

# LEGAL AND ECONOMIC PROBLEMS RESULTING FROM THE INDIAN RICE IMPORTS TO INDONESIA

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## **Abstract**

The Indonesian government introduced rice import activities as a necessary requirement to increase national rice reserves. In Indonesia, policies regarding the export and import of rice have been regulated in the Regulation of the Minister of Trade of the Republic of Indonesia Number 1 of 2018 concerning provisions for the export and import of rice. Rice imports are carried out by the Public Logistics Affairs Agency (Perum Bulog). The problem from a legal and economic point of view is that the policy of banning Indian rice exports will affect the reduced supply of rice reserves in Indonesia, due to the reduced supply of rice in Indonesia, inevitably the Indonesian government will make a policy by increasing the price of rice sold in Indonesia. The ban on Indian rice imports to Indonesia certainly did not just happen. According to the data the author obtained, India's export ban policy to other countries was motivated by monsoon rains which resulted in a decrease in rice yields in India. In this study the authors used normative juridical legal research methods or library research. For the Indonesian government to immediately look for other rice supplying countries to cover the shortage of rice in Indonesia, so that the people are not increasingly suffocated by the increase and scarcity of rice prices due to the ban on imports of Indian rice to Indonesia

**Keywords:** Law, Economics, Import, Rice

## **A. BACKGROUND**

Indonesia is an agrarian country, meaning that the agricultural sector plays an important role in the national economy as a whole. Rice plays an important role in enriching the country's diet. Indonesia's rice production makes Indonesia the third largest rice producer after China and India. Indonesia's rice production has continued to increase throughout the year, but Indonesia has implemented rice imports since 1980 (Istifaria Inka Handini et al, 2022:760).

The definition of import according to KBBI is an activity of importing goods and other goods from abroad. According to Ruddy Tri Santoso, import is a process of entering goods or products from abroad into the domestic customs area but while still complying with the applicable laws and regulations which can be carried out by air, land and sea routes where all must first include clear and complete import documents. Meanwhile, according to Adrian Sutedi, the notion of import (buying foreign products) is the activity of bringing goods into the domestic customs area and aims to maintain and minimize shortages if the goods

produced by a country are less than the amount demanded for these goods. So, it can be concluded that rice import is an activity of entering rice into a customs area from abroad. This rice import activity in the public interest is useful as a reserve which can be used at any time by the government for the purpose of maintaining price stabilization, handling emergencies, helping poor people in need, food insecurity, as well as certain conditions that have been determined and watched out for by the government. Rice is in the form of grains originating from the *Oriza Sativa* species, whether skinned, unshelled, processed or unprocessed. Rice is the staple food for Indonesian people, which comes from rice and is a plant that grows in paddy fields. (Lutfianasari Hasanah, 59:2022)

The Indonesian government introduced rice import activities as a necessary requirement to increase national rice reserves. Apart from domestic stockpiling, another reason for the government to import rice is due to rice scarcity in several provinces due to bad weather. The cause of rice imports is due to the increasingly narrow area of agricultural land, the tendency is that the conversion of agricultural land to non-agricultural land is accelerating and the ongoing conversion of paddy fields in Java is difficult to avoid, impacting the national rice provider. Agricultural land which originally functioned as the agricultural sector has changed its function to non-agricultural land such as industrial areas, trade areas, and public facilities, causing negative economic, social and environmental impacts. Conversion of agricultural land for food security is a very serious threat considering that land conversion is difficult to avoid, while the impact on food problems is permanent. This import depends on each level of national income value and the lower the country's ability to produce certain goods, the higher the import activity (Bustanul Arifin, 2020: 30).

In Indonesia, policies regarding the export and import of rice have been regulated in the Regulation of the Minister of Trade of the Republic of Indonesia Number 1 of 2018 concerning provisions for the export and import of rice. Rice imports are carried out by the Public Logistics Affairs Agency (Perum Bulog). This Perum has a monopoly to import rice, how to regulate the distribution process and maintain the stability of rice prices in Indonesia. Perum Bulog maintains rice foreign exchange reserves of between 15 tons and 20 tons of rice by buying rice from domestic and imported income. As a function of the State Logistics Agency, one of which is to maintain the availability of national rice on a regular basis, domestic procurement is tasked with absorbing the crops from farmers according to the price set by the government, namely the HPP (Government Purchase Price). The main task of Perum Bulog is to absorb medium prices to reserve rice for the government in optimizing the procurement of rice stock availability (Febian Pratama Kusuma, 2019:45).

In recent years, Indonesia has continued to import rice to secure the country's rice reserves. one of which exports rice to Indonesia is India. Historically, Indonesia and India have close cultural ties that have the potential to establish mutually beneficial cooperation. Basically, Indonesia and India have a lot in common. These two countries have similarities in terms of cultural, religious, ethnic and regional language diversity. In addition, the population of these two countries also has a very large number. Indonesia and India are two economic powers in Asia. The main cooperation that is expected to be increased is cooperation in the economic, financial and trade sectors. Bilateral cooperation relations between Indonesia and India in the

fields of economy and trade in particular have begun to emerge along with efforts to cooperate between ASEAN countries and the South Asian Association for Regional Cooperation towards broader cooperation in the Asian region. (Arianto Patunru, 2020:20)

Cooperation between Indonesia and India in the economic field continues to experience ups and downs from year to year. In 2022, India made a surprising policy, especially for countries that import rice from India. The policy is that the Government of India prohibits the export of broken rice starting September 9, 2022. The world's largest rice exporting country also imposes a 20% export tax for several types of rice. Because India is one of the largest rice suppliers in the world, of course this will have a negative impact on countries that import rice from India. Indonesia is one of the many countries importing rice from India.

( <https://www.cnnindonesia.com/eko/20220920151900-92-850325/india-larang-ekspor-beras-indonesia-dan-filipina-bakal-kena-imbas> , accessed on 3 June 2023 at 14.00 WIB).

If the government is going to make a policy, it must have clear and definite reasons. According to Anderson, policy is a direction of action that has a purpose set by an actor or a number of actors in overcoming a problem or problem. The policy taken by the Indian government to ban rice exports certainly has clear reasons. The policy taken by the Indian government was motivated by the high monsoon rainfall which resulted in a decrease in rice yields in India. In addition, the Indian government is still trying to control rice prices in the country (Solichin Abdul Wahab, 2021: 34).

In Indonesia in particular, India is recorded as the largest rice supplier to Indonesia worth US\$86.3 million with a volume of 215.4 thousand tons in 2021. If the policy made by the Indian government regarding the banning of rice exports lasts a long time, it will certainly cause various problems both from a legal and economic perspective. (Mudriq et al, 2014:65)

The problem from a legal and economic point of view is that the policy of banning Indian rice exports will affect the reduced supply of rice reserves in Indonesia, due to the reduced supply of rice in Indonesia, inevitably the Indonesian government will make a policy by increasing the price of rice sold in Indonesia. The Indonesian government will also definitely look for other suppliers to become rice importing countries into Indonesia to cover the shortage of rice supply that has occurred in Indonesia as a result of the ban on imports of Indian rice. (Muhammad TA Rahimallah, 2022:76)

Because of this, the authors are interested in conducting a study entitled Legal and Economic Problems Due to the Ban on Indian Rice Imports Against Indonesia. To make it easier for the writer to do research, the writer has formulated it into two problem formulations, namely: the first 1). What is the impact of India's rice import ban on Indonesia from a legal and economic perspective? And the second 2). What are the factors that led to India's ban on rice imports to Indonesia?

In this study the authors used normative juridical legal research methods or library research. This is research that examines document studies, namely using various secondary data such as laws and regulations, court decisions, legal theory, and can be in the form of expert opinions. This type of normative research uses qualitative analysis, namely by explaining

existing data with words or statements, not with numbers (Ediwarman, 2016: 21). This type of research is normative juridical law research or research that finds the truth of coherence, namely whether there are legal rules according to norms and whether norms in the form of orders or prohibitions are in accordance with legal principles, and whether a person's actions are in accordance with legal norms or legal principles. (Peter Mahmud Marzuki, 2017:47)

## **B. DISCUSSION**

### **1. The Impact of India's Rice Import Ban on Indonesia in Legal and Economic Perspectives**

Indonesia as a country that has abundant natural resources, but still minimal and the ability to manage raw goods into semi-finished goods and finished goods to meet domestic needs. So that Indonesia carries out an import policy for semi-finished goods into finished goods to meet domestic needs with a very large population (Febriaty, 2016: 134)

Indonesian people who consume rice almost entirely have encouraged Indonesia to become the largest country in the world in consuming rice. This is the background why until now, Indonesia still imports rice to other countries even though it is known as a rice producing country. It is undeniable that Indonesia's population continues to increase and is accompanied by a high level of consumption, which is the reason for the high national rice imports. If you only rely on or only depend on domestic production, the need for rice cannot be properly covered (Economics & Economics, 35: 2018).

When viewed from the level of consumption, all rice consumption in Indonesia in terms of per capita has increased compared to other countries in the world. In Indonesia, the level of consumption of rice commodities can reach almost 120 kg/year, far greater than the average world rice consumption which is only around 60 kg/year. (Luthfi Anasari Hasanah, 2022:70)

If you look at the explanation above, the ban on imports of Indian rice against Indonesia certainly has very detrimental consequences, both from a legal and economic perspective. In economic law, there are two types of relationships that are related to one another, namely causality (cause and effect) and functional law (mutual influence). (Muhammad Amsal, 2018:34)

#### **a) The Impact of India's Rice Import Ban on Indonesia in an Economic Perspective**

Due to the ban on imports of India's rice to Indonesia, of course this will cause the supply of rice in Indonesia to decrease, and Indonesia will experience a shortage of rice reserves. Even though farmers in Indonesia are still able to meet the supply of rice for Indonesia, this is still considered insufficient, because seeing the demand for rice which is increasing year by year in Indonesia, it requires the Indonesian government to import rice from other countries. (Jiuhardi, 2023:98)

As a result of the ban on Indian rice imports to Indonesia, of course, it will cause a shortage

of rice supply in Indonesia. If a country implements an import ban policy, what will happen is the price of goods and services will increase, because the amount demanded is greater than the amount of goods that can be produced. (Ahmad Syariful et al, 2017:45)

Similar to the ban on India's rice imports to Indonesia, if India continues to ban exports of its rice to Indonesia, then this will lead to a shortage of rice in Indonesia. If there is a scarcity of rice in Indonesia, of course this will also affect the price of rice in Indonesia. The rarer the rice, the more expensive it will be. (Musdalifah Mukhdar, 2014:54)

Rice is the staple food of the Indonesian people, if there is an increase in the price of rice in Indonesia caused by the ban on the export of rice from India to Indonesia, then of course this will greatly suffocate the Indonesian people, especially those from low-income groups. The increase in the price of rice will add to the burden on the common people who have to spend a lot of money to buy their basic needs, namely rice. (Andi Herman Jaya, 2021:34)

In addition to having a negative impact, namely rising rice prices which stifled low-income people, the policy of banning Indian rice imports from Indonesia also had a positive impact on local rice farmers from Indonesia. How could it not be, because there is no supply of rice from India, people inevitably buy rice produced by local farmers at high prices. Because rice is one of the main staples that is often consumed by Indonesian people, people inevitably buy rice from local farmers, even though the prices are quite high. (Gunawan et al, 2005:56)

#### **b) The Impact of India's Rice Import Ban on Indonesia in a Legal Perspective**

By paying attention to the strategic value of rice, the national rice policy does not only look at it from one side only, namely the economic side, because rice for Indonesia is not merely seen as a commodity that has economic value, but at the same time contains social and political values. (Nita Anggraini, 2014:65)

Social value is a value that is believed in a society, regarding what is considered good and what is considered bad in society and political value is a value that everyone has that functions to help them understand a policy in one way or another. (Febriansyah, 2017:52)

From an economic law perspective, the ban on imports of Indian rice from Indonesia contains a functional legal relationship (mutual influence). Where, when the supply of rice in Indonesia decreased and the price of rice in Indonesia experienced a high price increase, the Indonesian government was required to be able to make a new policy in which the policy functioned as a tool to control the circulation of rice in Indonesia and also functioned to reduce the increase in rice prices in Indonesia which was caused due to the ban on imports of Indian rice to Indonesia. If the government does not immediately make a policy that controls the distribution of rice in Indonesia, rice in Indonesia will become increasingly scarce due to a shortage of supply and the price of rice will increase. Of course this will increasingly suffocate the lower classes of society who have difficulty buying rice. (Imam Naufal, 2019:98)

Rice consumption can still be met by domestic production. However, Indonesia does not only need rice as a food ingredient but many types of businesses both large and small scale that need rice as a staple for their production, so that during the ban on imports of Indian rice to Indonesia, the Indonesian government was required to be able to create a new policy to prevent rice shortages and increase in rice prices in Indonesia as a result of the ban on Indian rice imports to Indonesia. (Rossi Prabowo, 2010:54)

In addition to making a policy that is used to control the circulation of rice which is decreasing in supply, the Indonesian government is also required to immediately establish cooperation with other countries to find new rice suppliers which are intended to fill the void in rice supplies in Indonesia due to the ban on Indian rice exports. The provisions regarding the problems above have all been regulated in the Regulation of the Minister of Trade of the Republic of Indonesia of 2018 concerning Provisions for Export and Import of Rice. (Joko Priyono et al, 2016:56)

## **2. Factors Causing India's Rice Import Ban Against Indonesia**

The ban on Indian rice imports to Indonesia certainly did not just happen. According to the data the author obtained, India's export ban policy to other countries was motivated by internal factors from India itself, namely due to monsoon rains which resulted in a decrease in rice yields in India. Rice has the potential to become a challenge for the global food supply chain, considering that India has experienced crop failures due to low rainfall. India is listed as one of the world's largest rice exporters, which accounts for 40 percent of global rice trade. This country of Bollywood supplies rice to 100 countries, including China, Nepal and several Middle Eastern countries. (Syamsul Rahman, 2018: 54)

The climate of India is a monsoon type climate. The monsoon climate is characterized by weather conditions that change from season to season. This type is more experienced in the inland parts of the country than the coastal areas. Duration varies from 100 to 120 days. The spectacular arrival of the monsoons at the end of summer is called the 'monsoon blast'. Without monsoons, India would be a desert. In India the rainy season usually lasts from July to September. Ninety percent of India's rainfall is due to the monsoons. It provides water for agriculture and domestic use. However, in 2022, due to the low monsoon rainfall that occurred in India, it resulted in a decrease in rice yields in India. (Fachrudin M. 2022:45)

Farmers in India complain that due to low rainfall, their rice fields have shrunk to a fairly low number. The total area planted to rice has decreased by 13 percent this season due to lack of rainfall in several regions, including West Bengal and Uttar Pradesh, which account for a quarter of India's share of rice production. The threat to India's rice production comes at a time when the country is grappling with soaring food costs and rampant inflation. Most of the world's rice is grown and consumed in Asia, making it an important commodity for political and economic stability in the region. In contrast to the surge in wheat and maize prices following the Russian invasion of Ukraine, rice has weakened due to ample

production and supplies, helping to ward off a larger food crisis. Many rely on India's rice harvest and the development of the monsoon. Some agricultural scientists are optimistic that there is still time to resume planting and make up for the shortfall. Rajesh Kumar Singh, a farmer in Uttar Pradesh, said he grows rice on only half of his seven acres (2.8 hectares) of land because of a lack of rain in June and July. (Rahman Syamsul, 2018:67)

Indeed, at this time, India is being hit by a climate crisis. The extreme weather that is currently hitting India has caused a decline in several sectors. However, the most threatened is in the agricultural sector. The impact of the climate crisis that occurred in India is crop failure in all agricultural sectors. Farmers in India are vulnerable to becoming victims of extreme weather disasters triggered by climate change, because in farming activities farmers rely heavily on climate and weather changes for the survival of their agricultural land. (Raden Roro Atika, 2020:87)

As a result of the failed harvest experienced by rice farmers in India, in India itself there is a shortage of rice and an increase in domestic rice prices. To avoid further inflation, the Indian government will temporarily stop exporting rice to other countries. The entire existing supply of rice will be used to meet domestic needs first. However, the policy taken by the Indian government is predicted to make the price of rice on the world market soar. This is because India is one of the largest rice exporters, controlling 40% of the global rice market, exporting rice to more than 150 countries, one of which is Indonesia. The ban on Indian rice imports to Indonesia will certainly be very unprofitable for Indonesia, considering that the staple food of the Indonesian people is rice and seeing the government's reason for importing rice is to keep domestic rice prices stable. Although there is an opinion that the rise in rice prices is due to the actions of unscrupulous persons. It is undeniable that the people's dependence on rice is very large, causing unscrupulous people to easily manipulate market prices. We cannot see high rice prices as an advantage for farmers, but must be seen from the disadvantage side because farmers do not only act as producers but also act as consumers. (SERahayu et al, 2019: 220)

According to the author, the problem of food needs, especially rice, must be addressed both from the production and consumption sides. The government's efforts to increase rice production so far have always faced obstacles such as pest attacks, climate change, conversion of paddy fields, reduced soil fertility and limited water resources which hinder increased rice production. Even though rice production data increases every year, the price of rice continues to fluctuate, which could be a signal that so far production has been less than total consumption, while rice consumption will continue to increase in line with the increase in population. To meet the food needs of the population by increasing production will only be achieved in the short term but in the long term the challenge of increasing production will be greater. Therefore it is not enough just to increase production but also must be followed by improving the consumption side. The government needs to persuasively encourage people to consume other food sources such as sago, cassava, sweet potatoes, and so on which are potential local food in Indonesia.

## C. CLOSING

### 1. Conclusion

- a. Indonesian people who consume rice almost entirely have encouraged Indonesia to become the largest country in the world in consuming rice. This is the background why until now, Indonesia still imports rice to other countries even though it is known as a rice producing country. The ban on imports of Indian rice against Indonesia certainly has very detrimental consequences, both from a legal and economic perspective. In economic law, there are two types of relationships that are related to one another, namely causality (cause and effect) and functional law (mutual influence). From an economic point of view, the result of the ban on imports of Indian rice from Indonesia will certainly lead to a shortage of rice supply in Indonesia. If India continues to ban exports of its rice to Indonesia, then this will lead to a scarcity of rice in Indonesia. If there is a scarcity of rice in Indonesia, of course this will also affect the price of rice in Indonesia. The rarer the rice, the more expensive it will be. Rice is the staple food of the Indonesian people, if there is an increase in the price of rice in Indonesia caused by the ban on the export of rice from India to Indonesia, then of course this will greatly suffocate the Indonesian people, especially those from low-income groups. From an economic law perspective, the ban on imports of Indian rice from Indonesia contains a functional legal relationship (mutual influence). Where, when the supply of rice in Indonesia decreased and the price of rice in Indonesia experienced a high price increase, the Indonesian government was required to be able to make a new policy in which the policy functioned as a tool to control the circulation of rice in Indonesia and also functioned to reduce the increase in rice prices in Indonesia which was caused due to the ban on imports of Indian rice to Indonesia. In addition to making a policy that is used to control the circulation of rice which is decreasing in supply, the Indonesian government is also required to immediately establish cooperation with other countries to find new rice suppliers which are intended to fill the void in rice supplies in Indonesia due to the ban on Indian rice exports.
- b. The ban on Indian rice imports to Indonesia certainly did not just happen. According to the data the author obtained, India's export ban policy to other countries was motivated by internal factors from India itself, namely due to monsoon rains which resulted in a decrease in rice yields in India. Farmers in India complain that due to low rainfall, their rice fields have shrunk to a fairly low number. The total area planted to rice has decreased by 13 percent this season due to lack of rainfall in several regions, including West Bengal and Uttar Pradesh, which account for a quarter of India's share of rice production. Rajesh Kumar Singh, a farmer in Uttar Pradesh, said he grows rice on only half of his seven acres (2.8 hectares) of land because of a lack of rain in June and July.

### 2. Suggestion

From the description above, the writer can provide suggestions:

- a. The author hopes that the Indonesian government can make a policy that can regulate and ease the burden on people with a low economy who have difficulty getting rice due to rice scarcity due to the ban on imports of Indian rice to Indonesia.
- b. For the Indonesian government to immediately look for other rice supplying countries to cover the shortage of rice in Indonesia, so that the people are not increasingly



suffocated by the increase and scarcity of rice prices due to the ban on imports of Indian rice to Indonesia.

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### **C. Internet**

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