

## WHY INDONESIAN GOVERNMENT HAS NOT RATIFIED FCTC POLICIES: INTERNAL DYNAMICS AND OUTSIDE PRESSURE

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### ABSTRACT

Framework Convention on Tobacco Control (FCTC) is an international treaty to curb the global tobacco epidemic. FCTC was adopted by World Health Assembly on 21 May 2003. So far, it has been legally binding in 186 ratifying countries. Indonesia which has involved since the beginning of FCTC discussion as drafter ironically has not ratified nor sign FCTC. The empirical findings of this article point to three variable, coalition preference, political institution stance and negotiators strategies. The article explicates how these variables corresponds to Indonesian position which has not ratified FCTC.

### INTRODUCTION

Health impacts from smoking have become the concern of the international society for at least the last two decades. This can be seen from the formation of the Framework Convention on Tobacco Control (FCTC) which was initiated in the 48th World Health Assembly in May 1995 (Chamim et al., 2011, p 62). FCTC itself is an international agreement aimed to confine the spread of tobacco epidemic that has been enhanced by, excerpting the WHO FCTC itself, “a variety of complex factors with cross-border effects, including trade liberalization and direct foreign investment.”<sup>2</sup> The main provisions of FCTC consist of tobacco and its products’ reduction both on supply and demand. After the adoption of the final draft within the period of 16 June 2003 to January 2014, FCTC has been signed and ratified by 178 countries, signed but not yet ratified by nine countries, not ratified nor signed by seven countries. Those seven countries are Eritrea; Indonesia; Liechtenstein; Malawi; Monaco; Somalia; South Sudan.

The tobacco epidemic which the FCTC is striving to curb can be somewhat represented by the conditions regarding tobacco and its products in Indonesia, a country which, ironically, has not signed nor ratified the convention, making it the only country in Asia and that has not signed the FCTC. Indonesia has the highest rate of the number of smokers among Southeast Asian countries, namely 51.1% of its total population. Whereas its neighboring countries such as Brunei Darussalam scores 0.06% of its total population, Cambodia 1.16%, and Thailand 10.22%. It is only rational that tobacco industries target Indonesia as a convenient market, at least among the Southeast Asian countries. Tobacco industries in Indonesia consist of Bentoel Group (acquisitioned by British American Tobacco in 2009), Djarum, Gudang Garam, HM Sampoerna (acquisitioned by Phillip Morris in 2005), Karya Dinya Mahardika, Nojorono, and Wismilak.

Cigarette production has been a significant contributor to Indonesia’s revenue, that it becomes incorporated in government’s revenue planning. For instance, Indonesian Government released the 2007-2020 Roadmap of Tobacco Products Industry and Excise Policy in 2007. The roadmap calls for a 12% increase in annual cigarette production, from 232 billion in 2000 to 260 billion by 2020 (Barber et al., 2008, p 46). Indonesia is deemed as a safe haven for tobacco industries, moreover after the FCTC ratification. Indonesia, who is left out in the Pacific Asia as the only country who hasn’t signed the FCTC, becomes the last resort for these industries to market and make their products. This paper will examine how three things affect

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<sup>2</sup> WHO Framework Convention on Tobacco Control, May 21, 2003-June 29, 2004, WHA56.1, 2302 U.N.T.S. 166, 42 I.L.M. 518, *article 5*.

Indonesia's foreign policy choice, namely the state's coalition preference, political institution stance, and the negotiator's strategy.

### **FCTC AND INDONESIA'S TOBACCO REGULATIONS: AN OVERVIEW**

World Health Assembly (WHA) initiated the Framework Convention Tobacco Control (FCTC) in May 1995 (WHO, 2015c). FCTC occur as respond to the tobacco epidemic, which believed to be the greatest threat to global health. Tobacco use and secondhand smoke kill more people annually than HIV/AIDS, tuberculosis and malaria combined (Bollyky, 2010). FCTC main objective is "to protect present and future generations from the devastating health, social, environmental and economic consequences of tobacco consumption and exposure to tobacco smoke by providing a framework for tobacco control measures to be implemented by the state parties at the national, regional and international levels in order to reduce continually and substantially the prevalence of tobacco use and exposure to tobacco smoke"<sup>3</sup>. FCTC was adopted on 56th of WHA21 and came into force on 27 February 2005 (WHO, 2015b). Currently, 186 states is legally binding to this treaty (WHO, 2015a). There are currently 16 United Nations member states that are non-parties to the treaty include Indonesia<sup>4</sup>.

FCTC implementation in the country that ratify FCTC regulated in a guideline which has been prepared by Convention Secretariat. Its content consist of: protection of public health policies with respect to tobacco control from commercial and other vested interests of the tobacco industry (article 5.3), tax and excise are an effective and important to reduce tobacco consumption (article 6), protection from exposure to tobacco smoke in public places (article 8), regulation of the contents and disclosures of tobaccos products (article 9 and 10), packaging and labelling of tobacco products (article 11), education, communication, training, and public awareness (article 12), tobacco advertising, promotion, and sponsorship (article 13), and demand reduction measures concerning tobacco dependence and cessation (article 14).

Although Indonesia was involved in the early FCTC as drafting member, Indonesia has not yet ratified nor signed the FCTC. This condition made Indonesia the only country in the Asia-pacific that has not ratified FCTC. Meanwhile, Indonesia has several regulations on tobacco control. Indonesia history on tobacco control regulations began in President B.J. Habibie administration. He signed the first Indonesian tobacco regulation entitled PP/81/199. This first tobacco control regulation were succeeded with regulations 38/2000 and 19/2003. Ironically, due to the political and economic aspects at that time made Indonesian government reluctant to enforce strict regulations (Achadi, Soerodjo and Barber, 2005, p 333-349). The last amendment of Tobacco control regulations consist in several regulations, *first*, government regulation PP/109/2012, which is the derivative of Law No. 36/2009 and *second*, Minister of Health Regulation No. 28 Year 2013.

Minister of Health Regulation No. 28 Year 2013 is intended to provide guidance for Tobacco Product industrialists to implement the imprinting of Health Warnings and Health Information on Tobacco Product Packaging, this article was in the same intention in article 11 FCTC, and highlighted the health factor. Meanwhile, Government Regulation No. 109 Year 2012 aim to regulate cigarettes which based on Law No. 36/2009 is an addictive substances. In general, the substance of Government Regulation No.109 Year 2012 consists of tobacco products (article 4-7), responsibilities of the central and local governments (article 8-52), community participation (article 53-56), and guidance and oversight (article 57-60). In this regulation there are several things that was not declared clear. For example in article 10 paragraph (1) stated that any person who produces tobacco product in the form of smokeables are required to conduct level test of nicotine and tar content per stick for each variety produced. The article doesn't explain about the amount of nicotine or tar content. Also this regulation did

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<sup>3</sup> *ibid*, article 3.

<sup>4</sup> *ibid*.

not regulate the pictorial health warning technical arrangement, which later caused the tobacco industries to use a cool smoking person as the pictorial health warning.

### **DIPLOMACY AND DOMESTIC POLITICS: HOW BOTH PLAY A ROLE IN INTERNATIONAL NEGOTIATIONS**

Two-Level Games Theory is a theory seeking to explain how an international negotiation is affected by domestic politics and international politics. Domestic groups demand the government to make policies that are within their interests and politicians form coalition with those groups. On the other hand, national government tries to satisfy the demand from domestic politics at international level. The theory was first formulated by Robert D. Putnam who puts a firm belief that the formation, or otherwise the absence of ratification in an international agreement are affected by both domestic and international factors (Putnam, 1988). In an international negotiation, as Putnam stated, there are two stages of processes of bargaining, happening in two levels, respectively called Level I and Level II (ibid, p 435). Bargaining in Level I happens between the negotiators, leading to a tentative agreement, whereas bargaining in Level II consists of separate discussions within each group of domestic constituents about whether to ratify the agreement (ibid, p 436). To clarify the concept, Putnam defined a negotiator as a person who represents the organization involved in an international negotiation, and can take form as a president of a country, party leaders in a multiparty coalition, a country's minister, so on and so forth (ibid). The ratification is not only limited to the ratification procedure in Level II institution, Putnam refers it to "any decision-process at Level II that is required to endorse or implement a Level I agreement" (ibid).

The possibility of an agreement being ratified is determined by the size of a win-set. Win-set, as defined by Putnam, is a set of all possible Level I agreements that are likely to be accepted by the domestic interest groups who either must ratify the agreement or provide some other form of government backing (ibid, 437). As it in a way represents the voice of domestic constituents in a country, there are two explanations why it is important to pay attention to win-sets. First, a larger win-set makes Level I agreement more likely, *ceteris paribus* (ibid). An agreement is possible only if the win-sets of all parties involved overlap, much better if each win-set is larger. Intuitively, the smaller the win-sets, the greater the risk the agreement will be stalled or even break apart (ibid). Putnam noted it as important to distinguish between voluntary and involuntary defection on the matter of failed ratification. A voluntary defection is "reneging by a rational egoist in the absence of enforceable contracts", while involuntary defection refers to the behavior of a negotiator who is unable to keep their promise because of failed ratification from Level II constituents (ibid).

The second reason why win-set is important is the relative size of the parties' win-sets will affect the distribution of the collective gains from the agreement (ibid, p 440). If a negotiator attains a bigger win-set at home, the lesser their bargaining position in the negotiation (ibid). The given negotiator's state will be seen as a state with "nothing to lose", and it will be easier to be pushed around. Conversely, a small win-set can contribute to the negotiator's influence in the negotiation (ibid). A negotiator can use this as a strategy, stating in the negotiation that the domestic constituents will not accept the ratification of the sets of agreements (ibid). That way, Putnam implied that negotiators have the tendency to widen each other's win-sets, which he termed as reverberation (ibid, p 454).

The determinants of win-sets Putnam delivered are as follows: (1) Level II preferences and coalitions, (2) Level II institutions, and (3) level II negotiators' strategies.

### ***Level II Preferences and Coalitions***

To put it simply, win-set at the Level II is drawn from how domestic constituents evaluate the cost of “no-agreement.” “No-agreement” itself represents the status quo (ibid, p 442). There are several principles to note in analyzing win-sets. For example, the lower the cost of “no-agreement” to constituents, the smaller the win-set. Its size depends on the relative size of the “isolationist” forces (who refuse international cooperation in general) and their contender, the “internationalist” forces (ibid, p 443).

The domestic preferences can be divided into two based on the characteristic of the conflict, namely homogenous (or “boundary”) conflict and heterogeneous (or “factional”) conflict. In a boundary conflict, the Level II interests are relatively homogenous (ibid). The differences of perception, if any, will be like of comparing hawks and doves, the former hard-liner, the latter softer. In this conflict, a negotiator is caught between his organization and the Level I negotiation. Whereas, a factional conflict stems from domestic constituents’ heterogeneous interests (ibid). In this conflict, a negotiator is caught within his own organization.

### ***Level II Political Institutions***

Ratification procedures is a certain determinant of a win-set size. A win-set of a state with a simple majority procedure will certainly be higher than that of two-third majority procedure (ibid, p 448). Other than formal procedure, Level II Political Institution is also represented in government’s domestic political practices (ibid, p 449). A good example is the Japanese Government which tends to seek for the broadest possible domestic consensus within its constituents prior to international agreements ratification (ibid).

Other aspects relevant to the political Institution is “state strength” or “state autonomy”. The greater the state autonomy from domestic pressures, the greater the size of the win-set, and the likelier it is to reach an agreement (ibid). However, the negotiator of the state with strong autonomy will hold a lower bargaining position in the negotiation (ibid). They will be less able than negotiators from democratic states to claim credibly that certain domestic pressures are hindering them from ratifying the agreement in order to alter disadvantageous points from the agreement (ibid).

### ***Level II Negotiator’s Strategies***

Assuming that a negotiator wishes to expand their state’s win-set in order to increase the likelihood of ratification, there are two ways with which a negotiator can use as a strategy to do so, which are “side payments” and generic “good will” (ibid, p 450). Side payments are basically stimuli targeted to attract marginal supporters of ratification. It is important to examine the value of a side payment in terms of its marginal contribution to the likelihood of ratification rather than in terms of its overall value to the addressee (ibid). In a two-level games side-payments may come from unrelated source or even embedded as a part of the agreement (ibid). The second strategy to encourage ratification is by exploiting the high political-standing of a negotiator. Putnam makes a point that generic good will is not a guarantee for ratification, but it indeed will expand the win-set (ibid, p 451). If a negotiator has interest to increase their popularity, good will can serve as an all-purpose-glue for their supporting coalition.

### **The Second Image Theory - Waltz**

Waltz’s second image theory explains that the actions of states, or, more accurately, of men acting for states, make up the substance of international relation (Waltz, 1954, p 122). In other words, the key to understanding war and peace is best explained by the internal organization of states. One explanation of the second image, for example, can be illustrated by how internal

defects, one of which may be related to a type of a government, explains various external acts of a state through the following examples.

For example, it is often thought that the deprivations imposed by despots upon their subjects produce tensions that may find expression in foreign adventure (ibid, p 82). Or in another case, defects in a government not itself considered bad for its people. This condition might occur when the government imposed a number of restrictions argued aiming to protect the rights of its people by inhibiting the execution of a foreign policy. Therefore, although on one side this government act may prospering its people in particular, on the other side, may have the unfortunate effect of hampering the effective action of that government for the maintenance of world peace in a broader sense. And, as a final example. explanation may be made in terms of geographic or economic deprivations or in terms of deprivations too vaguely defined to be labeled at all (ibid, p 83). Thus a nation may argue that it has not attained its “natural” frontiers, which are necessary to its security, that war to extend the state to its deserved compass is justified or even necessary. Such arguments have been used both to explain why “deprived” countries undertake war and to urge the satiated to make the compensatory adjustments thought necessary if peace is to be perpetuated (ibid).

Through leastwise a number of examples of the conditions above, we can clearly see how a state’s internal acts can affect the international condition subsequently.

### **Second Image Reversed Theory - Gourevitch**

As the title implies, Gourevitch main focus is reversing Waltz’s second image, and looking at how international politics affect domestic structure (Lau and Gourevitch, 1978). Foreign policy (or more generally, the international arena), according to Gourevitch, in fact has an effect on the domestic political environment. War and trade, or more broadly, the distributions of power, economic activity, and wealth are the main facets of the international system affect states on the domestic level.

Gourevitch criticizes arguments based exclusively on Waltz’s third image, stating that the international system is underdetermined; always leaving some leeway for states to choose among possible outcomes, which are made on the basis of domestic politics (ibid). What aspect of domestic politics, then, is the primary motivator of this choice, expressed through choices of regime type and coalition pattern? (ibid): Gourevitch dismisses purely process-based factors, arguing that too much of the literature focuses merely on the structure of politics rather than the content of the views being expressed by the different actors. He uses the argument which uses state strength as an explanatory variable as an example. The point is that these arguments do not provide a basis for the explanation of the orientation of policy of the states (ibid). If it is determined by social actors (weak states), then the preferences of the actors must be examined while the question next, if it is determined by the state (strong state), then how are these preference-based decisions made? In short, Gourevitch makes a case for the importance of coalitional analysis, or the examination of “how specific interests use various weapons by fighting through certain institutions in order to achieve their goals” (ibid). This will provide a more nuanced view of the complex interactions by which foreign economic policy and domestic political structure impact upon one another (ibid).

### **ANALYSING INTERNAL DYNAMICS WITHIN THE PERIOD OF 1999-2003**

The first factor to be examined is the institutional preferences on tobacco regulation in general, and the ratification of the FCTC in particular. Within the timeframe of 1998-2003, there had been approximately three amendments of the law regulating tobacco and cigarette in Indonesia. Under the administration B. J. Habibie, the interim president installed after Soeharto’s

resignation in 1998, a National Communication Forum (*Forum Komunikasi Nasional*) was established under the Food and Drug Administration (Achadi, Soerodjo, and Barber, 2005, p 338). Initiated by Nila F. Moeloek, this forum brought together nongovernmental organizations to work on tobacco issues. Moeloek also initiated the first government regulation about tobacco control signed by Habibie in 1999, titled PP/81/1999 (stands for *Peraturan Pemerintah* number 81 issued in 1999) (ibid, p 339). This pioneering regulation banned tobacco products advertising in the electronic media. It also enforced the inclusion of health warning in cigarette packaging that is easy to read, provided one single health message to be included in the packaging, and enforced the printing of tar and nicotine levels on the packaging. It set a time limit of compliance according to the size of the tobacco manufacturer. Small-scale hand-rolled cigarette industries were given 10 years, and all others had 2 years (ibid). An explicit sanction for was established by this regulation, where manufacturers, advertisers, and retailers can be fined up to Rp 100,000,000 or 5 years imprisonment for violating advertising restrictions, and enforcement of fines up to Rp 10,000,000 for failure to provide health warnings on packages. In 2000, President Abdurrahman Wahid signed an amendment contained in the PP/38/2000. There were two major changes in the regulation of advertising and time of compliance. This regulation permitted tobacco industries to place advertisements in electronic media between 21.30 PM and 05.00 AM. The time limits of compliance was not anymore differentiated with the scale of the industry, but rather the type of cigarette produced. White machine-made cigarette manufacturers were given time of two years, machine-made clove cigarette companies were given seven years, whereas ten years limit was given to hand-rolled clove cigarette companies (ibid, 340). The third amendment was signed in 2003 by President Megawati Soekarnoputri. It erased the maximum tar and nicotine content, but obligate all cigarette to be examined by an accredited laboratory and every packaging to disclose the content's level. Most importantly, the third amendment eliminated the sanctions for the articles' violations. The dates during which it was discussed and signed coincided with a meeting of Intergovernmental Negotiations Body (INB) of the FCTC, thus, senior Ministry and Health and Food Administration representatives involved in tobacco issues were not involved (ibid, 341). Thus, the second factor which is the negotiator's strategy was not highly visible during that time.

It was still unclear which interest group was involved in the 2003 revision. However, some points in the revision weakened the regulation, for example the removal of sanctions for acts of violation against the regulation. In addition, the government did not engage the public in the discussion of the revision, which resulted in a public protests consisting of 18 non-governmental organizations appealing to the government to drop the revised regulation on cigarettes (Saraswati, 2015). The absence of public participation indicated that the administration had already had its stance towards cigarette regulation and was not willing to be transparent about the considerations underlying the regulation. The alleviation of sanctions showed that cigarette industries were facilitated with less-binding rules, making more freedom for them in their business activities.

Specifically, the government's attitude towards the FCTC sided with the tobacco industry. This explains the third factor, the coalition preferences. It was shown in the most critical moments, which was the ratification period of FCTC in 2003. Achmad Sujudi, who was the Minister of Health at that time, was prohibited on his way to the airport to ratify the FCTC in Geneva. The instruction came from Megawati Soekarnoputri and was based on the insistence that came from cigarette farmers in Parakan, Temanggung, Central Java (Kompas, 2015). Other government gesture can be taken from the remarks of Rini Soewandi, then Minister of Trade. She suggested that the framework be ratified when, quoted during a meeting

with Tobacco farmer in Jember, “all concerned parties are prepared for it” (The Jakarta Post, 2015). Her rationale was the cigarette production fall during 2000-2004, which she claimed, due to a steady increase in excise duty (ibid).

Interestingly, we can see that the government was trying to gain as much profit as it could from tobacco industries by hiking up its price. Since 1999, the government has hiked clove cigarette prices five times, leading the price to soar from Rp 110 in 1999 to Rp 400 in 2003 (Mariani, 2003). While excise on tobacco is supposedly used to limit smokers and prevent more people to become smokers, Indonesian government used excise as means to increase its revenue, because the excise rise was not followed by other policies that aim to prevent the increase in number of smokers. Even The Association of Clove-Blended Cigarette Manufacturers (Gappri) urged the government to delay the government’s plan to increase its excise for at least two years (Mariani, 2003). There was no evidence that Gappri, one of the most prominent cigarette manufacturers association, objected to the ratification of FCTC, but in actuality it opposed that cigarette price and excise should be raised as stated in FCTC. However, we can conclude that there was an overlap between the tobacco industries’ and the government’s interest. the government wanted to gain vantage from keeping the tobacco accessible, abundant, and priced to sell, and the industries did not want to be confined in a more strict set of regulations, something that describes the FCTC. This made the win-set narrow, making Indonesia unable to ratify the FCTC in the wake of its adoption by the WHO in 2003.

### **FURTHER ANALYSIS**

There are several group interest against FCTC Ratification in Indonesia, for example from Non Governmental Organization (NGO), Indonesia’s Government (Ministry of Industry and Ministry of Agriculture), tobacco farmers and last but not least is tobacco and cigarettes businessman. First, the perspective from one of Indonesia’s NGO. One of the NGO. Lentera Anak Indonesia ( *Lantern Children of Indonesia* ), Hery Chariansyah, Executive Director of LAI remarked his organization regret the Indonesia’s government action who currently hasn’t make a decision, whether they want to ratify FCTC or not, especially if he should compare it with Singapore and Malaysia government who already sign FCTC treaty (IZN, 2013). He also said that Indonesia’s government should clearly think about the impact of tobacco and cigarettes industries, it will jeopardize Indonesian youth generations.

Second, from the government perspective. Trade Ministry, Industry Ministry and the Manpower and Transmigration Ministry, had previously rejected the accession. Furthermore, The Ministry of Health of Indonesia also has tried various efforts to ratify the treaty, but unfortunately it always end failed (Putri and Nurhasim, 2013). Even the former Minister of Health under SBY governance, Nafsiah Mboi, has an opinion and said that Indonesia actually involved in the convention process making, but has not ratified it. The Indonesian government itself has been compromised the aspirations from the pro-smoking who wants the regulation of tobacco being tightened and the government also made its order namely PP 109/2012, which also considered as a form way out to protect people from the polemic between who’s pros and who’s cons of the FCTC. On the other hand, the Ministry of Industry and the Ministry of Agriculture under SBY governance reject Government Ratification of the FCTC. Besides of that former Director of Food and Tobacco Industry Ministry, Enny Ratnaningtyas stated if the reason is health, Indonesia already had a similar rule for example the Government Regulation (PP) No, 109/2012 (Khamdi, 2015). Furthermore, one of the government in the regional level, Soekarwo, Governor of East Java urged the central government to not sign or ratify the Framework Convention on Tobacco Control (FCTC) because there is 26.3% tobacco

production in East Java. According to ratify the FCTC treaty could be extinguish tobacco-based industry in East Java and even have an impact on the labor employment.

Third, from the tobacco farmers perspective. The rejection can be reflected from World Tobacco Farmers Day 2014 event in Pamekasan, East Java, where there were a lot of tobacco farmers made a petition due to the framework of the accession treaty for tobacco control and because it ignores the economic rights of tobacco farmer (Susilo, 2014). The last one, is from the tobacco and cigarette businessman perspective. Secretary General of Mixture Cigarette Manufacturers Association (GAPPRI), Hazan Aoni Aziz said if the government make a decision to ratify FCTC, it would be adverse the state, tobacco farmers, cigarette factory workers, and the tobacco industry. Therefore, he and his organization reject FCTC ratification and support the Indonesian government's to not sign the FCTC. Hasan also added that the FCTC and the anti-smoking rules others perceive and the smoker is the person who should be regulated, even must be removed in a smoking room is a narrow minded view (CNN Indonesia, 2015).

According to Putnam's theory, because Indonesia has yet to ratify FCTC, thus, not a party to it, we decided to bypass the Level I Discussions and proceed with Level II. On level II Preferences and Coalitions we found that there are two attitudes regarding the ratification of FCTC. The first group consists of people who support the ratification of FCTC for health reasons. Furthermore, they also argue that consumption of tobacco products, especially cigarettes disrupts society's economy and threatens the future of younger generations because of their easy access to tobacco. The example would be the people's alliance which acted together under the name of Aksi Bersama FCTC Lindungi Anak which consists of 35 non-governmental organizations which work on child protections (Margiantam, 2015). On the other side, they are opposed by people who make their living from tobacco industry. They argue that tobacco industry has long become the backbone of Indonesia's economy. They also argue that tighter regulations on tobacco have the detrimental effect of destroying local tobacco industry, cutting hundred thousands people from their main source of income. Groups that fall under this category are Aliansi Masyarakat Tembakau Indonesia (AMTI), Asosiasi Petani Cengkih Indonesia (APCI) and Asosiasi Petani-Petani Tembakau Indonesia (APTI). Specifically, they oppose design guidelines on Articles 9 and 10 and also recommendations on Article 17 and 18 of FCTC.

On *level II Political Institutions*, Indonesia is one of the largest countries in the world which has not become a party in FCTC. However, Indonesia showed a great progress by making mandatory, the insertion of health warning in form of warning on cigarettes' packaging. Yet on February 2015 government issued Tobacco Bill, which put emphasis on economic impact of tobacco, rather than its impact on health. In contrast, there is already a bill about Control of Tobacco Products' Impacts, which was issued since 2011. The opponents of FCTC accession including Ministry of Industry, Ministry of Commerce, Ministry of Agriculture and Ministry of Labour and Transmigration (Hakim, 2014). On the proponents' side there are only Ministry of Health and Ministry of Finance.

In short, based on findings and current situation of both society and government of Indonesia, we predict that Indonesian Government is not going to ratify FCTC for quite a while. This is caused by the majority of government still refuses the ratification. However, civil societies still have the potential to push the government toward the ratification of FCTC.



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