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**Deaths and Injuries
by Counterfeit Alcohol and Oplosan**
Potential Consequences
of an Alcohol Prohibition
in Indonesia

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**Deaths and Injuries by Counterfeit Alcohol and Oplosan -
Potential Consequences of an Alcohol Prohibition in Indonesia**

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Executive Summary and Policy Recommendations

The Indonesian House of Representatives is deliberating a bill that aims to prohibit the production, sale, and consumption of alcoholic drinks containing between 1 and 55 per cent alcohol. However, there are no comprehensive studies on the adverse effects of alcohol in Indonesia. Alcohol consumption levels in Indonesia appear low when compared to other countries. Only about 500,000 Indonesians consume alcoholic beverages, mostly hard liquor.

The Indonesian government already pursues a range of policies to discourage alcohol consumption. It has imposed taxes and customs tariffs to increase retail prices. Foreign investment restrictions have further inflated prices of hard liquor. Beer and wine became less accessible due to a ban on sales in small shops and minimarkets. In addition, several local governments have already imposed alcohol prohibition within their jurisdictions.

With alcohol being expensive and difficult to obtain, Indonesians drink five times more unrecorded than legally purchased and distributed liquor. Unrecorded alcohol can contain methanol, which is highly toxic and leads to seizures, organ failure and death. Many cases are being reported all across the country and indicate that trade restrictions cause counterfeit alcohol and dangerous mixtures to substitute legally traded alcohol.

It is being argued in this study that more data need to be gathered and analysed before a law regulating the production, distribution and consumption of alcoholic beverages should be enacted. Existing data suggest that the Indonesian government needs to worry less about the consumption of legal alcohol. Instead, it should put more emphasis on reducing the production, circulation and consumption of counterfeit alcohol in Indonesia.

The currently deliberated prohibition of legal alcohol will potentially cause severe risks to human health. It will push the alcohol distribution underground and out of control of the government and negatively affect public security. And it will disproportionately affect low-income households because wealthy Indonesians continue to access legal vendors in tourist destination, luxury restaurants and hotels.

1 Introduction

The Indonesian House of Representatives has initiated deliberating a bill that aims to prohibit the production, sale, and consumption of alcoholic drinks containing between 1 and 55 per cent alcohol¹.

In its current form, the bill punishes consumers of alcohol with three months to two years imprisonment or a fine of between 10 million and 50 million Indonesian Rupiah (746 USD to 3,728 USD). The bill exempts limited consumption for customary, religious, medical purposes, and in tourism areas and other designated places².

The prohibition aims to protect the society from the damaging effect of alcoholic beverages. However, the lack of accurate data on the adverse effects of alcohol consumption does not allow for evidence-based policymaking. National household surveys by the Central Indonesian Agency on Statistics (*Badan Pusat Statistik, BPS*) and surveys by the Ministry of Health merely measure the consumption of alcohol. There are no comprehensive studies on the damaging effects of alcohol. The number of 18,000 victims brought up by proponents of the alcohol prohibition³, has not been confirmed by statistics that clearly identify specific causes of death. The Jakarta Police acknowledges that alcohol related accidents are not being recorded separately. They are counted as reckless-driving incidents⁴.

2 Alcohol Consumption in Indonesia

Alcohol consumption levels in Indonesia appear low when compared to the consumption of other beverages and also when compared to other countries.

The Ministry of Health conducted a survey in 2014 and found that only about 500,000 Indonesians, or about 0.2 per cent of the entire population consume alcoholic beverages (see chart 1)⁵.

¹ The Presidential Regulation No. 74 2013 regulates three categories of legal alcoholic beverages in Indonesia, category "A" for alcoholic beverages containing < 5% ethanol, category "B" for alcohol beverages containing 5-20% ethanol, category "C" for alcoholic beverages containing > 20% ethanol. The Ministry of Religion, *Presidential Regulation No. 74 2013 about the control and supervision of alcoholic beverages* <http://kemenag.go.id/file/file/ProdukHukum/qanu1395037364.pdf> retrieved on 29/02/16 10:18

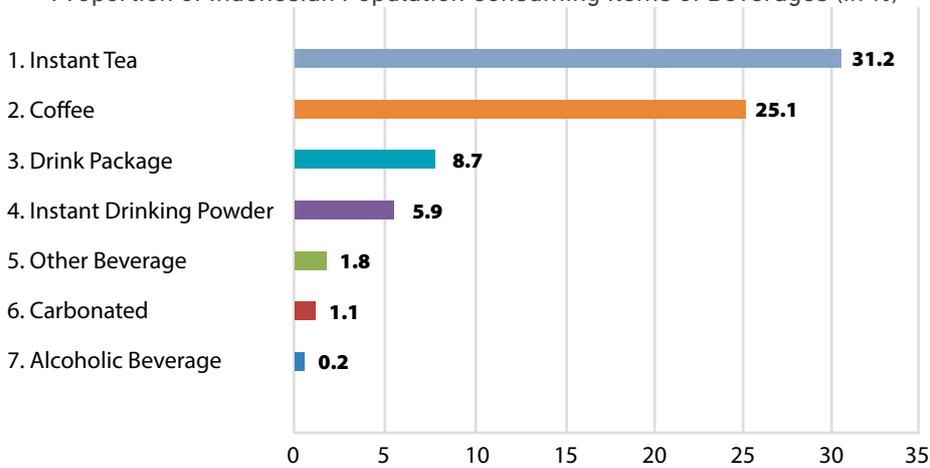
² The draft bill has been initiated by two Islamic parties in 2014 and aimed to be passed into law by the end of 2016. Special Committee of Dewan Perwakilan Rakyat RI, *Rancangan Undang-Undang Larangan Minuman Beralkohol*, <http://www.dpr.go.id/doksileg/proses2/RJ2-20150626-022127-5059.pdf> retrieved on 17/06/2016 11:34

³ One of the initiators of the bill, the Prosperous Justice Party PKS, claims that 18,000 died every year as a result of alcohol consumption. Tama Salim and Dylan Amirio, *House talks Alcohol Control* <http://www.thejakartapost.com/news/2015/07/04/house-talks-alcohol-control.html> retrieved on 17/06/2016 11:35

⁴ Kompas, *Polisi Belum Punya Data Kecelakaan Yang Dipicu Alkohol* <http://print.kompas.com/baca/2016/02/10/Polisi-Belum-Punya-Data-Kecelakaan-yang-Dipicu-Alk> retrieved on 29/02/16 10:18

⁵ The Ministry of Health, *Studi Diet Total: Survei Konsumsi Makanan Individu 2014*, <http://jiiks.litbang.depkes.go.id/buku/studi-diet-total-survei-makanan-individu-indonesia-2014/> retrieved on 29/02/16 17:57

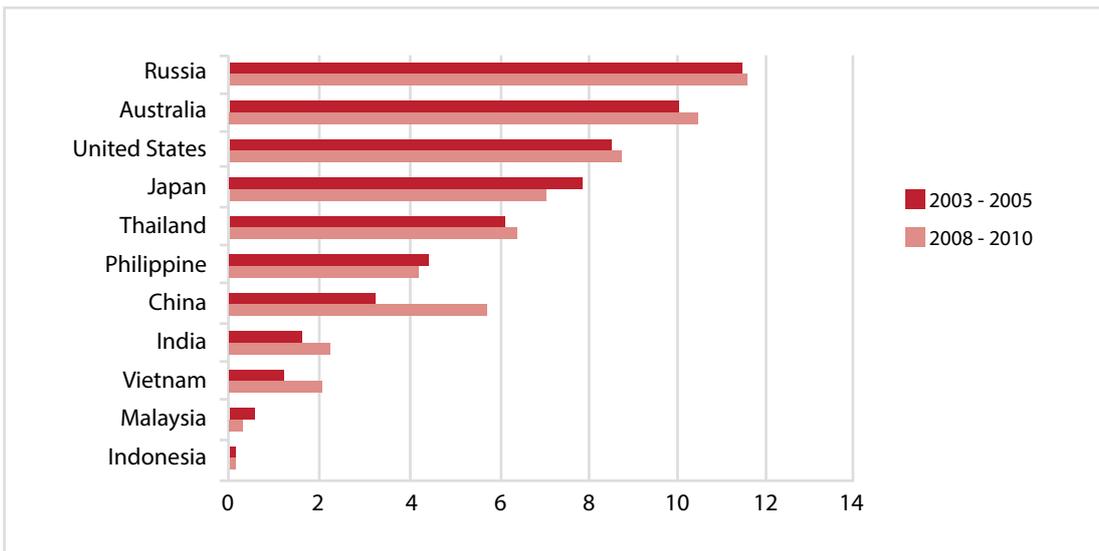
Chart 1
Proportion of Indonesian Population Consuming Items of Beverages (in %)



Source: The Ministry of Health, 2014⁶

When compared to other countries, Indonesians consume relatively small amounts of alcohol. The World Health Organization (WHO) estimates a per capita consumption of 0.1 litres of legally produced and traded alcohol per year in Indonesia. Consumption levels are much lower than in Thailand, the Philippines, Vietnam or Malaysia (see chart 2).

Chart 2
Indonesian Legal Alcohol Consumption In Comparison Between Two Periods
(in litres per capita per annum)



Source: World Health Organization, 2014⁷

⁶ Ibid.

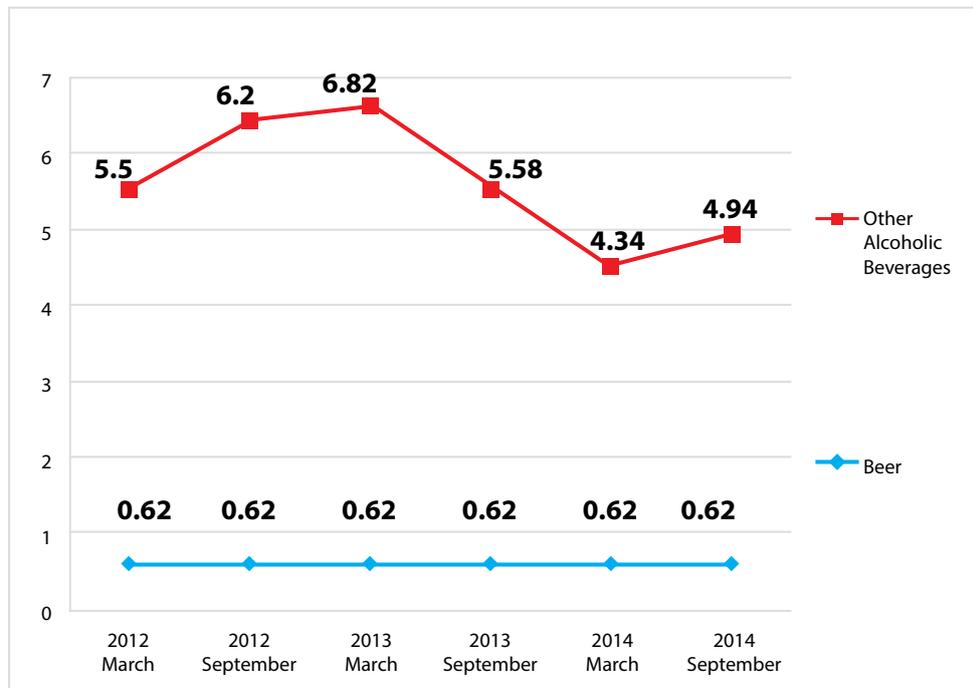
⁷ World Health Organization, *Global Status Report on Alcohol and Health 2014*, http://www.who.int/substance_abuse/publications/global_alcohol_report/en/ retrieved on 17/06/2016 13:20

The relatively small amounts of alcohol consumed in Indonesia and the absence of data about alcohol-related health and security risks do not indicate a need for an alcohol prohibition.⁸

Moreover, according to the World Health Organization (WHO), Indonesians are prone to heavy episodic drinking. More than 30% of Indonesian consumers of alcohol do it with the intent to get intoxicated in a short period of time.⁹ Indonesians may consume little alcohol but those who do seem to consume a lot in short period of time.

A matter of concern, however, is that most alcoholic beverages consumed by Indonesians are those in the C category of strong liquor with 20% and 55% alcohol. Household surveys by the BPS found that the consumption of hard liquor exceeds the consumption of beverages with a low percentage of alcohol, such beer or wine, by five times (see Chart 3).¹⁰

Chart 3
Alcohol Consumption in Categories of Alcoholic Beverages (in ml/week)



Source: National Statistics Agency (BPS), 2012-2014¹¹

⁸ The National Statistics Agency (BPS) and the WHO apply different research methodologies and arrive at different estimates of total alcohol consumption. BPS conducts four-monthly household surveys (susesnas) and reported that in 2012-2014 Indonesians consume 5.56 ml/week. This includes the consumption of recorded and unrecorded alcohol. Meanwhile, the WHO collects data from the UN Food and Agriculture Organization (FAO) and from market research companies such as Canadean and IWSR. The WHO reported an annual consumption of 0.6 litres for 2014, which equals to 11.6 ml / week. The WHO calculations comprise of the consumption of 0.1 litres of recorded and 0.5 litres of unrecorded alcohol. The latter included cross-border shopping, surrogate alcohol use, illegal and legal home production, smuggling etc. World Health Organization, *Global Status Report on Alcohol and Health 2014: Statistical annexes, Methodology, and references*, http://www.who.int/substance_abuse/publications/global_alcohol_report/msb_gsr_2014_3.pdf?ua=1 retrieved on 17/06/2016 16:14; BPS Executive Summary of Consumption and Expenditure of Indonesia <http://www.bps.go.id/index.php/publikasi/986> retrieved on 17/06/2016 14:47

⁹ World Health Organization, *Global Status Report on Alcohol and Health 2014*, http://www.who.int/substance_abuse/publications/global_alcohol_report/en/ retrieved on 17/06/2016 13:20

¹⁰ The BPS survey actually recorded 0.000 ml consumption of wine in Indonesia. Badan Pusat Statistik, *Executive Summary of Consumption and Expenditure of Indonesia 2012-2014*, <http://www.bps.go.id/index.php/publikasi/986> retrieved on 17/06/2016 14:47 (use, illegal and legal home production, smuggling)

¹¹ Ibid.

3 Policies by the Indonesian government to control alcohol consumption

The Indonesian government has long been pursuing a range of policies to discourage alcohol consumption. Four main policies are being described below:

Firstly, The government has imposed high taxes and customs tariffs on alcoholic beverages.

In 2015, the government raised the tariff on imported alcoholic beverages of categories B and C to 150%.¹²

Moreover, excise taxes also increased significantly. In 2010, excise taxes on domestically produced alcohol were raised by 380% for category A, by 500% for category B, and by 188% for category C. In 2014, the tax increased again by 11.6% for all categories. Excise taxes on the consumption of imported alcohol increased less but remain higher than for domestic alcohol.¹³ The actual excise tax for domestic alcohol in category A alcohol increased from 2,500 IDR (2009) to 11,000 IDR (2010) and 13,000 (2014) per litre (see Table 1).¹⁴

Table 1
Alcoholic Beverages Excise Tax 2016

Category	Level	Tax/Litre (IDR)	
		Domestic	Imported
A	< 5%	13,000	13,000
B	5% < 20%	33,000	44,000
C	> 20%	80,000	139,000

Source: Directorate General of Customs and Excise, the Ministry of Finance¹⁵

Secondly, the Indonesian government regularly updates a list of business fields that are closed to foreign investment or open only with certain requirements (Investment Negative List /DNI). The DNI from April 2014 prohibits any foreign direct investment in alcohol producing companies in Indonesia.¹⁶

Thirdly, there is a partial ban on sales in minimarkets. Despite very low consumption levels of alcoholic beverages in category A, in 2015, the Minister of Trade prohibited the sale of beer in 16,000 minimarkets and 55,000 other small shops. This partial prohibition was meant to prevent under-age alcohol consumption and made legally produced alcoholic beverages less accessible for the public. Domestic beer companies have subsequently reported a significant reduction in sales of their legally produced beverages.¹⁷

¹² According to Ministerial Regulation No. 132 / 2015

¹³ According to Ministerial Regulation No. 26 / 2010 <http://peraturan.bcperak.net/sites/default/files/peraturan/2010/62pkm0112010.pdf>

¹⁴ Directorate General of Customs and Excise, *The Ministry of Finance Sets Excise Tax on Alcohol in 2014*, <http://www.kemenkeu.go.id/Berita/menkeu-tetapkan-kebijakan-tarif-cukai-mmea-tahun-2014> retrieved in 29/02/2016 16:00

¹⁵ Ibid.

¹⁶ Presidential Regulation No. 39 2014 restricts foreign investment in the establishment or expansion of businesses in different sectors. Source: Investment Coordinating Board (BKPM), *Regulation of President No. 39 2014 about List of Business Fields That Are Closed for Investment and Conditionally Open for Investment*, <http://www.ina.or.id/images/stories/download/Investment-Negative-List-Reg-39-2014.pdf> retrieved on 29/02/2016 14:12

¹⁷ The sales of PT Multi Bintang and PT Delta Djakarta, the two biggest domestic producers of beer decreased in 2015 after the Trade Ministry's ban of the sale of beer in small shops and minimarkets. PT Delta Djakarta's sales revenues decreased by 25.5% from the previous year, while revenues of PT Multi Bintang decreased by 9.8%. PT Delta Jakarta, *Laporan Tahunan 2015: Beyond Brewing*, http://www.deltajkt.co.id/web/images/Report/ANNUAL_REPORT_2015_PT_DELTA_DJAKARTA_Tbk.pdf retrieved on 17/06/2016 20:11 and

Fourthly, several local governments have imposed alcohol prohibition within their jurisdictions. Since the beginning of the era of democratization and decentralization in 1998, many Indonesian districts have enacted local by laws that prohibit alcohol. Depok, a city with a population of about 1.8 million people in West Java on the southern border of Jakarta, is just one of them. Under mayor Nur Mahmudi Ismail from the Islamic Prosperous Justice Party (PKS) the government of Depok prohibited the sale of alcohol in 2008. Since then, Depok has become one of the dry areas of alcoholic beverages in Indonesia.¹⁸

Story From Depok

In Depok, people buy homemade alcohol in 620 ml bottles for IDR 25,000 or less than 2 USD from small informal shops. In December 2015, this kind of alcohol killed five people. The victims felt nausea and started vomiting and then lost eyesight and experienced brain damage and organ failure before they died. According to news reports the local citizen Mr Syamsudin witnessed the terrible suffering of the victims when he was asked by some women to help their dying husbands.

Mr. Syamsudin witnessed how the victims felt a burning pain in their bodies, how they suddenly lost their eyesight and became blind. Only a few hours later, they were dead just before they could get any medical treatment.¹⁹

After the police raided the shop that had sold the deadly alcohol in Depok, they found several toxic ingredients. In general, illegal alcohol contains dangerous and poisonous substances. Commonly used substitutes for ethanol, which is the principal component of legal alcoholic beverages, include methanol, anti-bug repellent, sweeteners etc.

The fatalities in Depok are just an example of hundreds of Indonesians who die every year after drinking illegally prepared concoctions. Small-scale producers and vendors make them available all over Indonesia. By using cheaper chemicals than ethanol they are causing lethal risks to their consumers.

4 Consumption of unrecorded alcohol

The World Health Organization (WHO) estimates that Indonesians drink five times more unrecorded liquor than that purchased in properly licensed stores.²⁰ Between 2008 and 2010, unrecorded alcohol consumption in Indonesia reached 0.5 litres per capita; while the consumption of legally traded alcohol remained at 0.1 litres per capita (Chart 4).

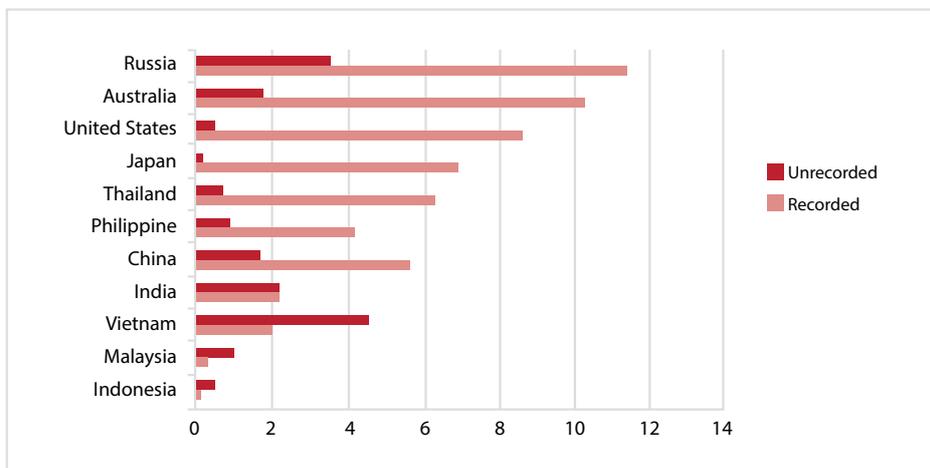
PT Multi Bintang, *Laporan Tahunan 2015: Agility to Win*, file:///D:/mbi-ar15.pdf retrieved on 17/06/2016 20:15

¹⁸ Depok stopped sales of alcoholic beverages in 2008 by local regulation No. 6 / 2008. Ministry of Home Affairs, *Peraturan Daerah No. 6 Tahun 2008* http://www.jdih.setjen.kemendagri.go.id/files/KOTA_DEPOK_06_2008.pdf retrieved on 17/06/2016 20:28

¹⁹ Interview with Mr. Syamsudin on 28 January 2016.

²⁰ According to the WHO "unrecorded alcohol consumption includes consumption of home-made or informally produced alcohol (legal or illegal), smuggled alcohol, alcohol intended for industrial or medical uses, and alcohol obtained through cross-border shopping." World Health Organization, *Global Status Report on Alcohol and health 2014*, http://www.who.int/substance_abuse/publications/global_alcohol_report/en/ retrieved on 29/02/2016 17:08

Chart 4
Comparison of recorded and unrecorded alcohol consumption in Indonesia (2008-2010)
(litres per capita per annum)

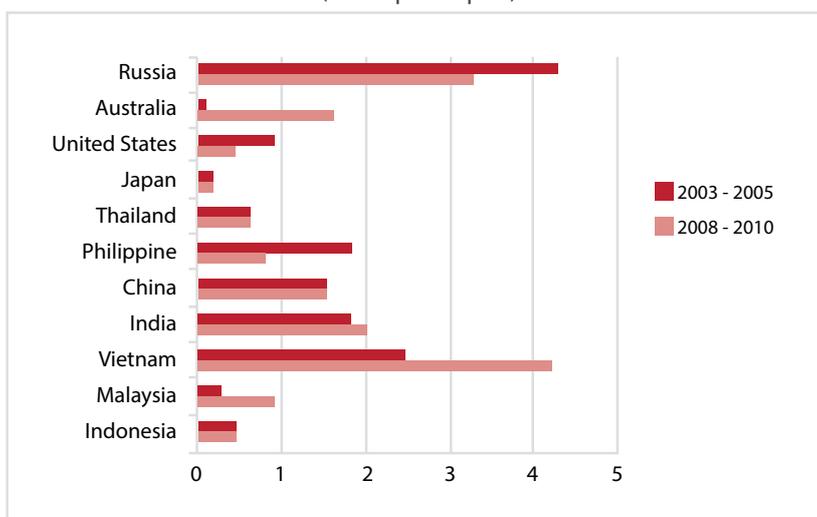


Source: WHO Alcohol Report, 2014²¹

Without sufficient data it is difficult to verify the types of liquor that are being consumed off the records. Some foreign brands are being smuggled into the country, traditional and medicinal drinks are being produced locally by Indonesian ethnicities, and there are informally mixed concoctions (“oplosan”) usually sold by street vendors.

The consumption of unrecorded alcohol has remained stable at 0.5 litres per capita between 2003 and 2010 (chart 5).

Chart 5
Unrecorded alcohol consumption in two time periods (2003 – 05, 2008 – 10)
(litres per capita)



Source: World Health Organization, 2014²²

²¹ World Health Organization, *Global Status Report on Alcohol and Health 2014*, http://www.who.int/substance_abuse/publications/global_alcohol_report/en/ retrieved on 17/06/2016 13:20

²² World Health Organization, *Global Status Report on Alcohol and Health 2014*, http://www.who.int/substance_abuse/publications/

Unrecorded alcohol causes a tremendous risk to public health and security, if it contains methanol, which is methyl alcohol produced for industrial purposes. Methanol has the same odour as ethanol, which is ethyl alcohol used for alcoholic beverages, however, methanol is highly toxic and leads to seizures, organ failure and death.

Methanol can be found in moonshine alcohol, if distillers replace ethanol with cheaper methanol to save money and to increase the strength of the product. The liquid is poured into bottles of branded alcohol and sold as imported alcohol. This type of counterfeit alcohol is often being consumed by foreign tourists in Bali and Lombok who are unaware of the dangerous contents of their drinks.

One such tragedy happened when a young Australian died of methanol poisoning after celebrating New Year 2013 in Lombok. The family has since started the Lifesaving Initiatives About Methanol (LIAM) Foundation in order to help other victims and spread awareness about the risks of methanol poisoning in tourism areas.²³

Methanol is also being found in local mixes known as “oplosan”. The name of the drink refers to the Javanese word for mix. It may not cause risks if it uses safe ingredients but it becomes highly dangerous to human health if it contains methanol and substances, such as mosquito lotion, battery fluid and head ache pills. It is being sold in all sorts of pre-used bottles and jars.

In Yogyakarta a 300 ml bottle of oplosan with an alcohol content of around 40 percent can be easily purchased for around 30,000 Rupiah (slightly more than 2.26 USD).²⁴ Meanwhile, a 750 ml bottle of legally imported Gordon Dry Gin with a similar alcohol content costs 420,000 IDR (31.61 USD). Since many people in Yogyakarta only earn the official minimum wage of 1.108 million IDR (83.4 USD)²⁵ per month it becomes apparent why oplosan is the choice of low-income earners when looking for an alcoholic beverage.

Looking at the retail prices for alcoholic beverages also explains why Indonesian alcohol consumers prefer hard liquor when they want to get intoxicated. Legally produced beer from an Indonesian manufacturer with an alcohol content of only 4.7 percent costs around 18,000 IDR (1.35 USD). A bottle of oplosan costs hardly more but has a much stronger effect.

Not only the affordability but also their availability make counterfeit alcohol and oplosan²⁶ a preferred choice of Indonesian alcohol consumers. Especially after the government invoked a ban on the sale of beer and wine in small shops in 2015, the police in Jakarta noticed a sharp increase in the amount of counterfeit alcohol sold in Jakarta. The Jakarta police confiscated 37,633 bottles in 2015, while they had confiscated only 23,875 bottles in 2014 (see chart 6).²⁷ This increase of almost 58% from 2014 to 2015 indicates that trade restrictions caused counterfeit alcohol to substitute legally traded alcohol in Jakarta.

global_alcohol_report/en/ retrieved on 17/06/2016 13:20

²³ Methanol Institute - LIAM Charitable Fund Launch Press Release <http://methanol.org/getattachment/0ab7c7a7-5616-402b-a93d-33e262838d00/MI-LIAM-Launch-Press-Release-20140820-EN-ID-vfinal.pdf.aspx> Retrieved on 17/06/2016 22:03

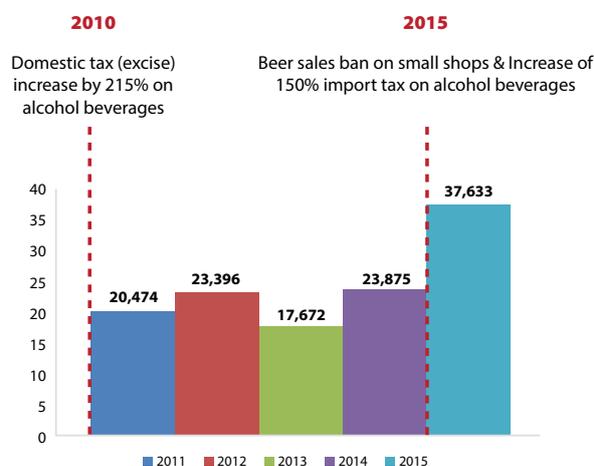
²⁴ Bambang Muryanto, *Yogyakarta Moonshine Traders Have Powerful Friends* <http://www.thejakartapost.com/news/2016/02/13/yogyakarta-moonshine-traders-have-powerful-friends.html> 17/06/2016 22:05

²⁵ WageIndicator.org, *Minimum Wage in Indonesia* <http://www.wageindicator.org/main/salary/minimum-wage/indonesia>

²⁶ The Indonesian media usually does not differentiate between different types of unrecorded alcohol and uses the terms counterfeit and bootleg alcohol, *oplosan*, and moonshine liquor interchangeably.

²⁷ Data of the Jakarta Police Department (Polda Metro Jaya) presented by the Chief of Crime Affairs National Police in a Public Hearing about the alcohol prohibition bill at the House of Representatives, 3 February 2016.

Chart 6
Confiscated counterfeit alcohol by Jakarta police (2011 – 15)



Source: Jakarta Police, 2015²⁸

Counterfeit alcohol and oplosan are causing severe health issues, deaths and injuries all over Indonesia. In early 2016, 26 people died in Yogyakarta and 17 were injured, mostly university students. After the incident, the local police confiscated one gallon of homemade counterfeit alcohol containing unidentified chemicals.²⁹

The total number of victims is hard to establish, as many cases remain unreported by families who are embarrassed about the alcohol consumption. The national health authorities and the police also do not keep a nationwide database that could be accessed. However, a simple media search already indicates the severity of the issue (see table 2).

Table 2
Counterfeit alcohol and oplosan victims

Year	Death Victims	Injured Victims
2013	83	20
2014	151	199
2015	126	102
2016	59 ³⁰	27

Source: Compiled from online news coverage³¹

²⁸ Ibid.

²⁹ Jakarta Post, *Yogyakarta Oplosan Death Toll Rises*, <http://www.thejakartapost.com/news/2016/02/08/yogyakarta-oplosan-death-toll-rises-again.html> retrieved in 29/02/2016 11:21

³⁰ Until March 2016

³¹ Data were collected from 20 national and local online news outlets and were verified by checking different sources to assure and confirm the incidents.

5 Conclusions

The Indonesian government intends to curb the risks of alcohol consumption with regulations that range from raising retail prices through tariffs and taxes all the way to banning alcohol sales in small shops. Certain regions have also enacted local alcohol prohibition regimes. However, there are no proper statistics in Indonesia that measure the size of the problem of alcohol consumption. The police cannot say for sure how many cases of deaths and violence and how many traffic accidents occur under the influence of alcohol. There are no statistics whether alcohol consumption is a serious concern for healthcare providers. Instead, looking at the numbers by the WHO it appears there is very little alcohol consumption in Indonesia, which causes doubts regarding the significance of the problem.

Even if the government still wants to address the issue of alcohol consumption in the country, without a proper estimation of the size of the problem, it will not be possible to create an evidence-based and well-targeted policy. Good intentions alone will not make for good results, in particular when they encourage Indonesian alcohol consumers to turn to far more dangerous types of alcohol that can cause death or serious injuries. Recent numbers of confiscated bottles of counterfeit alcohol in Jakarta seem to indicate that this is the case. When Indonesians consume five times more unrecorded than recorded alcohol, the government should worry less about the consumption of legal alcohol. Instead, it should put more emphasis on reducing the production, circulation and consumption of counterfeit alcohol and oplosan.

Since Indonesians consume already more unrecorded than recorded alcohol it can be assumed they will continue and even increase their illegal consumption after the government has banned all legal alcohol. The prohibition will, therefore, create unnecessary opportunities for criminal actors to circulate prohibited alcoholic beverages through an underground distribution system. This was also the case during the prohibition in United States from 1920 – 1933. It led to more counterfeit alcohol that contained deadly and dangerous substances.³²

The prohibition of drugs in general follows the “Iron Law of Prohibition” formulated by Richard Cowan: “the harder the enforcement, the harder the drugs”.³³ When drugs are prohibited, the potency of the drugs increases. People turn to less amounts of drugs with increased intoxicating effects in order to reduce the risk of being caught and prosecuted. Illegal vendors share these preferences because hard liquor takes less space, weighs less and sells at higher prices.

Finally, the current bill foresees exemptions for tourist places and high-end hotels and restaurants. This is to reduce the harmful effects of the bill on the national tourism industry but it also provides opportunities for wealthy Indonesians to legally consume alcohol beverages. Meanwhile, the poor have no choice as they cannot afford luxury restaurants and hotels. They will have to turn to counterfeit alcohol and oplosan.

³² Mark Thornton, *Alcohol Prohibition Was a Failure*, Cato Institute Policy Analysis No. 157 <http://www.cato.org/publications/policy-analysis/alcohol-prohibition-was-failure> retrieved in 29/02/2016 17:22

³³ Richard Cowan, *How the Narcs Created Crack: A War Against Ourselves*. *National Review* 38, December 5, 1986 (23): 26–34.

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