KEMENTERIAN PERDAGANGAN REPUBLIK INDONESIA
MINISTRY OF TRADE

DIRECTORATE GENERAL OF INTERNATIONAL TRADE NEGOTIATION

Jalan M.I. Ridwan Rais No 5 Jakarta Pusat 10110
Phone 021-23528600
Fax 021-23528610

Our Ref No. : 55 /PPI/SD/03/2018
Date : 13 March 2018

The Ministry of Health
16 College Road
College of Medicine Building
Singapore 169854
Attention: Director, Epidemiology and Disease Control Division

Email: tobacco_control@moh.gov.sg

Re: Public Consultation on Standardised Packaging and Enlarged Graphic Health Warning for Tobacco Products in Singapore

The Government of Indonesia has taken a note on the Ministry of Health of Singapore's Public Consultation on Standardised Packaging and Enlarged Graphic Health Warning for Tobacco Products (collectively the "Standardised Packaging Proposal"). The public consultation is open for six weeks, from 05 February 2018 to 16 March 2018.

In view of the public consultation, the Government of Indonesia would like to bring Singapore's attention to the Government of Indonesia's submission to the Singapore's Health Promotion Board back in March 2016 as per attached in this letter.

The Government of Indonesia's views on Standardised Packaging, or also known as "Plain Packaging", remains the same. In addition to our concerns on the role of trademarks for consumer products as per our previous submission on pages 2 to 3, we would like to highlight that a number of WTO members have raised concerns on plain packaging proposals.

As Singapore is aware, similar Plain Packaging measures for tobacco products as implemented in Australia has been a subject of formal dispute proceedings in the WTO brought by Indonesia, Honduras, Dominican Republic, and Cuba.

Reiterating the Government of Indonesia's views as expressed in our previous submission on page 4, it would be premature for Singapore to adopt Plain Packaging without first knowing whether, and if so how, Plain Packaging is permitted under WTO rules. Therefore there is no reason for Singapore to rush to adopt Plain Packaging when critical questions regarding its consistency with WTO rules will be addressed in the near term.

Indonesia encourages Singapore to reconsider adopting any form of plain packaging, or at a minimum, to delay action on these measures until the WTO Dispute Settlement Body has had an opportunity to assess plain packaging's consistency with WTO obligations.

We hope our government can continue to work constructively with Singapore as its closest neighbour and one of the biggest trading partners. We would welcome any feedbacks and / or any opportunity to follow up on this matter with Singapore.

Yours Sincerely,

Iman Pambagyo
Director-General of International Trade Negotiation

Copy to:
1. Ambassador of Indonesia to Singapore
2. Director of Multilateral Negotiation, DG of International Trade Negotiation, MoT
3. Director of Bilateral Negotiation, DG of International Trade Negotiation, MoT
4. Director of ASEAN Negotiation, DG of International Trade Negotiation, MoT
5. Director of Trade Defence, DG Foreign Trade, MoT
6. Director of Export of Agriculture and Forestry Products, MoT
7. Trade Attache in Singapore