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ADVOCACY FOR HALAL CERTIFICATION LEGAL POLICIES IN INDONESIA

ADVOKASI KEBIJAKAN HUKUM SERTIFIKASI HALAL DI INDONESIA

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Abstract

Keywords: Policy Advocacy; Halal Certification; Indonesian

Indonesia as a country with the largest Muslim demographic, must be able to host the Islamic economy in its own country, The implementation of this halal certification obligation does not only aim to provide legal certainty and protection to Muslim consumers. This study aims to find out advocacy strategies related to halal certification legal policies in Indonesia. The method used in this study is a qualitative research method with a descriptive approach. In Indonesia, halal certification is mandatory for all food and beverage products by 2024. BPJPH, LPH, and MUI are responsible for the certification process. BPJPH through LP3H actively provides advocacy to business actors and the wider community about halal certification. These advocacy activities include socialization to business actors through seminars and through various social media. Cooperation is needed by the government, institutions, and the community to ensure that products meet halal standards, provide convenience for Muslim consumers, and increase the competitiveness of Indonesia's products.

Abstrak

Kata Kunci: Advokasi Kebijakan; Sertifikasi Halal; Indonesia

Indonesia sebagai negara yang memiliki demografi Muslim terbesar, harus mampu menjadi tuan rumah ekonomi Islam di negaranya sendiri, Implementasi kewajiban sertifikasi halal ini tidak hanya bertujuan untuk memberikan kepastian hukum dan perlindungan kepada konsumen muslim. Penelitian ini bertujuan untuk mengetahui strategi advokasi terkait kebijakan hukum sertifikasi halal di Indonesia. Metode yang digunakan dalam penelitian ini adalah metode penelitian kualitatif dengan pendekatan deskriptif. Di Indonesia, sertifikasi halal diwajibkan untuk semua produk makanan dan minuman pada

tahun 2024. BPJPH, LPH, dan MUI bertanggung jawab atas proses sertifikasi. BPJPH melalui LP3H aktif memberikan advokasi kepada pelaku usaha dan masyarakat luas tentang sertifikasi halal. Kegiatan advokasi tersebut antara lain sosialisasi kepada pelaku usaha melalui seminar seminar dan melalui berbagai media sosial. Sangat Dibutuhkan Kerjasama pemerintah, lembaga, dan masyarakat untuk memastikan produk memenuhi standar halal, memberikan kenyamanan bagi konsumen muslim, dan meningkatkan daya saing produk Indonesia.

INTRODUCTION

Indonesia, as a country with the largest Muslim demographic, must be able to host the Islamic economy in its own country. One way for the sharia economic ecosystem to develop properly is through strengthening regulations (Ahyar and Wibowo, 2019).

The obligation of halal certification in Indonesia is approaching the deadline. In accordance with Government Regulation Number 39 of 2021 concerning the implementation of halal product assurance, all processed food and beverage products and products are required to have a halal certificate no later than October 17, 2024. Law Number 33 of 2014 concerning Halal Product Assurance has also stipulated that products that enter, circulate, and trade in Indonesia must have a Halal Certificate.

With the deadline approaching, the wider community is expected to get adequate advocacy regarding the obligation of halal certificates. It is important for producers, distributors, and consumers to understand and comply with these regulations to ensure that the products consumed comply with the established halal standards.

The implementation of this halal certification obligation not only aims to provide legal certainty and protection to Muslim consumers, but also to increase the competitiveness of Indonesia products in the global market that has a preference for halal products. Therefore, education and socialization about the halal certification process need to be improved so that all parties involved can fulfill this obligation on time (Afronyati, 2017).

Based on the description above, this article will discuss "Advocacy for halal certification legal policies in Indonesia". This study aims to find out advocacy strategies related to halal certification legal policies in Indonesia.

RESEARCH METHODS

The method used in this study is a qualitative research method with a descriptive approach. This study uses primary data sources derived from applicable laws and regulations and derived from the results of interviews or discussions with related parties and then secondary data sources derived from published literature studies. Data collection techniques using Observation,

Interview, Interview and Documentation. The research stages are carried out through: study of legislation and interviews.

RESULTS AND DISCUSSION

The global Muslim population is expected to increase by about 71% in the next 45 years, from 1.7 billion in 2015 to 2.9 billion in 2060 (*Pew Research Center Forum on Religion & Public Life*, 2019). Halal lifestyle is sweeping the world, not only in countries with a majority Muslim population, but also in countries with a minority Muslim population. The terms halal and haram are used strictly to describe food products, meat products, cosmetics, personal care products, foodstuffs, beverages and food contact materials (Ahmed et al., 2018). Each country has its own policy regarding certification. Certification providers can come from government and non-government institutions. For example, in Malaysia, certification in Malaysia is carried out by a government certification body that is directly under the government. Halal certification is a process to obtain a halal certificate through several stages to prove that ingredients, production processes and the Halal Assurance System (SJH) meet LPPOM MUI standards. After the implementation of the Halal Product Assurance Law Number 33 of 2014, halal certification is defined as the recognition of the halalness of a product issued by BPJPH based on a written

fatwa issued by the Indonesia Ulema Council. (Panji, 2017).

Certification is taken over by the state because the country does declare itself an Islamic country so it pays great attention to halal rules and guarantees for all citizens. Since 1965, Malaysia has implemented halal certification carried out by the Selangor Islamic Religious Department (JAIS). Meanwhile, in 1974, halal certification was under the supervision of the government, namely the Department of Islamic Development of Malaysia or commonly abbreviated as JAKIM. JAKIM's Halal Management Division together with the country's Islamic Religious Department are specifically tasked with taking care of everything related to halal certification in Malaysia. In contrast to Malaysia, halal certification in Thailand is carried out by non-governmental institutions. Thailand is a country with a majority Buddhist population. Even so, halal certification, especially in terms of food, has been carried out well. Halal certification in Thailand has been taken over by the *Central Islamic Council of Thailand (CICOT)* which is an institution of Thailand's scholarly association at the national level. *CICOT* has a Halal Standard *Institute of Thailand* which is tasked with inspecting and certifying Thailand products. In addition, in Thailand there is also a halal research center located at Chulalongkorn University, namely *The Halal Science Center* located at the Faculty of Applied Sciences. Although

Thailand is not a Muslim country, the Government supports halal certification because of economic interests. The government is very enthusiastic and supports programs related to halal certification in order to penetrate the global market, especially with the majority of the Muslim population. The existence of a halal certification body is a way to ensure the halalness of products that will be exported abroad, especially countries with a majority Muslim population. Private certification institutions or those established by non-governmental institutions are sometimes not recognized by other countries so they are rejected. Currently, Indonesia is starting to make efforts to transfer the certification body that was initially carried out by a non-governmental institution, namely MUI, to a government institution under the Ministry of Religious Affairs, namely BPJPH (Faridah, 2019).

The people of Indonesia as producers and connoisseurs of culinary, especially those who are Muslims, should pay great attention to the halal of their products, in accordance with Allah's commands in the Quran, in Surah al-Baqarah (2) 168 and al-Maidah (3) 88, which requires Muslims to eat halal and good food. Halal in Islam includes 2 important conditions, namely halal goods and halal processes (Makhrufah, 2017). Muslim consumers, who are the majority of the population in Indonesia, are the most disadvantaged by the large number of food commodities without halal labels.

The certainty of whether a product is halal or not must of course go through a mechanism that is in accordance with the provisions of Islamic teachings (Izzuddin, 2018).

The legal basis related to the halal certification policy in Indonesia has been regulated in several regulations ranging from Law Number 33 of 2014 concerning Halal Product Assurance, Government Regulation Number 39 of 2021 concerning the Implementation of the Halal Product Assurance Field, Regulation of the Minister of Religion Number 42 of 2016 concerning the Organization and Work Procedures of the Ministry of Religion, Law Number 6 of 2023 concerning Job Creation, Regulation of the Minister of Religion Number 20 of 2021 concerning Halal Certification for Micro and Small Business Actors. In Article 4 of Law Number 33 of 2014 concerning Halal Product Assurance it states: "Products that enter, circulate, and are traded in Indonesia must be halal certified", meaning that Legal Certainty about the Halalness of a product must be proven by a Halal Certificate. In this law, halal products are products that have been declared in accordance with Islamic Sharia (Chairunnisyah, 2017).

The implementation of Halal Product Assurance in this Law is carried out by the Halal Product Assurance Agency formed by the Government, the Implementation of Halal Product Assurance aims to provide comfort, security, safety and certainty of the availability of halal

products for the public in consuming and using products, then the next goal is to increase added value for business actors in producing and selling halal products (Faqiatul, MW & Anissa HP, 2018). So what about products that are not halal? In Article 26 of this JPH Law, Business Actors, both MSEs that produce Products from Materials derived from Prohibited Materials, are exempt from applying for a Halal Certificate and are required to include non-halal information on the Product, meaning that in the future all products sold by Business Actors or MSEs are obliged to include (Rukman, Suhra & Elviana, 2024).

Business actors, both MSEs and other businesses, have the right to receive education and socialization about how the Halal Product Assurance system, and also receive guidance in producing halal products and services to obtain halal certificates quickly, efficiently, affordably, and non-discriminatory (Faridah, 2019) therefore a good advocacy strategy is needed related to this halal certification legal policy so that all people can understand and know related to halal certification halal certification policy in Indonesia.

Based on Law Number 33 of 2014, there are three actors involved in the halal certification process, namely BPJPH (Halal Product Assurance Agency), LPH (Halal Inspection Agency) and MUI (Indonesia Ulema Council). BPJPH has the task of establishing rules/regulations,

receiving and verifying product submissions to be halal certified from Business Actors (product owners), and issuing halal certificates along with halal labels. The Halal Inspection Agency (LPH), is in charge of inspecting and/or testing the halalness of products submitted for halal certification. This inspection is carried out by a halal auditor owned by LPH. The MUI is authorized to determine the halalness of products through a halal fatwa hearing. This halal stipulation is both related to standards and halal products. The halal certificate issued by BPJPH is based on the halal provisions of the MUI, meaning that BPJPH cannot issue a halal certificate without a halal decree from the MUI. In addition, in addition to the three institutions, BPJPH is also assisted by LP3H (Halal Product Process Assistance Agency), this institution was specifically formed to provide halal product process assistance to business actors who will carry out halal certification on the basis of business actors' statements or *self-declaration* (Nasyi'ah, 2018). This LP3H will then determine PPH Assistance Personnel (P3H) who will go down to provide direct assistance to business actors who want to get halal certificates with a *self-declare scheme*. This Halal Companion is a direct funnel to business actors as an extension of BPJPH to inspect and educate business actors so that they can understand the halal inspection process of their products (Panji, 2017).

Based on the results of an interview with one of the LP3H managers who is also a halal companion (Haliding, 2024), it was revealed that one of the strategies so that the public can understand the importance of halal certification is to go directly to MSME actors and the community, both in the form of free halal certification socialization events and also by inviting relevant stakeholders so that in the future the public can understand and be aware of regulations Halal certificate that is nearing its expiration date. In addition, the Halal Companions who are members of the LP3H that he runs are also asked to be active through social media so that the wider community can get the latest information related to halal regulations in Indonesia.

BPJPH also actively conducts meetings with all LP3H that have been formed throughout Indonesia to be able to socialize to the wider community, especially to business

actors in accelerating the halal certification process which is an absolute obligation to business actors in Indonesia, besides that LP3H is also asked to actively conduct halal companion training so that in the future more and more halal companion personnel can help the government to educating and providing awareness of the importance of halal certification.

The implementation of halal product assurance will not be able to be carried out optimally without cooperation and support from the community. The community can play an active role by supervising the products in circulation. Pay attention to the validity period of halal certificates on the products purchased, the inclusion of halal and non-halal logos on the packaging. In addition, they can also participate in socializing about halal product guarantees in the surrounding environment, such as family and workplace.

CONCLUSION

Indonesia, with a majority Muslim population, halal certification is required by law, as stipulated in Law Number 33 of 2014 concerning Halal Product Assurance and various other implementing regulations. By 2024, all food and beverage products circulating in Indonesia must have a halal certificate. This process involves three main actors: BPJPH, LPH, and MUI,

each of which has specific roles and responsibilities in determining, inspecting, and certifying the halalness of products. Advocacy efforts to the community and business actors regarding the importance of halal certification are very important. BPJPH, together with companion institutions such as LP3H, actively educates and assists business actors in obtaining halal certificates. This is done through various socialization activities, training,

and the use of social media to disseminate information.

Cooperation between the government, relevant institutions, and the community is very important to ensure that all products circulating in Indonesia are in accordance with the established halal standards. The community is also expected to play an active role in supervising and ensuring

that the products they consume have a valid halal certificate. Thus, halal product assurance can provide comfort, safety, and certainty for Muslim consumers in Indonesia, as well as increase the competitiveness of Indonesia products in the global market.

BIBLIOGRAPHY

Afroniyati, L. (2017), "Political Economy Analysis of Halal Certificates by MUI. *Journal of Public Policy and Administration*". 18(1): 37-52.

Ahmad Izzuddin, (2018), *The Effect of Halal Labels on Halal Awareness and Foodstuffs on Culinary Food Buying Interest*, *Journal of Science and Technology Research* Vol. 3 No. 2 July 2018 p-ISSN:2459-9921E-ISSN:2528-0570, University of Muhammadiyah Jember, Page: 100-114,

Ahmed, W., Najmi, A., Faizan, H. M., & Ahmed, S. (2018). *Consumer behaviour towards willingness to pay for Halal products: an assessment of demand for Halal certification in a Muslim country*. *British Food Journal*, 121(2), 492–504. <https://doi.org/10.1108/BFJ-02-2018-0085>

Chairunnisayah, S. (2017). *The Role of the Indonesia Ulema Council in Issuing Halal Certificates on Food and Cosmetic Products*. *EduTech Journal*. 3(2): 64-75.

Faidah, M. 2017. *Halal Certification in Indonesia from Civil Society to Power Relations between the State and Religion*. *ISLAMICA: Journal of Islamic Studies*. 11(2): 449-476

Faqiatul, MW & Anissa HP, (2018). "Model for the Development of the Halal Food Industry in Indonesia." *Journal of Muqtasid*. Vol. 9(1): 1-13

Hayyun Durrotul Faridah, *Halal Certification in Indonesia: History, Development and Implementation*, (Journal of halal Product and Research Volume 2 No. 2, 2019) Universitas Airlangga, Page, 69-70

Ismi aziz Makrufah. (2017). *"The Influence of Brand Image and Halal Labels on Cosmetic Purchase Decisions (A Study on Consumers at Outlet Laris Kartasura). Thesis"*. Surakarta

Decree of the Head of the Halal Product Assurance Agency Number 8 of 2024 concerning Guidelines for the Development of Halal Product Process Assistance Institutions and Halal Product Process Assistants.

Kusnadi, Moh. 2019. *"Problems in the Implementation of the Halal Product Assurance Law in Indonesia"*, *Islamika: Journal of Islam and Education*, Vol. 1 (2): 116- 132

Muhammad Khozin Ahyar , Muhammad Yusuf PerkasaWibowo *"Halal Industry and Islamic Banking: A Study of Halal Ecosystem Regulation in Indonesia"* *Journal of Finance and Islamic Banking* (2019).

Nasyi'ah, I. 2018. *"Violation of the obligation to register halal certificates; Can sanctions be made?"*. *Jurisdictie: Journal of Law and Sharia*. 9(1): 84-108.

Regulation of the Minister of Religion Number 20 of 2021 concerning Halal Certification for Micro and Small Business Actors

Regulation of the Minister of Religion Number 42 of 2016 concerning the Organization and Work Procedures of the Ministry of Religion,

Government Regulation Number 39 of 2021 concerning the Implementation of the Halal Product Assurance Sector,

Pew Research Center. (2019). *The countries with the 10 largest Christian populations and the 10 largest Muslim populations*. Retrieved from URL:<https://www.pewresearch.org/fact-tank/2019/04/01/the-countries-with-the-10-largest-christian-populations-and-the-10-largest-muslim-populations/>.

Putra, I. R. (2022, October 18). *Halal Food Export Value Indonesia Reach IDR 119 Trillion Until April 2022* | *merdeka.com*. *merdeka.com*. [121] Halal Food Industry: Comparison of Indonesia and Malaysia <https://www.merdeka.com/uang/nilaiekspor-makanan-halal-indonesia-capairp119-triliun-hingga-april-2022.html>

S Haliding. (2024). *"LP3H Halal Certification Advocacy Strategy"*. Results of personal interviews; May 15, 2024, Halal Center, University of Muhammadiyah Makassar.

Law Number 33 of 2014 concerning Halal Product Assurance

Law Number 6 of 2023 concerning Job Creation