesian Mediation and Arbitration Centre (IMAC, 2019). 6. In January 2019, the Director General of the General Judiciary Body of the Indonesian Supreme Court issued Guidelines on the Enforcement of Judgments by the District Courts. These guidelines assist Indonesian district courts to commence the enforcement properly of all civil, criminal, administrative decisions including requests for the enforcement of national and international arbitration awards. | 1. The Republic of Indonesia has concluded some Bilateral Investment Treaties, which include procedures on the settlement of investment disputes between governments and private entities. The Republic of Indonesia, acting on its own or along with the member countries of ASEAN, has also signed and implemented FTAs. They contain certain procedures for the settlement of trade and investment disputes between governments and private entities. 2. Besides using online dispute resolution, Indonesia implemented the case of disputes settlement based on international practices such as the New York Convention; DSU WTO; the UNCITRAL Arbitration Rules; and The International Convention on the Settlement of Investment Disputes (ICSID). |
| **13. Mobility of Business People** |  |  |  |  |
| 1. Number of visa free or visa waiver arrangements | N/A | According to Presidential Decrees Number 103 year 2003, there are 11 of arrangements | According to President Regulation Number 21 year 2016, there are 169 of arrangements |  |
| Visa free or visa waiver arrangements with APEC member economies | (List of economies) | 9 Economies. They are:   * Thailand; * Malaysia; * Singapura; * Brunei Darussalam; * Philipina; * Hong Kong SAR; * Macao SAR; * Chili; * Maroko; * Peru; * Vietnam | All APEC Economies |  |
| 1. Participation in the APEC Business Travel Card scheme | No | Indonesia joined the ABTC scheme on August 15th, 2002 and implemented it on May 1st, 2004. | Yes | Indonesia opens the Priority Lane for ABTC holders as well as for Diplomatic and Service Passport holders |
| 1. Other efforts to facilitate mobility of business people than the above | (Description of illustrative measures) | (Description of illustrative measures)  Enhanced Cekal System (ECS)  The CEKAL system is an Indonesian system used in ports and offices in Indonesia, and also in embassies and consulates around the world, to check the names of people applying for visas or entry permits. Indonesia has implemented an Enhanced Cekal System in 5 (five) major immigration checkpoints in Indonesia.  Those five major immigration checkpoints are:   * Soekarno – Hatta; * Ngurah Rai; * Juanda; * Polonia; * Batam Centre   Electronic Office (e-office)  Since June 2008, Directorate General of Immigration had developed an e-office technology as a platform for immigration system and a supporting system for e-passport development in Indonesia | (Description of illustrative measures)  ECS has transformed into Border Control Management and integrated to SIMKIM (Immigration Management Information System). BCM has implemented in 5 five major immigration checkpoints:   * Soekarno – Hatta; * Ngurah Rai; * Juanda; * Kualanamu; * Batam Centre   E-Office has transformed into SIMKIM that connected 125 imigration offices, 13 Immigration detention centre and 22 centralized representation at the Directorate General of Immigration | There is Autogate in immigration checkpoint Ngurah Rai Airport for ASEAN and other countries citizens, such as Australia, Timor Leste, Selandia Baru, Korea Selatan, Jepang, India, China, Taiwan. Beside that, Indonesia has joined the joint interpol surveillance program I-24/7 (Interpol’s Global Policy Communication System)  Beside that, Indonesia made efforts to facilitate mobility of business people through RTAs/FTAs on labor related chapters, as follows:   * BILATERAL   Indonesia - Japan EPA  Indonesia - Australia CEPA  Indonesia - Korea CEPA   * REGIONAL   Regional Comprehensive Economic Partnership (RCEP)  Indonesia - European Union CEPA  Indonesia - EFTA CEPA |
| 1. Average time to approve for short term business visit visa | Indonesia implemented a manual mechanism, so it is not specified. | Indonesia implemented a manual mechanism, so it is not specified. | According to Regulation of Minister Law and Human Right number. 24 year 2016, visas can be processed in 6 working days. | For VoA Country Subjects, they can directly submit upon arrival at the Specific imigration checkpoints as stated in Regulation of Minister Law and Human Right Number M.HH-01-GR.01.06 of 2010 concerning Visa on Arrival and can receive direct approval. It is applied for who used a One-Time Visit Visa (B211); |
| **14. Trade Facilitation** |  |  |  |  |
| 1. Consistency with APEC Principles on Trade Facilitation | -- | -- | Some |  |
| 1. Implementation of Trade Facilitation Action and Measures (approved in 2002) | (Number of items implemented as of 2004) | (Number of items implemented) | In term of Movement of Goods, Ministry of Trade  has published information and/or regulation related restriction and prohibition which is called “LARTAS”.  Furthermore, Indonesia currently has an excellent risk management system for exporters and importers, where customs has categorized importers and exporters as priority MITA and Non-MITA  In terms of Standards, the formality of export, import and transit procedures has been guided by international standards which are also recognized by other countries.  In terms of Business Facilitation, At present the INSW’s development is being carried out to reach the single submission stage more quickly so that it is in accordance with the mandate of article 10.4 TFA WTO and Presidential Regulation no 44 of 2018.  In terms of Electronic Commerce, Indonesia currently has an electronic payment system called SIMPONI to collect non-tax revenue.  Indonesia has issued Law No. 17 of 2017 concerning the endorsement of Protocol Amending The Marakesh Agreement Establishing The World Trade Organization. It means that Indonesia has carried out the mandate of the WTO General Council in facilitating trade activities. |  |
| **15. Promotion of High-Quality RTAs/FTAs** |  |  |  |  |
| 1. Number of RTAs/FTAs concluded/signed |  | **Number of agreements: 10 Regional Agreements**  1.First Protocol to Amend ATIGA on ASEAN Wide Self Certification (AWSC), signed on 22 Januari 2019.  2.ASEAN-China Trade in Goods Agreement (ACTIGA) - signed on 24 November 2004.  3.Protocol to Amend ACTIGA – signed on 8 Desember 2006  4.2nd Protocol to Amend ACTIGA – signed on 29 Oktober 2010.  5.ASEAN-Korea Trade in Goods Agreement (AKTIGA) – signed on 24 Agustus 2006.  6.1st Protocol to Amend AKTIGA – signed on 30 November 2010.  7.2nd Protocol to Amend AKTIGA – signed on 17 November 2011.  8.ASEAN-Japan Comprehensive Economic Partnership (AJCEP) – signed on 31 Maret 2008.  9.ASEAN-India Trade in Goods Agreement signed on 13 Agustus 2009.  10.Agreement Establishing the AANZFTA signed on 27 Februari 2009  **Number of bilateral agreements:** 1.  Indonesia-Japan EPA | **Number of agreements:**  **7 Bilateral Negotiations**  1. Indonesia-Pakistan PTA  2. Indonesia-Palestine Trade Facilitation for Certain Products  3. Indonesia-Chile CEPA (Trade in Goods)  4. Indonesia-EFTA CEPA  5. Indonesia-Australia CEPA  6. Indonesia-Mozambique PTA  7. Indonesia-Korea CEPA (Concluded, target to sign at first semester of 2020 (TBC)).  **As well as 12 regional agreements**   1. Upgrading Protocol ACFTA – signed on 21 November 2015 2. 3rd Protocol to Amend AKTIGA – signed on 22 November 2015 3. 1st Protocol to Amend ASEAN Japan CEPA (Investment, Services & MNP) – signed on 24 April 2019 4. First Protocol to Amend the ASEAN-Australia-New Zealand FTA signed on 26 Agustus 2014 5. ASEAN-India Trade in Services Agreement (AI-TISA) signed on 13 November 2014 6. ASEAN Agreement on Medical Device Directive signed on 21 November 2014 7. ASEAN Trade in Services Agreement (ATISA) signed on 23 April 2019. 8. ASEAN Comprehensive Investment Agreement (ACIA) signed on 26 February 2009. 9. ASEAN - Hong Kong FTA & Investment Agreement signed on 12 November 2017 10. ASEAN Trade in Goods Agreement (ATIGA) 11. ASEAN Framework Agreement on Services (AFAS). 12. ASEAN Agreement on Electronic Commerce signed on 22 January 2019 |  |
| RTAs/FTAs concluded/signes with APEC member economies |  | **Number of bilateral agreements:** 1.  Indonesia-Japan EPA | **Number of bilateral agreements:** 3.  1. Indonesia-Chile CEPA (Trade in Goods)  2. Indonesia-Australia CEPA  3. Indonesia-Korea CEPA (Concluded, target to sign at first semester of 2020 (TBC)). |  |
| 1. Number of RTAs/FTAs under negotiation |  | **Number of bilateral agreements:** 1.  Indonesia-Pakistan PTA | **Number of bilateral agreements: 8**   1. Indonesia-European Union CEPA 2. Indonesia-Turkey CEPA 3. Indonesia-Pakistan TIGA 4. Indonesia-Tunisia PTA 5. Indonesia-Bangladesh PTA 6. Indonesia-Iran PTA 7. Indonesia-Mauritius PTA 8. Indonesia-Morocco PTA   **5 Regional Negotiations**   1. Regional Comprehensive Economic Partnership (RCEP). Targeted to be signed by November 2020. 2. Review ASEAN-India Trade in Goods Agreement (AITIGA). Currently pending until the conclusion and signing of RCEP. 3. Review to upgrade the AANZFTA. First round on June 2020 in Auckland, NZ 4. ACTIGA Further Liberalisation, at the initial stage 5. AKTIGA Further Liberalisation, at the initial stage |  |
| RTAs/FTAs being negotiated with APEC member economies |  |  | 1. Regional Comprehensive Economic Partnership (RCEP). Targeted to be signed by November 2020. 2. Review to upgrade the AANZFTA. First round in June 2020 at Auckland, NZ. 3. ACTIGA Further Liberalisation, at the initial stage 4. AKTIGA Further Liberalisation, at the initial stage |  |
| 1. Consistency with APEC Model Measures for RTAs and FTAs | N/A | Where applicable, all FTAs are generally consistent with APEC Model Measures. | **Fully consistent.**  Within the scope of regional negotiations, such as ASEAN-China FTA, ASEAN-Japan CEPA, ASEAN-Korea FTA, ASEAN-Australia New Zealand FTA, and  ASEAN-Hong Kong FTA.  Moreover, where applicable, all FTAs are generally consistent with APEC Model Measures. |  |
| **16. Voluntary Self-Reporting** |  |  |  |  |
| 1. Other Efforts in Support of the Bogor Goals: (Description) | (Description of illustrative measures) | (Description of illustrative measures) | (Description of illustrative measures) |  |
| 1. *As needed for other actions* |  |  |  |  |
| 1. *As needed for other actions* |  |  |  |  |