

Analysis of the Indonesian Consulate General Role in Hong Kong and the Implementation of Consular Functions

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Abstract

In 1951, Indonesia established the office of the Consultant General of the Republic of Indonesia in Hong Kong to braid economic cooperation in the region. As one of the world's trade centers, Hong Kong is an important trading partner for Indonesia. On the other side, as a part of China, Hong Kong does not have sufficient natural and human resources to meet its needs. There is a sense of interdependence, making their relationship last until today. This paper aims to determine Indonesian Consulate General role in Hong Kong and the implementation of consular functions. with liberalism theory and descriptive literature research methods, the author concludes that the Indonesian Consulate General in Hong Kong organizes and participates in various trade economic activities. These efforts are said to be successful because they have had a positive impact on the development of the Indonesian economy.

INTRODUCTION

Hong Kong is a Special Administrative Region (SAR) which has self-governing autonomy. Based on article 31 of the Fifth Session of the National People's Congress (NPC) held on December 4, 1982, the Chinese government formulated 12 principles regarding Hong Kong. One of them was to give the Hong Kong government independent legislative, judicial powers and other privileges which were later ratified on July 1, 1997. The Chinese government assert that China would implement the policy concept of One Country Two System where Hong Kong would be under Chinese sovereignty, but Hong Kong can still maintain its identity, run a different system, especially an open market-oriented economic system and a different lifestyle. Under the concept of One Country Two System, Hong Kong has the power to determine its

own government, economic, judicial and socio-cultural systems while not opposing China's central government¹. From the moment, with a more open economic system than China, Hong Kong has succeeded in building with economic and trade offices in 11 places, such as Geneva, London, Tokyo, New York and Berlin, and is a member of 6 international organizations. Since being ratified as the Hong Kong Special Administrative Region (SAR) of the People's Republic of China, the region has grown steadily, especially in the economic sector, recorded that Hong Kong's Gross Regional Product (GRP) grew by 3.4% per year in real terms, and capita increased by 39.3% which is calculated in US dollars. According to 2013 statistics from the International Monetary Fund (IMF), Hong Kong's GRP and per capita GRP are ranked 35th and 7th in the world, respectively². Despite not have overflow resources, Hong Kong relies

on the tourism sector and international investment for its income. According to Forbes data, with open economic system, Hong Kong ranks third in the world as the Best Countries for Business in 2018.

Indonesia and Hong Kong have started to cooperate since 1951 which was marked by the establishment of the Consulate General of the Republic of Indonesia in Hong Kong (KJRI Hong Kong). Overall, the Indonesian Consulate General in Hong Kong has 8 services, namely labor service, new consular and immigrations rate, to report in, autonomous contract, consular service, Indonesian citizen protection service, VISA service and immigration service. In the trade sector, Indonesia is the 23rd largest trading partner of Hong Kong in the world and the 6th in ASEAN which covers the export, import, investment, tourism and migration sectors. The recorded volume of Indonesia-Hong Kong trade increase 0.51% in 2018-2019, from US\$5.19 to US\$5.70 billion. The average annual growth rate in bilateral trade between Hong Kong and Indonesia from 2015 to 2019 was 0.7%³. Indonesia's overflow natural resources also encourage the value of exports to Hong Kong by US\$2.50 billion in 2019 and the value of imports amounting to US\$2.16 billion in 2020. Meanwhile, the migration sector and Indonesian citizens in Hong Kong continued to increase from 2016-2020. Based on data from the Indonesian Consulate General in Hong Kong, in July 2020 there were 164,528 migrant workers and 174,800 Indonesian citizens in Hong Kong.

As one of the center in the world economy and the gateway to China's cooperation, Hong Kong is an important partner for Indonesia. Therefore, Indonesia tries to maintain good relations through diplomacy. Considering that Hong Kong is not a

sovereign country, Indonesia cannot establish an embassy there, instead Indonesia can only establish a Consulate General of the Republic of Indonesia in Hong Kong with a narrower function than the Embassy, and vice versa. In this case, Hong Kong has a trade organization called the Hong Kong Trade and Development Council (HKTDC) whose function is almost same with the consular function of promoting Hong Kong trade to other countries. In the implementation, HKTDC has various work programs such as organizing international exhibitions, conferences, creating opportunities for small businesses (UMKM) and providing the latest market insights through digital news⁴. Moreover, Hong Kong also has the Hong Kong Trade Organization (HKTEO) which functions to expand Hong Kong's economic relations in various ASEAN countries, including Indonesia. In 2010, Hong Kong and Indonesia signed an agreement to avoid double taxation and the prevention of fiscal evasion in relation to income tax⁵. Their relationship grew even closer when President Joko Widodo visited Hong Kong in May 2017 and one year later, Hong Kong Chief Executive Carrie Lam visited Jakarta.

From the explanation, the writer interested to analyzing of the Indonesian Consulate General Role in Hong Kong who represents the Indonesian government in the region. The formulation of the problem raised was "What is the role of the Indonesian Consulate General in Hong Kong in carrying out its consular function in order to maintain diplomatic relations between Indonesia and Hong Kong?". By liberalism theory and descriptive literature research methods, the author hopes to be able answer the problem formulation related to the efforts made by the Indonesian Consulate General in Hong Kong.

CONCEPTUAL FRAMEWORK

A. Liberalism Theory

Liberalism is one of the classic theories in international relation which believes that in essence humans have good and cooperative characteristics and these traits are then reflected in human behavior in the having state. Some figures in liberalist theory is John Locke, Adam Smith, J.S Mill, J.J Rouseou, Angus Madison etc. In modern political thought, liberalism believes that the economic system of free market capitalism can guarantee mutual prosperity and the efficient allocation of resources in society⁶ (buku bob). This is as stated by John Locke that there is great potential for human progress in civil society and a modern capitalist economy, both of which can develop in countries that guarantee individual freedom (non-authoritarian governments) and when all countries apply these principles, they will value and respect each other ⁷.

In the industrial revolution era, people are increasingly aware that they have needs in the middle of limited resources so they need the help of other humans to fulfill their interests. The success of liberalism theory occurred after the end of first world war (1910-1919) evidenced by the formation of the League of Nations (LBB) as a government organization that works based on the principle of individual freedom. However, the organization failed due to lack of support from major powers and rapture of the second world war. One of liberalism figures at this time was Norman Angell who conveyed his thoughts through a work entitled *The Great Illusion* (1909). In his book Angell states that in the modern era, countries that want to conquer other countries are better off using political means rather than war which causes

destruction and disrupts the course of international trade.

Outline, there are 4 points of argument presented by Angell, there is (1) The emergence of modern economic civilization encourages countries to prevent wars from each other, (2) increasing economic cooperation will create interdependence that can spread to other sectors like political, socio-cultural, security and defense, (3) the international division of labor can increase the interdependence so that international cooperation is a inevitability and (4) economic interdependence between countries can lead to economic integration that can render military wars and invasions useless and not relevant⁸.

After receiving criticism from realism, liberalism theory regained its place on international relations study in 1980s and 1990s. At that time, there were at least 4 concepts offered by liberalism, namely positive peace, the growth of spirit of commerce in international economy, interdependent and institutionalism in regional/international cooperation and the importance to upholding the principles in International Covenant on Civil and Political Rights (ICCPR)⁹. Practice in liberalism theory through international cooperation between 2 or more countries.

International cooperation appear because existence of interdependence between one country and another in various fields such as economy, environment, social, education, security, etc. In international cooperation there are 2 important elements, namely the assumption that the behavior of actors is directed to achieve some goals and cooperation produces benefits or rewards for the actors. The benefits obtained by each country do not have to be the same or the same type, but must be reciprocal¹⁰.

This study use thought described above to make it easier in answer the problem formulation. Hong Kong as a SAR which has the 3rd free trade in the world but its resources are very low, on the other side, Indonesia has overflow resources so it requires a large market share. This situation has encouraged Indonesia and Hong Kong to conduct international cooperation to meet their national needs.

ANALYSIS

1. The Indonesian Consulate General Role in Hong Kong (KJRI Hongkong)

The Indonesian Consulate General in Hong Kong has been established since 195, at the time Hong Kong was still part of the UK. The Indonesian Consulate General in Hong Kong is one of the government agencies in charge of representing Indonesia in the Hong Kong Special Administrative Region (SAR) of the People's Republic of China. The legal basis for the establishment of the Indonesian Consulate General in Hong Kong is the Decree of the Minister of Foreign Affairs of the Republic of Indonesia Number 06/A/OT/VI/2004/1 of 2004 concerning Organization and Work Procedure of Indonesian Representatives Abroad. KJRI in Hong Kong is led by a consul general who is currently held by Mr. Ricky Suhendar assisted by the Head of Chancery (Hoc) which is currently held by Mr. Nurwenda and to carry out consular functions, the Indonesian Consulate General in Hong Kong has 10 staff areas of consular function , administrative, finance, local staff (honorary consular), and honorary employees.

Based on the Diplomatic Note Number 106/Konsular/2008 dated March 17,

2008, Indonesia and China agreed to expand the working region of the Consulate General in Hong Kong SAR to become Hong Kong SAR and Macau SAR. The addition of the working region was strengthened by ratification of the Regulation Of The Minister Of Foreign Affairs No. 9 2015 concerning the third amendment to the Decree of the Minister of Foreign Affairs of the Republic of Indonesia Number 06/A/OT/VI/2004/1 of 2004 concerning the Organization and Work Procedures of Indonesian Representatives Abroad.

The main task of the Indonesian Consulate General in Hong Kong SAR is to carry out consular functions to fight for Indonesia's interests in the Hong Kong SAR area according to established regulations. As a government agency, the Indonesian Consulate General in Hong Kong also has the duty to report its performance based on the Presidential Regulation of the Republic of Indonesia No. 29 of 2014 concerning the Performance Accountability System for Government Agencies.

2. The role of the Indonesian Consulate General in Hong Kong in implemented the functions

The main function of the consular post is to implemented diplomatic efforts with other countries or regions, especially in the trade sector. However, in addition to developing trade relations, the consular post also has other functions that are almost the same as diplomats, the difference lies in scope, wherever the consular post is more focused on local government. The following are functions of a consultant in general and the efforts made by KJRI in Hong Kong in implementing:

➤ **Promoting and protection of trade and commerce**

The main duty of a consular post is represent the old country to promote and protect trade to receiving country. In this promotion, the consultant provides economic information, export-import conditions, and several business activities in their working region. In this regard, KJRI in Hong Kong has made various efforts to promote Indonesian products in Hong Kong in order to increase national development which includes Trade, Tourism and Investment (TTI). Through various business events regularly organized by HKTDC or other parties, KJRI in Hong Kong promotes Indonesian products to attract investors. The following are some of the activities participated by KJRI in Hong Kong in relation to promoting and protection of trade and commerce functions:

- a. Hong Kong International Licenshing Show, It is a event organized by HKTDC once a year. The aim of the Hong Kong International Licenshing Show is to help companies expand their licensing partners in the Asian region and provide a platform for those involved in the licensing market. In 2019, the Hong Kong International Licenshing show was held for 3 days, 7-9 January 2019 in mainland China. In the event, KJRI in Hong Kong collaborated with the Indonesian Agency for the Creative Economy (Bekraf) which coordinated 6 Intellectual Property license holders from Indonesia. There is Hey Blo!, Komik Tak Jelas, Emak-Emak Matic, Tahilalats, Garudayana, and CV. Educa Sisfomedia Indonesia1.
- b. Asian Financial Forum (AFF), Is an Asian financial forum organized by HKTDC that provides leadership platforms, business networks, the latest fintech innovations, and future business potential for financial, global business, investment and corporate leaders directly based on their fields of interest. Through this forum, a company can offer their projects to investors from all over the world. During the Covid-19 pandemic, the 2021 Asian Financial Forum (AFF) will still be held online on January 18-19. In 2019, Indonesia collaborated with Bank Indonesia and other private banks to participate in this event.
- c. Indonesian Economy Highlight and Economic Outlook 2020, The Indonesian Economy Highlight event was organized by KJRI in Hong Kong in collaboration with Bank Indonesia, BNI, BKPM, Mandiri and BRI on December 5, 2019 in Hong Kong. The main purpose of this event is to promote and inform the Indonesian economy to 80 businessmen guests from HKTDC, HKPC, INACHAM, and Toys Association business partners of Himbara Hong Kong. Through this event, KJRI in Hong Kong convinced investors to make Indonesia an investment destination in 2020.

The activities are 3 examples of the many efforts by the KJRI in Hong Kong in order to improve and develop the Indonesian economy. Although Indonesia

has succeeded in increasing the value of trade, this value could fall at anytime given the current political atmosphere in Hong Kong. Therefore, the KJRI in Hong Kong seeks to maintain or increase its trade through market analysis in the market intelligence system so that it can determine strategies to determine the right policy direction, develop Trade, Tourism and Investment (TTI) promotions, establish relationships with stakeholders to make investments or other economic activities in Indonesia.

➤ **Protection of the interest of the sending state and its national**

Besides focusing on the economic and trade sectors, consular post also keeps the interests of citizens and the interests of their old countries . For example, the protection of crew members from the old country who are transiting to the receiving country, citizens are employed or married to someone in the receiving country, etc. In relation to this function, KJRI in Hong Kong has a major role to protecting Indonesian citizens living in Hong Kong. Based on data from KJRI in HongKong, in July 2020 there were 164,528 migrant workers and 174,800 Indonesian citizens in Hong Kong. The KJRI in Hong Kong has a very important role to protect Indonesian citizens as minorities in Hong Kong. The following are some of the efforts by KJRI in Hong Kong with the function of protecting the interests of the sending country and its national interests:

- a. Creating platforms to facilitate Indonesian citizens abroad to collect data, the KJRI provides the care about wni.kemlu.go.id application. The application has several features, namely self-report, through this feature

Indonesian citizens in Hong Kong can report their arrival, return, transfer so that Indonesian citizens will find it easier to get services and protection from the Indonesian Consulate General while in the working area of the KJRI in Hong Kong. Secondly is service features related to issuance of certificates, passports, VISA, birth certificates, marriage certificates, divorces, etc. The last is complaint feature where Indonesian citizens can submit legal complaints to KJRI in Hong Kong.

- b. Organizing socialization activities for Indonesian citizens in Hong Kong, Although many Indonesian citizens stay settled in Hong Kong, but they are still few Indonesian citizens understand consular functions. Therefore, the KJRI in Hong Kong held an Immigration Socialization activity in Hong Kong and Macau, socialization on the application of PMI care in Hong Kong and socialization of the KJRI functions in Hong Kong. Moreover, under the staff of under staff of labor function and protocol & consular function, KJRI in Hong Kong has a "Welcoming" program. The Welcoming Program is a routine activity every week to socializing information and directions to Indonesian migrant workers who have just worked or have extended their tenure in Hong Kong. To attend the event, the KJRI in HongKong cooperate with shipping agent Indonesian migrant workers (TKI).

In addition socialization to TKI, KJRI in Hong Kong also make some activities involving the government in the context of protecting Indonesian citizens/PMIs, including the Manpower Dialogue with the Jaringan Buruh Migran Indonesia (JBMI) which discussed several

PMI complaints like passport holders, passport procurement, agent fees, overcharging by companies etc. Tripartite Dialogue is a meeting between PMI agents and organizations discussing PMI protection related to current condition of Hong Kong.

3. Implications for Indonesia-Hong Kong Bilateral Relations

The establishment of KJRI in Hong Kong is one proof of the interdependence between Indonesia and Hong Kong. Indonesia is a country with a rich in natural and human resources, but Indonesia needs a bigger market to get a more profits. Besides that, Hong Kong SAR is part of mainland China which area of 1,104 km² with a 7,509,200 population, although it is limited, Hong Kong's has a stable economic with its open economic system. Therefore, Hong Kong needs a supply of natural resources and labor to meet the national interest. Through these bilateral relations, Indonesia obtains new markets for their products and foreign exchange from Indonesian migrant workers in Hong Kong. Meanwhile, Hong Kong obtains supplies of natural resources such as raw materials in the form of raw materials and mining materials as well as low-wage labor from Indonesia. Relations between the two countries are also intertwined in tourism and education sector.

Cooperation between Indonesia and Hong Kong based on harmony interests that benefit both parties, although the benefits obtained are not the same but are still reciprocal. Through the several roles and efforts by KJRI in Hong Kong, the Indonesia and HongKong bilateral relationship is getting closer. This can be observed from the follow-up agreements that have been reached, including the Joint Statement on Labor Cooperation as a follow-up from the Secretary for Labor

and Welfare, the MoU between the Dirjen PEN and HKTDC regarding Promotion Cooperation in 2012 which was extended to 2017 and coordination meetings with Delegates from Directorate General of Customs and Excise with Office of Supply Chain Security Management, Hong Kong Customs and Excise Department 2019 as a follow-up to the plan Mutual Recognized Arrangement (MRA) Authorized Economic Operator (AEO). The activities by KJRI in Hong Kong related to promotional activities that proven to be able to increase export, import and investment activities in Indonesia, both with Hong Kong and other countries. In 2019, the value of Indonesia's trade to Hong Kong rise 0.51% from 2018-2019, from US\$5.19 to US\$5.70 billion. Not only in the trade sector, KJRI in Hong Kong also made a full contribution to the increase in investment value, foreign tourist visits and the number of PMIs in Hong Kong.

CONCLUSION

From the explanation, the bilateral relationship between Indonesia represented by the Consulate General and Hong Kong is a form of liberalism cooperation where both parties have interdependence to meet their national needs, not only in the trade economy but also in other sectors such as tourism, education and employment. This situation is supported by developments in the global economy, which has encouraged Indonesia and Hong Kong to strengthen diplomatic relations over time. The KJRI in Hong Kong as the party representing Indonesia in the cooperation has played an active role and function so that it can obtain the desired results.

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