

Tindakan anti dumping menurut world trade organization: studi kasus tuduhan Uni Eropa terhadap Indonesia mengenai produk fatty alcohol =
Anti dumping measure under world trade organization: case study of European Union allegation to Indonesia on fatty alcohol product

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Abstrak

Skripsi ini membahas tentang bagaimana suatu negara anggota World Trade Organization WTO dapat melakukan tindakan anti dumping. selain itu, akan dibahas pula bagaimana Dispute Settlement Body DSB WTO menentukan apakah tindakan anti dumping yang dilakukan Uni Eropa telah sesuai dengan ketentuan yang berlaku. Hasil penelitian dengan metode yuridis normative menunjukkan bahwa negara anggota dapat melakukan tindakan anti dumping apabila dapat membuktikan aspek-aspek substansial, bahwa: dumping telah terjadi timbul kerugian yang dialami industri dalam negeri yang memproduksi barang yang sejenis dengan barang dumping dan adanya hubungan sebab akibat antara dumping dan kerugian tersebut. Dalam hal tuduhan Uni Eropa terhadap Indonesia, DSB memutuskan bahwa tindakan anti dumping tersebut tidak sesuai dengan Anti Dumping Agreement karena Uni Eropa tidak memenuhi kewajiban untuk membuka hasil investigasi kepada perusahaan-perusahaan Indonesia dimana kewajiban tersebut merupakan aspek prosedural.

.....This thesis discusses how a member country of World Trade Organization WTO can perform anti dumping action. In addition, it will also discuss how the Dispute Settlement Body DSB of the WTO determines whether the anti dumping measures undertaken by the European Union are in compliance with applicable regulations. The result of the research by normative juridical method indicates that member countries can take anti dumping action if it can prove substantial aspects, that dumping has occurred incur losses experienced by domestic industries that produce similar goods with dumping goods and a causal relationship between the dumping and the loss. In the case of EU allegations against Indonesia, the DSB decides that the anti dumping measures are incompatible with the Anti Dumping Agreement because the EU does not fulfill its obligation to disclose the results of the investigation to the Indonesian company where the liability is a procedural aspect.