

UNITED NATIONS CONFERENCE ON TRADE AND DEVELOPMENT

**UNCTAD**



# **VOLUNTARY PEER REVIEW OF CONSUMER PROTECTION LAW AND POLICY: INDONESIA**



UNITED NATIONS



# **VOLUNTARY PEER REVIEW OF CONSUMER PROTECTION LAW AND POLICY: INDONESIA**



© 2019 United Nations

This work is available through open access by complying with the Creative Commons licence created for intergovernmental organizations, available at <http://creativecommons.org/licenses/by/3.0/igo/>.

The designations employed and the presentation of material on any map in this work do not imply the expression of any opinion whatsoever on the part of the United Nations concerning the legal status of any country, territory, city or area or of its authorities, or concerning the delimitation of its frontiers or boundaries.

Photocopies and reproductions of excerpts are allowed with proper credits.

This publication has not been formally edited.

United Nations publication issued by the United Nations Conference on Trade and Development.

UNCTAD/DITC/CPLP/2019/1

eISBN: 978-92-1-004198-0

## NOTE

UNCTAD serves as the focal point within the United Nations Secretariat for all matters related to consumer protection policy. UNCTAD promotes the United Nations Guidelines for Consumer Protection and encourages Member States to create awareness of the many ways in which Member States, businesses and civil society can promote consumer protection in the provision of public and private goods and services.

The work of UNCTAD is carried out through intergovernmental deliberations, technical cooperation activities, policy advice, and research and analysis on the interface between consumer protection, competition policy and development.

Voluntary peer reviews of consumer protection law and policy conducted by UNCTAD are mandated by the General Assembly in its resolution 70/186 of 22 December 2015 adopting the revised United Nations Guidelines for Consumer Protection. The guidelines seek, among other things, to assist countries in defining and implementing consumer protection in their markets.

References to dollars (\$) are United States dollars.

## ACKNOWLEDGMENTS

Voluntary peer reviews of consumer protection law and policy are conducted by UNCTAD at the annual meetings of the Intergovernmental Group of Experts on Consumer Protection Law and Policy or at the United Nations Conferences to Review All Aspects of the Set of Multilaterally Agreed Equitable Principles and Rules for the Control of Restrictive Business Practices.

This report was prepared by Pierre Horna, Legal Affairs Officer at the Competition and Consumer Policies Branch (CCPB) of UNCTAD, in cooperation with the Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH team based in Indonesia, who assisted in the drafting and provided substantive and editorial contributions to this report, as well as Anahi Chavez Ruesta, Arnau Izaguerri Vila, Legal Affairs Officers and Jacqueline Bouvier, all from CCPB, UNCTAD, under the direction of Pamela Coke-Hamilton, Director of the Division on International Trade and Commodities (DITC) and the overall guidance of Teresa Moreira, Head of the Competition and Consumer Policies Branch. Logistics for the field visits, liaison with national partners and additional comments and translations were delivered through the ASEAN-German cooperation projects “Competition Policy and Law in ASEAN” (CPL II) and “Consumer Protection in ASEAN” (PROTECT) which are implemented by GIZ upon commission by the Federal Ministry for Economic Cooperation and Development (BMZ) of Germany.

UNCTAD would also like to express their appreciation to Mr. Ir. Ardiansyah Parman, Chairman of the National Agency for Consumer Protection (BPKN) of Indonesia, to the Commissioners and staff of BPKN, whose engagement was crucial for the completion of this report. Thanks also to all the Indonesian individuals and representatives of the public and private sector institutions, and of civil society organizations who were interviewed and provided inputs for the peer review exercise.

The cover was prepared by Magali Studer.

# CONTENTS

<b>NOTE .....</b>	<b>III</b>
<b>ACKNOWLEDGMENTS .....</b>	<b>IV</b>
<b>ABBREVIATIONS AND ACRONYMS .....</b>	<b>VI</b>
<b>I. INTRODUCTION .....</b>	<b>1</b>
<b>II. POLITICAL, ECONOMIC AND SOCIAL CONTEXT.....</b>	<b>2</b>
<b>III. SUBSTANTIVE FRAMEWORK.....</b>	<b>5</b>
3.1 Objective of the GCPL.....	7
3.2 Consumer rights guaranteed by the GCPL.....	7
3.3 Business' obligations related with Consumer protection .....	7
3.4 Consumers' empowerment due diligence .....	9
3.5 Specialization and Subsidiarity .....	10
<b>IV. INSTITUTIONAL FRAMEWORK .....</b>	<b>11</b>
4.1 Entities in charge of consumer protection .....	11
4.2 Assessment of the institutional framework for consumer protection .....	16
4.3 Initiatives for reform .....	19
<b>V. REGIONAL AND INTERNATIONAL COOPERATION .....</b>	<b>22</b>
<b>VI. CONCLUSIONS AND RECOMMENDATIONS .....</b>	<b>25</b>
6.1 Conclusions .....	25
6.2 Recommendations.....	26
<b>REFERENCES.....</b>	<b>31</b>

## ABBREVIATIONS AND ACRONYMS

<b>AADCP</b>	ASEAN-Australia Development Cooperation Programme
<b>AANZFTA</b>	ASEAN-Australia-New Zealand Free Trade Agreement
<b>ACCP</b>	ASEAN Committee on Consumer Protection
<b>AEC</b>	ASEAN Economic Community
<b>AFTECH</b>	<i>Asosiasi FINTECH Indonesia</i> The Indonesian Financial Technology Association
<b>AHLP</b>	ASEAN High-Level Principles on Consumer Protection
<b>AIPEG</b>	Australia Indonesia Partnership for Economic Governance
<b>AKSI NASIONAL-PK 2018-2019</b>	<i>Aksi Nasional Perlindungan Konsumen 2018-2019</i> National Actions on Consumer Protection 2018-2019
<b>ASAPCP</b>	ASEAN Strategic Action Plan on Consumer Protection
<b>APEC</b>	Asia-Pacific Economic Cooperation
<b>ASEAN</b>	Association of Southeast Asian Nations
<b>ASEC</b>	ASEAN Secretariat
<b>ASEM</b>	Asia-Europe Meeting
<b>BAPPENAS</b>	<i>Badan Perencanaan dan Pembangunan Nasional</i> National Planning and Development Agency
<b>BI</b>	<i>Bank Indonesia</i> Central Bank of Indonesia
<b>BPJS</b>	<i>Badan Penyelenggara Jaminan Sosial Kesehatan</i> Social Security Administrator for Health
<b>BPKN</b>	<i>Badan Perlindungan Konsumen Nasional</i> National Consumer Protection Agency
<b>BPOM</b>	<i>Badan Pengawas Obat dan Makanan</i> National Agency for Drug and Food Control
<b>BPSK</b>	<i>Badan Penyelesaian Sengketa Konsumen</i> Consumer Dispute Settlement Body
<b>BSN</b>	<i>Badan Standardisasi Nasional</i> National Standardization Agency
<b>COPOLCO</b>	Committee on Consumer Policy
<b>DGCPTC</b>	Directorate-General for Consumer Protection and Trade Compliance
<b>DPD</b>	<i>Dewan Perwakilan Daerah</i> Council of Representatives of the Region

DPR	<i>Dewan Perwakilan Rakyat</i> House of Representatives
EU	European Union
GCPL	General Law on Consumer Protection of 1999
GDP	Gross Domestic Product
GIZ	<i>Deutsche Gesellschaft für Internationale Zusammenarbeit GmbH</i> Implementing agency for German Development Cooperation
ICPEN	International Consumer Protection and Enforcement Network
IDR	Indonesian Rupiah
IGE	Intergovernmental Group of Experts
IMF	International Monetary Fund
ISO	International Organization for Standardization
MPR	<i>Majelis Permusyawaratan Rakyat</i> People's Consultative Assembly
LTRA	Law on Trade of 2014
LPMUBTI	<i>Pedoman Perilaku Layanan Pinjam Meminjam Uang Berbasis Teknologi</i> The Code of Conduct of Responsible Lending
OECD	Organisation for Economic Co-operation and Development
OIC	Organisation of Islamic Cooperation
OJK	<i>Otoritas Jasa Keuangan</i> Financial Services Authority
PROLEGNAS	<i>Program Legislasi Nasional</i> National Legislation Programme
RCEP	Regional Comprehensive Economic Partnership Agreement
RPJM	<i>Rencana Pembangunan Jangka Menganah Nasional</i> National Mid-Term Development Plan

预览已结束，完整报告链接和二维码如下：

[https://www.yunbaogao.cn/report/index/report?reportId=5\\_8880](https://www.yunbaogao.cn/report/index/report?reportId=5_8880)

