

## BIBLIOGRAPHY

### National Legislation

Law no 30 of 1999 on Arbitration and Alternative Dispute Resolution (“Law 30 of 1999”)

Indonesian Civil Code

Reglement op de Rechtsvordering (“RV”)

Singapore Academy of Rules 2019

Singaporean Civil Law Act Cap 43, 1999 Rev Ed

Singapore Limitation Act, Chapter 163, Original Enactment: Ordinance 57 of 1959

Singapore Notary Public Rules 2019

Singapore Rules of Court

Singapore IBCY v BCZ [2017] 3 SLR 357 International Arbitration Act, Chapter 143A

### Legal Instruments

New York Convention on the Recognition and Enforcement of Foreign Arbitral Awards (“New York Convention 1958”)

Singapore International Arbitration Center (SIAC) Rules

UNCITRAL Model Law

United Nations Convention on the Rights of the Child (“UNCRC”)

### Case Law

AJT v AJU (2010) 4 SLR.

BAZ v BBA (2018) SGHC 275

BCY v BCZ (2017) 3 SLR 357.

Downer-Hill Joint Venture v. Government of Fiji (2005) 1 N.Z.L.R. 554 (H.C.)

E. D. & F. MAN (Sugar) Ltd. v. Yani Haryanto (14 December 1990). Decision No. No. 1205K/Pdt/1990, Indonesia Supreme Court

Foster v. Driscoll (1929) 1 KB. 470, 510 (C.A.)

Karaha Bodas Company LLC vs. Pertamina (2002), Decision No. 01/Banding/Wasit-Int2002, Indonesia Supreme Court

Karaha Bodas Company LLC vs. Pertamina (2002), Decision No. 86/Pdt/2002/PN.Jkt.Pst, Central Jakarta District Court

Karaha Bodas Company LLC vs. Pertamina (2007), Decision No. 444 PK/Pdt/2007, Indonesian Supreme Court (2007)

Mastrobuono v. Shearson Lehman Hutton. Inc (1995), 514 U.S. 52, 57 (1995)

PT Asuransi Jasa Indonesia (Persero) v. Dexia Bank (2007), SA 1 S.L.R.(R.) 597 (C.A.)

PT. Astro Nusantara International B.V. et al vs. PT. Ayunda Prima Mitra, PT. First Media, TBK and PT. Direct Vision (2010), Decision No. 01 K/Pdt.Sus/2010, Indonesian Supreme Court

PT. Astro Nusantara International B.V. et al vs. PT. Ayunda Prima Mitra, PT. First Media, TBK and PT. Direct Vision (2010), Decision of the Head of Central Jakarta District Court No. 05/Pdt/ARB-INT/2009, Central Jakarta District Court

Regazzoni v. K.C. Sethia Ltd (1958), A.C. 301 (H.L.)

Soiete Karim v. SCI D.H.P (March 17, 1989), Rev.arbb. 1990.727. Court of Appeal, Paris.

UKM v Attorney-General (2018), SGHCF 18

Van Uden Maritime BV v. Kommanditgesellschaft in Firma Deco-Line (1998), Case No. C-291/95, E.C.R. I-7091,7133

### **Book**

Amiruddin, H. Zainal Asikin (2016). Pengantar Metode Penelitian Hukum. Jakarta: Rajawali Pers.

Berg, A.J.V.D (1981). New York Arbitration Convention 1958. The Hague: Kluwer Law.

Bergsten, Eric E. (2005). Dispute Settlement. United Nations Conference on Trade and Development. New York and Geneva: United Nations

Binder, P (2010). International Commercial Arbitration and Conciliation in UNCITRAL Model Jurisdictions, 3rd ed. London: Sweet & Maxwell

Bogdandy, Von. A, Goldmann, M., and Venzke, I. (1 February 2017). From Public International to International Public Law: Translating World Public Opinion into International Public Authority. European Journal of International Law 28, No. 1.

Born, G (2009). International Commercial Arbitration. The Hague: Kluwer Law International.

Born, G (2014). International Commercial Arbitration. 2nd ed. Kluwer Law International; Lew, J.D.M, L.A. Mistelis, and Kröll, S.M (2003). Comparative International Commercial Arbitration. Kluwer Law International.

- Born, G (2020). International Commercial Arbitration. Kluwer Law International. 3rd ed. 2612-19.
- Harahap, M.Y (2004). Arbitrase. Jakarta: Pustaka Rini.
- Hartono, C.F.G.S (1994). Penelitian Hukum di Indonesia Pada Akhir Abad ke-20. Bandung: Alumni.
- Hoellering, M. F (1986). The UNCITRAL Model Law on International Commercial Arbitration. The International Lawyer, 20(1),
- Holtzmann (1984). The Conduct of Arbitral Proceedings, in International Council for Commercial Arbitration. Netherlands: UNCITRAL's Project for a Model Law on International Commercial Arbitration
- Holtzmann, H.M & Neuhaus, J.E (1989). A guide to the UNCITRAL Model Law on International Commercial Arbitration: legislative history and commentary. The Hague: Kluwer Law and Taxation.
- McConville, Mike and Chui, Wing Hong (2017). Research Methods for Law. Edinburgh University Press. p
- Razak, A. A. (2009). Understanding Legal Research, Intergration & Dissemination. Vol. 4.
- Redfern, A. and Hunter, M (1999), The Law and Practice of International Commercial Arbitration, London: Sweet and Maxwell.
- Redfern, A and Hunter, M (2004). Law and Practice of International Commercial Arbitration. London: Sweet & Maxwell
- Reisman, W.M (1992) System of Control in International Adjudication and Arbitration. Duke University press.
- Riskin and Westbrook (1987). Dispute Resolution and Lawyer, American Casebook Series. St. Paul: West Publishing Company.
- Soekardono, R (1981). Hukum Dagang Indonesia. Jakarta: Dian Rakyat, Vol.1, Part. 1
- Stewart, D (1994). National Enforcement of Arbitral Awards Under Treaties and Conventions in Richard Lillich and Charles Brower (eds), International Arbitration in the 21st Century: Towards Judicialization and Uniformity?
- Widjaja, G & Yani, A (1999). Kepailitan. Jakarta: PT. Grafindo Persada.

## **Journal**

Agosin, M.R & Machado,R (2005) Foreign Investment in Developing Countries: Does it Crowd in Domestic Investment? Oxford Development Studies, 33:2,

Agosin, M.R (1996). El retorno de la inversión extranjera a América Latina. In: Agosin MR, ed. Inversión extranjera directa en América Latina: su contribución al desarrollo. Santiago and Mexico City: Fondo de Cultura Económica.

Aliaj, E (2016). Dispute resolution through ad hoc and institutional arbitration. Academic Journal of Business, Administration, Law and Social Sciences.

Choi, S. (January 01, 1996). Judicial enforcement of arbitration awards under the ICSID and New York Conventions. New York University Journal of International Law and Politics, 28.

Chudnovsky D, López, A & Porta, F (1996). La Nueva Inversión Extranjera Directa En La Argentina: Privatizaciones, Mercado Interno E Integración Regional. In: Inversión Extranjera Directa En América Latina: Su Contribución Al Desarrollo. Santiago And Mexico City: Fondo De Cultura Económica.

Edward Ti (2009). "Why Egregious Errors of Law May Yet Justify a Refusal of Enforcement under the New York Convention. Singapore. J.L.S. 592

Hikmah, Mutiara (April 2012). The Refusal of International Arbitration Decision in The Case of Astro All Asia Network Plc (Astro): An Analysis of Decision Number 05/Pdt/Arb-Int/2009/PNJP. Jurnal Yudisial Vol.5 No.1

Hussin, A., Kuck, A., & Alexander, N (2018). SIAC-SIMC's Arb-Med-Arb Protocol. New York Dispute Resolution Lawyer. 11, (2), 85-87. Research Collection School of Law.

Kharel,A (2018). Doctrinal Legal Research. SSRN.

Locknie, H. (1994). The Adoption of The UNCITRAL Model Law on International Commercial Arbitration in Singapore. Singapore Journal of Legal Studies.

Mattli, W (2001). Private Justice in a Global Economy: From Litigation to Arbitration. International Organization. Vol. 55. Issue 04

Poon, N. (2012). Striking a balance between public policy and arbitration policy in international commercial arbitration. Singapore Journal of Legal Studies, (July 2012), 185-195.

Riveros L, Vatter J & Agosin Mr (1996). La inversión extranjera directa en Chile, 1987–93: aprovechamiento de ventajas comparativas y conversión de deuda. In: Inversión extranjera directa en

Sanders, P (1959). New York Convention on the Recognition and Enforcement of Foreign Arbitral Awards. Netherlands International Law Review,

Sitorus, W (2017). Judicial Control of Foreign Arbitral Awards in Indonesia. Indonesian Journal of International Law. Vol. 14. No.4

### **Thesis**

Januarti, D (2017). Tinjauan Yuridis Eksekusi Putusan Arbitrase Internasional di Pengadilan Negeri Jakarta Pusat. Yogyakarta: Prodi Magister Hukum, Fakultas Hukum Universitas Gadjah Mada.

Margie, J.E.T (2011). Upaya Hukum Pembatalan Terhadap Putusan Arbitrase International Chamber of Commerce oleh Pengadilan Negeri Jakarta Pusat (Studi Kasus Pt. Pertamina (Persero) Melawan PT. Lirik Petroleum). Fakultas Hukum, Program Ilmu Hukum. Depok: Universitas Indonesia.

Rana, R (2021). Analisis Komparatif Terhadap Pelaksanaan Putusan Arbitrase Internasional di Indonesia. Yogyakarta: Prodi Magister Hukum, Fakultas Hukum Universitas Gadjah Mada.

Toenando, A.S (2012). Tinjauan terhadap Putusan Arbitrase Asing berkaitan dengan Asas Ketertiban Umum. Yogyakarta: Prodi Magister Kenotariatan, Fakultas Hukum Universitas Gadjah Mada

### **Online Reference**

ADR institutions. Singapore Law Watch. (2019, October 9). Retrieved October 22, 2021, from <https://www.singaporelawwatch.sg/About-Singapore-Law/Civil-Practice-ADR/arbitration-adr-institutions>.

Amin, Z. (n.d.). Singapore International Arbitration Centre. Singapore International Arbitration Centre | Why SIAC. Retrieved October 21, 2021, from <https://www.siac.org.sg/about-us/why-siac>.

BANI arbitration center. Home - BANI Arbitration Center. (n.d.). Retrieved October 21, 2021, from <https://baniarbitration.org/>.

BPKM. (2021, April). Realisasi Investasi Triwulan I Tahun 2021 Rp 219,7 Triliun, Kepala BKPM Optimis Target Investasi Tercapai Kementerian Investasi/BPKM. Retrieved September 2021, from <https://www.bkpm.go.id/id/publikasi/siaran-pers/readmore/2420901/71101>

Clarke, O (July, 19 2018). The recognition and enforcement of annulled awards under the New York Convention of 1958. Osborne Clarke. Retrieved November 24, 2021, from <https://www.osborneclarke.com/insights/the-recognition-and-enforcement-of-annulled-awards-under-the-new-york-convention-of-1958>.

Kadir, A., & Sihombing, B. (n.d.). Arbitration Procedures and Practice in Indonesia: Overview. Uk.practicallaw.thomsonreuters.com. Retrieved October 20, 2021, from <https://uk.practicallaw.thomsonreuters.com/95208397?transitionType=Default&contextData=%28sc.Default%29>.

LLC, A. L. (2021, February 6). Laws applicable to an international arbitration • aceris law LLC. ACERIS LAW. Retrieved December 5, 2021, from <https://www.acerislaw.com/laws-applicable-to-an-international-arbitration/>.

New York Convnetion. History 1923 - 1958. New York Arbitration Convention. Retrieved October 4, 2021, from <https://www.newyorkconvention.org/travaux+preparatoires/history>

Nirmala. (n.d.). Pengakuan Dan Pelaksanaan Putusan arbitrase asing (internasional) di Indonesia. Business Law. Retrieved October 4, 2021, from <https://business-law.binus.ac.id/2017/04/30/pengakuan-dan-pelaksanaan-putusan-arbitrase-asing-internasional-di-indonesia/>.

Singapore International Mediation Centre (SIMC). Arb-Med-Arb. (n.d.). Retrieved October 22, 2021, from <https://simc.com.sg/dispute-resolution/arb-med-arb/>.

World Bank. Indonesia Trade Statistic. WITS. (n.d.). Retrieved September 27, 2021, from <https://wits.worldbank.org/CountryProfile/en/IDN>.

### **Miscellaneous/Other**

Annex A, Executive Summary. Recommendations of The Working Group to Develop Singapore Into a Centre For International Commercial Mediation.

Arbitration, in International Council for Commercial Arbitration. Netherlands: UNCITRAL's Project for a Model Law on International Commercial Arbitration. U.S. Government Comments on the UNCITRAL Working Group Draft Text of a Model Law on International Commercial Arbitration, reproduced in American Arbitration Association, *Arbitration & the Law* (1984)

Explanatory Note by the UNCITRAL secretariat on the 1985 Model Law on International Commercial Arbitration as amended in 2006 (2008) on UNCITRAL Model Law on Commercial Arbitration 1985 with amendments as adopted in 2006. Vienna: UNCITRAL.

Hasan, K. Barthe-Dejean, J. Choi, Ian (May 27, 2021) Challenging and enforcing arbitration awards: Singapore. *GAR Insight: Know-how - Challenging and Enforcing Arbitration Awards: Singapore*. Retrieved November 25, 2021, from <https://globalarbitrationreview.com/insight/know-how/challenging-and-enforcing-arbitration-awards/report/singapore>.

Hasan, M (2008). Enforcement of Foreign Arbitration Awards in Indonesia's Court Indonesia Arbitration – Quarterly Newsletter – BANI, Arbitration Center, No. 4

Herrmann (14-16 October 1985). The UNCITRAL Model Law on International Commercial Arbitration - Its Salient Features and Prospects. Quebec, Canada: paper delivered at a symposium on International Commercial Arbitration, Chateau Frontenac.

Possible Features of a Model Law on International Commercial Arbitration: Report of the Secretary-General (1981). U.N. Doc. A/CN9/207

Report of the United Nations Commission on International Trade Law on the Work of its Eighteenth Session (1985). 40 U.N. GAOR Supp. (No. 17), U.N. Doc. A/40/17

Report of UNCITRAL on the Work of Its Twelfth Session (1979). U.N. Doc. A/34, U.N. GAOR Supp. (No. 17)

Report of UNCITRAL. A/CN.9/264, reproduced in UNCITRAL Yearbook (1985). Vol. XVI. United Nations Publication

Wienclaw, R.A (2019). *Quantitative and Qualitative Analysis*. Salem Press Encyclopedia.

United Nations Commission on International Trade Law OR, Report of the Committee on the Enforcement of International Arbitral Awards, UN Doc. E/2704 and E/AC.42/4/Rev