

The Urgency of Global Halal Standards on Products in Supporting International Trade

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Abstract

This research endeavors to assess the imperative need for global halal standards in product certification within the regulatory frameworks of diverse countries. Employing normative juridical research methods alongside statutory, comparative, and conceptual approaches, the study seeks a comprehensive understanding of the existing landscape. The findings underscore significant disparities among halal certification bodies across various countries, attributable to variations in regulations, diverse schools of thought, cultural influences, and nuanced considerations of *maslahah* (public interest). These divergences necessitate urgent attention and intervention. It becomes apparent that the Standards and Metrology Institute for the Islamic Countries (SMIIC) holds a pivotal role in harmonizing global halal standards. Such harmonization is critical not only to safeguard the interests of Muslim consumers on a global scale but also to mitigate potential international trade disputes arising from the export and import of halal products. This research underscores

the pressing need for concerted efforts to establish unified global standards, ensuring the integrity of halal certification processes and fostering a more transparent and equitable global trade environment for halal products. The study contributes to the ongoing discourse on harmonization and standardization within the halal industry, emphasizing the potential for enhanced consumer protection and international trade facilitation.

Keywords

Consumers, Global, Halal, Standards, Trade

I. Introduction

Halal is a vital aspect of the life of a Muslim. However, in this modern world, the issue of the halal status of a product is complex. This is because there is a long process in product production, and the halal status is unclear (Roswiem, 2015). A country will carry out export and import activities based on its comparative advantage. Countries with a higher comparative advantage will export these commodities and vice versa. If they have a low comparative advantage, they will carry out activities to import these commodities into a country. Then, the country will carry out product specialization according to its comparative advantage to gain greater profits through international trade (Yusdja, 2004). Imported products are increasingly circulating in Indonesia and have become essential to people's lives. It starts from food, drinks, medicines, cosmetics, and other goods. Many imported products are circulating, some of which concern the Indonesian people

because no halal label is attached. This deserves attention in connection with regulations in Indonesia which require that every product produced and circulated in Indonesia be certified and labeled as halal. In addition, in international trade and to improve the country's economy, Indonesia also exports its products abroad. The majority of the Muslim population should be a broad potential to contribute to the export of halal products.

Data from the State of Global Islamic Economy Report 2022 shows that the world's Muslim population reaches around 1.9 billion people. Total consumption reached US\$2.02 trillion, absorbed in the food, medicine, cosmetics, clothing, travel, and halal media or recreation sectors. The data also shows that the export value of Indonesian halal food products until April 2022 is still Rp. 119 trillion, while imports from OIC countries (Organization of Islamic Cooperation) reach Rp. 1,630 trillion, and imports from OKI countries amounting to Rp. 268 Trillion. Medicines products are no less significant. The import value of OKI countries reaches Rp. 390 trillion, while Indonesia's exports are valued at Rp. 1.3 Trillion. Halal cosmetics also play a role in Indonesia's export value reaching Rp. 7 trillion, and imports from OIC countries reach Rp. 123 Trillion (Dinar Standard, 2022).

The Minister of Cooperatives and SMEs, Teten Masduki, stated that when compared globally, exports of halal products in Indonesia are still minimal, around 3.8 percent of the total world product market (Rahayu, 2020). The Vice President, who also serves as the Daily Chair of the National Sharia Economic and Finance Committee (KNEKS), said in a national strategic webinar that Indonesia is the leading player in the world trade in halal products. However, the data for traded products are not connected with data on halal certification. So far, Indonesia has been more

preoccupied with the halal certification of imported products entering the country, besides paying attention to developing export markets for halal products. Even though most of Indonesia's non-oil and gas commodity export products are based on halal ingredients (Aliasar, 2021). The Director of KNEKS Sharia Ecosystem Infrastructure, Sutan Emir Hidayat, explained that the small export contribution was because many exported halal products had not been registered as halal products.

The Koran states that halal and haram are essential in Islam because they relate to the relationship between humans and God. The 1945 Constitution of the Republic of Indonesia mandates the state to guarantee the independence of each resident to embrace their religion and to worship according to their religion and beliefs, as well as provide protection and guarantees regarding the halalness of products consumed and used by the public. Not only Islam, the concept of commanding or prohibiting food is also shared by other religions, such as Orthodox Buddhism, which strictly avoids eating meat and fish to respect life. If animal meat is allowed to be eaten, the animal must be slaughtered by a non-Buddhist butcher (JR, 1997).

Some examples of cases related to the export and import of products in international trade include cases reported by Brazil relating to a policy of restricting poultry imports from Brazil, which contains Indonesian halal slaughter standards and labeling requirements that are not fulfilled by Brazil so that Indonesia does not accept imported chicken meat from Brazil, according to Brazil's complaint that the halal slaughter standard is just an excuse imposed by Indonesia to protect its local market (Khoiriyah, 2021). In 2016, through the Food and Drug Supervisory Agency (BPOM), Indonesia also took 4 (four)

Samyang noodle products that contained pork because importers did not provide BPOM with information regarding product composition when registering a distribution permit, so BPOM did not include information on the contents. Non-halal on the product packaging (Ravi & Kusniadji, 2018). This case shows that there is non-uniformity in halal standards which causes misinterpretation and even disputes between producers and consumers. Producers do not have specific information and must bear high production costs because producers who wish to export products must comply with different standards to obtain the special certificates required by each export recipient country.

Implementing international trade activities is problematic because it directly deals with a country's legal system. Differences in the legal system of each country cause the birth of rules or laws in international trade (Widjaja & Yani, 2020). Regarding halal products, each country has an institution authorized to oversee the halal business, including regulating halal standardization, which in its form will result in halal certification. Halal standardization will be helpful as a guide in providing certainty and consumer protection while for producers to increase interest and competitiveness in halal trade transactions. Currently, there is no halal standard that applies globally. State-owned institutions only issue halal standardization according to their respective policies. This difference later emerged as a trigger for problems in international trade, so it is necessary to study the urgency of compiling global halal standards to protect consumers from consuming imported products and accelerate the export of halal products abroad.

II. Method

The author uses normative legal research, namely legal research, by examining secondary data in library data and then analyzing legal issues through primary legal materials. These secondary legal materials are then called legal research. (Marzuki, 2014). This study analyzes halal standards that are not in harmony between one country and another, which can potentially cause trade disputes. In addition, it also discusses the analysis of SMIIIC's role as an institution for harmonizing halal standards to provide halal quality assurance and consumer protection efforts. The nature of the research used in this research is prescriptive and applied (prescriptive research). As an applied science, the object of the science of law is coherence between legal norms and legal principles, legal rules and legal norms, and coherence between behavior and legal norms. This research aims to find solutions to protect Muslim consumers and minimize the occurrence of international trade disputes by preparing global halal standards. The approaches used in this study are the statutory, comparative, and conceptual approaches.

The statutory approach is used to study consistency and suitability between law and guidelines, and other regulations. The comparative approach compares regulations in a country with regulations from one or more countries regarding the same issue (Lukito, 2019). In this study, the authors compared the regulations on halal standards owned by institutions in each country to find the differences and similarities between these regulations. By comparing, an overview can be obtained regarding the consistency of halal standardization regulations between

institutions as a reference for uniforming global halal standardization policies. The conceptual approach emerges from the views and doctrines that have developed in the science of law so that they can provide understanding, concepts, or legal principles that apply to solving legal issues. In this study, the authors raised the principle of halal to become a policy in the form of global halal standardization in international trade.

The source of law used in this research is the source of primary legal material which is authoritative, consisting of statutory regulations, official records, or treatises in making statutory regulations and judge's decisions; the primary, secondary law materials are textbooks; and tertiary legal materials, namely legal materials to support primary and secondary legal materials.

The technique for collecting legal material in this study was to use library research by collecting secondary data relevant to the research. A literature study is a collection of legal material carried out through written legal materials by reviewing and studying books, laws and regulations, documents, and other research results related to the problem under study (Wasito, 1997). Technical analysis of legal materials related to using scientific reasoning on legal materials. The analysis technique used is a legal analysis which is deductive with the syllogism method, which formulates legal facts by making conclusions on the major and minor premises so that this legal material prioritizes logical thinking to find causes and effects that occur. According to Philipus M. Hadjon, the central premise is the rule of law, while the minor premise is a legal fact. At the same time, syllogism helps prove legal facts that fulfill the elements regulated in the Law (Sutopo, 2006)

III. Literature Review

Regarding halal products, each country has an institution authorized to oversee the halal business, including regulating halal standardization, which in its form will result in halal certification. Halal standardization will be helpful as a guide in providing certainty and consumer protection while for producers to increase interest and competitiveness in halal trade transactions. Currently, there is no halal standard that applies globally. State-owned institutions only issue halal standardization according to their respective policies. This difference later emerged as a trigger for problems in international trade, so it is necessary to study further regarding the urgency of compiling global halal standards as an effort to protect consumers in consuming imported products and to accelerate the acceleration of the increase in exports of halal products abroad (Penyusun, 2009). Halal standardization is implementing and developing halal technical standards based on the consensus of various parties, including companies, users, interest groups, and organizational and government standards that produce halal certification. However, halal standardization in the form of regulations in international trade is still experiencing gaps, such as a lack of recognition and standard uniformity by the global market. This is due to the limited consensus held by Muslim countries regarding entrusting effective institutions to oversee the regulation of halal products.

International law generally regulates relations between states, the subjects being states, international organizations, rebels, or individuals. A law implemented only within a state scope is a national law. The relationship between international law and

national law gives rise to 2 (two) streams that classify it, namely (Ariadni, 2008) dualism and monism. The dualism school was put forward by Triepel, who explained that national law and national law are two different laws, such as differences in legal subjects, sources, and underlying principles. Meanwhile, the flow of monism is international law, and national law is part of a single unit of legal science, so it is possible to have a hierarchy between these two systems. In this case, the theory of harmonization of law was developed because it wanted to unify the uniformity of national law with existing international law. Legal harmonization has a meaning that is almost the same as unification. Efforts that can be made to achieve harmonization of law are to carry out legal comparisons by legal experts from different legal systems backgrounds (Adolf, 2011).

Halal is a word that comes from the Arabic language, which is not bound or released, then something that is halal is released from the bonds of the dangers of the world and the hereafter. The word was tayyib means good, delicious, healthy, and reassuring. To determine whether a food is a type (nutritional value), it is necessary to know its composition. Food ingredients that are tayyib for Muslims must first meet halal requirements because ingredients considered good by science do not necessarily contain halal food (Yaqub, 2009).

OIC members established the Standards and Metrology Institute for Islamic Countries (SMIIC) to achieve uniformity in metrology, laboratory submissions, and standardization and provide education and training as technical assistance to OIC members in standardization, metrology, and accreditation. The originator of the idea of establishing standard uniformity between Islamic countries emerged at the first meeting of the Economic

and Commercial Cooperation Standing Committee (COMCEC) by the OIC in 1984. Then in 1985, the OIC established The Standardization Experts Group for Islamic Countries (SEG), which started the standardization body and then followed by an agreement in the SMIIC Statute at the 14th COMCEC meeting in 1998. The main tasks of the SMIIC include increasing standard uniformity to reduce the impact of losses in trade between OIC countries, preparing OIC / SMIIC standards by allowing OIC countries to maximize benefits from its economy, achieving uniformity in the aspects of laboratory test metrology and standardization among OIC countries, and initiating to provide technical assistance to OIC countries that do not have formal institutions and in the long term help them develop their institutions to reach the level I competition. SMIIC has 44 member countries, including Indonesia and three observer countries (The Standards and Metrology Institute for Islamic Countries, 2023).

IV. Halal Standard Comparison in Various Countries

The industrialization of halal products is a keyword that can improve Indonesia's position in the halal product trade and the global halal product industry. Through the National Sharia Economic and Finance Committee (KNEKS), the government has compiled 13 priority programs, including developing the halal industry and preparing a halal product industry master plan, including the formation of a task force to accelerate the implementation of halal certification for micro and small

businesses, as well as research and innovation on technology-based halal products.

In order to assist the government in making decisions about developing Indonesia's halal industry, Customs and Excise is currently compiling data codification of exports and imports of halal products. The codification of halal products synchronizes halal certification data with trade transaction and economic data. Customs creates code 952, which exporters can use in reporting halal products in the Goods Export Notification (PEB) module. In addition, the synchronization of export data for halal products can also be detected earlier through the exchange of data on recipients of halal certification from the Halal Product Guarantee Agency (BPJPH) to Customs and Excise. Data exchange is one of the embodiments of the cooperation agreement carried out by Customs and Excise with KNEKS, BPJPH, and the National Single Window Institution (LNSW) (Bea Cukai, 2022).

Indonesia's participation in the Standards and Metrology Institute for Islamic Countries (SMIIC) began on December 1, 2020. It is hoped that Indonesia can contribute to setting halal standards for the global community, one of which is halal standards. Chairman of the Halal Product Assurance Organizing Agency (BPJPH), Muhammad Aqil Irham, said Indonesia's work target at the SMIIC forum is to actively participate and participate in the preparation of halal standards that are used and become guidelines for OIC member countries so that Indonesian halal standards can be accepted internationally. In addition, BPJPH, together with the Indonesian Ambassador to Turkey, the National Standardization Agency (BSN), and the Ministry of Trade represented by the Director General of Consumer Protection and Commerce Order, also attended The 8th World Halal Summit at

the Istanbul Expo Center which discussed the issue of standardizing halal quality infrastructure. , new economic opportunities in the halal industry, halal financing, halal supply chain, halal food, halal medicines, halal quality assurance technology, halal packaging industry and sustainability of halal tourism (Indah, 2022).

Some of the halal standardization of several countries in the world include:

a. Indonesian halal standards

Indonesia has a majority Muslim population but does not use a state and legal system originating from the Al-Quran and Hadith. However, the demand for halal products has also increased due to the large Muslim population. Indonesia has three institutions responsible for implementing halal product guarantees, namely the Indonesian Ulema Council (MUI), tasked with issuing halal fatwas. The Halal Product Assurance Organizing Agency (BPJPH) under the Ministry of Religion of the Republic of Indonesia manages Halal and the Halal Inspection Agency. Universities, foundations, or Islamic associations initiate it. The enactment of Law Number 33 of 2014 on Halal Product Guarantee has resulted in a change in the halal management system in the institution (Koeswinarno, 2020). A Government Regulation then supports the law regarding the Implementation of Halal Product Assurance, which is divided into several stages related to the obligation of halal-certified products. In the first stage, halal obligations are applied to food and beverage products and the products and services of slaughter. The second stage is the obligation to obtain halal certification for therapeutic, cosmetic, and consumer goods, which includes traditional medicines, health

supplements, over-the-counter drugs, hard drugs, cosmetics, chemical products, genetically engineered products, goods for the clothing category, health supplies for use. Household, worship equipment, stationery, and office supplies.

b. Brunei Darussalam halal standards

Brunei Darussalam has set 5 priority sectors for state investment: the innovation technology and the creative industry, the halal industry, the business services, the tourism, and the oil and gas sector (KPMG, 2018). Brunei Halal is the name of the official halal certification issued by the Brunei Islamic Religious Council (MUIB). In carrying out its duties, MUIB adheres to the law in force in Brunei Darussalam, namely the 2005 Halal Certificate and Halal Label Rules. The standard in force in Brunei Darussalam, namely PBD 2: 2007, for halal food standards, is also guided by Islamic law. The findings from the PBD halal standard procedure 24: 2007 that Brunei Darussalam does not allow businesses to slaughter mechanically halal animals. Machine slaughter is a new invention in the modern era. There are two types of machine slaughter. The first is for the mechanical slaughter of large animals such as cows, goats, sheep, and others. The second is the mechanical slaughter of poultry such as chickens, ducks, and others.

c. United States halal standards

Kosher law states that consumers' right to obtain information and "authenticity on the label" complies with Kosher standards, thus attracting the Muslim community in New Jersey to apply for halal labeling to the government. This resulted in a New Jersey Halal Act called Administrative Code Title 13 Law and Public Safety Chapter 45a Subchapter 22

Halal Food stipulates that food businesses must include information regarding the preparation, management, and sale procedures of halal food. If you do not comply with these regulations by selling non-halal food but using a halal label, you will be subject to a penalty of US\$10,000 for the first lawsuit and US\$20,000 for the subsequent lawsuits.

Since then, eight states in the United States have adopted New Jersey to make policies regarding halal labeling. These countries include Michigan, Texas, Virginia, and Minnesota. Maryland, California, and Illinois. The standard halal policy is made with a legal system and definition that facilitates the Muslim community in each state. Halal certification bodies in the United States include the American Halal Foundation (AHF), Halal Food Council USA (HFC USA), Halal Transaction of Omaha, Islamic Services of America (ISA), and The Islamic Food and Nutrition of America (IFANCA). However, the largest halal certification body in the United States today is The Islamic Food and Nutrition of America (IFANCA), which has a five-starred system that offers a modern interpretation of halal policies. Regarding alcohol content, IFANCA sets standards that alcohol is allowed if not more than 0.5% alcohol in the raw material and less than 0.1% alcohol in the final product (Najiha, 2009).

d. Japanese halal standard

Japan, with a Muslim population minority, has developed its tourism sector towards Muslim-friendly tourism (Battour & Ismail, 2016). Japan has accepted Muslim tourists for 15 (fifteen) years and is known as the initiator of halal tourism in Muslim minority countries (Harahsheh, Haddad, &

Alshorman, 2020). In Japan, halal certification bodies are divided into 3, namely non-profits, religious companies, and other private bodies. Japan's halal food certificate agency was first established in 1986. The agency was founded by the Japan Muslim Association (Shūkyō Hōjin Nihon Musurimu Kyōkai). However, this agency is not only focused on halal certification for sales because this agency is a religious company that works to help the Japanese Muslim community. Now there are more than 10 Halal Certification Bodies in Japan, including The Japan Islamic Trust (JIT), Islamic Center Japan (IJC), Japan Muslim Association (JMA), Nippon Asia Halal Association (NAHA), Japan Halal Association (JHA), Malaysia Halal Corporation (MHC), Kyoto Halal Kyogikai, Halal Business Association, Asia Halal Association (AHA), and Halal Development Foundation Japan (HDFJ) (Adidaya, 2016). A total of 6 (six) organizations have collaborated with the Malaysian Halal Guarantee Organization (JAKIM). JAKIM has certified 67 halal guarantee organizations in 49 countries. The Japan Muslim Association (JMA) and Japan Halal Association (JHA) have been previously certified by JAKIM. 4 (four) other halal guarantee organizations (NAHA, MPJA, JHUA, JIT) have only been certified by JAKIM since February 2017.

Meanwhile, Malaysia Halal Industry Development Corporation, Islamic Center Japan, and Kyoto Halal Council have not been certified by JAKIM. 2 (two) halal guarantee institutions certified by the MUI (Indonesian Ulema Council) are the Japan Muslim Association and the Japan Muslim Professional Association. Japan Islamic Trust (JIT) is a religious body under the Ministry of Education, Culture,

Sport, Science, and Technology (MEXT). This institution is oriented towards the welfare of humanity, especially Muslims in Japan. JIT is also a halal certification body for food made in Japan which is exported almost all over the world (Sukoso, Wiryawan, Kusnadi, & Sucipto, 2020). One of the challenges faced by Japan is that the interpretation of Islam among these halal bodies is different. Several bodies consider that the awarding of certificates must be carried out with a moderate Islamic approach. These bodies consist of "Japanese Islamic" groups, namely Japanese Muslims, who make Islam a source of inspiration, norms, ethics, and culture but still follow Japanese culture and traditions. So they argue that the interpretation of Islamic teachings also needs to be adapted to Japanese traditions.

In addition, other bodies consider that the interpretation of Islamic values must be taken purely and heavily influenced by their background, i.e., those of Pakistani, Bangladeshi, or Arab origin. The final challenge in Japan is that each agency has different halal standards with different approaches and orientations towards halal. Some groups are oriented towards da'wah and believe pure Islamic teachings should be prioritized. Meanwhile, there are also other profit-oriented groups. Some groups have a strict/rigid approach. Some groups have a softer approach (Yakin, 2016).

Halal labeling includes the halal logo and information on halal food ingredients contained in the product. Indonesia and Brunei Darussalam have a single halal logo issued by a formal halal institution. Then the United States and Japan do not have formal institutions that regulate halal, so private institutions or

organizations issue halal certification. The halal logo matches the logo of the institution that issues halal certification.

V. The Urgency of Compiling Global Halal Standards for International Trade

The absence of an international system that guarantees halal integrity causes problems in the production process. For example, when a business actor wants to access the export market for the local Muslim community, among all parties implementing halal, some meet regularly at conferences and trade meetings to discuss events and problems caused by changes in definitions, various interpretations, audits, and multiple certifications. , conflicts of interest, and corruption that may occur. This causes increased pressure to implement the halal system, which is expected to align with normative procedures in the food industry. This difficulty is because there is no clarity regarding whom business actors must comply with. Because there is no central authority for halal, producers must face multiple problems or discussions at local authorities' meetings.

Harmonization in the international legal system means harmonizing the plurality of legal systems in the international legal system to form a legal system that can be approved and accepted by all countries in carrying out international trade transactions (Goesniadhie, 2006). Harmonization, when associated with standardization, is an effort or process to realize alignment and conformity of guidelines agreed upon to produce a harmonized standard system. Striking the right balance in creating halal standards while developing a globally accepted accreditation

system and enforcement by higher authorities will significantly contribute to developing the global halal food industry by creating greater consumer confidence and simplifying credible certification and auditing processes for companies. , improved accreditation standards and processes would benefit the broader Islamic economy. The extraordinary benefits of harmonization of halal standards, namely:

1. There is harmonization as legal certainty;
2. There is no regulatory overlap;
3. Increase consumer confidence;
4. Ensuring the integration of food supply;
5. Reduce production time and costs;
6. Creating a conducive atmosphere.

In line with preparing universal halal standards, OIC created a Standing Committee for Economic and Commercial Cooperation (COMCEC) and established The Standardization Experts Group for Islamic Countries (SEG). Apart from SEG and COMCEC, there are international institutions for standardization that regulate halal matters, the first of which is The International Organization for Standardization (ISO) which initially became the first choice in submitting proposals for uniformity that countries in the world could implement. However, it is known that ISO would not make a standard based on religious requirements when the proposal of the Technical Committee on Halal submitted to the ISO forum was rejected by the forum participants based on the voting results on January 21, 2016.

The next institution that took part in issuing guidelines for the definition of halal was the Codex Alimentarius Commission (CAC), a body established in early November 1961 by the Food and Agriculture Organization (FAO) and joined the World

Health Organization (WHO) in 1962 under the supervision of the United Nations (UN).). The Codex Alimentarius, according to Susan Featherstone, is a collection of guidelines, standards, codes of practice, and other recommendations relating to food, food production, and food safety created and updated by the CAC. The Codex Alimentarius is recognized by the World Trade Organization (WTO) as an international reference for the resolution of disputes related to food safety and consumer protection (Featherstone, 2015). The Codex Alimentarius covers all foods (raw, semi-processed, and post-processed). These documents include general standards that protect related to food labeling, food hygiene, additives, and pesticide residues. CAC issued General Guidelines for using the Term "Halal" at the 22nd meeting session in 1997 (CAC/GL 24-1997). Although the Codex Guidelines have made efforts to support halal food businesses, they are not entirely successful because the document only introduces the use of halal to regulate or protect it. For example, the term Halal in Europe is only used to be registered as a trademark (Alharbi, 2015). In his thesis research, Yousif states that several certification bodies have been accredited internationally, such as Halal Correct, Halal Quality Control (HQC), Halal Feed and Food Inspection Authority (HFFIA), and Halal Audit Company (HAC) agencies, which compactly state that the Codex Guidelines commit is not enough to invite halal institutions in other countries to support and use the document as a guide in producing halal food that is ready to be marketed worldwide another reason why the Codex Guidelines only provide general principles and food law requirements for members. Each member is responsible for establishing laws or penalties for violations of the General Guidelines. For this reason, it is difficult to prosecute any

violations of Halal fraud cases in court law because there is no clause regarding legal certainty regarding halal in the general guidelines (Akbar & Abdullah, 2017).

Besides Codex, there are other halal non-profit organizations such as the International Halal Integrity (IHI) Alliance which has strong ties with Malaysia, formed in 2007 with the aim of the integrity of the halal market concept in global trade". One of the differences between this NGO and SMIIC is that the IHI Alliance does not require the enforcement of a single global halal standard. Instead, the agency recognizes various halal standards and collective goals from accreditation bodies. Instead, in 1999 the World Halal Food Council (WHFC) was formed to coordinate the global halal agency and certification. Many of the institutions that joined agreed to trigger a "liberal view of halal standards," followed by the permissibility of mechanical slaughter and stunning before slaughter (Armanios & Ergene, 2018). It is just that the WHFC does not yet have an institutional structure formed, so it will still take longer.

Due to the shortcomings of the traditional halal institutions mentioned above, SMIIC appears as a standard institution that can accommodate deficiencies to perfect the implementation of international halal standards. Regarding standardization, SMIIC has seven technical committees: halal food issues, halal cosmetics issues, service site issues, renewable energy, tourism and related services, agricultural processes, and transportation. SMIIC has designed its committee structure to be compatible with ISO and CEN and has sought to work closely with these and other organizations. Its sectoral focus is narrower than that of a general international standardization organization such as ISO but broader than that of specialist organizations such

as the IEC (COMCEC Coordination Office, 2016). SMIIC fills the standardization gap because any other general international standards organization does not handle halal matters.

SMIIC is the only global halal standardization institution that unites various Islamic countries to have halal standards for representatives of each OIC member Islamic country. Because SMIIC, as a representation of Islamic countries, makes the recognition that will be obtained more guaranteed because Islamic law (halal) is better understood by the Muslim community, such as SMIIC, making halal standards more acceptable to the international Muslim community and gains the trust of consumers. The WTO agreements dealing with product standards consist of the Agreement on Technical Barriers to Trade (TBT Agreement) and the Agreement on Sanitary and Phyto-Sanitary Measures (SPS Agreement). The first is of general application, while the second applies to the protection of animal and plant life and health and thus mainly concerns the agricultural sector and food products (which is also covered in some cases by the TBT Agreement).

SMIIC and the Technical Barriers to Trade (TBT) Committee aim to eliminate technical barriers to trade through cooperation in standardization, conformity assessment, metrology, and accreditation. This can be seen in the TBT Preamble, which recognizes the vital contribution that international standards and conformity assessment systems can make in this case by increasing production efficiency and facilitating the implementation of international trade (TBT Agreement). The SMIIC Preamble, namely the establishment of SMIIC, will be the most appropriate action. to reduce trade barriers in standards and systems of harmonization of halal in

international trade (SMIIC Statute). The two regulations have a harmonious correlation between SMIIC, which wants to reduce trade barriers, and the TBT Agreement, which does not want restrictions on international trade because unnecessary restrictions (unnecessary) can be overcome with the harmonization system of halal in international trade.

SMIIC has complied with the TBT Agreement regulations when accepting and complying with the Code of Good Practices for preparing, adopting, and applying standards, namely, Attachment 3 of the TBT Agreement. The Code of Good Practice is contained in Article 4 of the TBT Agreement, which is explained in Annex 3, and adjusts Articles 2.4, 2.5, 2.6, then refers to the Code of Good Practice of this international halal standard, including voluntary (not mandatory). SMIIC members have hygiene and health requirements that are more considerate to ensure the quality of halal products. The guidelines state that the slaughtering site must be clean and shown in documents. Washing Carcass (cut beef) must use water under pressure, a bath with hot water, and an antiseptic liquid to eradicate germs and sterilize the slaughtering tools. Any dirty animal must be cleaned and allowed to be slaughtered after drying, and the meat must be cooled and stored under no-heat conditions of 4 degrees Celsius. This recommendation complies with international food safety and hygiene standards, namely the CAC Codex, and SMIIC 1 requires that halal food must be prepared, managed, packaged, distributed, and stored correctly by the Hygiene and Sanitation contained in the Recommended International Code of Practice General Principles of Food Hygiene (Codex CAC/RCP) which this Codex has compliance with. with the SPS policy regarding the conformity of inspection and certification procedures in all

countries (SPS Agreement, Annex A:1). This increases the impression that SMIIC 1 is directly connected and globally known as the best international halal standard practice expectation (Armanios & Ergene, 2018).

The difference between national halal standards and other countries is due to the lack of communication between countries and various interpretations of Islamic jurists about halal products, which are the alleged causes that create obstacles to the formulation of global halal standards globally (Waarden & Dalen, 2011). SMIIC carries out legal harmonization inspired by Roman Law, which aims to introduce identical rules throughout the Roman Empire. SMIIC wants to introduce and invite OIC and non-OIC member countries to adopt SMIIC's harmonization of international halal standards.

SMIIC takes a harmonization approach with The Party Anatomy Approach, a bottom-up initiative carried out by OIC country parties for international agreements on the absence of harmonized international halal standard rules (Fogt, 2012). SMIIC uses guided procedures as illustrated by the UNCITRAL Legal Guide on Drawing Up International Contracts for the Construction of Industrial Works. This guide is not a set of rules or principles but rather a systematic treatment of the issues to be tackled in large-scale Halal trade, with specific advice on how to use them (Fogt, 2012). The principles also guide national standards bodies in enforcing SMIIC rules. Harmonization SMIIC develops the concept of Mutual Recognition, which will require compliance with the halal standards of each member country. Harmonization efforts by standards agencies that have collaborated with SMIIC may benefit from more careful and precise definitions and delineations that require harmonization

and technical procedures left to national jurisdictions for adopting the principle of mutual recognition.

Among OIC member countries, there are five schools of thought (mazhab), namely Hanafi, Shafi'i, Hambali, Maliki, and Shia, regarding halal meat, which require some differences regarding slaughter methods and specifications for halal animals. According to Sharia law, slaughter in the proper way as prescribed by Islamic law is obligatory to make the meat of certain animals "halal" (Batu & Regenstein, 2014). Primary among the requirements is invoking the name of Allah at the time of slaughter. According to the Hanafi, Hambali, Maliki, and Shia schools of thought, this is a mandatory condition for meat to classify it as halal. However, for the Shafi'i school of thought, meat should not be halal. Differences of opinion regarding fish and locusts, this meat can be eaten by Muslims without proper slaughtering, but the views of the Hanafis and Shiites diverge. Hanafi believes only fish can be treated as halal among all aquatic animals regardless of their scales. So, according to them, not all aquatic animal meat is halal. In contrast, the Shia view is that fish and locusts are halal animals; thus, their status is unaffected by how they are slaughtered. Three other schools of thought (Shafi'i, Maliki, and Hambali) state that all aquatic animals are halal, and their meat is edible (Armanios & Ergene, 2018).

The Halal slaughter approach focuses on the four anatomical parts of the animal's neck: the trachea (or throat), the esophagus (or alimentary canal), and the two jugular veins. All schools prefer cutting the four anatomical structures as the best cutting method. The Hanafi, Shafi, Hambali, and Malik schools all hold that any sharp object capable of cutting the animal's veins, such as iron, wood, glass, or bone, can be used for slaughter.

However, Shia required that the knife be made of pure iron or iron mixed with steel. Moreover, according to the Malik School, cutting the animal's throat from the front side is obligatory to make the meat halal. So, suppose someone cuts the four veins of the animal from the nape of the neck (back side of the neck). In that case, the meat of this animal will become "haram," according to the Maliki school of thought, while other schools of thought have never considered this condition an obligation.

While it is almost impossible to suggest a typical school of thought or Islamic jurisprudence for all Muslims worldwide, this research argues that a single Sharia standard for halal meat – accepted globally by all Muslims – will enhance trade in this vital commodity. Therefore, SMIIC must ensure that these five shovels can be accommodated in international halal standards to allow diversity and accept differences narrowed down to several halal standards. Knowing that the OIC is an international organization of 57 countries, the standard documents cannot favor only one country's interpretation of Islamic law. However, they can represent all schools of thought and interpretations of Islamic law from each OIC member country.

Therefore it is necessary to change the SMIIC halal standard document, the general guideline for halal standards issued, because it complies with WTO policies and jurisprudence. It was mentioned in the previous section that the harmonization of SMIIC's halal standards was prepared about international standard institutions such as ISO and Codex, which are by Article 2.4 TBT Agreement regarding adjustment to international standards. Then the standard halal documents issued by SMIIC are voluntary but still binding on member countries by the TBT

Agreement policy. Even so, SMIIC continues to ensure standard halal requirements are consistent with WTO obligations.

VI. Conclusion

This study concluded that the imperative need for The Standards and Metrology Institute for The Islamic Countries (SMIIC) to spearhead the harmonization of global halal standards is unequivocally established. This legal necessity ensures the avoidance of overlapping standards, fostering heightened consumer confidence, guaranteeing the integrity of food supply chains, streamlining production processes, reducing costs, and cultivating a conducive international trade environment. Positioned as a singular international halal standards institution, SMIIC is poised to address deficiencies inherent in prior standardization efforts and enhance the implementation of harmonized halal standards.

SMIIC's affiliation with the Organization of Islamic Cooperation (OIC) bolsters its authority, particularly within the OIC Muslim community, and aligns with World Trade Organization (WTO) regulations, specifically the Technical Barriers to Trade (TBT) Agreement. This study advocates for OIC member countries to adopt SMIIC's halal policies, join SMIIC, and strengthen its legitimacy as an international halal standards institution. Furthermore, the proposal envisions SMIIC as a central hub for harmonizing international halal standards, encouraging coordination and compromise among predominantly OIC countries to incorporate diverse schools of thought. This approach aims to attract widespread adoption of SMIIC's halal

provisions by both OIC and non-OIC nations, thereby solidifying SMIIC's standing as a universally recognized and legitimate authority in the international arena.

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