
THE ROLE OF INTERNATIONAL LAW IN PROMOTING GLOBAL ISLAMIC ECONOMIC BALANCE: CHALLENGES AND OPPORTUNITIES IN OIC COUNTRIES

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Abstract

This research investigates the preparation for implementing mandatory halal regulations for food and beverage products in Indonesia and explores the role of international law in supporting the balance of the Islamic global economy within OIC member countries. Using a normative legal research method with a statutory approach, the study examines key regulations, including the 1945 Constitution, Law No. 33/2014, Government Regulation No. 31/2019, and Law No. 39/2021. Data were collected through literature review and analyzed using qualitative descriptive methods. The findings indicate that mandatory halal certification for food and beverage products in Indonesia is primarily regulated by Law No. 33/2014 and its derivatives. The implementation of this regulation aims to ensure public confidence and comfort in consuming halal products. The study also highlights that international legal frameworks, when applied effectively, can promote Islamic economic growth among OIC member states. Malaysia and Turkey are examples of countries that have successfully implemented international legal standards, resulting in improved banking stability and increased foreign investment. This research concludes that the Indonesian government has an obligation to guarantee halal products and to foster public awareness of the importance of halal certification, especially with the first phase of the halal obligation commencing on October 17, 2024. While challenges remain in harmonizing domestic policies with international standards, international law offers significant opportunities for sustainable and inclusive economic development among OIC countries.

Keywords: law, halal, international law, Islamic economy, OIC.

INTRODUCTION

International law plays a vital role in regulating economic relations among countries and serves as a key instrument for promoting balanced and sustainable global economic growth. The Organization of Islamic Cooperation (OIC) holds significant potential for economic development through international cooperation and the effective application of international

legal frameworks. However, the challenges faced by OIC countries, such as institutional capacity, political instability, and cultural barriers, make the adaptation and implementation of international law both complex and diverse (O'Rourke, 2019).

While extensive research has examined the role of international law in global economic governance, studies focusing specifically on OIC countries remain limited. Most existing research emphasizes developed or general developing nations, often overlooking the unique socio-political and cultural contexts of OIC members (Ebaidalla, 2016). Addressing this gap, this study explores how international law can be utilized to enhance global economic stability within OIC countries by identifying both challenges and opportunities (Shiddiq & Wau, 2023).

This research adopts institutional economic theory to examine the interplay between legal and financial institutions and their influence on economic growth, while international legal theory provides insights into the adaptation of legal norms and policies across diverse economic environments in OIC nations (Ibrahim & Shirazi, 2020). Previous studies highlight the positive impact of international trade agreements on market access and investor confidence (Heid & Márquez-Ramos, 2023; Hennebert et al., 2023), but few have analyzed these outcomes in the specific context of OIC members (Boys et al., 2022).

Given the strategic role of OIC countries—characterized by large populations and abundant resources understanding how international law can strengthen their economic contributions is essential. This study aims to fill the research gap by providing comprehensive insights and practical recommendations for policymakers, fostering a more inclusive and sustainable global economic order (Khan et al., 2023).

METHOD

This study employs a normative legal research approach by combining statutory and conceptual perspectives to analyze existing legal frameworks, principles, and their applications within the context of OIC countries. Primary legal materials consist of the constitutions and relevant national laws of OIC member states, international treaties and agreements on economic cooperation and Islamic law, as well as judicial decisions and opinions from international courts or arbitration bodies that influence OIC countries. Secondary legal materials include scholarly articles, books, journals, and reports from international organizations such as the Islamic Development Bank (IsDB) and the World Trade Organization (WTO), complemented by case studies on the implementation of international law in countries like Malaysia and Turkey.

The data are analyzed using a qualitative descriptive method, focusing on statutory analysis to interpret legal provisions, comparative analysis to evaluate differences and similarities among OIC countries' legal frameworks, and case law analysis to examine judicial interpretations relevant to Islamic economic cooperation. To enrich the analysis, this study integrates Institutional Economic Theory which explains how legal and financial institutions affect economic development and International Legal Theory which examines how international legal norms and treaties are adapted to diverse economic contexts.

RESULTS AND DISCUSSION

The Impact of International Law Policies on the Islamic Economy of OIC Countries

International legal policies have a significant impact on Islamic economic conditions in Organization of Islamic Cooperation (OIC) member countries. One of the main aspects affected by these policies is global trade. Trade regulations implemented by the World Trade Organization (WTO) and various free trade agreements (FTAs) can open market access for OIC countries, increase exports, and strengthen their economies. For example, the free trade agreement between Turkey and Malaysia has increased bilateral trade volume and strengthened the Sharia-based sector of the economy (Arfah et al., 2020).

International investment policy plays a vital role in the economies of OIC countries. Bilateral investment treaties (BITs) that protect and promote foreign investment can attract more investment to OIC countries. These foreign investments are often directed towards strategic sectors such as infrastructure, energy, and technology, all of which can support sustainable economic growth. For example, the United Arab Emirates has successfully attracted massive foreign investment into the renewable energy sector through investment policies that are friendly to international investors (Bakir, 2020).

International financial regulations also significantly impact the Islamic economy in OIC countries. Global standards set by institutions such as the World Bank, the International Monetary Fund (IMF), and the Bank for International Settlements (BIS) often require OIC countries to strengthen their banking and financial systems. This includes the application of Shariah principles in banking and finance, which can increase public confidence and participation in the formal financial system. For example, the implementation of Basel III standards in Saudi Arabia has improved the stability and resilience of the country's Islamic banking sector (Banjar et al., 2020).

The impact of international legal policies is not always positive. Some OIC countries face challenges in conforming their domestic policies to international standards. For example, some countries face difficulties in harmonizing Sharia law with global trade and investment regulations. This can create legal uncertainty and hamper economic growth. In addition, dependence on the export of certain commodities, such as oil and gas, makes some OIC countries vulnerable to international price fluctuations that can destabilize their economies (Kaloxylou et al., 2014).

In this context, it is crucial to develop policies that align with international standards and uphold Islamic values and principles (Ghofur & Ismanto, 2022). For example, policies that support halal trade can open up new market opportunities and improve the competitiveness of products from OIC countries in the global market. Additionally, promoting ethical and sustainable investments by Sharia principles can attract more investors seeking socially and environmentally responsible investments.

The results of this study suggest that international legal policies have the potential to promote Islamic economic growth in OIC countries if implemented appropriately. However, the challenge of harmonizing domestic policies with international standards should be addressed through an inclusive and collaborative approach that involves all public, private, and civil society stakeholders. By doing so, OIC countries can capitalize on existing opportunities and overcome challenges to achieve a sustainable and equitable economic balance.

Comparative Implementation of International Law in OIC Countries

The implementation of international law in OIC countries shows significant variations in policy implementation and its impact on Islamic economic equilibrium. These differences are due to various factors, including the level of economic development, institutional capacity, and each country's political and social context (Adinugraha et al., 2021).

Countries such as Malaysia and Turkey have effectively adopted and implemented international law. Malaysia, for example, has a strong legal framework that integrates sharia principles with global trade and investment regulations. The country is also active in various international and regional forums, such as ASEAN and WTO, to promote its economic interests. This effective implementation has helped Malaysia to increase its competitiveness in the global market and attract significant foreign investment.

On the other hand, some OIC countries face greater challenges in implementing international law. Countries such as Pakistan and Nigeria have weaker institutional capacity, which hinders the effective implementation of international policies. For example, the lack of

adequate legal infrastructure and political instability often prevents these countries from complying with international standards. Additionally, the legal duality between Sharia law and civil law contributes to the complexity of implementing international law (Young, 2023). Nonetheless, some OIC countries have made significant efforts to strengthen the implementation of international law. Saudi Arabia, for instance, has undertaken significant reforms in its legal and economic systems to enhance competitiveness and attract more foreign investment. These reforms include updating financial and banking regulations to align with international standards and promoting the tourism and entertainment sectors as part of economic diversification (Ismanto et al., 2021).

OIC countries also strive to enhance regional and international cooperation in support of the implementation of international law. For example, collaboration within the D-8 (Developing Eight) framework and the Standing Committee on Economic and Trade Cooperation (COMCEC) has helped OIC countries share experiences and best practices in implementing international law. Additionally, organizations such as the Islamic Development Bank (IsDB) offer financial and technical support to member states, enhancing their capacity to enforce international law (Daurenova et al., 2021).

The differences in the implementation of international law in OIC countries also reflect the diverse approaches taken by each country in conforming domestic policies to international standards. Some countries adopt a more flexible and adaptive approach, while others tend to be more rigid in applying international regulations. A flexible approach enables countries to tailor international policies to their local contexts, thereby minimizing potential conflicts and enhancing the effectiveness of implementation (Londono & Ortiz Signoret, 2017).

In this context, OIC countries need to develop implementation strategies that are tailored to their local conditions and needs. For example, countries with weaker institutional capacity can focus on capacity building and institutional reform to support the implementation of international law. Additionally, OIC countries can leverage support from global and regional organizations to enhance the effectiveness of their implementation.

The findings of this research show that the implementation of international law in OIC countries varies significantly, reflecting the diverse challenges and opportunities faced by each country. By adopting an adaptive and collaborative approach, OIC countries can overcome implementation challenges and capitalize on opportunities to foster a sustainable and inclusive Islamic economic equilibrium (Huang et al., 2021).

Case Study: Successes and Challenges of International Law Implementation

In analyzing the successes and challenges of implementing international law in OIC countries, it is essential to examine specific case studies that provide a realistic picture of the dynamics on the ground. Some OIC countries have successfully implemented international law, while others have faced complex challenges. The following case studies will provide insights into different aspects of such implementation.

1. Malaysia: A Model of Success in Integrating International Law and Islamic Economics

Malaysia is often regarded as a successful example of integrating international law with Islamic economics. The country has built a robust legal system that combines Sharia principles with international standards. For instance, in the banking and financial sector, Malaysia has implemented Basel III standards to enhance banking stability, while ensuring compliance with Sharia principles. Bank Negara Malaysia (BNM) plays a key role in supervising and regulating the sector, ensuring that the policies implemented meet international standards and conform to Islamic values (Danladi Yusuf, 2016).

Malaysia's success is also reflected in its ability to attract foreign investment. The country has signed various free trade agreements and bilateral investment treaties that enhance its competitiveness in the global market. Incoming foreign investments, particularly in the high-tech and manufacturing sectors, have significantly contributed to the country's economic growth. In addition, Malaysia is also actively involved in various international forums, such as the WTO and ASEAN, thereby strengthening its financial position in the global arena.

2. Turkey: Economic and Legal Reforms for Increased Global Competitiveness

Turkey is another example of an OIC country that has successfully applied international law to support its economic growth. Turkey has improved its investment climate through various financial and legal reforms, as well as strengthened its strategic sectors. One important step has been the harmonization of domestic regulations with international standards, particularly in the areas of trade and investment. Turkey has signed several free trade agreements with various countries and economic blocs, including the European Union and ASEAN countries, thereby increasing market access for Turkish products (Tekere et al., 2023). Turkey faces challenges in maintaining domestic political and economic stability. Political instability in recent years has affected the investment climate and created legal uncertainty. Nonetheless, the Turkish government continues to improve this situation through institutional reforms and more inclusive policies, seeking to create an environment conducive to sustainable economic growth (Balcilar et al., 2023).

3. Saudi Arabia: Economic Transformation and Implementation of International Law

Saudi Arabia has launched a significant economic transformation through Vision 2030, which aims to reduce dependence on oil and diversify the economy. One of the key elements of this vision is legal and regulatory reform aimed at attracting more foreign investment and enhancing global competitiveness. Implementing international standards in the financial and banking sectors has been a significant focus, with the Saudi Central Bank adopting various Basel III-compliant regulations and sharia principles (Al-Mwzaiji & Muhammad, 2023).

Saudi Arabia also faces challenges in terms of transparency and good governance. While many steps have been taken to improve the business climate, issues related to human rights and freedom of speech can still affect international perceptions of the country. Therefore, efforts to enhance good governance and strengthen the legal system remain a priority in implementing international law in Saudi Arabia (Jawadi & Ftiti, 2019).

4. Pakistan and Nigeria: Challenges of International Law Implementation

Pakistan and Nigeria are examples of OIC countries that face significant challenges in implementing international law. Both countries have limited institutional capacity, which hinders the effective implementation of international policies. Pakistan's political instability and security concerns are often major obstacles to implementing international regulations. Additionally, the legal duality between Sharia law and civil law contributes to the complexity of enforcing international law (Magee et al., 2019). On the other hand, Nigeria faces challenges in terms of corruption and inadequate legal infrastructure. While the government has signed numerous international agreements and sought to attract foreign investment, implementation on the ground is often hindered by a corrupt bureaucracy and a lack of regulatory clarity. Legal reform efforts and strengthening institutional capacity are crucial to improving the effectiveness of international law implementation in the country (Muzammil et al., 2021).

Strategies for Strengthening International Cooperation to Promote Islamic Economic Balance in OIC Countries

A strategy of strengthening international cooperation is essential to achieving a sustainable Islamic economic equilibrium in OIC countries. This cooperation can encompass a wide range of areas, including trade and investment, as well as technology development and innovation. Here are some strategies that OIC countries can take to strengthen international cooperation and promote a balanced Islamic economy (Khoros et al., 2019).

One key step is to increase trade cooperation among OIC countries. OIC countries have great potential to complement each other in terms of natural resources, labour, and technology. By strengthening trade cooperation, OIC countries can increase the volume of intra-OIC trade and reduce dependence on non-OIC markets. For example, the establishment of intra-OIC free trade zones can create new opportunities for halal products and enhance their competitiveness in the global market (Ismanto et al., 2022).

Promoting ethical and sustainable investments in accordance with Shariah principles can attract more investors seeking socially and environmentally responsible investments. OIC countries can develop investment policies that support infrastructure, renewable energy, and green technology projects that comply with Islamic values. Additionally, establishing robust Islamic financial institutions can provide the necessary financial support for such projects (Aman, 2020).

Technology development and innovation are essential factors in promoting a balanced Islamic economy. OIC countries can cooperate in research and development (R&D) to create innovative and locally appropriate technological solutions. For example, the development of environmentally friendly agricultural technology can increase the agricultural sector's productivity and reduce dependence on food imports. Additionally, cooperation in information and communication technology (ICT) can enhance access to quality education and healthcare services (Ibikunle et al., 2021).

Strengthening institutional capacity and good governance are essential to ensure the effective implementation of international law. OIC countries can share experiences and best practices in the area of institutional reform and governance. In addition, support from international organizations such as the Islamic Development Bank (IsDB) and the Standing Committee on Economic and Trade Cooperation (COMCEC) can help OIC countries build their capacity to implement international policies effectively (Bekri & Kim, 2015).

Education and training are crucial to enhancing human resource capacity to address global challenges. OIC countries can strengthen cooperation in education through student exchanges, scholarship programs, and professional training initiatives. Additionally, curriculum development that integrates Islamic principles with modern knowledge can equip the younger generation with the skills necessary to participate in the global economy (Muda et al., 2016).

The results of this study found that strengthening international cooperation can significantly boost OIC countries' efforts to achieve a sustainable and inclusive Islamic economic equilibrium. By adopting a collaborative and adaptive approach, OIC countries can overcome

existing challenges and capitalize on opportunities to create a more prosperous future for all their people.

CONCLUSION

This research concludes that international law, when effectively implemented and adapted to local contexts, can significantly enhance economic growth in OIC countries. The experiences of Malaysia and Turkey illustrate how integrating Sharia principles with international standards and undertaking legal reforms can improve financial stability, boost competitiveness, and attract foreign investment. However, countries such as Pakistan and Nigeria highlight persistent challenges, including limited institutional capacity, political instability, and inadequate legal infrastructure.

To address these challenges, OIC countries must strengthen intra-OIC trade cooperation, foster ethical and sustainable investments, and develop Sharia-compliant technology and innovation. Building institutional capacity, ensuring good governance, and promoting education and training are crucial strategies for achieving these goals.

While harmonizing domestic policies with international standards remains complex, international law offers significant opportunities to achieve sustainable and inclusive economic growth. Support from organizations such as the Islamic Development Bank (IsDB) and COMCEC is vital for enhancing the capacity of OIC countries to implement international legal frameworks. This research contributes to understanding the intersection of international law and Islamic economic systems, providing practical policy recommendations. Future studies could further examine the comparative effectiveness of international legal instruments across diverse OIC member states to refine strategic frameworks.

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