



DAFTAR PUSTAKA

Buku-Buku

Adolf, Huala, 2010, *Aspek-Aspek Negara Dalam Hukum Internasional*, Kni Media, Bandung;

A. A. Cancado Trindade, 1983, *The Application of the Rule of Exhaustion of Local Remedies In International Law: Its rationale in the international protection of individual rights*, Cambridge University Press, NY;

Amerasinghe, 2004, *Local Remedies In International Law*, 2nd ed, Cambridge University Press;

Anghie, Antony, 2004, *Imperialism, Sovereignty and the Making of International Law*, Cambridge University Press, UK;

Apridar, 2009, *Ekonomi Internasional, Sejarah, Teori, Prinsip dan Permasalahan dalam Aplikasinya*, Graha Ilmu, Yogyakarta;

Ardhiwisastra, Yudha Bhakti, 2003, *Hukum Internasional Bunga Rampai*, PT. Alumni, Bandung;

Atmasasmita, Romli, 2012, *Teori Hukum Integratif-Rekonstruksi terhadap Teori Hukum Pembangunan dan Teori Hukum Progresif*, Genta Publishing, Yogyakarta;

Biersteker, Thomas J., C. Cynthia Weber, 1996, *State Sovereignty as Social Construct*, Cambridge University Press;

Bodin, Jean, 1955, *Six Books of the Commonwealth*, Terjemahan M.J Tooley, Basil Blackwell, Oxford;

Cane, Peter, 2002, *Responsibility in Law and Morality*, Hart Publishing,

Cassese, Antonio 2005, *Hak Asasi Manusia di Dunia yang Berubah*, Penerbit Yayasan Obor Indonesia, Jakarta;

Chandrawulan, An An, 2011, *Hukum Perusahaan Multinasional, Liberalisasi Hukum Perdagangan Internasional dan Hukum Penanaman Modal*, Penerbit Alumni, Bandung;



Chandler, David 2006, *Empire in Denial. The Politics of State-Building*, Pluto Press, London;

Crawford, 2002, *Argument and Change in World Politics: Ethics, Decolonization and Humanitarian Intervention*, Cambridge University Press;

Dhaniswara, Harjono K., 2007, *Hukum Penanaman Modal: Tinjauan terhadap Pemberlakuan Undang-Undang Penanaman Modal*, Raja Grafindo Persada, Jakarta;

D., Kraay, Kaufman, A. and Zoido-Lobatón, P., 2009, *Aggregating Governance Indicators*, World Bank Report, Washington DC, USA;

Deng, Francis, et al., 1996, *Sovereignty as Responsibility: Conflict Management in Africa*, Brookings Institution Press, Washington. DC;

Franck Thomas M, 1990, *The Power of Legitimacy Among Nations*, Oxford University Press, New York;

Friedman, Lawrence M dan Hayden Grant M, 1998, *American Law An Introduction*, Second Edition, W.W. Norton and Company, NY;

Gazzini, Tarcisio dan Brabandere Eric De, 2012, *International Investment Law The Sources of Rights and Obligations*, Martinus Nijhoff Publisher, Leiden The Netherland;

Hart, HLA, 1968, *Punishment and Responsibility: Essay in the Philosophy of Law*, Clarendon Press, Oxford;

Harlow Carlow dan Rawlings Rirchard, 1997, *Law and Administration*, Butterworths, London;

Hartono, C.F.G Sunarjati, 1972, *Beberapa Masalah TransnasionalDalam Penanaman Modal Asing di Indonesia*, Binatjipta, Bandung;

H, R, Jackson R, 1990, *Quasi-States: Sovereignty, International Relations, and the Third World*, Cambridge University Press;

Holzgrefe, J.L dan Keohane R. (eds), 2003, *Humanitarian Intervention*, Cambridge University Press;



HS. H. Salim, Sutrisno, Budi, 2008, *Hukum Investasi di Indonesia*, Rajawali Pers, Jakarta;

Ifdhal Kasim dan Johanes da Masenus Arus, 2001, *Hak Ekonomi, Ekonomi Sosial dan Budaya, Esai-Esai Pilihan*, Lembaga Studi dan Advokasi Masyarakat (ELSAM), Jakarta;

Istanto, F. Sugeng, Tanpa Tahun, *Usulan Penelitian (Petunjuk Penulisan Usulan Penelitian dan Tesis Program Pascasarjana UGM: Khusus Untuk Program Studi Hukum)* Tidak diteBITkan;

Jackson, R. H, 1996, *Quasi-states: Sovereignty, International Relations and the Third World*, Cambridge University Press,

Jackson, John H, 2003, "Sovereignty Modern: A new Approach to An Outdated Concept", *The American Journal of International Law*, The American Society of International Law;

Janis, Mark Weston, 2003, *Introduction to International Law*, St.Paul, West Group;

James Crawford, 2006, *The Creation of States in International Law* (ed. 2), Clarendon Press –Oxford University;

J. Bartelson, 1995, *A Genealogy of Sovereignty*, Cambridge University Press;

Jened, Rahmi, 2016, *Teori dan Kebijakan Hukum Investasi Langsung (Direct Investment)*, Kencana, Jakarta;

J.H, Rapar, 2002, *Filsafat Politik Plato, Aristotales, Agustinus, Machiavelli*, Raja GrafindoPersada, Jakarta;

Johan, Tengku Saiful Bahri, 2018, *Perkembangan Ilmu Negara Dalam Peradaban Globalisasi Dunia*, CV. Budi Utama, Yogyakarta;

Jr. C.E. Merriam, 2001, *History of Sovereignty since Rousseau*, Batoche Book, Canada;

John Rawls, 1971, *The Theory of Justice*, Harvard University Press;

Juwana, Hikmahanto, 2001, *Bunga Rampai Hukum Ekonomi dan Hukum Internasional*, Lentera Hati, Jakarta;



Kairupan, David, 2014, *Aspek Hukum Penanaman Modal di Indonesia*, Prenada Media, Jakarta;

Kusumaatmadja, Mochtar 2010, *Pengantar Hukum Internasional, Buku I Bagian Umum*, Bina Cipta, Jakarta;

Koskenniemi, Martti, 2004, *From Apology to Utopia: The Structure of International Legal Argument*, Cambridge University Press;

Malmvig, Helle, 2006, *State Sovereignty and Intervention: A discourse analysis of interventionary and non-interventionary practices in Kosovo and Algeria*, Routledge, Canada;

Martinez, Magdalena M., 1996, *National Sovereignty and International Organizations*, Kluwer Law International;

Marzuki, Peter Mahmud, 2005, *Penelitian Hukum, Edisi 1*, Kencana, Jakarta;

Miles, Kate, 2013, *The Origins of International Investment Law: Empire, Environment and the Safeguarding of Capital*, Cambridge University Press;

Mouyal, Lone Wandhal, 2016, *International Investment Law and the Right to Regulated, A Human Right Perspective*, Routledge, New York;

Nasution, Bismar, 2007, *Hukum Kegiatan Ekonomi*, Books Terrace & Library, Bandung;

Newcombe, Andrew, Paradell, Lluis 2009, *Law and Practice of Investment Treaty: Standard of Treatment*, Kluwer Law International, Wolters Kluwer, The Netherland;

Oliver Ramsbotham dan Tom Woodhouse, 1996, *Humanitarian Intervention in Contemporary Conflict A Reconceptualization*, Polity Press, Blackwell, Cambrigde;

Oppenheim, Lauterpacht, 1961, *International Law*, Longmans Green and Co., London;

Orford, Anne, 2011, *International Authority and The Responsibility to Protect*, Cambrigdge University Press, New York;



Panjaitan, Hulman dan Sianipar Anne Mangatur, 2003, *Hukum Penanaman Modal Asing*, IHC, Jakarta;

Preece, Jennifer Jackson, 1998, *National Minorities and the European Nation-States System*, Clarendon Press, Oxford University Press;

Rodin, David, 2002, *War and Self-Defense*, Oxford University Press, Oxford;

Raic, David, 2012, *Statehood and the Law of Self-Determination*, Kluwer Law International;

Rajagopal, 2003, *International Law from Below - Development, Social Movement and Third World Resistance*, Cambridge University Press;

Rajagukguk, Erman, 1995, *Peranan Hukum dalam Pembangunan Ekonomi*, Jilid 2, Universitas Indonesia, Jakarta;

Rato, Dominikus, 2011, *Filsafat Hukum-Mencari, Menemukan, dan Memahami Hukum*, LaksBang Justicia, Surabaya;

Robert I. Rotberg (ed.), 2003, *State Failure and State Weakness in a Time of Terror*, Brookings Institution Press, Washington D.C;

Rudolf Dolzer, dan Schruer, Christoph, 2008, *Principles of International Investment Law*, 1st Publication, Oxford University Press, NY;

Sacerdoti, Giorgio, et al., 2014, *General Interests of Host States in International Investment Law International and Economic Law*, Cambrigde University Press, UK;

Saul, Ben, et al., 2014, *the International International Covenant on Economic, Social and Cultural Rights: Commentary, Cases and Materials*, Oxford University Press, Oxford;

Sauvant, Karl P, (ed), 1981, *Changing Priorities on the International Agenda: The New International Economic Order*, Pergamon Press

-----, 2008, *Appeals Mechanism, International Investment Dispute*, Oxford University Press, New York;



- , 2009, *Yearbook of International Investment Law and Policy*, Oxford University Press. New York;
- Schwarzenberger, Georg, 1955, *The Standard of civilisation In International Law*, Stevens and Sons;
- Sefriani, 2010, *Hukum Internasional Suatu Pengantar*, PT. Raja Grafindo Persada, Jakarta;
- , 2016, *Peran Hukum Internasional Dalam Hubungan Internasional Kontemporer*, PT. RajaGrafindo Persada, Jakarta;
- Sentosa Sembiring, 2010, *Hukum Investasi*, Nuansa Aulia, Jakarta;
- Shaw, Malcolm N, 2000, *International Law*, Cambridge University Press, New York;
- Soekanto, Soerjono, 2005, *Pengantar Penelitian Hukum*, Cetakan ke - 3, Universitas Indonesia Press, Jakarta;
- Soekanto, Soerjono, Mamudji, Sri, 2007, *Penelitian Hukum Normatif Suatu Tinjauan Singkat*, Rajawali Press, Jakarta;
- Sornarajah, M, 2004, *the International Law in Foreign Investment*, Cambridge University Press, NY;
- Soekanto, Soerjono, 2005, *Pengantar Penelitian Hukum*, Cetakan ke - 3, Universitas Indonesia Press, Jakarta;
- Soekanto, Soerjono, Mamudji, Sri, 2007, *Penelitian Hukum Normatif Suatu Tinjauan Singkat*, Rajawali Press, Jakarta;
- Suggono, Bambang, 2011, *Metode Penelitian Hukum*, Rajawali Pers, Jakarta;
- Sumardjono, Maria S.W, 1997, *Pedoman Pembuatan Usulan Penelitian Sebuah Panduan Dasar*. PT. Gramedia Pustaka Utama, Jakarta;
- Sumantoro, 1984, *Bunga Rampai Permasalahan Penanaman Modal dan Pasar Modal*, Binacipta, Bandung;
- Supancana, Ida Bagus Rahmadi, 2006, *Kerangka Hukum dan Kebijakan Investasi Langsung di Indonesia*, Ghalia Indonesia, Bogor;



-----, Editor Tana Mantiri, 2011, *Kompendium Hukum Investasi*, Badan Pembinaan Hukum Nasional Kementerian Hukum dan HAM RI, Jakarta;

Steiner, Henry Jand, dan Alston, Philip, 2000, *International Human Rights in Context: Law, Politics, Morals*, Oxford University Press, NY;

Titi, Catharine 2014, *The Right to Regulate in International Investment Law*, Hart Publishing, Oxford, UK;

Thompson, Kenneth W dan Clinton, David, 1984, *Politics among Nations, The Struggle for Power*, Higher Education;

Thurer Daniel dan Burri Thurer, 2008, *Self-determination*, Max Plank Encyclopedia of Public International Law, Oxford Press, UK;

The World Bank, 2002, *World Development Report 2002 Building Institutions for Market*, Oxford University Pres, New York;

UNCTAD, 1999, *Trends in International Investment Agreements: An Overview*, United Nation;

-----, 2006, *International Investment Arrangements: Trends and Emerging Issues*, United Nations;

Victor Conde, H, 1999, *A Handbook of International Human Rights Terminology*, University of Nebraska Press, Nebraska;

Willis, James F, 1982, *Prologue to Nuremberg The Politics and Diplomacy of Punishing War Criminals of the First World War*, Greenwood Press;

Wight, Martin, 1977, *Systems of States*, Leicester University Press, London School of Economic and Political.

W, Bain, 2003, *Between Anarchy and Society Trusteeship and the Obligations of Power*, Oxford University Press;



Jurnal-Jurnal

Anggara, 2005,"Hak Menentukan Nasib Sendiri (The Rights to Self-Determination) dalam Hukum Internasional (Tinjauan Terhadap Pelaksanaan Penentuan Pendapat Rakyat di Papua Barat tahun 1969"), *Jurnal Dignitas*, ELSAM, Vol. 3, No.1;

Asante, Samuel K.B, 1988, "International Law and Foreign Investment: A Reappraisal", *The International and Comparative Law Quarterly*, Volume. 37, No. 3;

Ashley, Richard K, 1984, "The Poverty of Neorealism", *International Organization*, Volume. 38, No. 2, The MIT Press;

Ayres Ian, Gertner, Robert, 1989, "Filling Gaps in Incomplete Contracts: An Economic Theory of Default Rules", *Yale Law Journal*, Volume. 99 No. 87;

Baerh, Peter R, 1999, *Human Right Universality in Practis*, Macmillan Press;

Bardhan, P, 1997, Corruption and Development: a review of issues, *Journal of Economic Literature*,Volume. 35 No. 3;

Berger, Axel, et al., 2013,"Do Trade and Investment Agreements Lead to More FDI? Accounting for Key Provisions Inside the Black Box", *International Economics and Economic Policy*, Volume. 10, No. 2;

Bowden, Brett, 2004, "In The Name of Progress and Peace: The Standard of Civilization and The Universalazing Project", *Alternatives*, Volume. 29, No. 1;

Bedjaoui, Mohammed, 1979, "Toward a New International Economic Order", *Holmes and Meyer Publisher*, UNESCO, Paris;

B, Kingsbury, 1998, "Indigenous Peoples' in International Law: a Constructivist Approach to the Asian Controversy", *The American Journal of International Law*, Volume. 92, No. 3;

Black, Cyril E, Falk, Richard A (eds), 1972, "The Future of International Legal Order The Structure of the International Environment", University of Princeton Press, Volume. 4;



- Boone, Joshua, 2011, "How Developing Countries Can Adapt Current Bilateral Investment Treaties to Provide Benefits to Their Domestic Economies", *The Global Business Law Review*, Cleveland State University;
- B. Bilder , Richard, Spring 1987, "International Dispute Settlement and the Role of International Adjudication", *Emori Journal of International Dispute Settlement*, Vol. 10 No. 2;
- Biljmakers, Stephanie, 2012, "Effect of Foreign Direct Investment ArBITration On State's Regulatory Autonomy Involving The Public Interest", *The American Review Of Internastional ArBITration*, Volume. 23 No. 2;
- Bishop Geofrfrey Robinson, 1993, "The Challenge of Justice, Canon Law Society of America", *Proceedings of the 55th Annual Convention*, Honolulu, Volume. 4;
- Bloed, Arie, 1990, *From Helsinki to Vienna Basic Documen Helsinki Process*, Martinus Nijhoff Publisher, The Netherland;
- Bowden, Brett, 2004, "In the Name of Progress and peace: The Standard of Civilization and the Universalizing Project", *Alternatives*, Vol. 29;
- C, Reus-Smit, 2001,"Human rights And The Social Construction of Sovereignty", *Review of International Studies*, Vol. 27;
- Daadaoui, Mohamed, 2008, "The Western Sahara Conflict Towards a Constructivist Approach to Self-Determination", *The Journal of North African Studies*, Vol. 13, No. 2;
- D Franck, Susan, 2009, "Development and Outcomes of Investment Treaty ArBITration,Volume. 50, No. 2, *Harvard International Law Journal*;
- Dozler, Rudolf, 2006,"The Impact of International Investmetn Treaty on Domestic Administrative Law", *Journal of International Law and Politics*;
- Drew, Catriona, 2001, "The East Timor Story: International Law on Trial', *Journal International Law*, Vol. 12 No.4;
- Dunbar, Damon Vis, Nikiema, Henrique Suzy 2009, "Do Bilateral Investment Treaties Lead to More Foreign Investment?", *Investment Treaty News*;



Echandi Roberto and Sauve Pierre (eds), *International Investment Law and Policy*, WTO Forum, Cambrigde University Press, USA NY;

Fidler, David, 2001, 'The Return of The Standard of Civilization", *Chicago Jornal of International Law*, Volume. 2, No. 1;

Gilman, 2015, "the New International Economic Order: A Reintroduction", *Internal Journal of Human Right, Humanitarians, and Development*, hlm. 4. lihat di humanityjournal.org;

Glanville, Luke, 2011, "On The Meaning of Responsibility in the Responsibility to Protect", *Griffith Law Review*, Volume. 20, No. 2;

Goudie, A.W, dan Stasavage, David, 1998, "A Framework for the Analysis of Corruption, Crime, Law and Social Change", *Kluwer Academic Publishers*, Printed in the Netherlands, Volume. 29;

Haeri, H, 2011 "A Tale of Two Standards: 'Fair and Equitable Treatment 'and the Minimum Standard in International Law", *The Gillis Wetter Prize* Volume 27;

Harms Philipp and Ursprung, Heinrich W, 2001,"Do civil and political repression really boost foreign direct investments?", *Independent Institute Working Paper*, No. 36;

J, Jakobsen, 2006, "Does Democracy Moderate the Obsolescing Bargain Mechanism? An Empirical Analysis 1983-2001", *Transnational Corporations*, Volume. 15, No. 3;

James Anaya, 1994, *The Native Hawaiian People and International Human Rights Law, Toward a Remedy for Past and Continuing Wrongs*, Georgia Law Review Volume. 22;

Jr. John King Gamble, dan Frankowska, Maria, 1986, "International Law's Response to the New International Economic Order An Overview", Volume. 9, No. 2, *Boston College International and Comparative Law Review*;

Johnson, Alec R, 2010, "Rethinking Bilateral Investment Treaties in Sub-Saharan Africa", *Emory Law Journal*, Vol. 59, No. 4



- Kaushal, Asha, 2009, "Revisiting History: How the Past Matters for the Present Backlash Against the Foreign Investment Regime", *Harvard International Law Journal*, NY, Vol. 50. No. 2;
- Kritsotis, 2002, "Imagining the International Community" *European Journal of International Law*. Volume. 13. No. 4;
- Krasner, Steven D, 2004,"Sharing Sovereignty: New Institutions for Collapsed and Failing States. *International Security*, Volume. 29, No. 2;
- Koskenniemi, Martti, 2011, "What Use for Sovereignty Today?", *Asian Journal of International Law*;
- Kunig, Philip, 2008, "Intervention Prohibition of", Rudiger Wolfrum (ed) *Max Planck Encyclopedia of Public International Law*, Oxford Public International Law,
- K, Vandevelde, 1998, "The Political Economy of a Bilateral Investment Treaty", *The American Journal of International Law*, Vol. 92, No. 4;
- Lawson, Edward, 1978, *Encyclopedia of Human Rights Second Edition*, Taylor and Francis Publisher;
- Leo, Benjamin, 2010, "Where Are The BITs? How U.S. Bilateral Investment Treaties With Africa Can Promote Development", *Center For Global Development Essay*;
- Liss, Ryan, 2011, "Responsibility Determined: Assessing the Relationship Between the Doctrine of the Responsibility to Protect and the Right of Self-Determination", *University College London Human Rights Review*, Volume. 4;
- Llinda C. Reif, 2000, "Building Democratic Institutions: The Role of National Human Rights Institutions in Good Governance and Human Rights Protection", *Harvard Human Rights Journal* Volume. 13;
- Lori Fisler Damrosch, 1989, "Politics Across Borders: Non-Intervention and Non-Forcible Influence Over Domestic Affairs", *The American Journal of International Law*, Volume. 83, No. 1;
- Mandala, Subianta, "Perjanjian Bilateral di Bidang Investasi", *Majalah Hukum Nasional*;



- Mann, F.A, 1981, “British Treaties for the Promotion and Protection of Investments”, *British Year Book of International Law*, Volume. 52;
- Mc Whinney, Edward, 1976, ”The International Law- Making Process and the New International Economic Order”, *Canadian Yearbook of International Law*, Volume. 57;
- Mendez, Fabio, and Sepulveda, Facundo, 2006, “Corruption, Growth and Political Regimes: Cross Country Evidence”, *European Journal of Political Economy*, Volume. 22;
- Michael Johnston, 1996, “The Search for Definition: the Vitality of Politics and the Issues of Corruption”, *International Social Science Journal*;
- Mill, John Staurt, 1984, “A few words on non-intervention, dalam The Collected Works of John Stuart Mill”, *Essays on Equality, Law and Education*, University of Toronto Press, Volume XXI, Routledge and Kegan Paul;
- Muge Kinacioglu, 2005, “The Principle of Non-Intervention at the United Nations The Charter Framework and the Legal Debate, *Perceptions Summer*;
- Nye, Joshep, 1967, ”Corruption and Political Development a Cost Benefit Analysis”, *American Political Science Revie*”, Volume. 61, No. 2;
- Peterson, Luke Eric, 2004, “Bilateral Investment Treaties and Development Policy Making”, *International Institute for Sustainable Development*, Winnipeg, Canada;
- Peltonen, Hannes, 2011, “Sovereignty as Responsibility, Responsibility to Protect and International Order: On Responsibility”, Communal Crime Prevention and International Law, *Uluslararası İlliskiler*, Volume. 7, No. 28;
- P. Peters, 1996, “Review of Dolzer and Stevens: Bilateral Investment Treaties”, *Netherlands International Law Review*, Volume. 43;
- Perkins, E. Ralph, Gleason, S. Everett (ed.), 1966, “Foreign Relations of the United States (FRUS)”, *Diplomatic Papers 1944*, Volume. 1, General, Government Printing Office;



- Price, David, 2017, "Indonesia's Bold Strategy on Bilateral Investment Treaties: Seeking an Equitable Climate for Investment?", *Asian Journal of International Law*, Volume. 7;
- Porterfield, Matthew C, 2015, "Exhaustion Of Local Remedies in Investor-State Dispute Settlement: An Idea Whose Time Has Come?", *Yale Journal of International Law*, Volume. 41;
- Raustiala, Kal, 2003, "Rethinking the Sovereignty Debate in International Economic Law", *Journal International Economic Law*, Volume 6 Nomor. 4, Oxford University Press;
- Riyanto, Sigit, 2012, "Kedaulatan Negara Dalam Kerangka Hukum Internasional Kontemporer", *Yustisia Jurnal Hukum* Volume 1 Nomor 3. Universitas Sebelas Maret, Solo;
- Roberts, Anthea, 2014."State to State Investment Treaty ArBITration: A Hybrid Theory of Interdependent Rights and Shared Interpretive Authority", *Harvard Intenational Law Journal*, Volume. 55;
- Roberts, Anthea, 2015, "Triangular Treaties: The Extant and Limits of Investment Treaty Rights", *Harvard International Law Journal*, Volume. 56. No. 2;
- Root, Elihu, 1910, "The Basis of Protection to Citizens" , *Proceedings of the American Society of International Law at Its Annual Meeting (1907-1917)* Vol. 4;
- Onyango Oloka, 1999, "Heretical Reflections on the Right to Self-Determination: Prospects and Problems for a Democratic Global Future in the New Millennium", *American University International Law Review*, Vol. 15, No. 1;
- Opongo, Elias Omondi, "Book Review, Responsibility to Protect: The Global Effort to End Mass Atrocities", *Journal of Peace, Conflict and Development*, No. 14, Polity Press;
- Salacuse, Jeswald W, 1990, "BIT by BIT: The Growth of Bilateral Investment Treaties and Their Impact on Foreign Investment in Developing Countries", *The International Lawyer*, Volume. 24 No. 3;
- , 2010,"The Emerging Global Regime for Investment", *Harvard International Law Journal*, NY, Vol. 51, No. 2;



-----, Sullivan, N. P, 2005, “Do BITs Really Work? An Evaluation of Bilateral Investment Treaties and Their Impact on Foreign Investment in Developing Countries”, *Harvard International Law Journal*, Vol. 46;

Salomon, Margot E, 2013, “From NIEO to Now and the Unfinishable Story of Economic Justice”, *The International and Comparative Law Quarterly*, Volume. 62;

Santiso, Carlos, 2001,”Good Governance and Aid Effectiveness: The World Bank and Conditionality”, *The Georgetown Public Policy Review*, Volume. 7, No. 1;

Schwarzenberger, Georg, 1955, The Standard of Civilisation In International Law, *Current Legal Problems*, Volume.8, Nomor. 1;

Sefriani, 2013, “Investment Arbitration Bagi Negara Berkembang dan Terbelakang”, *Jurnal Yustisia*, Vol. 2 No. 2, Mei – Agustus 2013;

S, D’Ascoli, Scherr, dan Maria Katrin, 2007, “The Rule of Prior Exhaustion of Local Remedies in The International Law Doctrine and Its Application in The Specific Context of Human Rights Protection”, *EUI Working Papers Law*, Volume. 2, European University Institute

Simson, Gerry, 1996, “The Diffusion of Sovereignty: Self-Determination in the Post-Colonial Age” , Stanford Journal International Law, Volume. 32;

Smit, Reus, 2001, “Human Rights and The Social Construction of Sovereignty”, *Review of International Studies*, Volume. 27;

Stephan W. Schill, 2009, *The Multilateralization of International Investment Law*, Cambridge University Press, New York;

Stephen, Magiera, 2017,”International Investment Agreement and Investor-State Dispute: A Review and Evaluation for Indonesia”, *ERIA Discussion Paper Series*;

Sumarni, 2013, “Intervensi Pemerintah Antara Kebutuhan dan Penolakan di Bidang Ekonomi. *Journal of Economic and Economic Education*, Vol. 1 No. 2;



Subedi, Surya P, 2005, *International Economic Law*, University of London Press, England;

Wei, Dan 2010, “Bilateral Investment Treaties: an empirical analysis of the Practices of Brazil and China”, *European Journal of Law and Economic, Springer*, Vol. 33, No. 3;

Weiss, Thomas G, 2000, “Governance, Good Governance and Global Governance: Conceptual and Actual Challenges”, *Third World Quarterly*, Volume. 21, No. 5;

Wendt, Alexander, 1992, “Anarchy is What States Make of it: the Social Construction of Power Politics”, *International Organization*, Volume. 46, No. 2;

W. Schill, Stephan, 2009, “Multilateralizing Investment Treaties Through Most Favoured Nation Clauses”, *Berkeley Journal of International Law*, Volume. 27 Issue. 2, UC Berkeley School of Law, United State;

Yahya Alshammari, 2013, “The Right of Political Self-Determination and Shifting in the Principle of Non-Interference”, *Westminster Law Review*, Volume. 3, No. 2;

Zaidun, Muchammad, “Keterkaitan Prinsip-Prinsip Hukum Antara Penanaman Modal Asing Dengan Perdagangan Internasional”, *Yuridika*, Vol. 21 No. 3, Mei–Juni 2006;

Zaini, Zulfi Diane, 2012, “ Perspektif Hukum Sebagai Landasan Pembangunan Ekonomi di Indonesia (sebuah Pendekatan Filsafat)”, *Jurnal Hukum*, Vol XXVIII, No. 2;

Perundang-Undangan

Piagam PBB

Konvenan Internasional tentang Hak – Hak Sipil dan Politik

Konvenanan Internasional tentang Hak-Hak Ekonomi, Sosial dan Budaya

Konvensi Wina 1969.

Undang-Undang No. 24 Tahun 2000 Tentang Perjanjian Internasional



Undang-Undang No. 12 Tahun 2011 Tentang Pembentukan Peraturan Perundang-

Undangan

Undang-Undang No. 25 Tahun 2007 Tentang Penanaman Modal Asing

Undang-Undang Nomor 30 Tahun 1999 tentang *Arbitrase* dan Alternatif Penyelesaian Sengketa

Undang- Undang-Undang Nomor 5 Tahun 1968 tentang Persetujuan atas Konvensi tentang Penyelesaian Perselisihan Penanaman Modal antara Negara dengan Warga Negara Asing; Peraturan pelaksana dari UUPM yang perlu diperhatikan dalam pengaturan penanaman modal asing di Indonesia

Peraturan Pemerintah Nomor. 45 Tahun 2008 tentang Pedoman Pemberian Insentif dan Pemberian Kemudahan Penanaman Modal di Daerah;

Peraturan Presiden Nomor. 76 Tahun 2007 tentang Kriteria dan Persyaratan Penyusunan Bidang Usaha yang Tertutup dan Bidang Usaha yang Terbuka dengan Persyaratan di Bidang Penanaman Modal;

Peraturan Presiden Nomor. 36 Tahun 2010 sebagaimana telah diubah dengan Peraturan Presiden Nomor. 39 Tahun 2014 tentang Daftar Bidang Usaha yang Tertutup dan Bidang Usaha yang Terbuka dengan Persyaratan di Bidang Penanaman Modal;

Peraturan Presiden Nomor. 27 Tahun 2009 tentang Pelayanan Terpadu Satu Pintu di Bidang Penanaman Modal;

Peraturan Kepala BKPM Nomor 6 Tahun 2011 tentang Tata Cara Pelaksanaan, Pembinaan, dan Pelaporan Pelayanan terpadu Satu Pintu di Bidang Penanaman Modal;

Peraturan Kepala BKPM Nomor 12 Tahun 2009 tentang Pedoman dan tata Cara Permohonan Penanaman Modal;

Peraturan Kepala BKPM Nomor 13 Tahun 2009 tentang Pedoman dan Tata Cara Pengendalian Pelaksanaan Penanaman Modal sebagaimana diubah dengan Peraturan Kepala BKPM Nomor 7 Tahun 2010; Peraturan Kepala BKPM Nomor 14 Tahun 2009 tentang Sistem Pelayanan Informasi dan Perizinan Investasi secara Elektronik; Peraturan Kepala BKPM Nomor 89/SK/2007



tentang Pedoman dan Tata Cara Permohonan Fasilitas Pajak Penghasilan bagi Perusahaan Penanam Modal di Bidang-bidang Usaha Tertentu dan atau di Daerah-daerah Tertentu;

Declaration on Principle of International Law Concerning Friendly Relations and Cooperation among States in Accordance with the Charter of the United Nations (Deklarasi tentang Prinsip-Prinsip Hukum Internasional mengenai hubungan persahabatan dan kerjasama antar Negara yang sejalan dengan Piagam PBB

ASEAN Comprehensive Investment Agreement 2009, Feb. 26 2009, Annex 2; Model BIT Amerika Serikat 2012, Annex B; Model perjanjian untuk promosi dan perlindungan Investasi Kanada 2004, Annex B;

UU 5 Tahun 1968 Tentang Persetujuan Atas Konvensi Tentang Penyelesaian Perselisihan Antara Negara dan Warganegara Asing Mengenai Penamanan Modal Asing, ratifikasi atas Konvensi ICSID

Konvensi Montevideo 1933 tentang Hak dan Kewajiban Negara, Konvensi ini mulai berlaku tanggal 26 Desember 1934

Resolusi Majelis Umum VII tentang Hak untuk Memanfaatkan Kekayaan dan Sumber Alam Secara Bebas, 14 Desember 1962.

Resolusi Majelis Umum 1803 (XVII) tentang Kedaulatan Permanen atas Sumber Daya Alam, 1962.

Deklarasi tentang Pembentukan Tatanan Ekonomi Internasional Baru (*New International Economic Order-NIEO*), Resolusi Majelis Umum 1974.

Piagam Hak dan Kewajiban Ekonomi, Resolusi Majelis Umum PBB 3281 (XXIX), 1974

Pasal 1, Paragraf 2 dalam ICCPR dan ICESCR, 1966.

Resolusi Majelis Umum (VII) tentang Hak untuk Memanfaatkan Kekayaan dan Sumber Alam Secara Bebas, 14 Desember 1962.

Agreement between the Government of the Kingdom of the Netherlands and the Government of the Republic of Indonesia on Promotion and Protection of Investment (adopted 06 April 1994, entered force 01 July 1995) art 1, lihat di



<http://investmentpolicyhub.unctad.org/Download/TreatyFile/1629>, di telusuri pada 8 April 2018.

Agreement between the Government of the Republic of Singapore and the Government of the Republic of Indonesia on the Promotion and Protection of Investments (adopted 16 February 2005, entered force 21 June 2006) art 1, lihat di <http://investmentpolicyhub.unctad.org/IIA/treaty/2000>, ditelusuri pada 18 April 2018.

The General Assembly Resolution 626 (VII) on the Right to Exploit Freely Natural Wealth and Resources, 1952, lihat di <https://documents-dds-ny.un.org/doc/RESOLUTION/GEN/NR0/079/69/IMG/NR007969.pdf?OpenElement>, di telusuri pada 11 januari 2018.

Article 1, paragraph 2 in the ICCPR and the ICESCR (1966). Lihat di [http://www.OPIL_International_Covenant_on_Civil_and_Political_Rights_1966%20\(1\).pdf](http://www.OPIL_International_Covenant_on_Civil_and_Political_Rights_1966%20(1).pdf), ditelusuri pada 10 Januari 2018.

The General Assembly Resolution 1803 (XVII) on Permanent Sovereignty over Natural Resources, 1962, lihat di http://legal.un.org/avl/ha/ga_1803/ga_1803.html, ditelusuri pada 10 Januari 2018.

The Declaration on the Establishment of a New International Economic Order, General Assembly Resolution 3201, 1974, lihat di http://legal.un.org/avl/pdf/ha/ga_3201/ga_3201_ph_e.pdf, ditelusuri pada 11 Januari 2018.

The Charter of Economic Rights and Duties of States, General Assembly Resolution 3281(XXIX), 1974, lihat di https://www.aaas.org/sites/default/files/SRHRL_PDF/IHRDArticle15/Charter_of_Economic_Rights_and_Duties_of_States_Eng.pdf, ditelusuri pada, 11 Januari 2018.

Putusan Pengadilan

Publications of the Permanent Court of International Justice Series A – No. 1; Collection of Judgments and Orders, A.W. Sijthoff's Publishing Company, Leyden, 1923. Judgement of 28 June 1923, The SS 'Wimbledon', United Kingdom and ors and Poland (*intervening*) v Germany, Intervention, Permanent Court of International Justice Series A no 1, (PCIJ 1923), Permanent Court of International Justice (historical) [PCIJ] lihat di <http://www.worldcourts.org>



[com/pcij/eng/_decisions/1923.06.28_wimbledon.htm](http://www.pcij.org/com/pcij/eng/_decisions/1923.06.28_wimbledon.htm), ditelusuri pada 11 Februari 2018;

Report

ICISS Report, 2001, *The Responsibility to Protect, Report of the International Commission on Intervention and State Sovereignty*, International Development Research Center, Ottawa, lihat di <http://responsibilitytoprotect.org/ICISS%20Report.pdf>, ditelusuri pada 11 Februari 2018.

UNCTAD, 2008, "Transnational Corporations, and the Infrastructure Challenge", *World Investment Report*, New York;

Yearbook of the International Law Commission, Volume II Part Two, 1978, Pasal 5, tentang *Most-Favoured-Nation Clauses*, Report of the Commission to the General Assembly, lihat di http://legal.un.org/ilc/publications/yearbooks/english/ilc_1978_v2_p2.pdf, ditelusuri 25 Januari 2018.

Makalah/Paper

Juwana, Hikmahanto, "Arah Kebijakan Pembangunan Hukum di Bidang Perekonomian dan Investasi", *Majalah Hukum Nasional*, No. 1 tahun 2007, BPHN, Departemen Hukum dan HAM RI;

Mattias Busse, 2003, "Democracy and FDI", *Hamburg Institute of International Economics (HWWA) Discussion Paper*, Hamburg, Germany;

Nguyen Duc Tuyen, "The future evolution of the principle of non-interference" the 8th Asian Economic Forum - the ASEAN in the Evolving Regional Architecture: Opportunities, Challenges and Future Direction", 16 - 18 March 2012, Hotel Sofitel, Phnom Penh, Kingdom of Cambodia;

Potter , Donald W, 2004, "State Responsibility, Sovereignty, and Failed States", *Refereed Paper Presented to the Australasian Political Studies Association Conference University of Adelaide*, School of Government, University of Tasmania;



R, Ibrahim, *Status Hukum Internasional dan Perjanjian Internasinal dalam Hukum Nasional (Perjanjian Internasional, Teori, Praktek dan Satatusnya)*, makalah ini di sajikan dalam acara FGD, Surabaya, 18–19 Oktober 2008;

Sir Michael Woods, “The Principle of Non-Intervention in Contemporary International Law: Non-Interference in a State’s Internal Affairs used to be a rule of International Law: is it still?”, a summary paper of the Chatham House International Law Discussion Group Meeting held on 28 February 2007,

Waluyo Pramoto, “Aspek Hukum Dalam Peningkatan Penanaman Modal Asing (PMA) Melalui Pengembangan Kawasan Perdagangan Bebas dan Pelabuhan Bebas, *Paper*, Biro Hukum BKPM.

Disertasi

Bright, Theu, 2009, *The Law of Self-Determination (Secession In Perspective): Way Forward After Kosovo and Southern Sudan*, A Dissertation Submitted, Faculty of Law of the University of Pretoria;

Van Harten, Hendrik Hugh Angus, 2005, *The Emerging System of Internastional Investment ArBITration*, UMI Dissertation Publishing, Published by ProQuest 2014, London School of Economics;

Internet

Asian Development Bank, 2013a, Basic statistics May 2013; lihat di <http://www.adb.org/publications/basic-statistics-2013>, di telusuri pada 8 Februari 2018

BKPM, 2017, *Perkembangan Realisasi Investasi*, lihat di <http://ksp.go.id/wp-content/uploads/2017/10/BKPM-3-Tahun-Pemerintahan-Jokowi-JK-1.pdf>, ditelusuri pada 8 Maret 2018.

BKPM: *Realisasi Investasi PMDN dan PMA Tahun 2017 Lampau Target*, lihat di <http://setkab.go.id/tembus-rp6928-triliun-bkpm-realisasi-investasi-pmdn-dan-pma-tahun-2017lampaui-target/>, ditelusuri pada 8 Maret 2018.

Badan Koordinasi Penanaman Modal, *Kerangka Acuan Kerja Rencana Aksi Atas Kegiatan Seluruh Perjanjian Bilateral Di Bidang Penanaman Modal Tahun Anggaran 2014*;



Ease of Doing Busniness di Indonesia, dilihat di <https://tradingeconomics.com/indonesia/ease-of-doing-business>, ditelusuri pada Mei 2018;

Foxconn is confused when Investing in Indonesia, Tempo: 26 April 2014, lihat di <http://www.tempo.co/read/news/2014/04/26/090573337/Foxconn-Kebingungan-Saat-Berinvestasi-di-Indonesia>, ditelusuri pada 14 Mei 2018.

Freeport dan Ujian Kedaualatan lihat di <https://inprogres.wordpress.com/2017/08/14/freeport-dan-ujian-kedaualatan/>, ditelusuri pada 19 Desember 2017.

Indonesia Investments, 2013b, *Investment growth in Indonesia continues to slow in third quarter 2013*; lihat di [http://www.indonesia-investments.com/news/news-columns/investment-growth-in-indonesia-continues-to-slow-in-third-quarter-2013/item1252? searchstring= Domestic + and + Foreign + Direct+ Investment+in+Indonesia+2013](http://www.indonesia-investments.com/news/news-columns/investment-growth-in-indonesia-continues-to-slow-in-third-quarter-2013/item1252?searchstring= Domestic + and + Foreign + Direct+ Investment+in+Indonesia+2013), ditelusuri pada 8 Februari 2018.

Indonesia not Renewing 2005 Bilateral Agreement" lihat di <http://www.bilaterals.org/?indonesia-not-renewing-2005>, Treaty Revisions will Not Singapore Investment in Indonesia, dapat dilihat di <http://jakartaglobe.beritasatu.com/business/treaty-revisions-will-not-deter-singapore-investment-indonesia-minister>, ditelusuri pada 12 Januari 2018

Indonesia Peringkat 10 Ekonomi Dunia, lihat di <https://jakartagreater.com/indonesia-peringkat-10-ekonomi-dunia/>, ditelusuri pada 11 Maret 2018.

Indonesia berada di bawah peringkat Amerika, Cina dan India, lihat di <https://business.idntimes.com/economy/berlian-rahmy/indonesia-diprediksi-jadi-negara-terkuat/full>, di telusuri pada 11 Maret 2018.

Indonesia Menyandang Investment Grade lihat di <https://ekonomi.kompas.com/read/2017/12/27/080000626/catatan-2017-saat-indonesia-akhirnya-menyandang-status-investment-grade>-ditelusuri pada 20 Januari 2018.

Indonesia Dapat Predikat "Investment Grade dilihat di <https://ekonomi.kompas.com/read/2017/05/19/202213426/indonesia.dapat.predikat.investment.grade> ditelusuri pada Mei 2018;

Index KorupsiLihat di https://www.transparency.org/news/feature/corruption_perceptions_index_2017:



Index Democracy, 2017, Economist Intelligence Unit, The Economist Intelligence Unit's Index of Democracy, lihat di http://pages.eiu.com/rs/753-RIQ-438/images/Democracy_Index_2017.pdf, ditelusuri pada 12 Mei 2018.

Indeks Demokrasi Indonesia di Tingkat Nasional Menurun,Tahun 2015, lihat di <https://www.bps.go.id/pressrelease/2017/09/14/1401/indeks-demokrasi-indonesia--idi--tingkat-nasional-2016-mengalami-penurunan-dibandingkan-dengan-idi-tingkat-nasional-2015.html>, ditelusuri pada 12 Mei 2018.

Kasus Churchil Mining, Indonesia Menang di Pengadilan *Arbitrase* internasional, lihat di <https://beritagar.id/artikel/berita/kronologi-kemenangan-indonesia-di-pengadilan-arbitrase-internasional>, ditelusuri pada 5 Februari 2018.

Keberadaan BIT telah mengekang kedaulatan negara dalam menentukan arah kebijakan pemerintah lihat di <https://jakartagreater.com/gugatan-newmont-bahayakan-kedaulatan-indonesia/>, (7 Juli 2014), ditelusuri pada 10 Januari 2018.

Kementerian Luar Negeri Republik Indonesia, lihat di [https://www.kemlu.go.id /id /kebijakan /Pages / kerjasama- bilateral.aspx](https://www.kemlu.go.id/id/kebijakan/Pages/kerjasama-bilateral.aspx), ditelusuri pada 28 April 2018.

Kemenlu lihat di https://twitter.com/Kemlu_RI/status/974082591841075200 akun twitter resmi Kemelu 14 Maret 2018, ditelusuri pada 1 April 2018.

Masahiro, Miyoshi, "Sovereignty and International Law", *Aichi University*, Japan, lihat https://www.dur.ac.uk/resources/ibru/conferences/sos/masahiro_miyoshi_paper.pdf, ditelusuri 10 Januari 2018.

OECD, *Kajian Open Government Hal-Hal Pokok Indonesia*, 2016, lihat di <https://www.oecd.org/gov/open-gov-review-indonesia-kajian.pdf>, ditelusuri pada 20 Mei 2018;

Peter Drysdale, 2012, "Indonesia's eclipse of Australia?", East Asia Forum, Economics, Politics and Public Policy in East Asia and the Pacific", lihat di <http://www.eastasiaforum.org/2012/07/09/indonesias-eclipse-of-australia>, ditelusuri pada 12 Maret 2018.

Sering dirugikan Indonesia harus Moratorium BIT, lihat di <http://www.hukumonline.com/berita/baca/lt539abacadb117/sering-dirugikanindonesia> harus-moratorium-BIT, ditelusuri pada 12 Januari 2018;



Penghentian BIT Bagi Kepentingan Nasional, lihat di http://www/webcache.Googleusercontent.com/search?q=cache:http://www.satuharapan.com/readdetail/read/penghentian-BITs-demi_kepentingan-nasional, ditelusuri pada 12 Januari 2018;

The President Post, 2012, *Resolve industrial disputes through Musyawarah, Mufakat*, The President Post, ed. 32.

United Nations Conference on Trade and Development (UNCTAD), 2012, *Fair and Equitable Treatment*, Series on Issues in International Investment Agreements II, hlm. 1-62, lihat di http://unctad.org/en/Docs/unctaddiaeia2011d5_en.pdf, ditelusuri pada, 27 Januari 2018.

UNCTAD, *Most Favoured Nation Treatment*, UNCTAD Series on Issues in International Investment Agreements II, 2010, hlm. 22. lihat di unctad.org/en/Docs/diaeia20101_en.pdf ditelusuri pada tanggal, 31 Januari 2018.

UNCTAD, 1999, “*National Treatment*”, UNCTAD Series on Issues of International Investment Agreements, UN NY and Geneva;

UNCITRAL Model Law on International Commercial Arbitration http://www.uncitral.org.uncitral/en/uncitral_texts/arbitration/1985Model_arbitration.html, ditelusuri pada 31 Januari 2018.

World Bank, 2013, *Data: bank non performing loans to total gross loans*, lihat di <http://data.worldbank.org/indicator/FB.AST.NPER.ZS>, ditelusuri pada 8 Februari 2018.

World Economic Forum, 2011, *the Global Competitiveness Report 2011–2012*, lihat di http://www3.weforum.org/docs/WEF_GCR_Report_2011-12.pdf ditelusuri pada 8 Februari 2018.

World Justice Project: Rule of Law Index 2017-2018, lihat di https://worldjusticeproject.org/sites/default/files/documents/WJP_ROLI_2017-18_Online-edition.pdf ditelusuri pada 10 Mei 2018;

WTO News, 1996, “Trade and Foreign Direct Investment”, Press Release, Press/57, lihat di https://www.wto.org/english/news_e/pres96_e/pr057_e.htm, ditelusuri pada 10 Januari 2018.



Perjanjian BIT

Indonesia-Argentina BIT of 1995, status *in force* lihat di <http://investmentpolicyhub.unctad.org/IIA/mappedContent/treaty/109>; Indonesia - Belgium BIT of 1972 status *terminate*; Indonesia - Denmark BIT of 1968 status *terminated* dan diperbaharui tahun 2007; Indonesia-Switzerland BIT of 1974, status *terminated*, lihat di <http://investmentpolicyhub.unctad.org>, di telusuri pada 11 April 2018.

Indonesia-Finland BIT of 2006, status *in force*, ketentuan ini juga serupa dengan BIT Indonesia-Netherlands 1994. Pemerintah Republik Indonesia, meskipun mengakui prinsip perlakuan nasional investasi yang dibuat oleh investor dari Republik Finlandia di wilayah Republik Indonesia, memiliki hak untuk mempertahankan pengecualian terbatas pada perlakuan nasional. Perlakuan ini tidak boleh kurang menguntungkan daripada UU No. 1 tahun 1967, sebagaimana diamanemen pada tahun 1970, lihat di <http://investmentpolicyhub.unctad.org/Download/TreatyFile/3505>, ditelusuri pada 11 April 2018.

<http://Investmentpolicyhub.unctad.org>, *loc. cit.* lihat Indonesia-Germany BIT of 2003 status *terminated*; Indonesia-Singapore BIT of 2005 status *terminated*; Indonesia-Turkey BIT of 1997 status *terminated*, Article II, paragraph 2.

BIT Indonesia – Denmark 1968 sudah di perbaharui dengan BIT 2007, lihat di <http://investmentpolicyhub.unctad.org/IIA/mappedContent/treaty/1258>, ditelusuri pada 10 Februari 2018.

BIT Indonesia – Swiss 1974 *terminated*, hingga saat ini belum ada BIT yang di buat lagi antara Indonesia dan Swiss, lihat di <http://investmentpolicyhub.unctad.org/IIA/CountryBITs/203>, ditelusuri pada 10 februari 2018.

Hubungan BIT Indonesia – China 1994, status *in force*, lihat di <https://treaties.un.org/Pages/showDetails.aspx?objid=08000002800aa21a>,

Kasus-Kasus

Ambiente Ufficio S.P.A. v. The Argentine Republic, ICSID Case No. ARB/08/9, Decision on Jurisdiction and Admissibility, para. 602 (Feb. 8, 2013), lihat di



<http://www.italaw.com/sites/default/files/case-documents/italaw1276.pdf>, di telusuri pada 15 Maret 2018.

Case Concerning the Military and Paramilitary Activities in and Against Nicaragua (Nicaragua v United States of America), Judgment of 27 June 1986, at 106 para 202; hereafter the *Nicaragua Case*. The *Nicaragua Case*. lihat di <http://www.icj-cij.org/files/case-related/70/070-19860627-JUD-01-00-EN.pdf>, ditelusuri pada 10 Maret 2018.

Churchil Mining and Planet Mining v. Republic of Indonesia, ICSID ArBITral Tribunal Case No. ARB/ 12/40 and 12/14, Decision on Jurisdiction, lihat di <http://www.churchillmining.com/library/file/ICSID-Churchill%20&%20Planet%20v%20Indonesia-Decision%20on%20Jurisdiction.pdf> ditelusuri pada 10 Maret 2018.

Generation Ukraine, Inc. v. Ukraine, ICSID Case No. ARB/00/9, Award, para. 20.30 (Sept. 16, 2003). Lihat di <http://www.italaw.com/sites/default/files/case-documents/ita0358.pdf>. ditelusuri pada 20 April 2018.

El Paso Energy Int'l Co. v. Argentine Republic, ICSID Case No. ARB/03/15, Decision on Jurisdiction, (Apr. 27, 2006). lihat di <http://investmentpolicyhub.unctad.org/ISDS/Details/129> di telusuri pada 2 Februari 2018.

Saluka Investments B.V. (Neth.) v. Czech Republic, UNCITRAL, Partial Award, (Mar. 17, 2006) lihat di https://arBITrationlaw.com/sites/default/files/free_pdfs/Saluka%20Investments.pdf, ditelusuri pada 2 Februari 2018.

Legality of the Threat or Use of Nuclear Weapons (Advisory Opinion) 1996 8 July General List No. 95 1996 ICJ Reports 22, lihat di <http://www.icj-cij.org/files/case-related/95/095-19960708-ADV-01-00-EN.pdf>, ditelusuri pada 12 Januari 2018.

International Commission on Intervention and State Sovereignty (ICISS), 2001, "The Responsibility to Protect", lihat di <http://www.iciss.ca/pdf/Commission-Report.pdf>, ditelusuri pada 5 Februari 2018.

Permanent Sovereignty over Natural Resources, UNGA Res 1803(XVII)
(14Dec1962) UN Doc A/5217 lihat



<http://www.ohchr.org/Documents/ProfessionalInterest/resources.pdf>, ditelusuri 25 Januari 2018.

International Covenant on Civil and Political Rights (ICCPR), lihat di <http://www.ohchr.org/Documents/ProfessionalInterest/ccpr.pdf>, ditelusuri pada 26 Januari 2018.

International Covenant on Economic, Social and Cultural Rights (ICESCR), lihat di <http://www.ohchr.org/Documents/ProfessionalInterest/cesr.pdf>, ditelusuri pada 26 Januari 2018.

Declaration on the Establishment of a New International Economic Order, UNGA Res 3201 (S-VI) (1 May 1974) UN Doc A/RES/S-6/3201 (Declaration); Programme of Action on the Establishment of a New International Economic Order, UNGA Res 3202 (S-VI) (1 May 1974) UN Doc A/RES/S-6/3202 (Programme); Charter of Economic Rights and Duties of States, UNGA Res 3281 (XXIX) (12 December 1974) UN Doc A/RES/29/3281 (CERDS), lihat di <http://www.un-documents.net/s6r3201.htm>, di telusuri pada 25 Januari 2018.

Nusa Tenggara Partnership B.V. dan PT Newmont Nusa Tenggara v. Indonesia (ICSID Case No. ARB/14/15) Award on Jurisdiction, 24 Februari 2014, lihat di <http://investmentpolicyhub.unctad.org/ISDS?status=6>, ditelusuri pada 11 Maret 2018.

Pidato Pengukuhan

Ginting, Budiman, 2008, “Kepastian Hukum dan Implementasinya Terhadap Pertumbuhan Investasi di Indonesia”, Pidato Pengukuhan Jabatan Guru Besar Tetap Universitas Sumatera Utara;

Sefriani, 2019, “Membumikan dan Memanfaatkan Hukum Internasional: Model BIT Untuk Indonesia, Pidato Pengukuhan Guru Besar, Universitas Islam Indonesia, Yogyakarta;

Zaidun, Muchammad, 2008, “Paradigma Baru Kebijakan Hukum Investasi Indonesia Suatu Tantangan dan Harapan”, Pidato Pengukuhan Guru Besar, Universitas Airlangga, Surabaya;

Kamus-Kamus

Black, H.C, 2009, *Black's Law Dictionary*, 9th ed., West Publishing Co, St. Paul;
Departemen Pendidikan dan Kebudayaan RI, 1995, Kamus Besar Bahasa Indonesia (KBBI), Edisi ke empat, Balai Pustaka, Jakarta,



UNIVERSITAS
GADJAH MADA

**RELEVANSI PRINSIP RIGHT TO ECONOMIC SELF DETERMINATION TERHADAP KEDAULATAN
INDONESIA DALAM BILATERAL
INVESTMENT TREATY (BIT)**

MUTIA EVI KHRISTHY, Prof. M. Hawin, S.H., LL.M., Ph.D; Dr. Heribertus Jaka Triyana, S.H., LL.M., M.A

Universitas Gadjah Mada, 2019 | Diunduh dari <http://etd.repository.ugm.ac.id/>

Erawati. A. F. Elly dan Badudu, J.S, 1996, Kamus Hukum Ekonomi Indonesia
Inggris, Edisi Pendahuluan, ELIPS, Jakarta;

Garner, Bryan A, 2004, *Black Law's Dictionary, Eight Edition*, St. Paul: West a
Thomson Bussiness;

Halim, Andreas, 2003, Kamus Lengkap 1 Milyar Inggris-Indonesia, Sulita Jaya,
Surabaya;