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HALAL TOURISM REGULATION IN SOUTHEAST ASIA: A MAQĀṢID AL-SHARĪ'AH-BASED EVALUATION OF INDONESIA, THAILAND, AND VIETNAM

Gatot Teguh Arifyanto[1], Syahrial Arif Hutagalung[2], Muslim Marpaung[3], Irma Suryani Lubis[4], Dita Kartika Sari Hasibuan[5], Poppy Wulandari[6]
Medan State Polytechnic
Email: [1]gatotteguh@polmed.ac.id, [2]syahrialarif@polmed.ac.id
[3]muslimmarpaung@polmed.ac.id, [4]Irmasuryani@polmed.ac.id,
[5]ditakartika@polmed.ac.id, [6]poppywulandari@polmed.ac.id

Abstract: *The growth of halal tourism has encouraged Southeast Asian countries to draft halal regulations, but the suitability of its substance with sharia purposes has never been measured comparatively. This article aims to assess and compare the suitability of halal regulations related to tourism in Indonesia, Thailand, and Vietnam to maqāṣid al-sharī'ah. The research uses normative-empirical legal methods that are descriptive-comparative with legislative, conceptual, and comparative approaches. The regulation was assessed through 15 indicators in the five dimensions of ḍarūriyyāt summarized in the Maqāṣid Conformity Index (IKM), then confirmed through interviews and observations in Bangkok, Sapa, and Hanoi. The results showed that Indonesia was in the high category (73.3%), medium Vietnam (53.3%), and Thailand low (40.0%). The strengths of the three countries are concentrated in ḥifẓ al-dīn, ḥifẓ al-nafs, and ḥifẓ al-māl, while ḥifẓ al-nasl is a common loophole. These findings confirm that regulatory suitability is determined by the binding power of legal instruments and policy orientation, not by the size of the Muslim population. This article recommends strengthening the binding power of sharia tourism norms in Indonesia, binding Muslim-friendly service standards in Thailand, and expanding the scope of regulation and post-certification supervision in Vietnam.*

Keywords: *maqāṣid al-sharī'ah; halal tourism; halal regulation; comparative studies; Southeast Asia*

Abstrak: Pertumbuhan pariwisata halal mendorong negara-negara Asia Tenggara menyusun regulasi halal, tetapi kesesuaian substansinya dengan tujuan syariah belum pernah diukur secara komparatif. Artikel ini bertujuan menilai dan membandingkan kesesuaian regulasi halal yang berkaitan dengan pariwisata di Indonesia, Thailand, dan Vietnam terhadap *maqāṣid al-sharī'ah*. Penelitian menggunakan metode hukum normatif-empiris yang bersifat deskriptif-komparatif dengan pendekatan perundang-undangan, konseptual, dan perbandingan. Regulasi dinilai melalui 15 indikator dalam lima dimensi *ḍarūriyyāt* yang dirangkum dalam Indeks Kesesuaian *Maqāṣid* (IKM), lalu dikonfirmasi melalui wawancara dan observasi di Bangkok, Sapa, dan Hanoi. Hasilnya menunjukkan Indonesia berada pada kategori tinggi (73,3%), Vietnam sedang (53,3%), dan Thailand rendah (40,0%). Kekuatan ketiga negara terkonsentrasi pada *ḥifẓ al-dīn*, *ḥifẓ al-nafs*, dan *ḥifẓ al-māl*, sedangkan *ḥifẓ al-nasl* menjadi celah bersama. Temuan ini menegaskan bahwa kesesuaian regulasi ditentukan oleh daya ikat instrumen hukum dan orientasi kebijakan, bukan oleh besarnya populasi Muslim. Artikel ini merekomendasikan penguatan daya ikat norma pariwisata syariah di Indonesia, standar layanan ramah Muslim yang mengikat di Thailand, serta perluasan cakupan regulasi dan pengawasan pascasertifikasi di Vietnam.

Kata kunci: *maqāṣid al-sharī'ah*; pariwisata halal; regulasi halal; studi komparatif; Asia Tenggara

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INTRODUCTION

Halal tourism has shifted from a niche religious market to one of the most contested segments of global tourism. The Mastercard-CrescentRating Global Muslim Travel Index (GMTI) 2026 report notes that international Muslim tourist arrivals will reach 196 million by 2025, up 11.3% compared to the previous year (Bangladesh Monitor, 2026), and this segment is projected to account for 262 million international arrivals with a spending value of around 310 billion US dollars by 2030 (Arab News, 2026). This growth has consequences that go beyond the economic side. As more and more countries compete to attract Muslim tourists, the question of who has the authority to determine halal, how far the state is obliged to guarantee sharia-compliant services, and how the interests of Muslim tourists are protected in a country whose legal system is not based on Islam, turns into a matter of governance and regulation. At this point, halal tourism is no longer enough to be read as a destination marketing issue, but as a legal issue.

Southeast Asia presents a unique laboratory for reading the issue, as the region brings together Muslim-majority countries with Muslim minority countries that are equally active in developing halal tourism. Indonesia, Thailand, and Vietnam represent three very different regulatory models. Indonesia, which ranks 2nd out of 150 destinations in GMTI 2026 with a score of 79 (Mastercard-CrescentRating, 2026), established a mandatory halal product assurance regime through legislation. Thailand, a Buddhist-majority country, hands over halal affairs to the Central Islamic Council of Thailand (CICOT), a statutory body established under the Administration of Islamic Organization Act B.E. 2540 (1997) and authorized over Islamic affairs, including halal certification (Kingdom of Thailand, 1997). Vietnam has even just entered the formal regulatory phase: Decree No. 127/2026/NĐ-CP was enacted on April 6, 2026 and came into effect from June 1, 2026 as the first comprehensive framework for quality management and development of halal products and services (Chính phủ Việt Nam, 2026). Vietnam also has TCVN 14230:2024 on Muslim-friendly tourism services, which was drafted by referring to the Malaysian standard MS 2610:2015 (Bộ Khoa học và Công nghệ Việt Nam, 2024). These three neighboring countries thus take three different paths towards the same goal, which is to become destinations that Muslim tourists trust.

These differences in paths raise normative questions that are rarely asked directly: to what extent do the regulations built by each country really realize the sharia goals that are the reason for the existence of the halal concept itself? So far, the success of halal tourism has more often been measured through market indicators, such as GMTI rankings, number of arrivals, or number of certified businesses. Such indicators are important, but they do not answer whether existing regulations protect the substantive interests of Muslim tourists. In the Islamic legal tradition, the substantive measure is formulated through *maqāṣid al-sharī'ah*, which is the sharia goals to realize human benefits which al-Syāṭibī (1997) mapped into the protection of religion (*ḥifẓ al-dīn*), soul (*ḥifẓ al-nafs*), intellect (*ḥifẓ al-'aql*), offspring (*ḥifẓ al-nasl*), and property (*ḥifẓ al-māl*). The rule of fiqh *taṣarruf al-imām 'alā al-ra'iyyah manūṭun bi al-maṣlaḥah*, that the policy of the ruler over his people is tied to the benefit, provides the basis for the use of *maqāṣid* as a benchmark for the product of state regulation. If halal regulation only guarantees labels without protecting the broader benefit, then what is built is formal compliance, not substantive conformity with sharia.

The latest literature has actually moved towards such a substantive reading, but with a different focus from regulatory issues. The first stream of studies places *maqāṣid al-sharī'ah* within

the framework of sustainability. A systematic review by Jabeen et al. (2025) maps three research clusters, namely sustainable tourism, halal tourism and entrepreneurship, as well as technology and digitalization, and offers a conceptual framework that connects halal principles, sustainability, and digital transformation. Khan et al. (2025) analyzed 62 publications for the period 2019–2025 to integrate halal tourism with the Sustainable Development Goals. At the regional level, Rohmatika et al. (2026) conclude that *maqāṣid al-sharī'ah* acts as an integrative axis that bridges the fragmentation of halal tourism study clusters, but the dynamics of implementation they map only include Malaysia, Brunei Darussalam, and Indonesia. This trend strengthens *the position of maqāṣid* as a normative framework, but has not yet made it a measuring tool for regulatory texts, and has not yet reached the two Muslim minority countries that are the focus of this article.

The second stream is the study of halal tourism regulations in Indonesia, which is the most developed but generally single-country. Santoso et al. (2022) examined the construction of halal tourism regulations in five regions and concluded that their development is positive and dynamic, but requires a sustainable regulatory model based on plurality and local wisdom. Ruhaeni et al. (2024) show that Indonesia's halal tourism policy is mainly regulated through regional regulations and potentially not in line with the commitment to liberalize the tourism sector under the GATS, so they propose regulation at the national level. Wajdi et al. (2026) show that the absence of national regulations gives birth to diverse policy models, from the formalization of sharia in Aceh, the market approach in West Nusa Tenggara, to the rejection of the term halal in Bali, while the DSN-MUI fatwa has the status of *soft law* without juridical binding. Unsiyah et al. (2026) found that existing regulations have not explicitly made the protection of religion, soul, intellect, ancestry, and property as the main principles of halal tourism governance. In terms of destinations, Haerisma et al. (2023) assessed the development of halal tourism in Lombok with the parameters *of maqāṣid* Jasser Auda, while Suaidi et al. (2025) showed that the availability of halal food in Bali is shaped by the interaction between religious norms, state policies, and local culture. These studies provide a sharp diagnosis of Indonesia, but precisely because of their focus on one country, they cannot answer whether the weaknesses found are characteristic of Indonesia or patterns that also occur in other countries.

The third stream is a comparative study and study of Muslim minority countries, which is closest to this article but uses a different lens. Musthofa et al. (2023) compare Indonesia and Malaysia and explain Malaysia's superiority through the factors of Islamic identity, the politicization of Islam, and the capitalization of Islamic values, namely an economic-political lens. Suharko et al. (2018) compared MUI and CICOT through institutional theory and found that the two certification bodies are functionally adapting to the halal tourism industry without changing its form and structure. At the regional level, Abimanyu and Faiz (2023) emphasized that the credibility of halal regulations is still an issue and that the harmonization of halal regulations in ASEAN is the biggest challenge. For Muslim minority countries, Cuevas et al. (2022) show that the fragmentation of halal certification bodies in the Philippines hinders an integrated halal tourism strategy. Aulia and Surwandono (2024) read Thailand as a non-Muslim country that has successfully built a halal industry, while Benharoon and Tongsongyud (2025) highlight an integrated marketing communication strategy in the promotion of Thai halal tourism. For Vietnam, Chung (2025) noted that the country does not yet have a formal set of criteria to assess the halal suitability of a destination and then

compiled 31 subcriteria through the Delphi and AHP methods; Nguyen and Wahyudin (2026) identified Vietnam's readiness gap and recommended the adoption of Indonesian practices; while Phan et al. (2026) assessed that the Muslim-friendly tourism segment in Vietnam has not been developed systematically and comprehensively, and proposed the establishment of a special legal framework and cross-sectoral coordination. These studies are rich in institutional, marketing, and destination readiness insights, and some have even recognized the need for a legal framework, but none have measured the regulatory substance of sharia goals.

Bibliometric mapping confirms this trend. Kurniawan et al. (2025), who examined Indonesian halal tourism publications indexed by Scopus for the period 2017–2024, showed that the research agenda still largely revolves around Muslim tourist behavior, economic-political influences, and service quality. Misbah and Johari (2024) found that the thematic clusters of halal tourism studies in Indonesia and Malaysia are dominated by economic impacts, marketing strategies, sustainability, and religious aspects, and recommend that policymakers develop a standardized halal tourism framework. Regulatory studies that use *maqāṣid* as a comparative evaluation instrument do not appear as separate clusters.

From these three currents, four research gaps can be drawn. First, studies that use *maqāṣid al-sharī'ah* to assess halal tourism regulations are still limited to one country, especially Indonesia, so they have not been able to distinguish national weaknesses from regional patterns. Second, comparative studies between existing countries use an institutional, economic-political, or marketing lens, not an evaluation of the substance of regulations against sharia goals. Third, Thailand and Vietnam have never been assessed for the suitability of their regulations for *maqāṣid al-sharī'ah*, even though Vietnam has just set a halal legal framework for 2026, so the momentum to assess the draft regulation is actually open. Fourth, there is no instrument available that operationalizes *maqāṣid* as a measurable indicator that can be applied consistently to state regulations with different demographic backgrounds and legal systems. As a result, debates about the quality of halal tourism regulations in the region tend to rely on market indicators or normative assessments that cannot be compared.

Departing from this gap, this article asks the main question: to what extent are halal regulations related to tourism in Indonesia, Thailand, and Vietnam in accordance with *maqāṣid al-sharī'ah*, and what factors explain the difference in the level of conformity between the three? This question is broken down into three interrelated issues, namely how the form, position, and substance of tourism halal regulations in the three countries are; how is the level of conformity to the five dimensions *of ḍarūriyyāt*; and what are the similarities, differences, and gaps in conformity between countries and their causal factors. In line with that, this article aims to assess and compare the level of regulatory compliance of the three countries through a 15-indicator instrument derived from *maqāṣid al-sharī'ah*, confirm the results of the assessment with field findings in Bangkok, Sapa, and Hanoi, and formulate policy implications for the three countries.

This article argues that the level of regulatory conformity to *maqāṣid al-sharī'ah* is not determined by the size of a country's Muslim population, but rather by the binding power of regulatory instruments and its policy orientation. This argument contributes to three levels. Theoretically, this article shifts the use of *maqāṣid al-sharī'ah* from a descriptive normative framework to a measurable and cross-country comparable regulatory evaluation instrument. Methodologically, this article offers a matrix of indicators and *Maqāṣid Conformity Index* that can be replicated for other countries in the region. In practical terms, the findings of

this article provide a basis for regulatory improvements in Indonesia, which is in need of a national framework for halal tourism, in Thailand, which relies on religious authorities, and in Vietnam, which is just building its regulatory system.

METHOD

This study employs an empirical-normative legal method of a descriptive-comparative nature, using statutory, conceptual, and comparative approaches. Its normative core examines the tourism-related halal regulations in force as of October 2026 in three countries. For Indonesia, these are Law No. 33 of 2014 jo. Law No. 6 of 2023, Government Regulation No. 42 of 2024, Law No. 10 of 2009 as last amended by Law No. 18 of 2025, and Fatwa DSN-MUI No. 108/DSN-MUI/X/2016. For Thailand, they are the Administration of Islamic Organization Act B.E. 2540, the CICOT Regulation on the Management of Halal Affairs B.E. 2558, and TAS 8400-2025. For Vietnam, they are Prime Minister's Decision No. 10/QĐ-TTg of 2023, Decree No. 127/2026/NĐ-CP, and TCVN 14230:2024. The empirical component serves to confirm how these regulations are interpreted and applied. It draws on semi-structured interviews with food entrepreneurs, owners of halal-certified restaurants, and Muslim tourists, together with coded field observations in Bangkok, Sapa, and Hanoi. The regulations were assessed against a matrix of 15 indicators derived from the five dimensions of *al-ḍarūriyyāt al-khams*. Each indicator was scored 0 when it was not regulated, 1 when it was regulated partially or without binding force, and 2 when it was regulated clearly and bindingly and was supported by an implementation mechanism. This scale ensures that voluntary fatwas and standards are not equated with statutes or decrees. The level of conformity was expressed as a *Maqāṣid* Conformity Index (IKM), calculated as the total score divided by the maximum score of 30 and multiplied by 100%. The five dimensions were weighted equally, and the index was classified as high (≥ 70%), medium (50–69%), or low (< 50%). The analysis proceeded in three stages. Qualitative content analysis was used to score each provision. Thematic analysis of the field data was used to confirm the scores or to correct them with stated reasons. Cross-country comparison was then used to identify patterns, shared gaps, and the factors behind the differences. Data validity was maintained through triangulation of sources and techniques. The study assesses the normative conformity of the regulations rather than their overall effectiveness, and the field data are not intended to represent each country as a whole.

RESULT AND DISCUSSION

1. Tourism Halal Regulation Architecture in Three Countries

A search of the regulations of the three countries shows that none of Indonesia, Thailand, or Vietnam have laws that specifically and comprehensively regulate halal tourism. What is available are halal regulations that intersect with tourism services, with very different forms, positions, and binding powers. These architectural differences then determine the level of suitability of each country to *maqāṣid al-sharī'ah*.

Indonesia has the most layered architecture. At the legal level, Law No. 33 of 2014 as amended by Law No. 6 of 2023 places the Halal Product Assurance Agency (BPJPH) as a supervisor over the validity period of the certificate, the inclusion of halal labels and non-halal information, as well as the separation of locations, places, and tools between halal and non-halal products, including at the presentation stage. The implementing regulation, Government Regulation No. 42 of 2024, emphasizes that products

entering, circulating, and being traded in Indonesia must be halal certified, while products from prohibited ingredients must be given non-halal information. This obligation extends to food and beverage services that are part of the tourism experience, with a staging for micro and small businesses that can take the halal declaration path (*self-declare*). However, this strong architecture at the product level does not continue at the tourism service level. The only ministerial-level regulation that has ever regulated sharia hotels, Permenparekraf No. 2 of 2014, has been repealed through Permenpar No. 11 of 2016, and the revocation creates a legal vacuum in the regulation of sharia hotel and halal tourism businesses. The vacancy was then filled by DSN-MUI Fatwa No. 108/DSN-MUI/X/2016, which regulates sharia hotels, destinations, spas, travel agencies, and tour guides in quite detail, but is positioned as a religious normative reference and not a law and not a law or a law or a law.

Thailand builds an architecture that relies on state-recognized religious authority. CICOT, which was established under the Administration of Islamic Organization Act B.E. 2540 (Kingdom of Thailand, 1997), implements halal certification through its self-published regulations and announcements, including CICOT Regulation on the Management of Halal Affairs B.E. 2558 and technical requirements for slaughterhouses and halal product production processes (Central Islamic Council of Thailand, 2015, 2016). At the level of food standards, CICOT now refers to TAS 8400-2025 on halal food, even as a condition for the recognition of foreign halal certification bodies (Central Islamic Council of Thailand, n.d.; National Bureau of Agricultural Commodity and Food Standards, 2025). The structural weakness of this architecture lies in its legal basis. The laws on which CICOT's authority is based essentially regulate the organization and administration of Islamic affairs, not halal practices specifically, so halal technical provisions rely on the institution's internal regulations (Kingdom of Thailand, 1997). In the tourism sector, the Thai government moves through policies and programs, such as the Thailand Muslim Friendly application from the Tourism Authority of Thailand (TAT) which contains registered Muslim-friendly facilities, halal restaurants, and prayer places (Ramadhani et al., 2024), as well as training programs for Muslim-friendly services in Bangkok, Nonthaburi, Krabi, and Pattani (Khaosod English, 2025). These programs demonstrate the seriousness of the policy, but do not give birth to norms that bind business actors.

Vietnam presents its most up-to-date and, in some respects, most centralized architecture. Decree No. 127/2026/NĐ-CP regulates quality, labeling, traceability, testing, halal certification, inspection, violation handling, and support policies for halal products and services. The decree even defines halal tourism services, which include accommodation, food and beverages, and tourist trips, among others. Halal certification is voluntary, but products marketed as halal are required to clearly include the words "Halal" on the label. The decree also includes one-time financing for halal testing and certification fees for major exporters, trade promotion support, and the development of halal tourism development strategies. At the service standards level, TCVN 14230:2024 regulates Muslim-friendly tourism services in accommodation, travel packages, and tour guides, with reference to Malaysia's MS 2610:2015. A summary of the regulatory architecture of the three countries is presented in Table 1.

Table 1. Tourism Halal Regulation Profile

Aspects	Indonesia	Thailand	Vietnam
Main instruments	Law No. 33/2014 jo. Law No. 6/2023; PP	Act B.E. 2540; Regulation of	PM Decree No. 10/QĐ-TTg/2023; Decree No.

	No. 42/2024; Law No. 10/2009 jo. Law No. 18/2025; DSN-MUI Fatwa No. 108/2016	CICOT B.E. 2558; Announcement and Technical Standards of CICOT; TAS 8400-2025	127/2026/NĐ-CP; TCVN 14230:2024
Nature of certification	Must be gradual; MSEs through halal declarations; illegal products must be declared non-halal	Volunteering through CICOT and the Provincial Islamic Committee	Voluntary; mandatory label if the product is marketed as halal
Authority	BPJPH, LPH, and MUI	CICOT and the Provincial Islamic Committee	Ministry of Science and Technology; Registered Certification Bodies; Ministry of Culture, Sports and Tourism for halal tourism
Tourism-specific arrangements	Fatwa (not juridically binding)	TAT and Department of Tourism programs and promotions	Definition of halal tourism services and strategic mandates in the decree; TCVN 14230:2024

Table 1 shows patterns that are important to note before entering into the assessment. Indonesia is strong upstream (products) but weak downstream (tourism services). Thailand has clear authority but a thin legal basis. Vietnam has a firm legal basis but has only been in force for a few months. These three patterns represent three different answers to the same question: where the state places the responsibility to ensure the welfare of Muslim tourists.

2. Level of Conformity to *Maqāṣid al-Sharī'ah*

Table 2. Conformity Score per Indicator

Yes	Indicator	Id. at 1	TH	UN
1	Halal food and beverages	2	1	1
2	Worship facilities	1	0	1
3	Clarity of authority	2	2	2
4	Food hygiene and safety (*ṭayyib*)	2	1	2
5	Tourist safety and health	2	1	1
6	Product recalls/revocations	2	1	1
7	Alcohol control	1	1	1
8	Gambling bans	1	0	0
9	Correct labels and information	2	2	2
10	Entertainment and honor arrangements	1	0	0
11	Family-friendly service	0	0	0
12	Prevention of exploitation	1	0	0
13	Legal certainty and binding	1	1	2
14	Consumer protection and sanctions	2	1	1
15	Cost support for small businesses	2	1	2

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The flow of analysis in this study is summarized in Figure 1. Halal and tourism regulations in the three countries were assessed with 15 indicators grouped into the five dimensions of al-ḍarūriyyāt al-khams. Each indicator was given a score of 0, 1, or 2 according to its clarity and bindingness. The results of interviews and field observations were used to confirm how the provisions were carried out in practice. The scores per dimension were then summed into SMEs, which placed Indonesia in the high category (73.3%), medium Vietnam (53.3%), and Thailand low (40.0%).

Figure 1 – IKM Assessment Flow

Figure 1 The flow of assessing the conformity of halal regulations to maqāṣid al-sharī'ah: from the assessed regulations, 15 indicators on a scale of 0–2, scores per dimension, to the Maqāṣid Conformity Index (IKM) of Indonesia, Thailand, and Vietnam. *Source: Processed by researchers (2026).*

The assessment of 15 indicators resulted in a score as presented in Table 2, while the recapitulation by dimension and the Conformity Index *Maqāṣid* (IKM) presented in Table 3.

Table 3. *Maqāṣid Conformity Index* (IKM)

Dimensions	Indicator	Max.	Id. at 1	TH	UN
Ḥifẓ al-dīn	1, 2, 3	6	5	3	4
Ḥifẓ al-nafs	4, 5, 14	6	6	3	4
Ḥifẓ al-'aql	7, 8, 13	6	3	2	3
Ḥifẓ al-Nasl	10, 11, 12	6	2	0	0
Ḥifẓ al-māl	6, 9, 15	6	6	4	5
Total	-	**30**	**22**	**12**	**16**
IKM			**73,3%**	**40,0%**	**53,3%**
Categories			**Height**	**Low**	**Medium**

Overall, Indonesia obtained the highest SMEs (73.3%, high), followed by Vietnam (53.3%, medium) and Thailand (40.0%, low). However, this aggregate figure hides a more interesting pattern when read by dimension.

Figure 2 shows that the differences between the three countries are uneven in all dimensions. Indonesia excels in ḥifẓ al-nafs and ḥifẓ al-māl, which each achieve full scores. Vietnam approaches Indonesia in ḥifẓ al-'aql and ḥifẓ al-māl because Decree 127/2026/NĐ-CP is binding. Thailand lags behind in almost all dimensions. All three countries are equally weak on ḥifẓ al-nasl, and Thailand and Vietnam do not even have any provisions for this dimension. This pattern confirms that the suitability of regulations is determined more by the binding force of its legal instruments than by the large Muslim population.
Source: Processed by researchers (2026).

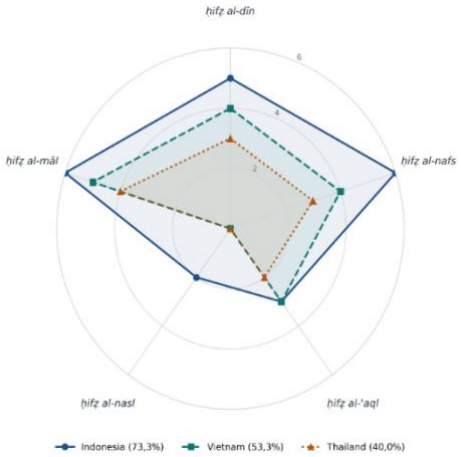

Figure 2 – Five-Dimensional Profile

In the *ḥifẓ al-dīn* dimension, all three countries scored full on the authority clarity indicator, which shows that the question of "who is authorized to declare halal" has been answered in all countries, albeit with different models: state institutions in Indonesia and Vietnam, statutory religious institutions in Thailand. Differences appear in the other

two indicators. Halal food and beverages are only mandatory in Indonesia, while in Thailand and Vietnam they depend on the voluntariness of business actors. Worship facilities, which are substantively the most basic need for the protection of tourists' religion, are not regulated in any country's binding regulations. Indonesia only regulates it through fatwas, which requires sharia hotels to provide adequate means of worship and purification facilities, while Vietnam regulates it through the non-mandatory TCVN 14230:2024 technical standard, and Thailand does not regulate it at all in its halal instruments. These findings point to a fundamental paradox: halal regulations in all three countries are more serious about guaranteeing the halalness of what tourists eat than guaranteeing space for tourists to worship.

In the *ḥifẓ al-nafs dimension*, Indonesia obtained a full score because it combines three layers of protection: the Halal Product Assurance System which requires separation from unclean materials, the guarantee of tourists' rights to legal protection, safety, and health services in Article 20 of the Tourism Law, and administrative sanctions that include product recalls. Vietnam obtained 4 out of 6 because its decree strictly regulates quality, traceability, testing, and supervision, and the decree affirms that the management of the quality of halal products and services must also comply with the laws on food safety and consumer protection. Thailand obtained 3 out of 6, because food safety requirements are indeed available in the CICOT certification system, but only apply to businesses that voluntarily apply for certification. This dimension shows that the concept *of ṭayyib* in QS. Al-Baqarah [2]: 168, i.e. that what is consumed must be halal as well as good and safe, is relatively more guaranteed in a country that combines a halal regime with a food safety and consumer protection regime.

In the *dimension of ḥifẓ al-'aql*, the three countries show similar weaknesses. Alcohol control in all three countries is limited to the prohibition of haram substances in certified products, not to the tourist service environment. Indonesia is the only one that has provisions on destinations, as fatwas require sharia tourist destinations to avoid liquor, drugs, and gambling, but return with non-binding status. Gambling prohibitions are not found at all in Thai and Vietnamese halal instruments. The only indicator that sharply distinguishes is legal certainty, and here Vietnam actually gets a full score because its decrees provide a relatively unified national legal framework, while the regulation of halal tourism in Indonesia is fragmented between laws, government regulations, fatwas, and local regulations. This fragmentation is in line with the findings of Santoso et al. (2022) and Wajdi et al. (2026) about the diversity of regional policy models, as well as the argument of Ruhaeni et al. (2024) that arrangements that rely on regional regulations create uncertainty for Indonesia's international commitments.

The *dimension of ḥifẓ al-nasl* is the most striking common gap. Thailand and Vietnam score 0, and Indonesia only 2 out of 6. Indonesia's provisions on this dimension come entirely from fatwas, which prohibit sharia hotels from providing access to pornography and entertainment that lead to immorality, and require destinations to avoid adultery, pornography, and pornography. Indicators of family-friendly services are not regulated in any country. This gap is noteworthy because *ḥifẓ al-nasl* in the framework of al-Syāṭibī (1997) is not just a prohibition of immoral acts, but a protection of the continuity and honor of the family. In the context of tourism, this dimension should be translated into services that allow Muslim families to travel safely and comfortably. The absence of this arrangement shows that halal regulations in the region still read halal narrowly as a matter of consumer products, in line with the criticism of Unsiyah et al. (2026) that the five main

protections have not become the main principles of halal tourism governance.

In the *ḥifẓ al-mal dimension*, the three countries actually showed the best performance. Indonesia obtained a full score because of the mechanism for revoking certificates and recalls of goods, halal label obligations and non-halal statements, and halal declaration lines for micro and small enterprises at affordable costs. Vietnam obtained 5 out of 6 thanks to labeling obligations, traceability, and certification fee support for major exporters. Thailand obtained 4 out of 6, with strength in CICOT's halal logo arrangement. The strength of this dimension is not surprising, because the protection of property in halal regulations intersects directly with the interests of trade and consumer protection which are indeed the main motivations for the formation of halal regulations, especially in export-oriented Muslim minority countries. Taken in its entirety, this pattern of scores confirms one strong provisional conclusion: in all three countries, *ḥifẓ al-māl* is the strongest dimension or the strongest equivalent, while *ḥifẓ al-'aql* and *ḥifẓ al-nasl* are the two weakest dimensions. Halal regulations in this region are more successful in protecting transactions than protecting the minds and families of tourists.

3. Field Confirmation: The Gap between Norms and Practices

Field findings in Bangkok, Sapa, and Hanoi generally corroborate the scoring results and do not require score correction, but provide explanations that text analysis cannot capture.

In Bangkok, a food entrepreneur (TH1) was able to present a halal certificate for his business and stated that it was relatively easy to manage, the certificate was valid for two years, and many tourists were looking for halal restaurants. The two-year validity period is in line with the CICOT document which provides an application form for the use of the halal logo for a period of two years. However, in another location, the food entrepreneur (TH2) displayed a halal label but was unable to show the certificate when requested. These findings do not prove that the food sold is not halal, but it does show the problem of verifiability of claims: consumers find it difficult to distinguish a certified business from a business that declares halal on its own consideration. This case explains why Thailand only scored 1 on the consumer protection and sanctions indicators. The CICOT mechanism regulates the use of the logo, but a review of Thailand's halal regulations notes that its committee does not have the authority to take legal action against violators. Without state sanctions, halal claims at the small business level are in the grey area.

TH1's statement that the certificate is "issued by the government" also has an analytical meaning. Normatively, the certificate is issued by CICOT, a religious institution that is established by law, not a government agency. The perception of business actors who equate CICOT with the state shows that the legitimacy of halal authority in Thailand is firmly embedded, thus strengthening the full score on the authority clarity indicator. This finding is in line with Suharko et al. (2018) who show that CICOT is functionally adapted to the halal tourism industry, but at the same time shows its limitations: high social legitimacy does not automatically translate into legal binding.

A researcher's observation in Bangkok found that prayer rooms are available in a number of public places, although they are not as numerous as prevalent in Indonesia (TH-OBS1), and that certified businesses and businesses that only list halal claims are present side by side in tourist sites, markets, and food vendor areas (TH-OBS2). The presence of prayer rooms in public spaces, even though worship facilities are not regulated in Thai regulations, shows that market practices and promotional policies are moving faster than legal norms. This is

where Thailand's paradox lies: the image as a Muslim-friendly destination is built through practices and programs, in line with the findings of Benharoon and Tongson, 2025) about the role of integrated marketing communication, rather than through binding regulations. The Thai government's support through the halal industry development roadmap 2024–2028 is also more geared towards industry and promotion than on mandatory tourism service standards (Bangkok Post, 2024).

A Muslim tourist (TH3) stated that he was actively looking for halal food, but in choosing accommodation he considered cleanliness and comfort more, including accommodation that did not include halal information. This statement, although it came from one point of view, provided an important signal for the formulation of the standard: the needs of Muslim tourists are multi-storey. Halal food and access to worship are core non-negotiable needs, while other aspects of accommodation are considered more flexible. This storied pattern is in line with the *hierarchy of ḍarūriyyāt*, *ḥājiyyāt*, and *taḥsīniyyāt* in *maqāṣid theory*, so that Muslim-friendly accommodation standards in Muslim minority countries can be designed with mandatory core requirements and voluntary complement requirements.

In Vietnam, researchers looked at halal certificates displayed at Pak Tam Restaurant (VN1) and Sapa Halal Restaurant (VN2). However, in the Glass Bridge Sapa tourist area, researchers had difficulty finding halal food and did not find a mosque during the visit (VN-OBS1). This contrast shows that the existence of certified restaurants in an area does not guarantee that halal services are easily accessible at every tourist spot. This finding corroborates a score of 1 on the indicator of worship facilities: TCVN 14230:2024 has indeed regulated Muslim-friendly services, but as a non-mandatory technical standard, it has not guaranteed the equitable distribution of facilities. This finding is also in line with Chung (2025), who places halal infrastructure and religious facilities as the highest weighted criterion groups in the assessment of Vietnam's halal destinations.

An interview with the owner of Batavia Restaurant in Hanoi (VN3) revealed that the processing of certificates is sometimes easy but sometimes difficult due to the length of the processing time, that the certificates have a validity period, and that monitoring by the issuing agency after the certificate is issued is not carried out regularly. Nevertheless, the informant stated that the restaurant still prioritizes ingredients that are completely halal. This information needs to be read in conjunction with the transitional provisions of the decree, which requires certification bodies that have been licensed before June 1, 2026 to re-register within 12 months of the decree coming into effect. In other words, the VN3 statement likely describes practices in the pre-or early days of the decree's enactment, when the post-certification supervision system was not yet in place. These findings corroborate a score of 1 on the consumer protection and sanctions indicators, while also showing that the power of regulation on paper takes time and institutional capacity to materialize in practice.

Two lessons can be drawn from these field findings. First, in both Muslim minority countries, the burden of maintaining halal in practice depends heavily on the personal commitment of business actors, as seen in the VN3 statement, not on the state surveillance system. Second, there is a gap between the existence of norms and the affordability of services, both because norms are non-binding (Thailand) and because new norms apply and are not even in place (Vietnam).

4. Binding, Not Demographics: Explaining the Differences in Suitability

The results of this study test the assumption that often arises implicit in

the discussion of halal tourism, namely that countries with larger Muslim populations or longer certification traditions will have regulations that are more in line with sharia goals. The finding that Vietnam, with its very small Muslim community and a halal regime that has only taken effect from June 2026, earns higher SMEs than Thailand, which has a much longer tradition of halal certification, suggests that this assumption is not tenable.

The determining factor of this difference is the binding nature of regulatory instruments. Vietnam chooses the form of state regulation in the form of government decrees that apply nationally, so that provisions on quality, labeling, traceability, and cost support have clear legal force. Thailand chooses to delegate halal affairs to statutory religious institutions, so that its technical norms are religiously strong but juridically weak. Indonesia gets the highest score precisely because its halal product regime is in the form of laws and government regulations, while its weaknesses arise precisely in areas that are only regulated through fatwas. In other words, in all three countries, whenever an aspect of *maqāṣid* is regulated through a binding instrument, the score is high; whenever it is regulated through fatwa, voluntary standards, or promotional programs, the score falls.

These findings expand on the explanation of Musthofa et al. (2023), who explain the differences in the performance of Indonesian and Malaysian halal tourism through identity factors and Islamic politicization. This study shows that in addition to these economic-political factors, there are more direct juridical factors, namely the choice of form of regulatory instruments. These findings also provide an empirical basis for Abimanyu and Faiz's (2023) concerns about the credibility of halal regulations in ASEAN: the credibility is not only a matter of technical standards, but a matter of whether halal norms have binding power and sanctioning mechanisms. Thailand's pattern also resembles the findings of Cuevas et al. (2022) in the Philippines, where reliance on non-state certification bodies hinders the formation of an integrated halal tourism strategy.

From the point of view of Islamic law, this finding can be read through the rule *of taṣarruf al-imām 'alā al-ra'iyyah manūṭun bi al-maṣlaḥah*. This rule places benefits as a measure of the validity of the ruler's policies, but benefits can only be realized if the policy is actually implemented. Fatwas and voluntary standards can contain very complete benefits, as seen in the scope of DSN-MUI Fatwa No. 108/2016, but without binding power, these benefits depend on the voluntariness of business actors. On the other hand, restrictive but narrow regulations, such as the halal product regime, guarantee benefits in a limited area. Optimal conformity to *the maqāṣid* thus requires two conditions at once: wide coverage and strong binding. None of the three countries currently meet both simultaneously.

These findings also answer the gap left by *the study of maqāṣid* in halal tourism. The studies of Jabeen et al. (2025), Khan et al. (2025), and Rohmatika et al. (2026) place *maqāṣid* as a normative and integrative framework, but have not shown how it differentiates the quality of regulations between countries. This study shows that when *maqāṣid* is operationalized as an indicator with a scale that takes into account binding, it is able to produce a sharp and retestable comparison map. For Vietnam, these findings update Chung (2025) and Phan et al.'s (2026) description of the absence of a legal framework: the framework is now available, and the question shifts to whether it will be expanded to a dimension that is still empty.

5. Implications for the Development of Halal Tourism Regulations

The findings of this study show that the suitability of regulations with *maqāṣid al-sharī'ah* is determined more by the binding power of legal instruments and

policy directions than by the size of the Muslim population. Therefore, the amendment must also start from the binding force. The rule *of taṣarruf al-imām 'alā al-ra'iyyah manūṭun bi al-maṣlaḥah* affirms that state policies are measured by the benefits they actually produce. Good but non-binding norms do not guarantee those benefits. The priority of improvement is compiled with two considerations: the sequence of al-ḍarūriyyāt, which places *ḥifẓ al-dīn* and *ḥifẓ al-nafs* as the foundation, and the size of the score gap in each dimension. The following implications are formulated with these two considerations.

For Indonesia, the problem is not a lack of norms, but a lack of binding power and legal certainty. The main provisions of DSN-MUI Fatwa No. 108/2016 need to be raised into ministerial regulations or government regulations on halal tourism business standards, especially provisions on worship facilities, control of liquor and gambling at destinations, entertainment arrangements, and prevention of exploitation. This step also fills the void left by the revocation of Permenparekraf No. 2 of 2014 and answers the proposals of Ruhaeni et al. (2024) and Wajdi et al. (2026) on the need for a national framework. Learning from the revocation, the arrangement should be claim-based: voluntary for businesses that do not declare themselves halal, but mandatory for businesses that use sharia or halal labels. This approach still respects the plurality of regions such as Bali as noted by Suaidi et al. (2025). The national level regulation also needs to be a single reference for regional regulations, so that the fragmentation of regulations that lower the legal certainty score (indicator 13) does not continue. In addition, it is necessary to formulate indicators of family-friendly services that are currently not regulated at all.

For Thailand, reform needs to start from the legal basis. The existing framework is strong on the clarity of certification authorities, but Muslim-friendly services in the tourism sector still rely on non-binding TAT promotion programs. CICOT's high social legitimacy can be used as capital to set a binding minimum standard of Muslim-friendly services for businesses claiming such status. The standard needs to contain at least three things. First, the availability of worship facilities in the main destination, because this indicator is zero and observations show that prayer rooms in public spaces are still limited (TH-OBS1). Second, the separation of halal services from alcoholic services. Third, a claim verification mechanism that is easily accessible to consumers. The need for verification can be seen from the finding of halal-labeled businesses that cannot show their certificates (TH2), while the need for clear public information can be seen from the assumption of business actors that the certificate is issued "by the government" (TH1). The integration of a list of certified businesses into the TAT app is the fastest step to meet the needs of Muslim tourists who rely on such information (TH3).

For Vietnam, Decree No. 127/2026/NĐ-CP has provided binding power, so the challenge shifts to scope and implementation. The twelve-month re-registration transition period is an opportunity to arrange scheduled post-certification supervision as well as a reminder of the validity period of the certificate. This need arises directly from the restaurant owner's statement that the certification process is sometimes slow and supervision is not routine (VN3). The mandate to prepare a halal tourism strategy in the decree can also be used for two things. First, expanding the scope of TCVN 14230:2024 to the *dimensions of ḥifẓ al-'aql* and *ḥifẓ al-nasl* which are currently vacant. Second, mapping halal services and worship facilities in developing destinations such as Sapa, where halal food is difficult to find and mosques are not found (VN-OBS1).

For all three countries, family-friendly services need to be formulated as part of halal tourism standards, as *ḥifẓ al-*

nasl is a common gap and a zero-value family-friendly indicator in all countries. Theoretically, these findings show that halal tourism regulations in the region are still product-oriented, namely halal food and labels, and not on the entire tourism experience as desired by *maqāṣid*. Methodologically, SMEs can be used as a periodic monitoring tool, for example whenever there is a change in regulations, so that the impact of legal reforms on the conformity of *maqāṣid* can be measured. At the regional level, this instrument can be the starting material for the halal regulation harmonization dialogue in ASEAN, as it provides a common language for comparing regulations from different legal systems without demanding uniformity of institutional forms.

CONCLUSIONS

This article shows that halal regulations related to tourism in Indonesia, Thailand, and Vietnam are developing in different forms and positions, and the differences are directly reflected in their level of conformity to *maqāṣid al-sharī'ah*. Indonesia achieved 73.3% of SMEs (high category) because it has mandatory certification based on Law No. 33 of 2014 jo. Law No. 6 of 2023 and Government Regulation No. 42 of 2024, as well as sharia tourism guidelines in DSN-MUI Fatwa No. 108/DSN-MUI/X/2016. Vietnam reached 53.3% (medium category) after establishing Decree No. 127/2026/NĐ-CP as a binding legal framework. Thailand reached 40.0% (low category) as Muslim-friendly services in the tourism sector were still carried out through non-binding promotional programs, although CICOT certification was well established. The strengths of the three countries were concentrated on *ḥifẓ al-dīn*, *ḥifẓ al-nafs*, and *ḥifẓ al-māl*. In contrast, *ḥifẓ al-nasl* became a shared loophole, and field findings in Bangkok, Sapa, and Hanoi reinforced the pattern. This comparison proves that the suitability of regulations for *maqāṣid al-sharī'ah is* not determined by the size of the Muslim population, but by the binding power of the regulatory instruments and the orientation of its policies. The clearest evidence is Vietnam, the country with the smallest Muslim population among the three, which surpassed Thailand after having a binding decree. Theoretically, these findings suggest that *maqāṣid al-sharī'ah* can be operationalized into a measurable and cross-country comparative regulatory evaluation instrument. These findings also show that halal tourism regulations in the region are still product-oriented and do not include the entire tourism experience.
Practically, this article recommends three steps: strengthening the binding power of sharia tourism norms in Indonesia, establishing binding Muslim-friendly service standards in Thailand, and expanding the scope of post-certification regulations and supervision in Vietnam. For all three countries, family-friendly services need to be regulated as part of halal tourism standards. This study has three limitations. First, scoring is carried out by researchers with the same weight for each indicator. Second, field data only comes from elements of food entrepreneurs, halal-certified restaurant owners, and Muslim tourists in some destinations, without involving certification authorities. Third, Decree No. 127/2026/NĐ-CP has just come into effect so its implementation cannot yet be observed. Therefore, further research is recommended to validate between assessors and test weighting based on *the ḍarūriyyāt hierarchy*. Follow-up research also needs to involve certification authorities and destination managers, implement SMEs periodically after Vietnam's regulatory transition period ends, and expand comparisons to other ASEAN countries such as Malaysia, Brunei Darussalam, and the Philippines.

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