

Penerapan kebijakan tindakan pengamanan perdagangan (Safeguard Measures) dalam rangka perlindungan industri dalam negeri akibat dampak negatif lonjakan impor di Indonesia = Application of safeguard measures policy trade in the framework of protection of domestic industry as a result of the negative impact of import surge in Indonesia

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Abstrak

Pelaksanaan komitmen liberalisasi perdagangan dalam kerangka Persetujuan Pembentukan Organisasi Perdagangan Dunia (Agreement Establishing The World Trade Organization) melalui penurunan tarif dan penghapusan bukan tarif dapat menimbulkan lonjakan impor yang mengakibatkan kerugian serius dan atau ancaman kerugian serius terhadap industri dalam negeri, yang dapat dicegah dengan peraturan perundang-undangan nasional yang mengatur tindakan pengamanan (safeguard measures) sehingga industri yang mengalami kerugian dapat melakukan penyesuaian-penyesuaian struktural yang dibenarkan secara hukum berdasarkan ketentuan Article XIX GATT 1994 dan Agreement on Safeguards sebagaimana dimaksud dalam Undang Undang Nomor 7 Tahun 1994 tentang Pengesahan Agreement Establishing The World Trade Organization. Tesis ini menguraikan bagaimana pemerintah Indonesia menerapkan kebijakan tindakan pengamanan perdagangan di Indonesia dalam rangka melindungi industri dalam negerinya, seperti apa KPPI selaku otoritas penyelidikan memberikan rekomendasi dan berujung dikenakannya tindakan pengamanan perdagangan berupa Bea Masuk Tindakan Pengamanan dan atau Pembatasan Kuota sejak berdiri hingga Oktober 2015. Terlebih lagi, seperti apa perlindungan industri dalam negeri yang memproduksi besi atau baja akibat dampak negatif lonjakan jumlah impor produk besi atau baja yang sejenis dan atau secara langsung bersaing yang dilakukan oleh pemerintah Indonesia.

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Implementation of commitments liberalization trade within the framework of the Agreement Establishing the World Trade Organization through tariff reduction and elimination of non-tariff could lead to a surge in imports that resulted in serious loss or threat of serious injury to the domestic industry, which can be prevented by national regulation governing safeguard measures, so that the industry suffered a loss can make structural adjustments which are legally justified under the provisions of Article XIX of GATT 1994 and the Agreement on Safeguards as stipulated in Law No. 7 of 1994 on Ratification of the Agreement Establishing The World Trade Organization. This thesis describes how the Indonesian government imposed security measures of trade policy in Indonesia in order to protect its domestic industry, like what KPPI investigation authorities as providing recommendations and culminate wears trade security measures in the form of import duties or quota restrictions since its establishment until October 2015. Moreover, what kind of protection of domestic industry that produces iron or steel negative impact consequences surge of imports of iron or steel similar or directly competitive products and conducted by the Indonesian government.