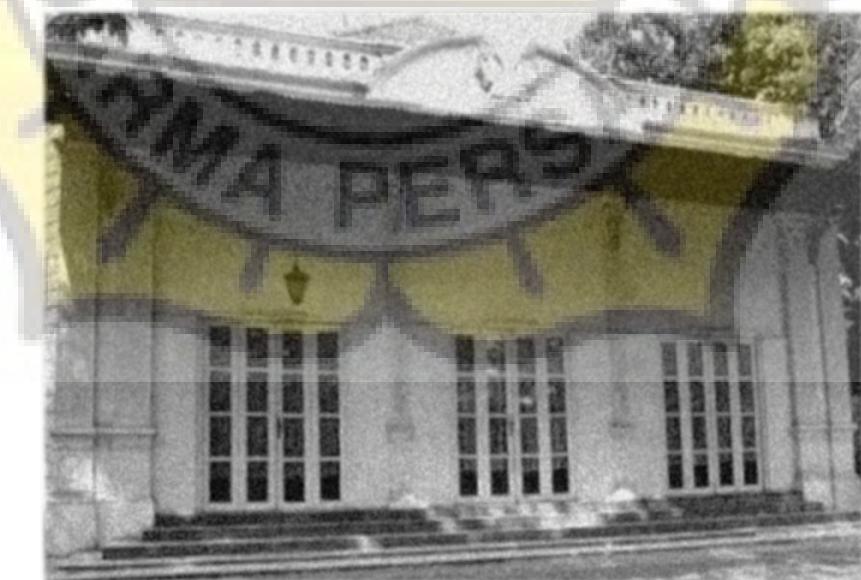


## **CHAPTER II**

### **GENERAL DESCRIPTION OF AGENCY**

#### **2.1 Brief Summary of Ministry of Foreign Affairs**

Ministry of Foreign Affairs of the Republic of Indonesia (MoFA), commonly referred as the “Foreign Affairs Ministry” is a government ministry responsible for various country's foreign politics. This ministry was formerly known as Department of Foreign Affairs, and then the name changed due to a new law about State Ministry of 2008 (UU 39/2008). Ministry of Foreign Affairs was founded in 1945 following the Proclamation of Indonesia's Independence from the Netherlands. The first headquarters was initially located in the garage of the country's first Foreign Minister, Achmad Soebardjo, at Jl. Cikini 80-82 in Jakarta. The Ministry started with just six employees, including Hadi Thayeb.



Picture 2.1 Appearance of the 1st Headquarters of MoFA

Since October 2014, Retno Marsudi has served as Foreign Minister, succeeding Marty Natalegawa. Ministry of Foreign Affairs is one of the ministries along with Ministry of Defense and Ministry Home Affairs that is mentioned in the Constitution of Indonesia, so the president has no authority to dissolve these ministries, compared to other ministries that are not mentioned in the Constitution of Indonesia.

In case if both of the president and the vice president can no longer serve at the same time, the line of succession automatically falls to minister of foreign affairs, minister of home affairs and minister of defence concurrently until the succeeding President and Vice President are elected by the People's Consultative Assembly within thirty days.

Furthermore, General policy of the Government of Indonesia on international organizations is founded on the Regulation of the President No. 7 of 2005 on Medium Term Development Plan (MTDP) Year 2004-2009, Chapter 8 on Consolidation of Foreign Policy and Enhancement of International Cooperation. Through the MTDP, Government is trying to enhance the roles of Indonesia in international relations and in establishing peace as well as encouraging better international and regional economic governance and cooperation in order to support national development.

Priorities of Indonesian foreign policy for the next 5 years are implemented through 3 main programs, namely consolidation of Indonesian foreign policy and optimization of Indonesian diplomacy program, international cooperation enhancement program with a purpose of optimally realizing various potentials available in international cooperation forums, and affirmation of commitment to world peace program.

Presidential Decree No. 64 of 1999 stipulated that the objective of Indonesia's membership in international organization is to attain maximum benefits for the sake of national interest with compliance to prevailing laws and regulations and regards to efficiency of state budget allocation and financial capacity.

Indonesia's membership in international organizations is expected to provide the following benefits:

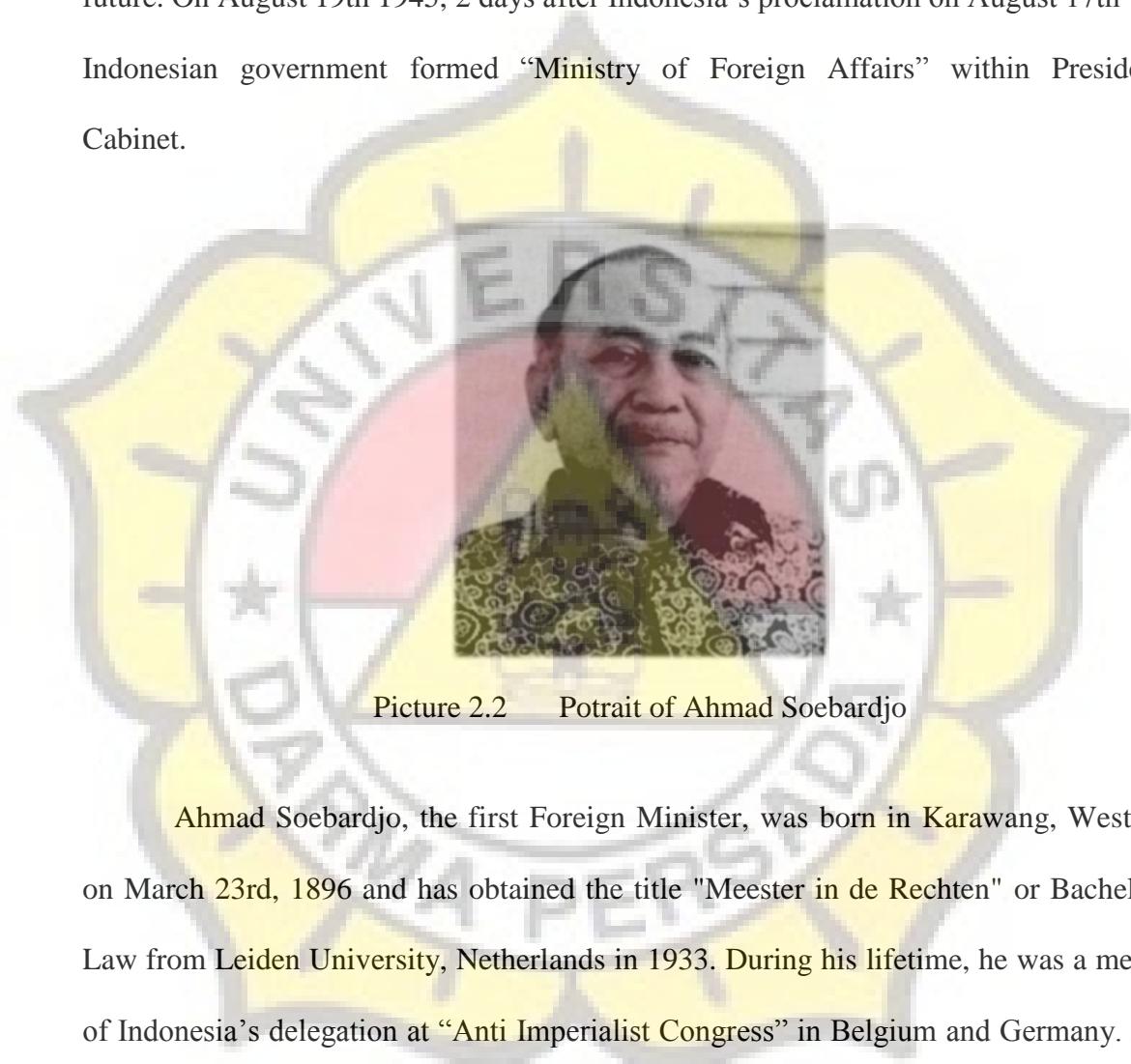
1. Political aspect: endorsing democratization, promoting unity, cultivating social cohesion, fostering understanding and tolerance toward differences, encouraging good governance, as well as promoting respect, protection and advancement of Human Rights in Indonesia;
2. Economic and financial aspect: promoting sustainable economic growth and stability, improving competitiveness, enhancing science and technology capability, increasing national capacity in the effort of achieving national development, stimulating rise in national productivity and providing technical assistance, grant and other unbinding aids;
3. Socio-cultural aspect: cultivating mutual understanding among nations, improving health and education, preserving local and national cultures, encouraging protection efforts of the rights of migrant workers as well as establishing national, regional and international stability;
4. Humanitarian aspect: developing an early warning system in disasters-prone areas, enhancing capacity building in disaster management, supporting reconstruction and rehabilitation process in disaster areas, projecting Indonesia's positive image in front of the international community, and preserving environment as well as involving various parties in the efforts of environment preservation.

Indonesia's nomination for membership in International Organization is regulated by the Decision of Minister of Foreign Affairs of the Republic of Indonesia No.SK.1042/PO/VIII/99/28/01 concerning the Procedure of Re-nomination of Indonesia's Membership in and Contribution Disbursement by the Government of Indonesia to International Organizations. Decision stipulates that in the event of agency's intending to nominate Indonesia for a membership in certain international organization, the said agency must submit written proposal to the Minister of Foreign Affairs, explaining the basis for respective nomination and the duties arisen from the said membership. The nomination then will be discussed by the Working Group of Reviewers of Indonesia's Membership in and Contribution of the Government of Indonesia to International Organizations. Discussion will heed the following:

1. Benefits attained from membership in respective international organization;
2. Amount of contribution should be paid based on the mutually agreed terms and calculation formula of respective organization;
3. Similar scope and type of activity of Indonesia's membership in international organization;
4. State financial capacity and non-governmental institution financial capacity.

## 2.2 History of Ministry of Foreign Affairs

Starting from 1945 to 1950, was the first 5 years of Indonesia's independency and the most decisive period within the struggle and enforcement of independence. It was also the part of history that determined the characters of Indonesia's foreign policy in the future. On August 19th 1945, 2 days after Indonesia's proclamation on August 17th 1945, Indonesian government formed "Ministry of Foreign Affairs" within Presidential Cabinet.



Picture 2.2 Potrait of Ahmad Soebardjo

Ahmad Soebardjo, the first Foreign Minister, was born in Karawang, West Java on March 23rd, 1896 and has obtained the title "Meester in de Rechten" or Bachelor of Law from Leiden University, Netherlands in 1933. During his lifetime, he was a member of Indonesia's delegation at "Anti Imperialist Congress" in Belgium and Germany. After he returned to Indonesia, he actively played a role as a member of Investigating Committee for Preparatory Work for Indonesian Independence (BPUPKI) and Preparatory Committee for Indonesian Independence (PPKI). After Indonesia's independence on August 17th 1945, he was appointed as the Minister of Foreign Affairs on Presidential Cabinet for a period of August 19th 1945 to November 14th 1945.

### **2.3 Ministry of Foreign Affairs of Indonesia's Scope of Authorities**

On performing its roles, the Ministry has the authority within:

1. The adoption of policies relating to its scope of work to support the macro
2. The development of national plan at the macro level relating to its scope of work;
3. The imposition of requirements for accreditation of education institutions and certification of professionals/experts and requirements for certain designations relating to its scope of work;
4. The arrangement in the performance of international agreements or understandings which are ratified on behalf of Indonesia;
5. The adoption of policy on national information system relating to its scope of work;
6. Other authorities in accordance with the provisions of the applicable laws and regulations, namely:
  - (a) in the arrangement and establishment of social, political, and economic relations as well as foreign information, and
  - (b) in the arrangement and performance of the protocol and consular services.

### **2.4 Ministry of Foreign Affairs of Indonesia's Developments**

In 1945-1950, the 1st five year period of Indonesia's independence was a period which decided the struggle to maintain the independence which was a part of the history to decide the character or the nature of Indonesia's foreign policy. Spirit of Struggle Diplomacy has made Indonesia attain support from international community of the United Nations in the year 1950.

MoFA's main duty through the aid of diplomacy is to make every effort to gain sympathy and support from international community, building solidarity from partners of various fields through any effort to gain support and acknowledgement upon Indonesia's independence, conducting conferences and making agreements on:

1. 1947 Linggarjati Agreement – acknowledgement upon the Republic of Indonesia, which covered Java and Madura
2. 1948 Renville Agreement – acknowledgement upon the Republic of Indonesia, which covered Java and Sumatera
3. 1949 Round Table Conference – Indonesia was in the form of Federal State
4. 1950 Indonesia's diplomacy has restored the unity of all the regions in the republic of Indonesia by revoking the Round Table Conference.

In 1966-1998, the prominent duties of the MoFA are:

1. The acknowledgement of West Irian
2. The acknowledgement of Indonesia as an archipelagic country as the result of the struggle of the law of the sea – UNCLOS (United Nation Convention on Law of the Sea)
3. The development of ASEAN Cooperation
4. Making the effort of gaining international acknowledgement on East Timor
5. Being the Chairman to Non-Aligned Movement to struggle for the sake of developing countries
6. Being the Chairman to APEC and G-15
7. Improving the cooperation of development

Finally, in 1998-present, the main duty of the MoFA is directed to:

1. Prevent nation disintegration potential
2. Attempt to help economic recovery
3. Attempt to improve the image of indonesia
4. Improve the quality of serving and protecting the citizens of indonesia

## **2.5 Ministry of Foreign Affairs of Indonesia's Duties**

Law number 37 of 1999 regarding Foreign Relations sets forth the following:

1. Foreign Relation is any activity in relation to regional and international aspects performed by the central and local governments, or Indonesian institutions, state institutions, legal entities, political organizations, civil society organizations, NGOs, or Indonesian people;
2. Foreign Policy is any policy, position, and measure of the Government of the Republic of Indonesia which is adopted while engaging with other countries, international organizations, and other international legal persons in its effort to address international issues in order to achieve the national objectives;
3. International agreement is any agreement in any form or name whatsoever, which is governed by international laws and made in writing and entered into by the Government of the Republic of Indonesia and one or more countries, international organizations, or other international legal persons which create the rights and obligations of the Government of the Republic of Indonesia pursuant to the public international law.

It also stipulates that the Minister of Foreign Affairs is a minister in charge of foreign relations and foreign policy. Ministry of Foreign Affairs's scope of duties are as follows:

1. Administration of foreign relations and implementation of foreign policy, including the facility and mechanism in the implementation, coordination between the central level and its representatives at the local level, authority and delegation of authority in the administration of foreign relations and implementation of foreign policy.
2. The principal provisions on the drafting and ratification of international agreements with more specific arrangements, including the criteria of international agreements the ratification of which requires the approval from the House of Representatives, later enacted in a separate law.
3. Protection of Indonesian citizens, including the provision of legal assistance and legal advice as well as consular services.
4. Foreign relation apparatus/officials.

In abovementioned is also expressly stipulated in Article 31 of Indonesian Presidential Regulation Number 9 of 2005 regarding the Position, Duties, Roles, Structure, and Work Procedure of the State Ministries of the Republic of Indonesia, and Article 7 of Law Number 39 of 2008 regarding State Ministries which further sets forth that the Ministry of Foreign Affairs has the duty to assist the President in administration of some governmental affairs in the field of foreign policy and foreign relations.

## **2.6 Ministry of Foreign Affairs of Indonesia's Roles**

As referred to in Articles 31 and 32 of the Presidential Regulation Number 9 of 2005 regarding the Position, Duties, Roles, Structure, and Work Procedure of the State Ministries of the Republic of Indonesia, and Article 7 of Law Number 39 of 2008 regarding State Ministries, the roles of the Ministry of Foreign Affairs are as follows:

1. To formulate national policies and implementing and technical policies in the field of foreign policy and foreign relations;
2. To manage the state property/ assets under its responsibility and supervise the performance of its duties;
3. To deliver a report on the evaluation result, recommendation and consideration relating to its duties and functions to the President.

## **2.7 Ministry of Foreign Affairs of Indonesia's Visions**

Statement from Ministry of Foreign Affairs's visions are as follows:

“To Advance the National Interest Through Total Diplomacy”

On the statement above illustrates a commitment to be fulfilled and realized by the Ministry, particularly through the performance of duties and roles (core competency) as an institution which establishes relations and implements foreign policy. Vision statement of the Ministry is in line with the national vision contained in the National Medium Term Development Plan (RPJMN) for 2010-2014 which implies the importance of establishing relations and implementing policy using total diplomacy as a strategy to bring the national vision "Indonesia that is Prosperous, Democratic and Just" into reality.

## **2.8 Ministry of Foreign Affairs of Indonesia's Missions**

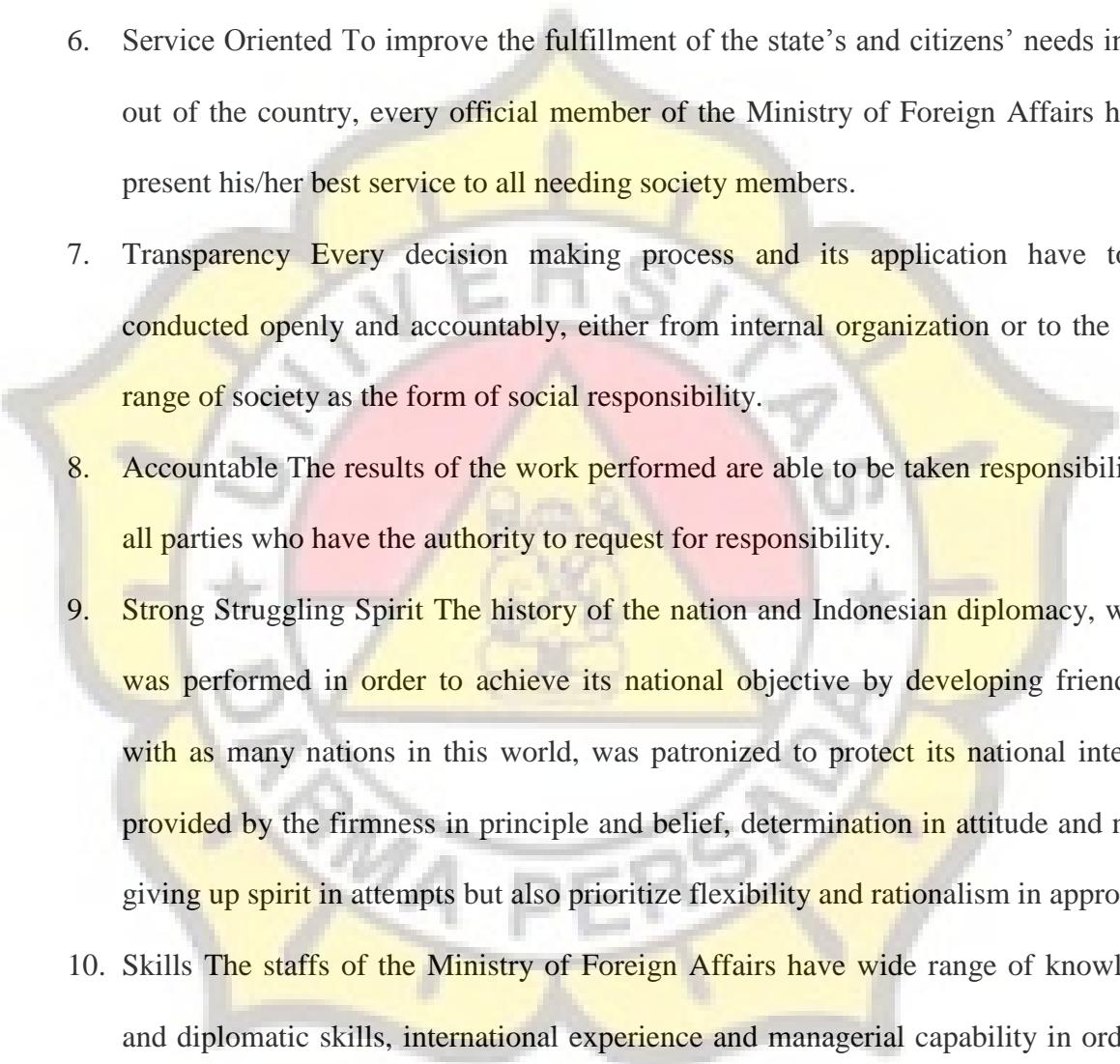
In order to achieve the abovementioned vision, the Ministry of Foreign Affairs has specified 9 (nine) missions to be accomplished by all Working Units during the period from 2010 to 2014 as follows:

1. To improve bilateral and regional relations and cooperation in various sectors to promote the national interest.
2. To take on a more significant role and leadership in ASEAN cooperation, participate in the process of integration of ASEAN Community 2015 which benefits Indonesia that is independent, advanced, united, democratic, safe, just, and prosperous.
3. To increase multilateral diplomacy to achieve Indonesia that is safer, more peaceful, independent, advanced, just, and prosperous.
4. To create a more positive image of Indonesia through Public Diplomacy.
5. To optimize diplomacy by confirmation of legal instruments and international agreements, in an effort to protect the national interest.
6. To provide better services which are prompt, courteous, simple, transparent and accountable in protocol, consular, diplomatic facility and protection of Indonesian citizens/Indonesian legal entities overseas.
7. To formulate foreign policy to achieve the national interest.
8. To improve internal supervision in order to create clean and organized apparatus in the Ministry.
9. To improve the management of the Ministry which is transparent, accountable and professional in order to support the success in the implementation of the foreign policy.

## **2.9 Ministry of Foreign Affairs of Republic of Indonesia's Values**

List of values from Ministry of Foreign Affairs of Republic of Indonesia, are as follows:

1. Professionalism The officials of the Ministry of Foreign Affairs are professionals who possess the ability to accomplish their duty pro-actively and innovatively based on their appropriate expertise and skills, including the skills of foreign languages and understanding local cultures. Besides that, it is also provided by the understanding of productivity, which is the capability to combine the utilizations of all the existing resources maximally, through efficiency to produce effective results.
2. Morality and Ethics Every official member of the Department of Foreign Affairs of the Republic of Indonesia has to esteem the moral and ethical values based on Pancasila (Five Principles of the Republic of Indonesia), the Constitution of 1945, and religions.
3. Partnership The application of politics and international relations of the Republic of Indonesia needs the cooperation and support from various expertises from various units in the Ministry of Foreign Affairs of the Republic of Indonesia, other institutions as well as Non-Government Organizations as equal partners. Therefore, the application of coordination principals, integration, and synchronization has to be prioritized. Opinion and point of views differences are positive matters which have to be stated openly and constructively in order to strengthen the formulation and application of politics and international relations.

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4. Discipline, Dedication, and Loyalty The staffs of the Ministry of Foreign Affairs perform their duty based on the prevailed regulations, provided by high discipline and dedication, as well as loyalty to the organization, superior and other partners.
  5. Integrity All the staffs need to be honest, prudent, wise, reliable, and have tough principles.
  6. Service Oriented To improve the fulfillment of the state's and citizens' needs in and out of the country, every official member of the Ministry of Foreign Affairs has to present his/her best service to all needing society members.
  7. Transparency Every decision making process and its application have to be conducted openly and accountably, either from internal organization or to the wide range of society as the form of social responsibility.
  8. Accountable The results of the work performed are able to be taken responsibility to all parties who have the authority to request for responsibility.
  9. Strong Struggling Spirit The history of the nation and Indonesian diplomacy, which was performed in order to achieve its national objective by developing friendship with as many nations in this world, was patronized to protect its national interests provided by the firmness in principle and belief, determination in attitude and never giving up spirit in attempts but also prioritize flexibility and rationalism in approach.
  10. Skills The staffs of the Ministry of Foreign Affairs have wide range of knowledge and diplomatic skills, international experience and managerial capability in order to play Indonesia's role in international relations.
  11. Benefit Principle All of the activities and their results are maximally counted for the interests or missions of the organization, which is maximally performed for the national interests.

## **2.10 P3K2 Aspasaf's Functions**

Center for Policy Analysis and Development for Asia-Pacific and Africa Region as referred to in Article 844 letter b, Regulation of the Minister of Foreign Affairs of the Republic of Indonesia No. 2 years 2 016 Regarding the Organization and Work Procedure of the Ministry of Foreign Affairs has the task of carrying out technical policy formulation, implementation, monitoring, evaluation and reporting of studies and developments in foreign fields for the Asia Pacific and Africa regions.

Center for Policy Analysis and Development for Asia-Pacific and Africa Region in carrying out the tasks referred to Article 864 where they carries out functions:

- a. Preparing the preparation of technical policies for the study and development in foreign fields for the Asia Pacific and Africa regions;
- b. Study and development in foreign fields for the Asia Pacific and Africa regions;
- c. Monitoring, evaluating, reviewing and reporting on the development of implementation in foreign fields for the Asia Pacific and Africa regions; and
- d. Implementation of Central administrative affairs.

Center for Policy Analysis and Development for Asia-Pacific and Africa Region consists of:

- a. East Asia and Pacific Fields;
- b. South and Central Asia Fields;
- c. Africa and Middle East Fields;
- d. ASEAN Cooperation Sector, Intra-Regional Cooperation and Inter-Cooperation Cooperation;
- e. Administrative Subdivision; and
- f. Functional Group.