

## Abstrak

Fenomena restriksi data lintas-batas negara sering dikaitkan dengan kepentingan perlindungan data pribadi masyarakat atau—bagi negara otoriter—upaya penguatan pengawasan pemerintah. Namun, logika demikian belum mampu menjelaskan aksi lokalisasi data Cina yang (1) mengatur kualifikasi pentingnya data berdasarkan volume dari data, (2) tetap melarang transfer data ke negara yang memiliki sistem perlindungan memadai, serta (3) berhasil melakukan pengawasan internet domestik selama 25 tahun tanpa aturan lokalisasi data. Oleh karena itu—mengingat dampaknya yang masif terhadap rantai nilai digital global—studi ini bermaksud memahami alasan pemberlakuan kebijakan lokalisasi data oleh pemerintah Cina dan selanjutnya memberikan sejumlah alternatif sikap bagi aktor internasional dalam meresponsnya. Dengan mengacu kepada bias pengambilan keputusan berisiko pada teori prospek, studi ini melacak mekanisme kausal dari proses adopsi kebijakan tersebut semenjak krisis finansial global (2007) hingga 2022. Preferensi pemerintah Cina terhadap aturan lokalisasi data ditemui berkaitan dengan intensi proteksionisme ekonomi. Pertama, sejarah bencana kelaparan dan status historis sebagai kiblat ekonomi dunia “*middle kingdom*” teridentifikasi mendorong pemerintah Cina membingkai pertumbuhan ekonomi dua digit sebagai poin krusial bagi keberlangsungan negara, sehingga kemunduran tingkat pertumbuhan ekonomi akibat krisis dibingkai sebagai situasi *domain of loss* dan penyelesaiannya merupakan isu prioritas. Pada akhirnya, segala upaya dilakukan untuk pengembangan pangkalan data lokal yang telah berkontribusi membawa Cina pada *domain of gain* atau revitalisasi pertumbuhan pasca krisis, termasuk aturan lokalisasi data. Studi ini turut menguji eksistensi proteksionisme ekonomi dengan memetakan besaran utilitas kebijakan pada aktor pemerintah, pelaku industri digital domestik dan perusahaan multinasional melalui dimensi biaya, risiko, besaran subsidi, efek terhadap kredibilitas dan manfaat. Temuan menunjukkan utilitas pelaku usaha domestik dua kali lipat lebih tinggi dibandingkan pelaku usaha multinasional maupun pemerintah yang mengindikasikan kebijakan dirancang berdasarkan kepentingan masyarakat domestik. Kemudian, perbedaan utilitas pelaku usaha domestik dan multinasional dipengaruhi secara dominan oleh komponen subsidi yang mengindikasikan eksistensi proteksionisme ekonomi. Hasil studi menyimpulkan bahwa Cina memiliki komitmen dan daya tawar yang kuat dalam implementasi aturan lokalisasi data, sehingga negosiasi bilateral dianggap kurang efektif untuk penyelesaian. Tulisan ini merekomendasikan aktor internasional bergerak secara terintegrasi dalam mengimbangi posisi tawar Cina dengan menjaga stabilitas rantai nilai digital global dan membentuk tata kelola data global.

**Kata kunci:** lokalisasi data, proteksionisme ekonomi, utilitas kebijakan, *decision-making process*

## Abstract

The phenomenon of cross-border data restrictions is often associated with the interests of protecting the personal data of the public or—for authoritarian countries—with government surveillance efforts. However, this logic has not fully explained China's data localization actions, which (1) regulate the importance of data based on data volume, (2) still prohibit data transfers to countries with adequate protection systems, and (3) have successfully enforced domestic internet surveillance for 25 years without data localization rules. Therefore—considering its massive impact on the global digital value chain—this study aims to understand the reasons behind China's data localization policy and subsequently provide various alternative approaches for international actors to respond. Drawing from prospect theory's risk decision-making bias, this study traces the causal mechanisms of this policy's adoption from the global financial crisis (2007) to 2022. China's government preference for data localization rules was found to be linked to its economic protectionism intentions. Firstly, historical famine disasters and its historical status as the economic center "middle kingdom" have motivated the Chinese government to frame double-digit economic growth as crucial for the country's continuity, leading to the decline in economic growth rates due to the crisis being perceived as a domain of loss situation, and its resolution becomes a priority issue. Ultimately, all efforts were directed towards developing local data infrastructure that has contributed to bringing China into the domain of gain or post-crisis growth revival, including data localization rules. The study also tested the existence of protectionism by mapping the policy utilities for government, domestic digital industry players, and multinational corporations through dimensions of costs, risks, subsidy sizes, credibility effects, and benefits. The findings indicate that domestic business players' utility is twice as high as multinational corporations and the government, indicating that the policy was designed based on domestic interests. Moreover, the disparity in utility between domestic and multinational players is dominantly influenced by the subsidy component, indicating the existence of economic protectionism. The study concludes that China exhibits strong commitment and bargaining power in implementing data localization rules, making bilateral negotiations less effective in resolving the issue. The paper recommends that international actors move cohesively to counter China's position by safeguarding the stability of the global digital value chain and establishing global data governance.

**Keywords:** data localization, economic protectionism, policy utility, decision-making process