

Hope for the Future: Examining the Role of Labor Policies in Indonesia after Pandemic 2021–2022

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I. Introduction: Overview of the period 2021–2022 after the pandemic

Indonesia has been impacted by the pandemic and ranked lower from upper-middle income to lower-middle-income status under the classification by the World Bank since July 2021.

Indonesia faced two short-lived waves of Omicron subvariants in 2022, from January to February and from June to August when daily cases peaked at 55,000 and 5,400, respectively. After the waves, Omicron's cases increased to the daily number of 6,500 cases in mid-November of 2022. However, the economy continued to reopen throughout the year. According to the paper by the World Bank, such reopening was possible in large part of the reason because of the successful vaccination campaign reaching 64% of the population fully vaccinated.¹

Indonesia's growth is performing well, even within East Asia Pacific and relative to other Emerging Market and Development Economies. Real GDP growth recovered from 3.7% in 2021 to 5.4% year-on-year in the first three quarters in 2022. This was supported by recovering private consumption (5.1% year-on-year) and strong exports (19.6% year-on-year) in the third quarter of 2022.²

Indonesian Minister of Finance, Sri Mulyani Indrawati, revealed that economic growth in Indonesia is estimated to reach 5.1% to 5.3% by 2023³ along with the 2022 G20 Presidential agenda emphasized on Indonesia's economic resilience to the crisis.⁴ On December 30, 2022, the government halted the implementation of Indonesia's ongoing policy of the Enforcement of *Pemberlakuan Pembatasan Kegiatan Masyarakat* (PPKM) [Community Activities Restrictions],⁵ marking the post-COVID-19 recovery era for the country.

The pandemic has resulted in an increased share of workers that were jobless or working reduced hours, increasing the share of informal workers who were also earning less, as well as youth not in employment, education or training. This could affect the deterioration in income and labor skills. Wage increases benefitted only selected workers and provided a temporary cushion to deal with inflation.⁶

1. World Bank. *Indonesia Economic Prospects: Trade for Growth and Economic Transformation*, p 9.

2. See above at n 1, p 1.

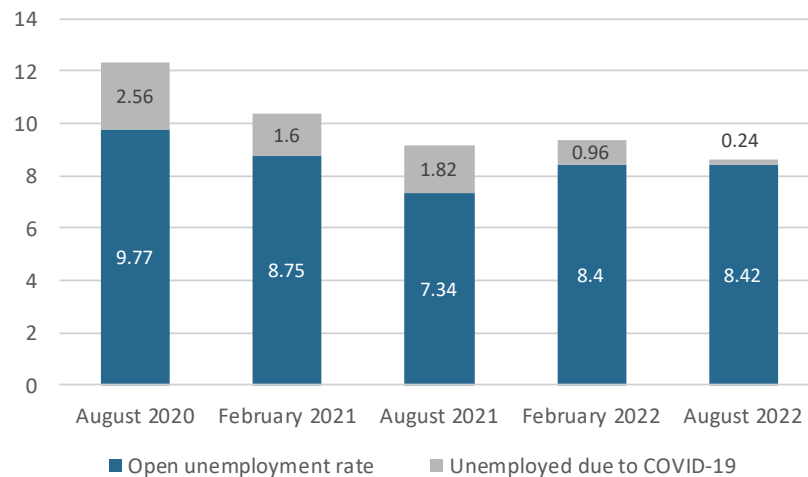
3. Ministry of Finance.

4. Bank Indonesia.

5. Ministry of Home Affairs.

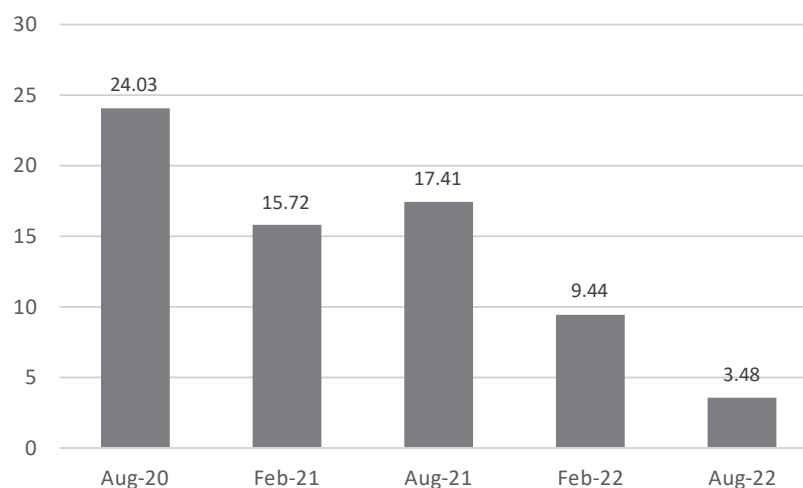
6. See above at n 1, p 9.

As shown in Figure 1,⁷ by August 2022, 240,000 workers were reported to have lost jobs due to COVID-19 compared to 1.82 million workers in August 2021. Moreover, 3.48 million workers still having reduced working hours compared to 17.41 million workers in August 2021 (Figure 2). New graduates and youth were hit particularly hard but showed improvement as the economy recovered. The shares of both informal workers and youth not in employment, education or training declined (Figure 3), but remained above pre-pandemic levels. High commodity prices have strengthened external balances, but tightening global financial conditions are weighing in.⁸



Source: Central Bureau of Statistics 2020, 2021, 2022.

Figure 1. Employment situation, August 2020–August 2022 (unit: million persons)

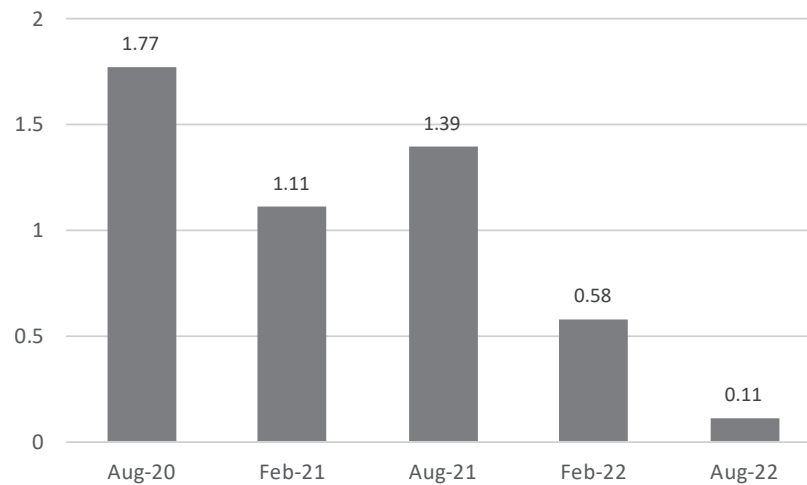


Source: Central Bureau of Statistics 2020, 2021, 2022

Figure 2. Number of workers who had reduced working hours due to COVID-19 (unit: million persons)

7. Central Bureau of Statistics.

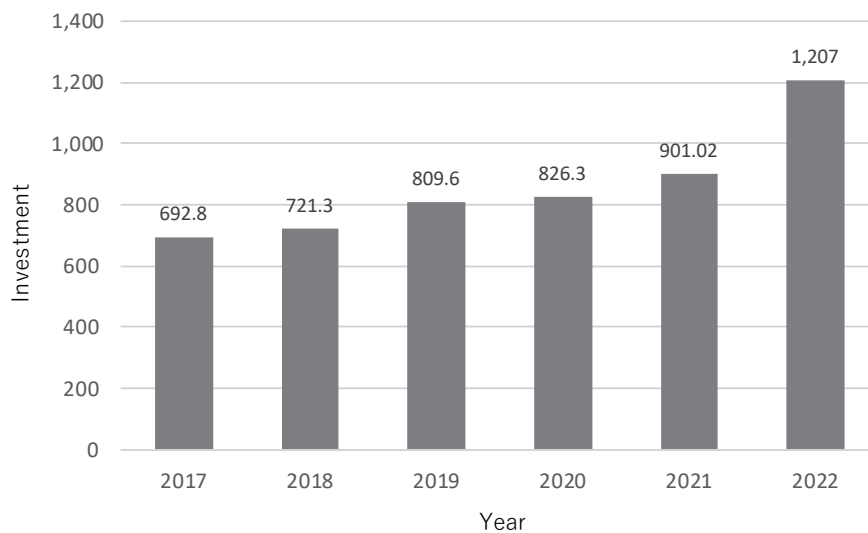
8. World Bank. *Indonesia Economic Prospects: Trade for Growth and Economic Transformation*, pp 9–10.



Source: Central Bureau of Statistics 2020, 2021, 2022.

Figure 3. Number of persons temporarily not working due to COVID-19 (unit: million persons)

Despite being hit by the pandemic, Indonesia still experienced a surge in investment compared to before the pandemic. Most of this investment went to the manufacturing, service, and mining sectors. Figure 4 shows the amount of investment realization from 2017 to 2022, acquired from the Investment Coordinating Board.⁹



Source: Investment Coordinating Board (2022).

Figure 4. Indonesia's investment realization, 2017–2022 (unit: trillion IDR)

9. Investment Coordinating Board. "Investment Realization Quarter IV and January–December 2022."

II. Labor policy in Indonesia and its implementation plan during the COVID-19 pandemic

During the early stage of the pandemic, the Ministry of Manpower of Indonesia issued a regulation concerning the Strategic Plan during the period 2020–2024,¹⁰ which mentioned structural and fundamental problems of labor issues in Indonesia. However, any plan adjustment has not yet been announced after the pandemic. *Undang-Undang Cipta Kerja* (Job Creation Law, known as the Omnibus Law) is not included here because it was passed in 2022, meanwhile, the policy was made in July 2020.

A. Labor market as general conditions for the policy making

Even though the working population is relatively increasing, it turns out that the majority are still junior high school graduates and below. Of the total working population, 58.78% are workers with low education levels (elementary and junior high school). Meanwhile, 29.04% are workers with secondary education (senior high school). Only 12.18% of workers graduated from higher education (diploma and university degree). This condition is a fact that needs to be taken seriously, considering that the majority of workers in Indonesia are still classified as having low education, which is synonymous with limited skills (or low skills).

This problem is suspected to be one of the causes of the non-optimal absorption of labor in the industrial sector. Labor absorption in the industrial sector was still recorded at 14.72% (the second largest after the agricultural sector), even though the industry is the leading sector in Indonesia. On the other hand, despite the fact that the agricultural sector was no longer the leading sector, employment in the agricultural sector reached 28.79%. The difficulty of transforming labor absorption from the agricultural sector to the industrial sector is allegedly due to the limited skills possessed by the majority of workers in Indonesia.

B. Labor issues in Indonesia

According to a report by the Ministry of Manpower, Indonesia still has several persistent labor issues. Some of them are:

a. Workforce quality

Of the 131.01 million Indonesian workforce in August 2018, 40.69% completed the highest education at the elementary school level. This figure is far from Malaysia, where only 24% of its workforce have the highest education at elementary school. Less than 10% of Indonesian labor force are university graduates. The still low levels of aggregate qualifications of the workforce are certainly a major challenge for Indonesia in pursuing industrial productivity and facing the era of automation and industrial revolution 4.0.

b. Placement challenges and expansion of job opportunities

There has been a mismatch between the education system and available jobs, causing the workers to be overqualified or underqualified. Expansion of employment opportunities by encouraging the formal sector also faces obstacles. The challenge going forward is not only to encourage the formal sector, but to review the classification of the formal and informal sectors themselves due to changes in the pattern of the digital industry which do not match the existing classification.

c. Industrial relations challenges

The digital and automation era has changed how businesses and industries operate, manage and organize their resources. There is a need for employment policies that can answer the problems of the current development of the world of work without denying the development of business models in

10. Ministry of Manpower Regulation No. 12 of 2020.

the digital era. A regulatory framework that is more comprehensive and adaptive to the development of the digital economy and the increasingly bright era of automation needs to be formulated and stipulated immediately. Harmonious industrial relations between the business world, employees, and the government can be a promotive aspect of investing in a country.

d. Labor inspection challenges

The development of work models through the development of the digital industry presents a major challenge in labor inspection. Models of working relationships in the developing digital economy, such as partnership models, freelancing, and other online-based jobs, are very difficult to record and be supervised by related parties, especially the Directorate General of Labor Supervision and Occupational Safety and Health under the Ministry of Manpower. One example is the partnership model developed by an online transportation (ride-hailing) company.

e. Low entrepreneurship spirit

The low levels of entrepreneurial spirit can be seen from the portion of the workforce who are self-employed, which is lower than the workforce who work as employees.

f. Increased skills and labor productivity

One indicator that measures the talent of a country's human resources is related to its competitiveness, namely the Global Talent Competitiveness Index (GTCI). The GTCI released in 2019 shows that Indonesia is ranked 67th worldwide and fourth in the Southeast Asian region, below Singapore (Second), Malaysia (27th), and Thailand (66th). This condition illustrates that, as a whole, Indonesia is still facing the problem of low human resource capabilities, mainly because the majority of the workforce is still low-educated. The following effect is the consequence of the low productivity of national human resources.

g. Regional government enhancement

One important aspect of optimizing labor reform is the synergy and coordination of central stakeholders in the regions. The role of the regions is very strategic in employment, considering that the regions are located close to workers and the business world.

III. Outlook and the topics for the growth

According to the World Bank Report,¹¹ economic growth in 2022 is estimated to end on a high note reaching 5.2%. The projection by the World Bank is based on three assumptions, namely (i) it will have a continued recovery in domestic demand supporting private consumption, (ii) it will have a recovery in private investment as macroeconomic stability and the implementation of structure reforms such as Job Creation Law, attracting more foreign direct investment, and (iii) high commodity prices offering positive terms of trade for Indonesia and boosting its key exports.

A. The situation of Job Creation Law

On December 30, 2022, Government Regulation in Lieu of Law No. 2 of 2022 concerning Job Creation has enacted. The issuance of this law is deemed as urgent situation to provide legal certainty for legal vacuum, and to provide a good perception for both domestic and foreign investors, in replacing the Law No. 11 of 2020 concerning Job Creation. However, due to the unclear implementation of the new rules set by Job Creation Law, because of the opposition by the labor union and the confused attitude of the company side, the amendment work on Collective Labor Agreements (CLA) faces difficulties. This pending situation of CLA

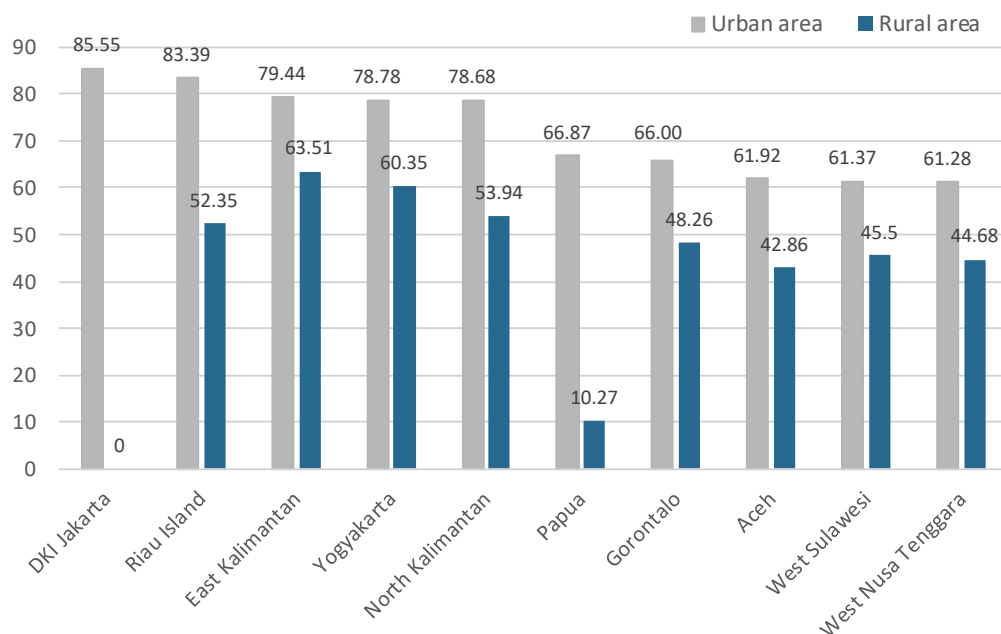
11. World Bank. *Indonesia Economic Prospects: Trade for Growth and Economic Transformation*, p 25.

is affecting the operation of the company and losing confidence in the investment environment by foreign investors. The effects or consequences of this law will be still unclear for the purpose of inviting investments.

B. Disparity between urban and rural areas

As recognized in the policy papers of the Indonesian government, the efficiency of production, increase of the formal sector, and upgrading the education levels have strictly connected with the disparity between urban and rural areas. Overcoming these linked issues is pointed out as the responsibility of the local government rather than the national government. Many Indonesian workers are not able to adapt to the digitalization process.

Provinces with the highest percentage of people who have accessed the internet are still dominated by the western Indonesia region, namely Java, Sumatra, and Kalimantan. The lowest percentage are dominated by the eastern Indonesia region, namely in Sulawesi, Nusa Tenggara, and Papua Province (Figure 5).



Source: Central Bureau of Statistics 2021.¹²

Figure 5. Highest and lowest provinces by population aged five years and over who have accessed the internet in the last three months in 2021 (%)

The average income of casual workers in Indonesia between urban and rural areas still has a wide gap. From year to year, the average income in urban areas is higher by Indonesian Rupiah (IDR) 200,000 to 300,000 than that in rural areas. The below Table 1 shows the average income level of workers in urban and rural areas during the pandemic.¹³

In terms of the main industrial sectors, jobs in agriculture, forestry, and fishery still dominate the rural areas, which mainly consists of informal workers. Wholesale and retail trade dominates the industrial sectors in urban areas, which signifies a higher number of formal workers than that in rural areas (Figure 6).

12. Central Bureau of Statistics. *Indonesia Telecommunication Statistics 2021*.

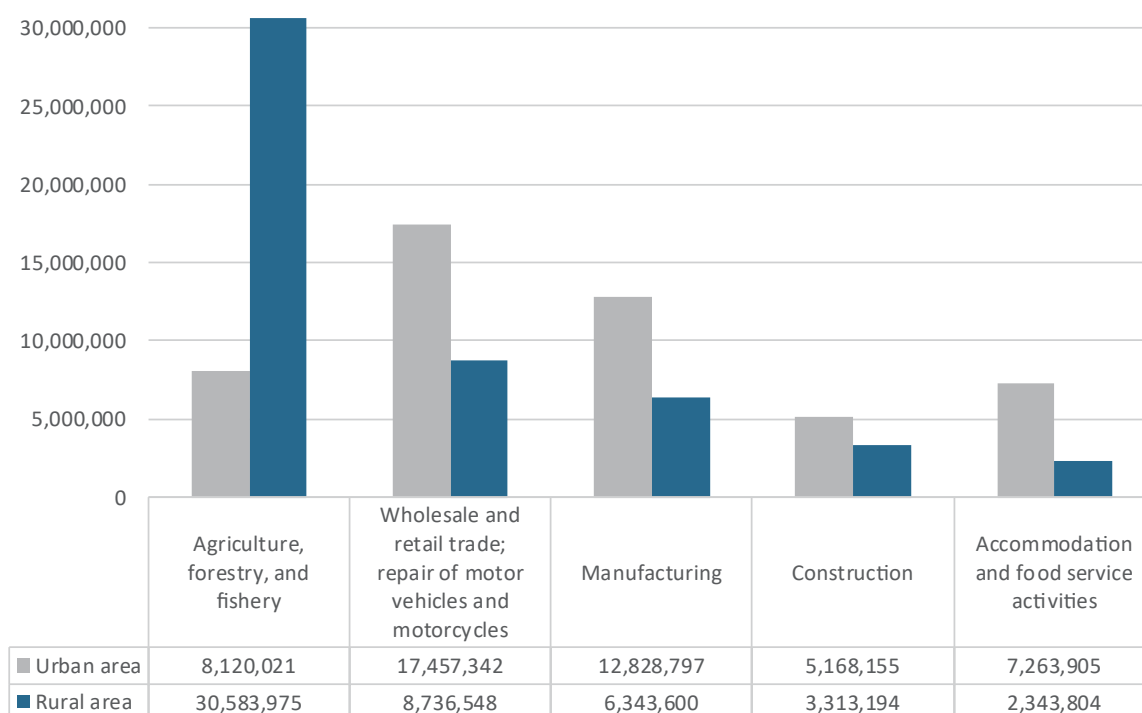
13. See above at n 6, *Average Income of Workers in Indonesia between August 2020 and August 2022*.

Table 1. Average income of casual workers in urban and rural areas during the pandemic (unit: million IDR)

	Aug-2020	Feb-2021	Aug-2021	Feb-2022	Aug-2022
Urban area	1,473	1,506	1,463	1,567	1,745
Rural area	1,294	1,277	1,306	1,370	1,488

Source: Central Bureau of Statistics.

Note: Data from August 2020 through August 2022.



Source: Central Bureau of Statistics.

Figure 6. Comparison of number of the workers in urban and rural areas by main industrial sectors in 2022 (unit: persons)

C. Regulating the recovery period by postponing the minimum wage increase and renegotiating wage policies

Average wages across all sectors increased by 12% for the period of the third quarter of 2022, due to the increase of minimum wages. The minimum wage in Indonesia currently ranges from IDR 1.9 million (USD 128.82) to IDR 4.9 million (USD 322.48) per month (Table 2). The average minimum wage in 2023 out of all 34 provinces is IDR 2.92 million (USD 192.32).

In an emergency such as a pandemic, the government is an actor with a crucial role in ensuring equal distribution of income and accessibility. During the pandemic, the Indonesian government issued at least two regulations regarding minimum wage. The first one was Circular Letter of the Minister of Manpower No. M/11/HK.04/X/2020 which essentially ordered Regents/Mayors not to increase the minimum wage in 2021, and the second one was *Permenaker* 2/2021 [the Ministry of Manpower Regulation No. 2 of 2021] concerning the Implementation of Wages in Certain Labor-Intensive Industries during the Coronavirus

Disease 2019 Pandemic issued on February 15, 2021. As stated in Article 2 of the Ministry of Manpower Regulation No. 2 of 2021, this regulation aims to provide protection and maintain work and business continuity during the pandemic.

Table 2. Minimum wages of all provinces in Indonesia

(Unit: USD; 1.0 USD = 15,200 IDR)

No.	Province	Minimum wage
1	Nanggroe Aceh Darussalam	224.58
2	North Sumatera	178.32
3	West Sumatera	180.42
4	Riau	209.97
5	Jambi	193.61
6	South Sumatera	223.95
7	Bengkulu	159.09
8	Lampung	173.24
9	Bangka Belitung	230.16
10	Riau Islands	215.73
11	Jakarta Capital Special Region	322.48
12	Banten	175.08
13	West Java	130.70
14	Central Java	128.82
15	Special Region of Yogyakarta	130.38
16	East Java	134.22
17	Bali	178.53
18	West Nusa Tenggara	156.01
19	East Nusa Tenggara	139.73
20	West Kalimantan	171.61
21	Central Kalimantan	209.27
22	South Kalimantan	207.23
23	East Kalimantan	210.61
24	North Kalimantan	213.92
25	North Sulawesi	229.27
26	Central Sulawesi	171.02
27	South Sulawesi	222.70
28	Southeast Sulawesi	181.50
29	Gorontalo	196.66
30	West Sulawesi	188.93
31	Maluku	185.05
32	North Maluku	195.83
33	West Papua	215.92
34	Papua	254.25

Source: Compiled by the author from the government data.

In terms of the effects of the COVID-19 pandemic on business continuity, they are still being felt, it takes time for the business world to recover. Postponing the issuance of annual wage increases by the government for a certain period considering whether the company's condition has recovered from the impact of the pandemic by providing flexibility to employers to renegotiate wage schemes during the pandemic.

IV. Government efforts to protect vulnerable workers

Due to the dominating number of informal workers and their high-risk nature, the central and regional governments have synergized in protecting vulnerable workers. The efforts made are in the form of making

programs and regulations/policies that protect all workers in Indonesia, both wage workers and non-wage workers.

A. The programs

In 2004, the government issued Law No. 40 of 2004 concerning *Sistem Jaminan Sosial Nasional* (SJSN) [National Social Security System]. Then in 2011, the government stipulated Law No. 24 of 2011 concerning *Badan Penyelenggara Jaminan Sosial* (BPJS) [Social Security Agency of Health] and appointed a state-owned insurance company, PT Askes (Persero) as an organizer of the social security program in the health sector. PT Askes (Persero) changed its name to BPJS Health. Through *Jaminan Kesehatan Nasional-Kartu Indonesia Sehat* (JKN-KIS) [National Health Insurance-Indonesian Health Card Program] organized by BPJS Health, the state is present in our midst to ensure that all Indonesians are protected by comprehensive, fair, and equitable health insurance.¹⁴

BPJS as a health institution in Indonesia has two programs, namely BPJS *Kesehatan* [Social Security Agency of Health] and BPJS *Ketenagakerjaan* [Social Security Agency for Employment]. Currently the BPJS programs consist of:

- 1) BPJS *Kesehatan* [Health Social Security Administrative Body] is a legal entity formed to administer the health insurance program. The health insurance administering body which officially started operating on January 1, 2014, administers *Jaminan Kesehatan Nasional* (JKN) [National Health Insurance] or health care insurance for all Indonesian citizens. For *Penerima Bantuan Iuran* (PBI) [Contribution Assistance Recipients] participants or health insurance participants who cannot afford it, the monthly contribution is paid by the government. Payment of contributions is divided into:
 - a) Contributions for *wage recipient workers who work for government institutions* consist of civil servants, members of *Tentara Nasional Indonesia* (TNI) [the Indonesian National Armed Forces], members of the Indonesian National Police, state officials, and non-civil servant government employees are in the amount of 5% of the salary or wages per month with the following conditions: 4% is paid by the state and 1% paid by the participants.
 - b) Contributions for *wage recipient employees who work for Badan Usaha Milik Negara* (BUMN) [State-Owned Enterprises], *Badan Usaha Milik Daerah* (BUMD) [Regional-Owned Enterprises] and the *private sector* are 5% of their salary or wages per month with the following conditions: 4% is paid by the employers and 1% is paid by the participants.
 - c) Contributions for *additional family members of wage recipient workers* consisting of the fourth child and so on, father, mother and parents-in-law, the number of contributions is 1% of the salary or wages per person per month, paid by the salaried workers.
 - d) Contributions for *non-wage recipient workers and non-workers* are paid by the participants themselves.
- 2) BPJS *Ketenagakerjaan* [Employment Social Security Administrative Body] is a public legal entity that provides protection for workers to overcome certain socio-economic risks due to work relationships. The guarantees given to the workers are divided based on the workers' status:
 - a) *Wage recipient workers*: Everyone who works by receiving salary, wages or other forms of

14. Social Security Agency of Health. "History of Social Security."

remuneration from the employer. Examples are office workers or factory workers. The guarantees provided are:

- Pension plan
- Life insurance
- Job loss guarantee
- Accident insurance
- Pension guarantee

b) *Non-wage recipient workers*: Individuals who carry out business activities independently to earn income. Such as doctors, traders, online motorcycle taxis and others. The guarantees provided are:

- Pension plan
- Life insurance
- Accident insurance

3) Indonesian ministries are also collaborating to implement programs to protect the informal workers. Some of the programs implemented by the ministries are:

- a) *Kementerian Koperasi dan Usaha Kecil Menengah* [Ministry of Cooperatives and Small and Medium-sized Enterprises] has implemented programs to support micro, small, and medium-sized enterprises (MSMEs), which often employ informal workers. For example, the government has provided working capital loans, training programs, and market access support to MSMEs.
- b) *Kementerian Sosial* [Ministry of Social Affairs] has implemented social protection programs, such as cash transfers and food assistance, for vulnerable groups including informal workers affected by the pandemic.
- c) *Kementerian Keuangan* [Ministry of Finance] has provided fiscal stimulus packages to support the economy, which include measures to support businesses and workers affected by the pandemic.
- d) *Kementerian Kesehatan* [Ministry of Health] has implemented health and safety protocols to protect informal workers from COVID-19, such as providing personal protective equipment and conducting testing and tracing.
- e) *Kementrian Pertanian* [Ministry of Agriculture] targets to increase the welfare of farmers through three strategic programs, namely provision of *Kredit Usaha Rakyat* (KUR) [People's Business Credit] program, *Grati eks* [Three Times Export Movement] program and establishment of *Kostra Tani* [Strategic Command for Agricultural Development].
- f) *Kementerian Koordinator Bidang Kemaritiman dan Investasi* [Coordinating Ministry for Maritime Affairs and Investment] prepared incentives in the form of *Bantuan Langsung Tunai* (BLT) [direct cash assistance] for one million fishermen affected by COVID-19. They also launched a program to improve the welfare of fishing communities in the form of air cargo route openings to China, Japan and South Korea to encourage exports of fishery products abroad and maintain a healthy national economy.

The Indonesian government also encourages and strengthens worker protection through *Gerakan Nasional Peduli Pekerja Rentan - GN Lingkaran* [National Movement for the Protection of Vulnerable Workers].¹⁵

15. Ministry of State Apparatus Utilization and Bureaucratic Reform.

B. The regulations/policies

Along with programs to protect vulnerable workers, Indonesia has also ratified regulations and policies regarding this matter. Some of them are:

1. *Kementerian Ketenagakerjaan* [Ministry of Manpower] has issued various policies to support formal and informal workers, such as providing cash transfers, subsidies, and social protection programs to those affected by the pandemic.
2. Decision of the Constitutional Court No. 12/PUU-I/2003 which essentially stated that employers were not given the authority to carry out unilateral layoffs without going through a due process of law and a court decision.
3. Law No. 18 of 2017 concerning Protection of Indonesian Migrant Workers (PMI) stipulates that the central and local governments have an obligation to protect all PMIs before work, during work, and after work. With this law, PMI is also given protection through the national social security program.
4. The government through *Badan Pelindungan Pekerja Migran Indonesia* (BP2MI) [Indonesian Migrant Workers Protection Agency] has issued a regulation regarding Exemption of Indonesian Migrant Worker Placement Fees. Through this regulation, the government waives placement fees for PMI in ten positions that are quite vulnerable, such as housekeepers, babysitters, caregivers for the elderly, cooks, family drivers, gardeners, babysitters, cleaners, field workers or plantation, and migrant fishing boat crews. Waived fees include departure and return tickets, work visas, legalization of work agreements, job training, competency certificates, and accommodation.
5. *Kementerian Pemberdayaan Perempuan dan Perlindungan Anak* [Ministry of Women's Empowerment and Child Protection] and *Kementerian Ketenagakerjaan* [Ministry of Manpower] are pushing for the acceleration of the ratification of *Rancangan Undang-Undang Perlindungan Pekerja Rumah Tangga* (RUU PPRT) [Draft Law for the Protection of Domestic Workers] as *Undang-Undang* (UU) [law]. Protection for domestic workers is weak because they have not been recognized as workers. The ratification of this bill into law could become the basis for regulating and managing issues in the employment sector, especially protecting domestic workers. This law will guarantee the protection of domestic workers, employers, and agents distributing domestic workers.

Despite the existence of laws and regulations aimed at protecting vulnerable workers, the implementation of these measures is still far from perfect. While the legal framework for worker protection may be in place, there are often gaps in enforcement or loopholes that allow employers to exploit vulnerable workers. Therefore, while progress has been made in the area of worker protection, there is still much work to be done to ensure that all workers are treated fairly and with dignity.

V. Conclusion

The COVID-19 pandemic has significantly impacted Indonesia's labor force and economy, with many workers facing job losses, reduced working hours, and declining incomes. Indonesia has a large population of informal workers, including fishermen, street vendors, farmers, and many others. These workers often face significant challenges in terms of access to social protections and support, especially during the COVID-19 pandemic.

Despite these challenges, some programs and policies have been made to keep the economy going and protect the workers. Several ministries, such as the Ministry of Cooperatives and Small and Medium-sized

Enterprises, the Ministry of Social Affairs, the Ministry of Finance, and the Ministry of Health have played essential roles in implementing policies and programs to support informal workers. Indonesia has also ratified regulations and policies regarding protecting vulnerable workers. It is important to note that while the law has been established, the implementation by employers or law enforcement might still be flawed. This has become a significant chance for the government to perfect the law enforcement.

As a result, Indonesia's economy has shown remarkable resilience and recovery following the COVID-19 pandemic. After experiencing a significant contraction in the second quarter of 2020, the country's economy rebounded strongly in the year's second half and grew in 2022. Indonesia has continued to open up and attract foreign investment with reforms to simplify business regulations and improve the investment climate. This demonstrates the country's potential for long-term growth and development.

Indonesia is the largest economy in Southeast Asia, with an archipelago nation of more than 300 ethnic groups. Today, Indonesia is the world's fourth most populous nation and 10th largest economy in purchasing power parity. Indonesia has also made enormous gains in poverty reduction, cutting the poverty rate by more than half since 1999. Improvement of the labor market will be the key factor for the country's sustainable development, which requires an ODA for human resource development, including primary education or training to the local government. With the restructuring of the education system, the Job Creation Law will have effects.

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