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REGULATION OF THE MINISTER OF RELIGIOUS AFFAIRS
OF THE REPUBLIC OF INDONESIA
NUMBER 2 YEAR 2022
CONCERNING
INTERNATIONAL COOPERATION FOR HALAL PRODUCT ASSURANCE
BY THE GRACE OF GOD ALMIGHTY
MINISTER OF RELIGIOUS AFFAIRS OF THE REPUBLIC OF INDONESIA

- Considering : a. that international cooperation is essential for ensuring the halalness of products and developing comprehensive halal product assurance;
- b. that to ensure the orderly, efficient, transparent, and accountable implementation of international cooperation for halal product assurance, it is necessary to establish an arrangement that provides legal certainty, security, and benefits;
- c. that based on relevant considerations, it is necessary to establish the Decree of Minister of Religious Affairs regarding the implementation of international cooperation for Halal Product Assurance;
- In view of : 1. Article 17, paragraph (3), of the Constitution of the Republic of Indonesia, 1945;
2. Law Number 37 of 1999 on Foreign Relations (State Gazette of the Republic of Indonesia, 1999, No. 156, Supplement to the State Gazette of the Republic of Indonesia, No. 3882);
3. Law Number 24 of 2000 on International Agreements (State Gazette of the Republic of Indonesia, 2000, No. 185, Supplement to the State Gazette of the Republic of Indonesia, No. 4012);
4. Law Number 39 of 2008 on State Ministries (State Gazette of the Republic of Indonesia, 2008, No. 166, Supplement to the State Gazette of the Republic of Indonesia, No. 4916);

5. Law Number 33 of 2014 on Halal Product Assurance (State Gazette of the Republic of Indonesia, 2014, No. 295, Supplement to the State Gazette of the Republic of Indonesia, No. 5604), as amended by Law Number 11 of 2020 on Job Creation (State Gazette of the Republic of Indonesia, 2020, No. 245, Supplement to the State Gazette of the Republic of Indonesia, No. 6573);
6. Government Regulation Number 39 of 2021 on the Implementation of the Halal Product Assurance Sector (State Gazette of the Republic of Indonesia, 2021, No. 49, Supplement to the State Gazette of the Republic of Indonesia, No. 6651);
7. Presidential Regulation Number 83 of 2015 on the Ministry of Religious Affairs (State Gazette of the Republic of Indonesia, 2015, No. 168);
8. Minister of Religious Affairs Regulation Number 42 of 2016 on the Organization and Work Procedures of the Ministry of Religious Affairs (State Gazette of the Republic of Indonesia, 2016, No. 1495);

HAS DECIDED:

To stipulate : REGULATION OF THE MINISTER OF RELIGIOUS AFFAIRS CONCERNING INTERNATIONAL COOPERATION ON HALAL PRODUCT ASSURANCE

CHAPTER I

GENERAL PROVISION

Article 1

Definitions

For the purposes of this Ministerial Regulation, the following terms shall have the following meanings:

1. Halal Product Assurance (JPH): Legal certainty regarding the halalness of a product, evidenced by a Halal Certificate.
2. Products are goods and/or services related to food, beverages, medicine, cosmetics, chemicals, biological products, genetic engineering products, and other items used, consumed, or utilized by the community.
3. Halal products are goods and services that have been certified as halal in accordance with Islamic law.
4. A Halal Certificate is a document issued by the Halal Product Assurance Organizing Body (BPJPH), based on a written halal fatwa issued by the Indonesian Ulema Council (MUI), that attests to the halalness of a product.
5. International Cooperation on Halal Product Assurance (JPH International Cooperation) is the collaborative development, assessment, and recognition of halal product certificates between government and non-governmental institutions on a bilateral, regional, or multilateral basis. This cooperation aims to provide consumers with confidence, safety, and

certainty in the availability of halal products.

6. International Government Institutions are executive organs of other countries.
7. International Non-Governmental Institutions are private and non-governmental organizations, including educational institutions overseas that aim to promote International Cooperation on Halal Product Assurance (JPH) and governed by certain rules or mutual agreements.
8. Foreign Halal Certification Body (FHCB) is a foreign-based institution authorized to conduct product halal inspection, testing, and certification in its home country.
9. Minister refers to the minister of religious affairs.
10. Halal Product Assurance Organizing Agency (BPJPH) is a government agency established to implement the Halal Product Assurance (JPH) program.
11. Head of the Agency refers to the Head of BPJPH.

CHAPTER II

FORMS OF INTERNATIONAL COOPERATION ON HALAL PRODUCT ASSURANCE

Part 2

General Provisions

Article 2

- (1) The Halal Product Assurance Organizing Agency (BPJPH) may engage in international cooperation on the field of halal product assurance (JPH).
- (2) This cooperation may take the form of:
 - a. JPH development;
 - b. Conformity assessment; and/ or
 - c. Halal certificate recognition.
- (3) BPJPH implements international cooperation on consultation with the Minister of Religious Affairs and other ministers responsible for foreign affairs.
- (4) International cooperation on halal product assurance, as referred to in paragraph (1), is based on agreements between countries in the political, economic, social, cultural, and other fields, in accordance with statutory regulations.
- (5) International cooperation on halal product assurance, as referred to in paragraph (1) must be implemented in accordance with Indonesia's foreign policy, national laws and regulations, and international laws and customs.

Part Two

International Cooperation on Halal Product Assurance in the Development of Halal Product Assurance

Article 3

- (1) JPH International Cooperation on the development of JPH, as referred to in Article 2 (2) (a), includes:
 - a. technology development;
 - b. human resource development; and
 - c. JPH facilities and infrastructure development.
- (2) Technology development cooperation as referred to in paragraph (1)(a), may take the form of:
 - a. research and development on technologies used in the halal product process;
 - b. research and development on technologies used in halal inspection;
 - c. research and development on technologies used in halal coaching and supervision;
 - d. exchange of information in the field of JPH.
- (3) Human resource development cooperation, as referred to in paragraph (1)(b), may take the form of:
 - a. JPH education and training for business actors, halal auditors, halal supervisors, JPH supervisors, and halal inspection agency administrators;
 - b. Halal Exchange of scholarly knowledge among religious scholars to determine the halal status of a product in the context of halal certification;
 - c. Involvement of academics and religious scholars in training and halal certification processes
 - d. Other fields related to education and human resource training in the field of JPH.
- (4) Cooperation on developing JPH facilities and infrastructure, as referred to in paragraph (1)(c), may take the form of:
 - a. JPH Research and development of JPH facilities and infrastructure;
 - b. Assistance in providing JPH facilities and infrastructure.;
 - c. Trade in JPH facilities and infrastructure;
 - d. Provision of facilities and infrastructure for the exchange of information related to JPH; and
 - e. Development of halal standards.
- (5) Cooperation between international JPH institutions to foster JPH, as

referred to in Part (1), can be executed by BPJPH with foreign state organizations or foreign state organizations in each nation:

Part Three
International Cooperation on Halal Product Assurance on
Conformity Assessment

Article 4

- (1) International Cooperation on Halal Product Assurance in Conformity Assessment as referred to in Article 2(2)(b), includes:
 - a. Mutual recognition; and
 - b. Mutual acceptance of conformity assessment results.
- (2) Cooperation on conformity assessment, as referred to in paragraph (1), may take the form of developing a scheme for the mutual recognition and acceptance of conformity assessment results.
- (3) JPH Development of the scheme referred to in paragraph (2) consists of developing JPH standards.

Part Four
International Cooperation on Halal Product Assurance in
Halal Certificates Recognition

Article 5

- (1) JPH International Cooperation on halal certificate recognition, as referred to in Article 2(2)(c), consists of cooperation on the mutual recognition of halal certificates.
- (2) JPH International Cooperation on mutual recognition of halal certificates, as referred to in paragraph (1), is conducted by the BPJPH with foreign halal certification bodies (FHCBs) having the authority to issue halal certificates.

Article 6

- (1) Foreign halal certification bodies (FHCBs), as referred to in Article 5(2), may be established by:
 - a. Governments; or
 - b. Islamic religious institutions in the home country.
- (2) FHCBs, as referred to in Article 5(2), must meet the following conditions:
 - a. Proof of the legality of their establishment, with permission or recommendation from local state authorities;
 - b. Their own office and a listed address;

- c. An organizational structure;
- d. A Sharia council/fatwa council or ulama with the authority to determine the halalness of products;
- e. Has at least three (3) highly competent halal auditors, as defined by the Indonesian standard for halal auditor competency;
- f. Has established halal standards in accordance with JPH standards;
- g. Has been certified by a national accreditation body recognized by regional or international organizations and has entered into international cooperation on conformity assessment.;
- h. Has been certified by BPJPH for FHBCBs accredited by the Halal Inspection Agency Accreditation Team; and
- i. Owns or collaborates with a laboratory accredited to international standard ISO 17025.

Article 7

- (1) FHCBs shall submit an application to the Head of BPJPH by attaching the required documents as specified in Article 6(2).
- (2) The Applications as referred to in Article (1) shall be submitted in Indonesian or English.

Article 8

- (1) Additional documents as referred to in Article 7 paragraph (1) must be submitted within a maximum of ten (10) working days since the receipt of request for additional documents.
- (2) Additional documents requested in paragraph (1) must be submitted within a maximum of ten (10) working days of receiving the request.
- (3) If additional documents are not submitted within 10 (ten) working days of receiving the request, the cooperation request is considered rejected.

Article 9

- (1) If the documents required under Article 7(1) are deemed complete, BPJPH will verify the documents within 30 (thirty) working days.
- (2) BPJPH may conduct field inspections if necessary.

Article 10

If the FHCB as the partner institution has met the requirements, the Indonesian Halal Product Certification Agency (BPJPH) will issue a written approval for cooperation on the mutual recognition of Halal Certificates. This cooperation will be based on a reciprocal agreement between the two countries, meaning that they

will both agree to recognize each other's Halal Certificates as valid within their respective borders.

Article 11

The Indonesian Halal Product Certification Agency (BPJPH) may take the initiative to propose mutual recognition of Halal Certificates as a fulfillment of Halal Certificates based on a reciprocal agreement on the mutual acceptance of Halal Certificates and mutual acceptance of Halal Certificates that applies reciprocally to partner countries, in accordance with the procedures for submitting cooperation requests that apply in the home country.

Article 12

In the absence of a Foreign Halal Certification Body (FHCB) in the country of origin, business entities must obtain halal certification in accordance with Indonesian laws and regulations.

CHAPTER III

IMPLEMENTATION OF INTERNATIONAL COOPERATION ON HALAL PRODUCT ASSURANCE

Part One

General Provision

Article 13

- (1) International cooperation on halal product assurance (JPH) is implemented with the government's approval, in accordance with the relevant laws and regulations.
- (2) The government approval referred to in paragraph (1) is coordinated and consulted between the Minister of Religious Affairs and the Minister of Foreign Affairs. The approval of the government referred to in paragraph (1) is coordinated and consulted upon by the Minister of Religious Affairs and the Minister of Foreign Affairs.
- (3) International cooperation on JPH is carried out through the following stages:
 - a. initiatives;
 - b. assessment;
 - c. preparation, discussion, and approval of the cooperation agreement;
 - d. signing of the cooperation agreement.

Part Two

Initiatives

Article 14

- (1) The Head of the Agency submits a proposal for the initiatives of international cooperation on JPH to the Minister.
- (2) The initiatives referred to in paragraph (1) may come from, among others:
 - a. BPJPH's own initiatives;
 - b. input from ministries or non-ministerial government agencies;
 - c. public proposals; and/or;
 - d. proposals from foreign governments or institutions.
- (3) Initiatives as defined in paragraph (1) must include at least:
 - a. a rationale and justification for the initiation;
 - b. the objective of the initiatives; and
 - c. the scope of the initiatives.

Part Three

Assessment

Article 15

- (1) BPJPH shall conduct an assessment of initiatives to identify opportunities and benefits for collaboration in the JPH field.
- (2) The assessment as referred to paragraph (1) shall include, but is not limited to, the following:
 - a. communication with overseas government agencies or overseas non-governmental institutions that will collaborate on JPH;
 - b. visits to foreign government agencies or foreign non-governmental institutions that will collaborate on JPH; and/or
 - c. inviting overseas government agencies or overseas non-governmental organizations to visit Indonesia.

Article 16

Upon reaching consensus with foreign governmental agencies or non-governmental organizations (NGOs) following an assessment, BPJPH will draft and negotiate a cooperation agreement.

Part Four

Preparation, Discussion, and Approval of the Draft of Cooperation Agreement

Article 17

- (1) The Indonesian Halal Product Certification Agency (BPJPH) shall prepare a draft of international JPH cooperation agreement.
- (2) The draft of international JPH cooperation agreement referred to in paragraph (1) shall at least include the following essential elements:
 - a. title;
 - b. subject matter of the cooperation;
 - c. purpose and objectives of the cooperation;
 - d. scope of the cooperation; and
 - e. collaborative arrangements between the parties.
- (3) The draft of international cooperation agreement on JPH, once prepared, shall be submitted by the Head of the Agency to the Minister for discussion and deliberation.

Article 18

The draft on international cooperation agreement shall be discussed through:

- a. inter-ministerial/government agency meetings and related non-ministerial government agencies; and
- b. Meetings with international government agencies or international non-governmental organizations.

Article 19

- (1) The Head of a non-ministerial government body shall conduct inter-ministerial/institutional meetings.
- (2) Inter-ministerial/institutional meetings as referred to in paragraph (1) shall, at least, include the following elements:
 - a. a ministry responsible for foreign affairs; and

- b. a ministry/non-ministerial government body that is relevant to the object of cooperation.
- (3) The results of the inter-ministerial/institutional meetings as referred to in paragraph (2) shall be recorded in the meeting minutes.

Article 20

- (1) The Head of a non-ministerial government body shall conduct meetings with international government or non-governmental institutions to discuss cooperation.
- (2) Meetings with international government or non-governmental institutions as referred to in paragraph (1) shall include:
 - a. a ministry responsible for foreign affairs; and
 - b. a ministry/non-ministerial government body relevant to the object of cooperation.
- (3) The results of the meetings with international government or non-governmental institutions abroad as referred to in paragraph (1) shall be recorded in the meeting minutes.

Article 21

- (1) The Head of a non-ministerial government body shall submit the results of the discussion of the cooperation agreement to the Minister for approval.
- (2) The Minister shall, through the Head of the non-ministerial government body, submit the approved draft cooperation agreement to the minister responsible for foreign affairs through the relevant echelon I official.

Part Five

Signing of Cooperation Agreement

Article 22

The Minister or authorized officials, in conjunction with the heads of governmental agencies or international non-governmental organizations (NGOs), shall sign the JPH International Cooperation Agreement.

Article 23

- (1) The JPH International Cooperation Agreement shall come into force and

be binding in accordance with the agreement in the Cooperation Agreement.

- (2) The JPH International Cooperation Agreement referred to in paragraph (1) shall expire in accordance with the provisions of the agreement and applicable laws and regulations.

CHAPTER IV

MONITORING, EVALUATION, AND REPORTING

Article 24

- (1) The implementation of the JPH International Cooperation shall be monitored and evaluated by a team appointed by the Head of the Body.
- (2) The team referred to in paragraph (1) shall, at least, consist of the following elements:
 - a. a ministry responsible for religious affairs;
 - b. a ministry responsible for foreign affairs; and
 - c. relevant ministries/institutions.
- (3) Monitoring and evaluation shall be conducted to ensure the conformity of the cooperation activities procedures with their implementation.
- (4) Monitoring and evaluation shall be conducted on a regular basis and/or at any time.

Article 25

- (1) The implementation of the JPH International Cooperation shall be carried out by developing an activity plan.
- (2) The activity plan referred to in paragraph (1) shall, at least, include the following elements:
 - a. a description of the activities;
 - b. the roles of the parties involved;
 - c. the purpose and objectives; and
 - d. the financing plan.

Article 26

The Head of the Body shall submit a report on the progress of the implementation of the JPH International Cooperation to the Minister on a regular basis and/or at any time.

Article 27

- (1) The Head of the Body shall submit a report on the JPH International Cooperation that will expire to the Minister.
- (2) The report referred to in paragraph (1) shall be submitted to the Minister within a period of at least 3 (three) months before the JPH International Cooperation expires.
- (3) The report referred to in paragraph (1) shall be used by the Minister as a basis for deciding whether to extend or terminate the JPH International Cooperation.

CHAPTER V

CLOSING PROVISIONS

Article 28

This Minister's Regulation shall come into force on the date of its promulgation.

For public cognizance, ordering the promulgation of this law shall be published in the State Gazette of the Republic of Indonesia.

Stipulated in Jakarta

on January 6, 2022

THE MINISTER OF RELIGIOUS AFFAIR
OF THE REPUBLIC OF INDONESIA,

Signed and Sealed

YAQUT CHOLIL QOUMAS

Stipulated in Jakarta

on January 6, 2022

THE DIRECTOR GENERAL OF LEGISLATION

MINISTRY OF LAW AND HUMAN RIGHTS THE REPUBLIC OF INDONESIA,

Signed and sealed

BENNY RIYANTO

STATE GAZETTE OF THE REPUBLIC OF INDONESIA YEAR 2022 NUMBER 6

A copy of the original

Ministry of Religious Affairs of the Republic of Indonesia

Head of the Legal and International Cooperation Bureau,

Signed and sealed

Dr. Ahmad Bahiej, SM.Hums,
NIP. 19750615 200003 1 001.