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3 INEFFECTIVENESS OF INDONESIAN LEGAL INSTRUMENTS AGAINST THE IMPORTATION OF USED CLOTHING IN BATAM CITY, INDONESIA

ELZA SYARIEF,¹ RINA SHAHRIYANI SHAHRULLAH,² AND SUCI FRAWITTA³

ABSTRACT⁴

Article 47(1) of Indonesian Law No. 7 of 2014 concerning⁵ trade stipulates that every importer shall import new goods. This provision is supported by the Regulation of Trade Ministry No. 51/M-DAG/PER/7/2015 concerning the prohibition against importing used clothing. The⁶ main reason for prohibiting the importation of used clothing under the Regulation is that they⁷ have the potential to endanger human health and are therefore not safe. However, Batam City in the Riau Islands Province of Indonesia has become a haven⁸ for used clothes imported from overseas. Based on the facts, this research questions why the Indonesian legal instruments against the importation of used clothes are not effective in Batam City. To answer this question, the theory of legal effectiveness is used as an analysis tool to evaluate the effectiveness of the legal instruments. The data is then analysed using a qualitative approach to establish compelling arguments and sound conclusions.

Keywords: Trade Law, Used clothing, Batam City, Indonesia.

INTRODUCTION

Trade constitutes a major⁹ driver for developing the national economy of Indonesia. Trade is defined by Article 1(1) of Law No. 7 of 2014 on Trade (hereafter the Trade Law 2014) as “the activities related to the transaction of goods and/or services in the country and beyond the borders of the country with the purpose of transfer of rights to the Goods and/or services to obtain rewards or compensation”. Although foreign trade – which “includes export activities and/or import of goods and/or services beyond¹⁰ the borders of Indonesia” – is permitted (Article 1(3) of the Trade Law 2014), used clothing is prohibited from being imported into the territory of the Unitary State of the Republic of Indonesia (Nugroho, 2011). Article 47(1) of the Trade Law 2014 explicitly stipulates that every importer shall import new goods. Nevertheless, the importation of used goods is still permissible under certain circumstances (Article 47(2) of the Trade Law 2014). For instance, if goods are needed by¹¹ business people that cannot be provided through domestic sources, they must be imported for the purpose of export development, increased competitiveness, business efficiency, investment, industrial relocation, infrastructure development, and/or re-export (Arifah, 2015). The importation of used goods is also permissible in the event of natural disaster for the purpose of recovery and rebuilding (Arifah, 2015).¹² It is clear that the importation of used goods is permissible under certain circumstances.

The importation of used clothing has mushroomed in Batam City in the Province of Riau Islands, Indonesia. It is known as *baju seken* and clothes are illegally imported from Malaysia and Singapore. It is estimated that approximately 1,500 sacks of clothing are illegally imported into Batam City every week (Bantam Today, 2016). Stalls can be found selling imported used clothes in almost every area in Batam City, for example in Jodoh (Jodoh Market), Batam Centre (Mustafa Market), Batu Aji (Aviari Market), and Simpang Nongsa. These types of goods do not fall within the category of “certain circumstances” under Article

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47(2) of the Trade Law 2014; therefore their importation is prohibited and sanctions are imposed on importers of up to five years of imprisonment and/or a maximum fine of Rp. 5,000,000,000 (five billion *rupiah*). The Ministry of Trade specifically issued a Regulation of Trade Ministry No. 51/M-DAG/PER/7/2015 Concerning the Prohibition To Import Used Clothing. Article 2 of the Regulation prohibits the importation of used clothing into Indonesian territory. Article 3 of the Regulation further requires that used clothing that enters the territory of Indonesia shall be destroyed. The main reason for prohibiting the importation of used clothes under the Regulation is that they have the potential to be dangerous to human health and are therefore not safe. Accordingly, this research questions why the legal instruments relating to the prohibition of used clothing are not effectively implemented in Batam City.

LEGISLATIVE AND THEORETICAL FRAMEWORK

Legal sources pertaining to the prohibition of used clothing

Two Indonesian legal instruments are closely related to the prohibition of importing used clothing: the Trade Law 2014 and the Regulation of Trade Ministry No. 51/M-DAG/PER/7/2015 concerning Prohibition To Import Used Clothing. Article 47 of the Trade Law 2014 states that:

1. every importer shall import goods under the new conditions;
2. in certain cases, the Minister can determine that imported goods are not new;
3. the determination referred to in Paragraph (2) shall be submitted to the minister who carries out government affairs in the field of finance; and
4. further provisions on the determination of imported goods that are not new, as referred to in Paragraph (2), are regulated by the Minister.

Violation of Article 47 of the Trade Law 2014 causes sanctions to be imposed on importers as stated by Article 111 of the Trade Law 2014: "Each importer who imports goods [that] are not new as referred to in Article 47 Paragraph (1) shall be punished with imprisonment of 5 (five) years and/or a fine of Rp. 5,000,000,000.00 (five billion *rupiah*)."

The prohibition against importing used clothing is also governed by the Regulation of Trade Ministry No. 51/M-DAG/PER/7/2015 on the Prohibition To Import Used Clothing. The Consideration of the Regulation states that "used clothing originating from import has the potential to endanger human health, so that it is not safe to be utilised or used by the community." The relevant provisions are as follows:

- Article 2: "used Clothing is prohibited to be imported into the area of Unitary State of the Republic of Indonesia";
- Article 3: "used clothing that arrives in the area of the Unitary State of the Republic of Indonesia on or after the date this Regulation of the Minister is applicable shall be destroyed in accordance with the provisions of the legislative regulations"; and
- Article 4: "the importer that violates the prohibition provision, as meant in Article 2 shall be imposed the administrative sanction and other sanctions in accordance with the provisions of the legislative regulations."

The Effectiveness of Law Theory

The Effectiveness of Law Theory developed by Soekanto (2008) is regarded as the most suitable theory for evaluating whether legal instruments as the law in the book are effective when they are implemented in society (the law in action). The theory developed by Soekanto determines five factors as a means to measure the effectiveness of the implementation of law:

1. the legal substance is effective when it contains justice, certainty, and utility;
2. law enforcers who implement the law must be professional and ethical for the law to be effective;
3. legal facilities and means for the implementation of law must be well-organised, well-equipped, and supported by adequate finance;

4. the society in which the law is implemented must act to achieve harmony among its members; and
5. the legal culture of society must contain the society's common values, e.g. moral values, sustainability, security, and order.

RESEARCH AIMS AND METHODS

Research aims

This research particularly questions the effective implementation of the Indonesian legal instruments prohibiting the importation of used clothing. Hence, it aims to:

1. analyse the substances of the Trade Law 2014 and the Regulation of Trade Ministry No. 51/M-DAG/PER/7/2015 Concerning the Prohibition To Import Used Clothing;
2. ascertain the actions of law enforcers in Batam City in implementing the two legal instruments above; and
3. examine the motivation and legal cultures of Batam City society relating to the importation of used clothing.

Research methods

This research uses secondary data as its initial data, followed by primary data (Amiruddin, 2012). This research is therefore categorised as socio-legal research. The secondary data consists of:

1. primary legal materials or binding legal materials (Marzuki, 2005), namely the Trade Law 2014 and the Regulation of Trade Ministry No. 51/M-DAG/PER/7/2015 Concerning the Prohibition To Import Used Clothing; and
2. secondary legal materials to support and strengthen the primary legal materials (Marzuki, 2005), and which were obtained from books and legal research reports.

The primary data was collected by interviewing relevant stakeholders using a purposive sampling approach (Sumardjono, 2001). These relevant stakeholders were the imported used clothing agents; 30 sellers; 30 buyers; and government officers, namely the Head of Batam City Customs and Excise (the Main Service Type B Office) and the Head of Meteorology for Domestic Trade of Batam City. In addition to interviews, observations were also conducted at Jodoh (Jodoh Market), Batam Centre (Mustafa Market), Batu Aji (Aviari Market), and Simpang Nongsa (Nongsa Market) in Batam City. Both primary and secondary data were analysed using a qualitative approach (Amiruddin, 2012).

RESEARCH FINDINGS AND DISCUSSIONS

Observations

Based on the observations conducted in May 2018 in four areas in Batam City, namely Jodoh (Jodoh Market), Batam Centre (Mustafa Market), Batu Aji (Aviari Market), and Simpang Nongsa, it was found that imported used clothing can be directly tried on by customers. Prices for international branded clothing (for example Levi and Polo) are very low and the quality of clothing is very good. Figures 1 and 2 show the stalls selling imported used clothing in Batam City.

Figure 1: The sale of imported used clothing in Jodoh Market

Source: researcher's documentation

Figure 2: The sale of imported used clothing in Aviari Market

Source: researcher's documentation

Interviews with imported used clothing agents

Suppliers or agents in Batam City obtain imported used clothing from Malaysia or Singapore by smuggling. After the clothing arrives in Batam City waters via the sea, the suppliers or agents directly unpack the clothing and subsequently re-pack it to avoid the inspection of Customs and Excise officers. According to them, the sale of imported used clothing is a very good business, even though they are aware that the Indonesian Government prohibits this type of import. To avoid the Customs and Excise officers, the business is conducted at night. They frequently attack Customs and Excise officers who are patrolling by throwing fireworks, bottle bombs, and torches, and even pay people to fight the officers.

Interviews with sellers

Most sellers of imported used clothing at Jodoh Market have business hours ¹³ running from 6:00 a.m. to 11:00 p.m. They purchase the clothing from agents in Batam City at a price of Rp. 800,000 or US \$62 for 30-kilogramme sacks of non-internationally branded clothing. Well-known branded clothing of good quality (such as Levi, Under Amor, or original soccer shirts) is priced at Rp. 1,000,000 or US \$77 per sack. Table 1 shows the prices of imported used clothing at Jodoh Market.

Table 1: Prices of imported used clothing at Jodoh Market

Category	Non-international brands	International brands
Children's clothes	Rp. 20,000 (US \$1.54)	Rp. 60,000 (US \$4.62)

Women's clothes	Rp. 15,000 (US \$1.15)	Rp. 25,000 (US \$1.92) – Rp. 40,000 (US \$3.08)
Men's clothes	Rp. 20,000 (US \$1.53)	Rp. 45,000 (US \$3.46) – Rp. 60,000 (US \$4.62)
Women's dress	Rp. 30,000 (US \$2.30) – Rp. 40,000 (US \$3.08)	Rp. 80,000 (US \$6.15) – Rp. 120,000 (US \$9.23)
Male Malay shirt	Rp. 50,000 (US \$3.85)	Rp. 80,000 (US \$6.15) – Rp. 100,000 (US \$6.69)
Jeans	Rp. 40,000 (US \$3.08)	Rp. 60,000 (US \$4.62)
Shorts	Rp. 20,000 (US \$1.54)	Rp. 30,000 (US \$2.30)

Source: interview by researcher

Sellers of imported used clothing at Aviari Market in Batu Aji run their business from 1:00 p.m. to 10:00 p.m. They purchase the clothing from agents in the Serangoon area in Singapore. They pay slightly more than those who purchase clothing from agents in Batam City. The price of the clothing is Rp. 100,000 or US \$8 per kilogramme. Table 2 shows the prices of imported used clothing at Aviari Market, Batu Aji.

Table 2: Prices of imported used clothing at Aviari Market, Batu Aji

Category	Non-international brands	International brands
Wedding dress	Rp. 150,000 (US \$11.54)	Rp. 250,000 (US \$19.23) – Rp. 400,000 (US \$30.77)
Women's clothes	Rp. 40,000 (US \$3.08)	Rp. 60,000 (US \$4.62) – Rp. 80,000 (US \$6.15)
Male branded T-shirts	Rp. 45,000 (US \$3.46)	Rp. 80,000 (US \$6.15) – Rp. 100,000 (US \$6.69)
Women's dress	Rp. 60,000 (US \$4.62)	Rp. 100,000 (US \$6.69)
Indian sari shirt	Rp. 150,000 (US \$11.54)	Rp. 200,000 (US \$15.38) – Rp. 700,000 (US \$53.85)
Jeans	Rp. 80,000 (US \$6.15)	Rp. 120,000 (US \$9.23)
Shorts	Rp. 35,000 (US \$2.69)	Rp. 50,000 (US \$3.85)

Source: interview by researcher

Sellers of imported used clothing at Nongsa Market run their business from 5:00 p.m. to 10:00 p.m. They purchase the clothing at a price of Rp. 700,000 or US \$54 for 30 kilogrammes for mixed brands (international and non-international brands). The price of branded clothing of good quality is slightly higher than for ordinary or unbranded clothing. Table 3 shows the prices of imported used clothing at Nongsa Market at Simpang Nongsa.

Table 3: Prices of imported used clothing at Nongsa Market, Simpang Nongsa

Category	Non-international brands	International brands
Children's clothes	Rp. 20,000 (US \$1.54)	Rp. 40,000 (US \$3.08)
Women's clothes	Rp. 30,000 (US \$2.30)	Rp. 40,000 (US \$3.08) – Rp. 50,000 (US \$3.85)
Men's clothes	Rp. 30,000 (US \$2.30)	Rp. 40,000 (US \$3.08) – Rp. 60,000 (US \$4.62)
Women's dress	Rp. 40,000 (US \$3.08) – Rp. 50,000 (US \$3.85)	Rp. 80,000 (US \$6.15) – Rp. 120,000 (US \$9.23)
Male Malay shirt	Rp. 50,000 (US \$3.85)	Rp. 80,000 (US \$6.15) – Rp. 100,000 (US \$6.69)
Jeans	Rp. 40,000 (US \$3.08)	Rp. 60,000 (US \$4.62)

Shorts	Rp. 20,000 (US \$1.53)	Rp. 30,000 (US \$2.30)
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Source: interview by researcher

Interviews with buyers

Buyers of imported used clothing at Jodoh Market stated that the clothes they bought were far cheaper than new ones. Most of them were housewives who bought the clothes for their families. Some buyers suffered from allergies due to the dust from used imported clothes. This is because many sellers purchase the clothing from agents directly without washing it. To prevent this circumstance, some buyers said they used masks when choosing imported used clothing. Some buyers only bought branded clothes (e.g. party clothes, shirts, Muslim robes) because they wanted to re-sell them via online shops. They bought the clothes at around Rp. 60,000 or US \$4.65 and sold them online for Rp. 150,000 or US \$11.54. One example of online promotion can be found at <https://bajubrandedsecond.wordpress.com/tentang-kami/>. According to a buyer, online selling is more profitable. She can gain profits of around Rp. 500,000 or US \$38.47 a day. She can only make around Rp. 300,000 or US \$23 a day via an offline shop (<https://batampos.co.id/2017/10/29/baju-seken-aviari-pun-dijual-secara-online/>).

Buyers at Aviari Market said the clothes they bought were more expensive than those at Jodoh Market because sellers washed them first before selling them. Meanwhile, buyers at Nongsa Market stated that the clothes they bought were much cheaper than new ones of good quality. Like the buyers at Jodoh Market, some experienced allergies due to the dust from imported used clothes because sellers did not wash them prior to selling them. Yet, they considered them safe to wear if they were washed before wearing. So far, there have been no health complains from people in Batam City after wearing imported used clothing.

Interview with Batam City officials

The Head of the Customs and Excise Office of Batam City explained that there are currently approximately 1,000 sellers of imported used clothing in Batam City. The business is usually conducted in the market areas. Although they are aware that this type of business is prohibited by the government regulations, they still run the business. The Customs and Excise Office has implemented maximum efforts to reduce this type of business by patrolling several small ports in Batam City. However, some of the obstacles faced by the officers include the lack of patrol vessels and limited human resources. It is also a problem to arrest those who smuggle imported used clothing because they often operate in illegal small ports at night.

The Head of Meteorology for Domestic Trade of Batam City explained that the importation of used clothing is prohibited by the Regulation of Trade Ministry No. 51/M-DAG/PER/7/2015 Concerning the Prohibition To Import Used Clothing because it is dangerous for public health. *Monogtignes* bacteria have been found in imported used clothing. In addition, the importation has a negative impact on domestic industry. The Government of Batam City faces many obstacles in eradicating this business because it is smuggled and enters through illegal small ports in Batam City. It is also difficult to implement the Regulation because agents, sellers, and even buyers consider the Regulation to be unreasonable and excessive.

Analysis of the effective implementation of the Indonesian legal instruments pertaining to the prohibition of imported used clothing

To evaluate the Indonesian legal instruments on the prohibition of imported used clothing, this research adopts the Effectiveness of Law Theory. Each factor provided by the Theory is used as an analysis platform. Table 4 shows the results of the analysis.

Table 4: Analysis results of Indonesian legal instruments concerning the prohibition of imported used clothing

The Effectiveness of Law Theory	Legal provisions (<i>das Sollen</i>) and facts (<i>das Sein</i>)	Analysis
<p>Factor 1: The legal substance is effective when it contains justice, certainty, and utility</p>	<p>⁶ Article 47(1) of the Trade Law 2014 states that “Every importer shall import goods under the new conditions.”</p> <p>Article 111 of the Trade Law 2014 states that “each importer who imports goods are not new as referred to in Article 47 Paragraph (1) shall be punished with imprisonment of 5 (five) years and/or a fine of Rp. 5,000,000,000.00 (five billion rupiah).”</p> <p>⁴ Article 2 of the Regulation of Trade Ministry No. 51/M-DAG/PER/7/2015 stipulates that “used Clothing is prohibited to be imported into the area of Unitary State of the Republic of Indonesia.”</p> <p>Article 3 of the Regulation stipulates that “used clothing that arrives in the area of the Unitary State of the Republic of Indonesia on or after the date this Regulation of the Minister is applicable shall be destroyed in accordance with the provisions of the legislative regulations.”</p> <p>Article 4 of the Regulation stipulates that “the importer that violates the prohibition provision, as meant in Article 2 shall be imposed the administrative sanction and other sanctions in accordance with the provisions of the legislative regulations.”</p>	<p>Legal instruments clearly establish that imported used clothing is prohibited from entering Indonesian territory. The violators of these legal instruments will be sanctioned. The substances of these legal instruments are precise and explicit. It is unfortunate that the Government of Batam City does not issue a Regional Regulation to strengthen their application in Batam City.</p> <p>The lacuna of law occurs in the implementation of the legal instruments in Batam City. The Government of Batam City may categorise sanctions (both penalty or fines) for those who are involved in the selling and buying of imported used clothing in Batam City since the two legal instruments merely focus on importers, not sellers and buyers.</p>
<p>Factor 2: Law enforcers who implement the law must be professional</p>	<p>Officers of the Batam City Customs and Excise let sellers of imported used clothing run their business at Jodoh (Jodoh Market), Batam Centre (Mustafa Market),</p>	<p>The Riau Islands Customs Office stopped the smuggling of used clothing aboard an unnamed ship carrying 700 sacks of used clothing worth Rp.</p>

The Effectiveness of Law Theory	Legal provisions (<i>das Sollen</i>) and facts (<i>das Sein</i>)	Analysis
and ethical for the law to be effective	Batu Aji (Aviari Market), and Simpang Nongsa (Nongsa Market) in Batam City.	<p>300 million or US \$23,077 from Singapore on 20 May 2014 (http://nasional.republika.co.id). Similarly, one ship (KLM Raja Persada-1 GT 103) was successfully secured by the Riau Police Regional Water Police Directorate when it was going to enter Batam through Batu Besar waters on 8 September 2017. It carried thousands of sacks of used clothes, 30 used mattresses, 50 swivel chairs, 50 hospital beds, 200 study tables, 30 used carpets, and one piano (http://www.jambi-independent.co.id/read/2017/09/12/14244/di-singapura-barang-bekas-ini-dibuang-di-batam-dijual-lagi/). Nevertheless, the Customs Officers and Regional Polices frequently fail to stop the smuggling of clothing through illegal small ports in Batam City.</p> <p>Interestingly, the Head of Batuaji Subdistrict stated that Aviari Market as the hub of imported used clothing can become the tourism icon of Batam City. The Minister of Tourism has supported this idea by stating that “a good arrangement for Aviari Market will be very strategic for the development of tourism in Batam City. It will become a shopping tourist paradise” (http://kumparan.com/suhari-ete/pasar-seken-aviari-siap-jadi-ikon-pariwisata-batam).</p> <p>It is apparent that the officials of Batam City and the Central Government have opposite approaches to imported used clothing, even though they are</p>

The Effectiveness of Law Theory	Legal provisions (<i>das Sollen</i>) and facts (<i>das Sein</i>)	Analysis
		aware that it is prohibited by the existing laws.
Factor 3: Legal facilities and means for the implementation of law must be well-organised, well-equipped, and supported by adequate finance	There are limited officers and vessels to patrol and arrest those who smuggle imported used clothing at illegal small ports at night. The patrolling officers are frequently attacked by agents throwing fireworks, bottle bombs, and torches, and agents even pay people to fight the officers.	The limited number of officers to patrol and supervise the business of imported used clothing is the main obstacle to supervising this illegal business. Although Article 98(1) of the Trade Law 2014 stipulates that “the Government and Local Government has the authority to supervise the trading activities”, it is obvious that the limited officers cannot perform this function optimally.
Factor 4: The society in which the law is implemented must act to achieve harmony among its members	<p>Agents of imported used clothing consider it a lucrative business, even though they are aware the Indonesian Government prohibits it.</p> <p>Sellers of imported used clothing can obtain high profits from selling well-known branded clothing of good quality at a cheaper prices to buyers.</p> <p>Buyers can buy good quality clothing at cheaper prices. Some buyers re-sell the imported used clothing via online shops and make high profits.</p>	<p>Selling and buying of imported used clothing is profitable. Agents and sellers can make good profits and buyers can buy good quality clothing at affordable prices. However, the Chairman of the Indonesian Textile Association revealed that the increasingly widespread circulation of imported used clothing in Indonesia makes it difficult for local garment industries to develop (https://www.liputan6.com/bisnis/read/2191248/ini-bahaya-gunakan-pakai-bekas-impor). It is clear that the prohibition under the existing laws does not merely focus on the harm caused by the imported clothing to health, but the laws also consider that importation may harm the garment industries in Indonesia. Consequently, when the Government of Batam City disseminates the existing laws by emphasising that imported used clothing is dangerous, most of Batam City society considers this unreasonable because the hidden message of the laws is that importation may impede the</p>

The Effectiveness of Law Theory	Legal provisions (<i>das Sollen</i>) and facts (<i>das Sein</i>)	Analysis
		development of local garment industries. Batam City society members realise that transactions between sellers and buyers are legal activities that become illegal because existing legal instruments prohibit such activities (Wati, 2016). Nevertheless, they continue to buy and sell because no sanctions are imposed on them.
Factor 5: The legal culture of society must contain the society's common values, e.g. moral values, sustainability, security, and order	<p>Selling and buying imported used clothing is acceptable by society in Batam City. Almost all big markets (e.g. Jodoh Market, Mustafa Market, Aviari Market, and Nongsa Market) in Batam City provide stalls to sell such clothing.</p> <p>Sellers and buyers consider it safe to wear imported used clothing after washing it. People in Batam City never complain that they have health problems after wearing the clothes.</p>	<p>Both sellers and buyers realise that this business is against Indonesian laws, yet they consider it is not a grave violation since no health problems have been reported due to the wear of imported used clothing.</p> <p>Society members in Batam City are informed that the laws are issued to prevent and protect them from potential diseases carried by imported used clothing, such as <i>Monogtignes</i> bacteria. The Director of the Ministry of Trade, Directorate General of Standardisation and Consumer Protection, said that, based on the results of laboratory tests conducted by the Ministry, the clothing contains up to 216,000 colonies of bacteria that are harmful to health per square centimetre (https://www.liputan6.com/bisnis/read/2191248/ini-bahaya-gunakan-pakai-bekas-impor).</p> <p>Yet, the research conducted by Afifudin (2015) is evidence that imported used clothing in Semarang City does not contain <i>Staphylococcus aureus</i> bacteria. It is unfortunate that there has</p>

The Effectiveness of Law Theory	Legal provisions (<i>das Sollen</i>) and facts (<i>das Sein</i>)	Analysis
		been no specific research conducted in Batam City to show that the used clothing contains bacteria. As a result, Batam City society considers that the laws on the prohibition of imported used clothing are unreasonable and excessive.

Source: analysis by researcher

Based on the analysis in Table 4, it is obvious that each factor provided by the Effectiveness of Law Theory reveals that the legal instruments pertaining to the prohibition of imported used clothing are not effective in their implementation in Batam City.

CONCLUSIONS AND SUGGESTIONS

The existence of legal instruments (the Trade Law 2014 and the Regulation of Trade Ministry No. 51/M-DAG/PER/7/2015 Concerning the Prohibition To Import Used Clothing) are not sufficient for Batam City. Although it can be concluded that they are not effectively implemented in Batam City, they also cause a dilemma because the business of imported used clothing supports the Batam City economy and constitutes a source of livelihood for most of the Batam City community. Hence, it is submitted here that, if the Government of Batam City is serious about eliminating the smuggling and selling of imported used clothing, it should issue a strict Regional Regulation containing sanctions, not only against agents but also against sellers and buyers. It should also increase the number of officers assigned to supervise and implement the Regulation. Prior to the issuance of such a Regulation, the Government of Batam City should educate people regarding the potential danger of imported used clothing to health. In this regard, all stakeholders (government, private sectors, NGOs, and academicians) should collaborate to disseminate the existing legal instruments to Batam City people.

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