

## TABLE OF CONTENTS

<b>ENDORSEMENT .....</b>	<b>i</b>
<b>APPROVAL .....</b>	<b>ii</b>
<b>STATEMENT OF ANTI-PLAGIARISM.....</b>	<b>iii</b>
<b>ACKNOWLEDGEMENTS.....</b>	<b>iv</b>
<b>ABSTRACT .....</b>	<b>ix</b>
<b>INTISARI .....</b>	<b>x</b>
<b>CHAPTER I.....</b>	<b>1</b>
<b>A. Background.....</b>	<b>1</b>
<b>B. Research Questions .....</b>	<b>6</b>
<b>C. Statement of Originality .....</b>	<b>7</b>
<b>D. Objectives of the Study .....</b>	<b>10</b>
<b>E. Benefits of the Research .....</b>	<b>11</b>
<b>CHAPTER II.....</b>	<b>12</b>
<b>A. Indonesia's Competition Law .....</b>	<b>12</b>
1. The Prevailing Laws and Regulation of Indonesian Competition Law	12
2. About the KPPU.....	14
<b>B. United States of America's Antitrust Law .....</b>	<b>17</b>
1. Prevailing Laws and Regulations of Competition Law in the United States of America .....	17
2. About the FTC .....	21
<b>C. The Extraterritoriality Principle .....</b>	<b>23</b>
1. General Overview of the Extraterritoriality Principle.....	23
2. General Overview of the Extraterritoriality Principle under Competition Law 26	
3. The Extraterritoriality Provision in Indonesia.....	28
4. The Extraterritoriality Provision in the US .....	30
<b>CHAPTER III .....</b>	<b>35</b>
<b>A. Research Method.....</b>	<b>35</b>
<b>B. Types of Research .....</b>	<b>35</b>
<b>C. Data Collection Method.....</b>	<b>37</b>
<b>D. Data Analysis .....</b>	<b>37</b>
<b>E. Difficulty of Research .....</b>	<b>38</b>
<b>CHAPTER IV.....</b>	<b>39</b>

<b>A. To What Extent does Indonesian Competition Law Adopt the Extraterritoriality Principle? .....</b>	<b>39</b>
1. Measuring the extent of the Application of the Extraterritoriality Principle within the Indonesian Competition and the US Antitrust Laws ....	39
a. The US Law's Position on the Extraterritoriality Principle .....	39
b. Indonesian Law's Position on the Extraterritoriality Principle .....	47
1) Article 1, Paragraph 5 of Law Number 5 of 1999 adopted the approaches of the Territoriality Principle .....	47
2) Territoriality Principle as one of the Fundamental Norm of Law Number 5 of 1999 .....	53
<b>B. What are the differences between Indonesia and the United States of America concerning the application of the Extraterritoriality Principle? 60</b>	
1. The Application of the Extraterritoriality Principle in Indonesia .....	60
a. Jurisdiction Assertion against Foreign Defendants .....	60
b. The Development of the Application of the Extraterritoriality Principle in Indonesia .....	62
1) Very Large Crude Carrier Case .....	63
2) Temasek Holdings Pte. Ltd. ....	65
3) Astro Television .....	74
2. The Application of the Extraterritoriality Principle in the US .....	81
a. Jurisdiction Assertion Against Foreign Defendants .....	81
b. The Development of the Extraterritoriality Principle in the US .....	90
1) American Banana v. United Fruit Co. ....	91
2) US v. Aluminum Co. of America .....	94
3) Timberlane Lumber Co. v. Bank of America .....	95
4) Laker Airways v. Sebena Belgian World Airlines .....	98
5) The Establishment of FTAIA of 1982 .....	100
3. The Juxtapositions between Indonesia and The United States of America's application of The Extraterritoriality Principle .....	103
<b>C. How could the Indonesian Government reflect on the development and the application of the Extraterritoriality Principle in the United States of America's Antitrust Law? .....</b>	<b>105</b>
1. To Amend Law Number 5 of 1999 .....	105
2. To Provide Specific Law and Guidelines on the Competition Law Enforcement for International Operations .....	107
3. To Establish a Bilateral Agreement .....	108
<b>CHAPTER V .....</b>	<b>111</b>
<b>A. Conclusion.....</b>	<b>111</b>
<b>B. Recommendations .....</b>	<b>113</b>
<b>BIBLIOGRAPHY .....</b>	<b>115</b>