

## Collaborative Governance in Investment Policy in the Special Economic Zone of Kendal Indonesia

Eko Eddy Supriyanto<sup>1</sup>, Hardi Warsono<sup>2</sup>, Hartuti Purnaweni<sup>3</sup>

<sup>1,2,3</sup>Department of Public Administration, Universitas Diponegoro, Indonesia

[ekoeddy@students.undip.ac.id](mailto:ekoeddy@students.undip.ac.id), [hardiwarsono@lecturer.undip.ac.id](mailto:hardiwarsono@lecturer.undip.ac.id), [hartutipurnaweni@gmail.com](mailto:hartutipurnaweni@gmail.com)

### Abstract

*Investment is one government affair that aims to increase economic development at the center and in the regions. The purpose of this research is to obtain a collaborative governance model on investment governance that focuses on investment actors in Special Economic Zones (SEZ). The research method used in this study is qualitative with a literature study approach through policy studies set by the central and regional governments. The result of this research is that the government can conduct collaborative Governance with investors and local governments to develop the regional economy through the theory of collaborative governance system context, drivers, and dynamics of collaborative Governance. In conclusion, the government can form stakeholders for regional economic development by cooperating with national and international private companies to carry out economic growth.*

### Keywords

collaborative governance;  
investment policy; special  
economic zones



## I. Introduction

The increasingly heavy responsibility the government faces concerning public services demands the need for skills in solving all the affairs faced by the government. One of the government affairs that has caught a lot of attention is domestic and abroad Investment (Supriyanto, 2021).

The emergence of the Employment Creation Act, which is predicted to be a fertilizer for Investment, has not yet created an effective investment policy model (Astuti & Asmarasari, 2020) even though the regulation favors investors to deposit their funds in Indonesia.

The central government has launched many models to attract foreign investors to invest their money in Indonesia. such as the establishment of the Indonesia Investment Authority (INA), a form of Indonesia's Sovereign Wealth Funds (SWFs) built to manage incoming investment funds in Indonesia to increase the returns from existing investments. (Supriyanto, 2021).

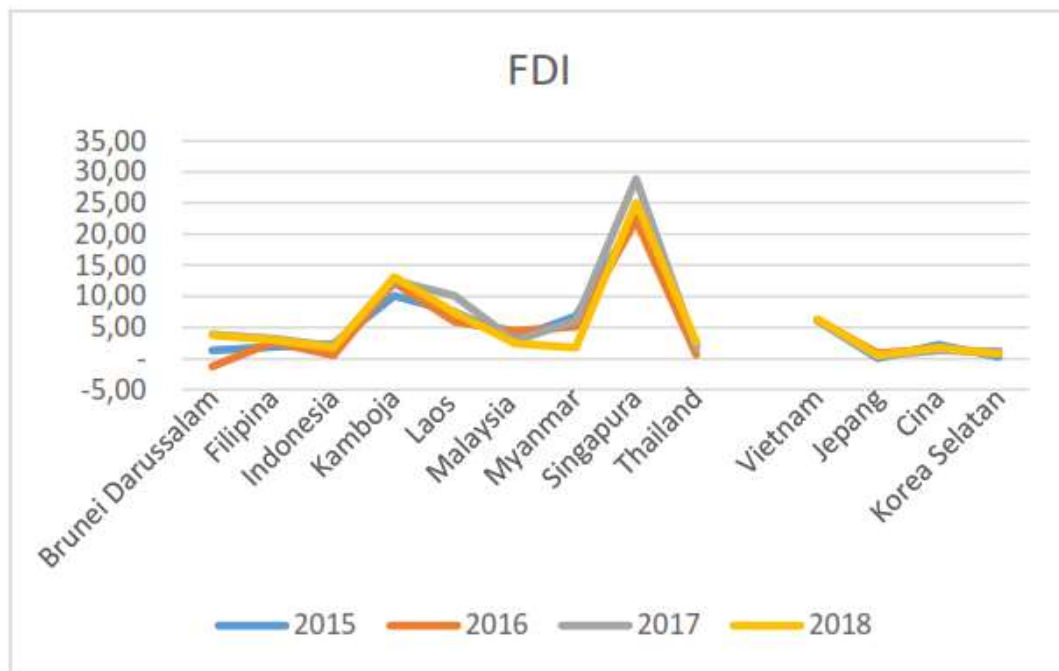
Constitutionally, the government's investment and development plan is contained in Article 33, paragraph 4, which stipulates that the implementation of the national economy is based on economic democracy by adhering to unity, efficiency, justice, sustainability, environmental insight, independence, and maintaining balance. (Syaharbanu Alivia, 2019). the principle of unity. According to the 1945 Constitution, the government accelerates national economic development by increasing Investment, including increasing Investment in certain areas to attract global market potential, and as an incentive to increase the region's attractiveness or the unique economy of a region (Supriyanto, 2020).

Consisting of 5 paragraphs, article 33 explains that every economic activity must be based on togetherness, justice, sustainability, and the balance of the financial ecosystem in the territory of Indonesia. Therefore, regulations or investment policies are needed to prevent natural resource dredges or investments from going unnoticed (Hermawan, 2019).

The existence of globalization opens the tap of the international association, likewise, in economic activities affected by globalization. However, foreign investment activities have entered Indonesia since 1967. Currently, Indonesia has a high potential for foreign Investment to join in direct Investment or other mechanisms.

BKPM noted that the realization of Investment for the January-September 2020 period was IDR 611.6 trillion, which has reached 74.8% of the 2020 target, IDR 817.2 trillion. With this achievement, the realization of Investment has created jobs for 861,581 Indonesian Migrant Workers (TKI) out of a total of 102,276 investment projects (Nisa & Handayani, 2021).

Southeast Asia has become an attractive area as an investment destination. Since the economic crisis in 1997-1998, foreign direct investment into Southeast Asia has almost quadrupled; Southeast Asia again shows rapid progress in attracting foreign investor confidence. Four countries in Southeast Asia, namely Vietnam, Indonesia, Thailand, and Malaysia, were included in the 20 countries that became the four most significant foreign investment recipients from 2010 to 2012—even based on a survey conducted by the United Nations Conference on Trade and Development (UNCTAD on companies -transnational companies, during 2013-2015, countries in the Southeast Asia region remained classified as priority countries as host countries for foreign direct Investment (Foreign Direct Investment = foreign Investment).



**Figure 1.** Investment Development in ASEAN

The ASEAN Plus Three (APT) cooperation is a consultation forum between ASEAN and the Plus Three countries, namely the People's Republic of China (PRC), Japan, and South Korea. APT was formed in 1997 at a time when an economic crisis hit the Asian region. The presence of this APT cooperation format functions to expand the basis of trade cooperation, the economy, and regional security. Awareness of the strong relationship in

Investment and trade between ASEAN and APT was evident in 2015. ASEAN's total trade transactions with Japan, South Korea, and China were valued at no less than US\$ 708.6 billion, or equivalent to 31.1% of the total ASEAN trade. Meanwhile, foreign direct investment flowing from the three countries to ASEAN reached US\$ 31 billion, or about 26% of the total foreign Investment entering ASEAN. Based on World Bank data, foreign direct investment in APT countries constantly fluctuates (*BKPM*, 2021).

As we know that in the ASEAN region, Singapore is the country with the highest amount of foreign direct investment every year. At the same time, Japan has the most increased foreign direct Investment among APT countries. Judging from the graph of the percentage of foreign direct investment inflows to Gross Domestic Product compared to neighboring countries, foreign direct investment in Indonesia over the past decade after Thailand and the Philippines. Meanwhile, the government of Brunei Darussalam since 2012 has continued to decline until, in 2016, it was at a minus level of foreign direct investment entering the country (Kurniasih, 2020).

Economic development strategy. One way to increase Investment is the Special Economic Zone (SEZ) policy (Masnun et al., 2021). Special Economic Zones are areas with specific boundaries with regional geo-economic and geostrategic advantages that are given special facilities and incentives as an investment attraction. (Nisa & Handayani, 2021). The government, until 2021, has inaugurated as many as 19 Special Economic Zones spread across several regions (Masnun et al., 2021). In Central Java, there is a Special Economic Zone located in Kendal Regency with the official name PT. Kendal Industrial Estate, which operates on May 24, 2021, based on Government Regulation Number 85 of 2019, which has an area of 1000 Ha. This Kendal industrial area has main activities, including the textile and clothing industry, the furniture and game equipment industry, the food and beverage industry, the automotive industry, the electronics industry, and logistics. The target set by the government for the Kendal industrial estate in 2030 is to earn an investment of Seventy-two thousand billion Rupiah with a workforce of 20,000 people (Sadewo & Buchori, 2018).

However, it factually shows that the management of investment development in Indonesia is not yet ideal. Due to weak Collaborative Governance. So it is necessary to study collaborative Governance to achieve the regional investment target. There is a research question in this study.

## II. Review of Literature

Investment is a common thing in the economic development of a country. The elaboration related to Investment itself is a commitment to instilling a model owned by individuals, corporations, and a nation's government. In international terms, the models are Business to Business (B to B), Business to Government (B to G), and Government to Government (G to G).

The definition of Investment often gives rise to multiple interpretations. According to some people, direct Investment has the same interpretation as indirect Investment or through the capital market (indirect Investment). In this sense, direct model investment is not the same as indirect Investment. Widayat in Baihaqqy (2020) states that investment decisions are influenced by many antecedence variables such as financial literacy, demographic aspects, and individual economic conditions.

In research by Hermawan (2019), investment policies are protected through a series of policies made by the central and local governments. The goal is that there are no things or actions detrimental to the national economy or the dynamics of Indonesian society. The

investment policy itself is contained in Law Number 1 of 1967 concerning Foreign Investment which was subsequently updated through Law Number 25 of 2007 concerning Investment which was upgraded based on the investment conditions of each period. The emergence of law number 11 of 2020 regarding job creation is expected to have an impact on investment issues that have an effect on Indonesia's economic growth amidst the chaos regarding investment regulations in Indonesia. not to mention the establishment of the Indonesia Investment Authority, which is the government's trump card to manage Investment and increase returns from investment management, which will have a positive impact on the Indonesian economy in the next few years.

According to (Herlianto 2013), the purpose of investors to invest is to develop funds that are owned or expected to profit in the future. In general, the purpose of Investment is to seek profit, but there may be other main objectives for certain companies other than to seek gain. In general, the investment objectives are as follows:

- a. To obtain fixed income in each period, such as interest, royalties, dividends, rent, etc.
- b. To establish a special fund, for example, a fund for expansion, social interests.
- c. To control or control another company through ownership of a portion of the equity of that company.
- d. To ensure the availability of raw materials and get a market for the products produced.
- e. To reduce competition among similar companies.
- f. To maintain the relationship between companies.

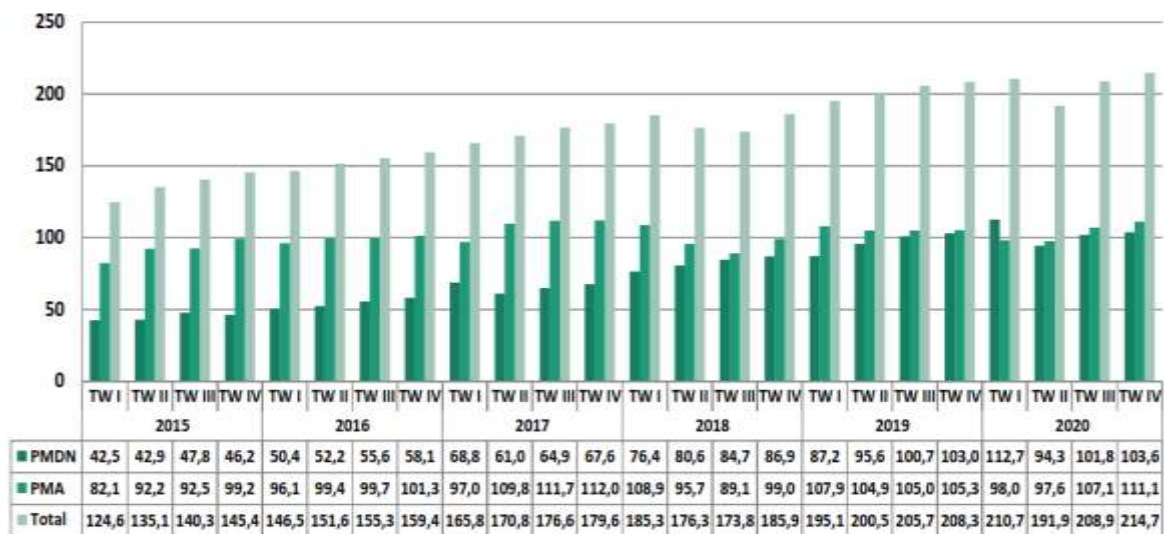


Figure 2. Investment Realization in 2015-2020 (Sumber BKPM)

According to BKPM data (*Perkembangan Realisasi Investasi 2015 – Maret 2020 : Per Triwulan*, 2021), in the fourth quarter of 2020, the sector that contributed the most was still dominated by the transportation, warehouse, and telecommunications sectors, amounting to Rp36.4 trillion (17.0%). The most extensive investment realization was in the province of West Java, which reached Rp. 34.1 trillion (15.9%). Accumulatively investment realization data throughout 2020, West Java province is still the favorite location with a total investment realization of Rp120.4 trillion (14.6%). Meanwhile, the transportation, warehouse, and telecommunications sectors continued to dominate with the achievement of Rp144.8 trillion (17.5%). Meanwhile, Singapore, which is a hub country for foreign investors, is still the largest country of origin for the realization of FDI investment at US\$9.8 billion (34.1%).

Regarding the ratification of the Job Creation Law (UU CK) and the ongoing Covid-19 vaccination, the Minister of Investment said that initially, the investment realization target in 2021 as per the Ministry of National Development Planning/Bappenas, which was Rp855.8 trillion (Syaharuddin et al., 2020). However, President Jokowi's directive is that BKPM can achieve the investment realization target of IDR 900 trillion this year.

The government must, of course, learn from neighboring countries that have succeeded in maximizing Investment in their territory. The right strategy, mutually beneficial regulations, and facilitating licensing will undoubtedly attract many investors to invest in Indonesia.

Law no. 11 of 2020 concerning Job Creation (UU CK) encourages investment through ease of business licensing for investors. So far, the issue of overlapping trade licensing between the Central and Regional authorities and Ministries/Institutions (K/L) has made the licensing process difficult for investors. Not only does it take a long time, but potential investors also have to go through a protracted process.

One that can increase Investment, especially in the regions, is the special economic zones in 19 provinces. The regulation on SEZ itself is contained in Law Number 39 of 2009 concerning Special Economic Zones (in the future abbreviated as SEZ Law). Article 1 point 1 states that SEZ is "an area with certain boundaries within the jurisdiction of the Unitary State of the Republic of Indonesia which is determined to carry out economic functions and obtain certain facilities." The purpose of establishing SEZ, as stated by Djumantiara & Susilawati (2018:29), has positive values, namely: (1) increasing Investment; (2) maximizing employment; (3) increase the utilization of local resources and improve; (4) competitive advantage, especially in export products; (5) accelerate regional development; and (6) encourage the improvement of the quality of human resources through technology transfer (Sihaloho & Muna, 2010).

Based on the KEK Law, the establishment of SEZs is carried out by proposing, stipulating, developing, and operating. After a decade of enactment of the SEZ Law, Indonesia has 19 SEZs that have been determined, one of which is in Central Java, namely the Kendal SEZ. Following Chapter IV of the SEZ Law, the institutions that run SEZs include the National Council with authority at the central level, the Regional Council with management at the provincial level, and administrators in each SEZ to supervise services and operational control in each SEZ. Business Actors and Business Entities run the businesses in SEZ.

This relates to the various efforts that the government has made in policies, policy implementation, and policy evaluation. The government needs to review several things that can achieve the set investment targets. In this theme, the author examines investment policy strategies in special economic zones whose aim is to increase regional economic growth and impact national economic growth. The government can carry out collaborative Governance to further strengthen the network between the Kendal Special Economic Zone actors. If government policy is right on target, then the main possibility is that the main problem lies in the community itself (Dewi in Halik, 2020)

Gash In Tonelli et al. (2018:154) Stating that experts often use different terms but in the same sense, such as collaboration, participatory Governance, participatory management, collaborative democracy, good Governance, and collaborative management, to describe the joint efforts of stakeholders and non-state stakeholders to address issues complex through the collective decision making and implementation. The term Collaborative Governance is used more in this research because the word governance emphasizes the management process that involves the public, private, and community sectors.

The concept of collaborative Governance refers to a group of interdependent stakeholders, made up of various sectors, who work together to develop and implement policies to address complex problems or situations (O'Flynn & Wanna, 2008: 299). Gray (1998), in his book "Collaborating: Finding Common Ground for Multiparty Problems," states that collaborative Governance is:

"a process in which parties looking at different aspects of a problem can constructively explore their differences and seek solutions that go beyond their limited vision of what is possible."

This definition highlights how stakeholders with different interests, weaknesses, and strengths engage to achieve common goals. Ansell & Gash (2008:544-545) defines the theory and practice of collaborative Governance as a governing arrangement in which one or more public institutions directly involve non-state stakeholders in formal, consensus-oriented, and deliberative collective decision-making processes aim to make or implement public policy or manage programs or shared assets.

Collaborative Governance is also a control model in which one or more public institutions directly involve non-state stakeholders in a formal, consensus-oriented, deliberative, collective decision-making process to make or implement public policies and manage public programs or public assets. Based on the collaborative definitions above, the concept of collaborative Governance in the context of this research is a practice between two or more actors, including the public and private sectors. With their collaborative processes, community sector organizations share tasks and responsibilities between several entities to solve problems that are not easily solved by one organization alone and get extraordinary, innovative, and valuable results.

Collaborative governance arrangements have the potential to leverage knowledge from a wider variety of sources and provide greater access to people and institutions. In doing so, they offer the opportunity to increase the legitimacy of policies and project implementation. Modern policymaking requires expertise and implementation support from various state and non-state institutions to ensure compliance with laws and regulations and facilitate effective implementation at the sub-national level. The more complex the subject matter and the concept of sustainable development have high complexity, the more substantial the case for various skills and competencies in collaborative Governance (Widianto et al., 2021).

Collaborative Governance is also related to public administration and democracy (Kuhn, 2016). Deliberative democracy emphasizes the voice of citizens and responsive government. The entanglement of management-oriented governance terms, such as collaborative Governance, with the normative concept of democracy, explains much of the interest of political scientists in governance discourse. For some, collaboration carries ideological connotations associated with participation and empowerment (Kencono & Supriyanto, 2017).

Collaborative Governance is based on the goal to solve together specific problems or issues from the parties concerned. These parties are limited to government and non-government agencies because civil society is involved in formulating and decision-making sound governance principles. Cooperation is initiated due to the limited capacity, resources, and networks of each party. Collaboration can unite and complement various components that drive the achievement of common goals. According to Balogh in Emerson et al. (2012), Collaborative Governance has three dimensions: system context, drivers, and dynamics of collaboration.



*Figure 3. Concept System Context*

This paper operates with a more pragmatic concept of collaborative Governance, defining it as "multi-stakeholder engagement in the design and implementation of policies and programs that may take various forms concerning the degree of power-sharing and shared decision making. Therefore, the collaborative governance model can be used for investment policy governance to policy implementation.

Actors involved in collaborative Governance in investment policy include those involved in policymaking and actors involved in policy implementation. According to Madani (2011:119), policy actors include bureaucratic internal actors and internal actors, consisting of individual and group actors who participate in every conversation and debate about public policy.

The policy actor in the internal scope is intended to become the leading sector or has full power or full responsibility for the policy/activity/program. Policy actors comprise BKPM as the central government's representative, the Investment Office, or the One-Stop Integrated Service (PTSP) as regional representatives. Local, national, and foreign investors represent the implementation actors and in the special economic zone implementing the Central Java provincial council (Presidential Decree number 10 of 2020 concerning the particular economic area of the province of Central Java).

### **III. Research Method**

The research method used in this paper is descriptive qualitative research. Duncan (2020:31). Qualitative research methods are methods for studying meanings that some individuals or groups think stem from social or humanitarian problems. At the same time, the design of this study uses case studies. According to Bungin (2011:37), case studies qualitative data analysis method emphasizes the specific cases that occur in the object of analysis. While Neuman & Wiegand (2000:58), case study research is an in-depth study of some information about a case over several periods. To analyze the author's policy using a literature review of several policies on investment issued by the central and local governments (Bryman, 2017: 90).

### **IV. Results and Discussion**

The research focuses on Collaborative Governance in regional investment policies in the Kendal particular economic area. We can initiate collaborative Governance from theory: Emerson & Nabatchi (2015) System context, driver, and Dinamica collaborative governance. If we do some of these models, collaborative Governance in managing investment policies can be appropriately implemented.

#### 4.1 System Context

Collaborative arrangements begin and develop in the multilayered political, legal, socioeconomic, environmental, and other influences. The context of this external system creates opportunities and constraints, and the influence of Collaborative Governance is implemented. The context form of the entire collaborative governance system context, but the regime itself can also influence the context of the system through its collective impact. (Arrozaaq, 2016).

Cross-border collaboration does not occur in a vacuum. Like almost everything in the corporate world, Collaborative Governance Regimes emerges and develops in the context of a complex system consisting of many-layered and interrelated political, legal, economic, social, cultural, and environmental conditions. This broad and dynamic context creates opportunities and constraints that directly affect Collaborative Governance Regimes since it starts and forms its contours as it develops. In particular, context influences the initiation of Collaborative Governance Regimes and affects dynamics and performance.

Researchers have recognized several critical elements in the context of the system that may distinguish or influence the nature and prospects of Collaborative Governance, including resource conditions that require improvement, improvement, or limiting; policy and legal frameworks, including administrative, regulatory, or judicial; previous failures to address problems through conventional channels and authority; political dynamics and power relations in society and between/at the level of government; the level of connectedness in and all existing networks; historic level of conflict of interest is recognized and the level resulting from trust and impact on relationship work; and socioeconomic and cultural health and diversity. The context of the system is represented in this framework, not as a set of initial conditions but as the surrounding three-dimensional space due to external conditions. Still, it can affect the dynamics and performance of collaboration at the beginning and at any time during the passage of collaborative Governance, thus opening up new possibilities or posing unexpected challenges.

Departing from the above concept concerning investment policy in a particular economic area is a portrait of investment conditions over time into elements of the system context that are commonly seen. The concept of investment planning is regulated in law regulation number 25 of 2007 on Investment. This law is regulated about investment in Indonesia in each article. There are many special considerations why the government at that time decided to make investment laws, among others, is to make the Indonesian economy better through sustainable national economic development, carrying out the mandate that has been set out in the Decree of the People's Consultative Assembly of the Republic of Indonesia Number XVI / MPR / 1998 related to investment rules or policies based on the popular economic system, Acceleration of economic development through increased investment to process all economic potential into real or tangible economic performance, and Indonesia's participation in international cooperation, with this investment, will be part of a promotion, justice, conduciveness, and efficiently lead to national economic interests.



## 4.2 Driver

The most influential element is leadership in the context of drivers as one of the collaborative governance dimensions. The development of the Special Economic Area in question must include the use and utilization of KEK areas to determine development areas following the layout of this Industrial Area aimed at improving the welfare of the surrounding communities of particular economic areas. The government considers ecosystems in special economic areas. In this case, the benefits for investors as stakeholders by providing ease of distribution of raw materials and finished goods at ports, airports, train stations, and road trips via the toll road.

The government has provided considerable investment opportunities as tenant/investors in critical activities and supporting activities, investment opportunities as developers for development and managing KEK, and investment opportunities as developer infrastructure in KEK. The basic concept of KEK that provides facilities for the preparation of areas with access to the global market needs to be given specific incentives from central and regional governments. The goal is to increase competitiveness with foreign direct investment.



**Figure 4.** *Ekosistem Suplay Chain KEK Kendal*

In the management of Kendal KEK managed by the National Council of Special Economic Zones led by the Coordinating Ministry for Economic Affairs, then its members are the Ministry of Finance, Ministry of Public Works, Ministry of Trade, Ministry of Industry, Ministry of Home Affairs, Ministry of Transportation, Ministry of Manpower, Ministry of VAT / BAPPENAS, and Ministry of Investment / BKPM.

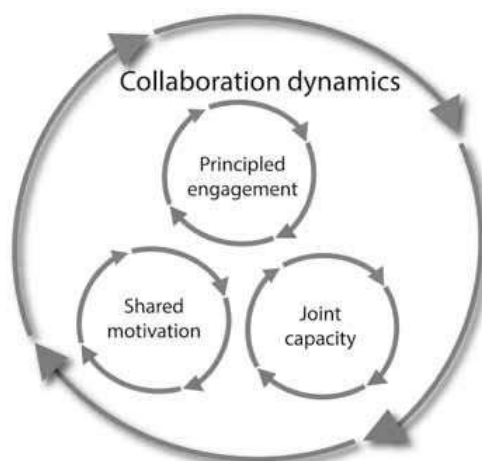
With an investment target in 2030 of Rp. 72,000 Billion, of course, the potential of this particular economic area of Kendal can be too much even though it still considers investment risks and other risks. Therefore, collaborative leadership needs to be improved so that there is commitment and consistency between Kendal KEK managers and investors, and other stakeholders who support the existence of Kendal KEK. The central government needs to set guidelines and technical instructions on investment policy in each KEK so that collaborative Governance can be implemented to make it easier for investors to invest in Kendal KEK.

Another commitment is that the provincial government has the task of coaching, of course, assisted by the district government to facilitate licensing so that investment realization can be achieved before the target year. As an alternative concept of investment in Kendal KEK, collaborative Governance is considered to be the basis of the economic development of the region where Kendal KEK is located. Because the development of this Kendal particular economic area becomes a combination of development for the area around the Kendal particular economic area, the dimension of drivers in the context of leadership elements that describe leadership in the context of the central government, provincial government, and district government must be able to map during the covid-19 pandemic issue to attract investors to invest in Kendal KEK so that it has a positive impact on medium-term and even long-term economic development. The government must also provide rapid licensing services and override sectoral egos to achieve investment achievement targets as soon as possible.

### 4.3 Dynamics of Collaborative Governance

Effective collaboration processes have been studied from a variety of multi-disciplinaries, where researchers have observed many positive outcomes, such as increased clarity on critical issues and concerns; better integration of relevant knowledge into deliberation, more quality decisions; more effective management of differences and conflicts, increased trust and mutual respect between the parties involved. Bat, increased social, operational, and decision-making capacity, and greater perceived legitimacy inside and outside collaboration (Agranoff & McGuire, 2003; Bryson et al., 2006). In general, there are two approaches to conceptualizing collaborative processes. One approach describes collaboration as a linear sequence of cognitive steps or stages over time, including problem definition, directional setting, and implementation.

In principle, the collaboration will benefit all parties in terms of resources because it raises the potential to share and utilize limited resources owned; this is called capacity for join action as one of the collaborative dynamics elements (Sant'Anna et al., 2016).



*Figure 5. Collaboration Dynamics*

Principled engagement occurs over and over again from time to time. It enables people with different substantive, relational, and identity goals to collaborate across their respective institutional, jurisdictional, or sectoral boundaries to solve problems, resolve conflicts, or create shared values. (Lulofs & Cahn, 2000).

It is important to note that the moral engagement process is not intended to dampen or defuse conflict among participants but rather to help bring up differences and create space to acknowledge and address tensions among diverse organizations and constituents. (Batory & Svensson, 2020). These conflicts may be interpersonal but most likely stem from structural or cultural differences among organizations, such as how each organization makes internal decisions or the extent of its representatives' delegated authority to participate or negotiate. Different organizational cultures, on the contrary, can lead to conflict. For example, Dan onward, when there are different expectations about formality, sharing information, and dealing with external actors, especially the media.

When viewed in the context of regulation, there has been a dynamic in its implementation. The number of bilateral and regional trade cooperation requires collaboration from all parties with a balanced capacity for trade-related decision-making. Of course, issues about the economy become a discussion that is always evocative to be examined to improve welfare and economic justice for all Indonesian people in the future.

Bilateral and regional trade is cooperation between two or more countries to facilitate trade and investment by eliminating tariffs, import quotas, import restrictions, and other barriers. Trade agreements also standardize labor regulations as well as environmental protection.

Indonesia itself has established bilateral and regional cooperation with various countries, such as countries in Southeast Asia. Regarding collaborative governance dynamics in a particular economic area, a policy differs in investment management in particular economic areas from other regional investments. In a special economic area, of course, the built ecosystem must be attached to the industrial ecosystem in the area.

Collaborative governance constraints in Kendal's particular economic area remain both derived from natural factors and human resource factors. Ecosystems on the logistic supply chain in particular economic areas may already be available for land, sea, and air traffic. But many other factors need to be considered in the management of Kendal KEK, such as human resource supply, which of course with ready-made skills considering that Kendal KEK applies technology 4.0 that carries artificial intelligence, big data, the internet of things, and other technological ecosystems that accelerate the production of goods. Therefore, it is necessary to design skill training for prospective workers who master information technology needed by the factory.

#### 4.4 Model of Collaborative Governance in Kendal Special Economic Zone

Tata Kelola kolaborative mempunyai Bahasa komunikasi yang unik dalam mengelola hubungan antar institusi yang terlibat didalamnya. Dalam kasus pengelolaan Kawasan ekonomi khusus, tentu collaborative governance menjadi nilai plus agar pengelolaan Kawasan ekonomi khusus di Kendal ini dapat berjalan dengan efektif sehingga membutuhkan kolaborasi pada antar lini.

No	Collaborative Governance	Institution
1.	System Context	
2.	Driver	
3.	Dynamic of Collaborative Governance	

## V. Conclusion

The conclusion obtained from this study is the development of Kendal's particular economic area aimed at accelerating the process of improving community welfare, especially in the Kendal regency and central Java province. An investment policy is to reap the highest profits for investors and has an impact on the absorption of labor in Central Java and surrounding areas. The investment policies set by the current government will have a long-term impact and contribute to Indonesia's economic sustainability.

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