

Delegated regulation supplementing Renewable Energy Directive (RED) II 2018/2001 oleh European Union (EU) terhadap perdagangan Crude Palm Oil (CPO) di Indonesia: apakah melanggar prinsip non-discrimination menurut WTO? = Delegated regulation supplementing Renewable Energy Directive (RED) II 2018/2001 by the European Union (EU) against trade in Crude Palm Oil (CPO) in Indonesia: does it break the principles of non-discrimination according to the WTO? / Aliva Diestika

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Abstrak

ABSTRAK

Skripsi ini membahas mengenai Delegated Regulation Supplementing Renewable Energy Directive (RED) II 2018/2001 yang dikeluarkan oleh European Union (EU). Pemberlakuan regulasi mengenai Renewable Energy Directive II dapat menimbulkan kerugian bagi negara-negara pengekspor Crude Palm Oil (CPO) karena penggunaan CPO akan pelan-pelan dikurangi hingga 2030 untuk mencapai tujuan dari Renewable Energy Directive II. Skripsi ini secara khusus membahas mengenai apakah Delegated Regulation Renewable Energy Directive II melanggar prinsip non-discrimination atau tidak dan upaya hukum apa yang dapat dilakukan Indonesia terhadap kebijakan RED II. Pelarangan penggunaan CPO disebabkan karena kelapa sawit dianggap sebagai tanaman yang mengakibatkan deforestasi dan tidak berkelanjutan serta berisiko tinggi. Skripsi ini disusun dengan menggunakan metode yuridis normative karena penelitian ini mengkaji aturan-aturan terkait Delegated Regulation Supplementing Renewable Energy Directive II terhadap prinsip non-discrimination serta pengaruhnya terhadap kebijakan perdagangan crude palm oil (CPO) di Indonesia. Pengumpulan data dalam penelitian ini menggunakan data sekunder. Skripsi ini menyimpulkan bahwa Delegated Regulation Supplementing Renewable Energy Directive II melanggar prinsip non-discrimination dan Indonesia dapat menggugat ke Dispute Settlement Body WTO. Skripsi ini menyarankan jika terjadi sengketa antara Indonesia dan EU langkah-langkah yang dapat diambil oleh pihak yang bersengketa harus sesuai dengan mekanisme DSU.

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ABSTRACT

This thesis discusses the Delegated Regulation Supplementing Renewable Energy Directive (RED) II 2018/2001 by the European Union (EU). The enforcement of regulations regarding Renewable Energy Directive II can cause losses for exporting countries of Crude Palm Oil (CPO) because the use of CPO will slowly be reduced until 2030 to achieve the objectives of Renewable Energy Directive II. This thesis specifically discusses whether Delegated Regulation Renewable Energy Directive II violates the principle of non-discrimination or not and what legal efforts Indonesia can make towards RED II policies. The ban on the use of CPO is because oil palm is considered a plant that causes deforestation and is unsustainable and high risk. This thesis is compiled using normative juridical method because this study examines the rules related to Delegated Regulation Supplementing Renewable Energy Directive II on the principle of non-discrimination and its influence on the trade policy of crude palm oil (CPO) in Indonesia. Data collection in

this study uses secondary data. This thesis concludes that the Delegated Regulation Supplementing Renewable Energy Directive II violates the principle of non-discrimination and Indonesia can sue the WTO Dispute Settlement Body. This thesis suggests that if there is a dispute between Indonesia and the EU the steps that can be taken by the parties to the dispute must be in accordance with the DSU mechanism.