



The Urgency of Halal Tourism Regulations Under Law No. 10 of 2009 on Tourism: Toward a Muslim-Friendly Tourism Ecosystem in Indonesia

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ABSTRACT

This study aims to analyze the urgency of regulating halal tourism within the framework of Law No. 10 of 2009 concerning Tourism to foster a Muslim-friendly tourism ecosystem in Indonesia. It also seeks to analyze the obstacles to and solutions for the implementation of halal tourism in the country. The absence of specific regulations governing halal tourism in Indonesia has created a legal vacuum. A qualitative research method with a normative-juridical approach was employed. The study concludes that specific regulations for halal tourism are essential, as there is currently no dedicated legal protection for tourists or business operators in this sector; consequently, despite the promising growth of halal tourism in Indonesia, the lack of appropriate and adequate regulation leaves the sector vulnerable. Identified obstacles include a lack of public understanding regarding halal tourism, insufficient infrastructure to meet the needs of Muslim tourists, a large number of Micro, Small, and Medium Enterprises (MSMEs) lacking halal certification, and the absence of specific halal tourism regulations. Proposed solutions include the government and relevant institutions conducting large-scale, sustained public awareness campaigns on the concept of halal tourism; developing infrastructure and facilities that support halal tourism; promoting free halal certification programs; and enacting specific regulations for halal tourism in Indonesia.

Keywords: Halal Tourism; Muslim-Friendly Tourism; Regulatory Urgency

ABSTRAK

Tujuan penelitian ini untuk menganalisis Urgensi Regulasi Pariwisata Halal Menurut Undang-Undang Nomor 10 Tahun 2009 Tentang Kepariwisata Menuju Ekosistem Wisata Ramah Muslim Di Indonesia. Serta untuk menganalisis kendala dan solusi terhadap implementasi pariwisata halal di Indonesia. Belum adanya regulasi khusus yang mengatur pariwisata halal di Indonesia menyebabkan kekosongan hukum. Metode penelitian yang digunakan adalah kualitatif dengan pendekatan yuridis normatif. Hasil penelitian ini adalah Regulasi Pariwisata Halal Menurut Undang-Undang Nomor 10 Tahun 2009 Tentang Kepariwisata Menuju Ekosistem Wisata Ramah Muslim Di Indonesia adalah sangat dibutuhkan karena belum adanya perlindungan hukum khusus untuk wisatawan dan pelaku usaha pariwisata halal. Sehingga meskipun perkembangan pariwisata halal sangat bagus di Indonesia jika tidak didukung dengan regulasi yang sesuai dan memadai tetap memiliki kelemahan. Kendala terkait pariwisata halal ini Kurangnya pemahaman masyarakat terhadap pariwisata halal di Indonesia, kurangnya ketersediaan infrastruktur yang memadai untuk mendukung kebutuhan wisatawan muslim, masih banyak pelaku Usaha Mikro Kecil Menengah (UMKM) yang belum memiliki sertifikasi halal dan belum adanya regulasi khusus terkait pariwisata halal di Indonesia. Adapun solusi yang diberikan adalah pemerintah maupun lembaga terkait bisa melakukan sosialisasi yang masif dan berkelanjutan tentang konsep wisata halal untuk meningkatkan pemahaman masyarakat. Sosialisasi ini bisa dilakukan secara langsung maupun melalui sosial media, melakukan pembangunan infrastruktur dan fasilitas yang mendukung pariwisata halal, menggalakan program sertifikasi halal gratis dan membuat regulasi khusus pariwisata halal di Indonesia.

Kata Kunci: Pariwisata Halal; Wisata Ramah Muslim; Urgensi Regulasi

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Introduction

In its 2023 study, Indonesia's Central Statistics Agency (BPS) reported that Indonesia comprises 17,001 islands stretching from Sabang to Merauke ([Central Statistics Agency \[BPS\], 2023](#)). Indonesia's major islands include Java, Sumatra, Kalimantan, Sulawesi, and Papua. Its highly strategic geographical location—between the continents of Asia and Australia, and between the Indian and Pacific Oceans, which straddle the equator—makes Indonesia an archipelagic nation. This characteristic as an archipelagic nation makes Indonesia a country rich in natural resources, as well as in cultural and linguistic diversity. According to data from the Central Statistics Agency, Indonesia is home to 360 ethnic groups and 742 languages. In addition to its rich ethnic and linguistic diversity, Indonesia also boasts a unique cultural diversity, including traditional houses, traditional weapons, traditional clothing, traditional musical instruments, traditional dances, regional songs, regional specialties, and various types of traditional ceremonies. This cultural diversity, abundance of natural resources, and linguistic richness are undoubtedly special assets of the Indonesian nation. This is especially true if the Indonesian people can nurture and develop the potential of these assets by safeguarding, preserving, and promoting their tourism sector.

Tourism is defined as activities related to travel for recreation and sightseeing ([Kamus Besar Bahasa Indonesia \[KBBI\], 2026](#)). Meanwhile, Law No. 10 of 2009 on Tourism defines tourism as a travel activity undertaken by an individual or group of people who visit a specific location for the purposes of recreation, personal development, or to explore the unique attractions of the destination for a limited period of time ([Ramadhani, 2021](#)). With the growth of the tourism industry, the concept of halal tourism has emerged. This concept of halal tourism has emerged alongside growing public awareness of the importance of halal and haram in products. Halal tourism refers to tourism activities supported by various facilities and services that adhere to halal principles. In Indonesia, halal tourism has been developed into a national program by the Ministry of Tourism. Through this program, the Ministry of Tourism—which aims to accelerate the growth of halal tourism in Indonesia—has identified 15 (fifteen) provinces as the focus for developing leading Muslim tourist destinations. These provinces include Aceh, Banten, Lampung, West Sumatra, Riau, Riau Islands, West Java, DKI Jakarta, Central Java, DI Yogyakarta, East Java, West Nusa Tenggara, South Kalimantan, South Sulawesi, Madura, and Papua ([Mustaqim, 2023](#)).

According to the 2026 Global Muslim Travel Index (GMTI) published by Mastercard-CrescentRating, Indonesia rose to second place as the world's largest Muslim tourism destination. In the 2025 GMTI, Malaysia ranked fifth, and Indonesia recorded a score of 79—the highest increase since Indonesia began participating in the GMTI rankings ([Global Muslim Travel Index \[GMTI\], 2025](#)). According to the State of the Global Islamic Economy (SGIE) 2025–2026 report, Muslim consumers worldwide spend their money across six key Islamic economic sectors. This figure reached approximately US\$2.60 trillion in 2024 and is projected to rise to US\$3.56 trillion by 2029. As home to the world's largest Muslim population, Indonesia remains one of the world's largest halal markets, according to 2024 data from the Central Statistics Agency (BPS), with the Muslim population reaching approximately 245.97 million people, or 87.08% of the total population. This makes Indonesia a highly promising market for the development of the halal industry, including the rapidly growing halal tourism sector. ([CrescentRating, 2025](#)).

To date, regulations regarding halal tourism in Indonesia remain weak. The government has not yet established specific regulations to govern halal tourism in the country. The absence of specific regulations on halal tourism in Indonesia has significant implications. The consequences of unregulated halal tourism in Indonesia include a lack of legal certainty and legal protection for the halal tourism sector—affecting both business operators and consumers/visitors to halal tourism destinations. This will result in a lack of clear standards and criteria for ensuring halal tourism. These impacts may lead to a lack of comfort and trust among Muslim tourists regarding halal tourism services and reduce the potential for developing a large market in the halal tourism sector.

This study aims to examine the importance and urgency of specific regulations regarding halal tourism in Indonesia. The findings reveal that, to date, regulations regarding halal tourism in Indonesia have been guided by DSN-MUI Fatwa No. 108/DSN-MUI/X/2016 on the Implementation of Tourism Based on Halal Principles, Law No. 10 of 2009 on Tourism, and Law No. 33 of 2014 on Halal Product Guarantee. This study notes that the implementation of regulations on halal tourism in Indonesia has been quite good. However, specific regulations on halal tourism in Indonesia are still needed to provide legal protection for the halal tourism sector—including both business operators and consumers/visitors—and to ensure clear standards in the implementation of halal tourism in Indonesia.



Next, what challenges have arisen and what solutions are recommended regarding the regulation of halal tourism in Indonesia? This study emphasizes that halal tourism in Indonesia has enormous potential. Halal tourism is already underway in Indonesia, particularly in Aceh, including the Weh Island Halal Tourism destination, which features attractions such as lakes, caves, beaches, and more; the Geurute Highline Halal Tourism site on the coast of Aceh Jaya, Lake Laut Tawar, the Hubbul Waton Grand Mosque in West Nusa Tenggara, the Setangga Halal Tourism Village in West Nusa Tenggara, and PT Taman Wisata Candi—the operator of Prambanan Temple, Borobudur Temple, and Ratu Boko in Central Java, among others. However, to date, there is still no clear legal protection in place.

Previous studies on halal tourism include one conducted by Diana Novita, Dewi Novitasari, and Aditya Maulana Rizqi in 2024, titled *“Halal Tourism in Indonesia: Challenges of Fairness in Policy Implementation.”* Based on this study, it was concluded that there are still many challenges in the implementation of halal tourism policies in Indonesia. This is because halal tourism does not yet have a single central regulatory framework, leading to regional variations in its implementation. The difference between this study and the previous one lies in their scope (Novita et al., 2024). The earlier study focused more on examining policies and aspects of fairness, whereas this study emphasizes the urgent need to formulate specific regulations to provide legal certainty for the implementation of halal tourism in Indonesia.

The next study was conducted by Abdul Kadir Jaelani et al. in 2025, titled *“Sustainable Halal Tourism Regulation Based on Local Wisdom in Indonesia and Uzbekistan.”* This study employed a comparative legal approach between Indonesia and Uzbekistan, after which the authors developed a regulatory framework for sustainable halal tourism that takes into account the alignment of regulations and the values of local wisdom in halal tourism. (Jaelani et al., 2025). The difference between the studies lies in their research subjects: the earlier study examined comparisons of halal tourism between countries, whereas this study examines existing legal provisions in Indonesia and assesses the extent to which these regulations can comprehensively meet the needs of halal tourism in Indonesia.

A subsequent study was conducted by Fahmi Muhammad and colleagues in 2025 titled *“Halal Tourism in Indonesia: A Literature Review Using the SPAR-4-SLR Protocol and TCCM Analysis.”* The objective of this study was to highlight the development patterns of halal tourism studies in Indonesia by applying a systematic literature review method (Muhammad et al., 2025). A key distinction from previous research is that earlier studies focused more on mapping research trends. In contrast, this study focuses on a legal assessment, examining the importance and urgency of halal tourism regulations in Indonesia.

Based on these previous studies, it can be concluded that halal tourism in Indonesia is typically studied in terms of regulatory adjustments and their implementation. However, there has been little research that delves into halal tourism regulations in Indonesia. Therefore, this study aims to provide input for legal development in the tourism sector, particularly in formulating a regulatory framework that can ensure legal certainty for all practitioners and managers of halal tourism.

Method

The research method employed here is normative legal research using a statutory approach. Normative legal research is intended to encourage researchers to consider legal issues of a normative nature (*law as written in books*), technical aspects in the operationalization of legal regulations—much like a machine that produces and yields specific results from a mechanical process—and, of course, must be strictly prescriptive in nature, although this is reasonable, given the inherent nature of legal norms as “what *ought to be*” (Sumitro, 2010). This study aims to obtain accurate and reliable data regarding the Urgency of Halal Tourism Regulation Under Law No. 10 of 2009 on Tourism Toward a Muslim-Friendly Tourism Ecosystem in Indonesia. Data collection was conducted through library research, which involved studying laws, books, articles, journals, and other relevant legal materials, which were then analyzed descriptively from a legal perspective to draw relevant conclusions regarding halal tourism regulations in Indonesia.



Results and Discussion

Regulations on Halal Tourism in Indonesia

The development of halal tourism will focus on four types of businesses: hotels, restaurants, travel agencies or tour services, spas, and tourism (Dede, 2021). Regulations on halal tourism in Indonesia are currently governed by DSN-MUI Fatwa No. 108/DSN-MUI/X/2016 on the Organization of Tourism Based on Sharia Principles, Law No. 10 of 2009 on Tourism, and Law No. 33 of 2014 on Halal Product Guarantee. DSN-MUI Fatwa No. 108/DSN-MUI/X/2016 provides guidance on organizing halal tourism. This fatwa was issued in light of several factors, namely the growing halal-based tourism sector in Indonesia and the absence of legal provisions regarding guidelines for organizing tourism based on Sharia principles. Law No. 10 of 2009 on Tourism regulates tourism in Indonesia, including halal tourism. Meanwhile, Law No. 33 of 2014 on Halal Product Guarantee regulates halal certification and labeling, as well as the separation of halal and non-halal products (Afifah, 2019). Law No. 33 of 2014 aims to ensure the availability of halal products for the public and to guarantee that the products consumed are in accordance with the teachings of Islam, thereby greatly benefiting the broader community.

If we analyze this based on Gustav Radbruch's theory—specifically, Radbruch's theory of law, which identifies three key foundational values of law: justice, utility, and legal certainty. From the perspective of justice, the existence of DSN-MUI Fatwa No. 108/DSN-MUI/X/2016, Law No. 10 of 2009, and Law No. 33 of 2014 represents an effort to establish the value of justice within them, reflecting the principles of justice. DSN-MUI Fatwa No. 108/DSN-MUI/X/2016 seeks to provide Islamic legal guidance for the implementation of halal tourism. The aim is to ensure that, in practice, halal tourism provides services in accordance with Islamic law, remains impartial toward all parties, maintains neutrality, and ensures a sense of fairness for all stakeholders in the tourism sector. Meanwhile, Law No. 10 of 2009 and Law No. 33 of 2014 provide a framework for organizing halal tourism, although the fatwa itself does not carry legally binding force. Meanwhile, laws regarding tourism and halal product certification impose binding penalties for violations. However, there is currently no law that specifically regulates halal tourism; nevertheless, such regulation is important because it relates to the halal status of products consumed by tourists.

Second, in terms of utility, it is evident that the underlying legal principles must serve a beneficial purpose. Fatwa No. 108/DSN-MUI/X/2016, along with Law No. 10 of 2009 and Law No. 33 of 2014, are highly useful and beneficial to the broader public, particularly for those involved in halal tourism. These regulations help the general public achieve social goals and general welfare, serving as a framework for the implementation of halal tourism in Indonesia.

Regarding the third point on legal certainty, DSN-MUI Fatwa No. 108/DSN-MUI/X/2016 does indeed provide detailed legal certainty regarding the procedures for implementing halal tourism in Indonesia—ranging from principles and recommended practices to the prohibitions outlined in the fatwa. However, this fatwa provides legal certainty solely from an Islamic perspective. This fatwa does not yet have binding legal force. Consequently, it is not legally binding or enforceable upon the public. Moreover, in the event of a violation, the DSN-MUI cannot and has no authority to impose sanctions on the perpetrators of such violations or crimes, as this falls outside their jurisdiction. Law No. 10 of 2009 on Tourism serves as the legal basis and reference for the practice and development of tourism in Indonesia; however, Law No. 10 of 2009 on Tourism only provides general regulations and does not address details such as Standard Operating Procedures (SOPs), nor does it specifically regulate halal tourism itself. Law No. 33 of 2014 contributes to legal certainty regarding halal products in Indonesia, providing a clear and predictable framework for all parties involved. This, of course, greatly supports the implementation of halal tourism in Indonesia, given that the halal status of a product is one of the key pillars of halal tourism.

Implementation of Halal Tourism Regulations in Indonesia

In the past, the public was only familiar with halal products such as food, beverages, cosmetics, and medicines—those that are halal and do not contain alcohol or chemicals derived from pork, blood, or carrion. Today, the halal industry has expanded to include financial products—such as banking, insurance, and others—as well as lifestyle products *in travel, hospitality*, hotels, tourism, and healthcare. The Islamic economic sector has experienced significant growth in product offerings. In the tourism sector, this is manifested as halal tourism. As a smoke-free industry, tourism continues to undergo remarkable development, shifting from conventional forms (mass tourism, entertainment, and mere sightseeing) toward fulfilling lifestyle needs (Wulan, 2022). There are several standard



parameters in the implementation of tourism: services provided to tourists—especially seasonal tourists—must fully comply with Islamic principles (Sharia); tour guides and staff must be disciplined, respectful, and adhere to Islamic principles (Sharia); all tourism activities must be regulated to ensure they do not conflict with Islamic principles (Sharia); the construction of buildings must comply with the principles of Islam (Sharia); supporting tourism facilities, such as restaurants and hotels, must meet international halal service standards; there must be a secure protection system in place for transportation services; facilities must be provided for tourists to perform Muslim religious rituals; and there must be no places that contradict the principles of Islam (Sharia) (Yunus et al., 2021).

Based on Gustav Radbruch's theory, which emphasizes that there are three key foundational values that must be present in law: justice, utility, and legal certainty. In its implementation, halal tourism has effectively embodied the principles of justice and utility by providing clear parameters regarding what is halal and haram in halal tourism practices. The implementation of halal tourism in Indonesia adheres to clear parameters grounded in Islamic legal certainty, which prohibit *harm* (evil and sin), gambling, usury, ambiguity, and exploitation in the conduct of tourism. These prohibitions constitute what is not permitted or is haram. In religious life, while economic development is permitted, Muslims must pay attention to whether a product is haram or halal—whether it is a good or a service. The origin of the product, its raw materials, and the methods used to manage it must all be assessed for their halal status.

In terms of legal certainty, the implementation of halal tourism in Indonesia is primarily guided by DSN-MUI Fatwa No. 108/DSN-MUI/X/2016 on the Conduct of Tourism Based on Sharia Principles and Law No. 33 of 2014 on Halal Product Guarantees, rather than Law No. 10 of 2009 on Tourism. The theory of legal certainty emphasizes the importance of clear laws that can regulate society both now and in the future. The implementation of halal tourism in Indonesia in accordance with Sharia/Islamic law is already compliant and possesses clear legal standing. This is because the implementation of halal tourism in Indonesia is based on sources from *the Qur'an* and *hadith*, which were subsequently codified by the DSN-MUI—as an Islamic civil society organization—in DSN-MUI Fatwa No. 108/DSN-MUI/X/2016 on the Conduct of Tourism Based on Sharia Principles and No. 33 of 2014 on Halal Product Guarantees.

Nevertheless, there are currently no guarantee mechanisms in place to regulate the implementation of halal tourism in Indonesia. Consequently, in implementing halal tourism in Indonesia, there are no regulations in place to ensure compliance, no oversight body for implementation, no quality standards for halal tourism, and no sanctions for tourist destinations that violate the established halal tourism standards.

Challenges and Solutions for Implementing Halal Tourism in Indonesia

The challenges in implementing halal tourism in Indonesia include a lack of public understanding, inadequate infrastructure to support the needs of Muslim tourists, a shortage of halal certification for MSMEs, and the absence of specific regulations governing halal tourism in Indonesia.

Lack of public understanding of halal tourism in Indonesia. To date, there are still misconceptions or a lack of understanding among the Indonesian public regarding the concept of halal tourism. This is not limited to non-Muslims but also occurs among Muslims themselves. To address this issue, the author recommends that the government and relevant agencies conduct massive and sustained public awareness campaigns regarding the concept of halal tourism to enhance public understanding. These campaigns can be carried out in person or through social media (Yonanda, 2024).

The second challenge is the lack of adequate infrastructure to support the needs of Muslim tourists, such as places of worship, wudu facilities, dining options, and others. The concept of halal tourism must be supported by adequate infrastructure so that it can function properly and provide comfort for Muslim tourists. To address this issue, the author suggests that infrastructure development should focus on improving connectivity to tourist destinations, as well as upgrading facilities for religious practices and other supporting amenities. This infrastructure development can be carried out by the government or relevant agencies, tourism industry stakeholders, or other groups (Yonanda, 2024).

The lack of specific regulations governing halal tourism is at odds with Indonesia's status as a country that has made significant strides in halal tourism and even received an award from the Global Muslim Travel Index (GMTI) in 2019 (Ramadhani, 2021).



The solutions proposed by the author include the government and relevant agencies conducting massive and sustained outreach on the concept of halal tourism to improve public understanding, infrastructure improvements by the government or relevant agencies, tourism business operators and all other relevant parties, allowing MSMEs to apply for certification independently (self-declaration) through halal certification facilitators, and drafting a bill on halal tourism in Indonesia to provide legal protection for halal tourism operators—including ensuring the comfort of Muslim tourists—thereby advancing halal tourism in Indonesia and fostering Muslim-friendly tourism.

However, existing regulations are still considered general and not specific to halal tourism, which is currently governed by Law No. 10 of 2009 on Tourism. This creates a dilemma because the rapid growth of halal tourism requires clearer and stronger regulatory support. Thus, it can be concluded that the need for specific regulations on halal tourism is urgent. Several steps the Indonesian government can take to enhance legal certainty in halal tourism include accelerating the drafting of specific regulations on halal tourism, conducting regular coordination between the BPJPH, DSN-MUI, and the Ministry of Tourism to update regulations, and preparing infrastructure and facilities that support halal tourism, including training for halal tourism business operators.

If we examine this through the theory of the utility of law—which is often associated with the concept of utilitarianism in legal philosophy and emphasizes the creation of the greatest good for the greatest number of people—in the context of halal tourism in Indonesia, this theory can be applied to analyze how the law can function to address the obstacle of public ignorance. Halal tourism—which refers to the provision of facilities and services in accordance with Sharia principles—remains a new concept for some Indonesians. Although Indonesia has great potential in halal tourism, the public's lack of understanding of what halal tourism is and how it is regulated can hinder its development.

From the perspective of the theory of the utility of law, effective regulations must not only create a clear framework for the halal tourism industry but also ensure that information about these regulations is easily accessible and understandable to the public. This includes widespread education and outreach regarding the concepts and practices of halal tourism. Developing infrastructure that supports halal tourism, such as halal-certified hotels and restaurants. The issue of halal certification remains a common challenge for small and medium-sized enterprises (SMEs) located in halal tourism destinations. Additionally, active engagement from stakeholders—including the government, the tourism industry, and religious institutions—is essential to promote understanding of halal tourism.

Thus, the law plays a role not only in regulating and providing certainty, but also in ensuring that the benefits of halal tourism are felt by all segments of society, both as service providers and as consumers. This will help overcome the obstacle of ignorance and ultimately improve the overall economic and social well-being of society. And if the state steps in to address these various issues, it will lead to the achievement of public welfare in line with the theory of the welfare state—where the state is established to ensure the well-being of its people. Finding solutions to the aforementioned challenges will encourage Indonesia to develop Muslim-friendly halal tourism and become one of the world's leading destinations for halal tourism.

Conclusion

Indonesia faces the reality that there are currently no regulations governing halal tourism. The current framework for halal tourism in Indonesia is based on DSN-MUI Fatwa No. 108/DSN-MUI/X/2016 on the Implementation of Tourism Based on Sharia Principles, which outlines guidelines for how halal tourism should be implemented in Indonesia. A fatwa is merely a recommendation and is not a state document that all Indonesian citizens are required to follow. Meanwhile, the law currently governing halal tourism is Law No. 10 of 2009 on Tourism, which regulates tourism in general but does not specifically address halal tourism. A supporting regulation for halal tourism is Law No. 33 of 2014 on Halal Product Guarantees, which provides legal protection for the issuance of halal certification for food, beverages, cosmetics, and pharmaceuticals. Given that while halal tourism regulations in Indonesia hold immense potential, there is currently a lack of legal certainty and protection for halal tourism stakeholders, a lack of a foundation or guidelines for implementing halal tourism, and a lack of guarantees for the standardization of halal tourism practices in Indonesia, regulations on halal tourism are *urgently* needed. Therefore, it is necessary to establish specific regulations on halal tourism.



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