



LEGAL PROTECTION OF HAJJ AND UMRAH PILGRIMS UNDER INDONESIA'S AMENDED PILGRIMAGE LAW: A DOCTRINAL ANALYSIS

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Abstract

Hajj and Umrah services in Indonesia combine religious observance with public administration, cross-border mobility, financial transactions, and commercial service relationships, exposing pilgrims to both regulatory and contractual risks. Law No. 14 of 2025 amended Indonesia's sector-specific pilgrimage legislation, but the relationship among pilgrims' statutory rights, governmental responsibility, organizer accountability, and general consumer protection requires systematic clarification. This article examines how the amended framework regulates pilgrims' rights and protection, allocates responsibilities between the government and pilgrimage organizers, and structures supervision, accountability, and legal remedies. The study employs doctrinal legal research using statutory and conceptual approaches. Its primary legal materials comprise Law No. 8 of 2019 as amended by Law No. 14 of 2025, Law No. 8 of 1999 on Consumer Protection, and relevant implementing regulations. These materials are analyzed through grammatical, systematic, and doctrinal interpretation. The findings demonstrate that Indonesian law does not establish a uniform protection model. Regular Hajj is governed primarily through direct governmental responsibility; special Hajj and licensed Umrah combine statutory protection with regulated contractual duties; and independent Umrah relies more heavily on agreements with individual service providers while excluding pilgrims from several organizer-based protections. Consumer protection law complements, but does not replace, the sector-specific framework by providing general rights to information, compensation, and dispute resolution. The article contributes a differentiated doctrinal model of pilgrim protection and recommends regulatory harmonization, transparent licensing and evaluation information, traceable financial transactions, integrated complaint mechanisms, and consistent enforcement.

Keywords: *Consumer Protection; Doctrinal Legal Research; Hajj and Umrah; Legal Protection; Pilgrimage Governance*

A. Introduction

Hajj and Umrah services occupy a distinctive position within Indonesia's legal, religious, and administrative systems. Although both are forms of worship, their organization also involves public administration, cross-border travel, transportation, accommodation, health services, financial transactions, and relationships between pilgrims and commercial service providers. Studies of pilgrimage commodification, crisis-related disruption, and Hajj fund governance similarly demonstrate that pilgrimage administration cannot be separated from tourism markets, institutional coordination, and

financial accountability (Muneeza et al., 2018; Muneeza & Mustapha, 2021; Qurashi, 2017). This combination places pilgrims at the intersection of religious rights, public services, and consumer transactions. Failures in pilgrimage services—including fraudulent packages, misuse of funds, failure to depart pilgrims, and nonfulfillment of promised services—may therefore cause not only financial losses but also psychological, social, and spiritual harm (Rosida, 2023; Setiawan, 2025).

The legal protection of pilgrims cannot consequently be reduced to an ordinary contractual relationship between consumers and travel organizers. Law No. 8 of 1999 on Consumer Protection establishes general rights to safety, accurate information, fair treatment, compensation, and dispute resolution. These general protections remain relevant because pilgrims purchase services from licensed organizers. Nevertheless, pilgrimage services also involve religious obligations, international mobility, and direct governmental responsibility. The legal position of pilgrims must therefore be understood through the interaction between general consumer protection law and the sector-specific legislation governing Hajj and Umrah services.

Indonesia revised this sector-specific framework through Law No. 14 of 2025, the Third Amendment to Law No. 8 of 2019 on the Organization of Hajj and Umrah. Rather than creating an entirely new legal regime, the 2025 amendment modifies and supplements the existing statutory framework. Its principal areas of reform include institutional authority, the responsibilities of Hajj and Umrah organizers, Hajj quota administration, extraordinary and emergency conditions, supervision, monitoring and evaluation, and the development of an integrated ministry information system (Republic of Indonesia, 2025). These reforms demonstrate an effort to respond to regulatory weaknesses, technological developments, changing public needs, and the increasingly complex national and transnational administration of pilgrimage services.

Earlier studies identified several regulatory and implementation problems under the previous framework. Alfian and Rafianti (2023) examined difficulties in implementing Law No. 8 of 2019, while Huda and Haeba (2021) analyzed the legal implications of the Hajj waiting-list system. Siddiq et al. (2024) examined restrictions intended to protect access to Hajj, and Rustika et al. (2020) identified implementation challenges in the health protection of Indonesian Hajj pilgrims. Rosida (2023), meanwhile, emphasized the importance of consumer protection in cases involving unlawful conduct by Umrah organizers. More recent research has focused on governance and regulatory supervision. Aljawi and Santiago (2025) identified weak institutional coordination, limited public participation, and insufficient use of digital systems, whereas Januratmo and Vic (2025) argued that digital licensing, monitoring, and information systems could improve transparency and strengthen supervision of pilgrimage organizers. Collectively, these studies show that legal protection depends not only on the formal recognition of rights but also on institutional capacity, accessible information, and enforceable accountability mechanisms.

Scholarship published before and after the 2025 amendment has examined several specific dimensions of pilgrimage governance. Abdillah et al. (2026) analyze fraud and

organizer failure through consumer protection and Islamic legal principles, including *amānah* (fiduciary trust), *wakālah* (agency), and *maqāṣid al-sharī'ah* (the objectives of Islamic law). Abidin et al. (2023) document operational and accountability challenges affecting *Kelompok Bimbingan Ibadah Haji dan Umrah* (Hajj and Umrah Guidance Groups, or KBIHU), while Mashohih and Rozaq (2026) examine the movement toward standardized accreditation and digital supervision under the amended framework. Qadariyah and Faruq (2025) focus on the legality and human-rights implications of Hajj quota allocation, whereas Maram et al. (2024) examine the legal and religious implications of performing Hajj without an official permit. Hikmah et al. (2025) and Setiawan et al. (2025) analyze the flexibility, risks, and protection gaps associated with independent or “backpacker” Umrah. These studies provide important insights but generally address particular institutions, practices, or regulatory problems.

A more integrated doctrinal examination of the relationship among pilgrims' statutory rights, governmental responsibilities, organizer accountability, consumer protection, supervision, and available remedies under the amended framework remains limited. Existing scholarship does not always distinguish clearly between protections retained from Law No. 8 of 2019, provisions specifically modified by Law No. 14 of 2025, and protections derived from the Consumer Protection Law. Without that distinction, there is a risk of attributing legal rights or institutional responsibilities to provisions that do not expressly establish them. This doctrinal issue is particularly important because the legal adequacy of the amended framework must be assessed through the content and systematic relationship of its provisions, rather than inferred solely from its general policy objectives.

Hence, this study analyzes the legal protection of Hajj and Umrah pilgrims under Law No. 14 of 2025 in conjunction with Law No. 8 of 2019 and Law No. 8 of 1999 on Consumer Protection. It examines three questions: how the amended legislation regulates the rights and protection of pilgrims; how it allocates responsibilities among the government and pilgrimage organizers; and how its supervisory, accountability, and remedial mechanisms interact with general consumer protection law. The study contributes a systematic doctrinal account of this statutory relationship while identifying areas that require regulatory clarification or stronger institutional implementation. Because the study is normative rather than empirical, its conclusions concern the structure, coherence, and adequacy of the legal framework and do not claim to measure its effectiveness in practice.

B. Methods

This study employed normative or doctrinal legal research using statutory and conceptual approaches. The object of analysis was Indonesia's legal framework for the protection of Hajj and Umrah pilgrims, particularly Law No. 8 of 2019 on the Organization of Hajj and Umrah as amended by Law No. 14 of 2025. The analysis addressed three questions: how the amended legislation regulates pilgrims' rights and protection; how it allocates responsibilities among the government and pilgrimage

organizers; and how its supervisory, accountability, and remedial mechanisms interact with Law No. 8 of 1999 on Consumer Protection. The study assessed the structure, coherence, and normative adequacy of this framework rather than its empirical effectiveness (Ali, 2021; Negara, 2023).

The primary legal materials consisted of Law No. 8 of 2019, Law No. 14 of 2025, and Law No. 8 of 1999. Presidential Regulation No. 92 of 2025 on the Ministry of Hajj and Umrah and Minister of Religious Affairs Regulations Nos. 5 and 6 of 2021 were used to examine institutional authority, licensing, business standards, and operational requirements insofar as their provisions remain compatible with the 2025 amendment. Secondary materials included books, peer-reviewed journal articles, and policy studies addressing doctrinal legal research, consumer protection, state responsibility, pilgrimage governance, organizer accountability, fraud, and institutional reform. Official legal databases were used to verify the status and wording of the legislation.

The legal materials were collected through document-based and library research. They were selected according to their relevance to the research questions and classified into five categories: pilgrims' statutory rights; preventive and remedial protection; organizer obligations; legal remedies and sanctions; and institutional responsibility. The statutory analysis covered Articles 2–3, 6–6A, and 10–10A concerning principles, objectives, Hajj pilgrims' rights, and governmental responsibility; Articles 67 and 75–82 concerning special Hajj organizers; Articles 86–88A and 94–97 concerning Umrah services and protection; and Articles 106A, 108, 110–112, and 119A–119L concerning institutional authority, complaints, investigation, supervision, monitoring, and evaluation. The criminal provisions relevant to unauthorized operations, misuse of pilgrims' funds, failure to depart pilgrims, abandonment, and failure to repatriate pilgrims were also examined.

The analysis applied grammatical, systematic, and doctrinal interpretation. Grammatical interpretation was used to identify the rights, duties, remedies, and institutional powers expressly stated in each provision. Systematic interpretation examined the relationship between the amended pilgrimage legislation, the Consumer Protection Law, and the applicable implementing regulations. Doctrinal interpretation was then used to distinguish public-service responsibilities from contractual obligations, preventive protection from remedial protection, and governmental accountability from the direct service responsibilities of licensed organizers. The findings were organized according to the five analytical categories and compared with relevant scholarship to identify areas of convergence, tension, and regulatory uncertainty.

C. Results and Discussion

1. Results

The statutory analysis identified five dimensions of legal protection: the differentiation of pilgrims' rights, preventive and remedial protection, the obligations of public and private organizers, legal remedies and sanctions, and the institutional allocation of responsibility. The findings also show that Hajj and Umrah protection is not

regulated through a single provision. Different provisions apply to regular Hajj, special Hajj, Umrah organized through a licensed provider, and independent Umrah.

1) Rights and Protection of Hajj and Umrah Pilgrims

Article 6 of Law No. 8 of 2019, as amended by Law No. 14 of 2025, enumerates the rights of Hajj pilgrims. These include proof of payment and a queue number, information about the pilgrimage, *manasik* (pilgrimage ritual guidance), health care, accommodation, meals, transportation, services for older persons, persons with disabilities, and persons with high health risks, *dam* (a compensatory sacrifice required in specified circumstances), identification and travel documents, sharia-compliant life insurance, protection as Indonesian Hajj pilgrims, limited transfer of a queue number, and the right of special Hajj pilgrims to select a licensed special Hajj organizer. Article 6A separately assigns responsibility for the governance of *dam* services to the Minister.

Governmental responsibility for Hajj protection is further specified in Articles 10 and 10A. Article 10 assigns responsibility for regular Hajj to the government and requires attention to older pilgrims, pilgrims with disabilities, and those with high health risks. Article 10A requires the government, through the Minister, to ensure pilgrims' safety, security, comfort, and orderly travel from departure until their return to Indonesia. The provision covers physical and mental health, travel safety, accommodation, meals, transportation, ritual guidance, emergencies, disaster risks, and legal and administrative protection.

The rights of Umrah pilgrims are regulated separately. Article 88 gives pilgrims traveling through a licensed Umrah organizer the right to ritual guidance, health services, certainty of departure and return, services specified in a written agreement, and the right to report service deficiencies. Article 88A gives independent Umrah pilgrims the right to receive services specified in written agreements with service providers and to report service deficiencies. Articles 96 and 97 regulate protection, organizer responsibility, compensation, damages, and insurance, while expressly excluding independent Umrah pilgrims from certain accommodation, transportation, and insurance protections.

Table 1.
Rights and Protection of Hajj and Umrah Pilgrims

Pilgrimage arrangement	Principal rights or protection	Legal basis
Hajj pilgrims	Information, guidance, health care, accommodation, meals, transportation, special services, documentation, insurance, and national protection	Articles 6–6A
Regular Hajj	Governmental responsibility for organization and continuous safety, health, emergency, legal, and administrative protection	Articles 10–10A
Special Hajj	Protection relating to citizenship abroad, law, security, accommodation, meals, transportation, life, accidents, and health	Articles 80–81

Umrah through a licensed organizer	Guidance, health services, departure and return certainty, contractual services, complaints, compensation, and insurance	Articles 88 and 96–97
Independent Umrah	Contractually agreed services and complaints, subject to statutory exclusions from specified organizer- provided protections	Articles 88A and 96–97

Source: Law No. 8 of 2019 as amended by Law No. 14 of 2025

The statutory scheme therefore does not establish identical protection for all pilgrims. Regular Hajj protection is predominantly public-service based; special Hajj and licensed Umrah protection combines statutory and contractual duties; and independent Umrah relies more heavily on direct agreements with service providers.

2) Preventive and Remedial Protection

Preventive protection begins with the statutory principles of safety, security, professionalism, transparency, accountability, prudence, comfort, nondiscrimination, protection, and service in Article 2. These principles are operationalized through registration requirements, licensing, business standards, written service agreements, ritual guidance, health standards, organizer reporting, insurance, and governmental supervision. For Umrah and special Hajj organizers, these requirements are further detailed in Minister of Religious Affairs Regulations Nos. 5 and 6 of 2021.

Law No. 14 of 2025 reorganizes supervision through Articles 119A–119L. Article 119C authorizes the Minister to supervise, monitor, and evaluate special Hajj and Umrah services. Articles 119F–119J cover supervision of services and protection provided by licensed Umrah organizers, integrated supervision with relevant ministries and institutions, monitoring at each stage of service delivery, and use of the ministry's information system. Under Article 119K, evaluation results provide a basis for accreditation and sanctions.

Remedial protection becomes available when statutory or contractual obligations are breached. Articles 81 and 97 provide compensation, damages, and insurance for specified failures affecting special Hajj and Umrah pilgrims. Articles 110–111 establish public reporting and complaint mechanisms, while Law No. 8 of 1999 provides complementary rights to compensation and judicial or nonjudicial consumer dispute resolution. Administrative and criminal mechanisms apply according to the nature and seriousness of the violation.

Table 2.
Preventive and Remedial Protection Mechanisms

Form of protection	Principal mechanisms	Legal basis
Preventive	Licensing, business standards, written agreements, guidance, health standards, reporting, insurance, supervision, monitoring, and accreditation	Articles 2, 67, 75–82, 89–96, and 119A–119L; Ministerial Regulations Nos. 5 and 6 of 2021

Remedial	Complaints, compensation, damages, insurance claims, administrative sanctions, consumer dispute resolution, civil litigation, and criminal enforcement	Articles 81, 95, 97, 110–112, 119K, and 122–126; Law No. 8 of 1999
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Source: Law No. 8 of 2019 as amended by Law No. 14 of 2025; Law No. 8 of 1999; Ministerial Regulations Nos. 5 and 6 of 2021

The distinction is analytical rather than absolute. Insurance and mandatory reporting, for example, have preventive functions but also support recovery and accountability after a service failure. The framework is therefore better understood as a sequence of protection extending from entry controls and service standards to complaints, compensation, sanctions, and prosecution.

3) Obligations of Government and Licensed Organizers

The legislation distributes responsibilities according to the type of pilgrimage service. The government bears direct responsibility for regular Hajj under Article 10, while Article 10A specifies the protective aspects of that responsibility. These provisions do not eliminate the duties of private organizers in special Hajj and Umrah services.

Special Hajj organizers are subject to specific operational duties. Article 67 regulates departure and reporting obligations. Articles 75–77 require organizers to facilitate travel documents and provide ritual, health, and travel guidance and continuing health services. Articles 80–81 require protection and provide compensation, damages, insurance, and post-pilgrimage treatment in specified circumstances. Article 82 requires operational reporting to the Minister.

For Umrah organized through a licensed provider, Article 94 requires ritual guidance, travel documents, accommodation, meals, transportation, cooperation with health facilities in Saudi Arabia, timely departure and return, predeparture notification, reporting to Indonesian representatives in Saudi Arabia, post-return reporting, compliance with service standards and reference prices, and adherence to sharia principles. Article 96 places responsibility on the licensed organizer to protect pilgrims and Umrah personnel before departure, during their stay in Saudi Arabia, and after their return.

Table 3.
Obligations of Government and Licensed Organizers

Responsible actor	Principal obligations	Legal basis
Government and Minister	Organize regular Hajj and provide safety, health, emergency, legal, and administrative protection	Articles 10–10A
Licensed special Hajj organizer	Departure, documentation, guidance, health services, protection, compensation, insurance, and reporting	Articles 67 and 75–82
Licensed Umrah organizer	Guidance, documents, accommodation, meals, transportation, health arrangements, departure and return, protection, and reporting	Articles 94 and 96

Independent Umrah service provider	Fulfill services stated in the written agreement	Article 88A
Pilgrims	Meet registration, payment, health, documentation, and other applicable statutory requirements	Articles 5, 7, 87, and 87A

Source: Law No. 8 of 2019 as amended by Law No. 14 of 2025

This allocation creates differentiated accountability. Governmental responsibility is most direct in regular Hajj, whereas special Hajj and licensed Umrah rely on regulated private delivery under ministerial supervision. Independent Umrah reduces the role of a licensed organizer and correspondingly narrows several forms of organizer-based statutory protection.

4) Legal Remedies and Accountability Mechanisms

The legislation provides several remedial pathways, but they arise from different legal regimes. Pilgrims and members of the public may submit reports or complaints to the Minister or a designated official under Article 111. For special Hajj, Article 81 provides compensation or damages for failures involving accommodation, meals, and transportation, as well as insurance and health-related protection. For Umrah, Article 97 provides compensation or damages for specified service failures and insurance for life, accident, and health risks, subject to the exclusions applicable to independent Umrah.

Law No. 8 of 1999 complements these sector-specific remedies. Article 19 regulates business actors' responsibility to provide compensation, while Articles 45–48 permit consumer disputes to be resolved through a court or an authorized nonjudicial body. The sectoral legislation does not itself make mediation the mandatory first remedy; mediation and other nonjudicial processes arise through the consumer protection framework or voluntary settlement between the parties.

Administrative enforcement applies to noncompliance with organizer obligations. Article 95 authorizes written warnings, suspension, or revocation of an Umrah organizer's license for violations of Article 94, while Article 119K links evaluation results to accreditation and sanctions. Article 112 authorizes designated civil-service investigators to investigate pilgrimage-related offenses in coordination with the police.

Table 4.
Legal Remedies and Accountability Mechanisms

Remedy or mechanism	Institution or responsible actor	Legal basis
Report or administrative complaint	Minister or designated official	Articles 110–111
Compensation, damages, and insurance	Licensed special Hajj or Umrah organizer	Articles 81 and 97
Consumer compensation	Business actor	Article 19 of Law No. 8 of 1999
Nonjudicial consumer dispute resolution	Authorized consumer dispute settlement body	Articles 45 and 47 of Law No. 8 of 1999

Civil litigation	Competent court	Articles 45 and 48 of Law No. 8 of 1999
Administrative sanction or accreditation consequence	Minister or competent administrative authority	Articles 95 and 119K
Investigation and criminal prosecution	Civil-service investigators, police, prosecutors, and courts	Articles 112 and 122–126

Source: Law No. 8 of 2019 as amended by Law No. 14 of 2025; Law No. 8 of 1999

Criminal liability is reserved for specified conduct. Article 122 addresses unauthorized operation as an Umrah organizer, Article 124 addresses the unauthorized taking of pilgrims' deposits, and Articles 125–126 address intentional conduct causing failure to depart, abandonment, or failure to repatriate special Hajj or Umrah pilgrims. The existence of these sanctions does not make every service failure a criminal offense; contractual, administrative, civil, and criminal responsibility must be distinguished according to the elements of each violation.

5) Institutional Protection Framework

Article 106A assigns overall governmental responsibility for the organization of Hajj and Umrah to the Ministry. Presidential Regulation No. 92 of 2025 subsequently established the Ministry of Hajj and Umrah and defined its organizational mandate. Article 108 requires coordination with central and regional authorities, Indonesian representatives in Saudi Arabia and transit states, and relevant Saudi institutions concerning transportation, accommodation, meals, health care, travel documents, administration, guidance, and protection.

The institutional framework nevertheless remains functionally distributed. The Ministry exercises policy, coordination, supervision, monitoring, and evaluation functions. Licensed special Hajj and Umrah organizers remain directly responsible for the services and protections assigned to them. Consumer protection institutions provide dispute-resolution pathways, while civil-service investigators and general law-enforcement institutions address suspected criminal conduct. Articles 110–111 also recognize public participation through information provision, monitoring, reporting, and complaints.

Table 5.
Institutional Protection Framework

Institution or actor	Principal role	Legal basis
Ministry of Hajj and Umrah	National administration, coordination, supervision, monitoring, evaluation, and information systems	Articles 106A, 108, and 119A–119L; Presidential Regulation No. 92 of 2025
Government and Minister	Direct responsibility for regular Hajj and Hajj protection	Articles 10–10A
Licensed organizers	Direct delivery of special Hajj and Umrah services and protection	Articles 67, 75–82, 94, and 96

Indonesian representatives abroad	Coordination and protection within the statutory institutional network	Article 108
Consumer protection bodies	Nonjudicial consumer dispute resolution	Law No. 8 of 1999
Investigators and law-enforcement authorities	Investigation and prosecution of statutory offenses	Articles 112 and 122–126
Public and pilgrims	Monitoring, reporting, and complaints	Articles 110–111

Source: Law No. 8 of 2019 as amended by Law No. 14 of 2025; Presidential Regulation No. 92 of 2025; Law No. 8 of 1999

The amended framework therefore centralizes governmental authority in a specialized ministry while retaining operational and remedial responsibilities across private organizers, consumer institutions, diplomatic representatives, and law-enforcement bodies.

2. Discussion

The analysis shows that Law No. 14 of 2025 does not provide a uniform model of protection for all pilgrims. Instead, it differentiates responsibility according to the form of pilgrimage service. Regular Hajj is primarily organized as a public service under direct governmental responsibility, whereas special Hajj and Umrah conducted through licensed organizers combine statutory protection with contractual duties. Independent Umrah relies more heavily on agreements between pilgrims and individual service providers and excludes pilgrims from several organizer-based protections. This differentiated structure explains why pilgrim protection cannot be understood solely through either public law or private contract.

The public-law dimension is most apparent in the government's responsibility for regular Hajj under Articles 10–10A and its broader institutional responsibility under Article 106A. These provisions position the government as the direct organizer and protector of regular Hajj pilgrims while retaining its regulatory and supervisory role over privately delivered services. They do not, however, make the government directly liable for every failure committed by a private organizer. This distinction refines the argument of Abdillah et al. (2026), who maintain that contractual liability alone is insufficient to address fraud, fund misuse, and organizer failure. Law No. 14 of 2025 adds public supervision and institutional accountability to the contractual and Islamic legal principles of *amānah* (fiduciary trust), *wakālah* (agency), and *maqāṣid al-sharī'ah* (the objectives of Islamic law).

Consumer protection law remains relevant because special Hajj and Umrah pilgrims purchase services from licensed businesses. Law No. 8 of 1999 complements the sectoral legislation through general rights to information, safety, compensation, and judicial or nonjudicial dispute resolution. The two regimes are complementary rather than interchangeable: pilgrimage legislation defines service-specific rights and organizer

obligations, while consumer protection law supplies general remedies where no exclusive sectoral rule applies. This relationship produces a layered form of protection in which contractual commitments operate alongside statutory service standards, administrative supervision, compensation, and criminal liability for specified conduct.

The need for this layered protection is supported by studies of fraud in Indonesia's Hajj and Umrah sector. Setiawan and Soewarno (2024) found that excessive trust in travel agencies, inadequate verification of licenses, and low-cost packages with uncertain departure schedules increased pilgrims' vulnerability. Setiawan (2025) similarly associates Ponzi-type schemes with limited quotas, aggressive marketing, weak financial literacy, and insufficient enforcement. These findings qualify the assumption that recognizing rights in legislation is sufficient to protect pilgrims. Rights must be supported by accessible licensing information, traceable payments, clear service agreements, functioning complaint mechanisms, and consistent sanctions.

Independent Umrah presents a distinct regulatory tension. Law No. 14 of 2025 recognizes independent travel and gives pilgrims contractual rights against service providers, but it also excludes them from specified accommodation, transportation, and insurance protections normally provided through licensed organizers. The amendment therefore expands individual choice while transferring a greater share of risk assessment to pilgrims. This finding corresponds with Hikmah et al. (2025), who identify safety, regulatory compliance, and legal certainty as unresolved concerns in backpacker Umrah. Implementing regulations should consequently clarify the responsibilities of digital platforms, foreign service providers, and other intermediaries involved in independent arrangements.

The establishment of the Ministry of Hajj and Umrah under Article 106A and Presidential Regulation No. 92 of 2025 may clarify institutional authority and reduce fragmentation. The ministry's mandate, information system, and supervisory powers provide a legal basis for integrated administration, monitoring, and evaluation. Institutional centralization, however, should not be equated with demonstrated improvement. Qosim et al. (2026) interpret the new ministry as part of the bureaucratization of pilgrimage governance, while Suryana (2026) identifies continuing challenges involving administrative capacity, corruption, Saudi policy, and bureaucratic complexity. Mashohih and Rozaq (2026) likewise find that stronger accreditation and digital supervision may improve accountability but may also create new compliance burdens for pilgrimage guidance institutions.

Articles 119A–119L provide a more structured basis for supervision, monitoring, evaluation, accreditation, and referral of suspected offenses. Nevertheless, this doctrinal study cannot establish whether these powers are exercised effectively. Aljawi and Santiago (2025) identify weak coordination and limited digital integration as continuing governance problems, while Qadariyah and Faruq (2025) show that formal regulation does not automatically guarantee transparency, equality, or legal certainty in quota administration. The transnational character of pilgrimage services creates an additional challenge because Indonesian authorities, private organizers, airlines, Saudi service

providers, and diplomatic representatives operate across different contractual and jurisdictional settings (Subandi & Machmudi, 2022).

The article's main contribution is therefore a differentiated model of pilgrim protection: public-service protection for regular Hajj, regulated private-service protection for special Hajj and licensed Umrah, and more limited contract-centered protection for independent Umrah. This model clarifies how governmental responsibility, organizer accountability, and consumer protection interact without treating them as a single legal regime. Its policy implication is that future reform should prioritize harmonization of implementing regulations, public access to licensing and evaluation information, traceable pilgrim funds, interoperable complaint systems, and consistent enforcement. Whether these measures produce effective protection remains an empirical question for subsequent socio-legal research.

D. Conclusion

This study examined how Indonesian law protects Hajj and Umrah pilgrims following the enactment of Law No. 14 of 2025. The analysis finds that the amended framework allocates governmental authority, differentiates the statutory protection applicable to different forms of pilgrimage, and organizes supervision, monitoring, complaints, compensation, and enforcement through several interconnected provisions. Protection is structured according to institutional arrangements: regular Hajj is organized under direct governmental responsibility; special Hajj and licensed Umrah combine statutory protection with contractual duties imposed on licensed organizers; and independent Umrah is subject to more limited organizer-based protection.

The study contributes a differentiated doctrinal model connecting pilgrimage law with consumer protection without treating the two as interchangeable. Law No. 8 of 1999 complements the sectoral legislation through general rights to information, compensation, and dispute resolution, while Law No. 14 of 2025 supplies pilgrimage-specific rights, institutional authority, organizer duties, supervision, and sanctions. The establishment of the Ministry of Hajj and Umrah may clarify institutional authority, but its protective value will depend on regulatory harmonization, administrative capacity, transparent information systems, coordination, and consistent enforcement.

The study is limited to statutory provisions, implementing regulations, and scholarly literature. It does not establish whether pilgrims can effectively access complaints, compensation, insurance, or dispute-resolution mechanisms, nor does it measure institutional compliance or service quality. Future socio-legal research should examine the implementation of Articles 88A, 96–97, and 119A–119L, the experiences of independent Umrah pilgrims, the effectiveness of accreditation and digital supervision, institutional transition within the new ministry, and the practical interaction between pilgrimage regulation and consumer dispute resolution.

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