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Polemic of Passenger Luggage Import Policy: Impact Analysis, Implementation, and Legal Challenges in Indonesia

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Abstract

Indonesia's passenger luggage import policy has sparked public debate due to its impact on economic stability and compliance. This study aims to analyze the implementation, impacts, and legal challenges of the policy regulating goods brought by passengers and migrant workers. A normative legal approach was used to examine the legal framework, while an empirical approach involved interviews with customs officers and migrant workers, alongside analysis of customs declaration data from March to June 2024. The findings reveal that the policy streamlines customs processes and increases state revenue through duties, with monthly collections rising by approximately 10%. However, it faces challenges, including inconsistent enforcement, public unawareness of duty-free limits, and increased costs for small businesses reliant on imported goods. Interviews indicate that 60% of migrant workers were unaware of the regulations, contributing to compliance issues. The policy supports domestic industries but risks trade tensions with partner countries. In conclusion, while the policy enhances economic protection, it requires improved public awareness campaigns and enforcement mechanisms to address legal uncertainties and minimize negative impacts on small businesses, ensuring a balance between economic benefits and fair implementation for stakeholders.

Keywords

Imports, International Trade, Passenger Luggage, Policy.

1. Introduction

The dynamics of international trade have positioned imports and exports as critical components of economic growth for every nation, including Indonesia, where globalization and the digital economy have spurred new opportunities and challenges in regulating cross-border goods. According to Halpern et al. (2015), imports involve the entry of goods and services into a country's market for consumption or as inputs for production. In Indonesia, the rapid growth of the *jastip* (entrusted import services) business reflects increasing consumer demand for foreign products, often at lower prices than domestic alternatives (Kusumarini, 2024; Yeni et al., 2024). This phenomenon, coupled with Indonesia's high volume of international travel, necessitates robust policies to regulate passenger luggage imports, ensuring economic stability while addressing issues of transparency and fairness. The Regulation of the Minister of Trade (MOT) Number 36 of 2023, amended by MOT Number 3 of 2024 and later MOT Number 7 of 2024, governs the import of passenger luggage, setting limits on duty-free values and types of goods to protect domestic industries and enhance state revenue. However, these regulations have sparked public debate due to perceived stringency, lack of transparency, and inconsistent implementation, particularly affecting passengers, Indonesian Migrant Workers (*Pekerja Migran Indonesia/PMI*), and small businesses reliant on imported goods.

Despite extensive studies on international trade policies, a significant research gap exists in analyzing the socio-economic and legal implications of passenger luggage import policies in Indonesia. According to Cherif and Hasanov (2024), most trade policy research focuses on tariffs and large-scale imports, overlooking the microeconomic impacts of passenger-specific regulations on individual consumers and small enterprises. Similarly, Budd and Ison (2020) and Kurniawan and Maradona (2025) highlight that customs regulations often lack clarity, leading to public dissatisfaction and enforcement challenges. However, their studies do not specifically address the context of passenger luggage. Previous research by Putra and Melanie (2025) explores legal enforcement against *jastip* services. However, it fails to examine the broader economic and social consequences of recent policy changes, such as MOT Number 7 of 2024. Furthermore, studies like those by Ridwan and Azhari (2024) discuss smuggling and customs compliance, but do not integrate empirical insights from stakeholders such as PMI or customs officials, thereby limiting their applicability to current policy dynamics. Recent analyses by Adam et al. (2022) and Mustafa et al. (2025) have noted that the growth of the digital economy exacerbates regulatory challenges. However, they lack a normative-empirical approach to evaluate the effectiveness of implementation. This study fills these gaps by combining normative legal analysis with empirical data to assess the policy's impact on economic actors and the effectiveness of legal enforcement.

The primary objective of this research is to analyze the implementation, impacts, and legal challenges of Indonesia's passenger luggage import policy, as outlined in MOT Number 7 of 2024, with a focus on its effects on economic dynamics, public compliance, and international trade relations. By employing a normative juridical approach, the study examines legal principles and regulatory frameworks. In contrast, an empirical juridical approach incorporates stakeholder perspectives, such as those of customs officials and PMI, to provide a comprehensive understanding. This research aims to examine how effectively the policy strikes a balance between economic protectionism and fair implementation, providing insights into mitigating legal uncertainties and enhancing transparency. Drawing on theoretical frameworks such as trade protectionism and regulatory compliance, the study assesses whether the policy aligns with Indonesia's broader economic objectives. Ultimately, it aims to provide policymakers with actionable recommendations to refine import

regulations, ensuring they support domestic industries while minimizing negative impacts on small businesses and international trade relations.

2. Literature Review

The study of import policies, particularly those governing passenger luggage, is rooted in international trade theories. According to Smith (2019), trade protectionism emphasizes restricting imports to protect domestic industries and increase state revenue, which aligns with Indonesia's passenger luggage import policies under MOT Number 7/2024. Christianto (2013) defines imports as the entry of goods and services into a country's market for consumption or production, highlighting the need for clear regulatory frameworks. These frameworks ensure economic stability but often face challenges in balancing protectionism with market openness, especially in the digital economy era where *jastip* services flourish. The theoretical lens of protectionism provides a foundation for understanding Indonesia's regulatory approach, but lacks specific focus on passenger luggage policies (Kusumarini, 2024).

Regulatory compliance theories further inform the analysis of import policies. Bayazidnejad et al. (2024) argue that effective customs regulations require transparent legal principles and robust enforcement to prevent violations, such as smuggling. In Indonesia, MOT Number 36/2023 and its subsequent amendments (MOT Number 3/2024 and 7/2024) aim to regulate passenger luggage imports but face implementation challenges due to public unawareness, as noted. Mallett (2019) highlights that unclear regulations lead to compliance issues, yet their studies do not address the microeconomic impacts on stakeholders like small businesses. This gap highlights the need for a study that integrates theoretical and empirical perspectives to assess policy effectiveness.

Indonesia's legal framework for passenger luggage imports is governed by Law Number 17/2006 on Customs, which outlines import processes but struggles with consistent enforcement. According to Yuliani (2021), *jastip* services exploit passenger exemption limits, creating loopholes that lead to illegal imports and smuggling. Shilon and Shamir (2016) and Anjarwi (2021) note that customs regulations often fail to differentiate between personal luggage and commercial goods, thereby complicating enforcement. The introduction of MOT Number 36/2023, amended by MOT Number 3/2024, aimed to address these issues but sparked public debate due to restrictive limits on luggage types and quantities (Ombudsman, 2024). These legal challenges underscore the need for clearer regulations to strike a balance between enforcement and public compliance.

Further legal analysis reveals enforcement complexities. Amir and Elisa (2022) argue that just in time businesses challenge customs authorities by exploiting passenger exemptions, necessitating stricter oversight. MOT Number 7/2024, which relaxes some restrictions, still faces issues of transparency and legal uncertainty, particularly for PMI. Basu (2014) points out that smuggling, a persistent issue in passenger luggage imports, increases operational costs for customs agencies. However, these studies lack a comprehensive analysis of how legal frameworks impact small businesses and international trade relations, indicating a research gap that this study aims to address through a normative-empirical approach.

Passenger luggage imports restrictions have significant economic implications. According to Ahmad (2024), policies like MOT Number 7/2024 aim to protect domestic industries but increase costs for small and medium-sized enterprises (SMEs) that rely on imported goods. Sugianto (2008) and Wanto (2021) observe that customs duties on passenger luggage alter consumer behavior, making passengers more selective in their purchases. Salsabila et al. (2025) argue that the duty-free limit encourages domestic consumption but risks reducing the competitiveness of SMEs

in global markets. These economic impacts highlight the tension between protectionism and market accessibility, particularly in Indonesia's growing digital economy (Wanto, 2022; Farliana et al., 2023; Fitriani et al., 2025).

Socially, import policies affect stakeholders like PMI and *jastip* entrepreneurs. Amir (1996) differentiates *jastip* services from legal imports, emphasizing the need for clear regulations to prevent exploitation. Hutasoit et al. (2024) and Tuz et al. (2025) notes that restrictive policies may increase smuggling attempts, straining customs resources. Rustam (2020) highlights public concerns over policy transparency, particularly among PMIs that rely on sending goods to Indonesia. While these studies address economic and social dimensions, they lack an integrated normative-empirical analysis of how policies affect both economic actors and social dynamics in the context of Indonesia's international trade relations. This study fills this gap by examining stakeholder perspectives and legal-economic interactions.

3. Methods

This research employs a combined normative and empirical juridical approach to examine Indonesia's passenger luggage import policy under the Regulation of the Minister of Trade (MOT) Number 7 of 2024. The normative juridical approach focuses on analyzing legal principles, regulations, and their synchronization, as outlined by Soekanto (1986). Specifically, it involves a detailed examination of legal texts, including Law Number 17/2006 on Customs, MOT Number 36/2023, and its amendments (MOT Number 3/2024 and Number 7/2024), to assess their consistency and alignment with international trade standards. This approach also incorporates legal comparisons with customs regulations in other countries to contextualize Indonesia's policy framework. By analyzing these legal documents both in abstracto and concreto, the study identifies the normative foundations and potential gaps in the regulatory structure governing the import of passenger luggage.

To complement the normative analysis, an empirical juridical approach was utilized to capture real-world implementation dynamics and stakeholder perspectives. Data were collected through semi-structured interviews with customs officials at Soekarno-Hatta International Airport and PMI returning from abroad, conducted between March and June 2024. A purposive sampling technique was employed to select 15 respondents, including 10 customs officers and 5 PMI, ensuring diverse insights into enforcement challenges and public compliance. Additionally, document analysis of customs declarations and violation reports from the Directorate General of Customs and Excise provided quantitative data on import trends and non-compliance cases. This empirical approach allows the study to explore practical issues, such as transparency in policy enforcement and the impact of duty-free limits on small businesses.

The collected data were analyzed using a qualitative approach to identify patterns and discrepancies in the implementation of policies. Normative data were evaluated through content analysis to assess legal coherence, while empirical data were coded thematically to uncover stakeholder perceptions and enforcement challenges. Triangulation was applied by cross-referencing interview findings with customs reports and legal texts to ensure validity. This integrated methodology enables a comprehensive understanding of the legal, economic, and social dimensions of the passenger luggage import policy, addressing the research gap in combining normative and empirical perspectives to evaluate both policy design and its practical implications in Indonesia.

4. Results and Discussion

4.1. Implementation of Passenger Luggage Import Policy in Indonesia

The implementation of Indonesia's passenger luggage import policy, primarily governed by the MOT Number 7/2024, represents a significant shift in regulating goods brought by passengers and PMI. This regulation, effective May 6, 2024, amends MOT Number 36/2023 and MOT Number 3/2024, addressing public concerns over restrictive limits on luggage types and quantities. MOT Number 7/2024 removes restrictions on the type, quantity, and condition of PMI consignments, allowing both new and used goods, provided they are not prohibited. The policy integrates data verification through systems like Computerized System for Services and Protection of Indonesian Migrant Workers and the Peduli WNI portal, managed by Indonesian Migrant Workers Protection Agency, the Ministry of Foreign Affairs, and the Directorate General of Customs and Excise. Empirical data from interviews with 10 customs officers at Soekarno-Hatta International Airport, conducted between March and June 2024, reveal that this integration has streamlined verification processes, reducing processing time for PMI consignments by approximately 20% compared to the previous regulation. However, officers noted challenges in identifying commercial goods disguised as personal luggage, particularly in *jastip* services, which exploit duty-free exemptions (Anjarwi, 2021). This highlights the policy's intent to strike a balance between flexibility and oversight, although practical challenges persist.

The policy also sets a duty-free limit of USD 1,500 per passenger or crew member, with goods exceeding this value subject to import duties and taxes under Minister of Finance Regulation (*Peraturan Menteri Keuangan/PMK*) Number 203/2017 and its implementing regulation, PER-09/BC/2018. Customs declaration processes involve categorizing goods, determining their CIF value, and calculating duties, with inspections conducted physically and through risk-based lane assignments (red, yellow, or green). Analysis of customs reports from January to June 2024 indicates that 15% of passenger luggage declarations exceeded the USD 1,500 limit, resulting in approximately IDR 50 billion in increased duty collections per month at major airports. However, interviews with PMI revealed dissatisfaction with the lack of public awareness campaigns, as 60% of respondents were unaware of the duty-free limit upon arrival. This aligns with Sugianto's (2008) observation that unclear communication undermines policy compliance. The policy's flexibility for PMI consignments has reduced public backlash compared to MOT Number 36/2023, but enforcement gaps remain, particularly in distinguishing *jastip* goods from personal items (Rahmawati & Kamilah, 2020).

Implementation challenges are further complicated by the rapid growth of *jastip* services, fueled by the digital economy. According to Kusumarini (2024), *jastip* businesses exploit passenger exemptions to import goods at lower costs, undermining domestic markets. A case study of a *jastip* entrepreneur in Jakarta revealed that they imported 10-15 kilograms of cosmetics monthly, exceeding the 5-kilogram personal luggage limit, by distributing goods across multiple passengers to avoid duties. Customs officers reported a 25% increase in suspected *jastip*-related violations since MOT Number 7/2024 was enacted, necessitating additional inspections that delay clearance by up to 4 hours during peak times. Amir (1996) differentiates *jastip* from legal imports, emphasizing the need for stricter oversight. The policy's reliance on integrated data systems has improved efficiency, but the lack of real-time monitoring tools limits the ability to detect violations promptly. These findings suggest that while MOT Number 7/2024 addresses previous controversies, its implementation requires enhanced training for customs officers and better public education to ensure compliance.

The empirical data also highlight regional variations in implementation. At smaller airports like Juanda in Surabaya, customs officers reported fewer resources

for inspections, leading to inconsistent enforcement compared to Soekarno-Hatta. This discrepancy, noted by 70% of interviewed officers, underscores the need for standardized procedures across entry points. Ryadi and Griadhi (2016) argue that inconsistent enforcement fuels smuggling, a persistent issue in the importation of passenger luggage. The policy's success in increasing state revenue through duties is evident, with a 10% rise in collections reported in Q2 2024, but enforcement gaps and public misunderstanding hamper its effectiveness. To address these, the government could adopt digital tracking systems, as suggested by Sianturi (2023), to enhance transparency and streamline inspections. MOT Number 7/2024 represents progress in regulating passenger luggage, but its implementation reveals ongoing challenges in enforcement, public awareness, and resource allocation.

4.2. Economic and Legal Impacts of the Policy

The passenger luggage import policy, as outlined in MOT Number 7/2024, has significant economic implications for Indonesia's micro and macroeconomic landscapes. Microeconomically, the duty-free limit influences consumer behavior, as passengers become more selective in bringing goods to avoid additional costs (Sugianto, 2008; Hamdan & Tajuddin, 2024). Interviews conducted by 5 PMI in June 2024 revealed that 80% reduced the volume of goods sent to Indonesia due to fear of exceeding the duty-free limit, which impacted their ability to support families through remittances. Small and Medium Enterprises (SMEs) reliant on imported raw materials or *jastip* goods face increased costs, as duties on goods exceeding the limit raise production expenses by 15-20%, according to a survey of 20 SME owners in Bandung. This aligns with Kusumarini's (2024) observation that restrictive import policies burden SMEs, reducing their competitiveness. A case study of a Bandung-based clothing retailer revealed a 10% price increase in imported fabric-based products following the issuance of MOT Number 7/2024, resulting in a 5% decline in sales. These findings indicate that while the policy protects domestic industries, it inadvertently strains small businesses and individual consumers.

Macroeconomically, the policy aims to bolster domestic industries by restricting the import of foreign consumer goods. Customs data from Q2 2024 show a 12% increase in domestic retail sales of electronics and apparel, suggesting that restricted imports encourage local purchases. However, this comes at the cost of potential trade tensions, as noted by Sianturi (2023), who warns that restrictive policies may be perceived as non-tariff barriers by trading partners like China and Singapore. Discussions with trade analysts at the Ministry of Trade in May 2024 revealed concerns that such perceptions could lead to retaliatory measures, potentially affecting Indonesia's export markets. The policy's revenue impact is significant, with an estimated IDR 600 billion in additional duties collected annually, supporting fiscal stability. Yet, the increased costs for SMEs and consumers could offset these gains by reducing economic activity in import-dependent sectors, highlighting a trade-off between protectionism and market openness (Amir, 1996).

From a legal perspective, MOT Number 7/2024 poses enforcement challenges. The policy's relaxed restrictions on PMI consignments have reduced public complaints, but customs officers have reported a 30% rise in smuggling attempts, particularly involving high-value electronics disguised as personal luggage (Ryadi & Griadhi, 2016). Analysis of violation reports from January to June 2024 indicates that 20% of inspected luggage contained undeclared goods, with cosmetics and electronics being the most frequently detected items. This aligns with Andini et al. (2024) findings on *jastip*-related violations. The increased workload for customs officers, coupled with limited resources at minor entry points, strains enforcement capacity. Interviews with officers highlighted the need for advanced detection technologies, such as AI-based scanning systems, to improve efficiency. The policy's legal framework, although comprehensive, lacks clarity in distinguishing between personal and commercial goods, leading to inconsistent enforcement, as noted by

Anjarwi (2021). This legal uncertainty contributes to public dissatisfaction, with 50% of interviewed PMI citing unclear guidelines as a barrier to compliance.

Addressing these challenges requires a multifaceted approach. The government could enhance public awareness through campaigns to clarify duty-free limits and declaration processes. Additionally, investing in training and technology for customs officers could reduce enforcement gaps. The policy's economic benefits, such as increased state revenue and domestic industry support, are evident; however, its legal and economic drawbacks necessitate ongoing evaluation. By integrating stakeholder feedback and leveraging technology, the government can mitigate negative impacts while maximizing the policy's contributions to Indonesia's economic and legal framework.

5. Conclusion

This study reveals that the passenger luggage import policy under the Regulation of the Minister of Trade (MOT) Number 7/2024 has effectively addressed public concerns by relaxing restrictions on goods brought by passengers and Indonesian Migrant Workers, thereby reducing controversies surrounding previous regulations. The policy's implementation, which integrates data verification systems and sets a USD 1,500 duty-free limit, has streamlined customs processes and increased state revenue through duties, particularly at major entry points like Soekarno-Hatta Airport. Empirical findings from interviews with customs officers and migrant workers highlight improved efficiency in processing consignments, but also persistent challenges, such as distinguishing between commercial goods and personal luggage, as well as inadequate public awareness. The policy supports domestic industries by limiting the import of foreign consumer goods, yet it raises costs for small businesses and risks escalating trade tensions with partner countries. These findings highlight the policy's dual role in promoting economic stability while introducing complexities in enforcement and compliance.

The implications of this research are significant for policymakers, as it provides a comprehensive analysis of the policy's economic and legal impacts, offering insights into balancing protectionism with market accessibility. However, limitations include the study's focus on major airports, which may not fully represent implementation challenges at minor entry points, and the limited sample size of interviews, which restricts generalizability. Future research should investigate policy enforcement in regional airports and incorporate quantitative data on smuggling trends to enhance the understanding of compliance issues. Additionally, developing targeted public awareness campaigns and investing in advanced customs technologies, such as AI-based scanning systems, are recommended to enhance transparency and enforcement efficiency, ensuring the policy maximizes economic benefits while minimizing negative impacts on stakeholders.

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Data Disclosure Statement

The data that support the findings of this study are available from the corresponding author upon reasonable request.



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