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The Influence of Global Economic Integration on Indonesia's Compliance with International Trade Law in Maintaining Trade and Investment Stability

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Abstract: This study discusses Indonesia's compliance with international trade law under globalization, economic integration, and domestic regulatory challenges. Compliance with international trade law is crucial for Indonesia to increase global market access, attract foreign investment, and strengthen the competitiveness of national products. Supporting factors for compliance include awareness of economic benefits, trade stability, and involvement in international trade organizations and agreements such as the WTO, ASEAN, and RCEP. On the other hand, there are inhibiting factors that include weak international law enforcement mechanisms and challenges in harmonizing national regulations with global trade standards. Globalization has accelerated Indonesia's integration into the world economy, demanding adjustments to trade policies to comply with international provisions despite challenges such as industrial competition and dynamics of domestic interests. International organizations, especially the WTO, play an essential function in ensuring Indonesia's compliance with trade law through monitoring and dispute resolution mechanisms. The compliance is driven by the basic principles of international trade law, such as non-discrimination, transparency, and fair trade, which require Indonesia to adjust its trade regulations to avoid sanctions and strengthen national economic stability. Thus, this study highlights that compliance with international trade law is not merely a legal obligation but a strategic step in maintaining Indonesia's position in the global economy and ensuring sustainable economic growth amidst the dynamics of international trade.

Keywords: International Trade, International Organization, Globalization

INTRODUCTION

Globalization has brought significant changes in economic interactions between countries by eliminating various trade barriers and accelerating the flow of goods, services, and capital between countries (Hermana, 2025). Advances in information and communication technology, as well as transportation, allow countries to connect in the global supply chain more easily. This creates economic dependency between countries, where a country can no longer meet its domestic needs independently, but must rely on international trade to obtain goods or raw materials that are not available domestically. As a result, international trade has become increasingly complex and requires clear regulations to ensure smooth and fair transactions between countries (Ahadiani, 2024). Globalization encourages the involvement of countries in international trade in order to accelerate economic growth and increase the competitiveness of domestic products (Rafi, 2023). As a country with an open economy, Indonesia has joined various international trade organizations and agreements, such as the World Trade Organization (WTO), ASEAN Free Trade Area (AFTA), and various other bilateral and multilateral agreements (Winanti, 2022). This involvement provides a great opportunity for Indonesia to expand its export market, increase foreign investment, and gain access to global technology and innovation. However, on the other hand, globalization also requires Indonesia to adjust its trade regulations to connect with international standards, which is often a challenge for the government and business actors.

The impact of globalization on the regulation and harmonization of international trade law is very much felt in efforts to align trade policies between countries. Countries involved in global trade must comply with the rules agreed upon in various international agreements, including the principles of non-discrimination, transparency, and protection of intellectual property rights (Saputra, 2023). This harmonization aims to create a fairer and more stable trading system, thereby reducing the risk of trade conflicts between countries. For Indonesia, adjusting domestic regulations to international trade law standards is a challenge, especially in terms of enforcing regulations and the readiness of legal infrastructure that supports compliance with global trade agreements (Khairunnisa, 2024).

International trade law is a branch of international law that regulates trade relations between countries to create a fair, transparent, and predictable trading system (Hadiarianti, 2019). As part of international law, international trade law consists of agreements made by countries and international organizations, such as the World Trade Organization (WTO), which establish rules regarding tariffs, trade barriers, dispute resolution, and protection of intellectual property rights. Unlike national laws that have clear enforcement agencies, international trade law relies on the agreement and compliance of the countries involved in the system (Rizkia, 2023). Therefore, although this law is binding, its implementation still depends on the political and economic commitment of member countries.

There are several main principles that member countries must adhere to in order to create a fair and balanced trading system. One of the main principles is the Most-Favored Nation (MFN), which requires member countries to provide equal treatment to all trading partners without discrimination (Samosir, 2024). In addition, there is the principle of National Treatment, which requires a country not to differentiate between foreign and domestic products after entering the domestic market (Rohendi, 2014). Other principles include transparency in trade policies, protection of intellectual property rights, and effective dispute resolution mechanisms to avoid protectionist actions that could harm global trade.

Compliance with international trade law is essential in maintaining economic stability and diplomatic relations between countries. Countries that comply with international trade rules can benefit from wider market access, increased investor confidence, and more secure economic stability (Pradipto, 2019). Conversely, non-compliance can lead to economic sanctions, decreased competitiveness, or even trade disputes that break diplomatic relations.

For Indonesia, compliance with international trade law is key to maintaining a balance between national interests and international obligations, especially in facing the challenges of globalization and the dynamics of the world economy (Siwiyanti, 2024).

Indonesia is one of the countries that is active in the international trade system by becoming a member of various global and regional trade organizations and agreements. Since joining the World Trade Organization (WTO) in 1995, Indonesia has committed to complying with various international trade rules including tariff reductions, elimination of non-tariff barriers, and implementation of trade dispute resolution mechanisms (Hardiawan, 2023). In addition, Indonesia is also involved in regional trade agreements such as the ASEAN Free Trade Area (AFTA), the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP), and various bilateral trade agreements with its trading partner countries. This involvement shows that Indonesia recognizes the importance of international trade law in expanding market access and increasing national economic competitiveness.

However, in implementing international trade law, Indonesia still faces a number of challenges. One of the main challenges is adjusting domestic regulations to be in line with international standards, especially in terms of protecting local industries without violating global trade provisions (Owen, 2024). Several protectionist policies implemented by Indonesia, such as restrictions on imports of certain raw materials and domestic component level (TKDN) requirements, have often been criticized by trading partners because they are considered inconsistent with the WTO free trade principles. In addition, limited legal infrastructure and complex bureaucracy are obstacles to ensuring consistent compliance with international trade regulations.

Indonesia has faced several trade disputes at the WTO due to trade policies that are considered inconsistent with international rules. One prominent case is the dispute between Indonesia and the European Union regarding the nickel ore export ban policy that has been in effect since 2020 (Santoso, 2023). The European Union sued this policy to the WTO because it was considered to be hampering the supply of raw materials for the European steel industry. Although the policy aims to encourage downstream domestic industry, the WTO ruled that the export ban violates international trade rules (Rahmawati, 2025). This case shows that in implementing national trade policies, Indonesia must find a balance between domestic economic interests and compliance with international regulations in order to avoid potential sanctions or restrictions from trading partners.

International law, including international trade law, has fundamental weaknesses in enforcement and sanctions for countries that violate its regulations (Pramudyawati, 2024). Unlike national laws that have law enforcement officers such as the police and courts, international law relies on agreements between countries and dispute resolution mechanisms that often take a long time. In international trade, the WTO has a dispute resolution system that can provide decisions on violations committed by a country, but the implementation of sanctions still depends on the country's compliance (Barutu, 2007). As a result, countries that violate often continue to implement policies that benefit their domestic interests, even though they conflict with international rules.

The absence of a strong law enforcement agency in international law has implications for the compliance of countries, including Indonesia. When a national trade policy is deemed to violate international law, a country has the option to adjust its policy or persist at the risk of facing economic sanctions from other countries (Indrawanto, 2024). In some cases, Indonesia has chosen to maintain policies that are considered strategic for national interests, even though it faces lawsuits at the WTO, such as in the case of the nickel ore export ban filed by the European Union. Since the WTO does not have the enforcement power to directly force countries to comply, compliance is more often driven by considerations of long-term economic benefits than by the threat of strict sanctions (Supanto, 2023).

The fundamental difference between national law and international law lies in the existence of clear sanctions and effective enforcement mechanisms. In national law, violations of the rules will result in consequences that can be directly applied by the state, such as fines, criminal penalties, or revocation of business licenses (Situmeang, 2025). In contrast, international law is more flexible and highly dependent on the commitments and political interests of the countries involved. As a result, in the international trading system, countries often seek a middle ground between compliance with global rules and protecting their domestic interests. For Indonesia, this means continuing to adjust its trade policies to remain competitive in the global market, while managing the risk of trade disputes that could harm its economic position.

Examining the factors that influence Indonesia's compliance with international trade law is highly urgent considering that globalization has accelerated global economic integration and requires countries to comply with internationally agreed trade standards. From an academic perspective, this study provides a comprehensive legal perspective on how Indonesia responds to international trade rules, including challenges in implementation and their impact on national policies. In practice, this study can be a reference for the government in formulating trade policies that are in line with international law without sacrificing national interests, as well as providing insight for business actors to understand global trade regulations and optimize their business strategies to remain competitive in the international market.

METHOD

This study uses a normative legal method with a statute approach and a conceptual approach to analyze Indonesia's compliance with international trade law. The data used consists of primary data in the form of laws and regulations relating to international trade, as well as secondary data, including academic literature, law journals, and reports from international trade organizations such as the WTO. The analytical method applied is qualitative analysis, where Indonesian regulations and compliance practices are studied in depth to understand the extent of harmonization of national policies with international trade law standards, as well as the factors that influence the level of compliance.

RESULT AND DISCUSSION

Benefits of Compliance with International Trade Law for Indonesia

Compliance with international trade law allows Indonesia to gain wider access to the global market with lower tariffs and trade barriers. By following the rules set by international trade organizations, Indonesian products can be more easily accepted in various countries, increasing exports, and encouraging domestic industrial growth. In addition, legal certainty resulting from compliance with international trade rules is also an important factor in attracting foreign investment. Investors tend to choose countries with clear and stable regulations because this reduces legal risks and uncertainty in doing business. In addition, by following international standards, Indonesian products can be more competitive in the global market, in terms of quality, price, and compliance with trade regulations.

Indonesia's involvement in various international trade organizations and agreements such as the WTO, ASEAN Free Trade Area (AFTA), Regional Comprehensive Economic Partnership (RCEP), and various bilateral agreements has provided significant benefits for economic growth. The WTO, for example, provides a dispute resolution mechanism that allows Indonesia to fight for its trade interests if it faces unfair trade barriers. Meanwhile, agreements such as AFTA and RCEP create free trade areas that reduce tariffs and increase trade flows between member countries, which have a positive impact on Indonesia's industrial and MSME sectors. Through these agreements, Indonesia also has the opportunity to expand its trade network, adopt new technologies, and increase production efficiency through healthy competition in the global market.

Non-compliance with international trade laws can have various negative consequences for Indonesia's economy, and its global reputation. One of the main risks is the imposition of trade sanctions, such as increased tariffs or export restrictions on Indonesian products by trading partner countries. In addition, Indonesia may also face stricter export barriers, such as the implementation of more difficult technical standards or lower import quotas for its products. Non-compliance can also reduce the confidence of foreign investors, which can hinder the entry of new investment into the country. In addition, Indonesia's image in the international community can deteriorate, reducing the country's bargaining power in future trade negotiations and weakening diplomatic relations with trading partner countries.

International trade law is based on several key principles that member countries must adhere to, including the principle of non-discrimination covering Most-Favoured Nation (MFN) and National Treatment. The MFN principle requires countries to provide equal trade treatment to all trading partners without discrimination, while National Treatment stipulates that imported goods must be given the same treatment as domestic goods after entering a country's market. In addition, the principle of regulatory transparency requires countries to provide clear information regarding trade policies and regulations, in order to create legal certainty for business actors. The principle of fair trade is a critical foundation in international trade, which strives to prevent unfair trade practices, such as dumping and subsidies that can harm the domestic industry of other countries.

Indonesia as a member of the WTO and various international trade agreements has implemented these principles in its trade policies. In agreements such as the ASEAN Free Trade Area (AFTA) and the Regional Comprehensive Economic Partnership (RCEP), Indonesia must ensure that its trade regulations do not discriminate against products from other member countries. In addition, Indonesia's trade regulations have undergone various adjustments to align with international standards, such as transparency in tariff policies and customs procedures. Indonesia align its trade policies with fair trade principles, including strengthening anti-dumping rules and dispute resolution mechanisms to protect domestic industries from detrimental trade practices.

Indonesia has made various regulatory changes to comply with the provisions of international trade agreements. For example, in its export-import policies, Indonesia has removed several tariff and non-tariff barriers to certain products as part of its commitments in the WTO and AFTA. In addition, the government has also adjusted its industrial subsidy policies, especially in the agricultural and manufacturing sectors, to comply with WTO rules that prohibit subsidies that cause trade distortions. Another example is Indonesia's policy of adjusting product standards to international provisions, such as halal certification regulations for food products that not only follow domestic standards but are also in line with international halal standards to facilitate exports to the global market.

Impact of Compliance with International Trade Law on Indonesia's Strategic Sectors

Globalization has accelerated Indonesia's integration into the world economy through increasingly open and interconnected international trade. As a country with an economy that relies on exports and imports, Indonesia is increasingly active in various international trade agreements, both regionally and globally. Free trade, digitalization, and ease of logistics have encouraged Indonesian products to penetrate the global market, while foreign investment has increased along with market openness. With this integration, Indonesia must adjust its trade policies to remain competitive and by international regulations.

Indonesia's involvement in global trade requires the government to adjust various regulations to be in line with international standards. This includes implementing tariff policies by WTO provisions, harmonizing product standards with international regulations, and legal reforms in trade, investment, and customs. For example, Indonesia has revised its raw material export policy and import regulations to avoid international sanctions and increase competitiveness in the global market. In addition, the government is also strengthening protection for domestic products through non-tariff policies that are still permitted under international trade law.

Compliance with international trade law brings benefits to Indonesia, such as increased access to global markets, ease of investment, and protection from unfair trade practices. However, on the other hand, this compliance also presents major challenges, such as increasingly tight competition with foreign products, pressure to continuously improve product quality, and limited flexibility of national policies in protecting domestic industries. For example, excessive subsidy policies in certain sectors can be considered a violation of international trade, so the government must be more careful in formulating industrial policies.

Compliance with international trade law has a significant impact on various strategic sectors in Indonesia, such as manufacturing, agriculture, and the digital industry. In the manufacturing sector, Indonesia must ensure that its products meet international standards so that they can be accepted in the global market. In the agricultural sector, farmers must face competition with cheaper imported products due to free trade agreements. Meanwhile, in the digital industry sector, e-commerce regulations and personal data protection must be adjusted to international standards so that Indonesian digital businesses can develop globally. Therefore, compliance with international trade law must be balanced with a national strategy that supports the competitiveness of the domestic industry.

The World Trade Organization (WTO) acts as an international body that regulates the global trading system and ensures that member countries comply with mutually agreed rules. The WTO establishes various basic principles of international trade, such as non-discrimination, transparency, and trade liberalization, which must be followed by all members. In addition, the WTO has a dispute resolution mechanism that allows member countries to file objections to other countries' trade policies that are considered detrimental or contrary to applicable rules. With WTO supervision, member countries, including Indonesia, must adjust their trade policies so as not to violate international provisions and avoid trade sanctions.

As a member of the WTO since 1995, Indonesia is bound by various international trade agreements that regulate tariff policies, subsidies, and other trade regulations. This membership requires Indonesia to follow the principles of free trade, reduce tariff and non-tariff barriers, and not implement protectionist policies that can harm other countries. In addition, if a trade dispute occurs, Indonesia is required to resolve it through the WTO mechanism, not through unilateral action. As a result, the government must adjust its various trade policies to align with WTO provisions, although in some cases it may conflict with certain national interests.

One example of a case where Indonesia had to adjust its trade policy due to the WTO ruling is the raw material export dispute, especially regarding the nickel ore export ban policy. In 2019, the European Union sued Indonesia at the WTO because of its nickel export ban policy which was considered to violate international trade rules. The WTO then decided that Indonesia's policy was contrary to the agreement that had been agreed upon, so Indonesia had to adjust its regulations so as not to be subject to trade sanctions. This case shows how the WTO can influence national policies and pressure member countries to comply with global trade rules.

In addition to the WTO, other international organizations such as ASEAN and the Regional Comprehensive Economic Partnership (RCEP) also have an important role in ensuring Indonesia's compliance with international trade standards. Through the ASEAN Free Trade Area (AFTA), Indonesia must adjust its trade policies to support free trade in the Southeast Asia region. Meanwhile, the RCEP agreement covering 15 countries in the Asia-Pacific requires Indonesia to adjust various regulations to align with mutually agreed trade standards. By joining these organizations, Indonesia is increasingly bound by international trade rules and must ensure that its national policies do not conflict with the agreements that have been signed.

The Importance of Legal Certainty in International Trade for Indonesia

Compliance with international trade laws provides significant economic benefits for Indonesia, especially in expanding global market access. By following internationally agreed trade regulations, Indonesia can enjoy various trade facilities such as the elimination of tariffs and non-tariff barriers that facilitate the export of national products. This not only increases the competitiveness of Indonesian products in the global market but also provides economic stability by maintaining harmonious trade relations with major trading partners. In addition, compliance with international standards helps increase foreign investor confidence in Indonesia's economic policies, which ultimately contributes to increased investment in strategic sectors.

Legal certainty in international trade also plays an important role in creating a conducive business climate for the growth of the national trade and industry sectors. When applicable trade regulations are clear and consistent with international law, business actors have certainty in running their businesses without the risk of sudden changes in policies. This can increase productivity and innovation in the national industry because there is strong legal protection for business actors in carrying out export and import activities. In addition, trade policies that comply with international law can prevent trade conflicts that have the potential to harm the domestic industrial sector.

Indonesia's participation in various international trade agreements, such as the WTO, ASEAN, and RCEP, is a major factor in encouraging compliance with global trade rules. These organizations regulate various aspects of international trade, including the elimination of trade barriers, protection of business rights, and resolution of trade disputes. As a member, Indonesia is obliged to adjust its trade regulations to agreed international standards. Involvement in these agreements also provides benefits for Indonesia in terms of protection from unfair trade practices, such as dumping and excessive subsidies from other countries.

Free trade agreements (FTAs) and international dispute resolution mechanisms play an important role in maintaining Indonesia's trade stability. FTAs allow Indonesia to expand economic cooperation with various countries without high tariff barriers, thus encouraging export growth. Meanwhile, the dispute resolution mechanisms provided by the WTO and other agreements provide legal protection for Indonesia in dealing with trade disputes with other countries. With this mechanism, Indonesia can ensure that its trade policies remain under international law and obtain justice in any trade disputes that may occur.

International trade law does not have a strong enforcement body like that found in a country's domestic law. Most rules in international trade are enforced through dispute resolution mechanisms in organizations such as the WTO, but they are not always accompanied by effective sanctions against countries that violate them. As a result, countries can often avoid obligations or delay compliance with agreed rules without serious legal consequences. This can create uncertainty in the global trading system, where countries can adopt protectionist policies or restrict trade for domestic reasons even though they are contrary to the principles of international trade.

The absence of a firm enforcement mechanism in international trade law means that many countries, including Indonesia, have the potential to adopt policies that are not always in line with international rules. For example, Indonesia has several times implemented policies that limit the export of raw materials to protect domestic industries, which have then been challenged by the WTO. Although the WTO has a dispute resolution mechanism, the process often takes years, allowing countries to continue implementing policies that potentially violate international rules without immediate impact. This shows that in some cases, national interests are prioritized over international obligations.

One of the main challenges facing Indonesia in complying with international trade law is the difficulty in aligning national regulations with international standards. The government often has to face a dilemma between maintaining policies that protect domestic industries and adapting to global trade rules. For example, government policies that provide subsidies for certain sectors or impose high import tariffs to protect local industries may conflict with the principles of free trade. In addition, some domestic regulations governing product and safety standards are often different from international standards, which can make it difficult for Indonesian products to access the global market.

Changes in trade policies are often challenged by various parties, including domestic industry players and national political interests. For example, when Indonesia adjusted its natural resource export policy to comply with WTO rules, many domestic industry players refused because they were worried about losing the benefits of previous protectionist policies. Likewise with import regulations, where tariff adjustment policies or the elimination of non-tariff barriers often trigger protests from certain groups who feel disadvantaged. Political factors also play an important role, because the decision to adjust trade policies to international rules often faces pressure from various interest groups who want to protect certain domestic sectors.

CONCLUSION

Indonesia's compliance with international trade law is driven by strategic economic interests, including increasing global market access, national product competitiveness, and attractiveness to foreign investment. Involvement in international trade organizations and agreements such as the WTO, ASEAN Free Trade Area, and RCEP provides significant economic benefits, while requiring adjustments to national regulations to align with global standards. The principles of international trade law, such as non-discrimination and transparency, form the basis of various agreements that Indonesia participates in, so that national trade policies often change to meet international requirements. Thus, compliance with international trade law is not only a legal obligation, but also a strategic step to maintain economic stability and strengthen Indonesia's position in global trade.

Globalization has accelerated Indonesia's integration into the world economy, encouraging the country to adjust national policies and regulations to align with international trade standards. Compliance with international trade law provides benefits such as increased competitiveness and wider market access, but also presents challenges, especially in domestic industrial competition. International organizations such as the WTO, ASEAN, and RCEP play an important role in ensuring Indonesia's compliance with global trade rules, although national policies sometimes have to be adjusted to meet the provisions set. Therefore, the government needs to maintain a balance between national interests and international obligations to remain competitive in the global market while protecting domestic strategic sectors.

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