



THE COORDINATING COMMITTEE ON THE IMPLEMENTATION OF THE ATIGA
SUBMISSION FORM FOR CASES OF THE 'MATRIX OF ACTUAL CASES'
ON TRADE BARRIERS

CASE REFERENCE ID <i>(For Secretariat's use)</i>	REPORTING COUNTRY	INVOLVING COUNTRY
	Thailand	Indonesia
DATE OF REPORT SUBMISSION	HS CODE AND PRODUCT DESCRIPTION <i>(where applicable)</i>	
	<ul style="list-style-type: none"> • Electronic goods for households, telecommunications and informatics; • Building materials; • Motor vehicle goods and spare parts; • Tablet computers 	
DESCRIPTION OF TRADE BARRIER FACED		
<p><i>Please provide a description of the situation</i></p> <p>Requirements to Affix Bahasa Indonesia Label on Goods – Indonesia issued Ministry of Trade Regulation No. 67/2013 on Obligation to Affix Bahasa Indonesia Label on Goods, which came into force on 25 June 2014. The MOT Reg 67/2013 requires certain goods (e.g. electronic goods for households, telecommunications and informatics, building materials and motor vehicle goods and spare parts) to affix labels in Bahasa Indonesia before the imported products enter the Indonesian Customs Area. In addition, the labels must be permanently attached and fully integrated to the products, either embossed or printed (not a sticker).</p> <p>The Ministry of Trade Regulation No. 10/2014 amended the MOT Reg 67/2013 to include tablet computers to the list of products that must be complied with the requirement under Reg 67/2013.</p> <p>Our exporters have complained that they were not given sufficient time to prepare for the new requirement, as they need to change from sticker labels to permanently attached labels, and have requested Indonesia to postpone the entry into force of the MOT Reg No. 67/2013 for another 6 months (until 25 December 2014).</p> <p>In our view, Indonesia's requirement to affix Bahasa Indonesia labels on goods creates barriers to trade, as Indonesia did not notify ASEAN of the intention to implement such measure and failed to provide adequate opportunity for prior discussion with Member States. Indonesia also did not extend the notification to the WTO of such measure to the ASEAN Secretariat.</p>		

REFERENCE TO ATIGA PROVISION

Please provide a reference to the ATIGA provision to support your case, where applicable

**Article 11
Notification Procedures**

1. Unless otherwise provided in this Agreement, Member States shall notify any action or measure that they intend to take:
 - (a) which may nullify or impair any benefit to other Member States, directly or indirectly under this Agreement; or
 - (b) when the action or measure may impede the attainment of any objective of this Agreement.

3. A Member State shall make a notification to Senior Economic Officials Meeting (SEOM) and the ASEAN Secretariat before effecting such action or measure referred to in paragraph 1 of this Article. Unless otherwise provided in this Agreement, notification shall be made at least sixty (60) days before such an action or measure is to take effect. A Member State proposing to apply an action or measure shall provide adequate opportunity for prior discussion with those Member States having an interest in the action or measure concerned.

**26th AFTA Council Report
27 August 2012, Cambodia**

27. The Meeting strongly urged ASEAN Member States to strictly follow the notification procedures under Article 11 of the ATIGA and agreed that notifications to the WTO on new measures imposed should be extended to the ASEAN Secretariat.

LIST OF SUPPORTING DOCUMENTS PROVIDED *(where applicable)*

- Ministry of Trade Regulation No. 67/2013 on Obligation to Affix Bahasa Indonesia Label on Goods
- Ministry of Trade Regulation No. 10/2014 on Amendment to MOT Regulation No. 67/2013 on Obligation to Affix Bahasa Indonesia Label on Goods