

## DAFTAR PUSTAKA

### A. BUKU

- Wignyosubroto, Sutandyo. *Hukum, Paradigma, Metode, dan Dinamika Masalahnya*, Jakarta: Eslam, 2002.
- Soerjono dan Sri Mamudji. *Penelitian Hukum Normatif (Suatu Tinjauan Singkat)*, Jakarta: Rajawali Pers, 2001.
- Adi, Rianto. *Metode Penelitian Sosial dan Hukum*, Jakarta : Granit, 2000.
- Hartono, Sunaryati. *Penelitian Hukum Indonesia pada Akhir ke-20*, Bandung :Alumni, 1994, hlm. 101.
- Marzuki, Peter Mahmud. *Penelitian Hukum*, Jakarta: Kencana, 2010.
- Soekanto, Soerjono. *Pengantar Penelitian Hukum*, Jakarta: UI Press, 2007.
- Mertokusumo, Sudikno dan Mr.A.Pitlo. *Bab-bab Tentang Penemuan Hukum*, Yogyakarta: PT. Citra Aditya Bakti, 1993.
- Steger, Debra. *The WTO dispute settlement system: Jurisdiction, interpretation and remedies*, Dalam: Hohmann H, ed. *Agreeing and Implementing the Doha Round of the WTO*, (Cambridge University Press), 2008.
- Ratner, Steven R. *International Law Rules on Treaty Interpretation*, Dalam *The Law and Practice of the Northern Ireland Protocol*, Cambridge: Cambridge University Press, 2022.
- Pohl, Jens Hillebrand. *Blueprint for a Plurilateral WTO Arbitration Agreement Under Article 25 of the Dispute Settlement Understanding*, Dalam *Restoring Trust dalam Trade: Liber Amicorum in Honour of Peter Van den Bossche*, Bloomsbury Publishing, 2018.

### B. JURNAL

- Etan Budhi S., Sjamsoeddin. 'The Comparison of the Dispute Settlement System Between GATT and WTO', *Era Hukum No. 15/ TH. 4/1998*.
- Nur Hidayati, Maslihati. 'Analisis Tentang Sistem Penyelesaian Sengketa WTO : Suatu Tinjauan Yuridis Formal', *Lex Jurnalica*, Volume 11 Nomor 2, Agustus 2014.

- Warouw, Adolf. 'Sistem Perdagangan Multilateral dalam Kerangka WTO suatu Observasi terhadap "Rule-based System', *Indonesian Journal of International Law*, Vol. 1, No. 2, 2004.
- Grieger, Grisela. 'International trade dispute settlement World Trade Organisation Appellate Body Crisis and the Multi-party Interim Appeal Arbitration Arrangement', *European Parliamentary Research Service*, 2024.
- Geraldo, Vidigal. 'Living Without the Appellate Body: Multilateral, Bilateral and Plurilateral Solutions to the WTO Dispute Settlement Crisis', *The Journal of World Investment & Trade*, Vol. 20 No. 6, 2019.
- Fadhila, Fitri et. Al. 'Metamorphoses of the WTO: Constructing Global Governance through Trade', *International Journal of Trade Economics and Finance*, Vol. 9, No. 2, 2018.
- J. Davey, William. 'Dispute Settlement in GATT', *Fordham International Law Journal*, Vol. 11, No. 1, 1987.
- Frahm, Karin-Oellers. 'Multiplication of International Courts and Tribunals and Conflicting Jurisdiction - Problems and Possible Solutions', *Max Planck UNYB* 5, 2001.
- Alajmi, Abdulmohsen. 'The Jurisdictional Conflict Between Regional Trade Agreements and the World Trade Organization', *World Customs Journal*, Volume 15, No. 2, 2021.
- Marceau, Gabrielle. 'The primacy of the WTO dispute settlement system', *Questions of International Law*, Vol. 3, No. 13, 2015.
- Maestro, Dario. 'Regulating Jurisdiction Collisions in International Law: The Case of the European Court of Justice's Exclusive Jurisdiction in Law of the Sea Disputes', *Michigan Journal of International Law*, Vol. 41, No. 3, 2020.
- J. Davey, William. 'The WTO and Rules-Based Dispute Settlement: Historical Evolution, Operational Success and Future Challenges', *Illinois Public Law Research Paper No. 14-41*, 2014.
- Steinman, Joan. 'Appellate Courts as First Responders: The Constitutionality and Propriety of Appellate Courts' Resolving Issues in the First Instance', *Notre Dame Law Review*, Vol. 87, No. 4, 2012.

- Van den Bossche, Peter. 'The Demise of the WTO Appellate Body: Lessons for Governance of International Adjudication?', *WTI Working Paper*, No. 02, 2021.
- Pauwelyn, Joost. 'The WTO's Multi-Party Interim Appeal Arbitration Arrangement (MPIA): What's New?', *World Trade Review*, Vol. 2, No. 5, 2023.
- Walters, Jeffrey. 'Power in WTO Dispute Settlement', *Journal of Third World Studies*, Vol. 28, No. 1, 2011.
- J. G., Merrills. Two Approaches to Treaty Interpretation, *The Australian Year Book of International Law*, Vol. 4, No. 1, 1969.
- Jacyk, David. 'The Integration of Article 25 Arbitration in WTO Dispute Settlement: The Past, Present and Future', *Australian International Law Journal*, Vol. 15, No. 0, 2008.
- Mercurio, Bryan. 'Arbitration Pursuant to Article 25 DSU: Dispute Settlement System of the World Trade Organization (WTO)', *Max Planck Encyclopedias of International Law*, 2021.

### **C. PERATURAN HUKUM**

*Understanding on Rules and Procedures Governing the Settlement of Disputes, Marrakesh Agreement Establishing the World Trade Organization, Annex 2, 1869 U.N.T.S. 401 (1995)*

*Vienna Convention on the Law of Treaties, May 23, 1969, 1155 U.N.T.S. 331 (1980)*

### **D. DOKUMEN**

Office of the United States Trade Representative (Ambassador Robert E. Lighthizer). (2020). Report on the Appellate Body of the World Trade Organization  
[https://ustr.gov/sites/default/files/Report\\_on\\_the\\_Appellate\\_Body\\_of\\_the\\_World\\_Trade\\_Organization.pdf](https://ustr.gov/sites/default/files/Report_on_the_Appellate_Body_of_the_World_Trade_Organization.pdf).

International Law Commission. (1966). Draft articles on the law of treaties with commentaries. Yearbook of the International Law Commission, 1966, Vol. II, hlm. 233.  
[https://legal.un.org/ilc/publications/yearbooks/english/ilc\\_1966\\_v2.pdf](https://legal.un.org/ilc/publications/yearbooks/english/ilc_1966_v2.pdf).

Superintendency of Industry and Commerce (Colombia). *Resolución No. 286 del 21 de noviembre de 2023*. Bogotá: Superintendency of Industry and Commerce, 2023. Diakses pada 10 Juni, 2025. <https://www.mincit.gov.co/getattachment/7df676b8-c5ab-4792-a988-f77ca562db4f/Resolucion-286-del-21-de-noviembre-de-2023.aspx>

Ujal Singh Bathia, *'The Problems of Plenty: Challenging Times for the WTO's Dispute Settlement System'*, Release of the Appellate Body Annual Report, 2017.

World Trade Organization. (2020, April 30). Statement on a mechanism for developing, documenting and sharing practices and procedures in the conduct of WTO disputes: Addendum (JOB/DSB/1/Add.12).

Joost Pauwelyn, *The MPIA as Sub-Optimal Solution to Restore WTO Dispute Settlement*. In *Recommendations for Restoration of a Rules-Based International Trading System*, Japan Economic Foundation 2023.

*Panel Report, US – Section 301 Trade Act*.

*Award of the Arbitrators, US – Section 110(5) Copyright Act (Article 25)*.

*Communication From Canada, GATT Doc No MTN.GNG/NG13/W/13 (24 September 1987)*.

*Colombia – Anti-Dumping Duties on Frozen Fries From Belgium, Germany and the Netherlands Request for Consultations by the European Union (WT/DS591/2)*.

*Colombia – Anti-Dumping Duties on Frozen Fries From Belgium, Germany and The Netherlands, Communication From the Panel, WT/DS591/6, 19 September 2022*.

*Colombia – Anti-Dumping Duties On Frozen Fries From Belgium, Germany and the Netherlands Recourse to Article 25 of the DSU, Constitution Of The Arbitrator, Note by the Secretariat, WT/DS591/8, 12 October 2022*.