

DAFTAR PUSTAKA

BUKU

- Alvin H. Hansen, 1945, *America's Role in the World Economy*, New York: WW Norton & Co.
- Amiruddin dan Zainal Asikin, 2004, *Pengantar Metode Penelitian Hukum*. Jakarta: Raja Grafindo Persada.
- Andrew Lang, 2011, *World Trade Law After Neoliberalism: Reimagining the Global Economic Order*, Oxford: Oxford University Press.
- Anthea Roberts, 2017, *Is International Law International?*, United Kingdom: Oxford Scholarship Online.
- B.S. Chimni, "Critical Theory and International Economic Law: A Third World Approach to International Law (TWAIL) Perspective" dalam *Research Handbook on Global Justice and International Economic Law*. United Kingdom dan United States: Edward Elgar Publishing Limited dan Edward Elgar Publishing, Inc.
- B.S. Chimni, "Some Reflections on the Idea of Free Trade and Doha Round Trade Negotiations" dalam *Developing Countries in the WTO Legal System*. United States: Oxford University Press.
- Bairoch P, 1993, *Economics and World History – Myths and Paradoxes*, Brighton:Wheatsheaf.
- Bryant, R. C., 1980, *Money and Monetary Policy in Interdependent Nations*. Washington, DC: The Brookings Institution.
- Erik S. Reiner, "Raw Materials in the History of Economic Policy" dalam *The Economics and Politics of International Trade*, London: Routledge.
- Fajri Matahati Muhammadin, "Universalitas Hak Asasi Manusia dalam Hukum Internasional: Sebuah Pendekatan Post-Kolonial" dalam *Hak Asasi Manusia: Dialektika Universalisme vs. Relativisme di Indonesia*. Yogyakarta: LKiS.
- Frank A.G., 1967, *Capitalism and Underdevelopment in Latin America*, New York: Monthly Review Press.

- Gerard Curzon dan Victoria Curzon, 1973, “GATT: Traders’ Club” dalam *The Anatomy of Influence: Decision-making in International Organization*. New Haven: Yale University Press.
- James Thuo Gathii, 2008, *Third World Approaches to International Economic Governance* dalam *International Law and the Third World: Reshaping Justice*, London: Routledge-Cavendish.
- Jan Hesselberg, 1988, *The Third World in Transition: The Case of the Peasantry in Bostwana (Scandinavian Institute of African Studies Series)*, Africa: Africana Pub).
- Joel P. Trachtman dan Chantal Thomas, 2009, *Developing Countries in the WTO Legal System*, Oxford: Oxford University Press.
- John H. Jackson, “The Birth of the GATT-MTN System: A Constitutional Appraisal” dalam *The Jurisprudence of GATT and the WTO*. United Kingdom: Cambridge University Press.
- Johani Ibrahim, 2008, *Teori & Metodologi Penelitian Hukum Normatif*. Malang: Bayumedia Publishing.
- Joseph A. Conti, 2011, *Between Law and Diplomacy: The Social Contexts of Disputing at the World Trade Organization*, Stanford: Stanford University Press.
- K Kock, 1969, *International Trade Policy and the GATT 1947–1967*, Stockholm: Almquist and Wiksell.
- Kristen Hopewell, 2015, *Breaking the WTO: How Emerging Powers Disrupted the Neoliberal Project*, California: Stanford University Press.
- L.F.L. Oppenheim, 1996, *Oppenheim’s International Law*. Vol. 1, Peace, London: Oxford University Press.
- Peter Mahmud Marzuki, 2005, *Penelitian Hukum*. Jakarta: Prenadamedia Group.
- Peter Mahmud Marzuki, 2010, *Penelitian Hukum Edisi Revisi*. Jakarta: Kharisma Putra Utama.
- Peter Worsely, 1984, *The Three Worlds: Culture and World Development*, London: University of Chicago Press.
- Raymond Wacks, 2006, *Philosophy of Law: A Very Short Introduction*, Oxford University Press.

Richard N. Cooper, 1968, *The Economics of Interdependence: Economic Policy in the Atlantic Community*. New York: McGraw Hill for the Council on Foreign Relations.

Robert E. Hudec, 1987, *Developing Countries in the GATT Legal System*, Gower: Aldershot.

Robert E. Hudec, 1990, *The GATT Legal System and World Trade Diplomacy*, Salem, New Hampshire: Butterworth Legal Publishers.

Robert L. Rothstein, 2015, *Global Bargaining: UNCTAD and the Quest for a New International Economic Order*. United States: Princeton University Press.

Ronny Hanitijo Soemitro, 1998, *Metodologi Penelitian Hukum dan Jurimetri*. Jakarta: Ghalia Indonesia.

Rüdiger Wolfrum et.al., 2011, *Article XI GATT*, Netherlands: Koninklijke Brill NV.

Sarifuddin Azwar, 1998, *Metode Penelitian*. Yogyakarta: Pustaka Pelajar.

Soerjono Soekanto, 2006, *Pengantar Penelitian Hukum*. Jakarta: UI-Press.

Susan Schwab, 2009, “The Future of the US Trade Agenda” dalam *Opportunities and Obligations: New Perspectives on Global and US Trade Policy*, Netherlands: Kluwer Law International.

Zainuddin Ali, 2009, *Metode Penelitian Hukum*, Sinar Grafika, Jakarta.

ARTIKEL JURNAL

Andante Hadi Pandyaswargo et.al., “The Emerging Electric Vehicle and Battery Industry in Indonesia: Actions around the Nickel Ore Export Ban and a SWOT Analysis”, *Batteries*, Vol. 7 No. 4, 2021.

Antony Anghie, “*Inequality, Human Rights, and the New International Economic Order*”, *Connecticut Journal of International Law, Humanity* Vol. 10, No. 3, 2019.

Baris Karapinar, “Defining the Legal Boundaries of Export Restrictions: A Case Law Analysis”, *Journal of International Economic Law*, Vol. 15 No. 2, 2012.

- Bruno Simma, “*Universality of International Law from the Perspective of a Practitioner*”, *The European Journal of International Law*, Vol. 20, No. 2, 2009.
- Doan Mauli Tua Siahaan et.al., “*Restriction of Indonesian Nickel Ore Export Based On Perspective of Quantitative Restriction Principle in General Agreement on Tariffs and Trade*”, Vol. 21, No. 3, 2021.
- Erwin Prasetyo, “*Questioning Indonesia’s Ban on Export of the Ore Policy Under International Investment and Trade Law*”, *Juris Gentium Law Review*, Vol. 3, No. 1, 2015, hlm. 54-62.
- Han-Wei Liu dan John Maughan, “*China’s Rare Earths Export Quotas: Out of the China-Raw Materials Gate, but Past the WTO’s Finish Line?*”, *Journal of International Economic Law*, Vol. 15 No. 4, 2012.
- Harta Haryadi and Bambang Yuniarto, “*Analysis on Terms of Trade of Indonesia’s Nickel*”, *Indonesian Mining Journal*, Vol. 19 No. 1, 2016.
- Isabelle Van Damme, “*Treaty Interpretation by the WTO Appellate Body*”, *The European Journal of International Law*, Vol. 21, No.3, 2010.
- Izzaty dan Suhartono, “*Kebijakan Percepatan Larangan Ekspor Ore Nikel dan Upaya Hilirisasi Nikel*”, *Info Singkat Bidang Ekonomi dan Kebijakan Publik*, Vol. 11 No. 23, 2019.
- John D. Haskell, “*TRAIL-ing TWAIL: Arguments and Blind Spots in Third World Approaches to International Law*”, *Canadian Journal & Jurisprudence*, Vol. 25, No.2, 2014.
- Keun Lee, Wonkyu Shin, dan Hochul Shin, “*How Large or Small is the Policy Space? WTO Regime and Industrial Policy*”, *Seoul Journal of Economics*, Vol. 27, No. 3, 2013.
- Petra Gumplova, “*Sovereignty Over Natural Resources – A Normative Reinterpretation*”, *Global Constitutionalism*, Volume 9, Issue 1, Maret 2020.
- Raj Bhala dan Eric Witmer, “*Interpreting Interpretation: Textual, Contextual, and Pragmatic Interpretative Methods for International Trade Law*”, *Connecticut Journal of International Law*, Vol. 35, No.2, 2020.
- Remi Bachand, “*What’s Behind the WTO Crisis? A Marxist Analysis*”, *European Journal of International Law*, Vol. 31, No. 3, 2020.

Robert E. Hudec, "The GATT Legal System: A Diplomat's Jurisprudence", *Journal of World Trade*, Vol. 4 No. 5, 1970.

Robert Hunter Wade, "What Strategies Are Viable for Developing Countries Today? The World Trade Organization and the Shrinking of 'Development Space'", *Review of International Political Economy*, Vol. 10 No. 4, 2003.

Robert W. Cox, "Gramsci, Hegemony and International Relations: An Essay in Method", *Millenium: Journal of International Studies*, Vol. 12 No. 2, 1983.

Rorden Wilkinson dan James Scott, "Developing Country Participation in the GATT: A Reassessment", *World Trade Review*, Vol. 7 No. 3, 2008.

Syahrir Ika, "Kebijakan Hilirisasi Mineral: Reformasi Kebijakan untuk Meningkatkan Penerimaan Negara", *Kajian Ekonomi & Keuangan*, Vol. 1 No. 1, 2017.

HASIL PENELITIAN

Rihan Alfarino, 2020, *Pengaturan Larangan Restriksi Kuantitatif dalam General Agreement on Tariffs and Trade (GATT) Terkait Sengketa Nikel Antara Indonesia dan Uni Eropa di World Trade Organization (WTO) Tahun 2020*, Skripsi Program Sarjana Fakultas Hukum Universitas Andalas, Padang, hlm. 1-56.

Mhd. Ikram Alfansa, 2021, *Analysis of Possible Legal Defenses for Article XI:2(a) and XX(g) of the GATT in the EU-Indonesia WTO Raw Materials Dispute*, Skripsi Program Sarjana Fakultas Hukum Universitas Gadjah Mada, Yogyakarta, hlm. 1-108.

Nicholas Parsintaan Pasaribu, 2020, *Tinjauan Yuridis Sengketa Ekspor Bijih Nikel Indonesia Terhadap Uni Eropa Ditinjau Dari Perspektif Hukum Perdagangan Internasional*, Skripsi Program Sarjana Fakultas Hukum Universitas Sriwijaya, Palembang.

PERATURAN PERUNDANG-UNDANGAN DAN PUTUSAN PENGADILAN

Undang-Undang Nomor 4 Tahun 2009 tentang Mineral dan Batubara jo. Undang-Undang Nomor 3 Tahun 2020 jo. Undang-Undang Nomor 11 Tahun 2020.

Peraturan Menteri Energi dan Sumber Daya Mineral Nomor 1 Tahun 2014 tentang Peningkatan Nilai Tambah Mineral Melalui Kegiatan Pengolahan dan Pemurnian Mineral di Dalam Negeri.

Peraturan Menteri Energi dan Sumber Daya Mineral Nomor 5 Tahun 2017 tentang Peningkatan Nilai Tambah Mineral Melalui Kegiatan Pengolahan dan Pemurnian Mineral di Dalam Negeri.

Peraturan Menteri Energi dan Sumber Daya Mineral Nomor 25 Tahun 2018 tentang Pengusahaan Pertambangan Mineral dan Batubara jo. Peraturan Menteri Energi dan Sumber Daya Mineral Nomor 50 Tahun 2018.

Case Concerning the Territorial Dispute (Libyan Arab Jamahiriya/Chad) [1994] ICJ Rep 6.

Maritime Delimitation and Territorial Questions between Qatar and Bahrain (Jurisdiction and Admissibility) [1995] ICJ Rep 6.

Argentina - Import Measures (2015), Appellate Body Report.

China – Auto Parts, Appellate Body Report, 15 Desember 2008.

China - Raw Materials (2011), Panel Report.

China - Raw Materials (2012), Appellate Body Report.

Japan — Trade in Semi-Conductors, Panel Report.

India — Quantitative Restrictions, Panel Report.

EC – Commercial Vessels (2005), Panel Report.

Vienna Convention on the Law of Treaties 1969.

INTERNET

Administrator, 2021, Hyundai Motor Group and LG Energy Solution Signed MoU with Indonesian Government to Establish EV Battery Cell Plant [Online]. Available at: <https://www.hyundai.com/worldwide/en/company/newsroom/hyundai->

motor-group-and-lg-energysolution-sign-mou-with-indonesian-government-to-establish-ev-battery-cell-plant-0000016697 [Diakses 1 April 2022].

Administrator. (2019). RI Digugat ke WTO, Program Penghiliran Jalan Terus [Online]. Portal Informasi Indonesia. Available at: <https://indonesia.go.id/kategori/indonesia-dalam-angka/1425/ri-digugat-ke-wto-program-penghiliran-jalan-terus> [Diakses 12 Oktober 2021].

Administrator. 2020. Daftar Negara Maju di Dunia, di Mana Posisi Indonesia [Online]. Available at: <https://travel.detik.com/detiktravel/d-5211808/daftar-negara-maju-di-dunia-di-mana-posisi-indonesia> [Diakses 1 April 2022].

Anastasia Arvirianty. 2019. Terungkap, Cadangan Nikel RI Sisa 7-8 Tahun Lagi! [Online]. Available at: <https://www.cnbcindonesia.com/news/20190902143612-4-96516/terungkap-cadangan-nikel-ri-sisa-7-8-tahun-lagi> [Diakses 1 April 2022].

Anisatul Umah. 2020. Cadangan Nikel RI Bisa 39 Tahun, Selangkah Jadi Raja Baterai! [Online]. Available at: <https://www.cnbcindonesia.com/news/20201028152856-4-197768/cadangan-nikel-ri-bisa-39-tahun-selangkah-jadi-raja-baterai> [Diakses 1 April 2022].

Hana Adi Perdana. 2021. Ciri-Ciri Negara Berkembang di Dunia, Indonesia Termasuk? [Online]. Available at: <https://www.idntimes.com/business/economy/hana-adi-perdana-1/ciri-ciri-negara-berkembang-di-dunia-indonesia-termasuk/4/full> [Diakses 1 April 2022].

Jefry Agustinus Alexander B. 2021. Kebijakan Hilirisasi Industri dan Besarnya Cadangan Nikel Bisa Buat Indonesia Kaya Raya. [Online]. Available at: <https://portallebak.pikiran-rakyat.com/bisnis/pr-293359271/kebijakan-hilirisasi-industri-dan-besarnya-cadangan-nikel-bisa-buat-indonesia-kaya-raya?page=2> [Diakses 1 April 2022].

Komaidi Notonegoro. 2021. Mobil Listrik dan Masa Depan Industri Nikel Indonesia [Online]. Available at: <https://katadata.co.id/muchamadnafi/indepth/603331181cecd/mobil-listrik-dan-masa-depan-industri-nikel-indonesia> [Diakses 1 April 2022].

Viriya Singgih, Eko Listiyorini & Martin Ritchie. 2019. Indonesia Bans Nickel Ore Exports with Immediate Effect [Online]. Available at:

<https://www.bloomberg.com/news/articles/2019-10-28/indonesia-bans-nickel-ore-exports-with-immediate-effect> [Diakses 1 April 2022].

World Bank. 2019. New Country Classifications by Income Level: 2019-2020 [Online]. World Bank. Available at: <https://blogs.worldbank.org/opendata/new-country-classifications-income-level-2019-2020> [Diakses 1 April 2022].

World Trade Organization. (2020). Request for the Establishment of a Panel by the European Union [Online]. World Trade Organization. Available at: https://ec.europa.eu/commission/presscorner/detail/en/IP_21_105 [Diakses 12 Oktober 2021].

World Trade Organization. Technical Information on Import Licensing [Online]. Available at: https://www.wto.org/english/tratop_e/implic_e/implic_info_e.htm [Diakses pada 1 April 2022].

World Trade Organization. Who are the developing countries in the WTO? [Online]. World Trade Organization. Available at: https://www.wto.org/english/tratop_e/devel_e/d1who_e.htm [Diakses 1 April 2022].

LAIN-LAIN

Claus-Dieter Ehlermann dan Donald M. McRae, “Reflections on the Appellate Body of the WTO”, Proceedings of the Annual Meeting (American Society of International Law), Vol. 97.

D. Kotz, 2017, *The Rise and Fall of Neoliberal Capitalism*, United States: Harvard University Press.

GATT (1958a), Trends in International Trade (The Haberler Report), Geneva: GATT.

Indonesia – Measures Relating to Raw Materials, Request to Join Consultations, Communication from the United States, WT/DS592/2, 11 Desember 2019.

Kementerian Energi dan Sumber Daya Mineral Republik Indonesia, “Peluang Investasi Nikel Indonesia”, 2020.

Kementerian Perdagangan, “Laporan Akhir Kajian Penyusunan Strategi Pengendalian Impor Indonesia 2015 – 2019”.

Makau Mutua dan Antony Anghie. ‘What Is TWAIL?’, Proceedings of the Annual Meeting (American Society of International Law), Vol. 94.

PT Vale Indonesia Tbk, “UU Minerba: Mengejar Nilai Tambah”, Internal Magazine Halo Vale, April 2014.

Resolusi Majelis Umum PBB, *Resolutions on the Report of the Ad Hoc Committee of the Sixth Special Session: Declaration on the Establishment of a New International Economic Order*, 1974.

Susan M. Collins, “The East Asian Miracle: Four Lessons for Development Policy”: Comment, *NBER Macroeconomics Annual*, Vol. 9.

UN Economic and Social Council, ‘Article 86: Summary of Points Made by Mr Shackle Regarding Interpretation and Settlement of Disputes’ (14 February 1947) UN Doc E/PC/T/C.6/W.77.

UNCTAD, ed. 2014a. Global Governance and Policy Space for Development. Trade and Development Report 2014. New York: United Nations.

World Trade Organization, “Decision on Notification procedures for Quantitative Restrictions”, G/L/59, Annex, 10 January 1996.

WTO, ‘Doha WTO Ministerial 2001: Ministerial Declaration’ (20 November 2001) WT/MIN (01)/DEC/1.