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Harmonisation of Halal Certification Regulations to Support Consumer Protection and Ease of Doing Business in Indonesia

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Abstract*: Legal certainty and ease of doing business are important considerations in the regulation of halal certification in Indonesia. The development of halal certification regulations, including the implementation of the self-declare mechanism for micro and small enterprises, reflects efforts to simplify the certification process. However, procedural simplification needs to be accompanied by harmonised regulatory arrangements to ensure that ease of doing business does not undermine halal assurance and consumer protection. This study aims to analyse the harmonisation of halal certification regulations in supporting consumer protection and ease of doing business in Indonesia. The study employs a normative juridical method using a statutory approach and a conceptual approach. Legal materials are analysed descriptively, qualitatively, and prescriptively to identify the relationship between legal certainty, consumer protection, procedural facilitation, and the mechanisms for supervising halal certification. The findings indicate that the harmonisation of halal certification regulations needs to be established through the integration of simplified procedures, clear substantive halal standards, well-defined authorities, verification mechanisms, and continuous supervision. The self-declare mechanism can serve as an instrument for facilitating business activities, provided that it is accompanied by adequate requirements, verification, and accountability. Such harmonisation is necessary to establish a halal certification system that provides legal certainty for business actors while ensuring consumers' rights to products that comply with halal requirements.*

Keywords: halal certification; legal harmonisation; consumer protection; ease of doing business; *self-declare*.

Introduction

Halal certification constitutes an important legal instrument for ensuring certainty regarding the halal status of products while simultaneously providing consumer protection. In the Indonesian context, the need for halal product assurance is not solely related to fulfilling the religious requirements of the Muslim population, but is also associated with consumers' rights to obtain accurate, clear, and accountable information regarding the products they consume. The regulation of halal product assurance through Law Number 33 of 2014 on Halal Product Assurance (Halal Product Assurance Law) demonstrates a shift from an approach that was previously more voluntary towards a system that places halal certification as part of a legal obligation for certain products circulated and traded in Indonesia. This shift has strengthened the state's role in providing legal certainty regarding the halal status of products (Charity, 2017).

The existence of a halal product assurance system is fundamentally inseparable from the perspective of consumer protection. Halal certification provides a verification mechanism for halal claims made by business actors, thereby preventing consumers from relying solely on unilateral information provided by producers. Studies on halal product assurance systems indicate that the existence of halal regulations is intended to provide a sense of security and legal certainty for consumers, particularly Muslim consumers (Niza, 2023). From a broader perspective, the positivisation of Sharia values through halal product assurance regulations also demonstrates that consumer protection has been positioned as one of the important objectives in the development of the national halal legal system (Bariroh, 2022).

The development of such regulations has subsequently raised new issues when mandatory halal certification is placed alongside the agenda of facilitating business activities, particularly for micro and small enterprises. On the one hand, legal obligations are necessary to ensure consumer protection; on the other hand, their implementation must take into account the capacity of business actors to fulfil the administrative and substantive requirements for certification. The literature on the implementation of halal product assurance indicates that certification issues are not limited to the substance of regulations, but also encompass infrastructure, human resources, technical aspects, regulatory frameworks, and inter-institutional coordination (Rusydiana, Ruhana, & As-Salafiyah, 2023). This condition demonstrates that the existence of legal norms does not, in itself, resolve all issues associated with the implementation of halal product assurance.

These issues are particularly relevant in the context of MSMEs, as this group of businesses constitutes an important component of the national economic structure, while the halal certification process may intersect with the administrative capacity and knowledge of business actors. Research on literacy and assistance in halal certification indicates that an understanding of certification procedures remains an important factor in assisting MSMEs in complying with applicable legal requirements (Suparwi et al., 2024). Another study concerning halal certification services through the *self-declare* mechanism identified administrative challenges, limited availability of certification facilitators, and insufficient understanding among business actors regarding the importance of halal certification (Lestari, Engkus, & Abdillah, 2025). These findings demonstrate the need to view halal certification not merely as a normative obligation, but also as part of a regulatory design capable of reconciling the interests of consumer protection and ease of doing business.

From a legal perspective, these issues become increasingly complex because the implementation of halal product assurance involves various norms, institutions, procedures, and certification mechanisms. The development of the *self-declare* system for certain business actors, the allocation of authority between the Halal Product Assurance Agency (BPJPH) and relevant institutions, as well as various implementing provisions, demonstrate that the halal certification system continues to evolve. A recent study on the implementation of halal certification has even identified issues concerning regulatory harmonisation and overlapping authorities within the halal product assurance system (Utari et al., 2026). Accordingly, halal certification issues should not be examined merely in terms of whether a certification obligation exists, but also in terms of the extent to which the regulatory framework as a whole establishes a coherent legal system that provides legal certainty while remaining proportionate for business actors.

Previous studies have examined halal certification from the perspectives of consumer protection, MSME readiness, governance, and the implementation of certification services. Nevertheless, there remains scope for further research that specifically positions the harmonisation of halal certification regulations within the relationship between consumer protection and ease of doing business. Moreover, changes in halal certification policies require alignment between the state's obligation to ensure halal products and the need to create a business climate that does not impose disproportionate burdens on business actors. Studies on halal certification also demonstrate that consumer protection depends not only on the existence of a certificate, but also on the consistency of governance, institutional coordination, and regulatory certainty (Rusydiana, Ruhana, & As-Salafiyah, 2023).

Against this background, this study analyses the harmonisation of halal certification regulations in supporting consumer protection and ease of doing business in Indonesia. The analysis employs a normative juridical approach by examining legislation, legal concepts, and relevant findings from previous studies. The study does not seek to empirically measure the level of compliance among business actors, but rather to identify the relationships, consistency, and potential normative issues within the regulatory framework governing halal certification. This approach is expected to provide an overview of a halal certification legal framework capable of providing certainty and protection for consumers while taking into account the principle of facilitating business activities for business actors.

This study aims to analyse the harmonisation of halal certification regulations in Indonesia in relation to legal certainty, consumer protection, and ease of doing business. The analysis focuses on three principal aspects: the harmonisation of halal certification regulations in establishing legal certainty; the balance between consumer protection and ease of doing business; and the strengthening of verification, supervision, and accountability mechanisms in the implementation of halal certification. The study also examines the position of the *self-declare* mechanism as an instrument for simplifying procedures for micro and small enterprises while maintaining substantive halal standards. Through this approach, the study seeks to formulate a harmonisation framework that positions procedural facilitation, clear substantive standards, and continuous supervision as complementary elements in the implementation of halal certification in Indonesia.

Methods

This study employs a normative legal research method, which positions law as a set of norms constituting the primary object of analysis (Novianti, 2024). This method was selected because the study is directed towards analysing halal certification regulations in relation to consumer protection and ease of doing business. Accordingly, the research issues are examined on the basis of relevant legal provisions, principles, concepts, and doctrines, rather than empirical data obtained from business actors. Normative legal research is used to identify and analyse legal issues by examining applicable norms and the relationships between norms within a legal system (Yanova, Komarudin, & Hadi, 2023). The approaches employed comprise the statutory approach and the conceptual approach. The statutory approach is undertaken by examining various regulations governing halal product assurance, halal certification, consumer protection, and ease of doing business. This approach is used to identify the interrelationships, consistency, and potential disharmony between one legal provision and another. Meanwhile, the conceptual approach is employed to analyse the concepts of consumer protection, legal certainty, halal certification, and ease of doing business as the basis for developing legal arguments. The use of statutory and conceptual approaches is a characteristic feature of normative legal research in examining legal issues based on norms and concepts developed within legal scholarship (Suhaimi, 2018).

The legal materials used consist of primary, secondary, and tertiary legal materials. Primary legal materials include legislation relating to halal product assurance, consumer protection, and ease of doing business. Secondary legal materials comprise scholarly journal articles, legal books, research findings, and relevant views or doctrines of legal scholars. Tertiary legal materials are used as supporting materials to provide clarification of particular legal terms or concepts. Normative legal research essentially employs these legal materials to construct arguments concerning the legal norms that should be applied to the issues under examination (Ariawan, 2013). Legal materials were collected through library research by tracing, inventorying, classifying, and examining materials relevant to the research problem. The collected legal materials were subsequently analysed descriptively and qualitatively through legal interpretation and legal argumentation. The analysis was conducted by relating halal certification provisions to the principles of consumer protection and ease of doing business, followed by the identification of consistency and potential normative issues among these provisions. This approach enables normative legal research to produce systematic arguments concerning the relationships between legal norms while providing a basis for formulating legal recommendations (Kristianto & Chariansyah, 2026).

The analysis of legal materials was conducted in three stages: the inventory and classification of legal materials; the interpretation of relevant legal norms; and prescriptive analysis to formulate legal arguments concerning the issues under examination. The prescriptive analysis was directed towards determining a regulatory framework for halal certification that can provide certainty and protection for consumers while continuing to take into account the principle of ease of doing business. Accordingly, this study does not seek to empirically measure the level of compliance with or the effectiveness of halal certification. Rather, it aims to assess and explain the normative coherence of halal certification regulations from the perspectives of consumer protection and ease of doing business.

Results and Discussion

Harmonisation of Halal Certification Regulations and Legal Certainty

The findings indicate that halal certification regulations in Indonesia have undergone significant development, shifting from a system that previously placed greater emphasis on certification as an instrument for assuring the halal status of products towards a system that positions certification as part of a legal obligation within the implementation of Halal Product Assurance. This change became increasingly apparent following the enactment of Law Number 6 of 2023 on Job Creation, which introduced several adjustments to the halal certification mechanism, including providing scope for the *self-declare* mechanism for micro and small enterprises. This development demonstrates the state's efforts to establish a more inclusive and accessible certification system. At the same time, regulatory changes must continue to provide certainty regarding the standards, procedures, and authorities involved in the certification process. Jubaedah et al. (2023) explain that regulatory changes introduced through the Job Creation Law have significantly altered the construction of the halal certification system in Indonesia, particularly with regard to the *self-declare* mechanism and the simplification of the certification process.

Legal certainty in halal certification is determined not merely by the existence of rules requiring business actors to obtain halal certificates, but also by the clarity of the stages and actors involved in the process. The halal certification system involves the Halal Product Assurance Agency (BPJPH), Halal Inspection Bodies, the Indonesian Ulema Council (MUI), halal product process facilitators, and business actors, each with distinct functions. The greater the number of actors involved, the more important it becomes to establish a clear allocation of authority in order to prevent overlapping responsibilities or gaps in accountability. Research on the accountability of the *self-declare*-based certification process indicates that the involvement of various actors requires clear accountability mechanisms so that each stage can be traced and properly accounted for (Rudiyanto & Alim, 2024).

Harmonisation issues also arise because the simplification of certification through *self-declare* changes the pattern of product assessment for certain products. Under the regular mechanism, halal assessment relies more heavily on examination by Halal Inspection Bodies, whereas *self-declare* provides greater scope for business actors to declare the halal status of their products with assistance from halal product process facilitators. This model can broaden access to certification, but it also creates a need to ensure that procedural simplification does not result in differences in substantive standards between products certified through the regular pathway and those certified through *self-declare*. Hasan and Latif (2024) demonstrate that the development of the *self-declare* system needs to be accompanied by a comprehensive approach, particularly with regard to quality control and supervision of products that have obtained certification.

From the perspective of legal certainty, these conditions demonstrate that regulatory harmonisation cannot be achieved merely by adjusting one provision to another. Harmonisation must encompass the relationship between rules concerning mandatory certification, the criteria for products eligible for *self-declare*, assistance mechanisms, verification and validation processes, halal determinations, certificate issuance, and post-certification supervision. Where one stage lacks a clear relationship with the others, the certification system may provide administrative certainty without necessarily ensuring substantive certainty regarding the halal status of a product. This issue has become increasingly important as recent research indicates that challenges associated with the *self-declare* system are no longer limited to access to certification, but have increasingly shifted towards issues of supervisory integrity and traceability in production processes (Sucipto, 2026).

Based on this analysis, the harmonisation of halal certification regulations needs to be directed towards establishing a legal system characterised by clear norms, defined allocation of authority, substantive standards, and interconnected supervisory mechanisms. Legal certainty should not be measured solely by the availability of procedures for obtaining certification, but also by the capacity of the system to ensure that issued certificates can be properly accounted for. Accordingly, procedural simplification through *self-declare* may be maintained as an instrument for facilitating certification for micro and small enterprises, provided that it does not create uncertainty regarding halal standards and the legal responsibilities of the parties involved. In this context, harmonisation is important to ensure that the transformation of halal certification regulations continues to produce a consistent and predictable system that provides certainty for both consumers and business actors.

Such consistency requires interconnected rules governing certification obligations, application procedures, examination processes, certificate issuance, and supervision of products placed on the market. Each stage should have a clear legal basis and procedures that can be readily understood by business actors, thereby reducing the potential for divergent interpretations in implementation. For consumers, such certainty provides assurance that a halal certificate does not merely demonstrate the fulfilment of administrative requirements at the time of certification, but also reflects the existence of mechanisms for controlling the continued halal status of products. For business actors, certainty regarding procedures and legal responsibilities can reduce uncertainty in fulfilling certification obligations and encourage more structured compliance. Harmonisation therefore serves as an instrument for bringing regulatory, business, and consumer interests together within a mutually supportive system.

Strengthening harmonisation should also be accompanied by periodic evaluation of the implementation of halal certification, particularly the effectiveness of the *self-declare* mechanism for MSMEs. Such evaluation should not be limited to the number of certificates issued, but should also consider the quality of assistance provided, the accuracy of verification, business actors' compliance with halal standards, and the effectiveness of post-certification supervision. This approach is important to ensure that the success of halal certification is not measured solely by the expansion of certification coverage, but also by the system's capacity to maintain the integrity of halal assurance. By positioning evaluation, accountability, and supervision as integral components of harmonisation, halal certification regulations can develop into a legal system that is responsive to the needs of business actors without diminishing its fundamental function of providing protection and certainty to consumers.

Halal Certification between Consumer Protection and Ease of Doing Business

Halal certification has a multidimensional legal character because it lies at the intersection of consumer and business interests, particularly as demand for halal products originates not only from consumers in Indonesia but is also continuing to expand in international markets (Rahmadika et al.). From the consumer perspective, a halal certificate provides information and assurance that a product has undergone the mechanisms established within the Halal Product Assurance system. From the perspective of business actors, certification constitutes a legal requirement that must be fulfilled to ensure that products can be placed on the market in accordance with applicable regulations. This condition indicates that halal certification should not be understood merely as an administrative burden, as certification also functions to build consumer trust in products and provide legal legitimacy for halal claims. Fibrianti et al. (2026) identify a gap between administrative compliance and consumer protection, particularly where an increase in the number of certifications does not automatically correspond to stronger supervision of production processes and the integrity of halal claims.

The importance of consumer protection becomes increasingly evident under the *self-declare* mechanism because part of the verification process shifts towards a declaration model by business actors supported by assistance. This system provides greater efficiency for micro and small enterprises, but its implementation consequently increases the need for supervisory mechanisms capable of ensuring that halal declarations are based on products and production processes that comply with applicable requirements. Rudiyanto and Alim (2024) demonstrate that accountability within the *self-declare* process is an important element because halal certification does not merely concern the submission of documents, but also encompasses assistance, verification, and accountability among all parties involved.

At the same time, ease of doing business constitutes an important consideration in designing halal certification regulations, particularly for micro and small enterprises. Overly complex requirements may increase administrative burdens and restrict business actors' access to product legality. The introduction of *self-declare* and free halal certification programmes demonstrates an effort to align the regulatory design with the capacities of micro and small business actors. Nevertheless, such facilitation should be understood as facilitating access to certification procedures rather than reducing halal standards. Research on strategies for increasing *self-declare* certification indicates that the utilisation of certification facilities by MSMEs has not yet reached its available potential. This suggests that access-related challenges are not solely associated with costs, but also with understanding, procedures, and facilitation mechanisms (Aurahma & Arsyianti, 2023).

The relationship between consumer protection and ease of doing business therefore needs to be established on the basis of the principle of proportionality. Products with particular levels of risk and characteristics may be subject to simplified certification pathways where they satisfy the prescribed requirements, whereas products involving more complex production processes continue to require more comprehensive examination. Such an approach enables regulation to avoid imposing identical burdens rigidly on all business actors without diminishing the substance of consumer protection. Sucipto (2026) demonstrates that the development of *self-declare* certification provides advantages in terms of access and the acceleration of certification, while the challenges have subsequently shifted towards the integrity of supervision, particularly with regard to the traceability of ingredients and production processes.

Consumer protection and ease of doing business need not be positioned as two opposing legal objectives. They can be reconciled through a regulatory design that distinguishes between procedural simplification and substantive standards. Procedures can be made simpler, digital, and more accessible to micro and small enterprises, while standards concerning ingredients, production processes, assistance, and supervision must be maintained. Such an approach positions halal certification not merely as an instrument of compliance with legal obligations, but also as an instrument for fostering consumer trust while supporting the sustainability of business activities. Within this framework, facilitating business activities does not eliminate consumer protection, while consumer protection does not necessarily require regulations that impose disproportionate burdens on business actors.

This balance can be achieved through regulations that distinguish between process simplification and the reduction of protection standards. Process simplification is necessary to provide business actors, particularly micro and small enterprises, with easier access to fulfil their halal certification obligations. Nevertheless, standards concerning ingredients, production processes, storage, distribution, and halal assurance must remain in place. This distinction is important because administrative burdens and substantive protection have different characteristics. Administrative requirements may be simplified provided that the effectiveness of supervision is not diminished, whereas substantive requirements are directly related to the validity of the halal assurance that forms the basis of consumer trust. Within this framework, ease-of-doing-business policies can be directed towards reducing procedural barriers rather than relaxing standards in ways that could diminish the quality of consumer protection.

The balance between these two interests is also closely related to the certainty of information received by consumers. A halal certificate provides both legal and market information, enabling consumers to ascertain that a product has undergone the mechanisms established within the halal product assurance system. For business actors, certainty regarding certification requirements and procedures can serve as a basis for developing more structured production and marketing strategies. This relationship demonstrates that halal certification has a broader dimension than merely fulfilling regulatory obligations, as it can strengthen trust in products and create a more orderly business environment. Harmonised regulation therefore needs to ensure that consumer interests receive effective protection, while business actors are provided with procedures that are clear, proportionate, and feasible in accordance with the characteristics of their respective businesses.

Strengthening Harmonisation through Verification, Supervision, and Accountability

The findings demonstrate that the principal issue in the harmonisation of halal certification does not end with obtaining a certificate, but also concerns how to ensure that the halal status of a product remains accountable after certification has been issued. Certification constitutes the starting point of a product assurance system rather than the end of the supervisory process. Products may undergo changes in ingredients, suppliers, formulations, production premises, or processing methods after certification has been obtained. Therefore, the legal system needs to ensure continuity between the certification process and supervisory mechanisms. Sucipto (2026) emphasises that the main challenges of *self-declared halal certification* are increasingly shifting from issues of access towards the integrity of supervision and the traceability of technical aspects of products.

Within the *self-declare* mechanism, the role of halal product process facilitators is strategically important as they serve as a link between business actors and the certification system. Facilitators not only assist with administrative procedures, but also play a role in ensuring that business actors understand the requirements and halal product processes that must be fulfilled. This position has implications for the competence, independence, and accountability required of facilitators. Research on the implementation of *self-declare* certification indicates that assistance constitutes an important component in ensuring that certification simplification continues to incorporate a verifiable and accountable verification mechanism (Hasan & Latif, 2024).

Strengthening supervision is also closely related to the need to establish transparency and accountability in halal certification governance. A system that is simple but lacks transparency may create a gap between administrative compliance and consumer protection. Conversely, an excessively complex system may hinder micro and small enterprises from obtaining certification. Sahhari et al. (2025) demonstrate that the *self-declaration* system needs to incorporate the principles of transparency and accountability, as regulatory efficiency must operate alongside the integrity of halal assurance. Accordingly, supervision should not function solely as a repressive instrument, but also as a mechanism for maintaining trust in the certification system as a whole.

Strengthening the system also needs to take into account broader dimensions of the objectives of law. Halal certification is fundamentally not intended merely to produce an administrative document, but to safeguard consumer welfare and maintain the integrity of the halal ecosystem. The *maqashid al-shariah* approach can be employed to demonstrate that the certification system needs to connect procedural certainty with substantive protection. Hasan and Abd Latif (2024) demonstrate that a *maqashid al-shariah*-based approach can be used to develop a more holistic *self-declare* system, particularly in addressing issues of quality control and supervision of halal products. This perspective broadens the discussion of halal certification from a purely administrative matter towards the protection of consumer interests and the integrity of the halal system.

Based on the overall analysis, a relevant harmonisation model for halal certification regulations can be formulated around three principles: procedural facilitation, clear substantive standards, and continuous supervision. Procedural facilitation is necessary to enable micro and small enterprises to fulfil their legal obligations without facing disproportionate administrative burdens. Clear substantive standards are required to ensure that such facilitation does not diminish the quality of halal assurance. Continuous supervision is necessary to ensure that products that have obtained certification continue to satisfy the applicable requirements after certification has been issued. This model demonstrates that regulatory harmonisation does not mean reducing certification obligations, but rather establishing a more balanced relationship between business access, legal certainty, certification integrity, and consumer protection. The findings further reinforce the view that the next stage of development of Indonesia's halal system is not merely a matter of increasing the number of certificates issued, but of ensuring that such expansion is accompanied by adequate governance and consumer protection.

This harmonisation model also requires a clear allocation of roles among the implementing institutions, Halal Inspection Bodies, halal product process facilitators, and business actors. Clarity of roles is essential to prevent overlapping authorities while ensuring that each stage of certification has an accountable party. Within the *self-declare* mechanism, for example, the facilitation provided to micro and small enterprises still requires assistance and verification processes capable of ensuring the conformity of ingredients, production processes, and halal requirements. The relationships among these parties need to be established within a transparent governance framework, so that the issuance of a halal certificate is not understood merely as an administrative process, but as a series of legal processes that generate assurance for consumers. Strengthening inter-institutional coordination and accountability is also important as the number of certified business actors and products continues to increase, since expanding certification coverage without adequate governance may create a gap between administrative compliance and substantive consumer protection.

From the perspective of ease of doing business, the harmonisation model can be developed through a risk-based approach while maintaining halal standards as substantive requirements that cannot be reduced. Simplification may be directed towards administrative requirements, application procedures, assistance, and access to information, whereas aspects relating to ingredients, production processes, storage, distribution, and the halal status of products must continue to comply with the standards established by legislation. This approach enables the halal certification system to provide proportionate treatment to micro and small enterprises without creating unjustified differences in consumer protection standards. Accordingly, regulatory harmonisation should not be limited to the synchronisation of regulations, but should extend to the structuring of relationships among procedures, substantive requirements, institutional arrangements, and supervision. This framework can strengthen halal certification as an instrument of consumer protection while simultaneously functioning as a regulatory mechanism that provides greater certainty and access for business actors in fulfilling their legal obligations.

Conclusion

The harmonisation of halal certification regulations in Indonesia is necessary to establish coherence between legal certainty, consumer protection, and ease of doing business. The development of regulations towards mandatory halal certification, including the implementation of the *self-declare* mechanism for micro and small enterprises, demonstrates the state's efforts to simplify access to certification without diminishing the substantive assurance of product halal status. However, harmonisation cannot be achieved solely through the simplification of administrative procedures; it also requires clear allocation of authority, substantive standards, accountable verification mechanisms, and consistent supervision. Consumer protection and ease of doing business do not necessarily have to be positioned as two competing interests. Ease of doing business can be facilitated through certification procedures that are simple, proportionate, and accessible, while consumer protection can be maintained through clear halal standards, accountable verification, and post-certification supervision. In this context, the *self-declare* mechanism needs to be positioned as an instrument of procedural facilitation rather than as a reduction in halal standards for products. The findings indicate that the harmonisation of halal certification regulations should be directed towards three principal principles: procedural facilitation, clear substantive standards, and continuous supervision. These three principles can provide a foundation for establishing a halal certification system that offers certainty to business actors while ensuring consumers' rights to information and products that comply with halal requirements. This harmonisation approach also strengthens the accountability of the parties involved in the certification process, ensuring that the implementation of halal product assurance does not end with the issuance of a certificate, but continues through the maintenance of product integrity throughout the production and distribution processes.

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