

## Daftar Pustaka

### BUKU

- Ali, Zainuddin. *Metode Penelitian Hukum*. Jakarta: Sinar Grafika, 2009.
- Aritonang, Dinoroy Marganda. *Aspek Hukum Penyelenggaraan Administrasi Publik di Indonesia*. Bandung: Refika Aditama, 2019.
- Bell, John., dan François Lichere. *Contemporary French Administrative Law*. Cambridge: Cambridge University Press, 2022.
- Caroll, Alex. *Constitutional and Administrative Law*. Harlow: Pearson Education Limited, 2021.
- Djulaeka dan Devi Rahayu. *Buku Ajar Metode Penelitian Hukum*. Surabaya: Scopindo Media Pustaka, 2019.
- Efendi, Jonaedi., dan Johnny Ibrahim. *Metode Penelitian Hukum: Normatif dan Empiris*. Jakarta: Kencana, 2020.
- Favoreu, Louis., dkk. *Droit Constitutionnel*. Paris: Dalloz, 2019.
- Garner, Bryan A., dkk, eds. *Black's Law Dictionary: Ninth Edition*. St. Paul: Thomson Reuters, 2009.
- Hadjon, Philipus M., dkk. *Pengantar Hukum Administrasi Indonesia*. Yogyakarta: Gadjah Mada University Press, 2015.
- Hasan, Muhammad Iqbal. *Perjanjian Investasi Internasional: Standar Perlakuan Adil dan Layak (Fair and Equitable Treatment Standard)*. Depok: RajaGrafindo Persada, 2019.

Kusnowibowo. *Hukum Investasi Internasional*. Bandung: Pustaka Reka Cipta, 2013.

Maksudi, Beddy Irawan. *Dasar-Dasar Administrasi Publik*. Depok: RajaGrafindo Persada, 2017.

Maurin, André. *Droit Administratif*. Paris: Dalloz, 2018.

Soenarjah, M. *The International Law on Foreign Investment*. New York: Cambridge University Press, 2010.

Organisation for Economic Co-operation and Development. *Middle East and North Africa Investment Policy Perspectives*. Paris: OECD Publishing, 2021.

Ryan, Mark. *Unlocking Constitutional & Administrative Law*. London: Routledge, 2014.

Suteki, dan Galang Taufani. *Metode Penelitian Hukum (Filsafat, Teori dan Praktik)*. Depok: RajaGrafindo Persada, 2022.

Tahir, Arifin. *Administrasi Publik: Good Governance Menuju Sound Government*. Bandung: Alfabeta, 2020.

United Nations. *Fair And Equitable Treatment: UNCTAD Series on Issues in International Investment Agreements II*. New York dan Geneva: United Nations, 2012.

## **JURNAL DAN ARTIKEL**

Alencastro, Mathias., dan Eric Cezne, “The South-South investment that never happened: Vale in Guinea,” *The Extractive Industries and Society*, Vol. 13 (Maret 2023): 1-12. <https://doi.org/10.1016/j.exis.2022.101147>.

Berinzon, Maya., dan Ryan C. Briggs, "Legal Families Without the Laws: The Fading of Colonial Law in French West Africa," *The American Journal of Comparative Law*, Vol. 64, No. 2 (1<sup>st</sup> July 2016): 329-370. <https://doi.org/10.5131/AJCL.2016.0012>.

Bronfman, Marcela Klein. "Fair and Equitable Treatment: An Evolving Standard," *Max Planck Yearbook of United Nations Law Online*, Vol. 10, ed. A. von Bogdandy & R. Wolfrum, halaman 609-680. Leiden: Koninklijke Brill N.V, 2006.

Cohen, Mathilde. "On the linguistic design of multinational courts: The French capture," *International Journal of Constitutional Law*, Vol. 14, No. 2 (April 2016): 498-517, <https://doi.org/10.1093/icon/mow023>.

Hobe, Stephan., "The Law Relating to Aliens, the International Minimum Standard, and State Responsibility – I. The Development of the Law of Aliens and the Emergence of General Principles of Protection under Public International Law," *International Investment Law: A Handbook*, ed. Marc Bungenberg dkk, halaman 6-22. Baden: Nomos Verlagsgesellschaft, 2015.

Jacob, Marc., dan Stephan W. Chill, "Standards of Protection – I. Fair and Equitable Treatment: Content, Practice, Method," *International Investment Law: A Handbook*, ed. Marc Bungenberg dkk, halaman 700-763. Baden: Nomos Verlagsgesellschaft, 2015.

Organisation for Economic Co-operation and Development, "Fair and Equitable Treatment Standard in International Investment Law," *OECD Working*

*Papers on International Investment Law*, No. 2004/03 (2004): 1-40.  
<http://dx.doi.org/10.1787/675702255435>.

## **TESIS**

Tuya John Mayani. "Unlocking The Revolutionary Potential of Kenya's Constitutional Right to Fair Administrative Action." University of Cape Town, 2017.  
[https://open.uct.ac.za/bitstream/11427/28151/1/thesis\\_law\\_2018\\_tuya\\_john\\_mayani.pdf](https://open.uct.ac.za/bitstream/11427/28151/1/thesis_law_2018_tuya_john_mayani.pdf)

## **PERJANJIAN INTERNASIONAL**

Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Republic of Kenya for the Promotion and Protection of Investments.

Convention on Establishment of Multilateral Investment Guarantee Agency.

Washington Convention on The Settlement of Investment Disputes Between States and Nationals of Other States.

North Atlantic Free Trade Agreement.

United Nations Convention Against Corruption.

## **RESOLUSI ORGANISASI INTERNASIONAL**

United Nations General Assembly Resolution No. A/RES/51/191, 16 Desember 1996 (United Nations Declarations Against Corruption and Bribery in International Commercial Transactions).

## **PERATURAN NASIONAL**

Constitution of The United States of America.

United States Administrative Procedure Act.

United States General Mining Law of 1872.

United States Federal Land Policy and Management Act.

United States Commodity Exchange Act.

United Kingdom Coal Industry Act 1994.

Code des Relations entre le Public et l'Administration de la Republique Française.

Code Penal de la Republique Française.

Code Minier de la Republique Française.

Kitab Undang-Undang Hukum Pidana Republik Indonesia.

Undang-Undang Nomor 4 Tahun 2009 Tentang Mineral dan Batu Bara  
                  sebagaimana yang telah diubah dengan Undang-Undang Nomor 3 Tahun  
                  2020.

Undang-Undang Nomor 30 Tahun 2014 Tentang Administrasi Pemerintahan.

Undang-Undang Nomor 25 Tahun 2007 Tentang Penanaman Modal.

Peraturan Menteri Energi dan Sumber Daya Mineral Nomor 7 Tahun 2020 Tentang  
                  Tata Cara Pemberian Wilayah, Perizinan, Dan Pelaporan Pada Kegiatan  
                  Usaha Pertambangan Mineral Dan Batubara.

Kenya Mining Act Cap. 306 – Rev. 2012.

Code Minier de la Republique de Guinée 2011.

## **PRESEDEN**

Lazarus Estates Ltd v. Beasley [1956] 1 Q.B. 702 (24 January 1956), House of Lords' Judgement.

Ridge v. Baldwin [1964] AC 40, House of Lords' Judgement.

United States v. Throckmorton, 98 U.S. 61 (1878), Supreme Court of the United States' Judgement.

### **PUTUSAN PENGADILAN INTERNASIONAL DAN REGIONAL**

Elektronica Sicula S.p.A (ELSI) (United States v. Italy), International Court of Justice Judgment of 20 July 1989.

Åklagaren v. Hans Åkerberg Fransson, Court of Justice of the European Union, Judgment of The Court No. C-617/10.

### **PUTUSAN ARBITRASE INTERNASIONAL**

ADF Group Inc. v. United States of America, ICSID Case No. ARB (AF)/00/1.

BSG Resources Limited (in administration), BSG Resources (Guinea) Limited and BSG Resources (Guinea) SÀRL v. Republic of Guinea, ICSID Case No. ARB/14/22.

Cortec Mining Kenya Limited, Cortec (Pty) Limited and Stirling Capital Limited v. Republic of Kenya, ICSID Case No. ARB/15/29.

Phoenix Action, Ltd. v. The Czech Republic, ICSID Case No. ARB/06/5.

Tethyan Copper Company Pty Limited v. Islamic Republic of Pakistan, ICSID Case No. ARB/12/1.

Wasted Management, Inc. v. United Mexican States ("Number 2"), ICSID Case No. ARB (AF)/00/3.

## **PUTUSAN PENGADILAN NASIONAL**

Putusan Pengadilan Tata Usaha Negara Kota Samarinda Nomor  
32/G/2010/PTUN.SMD

## **LAMAN INTERNET**

Bussiness Daily, “DPP orders fresh probe into Balala bribery case,” diakses pada  
27 April 2024, [https://www.businessdailyafrica.com/bd/economy/dpp-  
orders-fresh-probe-into-balala-bribery-case-2074136](https://www.businessdailyafrica.com/bd/economy/dpp-orders-fresh-probe-into-balala-bribery-case-2074136).

Farge, Emma., dan Clara Denina. “Swiss court upholds corruption ruling against  
mining magnate Steinmetz,” Reuters, diakses pada 27 April 2024,  
[https://www.reuters.com/business/swiss-court-upholds-corruption-ruling-  
against-mining-magnate-steinmetz-2023-04-04/](https://www.reuters.com/business/swiss-court-upholds-corruption-ruling-against-mining-magnate-steinmetz-2023-04-04/).

Samuel Rubenfield, “BSGR Confirms Enganging Man in Guinea Charged with  
Obstruction,” Wall Street Journal, diakses pada 27 April 2024,  
<https://www.wsj.com/articles/BL-252B-501>.

The East African, “Outcry, bribery claims over mining licences recall,” diakses  
pada 27 April 2024, [https://www.theeastafrican.co.ke/tea/news/east-  
africa/outcry-bribery-claims-over-mining-licences-recall-1318452](https://www.theeastafrican.co.ke/tea/news/east-africa/outcry-bribery-claims-over-mining-licences-recall-1318452).

Transparency International, “Accountable Mining,” diakses pada 27 April 2024,  
<https://www.transparency.org/en/projects/accountable-mining>.