

BIBLIOGRAPHY

LAWS

Article 1 General Provisions on Agreement on Subsidies and Countervailing Measures 1995

Article 3 General Provisions on Agreement on Subsidies and Countervailing Measures 1995

Article XVI General Agreement on Tarriffs and Trade (GATT).

Law of the Republic of Indonesia Number 4 of 2009 concerning Mineral and Coal Mining.

Marrakesh Agreement Establishing the World Trade Organization, opened for signature 15 April 1994.

Regulation of the Minister of Energy and Mineral Resources (ESDM) Number 1 of 2014 concerning Criteria for Increasing Mineral Added Value through Domestic Mineral Processing and Refining Activities.

BOOKS

Acemoglu, D., & Robinson, J. A, Why nations fail: The origins of power, prosperity, and poverty, Crown Books, 2012.

Amir M.S, Ekspor dan Impor (Teori dan Penerapannya), (Jakarta: PPM Publisher, 2003).

Andreas F. Lowenfield, International Economic Law, Second Edition, New York: Oxford University Press, 2008.

- Archibald Damar Pambudi, Analisis Faktor-Faktor Yang Mempengaruhi Ekspor Biji Kakao Indonesia ke Malaysia dan Singapura, (Semarang: Fakultas Hukum Universitas Diponegoro, 2011).
- Archibald Damar Pambudi, Analisis Faktor-Faktor Yang Mempengaruhi Ekspor Biji Kakao Indonesia ke Malaysia dan Singapura, (Semarang: Fakultas Hukum Universitas Diponegoro, 2011).
- Bambang Sunggono, Metodologi Penelitian Hukum, (Jakarta: PT. Raja Grafindo Persada, 2011).
- Basri, M. C, Indonesia and the ASEAN Free Trade Area: Nationalists and Regional Integration Strategy, Routledge, 2000.
- Berliana Margarita Haryati, Analisis Pengaruh Nilai Tukar, BI rate, PDB, Investasi Asing Langsung, dan Cadangan Devisa Terhadap Nilai Ekspor Non-migas di Indonesia Periode 2005.II-2016.III, (Surakarta: Fakultas Ekonomi dan Bisnis Universitas Muhammadiyah, 2018).
- Browning, E. K., & Zupan, M. A, Microeconomics: Theory and applications, Wiley, 2019.
- C.P. Kindleberger and P.H. relieves, International Economics: Sixth Edition, Homewood: Richard D. Irwin. Inc, 1978.
- Carbaugh, R, International economics, Boston: Cengage Learning, 2021.
- Carr, I, International Trade Law, Routledge, 2016.
- Feenstra, R. C., & Taylor, A. M, International economics, New York: Worth Publishers, 2017.

- Feenstra, R. C., & Taylor, A. M, International Trade, New York: Worth Publishers, 2017.
- Gerber, J, International Economics, New York: Pearson Education, 2017.
- Graetz, M. J., & Greenhouse, L, 100 million unnecessary returns: A simpler, fairer, and more competitive tax system., Yale University Press, 2005.
- Guzman, A. T., & Pauwelyn, J. H. B, International Trade Law, Wolters Kluwer Law & Business, 2013.
- H.S. Kartadjoemena, GATT dan WTO. Sistem, Forum Dan Lembaga Internasional Di Bidang Perdagangan. (Jakarta: Universitas Indonesia Press, 2002).
- Hill, C. W. L, Global business today (10th ed.), New York: McGraw-Hill Education, 2017.
- Huala Adolf & A. Chandrawulan, Masalah-Masalah Hukum Dalam Perdagangan Internasional, (Bandung: Rajagrafindo Persada, 1995).
- Huala Adolf, Masalah Hukum Dalam Perdagangan Internasional, (Jakarta: Raja Grafindo, 1995).
- Jenedri, R., & Nugroho, E. P, Hukum Perdagangan Internasional: Teori dan Praktik, (Prenada Media, 2018).
- Joko Priyono, Hukum Perdagangan Barang dalam GATT/WTO, (Semarang: Badan Penerbit Universitas Diponegoro, 2011).
- Khan, S, Non-Tariff Measures in Indonesia: Trade Policy and Legal Framework, Springer, 2017.
- Klein, M, Subsidies. In The Palgrave Encyclopedia of Strategic Management , London: Palgrave Macmillan UK, 2019.

- Krugman, P, Geography and trade, MIT press, 1991.
- Krugman, P. R., & Obstfeld, M, International economics: Theory and Policy, New York: Pearson, 2018.
- Krugman, P. R., Obstfeld, M., & Melitz, M. J, International economics: Theory and policy, New York: Pearson, 2021.
- Krugman, P. R., Obstfeld, M., & Melitz, M. J, International economics: Theory and policy, New York: Pearson Education Limited, 2020.
- Krugman, P., & Obstfeld, M, International trade: Theory and policy, New York: Pearson Education Limited, 2018.
- Krugman, Paul R., Obstfeld, Maurice, International Economics: theory and policy (Ed. 6th), Massachusetts: Addison-Wesley, 2000.
- Laode M. Syarif, Irwansyah, Maskun, Birkah Latif dkk, Hukum Lingkungan: Teori, Legislasi, dan Studi Kasus, USAID, Kemitraan, The Asia Foundation, Indonesia, 2014.
- Matthews, R., & Dunn, T, Sanctions and Embargoes. In Oxford Research Encyclopedia of Politics, (New York: Oxford University Press. 2018), <https://doi.org/10.1093/acrefore/9780190228637.013.765>.
- Mattoo, A., Rathindran, R., & Subramanian, A, Transparency in trade, Cambridge University Press, 2016.
- Mavroidis, P. C, The regulation of international trade: The WTO Agreements on trade in goods, MIT Press, 2016.
- Mitsuo Matsushita, *et.al.* The World Trade Organization, Law, Practice, and Policy, United Kingdom: Oxford University Press, 2017.

- Mukti Fajar & Yulianto Achmad, Dualisme Penelitian Hukum Normatif & Empiris, (Yogyakarta: Pustaka Pelajar, 2010).
- OECD, Agricultural policies in OECD countries: Monitoring and evaluation, OECD Publishing, 2005.
- Oppenheim, L., & Lauterpacht, H, Hukum Perdagangan Internasional, (Jakarta: Rajawali Pers, 2007).
- Paul R. Krugman and Maurice Obstfeld, International Economics: Theory and Policy, 10th edition, 2014.
- Peter Mahmud Marzuki, Penelitian Hukum: Edisi revisi, (Jakarta: Prenada Media, 2011).
- Peter Van den Bossche, The Law and Policy of the World Trade Organization: Text, Cases and Materials, Cambridge: Cambridge University Press, 2021.
- Robert J. Carbaugh, International Economics, Boston: Cengage Learning, 2015.
- Sachs, J. D, The age of sustainable development, Columbia University Press, 2015.
- Salacuse, J. W., & Sullivan, N. S, International dispute settlement (5th ed.), Cambridge University Press, 2019.
- Salvatore, D, International Economics (12th ed.), New Jersey: Wiley, 2018.
- Sjamsul Arifin, Dian Ediana RAE, & Charles P.R. Joseph, Kerja Sama Perdagangan Internasional: Peluang dan Tantangan Bagi Indonesia, (Jakarta: Elex Media Komputindo, 2007).
- Soedjono Dirdjosisworo , kaidah-kaidah hukum perdagangan Internasional, versi organisasi perdagangan dunia, (Bandung: CV. Utomo, 2004).

- Soekanto, S, Hukum Perdagangan Internasional, (Bandung: PT. RajaGrafindo Persada, 2004).
- Soerjono Soekanto and Sri Mahmudji, Penelitian Hukum Normatif, Suatu Tinjauan Singkat, (Jakarta: Raja Grafindo Persada, 2003).
- Stiglitz, J. E, Globalization and its discontents, WW Norton & Company, 2006.
- Sularso, Aspek Hukum dalam Perdagangan Internasional (CV. Nur Lina, 2018).
- Suranovic, S, International Trade: Theory and Policy, Washington DC: Saylor Foundation, 2018.
- Thomas *et al.*, The World Trade Organization: Law, Practice, and Policy. New York: Oxford University Press Inc., 2016.
- United Nations Conference on Trade and Development, Non-Tariff Measures: Evidence from Selected Developing Countries and Future Research Agenda, New York and Geneva: Developing Countries in International Trade Studies, 2010.
- WTO, WTO Analytical Index: Guide to WTO Law and Practice, Cambridge: Cambridge University Press, 2007.

JOURNALS

- Blatnik, M. C., & Zupanec, S, “The role of transparency in dispute resolution: A comparative analysis of international dispute resolution mechanisms”, Journal of Business Research, 2017, 77, 282-291.
<https://doi.org/10.1016/j.jbusres.2017.03.014>

- Chaisse, J., Lichtenbaum, A., & Nottage, L, “International Investment Agreements and Non-Tariff Barriers to Trade”, Journal of International Economic Law, 2015, 18(1), 7-44. <https://doi.org/10.1093/jiel/jgu033>
- Choudhury, P. R., & Adhikary, B. K, “Bilateral trade between Bangladesh and India: Determinants and impact of the trade policy measures”, South Asia Economic Journal, 2022, 23(1), 1-25.
- Christoph Ernst, “Trade Liberalization, Export Orientation and Employment in Argentina, Brazil and Mexico”, Employment Strategy Papers, 2005/15.
- Das, K, “Transparency in international dispute resolution: A developing country perspective”, Journal of World Trade, 2015, 49(1), pp. 1-27. <https://doi.org/10.1163/22119000-01401001>.
- Dawar, K, “Government Procurement and the WTO”, In Handbook of International Trade Agreements, 2018, pp. 123-148, Springer. https://doi.org/10.1007/978-3-319-52426-7_9-1
- Deardorff, A. V, “Non-Tariff Barriers. In R. K. Jones (Ed.)”, Handbook of International Economics, 2014, Vol. 4, pp. 417-450, Elsevier.
- Halimatul Maryani and Adawiyah Nasution, "Aspek memiliki Hukum Kebijakan Pemerintah Melindungi Industri Dalam Negeri Pasca Kesepakatan Perdagangan Bagus Regional Afta-China", Jurnal Penelitian Hukum De Jure 19, 2019, no. 2, pp. 137-149.
- Irwin, D. A, “Tariffs and trade: A historical review”, Journal of Economic Literature, 2018, 56(3), 963-984. p. 15.

- Johnson, H. G, “Tariffs: The case for a general agreement on tariffs and trade (GATT)”, The Manchester School, 1955, 23(4), 385-406. p.386.
- Li, J., Li, Y., & Li, H, “International trade policy under different government objectives”, Journal of International Trade & Economic Development, 2021, 30(1), pp. 50-70.
- Lukman, “Pengaruh Harga dan Faktor Eksternal Terhadap Permintaan Ekspor Kopi di Indonesia”, Signifikan, Oktober 2012, Vol. 1 No. 2.
- Mattoo, A., & Subramanian, A, “From policy to implementation: The challenge of reforming distorted economies. In D. Rodrik & M. Rosenzweig (Eds.)”, Handbook of development economics, 2012, (Vol. 5, pp. 3869-3870), Elsevier.
- Mavroidis, “Trade in Goods; The GATT and the Other Agreements Regulating Trade in Goods” (OUP Catalogue, 2008): 51
- Muas, Ananda Mustika, “Upaya China Dalam Memenuhi Kebutuhan Nikel Dalam Negeri Pasca Kebijakan UU Minerba No. 04 Tahun 2009 di Indonesia”, eJournal Ilmu Hubungan Internasional, Fakultas Ilmu Sosial dan Ilmu Politik Universitas Mulawarman, Oktober 2019, Vol. 7, No. 3.
- Mulyono, S, “Kebijakan Kuota Impor dalam Perdagangan Internasional”, Jurnal Ilmu Ekonomi dan Sosial, 2014, 3(2), 92-101.
- Nelson, D. R., & McCulloch, R, “Trade and transparency: A skeptical view”, Journal of International Economic Law, 2008, 11(3), pp. 613-631.

- Revy S. M. Korah. "Prinsip-Prinsip Eksistensi *General Agreement On Tariffs And Trade* (GATT) Dan *World Trade Organization* (WTO) Dalam Era Pasar Bebas", Jurnal Hukum UNSRAT, 7 Agustus 2016, Vol. 22, No. 7, p. 49.
- Rugman, A. M., & Collinson, S, International business (8th ed.), Pearson Education Limited, New York, 2020. see also Bown, Chad P. "Trade policy under the Trump administration: What are the issues?", Journal of Economic Perspectives, 2017, 31, no. 4, p. 211-34.
- Sandler, T., & Arce, D. G, "Non-subsidies and the provision of public goods", Defence and Peace Economics, 2007, 18(6), p.543-558.
- Sharda Abrianti and Vicky Azis, "Analisis Terhadap Larangan Ekspor Bijih Nikel Kadar Rendah Berdasarkan Prinsip Restriksi Kuantitatif", Hukum Pidana dan Pembangunan Hukum, 2021 Vol. 3 No. 2.
- Sharda Abrianti and Vicky Azis. 2021. "Analisis Terhadap Larangan Ekspor Bijih Nikel Kadar Rendah Berdasarkan Prinsip Restriksi Kuantitatif", Hukum Pidana dan Pembangunan Hukum, 2021, Vol. 3 No. 2.
- Sjahrir, B. S., & Siregar, R. Y, "Trade Protection in Indonesia: An Analysis of Recent Trends and Its Policy Implications", Journal of Southeast Asian Economies, 2021, 38(2), 141-158.
- Smith, J, "Subsidies: Definition, Types, and Economic Impact", Journal of Economic Development, 2018, 32(2), 45-62.
- Staiger, R. W., & Sykes, A. O, "The WTO dispute settlement system: Transparency, predictability, and efficiency", In The Oxford Handbook of International Trade Law, Oxford University Press, 2017, p. 365-387.

Syahmmin A.K, “Strategi Indonesia dalam menghadapi tirani perdagangan bebas (dumping, subsidi, safe guard)”, Indonesian jurnal Internasional Law, Januari 2008, Vol 5, No. 2, p. 210.

Whalley, J., & Xing, C, “Non-subsidy policies for promoting development”, Journal of Policy Modeling, 2017, 39(1), pp. 1-5.

ARTICLES

Grossman, G. M., & Helpman, E, “Protection for sale”, American Economic Review, 1994, 84(4), pp. 833-850.

Hakura, D. S, “Subsidy reform in the Middle East and North Africa: Recent progress and challenges ahead”, IMF Working Papers, 2016, 16(71), pp. 1-31, doi:10.5089/9781475545886.001.

Hufbauer, G. C., & Lowry, S, “US tariffs on China: Separating fact from fiction”, Peterson Institute for International Economics, 2019, Retrieved from <https://www.piie.com/system/files/documents/pb19-16.pdf>.

Nogueira, R., & Teh, R, “The relationship between fisheries subsidies and the World Trade Organization's disciplines on subsidies”, Marine Policy, 2019, vol. 107, article 103559, doi:10.1016/j.marpol.2019.103559.

Siswanto, *et.al.*, “Peningkatan Daya Saing Produk dan Kinerja Ekspor Indonesia dalam Rangka Pemulihan Perekonomian Indonesia (Kategori Sektor Riil)”, Buletin Ekonomi Moneter dan Perbankan, Bank Indonesia Institute, Oktober 2003, Vol. 2, No. 1, p.101.

Te Velde, D. W, “The impact of subsidies on the development and diffusion of clean energy technologies: A review of the literature”, Energy Policy, 2019, vol. 135, pp.1-13, doi:10.1016/j.enpol.2019.05.017.

The Organization for Economic Cooperation and Development, ‘The Impact of Trade Liberalisation on Jobs and Growth: Technical Note’, OECD Trade Policy Papers, 2011, p.34.

WEBSITE

Agung Pribadi, Bijih Nikel Tidak Boleh Diekspor Lagi per Januari 2020, p. 1, <https://www.esdm.go.id/id/media-center/arsip-berita/bijih-nikel-tidak-boleh-diekspor-lagi-per-januari-2020>

Appellate Body Report, China — Measures Related to the Exportation of Various Raw Materials, adopted 22 February 2012, WT/DS394/AB/R; WT/DS395/AB/R; WT/DS398/AB/R, Accessed 22 October 2021, https://www.wto.org/english/tratop_e/dispu_e/cases_e/ds394_e.htm)[hereinafter China AB Report] (accessed 24 Jul. 2020)

Australia Parliament House, Australia and the World Trade Organization, Report 42, 2001, Available at https://www.aph.gov.au/Parliamentary_Business/Committees/House_of_Representatives_Committees?url=jsct/wto/report/chapter1.pdf, (accessed February 21, 2023).

Bojana Todorovic, *et al.*, Key issues in multilateral trade liberalization of economics in transition,

https://www.un.org/en/development/desa/policy/publications/general_assembly/eitconference/rt3_report_todorovic.pdf,(accessed February 21, 2023).

ICW, 2017, Indikasi Kerugian Negara Dari Kurang Catat Nilai Ekspor Bijih Nikel (HS2604) Periode 2007-2015, Retrieved from <https://antikorupsi.org/sites/default/files/dokumen/Indikasi%20Kerugian%20Negara%20Dari%20Kurang%20Catat%20Nilai%20Ekspor%20Bijih%20Nikel%20%20HS2604%20%20Periode%202007-2015.pdf>

Indonesian Investment Coordinating Board, 2021, Indonesia's steel industry overview, Retrieved from <https://www3.bkpm.go.id/en/industry-overview/indonesias-steel-industry-overview> (accessed 20 March 2023)

Indonesian Nickel Mining Association, 2021, Indonesia nickel mining industry: An overview, Retrieved from https://www.apbi-icma.org/system/ckeditor_assets/attachments/174/Indonesia_Nickel_Mining_Industry_-_An_Overview.pdf (accessed 20 March 2023)

International Centre for Trade and Sustainable Development (ICTSD) - Non-Tariff Measures and Sustainable Development: <https://www.ictsd.org/themes/non-tariff-measures-and-sustainable-development> (accessed 17 March 2023)

LIST OF ANNEXES ANNEX A WORKING PROCEDURES OF THE PANEL.

(n.d.). Available at: https://www.wto.org/english/tratop_e/dispu_e/592r_a_e.pdf [Accessed 26 May 2023].

LIST OF ANNEXES ANNEX A WORKING PROCEDURES OF THE PANEL.

(n.d.). Available at:
https://www.wto.org/english/tratop_e/dispu_e/592r_a_e.pdf [Accessed 26
May 2023]. Para 11.

Ministry of Energy and Mineral Resources, 2021, Statistik mineral dan batubara
[Mineral and coal statistics], Retrieved from
[https://www.esdm.go.id/id/data-dan-informasi/hasil-produksi-mineral-](https://www.esdm.go.id/id/data-dan-informasi/hasil-produksi-mineral-dan-batubara)
[dan-batubara](https://www.esdm.go.id/id/data-dan-informasi/hasil-produksi-mineral-dan-batubara) [\(accessed 23 March 2023\)](#)

Ministry of Energy and Mineral Resources, 2021, Statistik mineral dan batubara
[Mineral and coal statistics], Retrieved from
[https://www.esdm.go.id/id/data-dan-informasi/hasil-produksi-mineral-](https://www.esdm.go.id/id/data-dan-informasi/hasil-produksi-mineral-dan-batubara)
[dan-batubara](https://www.esdm.go.id/id/data-dan-informasi/hasil-produksi-mineral-dan-batubara) [\(accessed 24 March 2023\)](#)

Nickel Institute, 2016, The Life of Ni, retrieved from:
<https://www.nickelinstitute.org/media/1190/thelifeofni.pdf>, accessed on 13
January 2020 (accessed 22 March 2023)

The Economic Times, 2021, Indonesia nickel ore exports to India surge in Sept-qtr,
Retrieved from
[https://economictimes.indiatimes.com/markets/commodities/news/indones](https://economictimes.indiatimes.com/markets/commodities/news/indonesia-nickel-ore-exports-to-india-surge-in-sept-qtr/articleshow/71704957.cms)
[ia-nickel-ore-exports-to-india-surge-in-sept-qtr/articleshow/71704957.cms](https://economictimes.indiatimes.com/markets/commodities/news/indonesia-nickel-ore-exports-to-india-surge-in-sept-qtr/articleshow/71704957.cms)
 [\(accessed 23 March 2023\)](https://economictimes.indiatimes.com/markets/commodities/news/indonesia-nickel-ore-exports-to-india-surge-in-sept-qtr/articleshow/71704957.cms)

United Nations Conference on Trade and Development (UNCTAD) - Non-Tariff
Measures to Trade: Economic and Policy Issues for Developing Countries:
https://unctad.org/system/files/official-document/ditcinf20122_en.pdf

- World Customs Organization. (n.d.), About us, Retrieved March 16, 2023, from <https://www.wcoomd.org/en/about-us.aspx>
- World Trade Organization (WTO) - Technical Barriers to Trade Agreement: https://www.wto.org/english/docs_e/legal_e/17-tbt.pdf ([accessed 22 March 2023](#))
- World Trade Organization, 1994, Agreement on subsidies and countervailing measures, Retrieved from https://www.wto.org/english/docs_e/legal_e/24-scm.pdf.
- World Trade Organization, 2021, Agreement on Subsidies and Countervailing Measures, Retrieved from https://www.wto.org/english/docs_e/legal_e/24-scm.pdf
- World Trade Organization, Tariffs and trade barriers, 2021, https://www.wto.org/English/tratop_e/tariffs_e/tariffs_e.htm
- World Trade Organization. (n.d.), Non-tariff measures, [online] Available at: <https://www.wto.org/topics/tbt/about-tbt-e.htm> (Accessed 13 Mar. 2023).
- World Trade Organization. (n.d.), Tariff classification, (accessed March 16, 2023), from https://www.wto.org/english/tratop_e/tariffs_e/tariff_classif_e.htm
- World Trade Organization. (n.d.). What are tariffs? Retrieved from https://www.wto.org/learn/ed_gateways/ebase_dce_tariffs.htm see also General Agreement on Tariffs and Trade, 1947, Retrieved from https://www.wto.org/gatt_docs/English/GATT47.pdf ([accessed 14 March 2023](#))

WTO dan system perdagangan dunia,

<https://www.depperin.go.id/ind/publikasi/djkipi/wto.htm>, (accessed 13 May 2023)

WTO, 1994, Agreement on Technical Barriers to Trade. Retrieved from https://www.wto.org/english/docs_e/legal_e/17-tbt.pdf see also WTO, 1995, Agreement on the Application of Sanitary and Phytosanitary Measures, Retrieved from https://www.wto.org/english/docs_e/legal_e/15-sps.pdf (accessed 26 March 2023)

WTO, 2021, Transparency, Retrieved from https://www.wto.org/english/thewto_e/whatis_e/tif_e/fact3_e.htm. (accessed 24 March 2023)

WTO. (n.d.), Quantitative restrictions. World Trade Organization, Retrieved from https://www.wto.org/glossary/eng/quantitative_restrictions_e.htm (accessed 24 March 2023)

NEWSLETTER

Mazzucato, Mariana., Kattel, Rainer., dan Ryan-Collins, Josh, “Economic Policy With a Mission”, (Boston Review, United States, 2021).

Rr. Ariyani Yakti Widyastuti, “Uni Eropa Gugat Indonesia soal Ekspor Nikel, Jokowi: Kami Hadapi”, (Tempo, 12 December 2019).

MISCELLANOUS

Yusril Ihza Mahendra, Risalah Sidang Mahkamah Konstitusi in Case No. 10/PUU-XII/2014 on 1 September 2014, p. 7.

Request for the establishment of panel by the European Union, WTO, “DS592: Indonesia - Measures Relating to Raw Materials, 15 January 2021.

Indonesia’s first written submission, para. 145.

India Solar cells, paragraph 5.110

Indonesia's second written submission in DS592 Documents, paras. 29-45

WTO The Legal Text, Article 3.1.b. ASCM p. 233.

World Trade Organization Document DS592.

Smith, J, “Understanding Tariffs: How They Work and Their Impact on Trade”,
January 5th 2022.