ANALYSIS ON ASEAN ECONOMIC COMMUNITY IMPACT FOR INDONESIA

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ABSTRACT

Keywords: ASEAN Economic Community, AEC, Human Resource, Indonesia, ASEAN, Small and Medium Enterprises, Challenges of Globalization

A. Introduction

ASEAN Economic Community (AEC) is an agenda of international economic integration of the member countries of ASEAN (Indonesia, Malaysia, Singapore, Brunei Darussalam, the Philippines, Thailand, Laos, Myanmar and Viet-
nam), which aims to reduce obstacles to the Southeast Asian regional trade in goods and services as well as foreign investment. AEC 2015 will form a regional economic integration by reducing trade transaction costs, improve trade and business facilities, as well as improving the competitiveness of Micro, Small and Medium Enterprises. This will create a free market in Southeast Asia, which would also boost competitiveness among its members.

Future implementation of the AEC in 2016 remains a big question for ASEAN widely and Indonesia are narrow, but it is inevitable globalization continue to ask countries to open up to one another the depletion boundaries between countries unstoppable due to technological advances and the needs of an increasingly globalized international community then inevitably ready or not all elements of the nation must be prepared. Because if Indonesia itself less competitive than other member states in 2015, the AEC will actually bring harm to Indonesia. For example, unemployment increased because of the Indonesian labor to compete. Therefore Indonesia must be ready and able to compete with other countries members, to establish the readiness of course, requires a variety of business to be done.

B. The Existence of Indonesia in the ASEAN Economic Community 2015

1. ASEAN Economic Community 2015

ASEAN has a vision to transform the region of Southeast Asia into a stable, prosperous and competitive region is supported by a balanced economic development, poverty reduction and socio-economic disparities between Member States. To achieve this goal then the ASEAN member countries agreed to establish the ASEAN Economic Community (AEC). AEC 2015 is a program for ASEAN countries to improve economic quality. AEC agreed at the Summit ASEAN 19th held in Bali, November 17, 2011 it has been formulating an agreement with the leaders of ASEAN countries. Areas of cooperation AEC include human resource development and capacity building, recognition professional qualifications, consulting more closely at the macro-economic policy and financial measures trade financing, improvement of infrastructure and communications connectivity, the development of electronic transactions through e-ASEAN, integrating industry in throughout the region to promote regional resources, dah increasing involvement of the private sector to build the AEC.

In order to support the establishment of AEC member countries have agreed to establish the ASEAN Free Trade Area (AFTA), which begins with a commitment to lowering barriers fare to achieve a range of 0 (zero) to 5 percent. To achieve the
commitment of ASEAN Single Market in 2015, the situation would be improved by efforts to eliminate fares (up to zero percent). The one and only ASEAN Market is not only refers to the concept of ASEAN as a single market, but also as a single production base will require liberalization of capital and skilled labor.

After a wave of economic crisis hit most parts of East and Southeast Asia in the late 1990s, appearing calculations and analysis to be more responsive to the possible negative impact of economic liberalization. The incident has been reinforcing the legitimacy of alternative economic actors are more stable and "resilient" that had been have not be calculated theoretically within the paradigm of international relations, namely the SME sector. Trends in the development of SMEs in ASEAN, as well as the ASEAN economic integration cannot be separated from the influence of China Factor which was later adopted also by South Korea.

2. Labor Market Competition

In the case of entering the ASEAN Economic Community (AEC) is a free market in Southeast Asia. Competition in Labor exchanges will increase towards the implementation of the ASEAN free market. AEC is an agenda of economic integration of ASEAN countries which aims to eliminate, minimize barriers in economic activity across the region, for example trade in goods, services and investment. The creation of AEC single market allows the country to sell goods and services easily to other countries across Southeast Asia so the competition will be intense. Trade and services will be unified and integrated in a common market. This means that businesses in Indonesia, especially businesses who wish to expand their operations in ASEAN or dealing with businesses in other ASEAN countries must understand the business law in force in member countries, including competition law. Attempts to create competitiveness through competition law and policy, ASEAN through the ASEAN Secretariat has resulted in a number of actions. Over time, the ASEAN Expert Group on Competition (AEGC) has handled structural ASEAN duties and has initiated the implementation of competition law across the region, namely Indonesia and Thailand (1999), Singapore and Vietnam (2004) and Malaysia (2012), while five other countries still in drafting stage.

Based on data from the Population Division of the United Nations (UN) num-

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4 Ariawan Gunawan, Serion Wijatno, Perdagangan Bebas dalam Perspektif Hukum Perdagangan Internasional, (Jakarta : PT. Grafindo, 2014) p.39
4 Zainuddin Isfar, Maon Young, Jusuf Anis, Farha Mariana, Peran Strategis Indonesia dalam Pembentukan ASEAN dan Dinamika, Kajian Kebijakan Pola Negara, UKM Regional, Implikasi Liberalisasi Perdagangan, Realitas Pengaman ASEAN dalam Senjata Kompetisi Regional, (Jakarta : Universitas Indonesia (UI Press), 2012), p. 132
5 Denis Hew, Roadmap to an ASEAN Economic Community (Singapore: Institute of Southeast Asian Studies, 2005) p. 42
ber population in ASEAN countries reached 633.1 million in 2015 with Indonesia's population reached 237,641,326 inhabitants by the year 2010 alone so that Indonesia is the country with the largest population in the ASEAN region. It can be an opportunity and a challenge for Indonesia in facing the ASEAN single market in 2015, the Government of Indonesia is required to produce a variety of regulations and policies appropriate for the purpose of ASEAN and National Objectives can be achieved in tandem. AFC 2015 could be a blessing for Indonesia but at the same to be disastrous. AFC could be disastrous if the national services and products unable to compete. With free trade, we were able to increase exports but we must also be aware of the risks of competition (competition risk) that came up with the number of imported goods will flow in large quantities to Indonesia, which will threaten the local industry to compete with the products of our foreign much higher quality. This in turn will increase the trade deficit for Indonesia. As one of the founding members of ASEAN Indonesian, the government should make efforts to improve the performance of government agencies and non-government that already exist in the face of economic integration through the AEC.2

Sector Small and Medium Enterprises (SMEs) has already received attention in efforts to improve the economic competitiveness of Indonesia since the beginning of the 1998 financial crisis. History demonstrated that global financial crisis hardly impacted the Indonesian SME sector compared to banking or infrastructure sector which heavily depended upon foreign loans. It is why that SMEs deserve get a larger portion for development and more opportunities to compete in regional and international level in particular. AEC in 2016 will broadly impact the nations that rely on traditional market while revolutionizing commerce on trade and services. It is only fair that the Indonesian government rethink harder about integrating its national economy into Southeast Asia international standards. As such, we can refer to the successful European economic model through the European Union.3 Hopefully by doing so, Indonesia can successfully achieve the goals of AEC while enhancing national defense and protect the national interest.4

3. Asean Economic Community Goal

ASEAN leaders have now embarked the Southeast Asian association to the next step of economic development, which will also ultimately bring the Southeast Asian peoples closer. They have engaged since

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2007 towards the integration of ASEAN into an ASEAN Economic community based on 4 economic pillars:11

a) Single Market and Production Base: the region as a whole shall become a single market, while the production base to produce and commercialize goods and services anywhere in ASEAN

b) Competitive Economic Region: the region must emphasize on the competitiveness of its production and capacity for export, as well as the free competition inside of its frontiers

c) Equitable Economic Development: to receive the benefits of the AEC, the people and businesses of ASEAN must be engaged into the integration process of the AEC

d) ASEAN’s integration into the globalized economy: ASEAN must not be isolated but an integrated part of the global economy

Through the implementation of these 4 pillars for economic integration, stability, competitiveness and dynamism, ASEAN is bound to realize the principles of an Economic Community, inspired by the model of the European Union.

After the entry into force of the AEC, trade and services will converge and integrate into a common market. This means that businesses in Indonesia, especially businesses who wish to expand their business in ASEAN or dealing with businesses in other ASEAN countries must understand the applicable business law in force in member countries, including competition law.

C. The role of the Government of Indonesia Facing AEC

1. Indonesia Welfare State

Indonesia is a country of law characterized by the welfare state as in paragraph 4th preamble of Indonesian National Constitution of 1945 (“NRI 1945”) states as follows: “Later than that to form a Government of the State of Indonesia that protect the entire Indonesian nation and the entire homeland of Indonesia and to promote the general welfare, educate life of the nation, and participate in implementing world order based on freedom, lasting peace and social justice “. Paragraph 4 of the preamble NRI 1945 above imply that, by adopting the task of the state in organizing the general welfare, the establishment of various regulations in the Republic of Indonesia became very important; the role of the state in charge of social welfare in the field of legal, social, political, economic, cultural, environment, defense, security and social justice organized through the establishment of state regulations. In a welfare state, the government’s job is not only limited to execute the laws made by the legis-

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11 Asean Economic Community Blueprint, www.asean.org
lature. As a matter of fact, the government is burdened with the obligation to hold a public interest or social welfare efforts, which includes implementing the authority to intervene in public life, within the limits permitted by law. As such, the intervention could be implemented by increasing the capacity of the people to participate in the legal, social, political, economic, culture, the environment, defense and security as well as social justice.

There are two reasons to maintain and develop the welfare state concept in AEC as an international trade fever: 1) most country still intervenes in the welfare affairs, but while still maintaining a democratic system in their varieties. Welfare state demonstrates the involvement of the state in various aspects of community life. As result government tends to develop bureaucracy and complex government affairs. Ultimately the involvement of the people in the government will be increasingly difficult (even to oversee the functioning leader or choose their representatives who will sit in parliament on central or regional level). 2) Government affairs in modern countries seems inevitably expanding at a great speed.

Modern state government has entered so much of the life of society, ranging from constitutional rights, nuclear issues, defense and security, welfare and even personal information privacy. Free trade may bring a promise of prosperity and wealth, but also risks the breach of implicit exploita-tion or national security breach as the cost of liberal flow of information. Even major countries such as China and Australia has been actively filtering information in order to maintaining positive image for economic purposes.

2. Role of Government

In the new mass society, the role of government - which is a set of institutions that hold a monopoly on the use of the organized forces of affairs at home and abroad - forced changes. State as an organized political society requires a certain degree of stability in the social system to maintain balance. To achieve this, it is not only necessary to adjust demands and supply, which is being promoted by various groups in the governance of social and economic order, but also required the creation of a focused on the conditions of social welfare demanded by the new doctrine of equality. Thus the government as a tool of the state, is increasingly forced to accept responsibility for the creation and distribution of positive wealth. In this way, nearly all government in the world, has become a big organization, both in its scope, as well as in the number of employees required to develop its responsibilities, however, along with the growing number of civil servants, also means increasing numbers of people (these employees) which can be a victim of the regime’s suppression through arbitrary manners.12

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12 Miriam Budiarjo, MosaluhKenelegaraan, (Jakarta : Gramedia, 1982), p. 77-79

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In connection with the purpose of the state of Indonesia, as stated in the preamble of NRI 1945, experts said that the purpose of the State as it reflects the type of state welfare laws. State welfare theory laws is a mix between the concept of the State of law and the welfare state into a more condensed form of state law.\textsuperscript{11} State law is the State as the law is the basic rule and the holding power in all its forms is done under the rule of law. While the concept of the welfare state considers the state or the government does not merely as guard security or public order, instead if advocates that the executive, legislative and judicative bearers of authority bears the responsibility of realizing social justice, general welfare and the welfare of the people.\textsuperscript{14}

3. Challenges of Globalization

Indonesia’s readiness to face the challenges of globalization should be reinforced with internal reinforcement, the quality of human resources that have global competitiveness must be improved. The government’s role in preparing it is essential, especially in the face of ASEAN single market in 2015, as an agreement to ensure sustainable development is beneficial. For generations present and future and put the well-being and the livelihood and welfare of the people as the center of the ASEAN community building process. The regional cooperation provides an opportunity for Indonesia. However, these opportunities can be exploited if Indonesia is able to meet various requirements, including the ability of the state to prepare for the ASEAN single market competition. If Indonesia is not prepared for the single market, then it is very much possible that the state will become a marketing target of other ASEAN countries. The ability to compete will deteriorate and opportunities for domestic businesses to compete regional level will be very hard since small and medium-sized businesses often does not have adequate requirement to start up. Robert J. Eaton, CEO of Chrysler Corporation, USA, stated that: “The only we can beat the competition is with people”, the statement asserts that his stance amid rapid technological sophistication, it is the role of leaders to determine the company’s human resources as competitive advantage that is not cracked by heat, not weathered by rain.

Facing the impact that will result from the enactment of the 2015 AEC labor that includes workforce and labor or working, it is small wonder that Industrial leaders need to improve their skills or their competitive advantage in order to adjust and compete in the professional community. Increased skills (skills upgrading) is a joint responsibility for both the government, professional institution and business. Impact that will occur in the enactment of AEC 2015 is a free flow of skilled labor between countries,

\textsuperscript{11} Phillipus, M. Hadjon, Kedaulatan Rakyat, Negara Hukum dan Hak-Hak Asasi Manusia, (Jakarta : Media Pratama, 1996) p. 72

\textsuperscript{14} Paul Spickar, Poverty and the Welfare State : Dispelling the Myths, (Catalyst Trust, 2002) p. 37
this in order to create services liberalization through reduction or barriers, especially in mode 4 (movement of individual service providers), foreign workers who provide specific expertise and comes to consumer countries. Definition of foreign workers according to Boediono, namely, the foreign worker is “any person not an Indonesian citizen who is able to work, both inside and outside the employment relationship, in order to produce services or goods to meet the needs of the community.” Based on the understanding that in spite of the person being a foreign citizen of Indonesia and domiciled in Indonesia, without conducting business activities is not considered as a foreign workers. In many case, a skilled workforce that will provide services to the consumer countries as agreed upon standards for various priority areas. The applicability of the foreign worker must comply with the provisions of legislation in force in Indonesia.  

4. Efforts in Improving the Quality of Human Resources

With the acceleration of the qualified human resources, AEC member states require various steps to dominate the regional economy in ASEAN region especially in economic trade. Knowledge, development, and localization of resources is a sound step in optimizing the competitiveness of Indonesia. Emerging economic societies, higher education and professional is in dire need of the knowledge of the AEC application among Indonesia. The simple nature of economic trade is Indonesia should be developed in order to cope with the electronic advances, especially the government. Even so, there are several issues to be settled for AEC state members:

a) Policy should be disseminated about AEC, for all levels of society;
b) Each district or city government shall enforce socialization at the district and village level;
c) University should pursue a curriculum that is suited to AEC standards to generate qualified graduates;
d) The government should pursue efforts to disseminate information regarding applicable knowledge of AEC;
e) The government should create policies that enforces AEC for all related stakeholders and apply sanction for offenders.

Facilities supporting human resources needs to be put forward to facilitate the government’s desire to achieve the goal in the AEC competition and so did the desire of its own for the advancement of human resources in Indonesia. The facilities for the acceleration of human resource quality comprises of:

a) The Government will facilitate a job training and other skills training such as (research, technological development, innovation, etc.).
b) Provide faculty or qualified trainers.
c) Establish a training cooperation with
other countries, and provide facilities to add science scholarships abroad.

d) Facilitate physical such as providing funds for the survival of human resources quality improvement.

Facing AEC, Indonesians should keep in mind to conform to Article 28C paragraph (1) Constitution NRI 1945 stating that “everyone has the right to develop themselves through the fulfillment of basic needs, is entitled to education and to benefit from science and technology, arts and culture, in order to improve the quality of life and for the welfare of mankind.” For that reason, every Indonesians should be provided with the right to develop themselves, to get an education in order to improve the quality of life and well-being. This is in line with the objectives of AEC which was to empower local employment, raise business efficiency and reserve domestic rights to upgrade the skills or the quality of life to prosper. So it can compete with skilled labor that goes into Indonesia without having to be a spectator or the injured party in their own country. While in Labor Law mandates for granting vocational training to the workforce. Job training and directed to provide, improve, and develop job competence in order to improve the capability, productivity, and prosperity. 16

Job training carried out with regard to labor market needs and the business world should be declared mandatory both inside and outside the employment relationship. Workers has the right to obtain a proof of work competence after following vocational training organized by vocational training institutions at government, private, cooperation between higher education entity-industry or even internal training in the workplace. The recognition of work competence certification may also be followed with practical tuition for experienced practitioners or consultants. Job competence is set out by a national body of certifications. From a regulatory perspective, article 18 of the Labor Law stipulated the provision of job competence certification as well as the formation of National Profession Association. Furthermore, the provisions of Article 20 paragraph (1) and (2) of Labor Law mandates the development of a national vocational training system which is the hallmark of implementation of vocational training in all areas and/or sectors to support the improvement of job training in order to manpower development. In addition, provisions concerning the form, mechanism and institutional system of national job training are supplemented by Government Regulation No. 31 Year 2006 on the National Vocational Training System. Overall, the Labor Law mandates the establishment national professional certification in order to provide competency certification for workers. Job competence certification is the process of awarding the certificates of competence

16 Whimbo Pitoyo, Panduan Praktis Hukum Ketenagakerjaan, (Jakarta: Visionsida, 2010), p. 4
16 Abdul Khakim, Dasar-dasar Hukum Ketenagakerjaan Indonesia, (Bandung: PT. Citra Aditya Bakti, 2009) p. 27
are carried out systematically and objectively through competency test referring to the standards of competence Indonesian national and/or international.

The Ministry of Manpower and Transmigration Ministry which is in charge of representing the government in creating a productive, competitive and prosperous labor and community. Vocational Training is a program under the auspices of Agency for Research, Development and Information Sector Employment Issues, specifically under the Ministry of Manpower and Transmigration. The program is directly related to the development of human resources (HR), but the program has yet to receive any important role in the development of national labor due to many obstacles.

The various solutions to overcome the obstacles in the provision of training and job skills in Indonesia, as follows:

a) The Ministry of Education and Culture should work hand in hand with the Ministry of Manpower and Transmigration in order to prevent the frequent duplication of training;

b) Ministries/agencies and private agencies should conduct substantial training with substance along with industries to generate real values for graduates;

c) The Ministry of Manpower and Transmigration should create laws that regulate clearly about the training, at least at government level regulation as guidelines for;

d) Training Center Unit Technical Center of the Ministry of Manpower and Transmigration, which concerns vocational, equipment and materials, instructors, and the proportion of the budget plays a vocal point for the implementation of the regional potential job skills training;

e) Job skills training program should be harmonized with productivity improvement programs to create not only qualified human resource, but also skillful worker that is attentive to the developing market;

f) The development of productivity in the service requires a relatively large area to be followed by an increase in service capacity (institutions, instructors, methodology);

g) The company and the workforce should focus at job skills training for workers as part of an investment and a necessity.

D. Indonesia's Readiness for AEC 2015

1. Public Awareness

Despite the dominant role in improving the quality, it does not mean the entire responsibility lies with the government. On the contrary, the awareness from the impact of AEC will be felt directly by the community, and may generate a separate inde-
pendent responsibility to participate in building the national economy. Indonesia as one of the first countries to enact competition law has played an active role to become a center of excellence in the development of competition law in ASEAN by shared experience (sharing experience), sending experts to member countries, conducting comparative studies and internships as well as contributing to various several products AEGC namely as chairman in the preparation of the Guidelines on Developing Core Competencies in Competition Policy and Law for ASEAN (2013) and contribute actively in the preparation of the ASEAN Regional Guidelines on Competition Policy (2010) and the Handbook on Competition Policy and Law in ASEAN for Business (2011).13

The flow of capital and investment from outside has limited dredge crops and educated workforce into a spectator in his own country. For that, it would be wise to consider Indonesian agricultural sector as Indonesia’s main commodity in the AEC by way of strengthening the inter-regional connectivity to be a part in the ASEAN level, and then at the global level. In addition, every region should develop its unique and comparative advantage, technological innovation and preparation of supporting infrastructure in order to improve competitive-

ness, harmonization of procedures, regulations, and standards that lead to improved quality and food safety (referring to the AEC Blueprint), and socializing AEC down to the grass-root level of society.14

Indonesia is a country with the largest population in the ASEAN region. It is also a heterogeneous country with various types of tribes, languages and customs that spread from Sabang to Merauke. The state has a developed good economic strength and highest growth in the world (4.5%) after the People’s Republic of China (PRC) and India. Such potency shall be a necessary capital to prepare the people of Indonesia towards AEC 2015.15

2. Strategic Recommendations for Indonesia

Strategic recommendations to prepare Indonesia faced AEC 2015 in an effort to improve the quality of human resources needs support from various stakeholders through a comprehensive effort expansion and intensification Training Center to cover the still low labor competitiveness, the Institute for Standardization Profession in Indonesia, which reached 78 needs to be optimized through the adoption of international standards (ASEAN) applies. Entrepreneurship movement National also necessary to increase noise and is followed by

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14 Agus Brotoesuilo, GlobalisasiEkonomidanPerdaganganInternasional : Studi tentang Kesiagaan Hukum Indonesia Melindungi Produk/Dalam Negeri melalui Undang-Undang Anti Dampungan Safeguard, (Disertasi-Universitas Indonesia, 2006) p. 95
15 Sjamsul Artin Dian Ediana Rae, Charles R.R. Joseph, KerjasamaPerdaganganInternasional : Peluang dan Tantangan bagi Indonesia, (Jakarta : Elex Media Komputindo, 2007) p. 73
an intensive program, especially for the movement of entrepreneurship in the education sector (Universities-Academics), Small and Medium Enterprises (SMEs) and industry groups to improve standards, quality, and product design, as well as creativity and innovation in developing the product.

Ministry of Commerce in an effort to respond to the challenges of globalization narrowly been preparing themselves for the effort to achieve consumer protection and secure the domestic market by establishing the Directorate General of Standardization and Consumer Protection through the Minister of Trade No. 31 The year 2010 has been enhanced with the regulations of the Minister of Trade No. 57 Year 2012 on the Organization and Administration of the Ministry of Trade with the mission of improving the competitiveness of exports, increasing supervision and consumer protection, and acts as the manager of policy and implementation of development programs at once on trade security in the country.

Broadly speaking, the chances of Indonesia to meet AEC include obtaining a potential market share of the world, as a Country of investment opportunities as exporting countries, the liberalization of trade in Asean, the demographic bonus is great, service sector which is open, and capital flows more smoothly and continuously. While the challenges to be faced, among others, the rate of increase in exports and imports more competitive, increase in the rate of inflation, the negative impact of capital flows more broadly, their similarities export products featured so as to be more creative to find and manage superior products and the economic development level is still diverse.

E. Conclusion

AEC 2015 is a program for Asean countries to improve economic quality. AEC 2015 could be a blessing for Indonesia but at the same to be disastrous. AEC could be disastrous if our agricultural products unable to compete. State Government of Indonesia that protect the entire Indonesian nation and the entire homeland of Indonesia and to promote the general welfare, educating the nation, and participate in implementing world order based on freedom, lasting peace and social justice. Paragraph 4 of the preamble NRI 1945 above imply that, by adopting the task of the state in organizing the general welfare, the establishment of various regulations in the Republic of Indonesia is very important, the role of the state in charge of social welfare in various fields as well as social justice organized through the establishment of rules State. So that Indonesian workers are also included in the government’s responsibility to pay attention to well-being that in this case the readiness to face competition from foreign labor. Indonesia’s readiness to face the challenges of globalization should be prepared with internal reinforcement, the quality of
human resources that have global competitiveness must be improved. The government’s role in preparing it are essential especially in the face of ASEAN single market in 2015, as an agreement to ensure sustainable development is beneficial.

Indonesia is a country with the largest population in the ASEAN region. Strategic recommendations to prepare to face AEC 2015 Indonesia needs support from various stakeholders through a comprehensive effort expansion and intensification Training Center. Profession Standards Institution in Indonesia needs to be optimized through the adoption of international standards (ASEAN) applies. Entrepreneurship movement National also necessary to increase noise and is followed by an intensive program, especially for the movement of entrepreneurship in the education sector (Universities-Academics), Small and Medium Enterprises (SMEs) and industry groups to improve standards, quality, and product design, as well as creativity and innovation in developing the product.

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