

SKRIPSI

**IMPLEMENTASI *RULES OF ORIGIN* PADA INDONESIA – EUROPEAN
FREE TRADE ASSOCIATION COMPREHENSIVE ECONOMIC
PARTNERSHIP AGREEMENT (IE-CEPA) DI INDONESIA**

*Diajukan sebagai salah satu syarat meraih gelar Sarjana Hukum
di Fakultas Hukum Universitas Andalas*

Oleh:

ROZAAN KAMIL FADHYAN

2210113045

PROGRAM KEKHUSUSAN: HUKUM INTERNASIONAL (PK VI)



FAKULTAS HUKUM

UNIVERSITAS ANDALAS

2026

ABSTRAK

IMPLEMENTASI *RULES OF ORIGIN* PADA *INDONESIA – EUROPEAN FREE TRADE ASSOCIATION COMPREHENSIVE ECONOMIC PARTNERSHIP AGREEMENT (IE-CEPA)* DI INDONESIA

(Rozaan Kamil Fadhyan, 2210113045, 121 Halaman + x , Fakultas Hukum, Universitas Andalas, 2026)

Perkembangan perjanjian perdagangan bebas mendorong peningkatan integrasi ekonomi internasional, termasuk melalui *Indonesia–European Free Trade Association Comprehensive Economic Partnership Agreement (IE-CEPA)*. Salah satu instrumen utama dalam pelaksanaan perjanjian tersebut adalah *Rules of Origin (RoO)*, yang berfungsi menentukan asal barang guna memastikan bahwa fasilitas tarif preferensial hanya diberikan kepada produk yang benar-benar berasal dari negara pihak perjanjian. Namun pengaturan ini belum memberikan kemudahan bagi para pelaku usaha yang mana bisa dilihat dari volume ekspor Indonesia yang tidak mengalami peningkatan yang signifikan. Adapun rumusan masalah yang diangkat oleh penulis yakni: (1) Bagaimana pengaturan *Rules of Origin* dalam *Indonesia-European Free Trade Association Comprehensive Economic Partnership Agreement* ditinjau dari Hukum Internasional; dan (2) Bagaimana implementasi *Rules of Origin* pada dalam *Indonesia-European Free Trade Association Comprehensive Economic Partnership Agreement* di Indonesia. Metode penelitian yang digunakan adalah penelitian hukum normatif dengan pendekatan perundang-undangan (*statute approach*) dan pendekatan konseptual (*conceptual approach*), melalui analisis terhadap perjanjian internasional, regulasi nasional, serta dokumen hukum perdagangan internasional yang relevan. Hasil penelitian menunjukkan bahwa pengaturan *Rules of Origin* dalam IE-CEPA merupakan bagian dari upaya harmonisasi hukum perdagangan internasional yang dipengaruhi oleh prinsip-prinsip *World Trade Organization (WTO)*, serta standarisasi teknis kepabeanan oleh *World Customs Organization (WCO)*. Implementasi *Rules of Origin* di Indonesia telah terintegrasi ke dalam sistem hukum nasional melalui regulasi perdagangan dan kepabeanan, terutama melalui mekanisme penerbitan Surat Keterangan Asal (SKA) sebagai instrumen pembuktian asal barang dan pemberian tarif preferensial. Namun demikian, kompleksitas prosedur administratif, persyaratan dokumentasi, serta keterbatasan kapasitas pelaku usaha masih menjadi kendala dalam optimalisasi pemanfaatan fasilitas IE-CEPA.

Kata kunci: *Rules of Origin*, IE-CEPA, Implementasi, *Agreement on Rules of Origin*, Hukum Internasional, *World Trade Organization*, EFTA, CEPA

ABSTRACT

IMPLEMENTATION OF RULES OF ORIGIN IN THE COMPREHENSIVE ECONOMIC PARTNERSHIP AGREEMENT BETWEEN INDONESIA AND THE EUROPEAN FREE TRADE ASSOCIATION (IE-CEPA) IN INDONESIA

(Rozaan Kamil Fadhyan, 2210113045, 121 pages + x, Faculty of Law, Universitas Andalas, 2026)

The development of free trade agreements has driven greater international economic integration, including through the Indonesia–European Free Trade Association Comprehensive Economic Partnership Agreement (IE-CEPA). One of the key instruments in the implementation of this agreement is the Rules of Origin (RoO), which serve to determine the origin of goods in order to ensure that preferential tariff treatment is granted only to products that genuinely originate from the contracting parties. However, these provisions have not yet provided sufficient ease for business operators, as evidenced by the fact that Indonesia’s export volume has not seen a significant increase. Given this legal issue, the research questions raised by the author are: (1) How are the Rules of Origin provisions in the Indonesia–European Free Trade Association Comprehensive Economic Partnership Agreement viewed from the perspective of international law; and (2) How are the Rules of Origin implemented in Indonesia under the Indonesia–European Free Trade Association Comprehensive Economic Partnership Agreement. The research method employed is normative legal research using a statutory approach and a conceptual approach, through an analysis of international agreements, national regulations, and relevant international trade law documents. The research findings indicate that the provisions on Rules of Origin in the IE-CEPA form part of efforts to harmonise international trade law, influenced by the principles of the World Trade Organization (WTO), technical customs standardisation by the World Customs Organization (WCO). The implementation of Rules of Origin in Indonesia has been integrated into the national legal system through trade and customs regulations, particularly via the mechanism for issuing Certificates of Origin (SKA) as an instrument for proving the origin of goods and granting preferential tariffs. However, the complexity of administrative procedures, documentation requirements, and the limited capacity of business operators remain obstacles to the optimal utilisation of IE-CEPA facilities.

Keywords: Rules of Origin, IE-CEPA, Implementation, Agreement on Rules of Origin, International Law, World Trade Organization, EFTA, CEPA