

Implications of Nickel Ore Export Restrictions on Mineral Sector Trade in Indonesia in 2020-2023

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Abstract

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Limiting nickel ore exports is a government effort to protect and prevent depletion of mineral resources, especially nickel. One form of government policy is to limit the export of raw nickel ore by processing raw nickel ore so that it has added value to the downstream nickel industry in the global market. With so many other countries' interest in Indonesian nickel, the Indonesian government protects Indonesian nickel. This study aims to analyze the implications of Indonesia's nickel export protectionism policy on mineral sector trade. This research uses deductive qualitative research methods with literature review data collection techniques from secondary data sources. The theory used in this research is the theory of protectionism. The results of this study indicate that protectionist measures taken by the Indonesian government have a significant impact on the mineral sector and the national economy, because Indonesia is the largest nickel producer in the world. Protectionism efforts by the Indonesian government have an impact on sustainable development and creating economic independence from the nickel industry.

I. INTRODUCTION

Nickel is a commodity with a silvery white metal element formed naturally found in the earth's crust. Nickel commodities are needed by many industries, such as downstream industries which are industries that process semi-finished or ready-to-use raw materials, such as household appliances, and transportation. In addition to raw materials in daily life nickel can also be used as one of the raw materials for making batteries in electric vehicles.¹ This certainly makes world nickel very important for daily needs. Indonesia is the largest country in nickel ore production in the world, with production of about 1.6 million tons of nickel ore in 2022 and resource reserves of about 21 million tons.² Nickel in Indonesia can be found on the islands of Kalimantan, Sulawesi, Papua, Maluku and Halmahera. One of the attractions of Indonesia is the mineral sector. The mineral sector is one of Indonesia's most valuable assets, and has significant economic appeal.

Indonesia is known as a country rich in mineral resources, with a variety of commodities such as raw nickel ore. The abundance of mineral resources has made this sector the backbone of the Indonesian economy. Raw nickel ore is one notable example of a mineral resource that is a great source of revenue for the country, as well as being a significant provider of employment for the community.³ As such, the mineral sector is a major focus of the Indonesian government's efforts to advance the country's economy. Most of Indonesia's nickel is exported in the form of ore nickel which is very low utilization in the country. In the end, the government provided a policy to ban raw mineral exports in 2020 through the Minister of Energy and Mineral Resources Regulation (Permen ESDM) Number 11 of 2019 which requires companies to establish smelters, through this regulation of course it can increase the added value of domestic mineral products.

This policy was taken because Indonesia, as the single largest producer of ore during the 2004-2013 decade, currently only produces a much smaller share of nickel

¹ Sunariyanto, B. P., & Yusgiantoro, L. A. (2021). EV Indonesian Nickel Battery: potentials, issues, and what must be improved. <https://www.purnomoyusgiantorocenter.org/ev-indonesian-nickel-battery-potentials-issues-and-what-must-be-improved/>

² Felicia Grace and Massita Ayu Cindy. (2023) Optimizing Indonesia's Nickel Industry Potential and Maximizing its Derivatives. The Diplomat. <https://thediplomat.com/2023/07/optimizing-indonesias-nickel-industry-potential-and-maximizing-its-derivatives/>

³ Barizi, Muhammad Hirza, and Reza Triarda. "RANTAI PASOKAN GLOBAL DAN NASIONALISME SUMBER DAYA ALAM: KAJIAN TERKAIT HILIRISASI NIKEL DI INDONESIA." *Indonesian Journal of International Relations* 7.2 (2023): hlm 313-339.

metal, which is five percent.⁴ Indonesia believes that the nickel export ban policy is the most transformative goal, as it is related to value addition and resource conservation, which refers to Indonesia's long-term vision of sustainable development. In the context of Islamic economics, factors such as stability, justice and sustainability also play an important role in determining export restriction decisions.

II. METHODOLOGY

In this study, the type of research used is a qualitative research method with a descriptive analysis research design. Descriptive analysis is one of the methods in qualitative research by describing or describing data and then applying the data according to the theory or concept that has been chosen.⁵ Qualitative research in this study aims to analyze the data found. In this research, the author will describe the findings in the fields of politics, economics, humanities, and social affairs related to the government's efforts to protect crops with the theory that has been applied.

III. RESULT AND DISCUSSION

The distribution of nickel in Indonesia can be found on the islands of Sulawesi, Maluku, Halmahera, Papua, and Kalimantan. The figure above shows that Indonesia's nickel distribution plays an important role in the country's mining industry and is a significant economic factor. The mineral sector is one of the most important things for the Indonesian economy, because of its contribution to increasing state income, increasing gross domestic product (GDP) through exports, and can create jobs. The mining sector has a significant contribution to employment in Indonesia. Based on data from the Ministry of Energy and Mineral Resources, the realization of the number of workers in 2023 was 308,107 Indonesian workers and foreign workers.⁶

In 2020, according to data from the Ministry of Energy and Mineral Resources, the resilience of nickel reserves in Indonesia reached 2.6 billion tons of reserves with a reserve life of up to 27 years. Based on the mapping of the Geological Agency in July 2020, Indonesia has nickel ore resources of 11,887 million tons (inferred 5,094 million tons, indicated 5,094 million tons, measured 2,626 tons, hypothetical 228 million tons)

⁴ Firdaus, Sabilla Ramadhiani. Pembatasan Ekspor Nikel: Kebijakan Nasional Vs Unfairness Treatment Hukum Investasi Internasional. LAN RI: Makarati Bhakti Nagari, 2022

⁵ Sugiono, 'Memahami Penelitian Kualitatif', *Bandung: Alfabeta*, 2010, 20–22.

⁶ Agus Cahyono Adi, 'Sektor Pertambangan Serap 300 Ribu Tenaga Kerja Di 2023', *KEMENTERIAN ENERGI DAN SUMBER DAYA MINERAL REPUBLIK INDONESIA*, 2023 <<https://www.esdm.go.id/id/media-center/arsip-berita/sektor-pertambangan-serap-300-ribu-tenaga-kerja-di-2023>>.

and ore reserves of 4,346 million tons (proven 3,360 million tons and estimated 986 million tons).⁷ The data shows that nickel in Indonesia is able to support the economy through investment projects.

Implications of Nickel Ore Export Restrictions

The Indonesian government has taken steps to increase the added value of its mineral resources by encouraging investment in smelter construction. However, Indonesia's mineral sector also faces a number of challenges, including complex regulations, environmental issues, and fluctuations in global commodity prices. The government continues to work on improving the investment climate, addressing legal and bureaucratic issues, and improving infrastructure to support the sustainable growth of the mineral sector.⁸ Indonesia's mineral sector has great potential to support inclusive and sustainable economic growth. However, achieving this potential requires cooperation between government, industry and communities to ensure that the exploitation of mineral resources is done in a responsible manner and provides maximum benefits for all Indonesians. One of the actions taken by the Indonesian government is the nickel ore export restriction. The Indonesian government's restriction of nickel ore exports is a policy that aims to increase the added value of the domestic nickel downstream industry. This measure is carried out by requiring nickel ore producers to process it in smelters in Indonesia before exporting.⁹ in an effort to reduce raw ore exports and increase exports of finished products that have higher added value.

Downstream Industry Development

Nickel ore export restrictions have significantly affected the downstream industry in Indonesia. The government has responded by encouraging the development of smelters to convert raw nickel ore into value-added products such as ferronickel and nickel matte. This not only increases the added value of nickel ore, but also has a positive impact on employment with the construction of new smelters.

⁷ Putri Zahra Fauziyyah and Arie Kusuma Paksi, 'Dampak Kerja Sama Indonesia-China Dalam Proyek Investasi Nikel Terhadap Pertumbuhan Ekonomi Kedua Negara', *Jurnal Ilmiah Dinamika Sosial*, 7.1 (2023), 86–105 <<https://doi.org/10.38043/jids.v7i1.4279>>.

⁸ Dike Surenjani and others, 'Pengaruh Pertumbuhan Ekonomi Dan Harga Saham Terhadap Pertumbuhan Laba Pada Perusahaan Pertambangan Sub Sektor Logam Dan Mineral Yang Terdaftar Di Bursa Efek Indonesia', *Jurnal Penelitian Ekonomi Manajemen Dan*, 2.1 (2023), 158–75.

⁹ Ario Seno Nugroho, 'Pembatasan Sebagai Solusi Pelarangan Ekspor Bahan Baku Nikel: Studi Kasus Ekspor Bahan Baku Nikel Indonesia', *Jurnal Perspektif Bea Dan Cukai*, 6.1 (2022), 98–113 <<https://doi.org/10.31092/jpbc.v6i1.1563>>.

The development of smelters also contributes to improving the quality of the products produced, which have wide applications in the steel, automotive and electronics industries. With this improvement, the competitiveness of Indonesian products in the global market can be strengthened. In addition, increasing the added value of nickel ore also has the potential to increase state revenue through exports of finished products, which in turn can support infrastructure development and improve people's welfare. One of the main impacts of the nickel ore export restriction policy is to encourage the construction of smelters in Indonesia. Smelters are essential infrastructure needed to process nickel ore into finished products, such as ferronickel or nickel matte. The development of smelters in Indonesia plays a vital role in efforts to increase the added value of mineral resources, such as nickel, bauxite, copper and others. Smelters are industrial facilities that not only process raw ores into purer metals, but also play a strategic role in advancing the national mineral sector.

Economic Impact

Economically, this policy has the potential to increase state revenue as exports of finished products are more profitable than raw ore. However, to achieve this success, large investments in smelter construction as well as the availability of adequate infrastructure and technological support are required. Countries that have been successful in developing smelter industries such as China and Indonesia share similar characteristics. They have made large investments in infrastructure and technology, while ensuring strong government support to create favorable conditions for the development of this industry. In the next few years, the implementation of smelter development policies in Indonesia is expected to have a significant impact on state revenues. With the increased production and export of finished products such as ferronickel and nickel matte, revenue from this sector is expected to contribute substantially to national economic growth. However, to achieve optimal results, it is important to have careful planning, effective coordination between various stakeholders, and close supervision of policy implementation.

The implications of the nickel ore export restriction policy implemented by the Indonesian government in 2020-2023 are complex and have far-reaching impacts on the minerals sector and the national economy as a whole. This policy was created with the main objectives of increasing the added value of mineral products in the country, reducing dependence on raw material exports, and strengthening domestic industries through the downstream process.¹⁰ Trade in the mineral sector, especially nickel, in

¹⁰ Monica Wulandari and others, 'Analisis Dampak Non-Migas Indonesia Setelah Kebijakan Larangan Ekspor Bijih Nikel', *EKONOMIKA45 : Jurnal Ilmiah Manajemen, Ekonomi Bisnis, Kewirausahaan*, 10.2 (2023), 59–82 <<https://doi.org/10.30640/ekonomika45.v10i2.789>>.

Indonesia is one of the main pillars in the country's economic structure. Indonesia is known as the largest producer of nickel ore in the world, with abundant reserves in various regions such as Kalimantan, Sulawesi, Papua, Maluku, and Halmahera. Nickel itself has many applications in industry, including as a raw material for the manufacture of stainless steel, batteries, and other industrial components. Due to the importance of this sector, high-impact policies such as restrictions on nickel ore exports have far-reaching implications for Indonesia's economy and industry.¹¹

In 2020, the Indonesian government implemented a nickel ore export restriction policy as part of efforts to increase the added value of mineral products in the country. This policy requires mining companies to build smelters or nickel ore refining facilities in the country before they can export, with the aim of creating local jobs, increasing state revenue from exports of refined products, and reducing dependence on raw material exports.¹² The main impact of this policy is to increase the added value of mineral products while supporting the development of downstream industries in Indonesia. The gradually built smelters assist the country in increasing the processing capacity of nickel ore, thereby improving the efficiency and competitiveness of the domestic industry. This also opens up opportunities for Indonesia to meet the needs of the global market with higher quality and more value-added products.

Policy and Legal Aspects

Indonesia's restriction of nickel ore exports raises questions regarding consistency with international trade rules. An example is the lawsuit filed by the European Union to the World Trade Organization (WTO) against Indonesia regarding the nickel ore export ban. This lawsuit highlights the importance of finding a balance between national interests in developing downstream industries and Indonesia's international obligations as a WTO member. Policy-wise, Indonesia maintains that the nickel ore export restrictions are intended to encourage the construction of smelters in the country, which will increase the added value of the natural resource while creating jobs. Data on the phenomenon shows that this policy has been successful in attracting investment to build smelters, despite the debate over its impact on global markets and international trade relations.

¹¹ Jason, F., Shahrullah, R. S., & Syarief, E. (2024). Implikasi Putusan World Trade Organization terhadap Larangan Ekspor Nikel Indonesia oleh Uni Eropa. *Jurnal Supremasi*, 131-149.

¹² Nadhila Nastiti Putri and Hafiza Abrar, 'SEIKO : Journal of Management & Business Dampak Kebijakan Pembatasan Ekspor Nikel Ke Uni Eropa: Global Trade Analysis Project (GTAP) Model', *SEIKO : Journal of Management & Business*, 6.2 (2023), 329–36.

From a legal perspective, the lawsuit filed by the EU tests Indonesia's compliance with WTO rules that promote free trade and non-discrimination. This indicates the need for policy review or revision that takes into account Indonesia's international commitments without compromising domestic economic development goals. The legalization process in this context involves evaluating the consistency of national policies with international obligations stipulated in multilateral trade agreements. The export restriction policy also affects Indonesia's international trade dynamics. At first, this policy may cause friction with trading partner countries, especially those that import raw nickel ore from Indonesia. An example is the lawsuit filed by the European Union to the World Trade Organization (WTO) against the nickel ore export ban policy. Export restriction policies, such as Indonesia's on raw nickel ore, have a significant impact on international trade dynamics. Initially, this policy can trigger friction with trading partner countries, especially those that import raw nickel ore from Indonesia. A concrete example is the European Union's action in filing a lawsuit to the World Trade Organization (WTO) against Indonesia's nickel ore export ban.

The lawsuit reflects tensions in international trade relations, with the EU insisting that the export ban violates free trade principles set out in WTO rules. They argue that the ban could harm their industries that depend on nickel ore supplies from Indonesia for manufacturing purposes, such as the manufacture of stainless steel. On the other hand, Indonesia implemented the policy with the aim of increasing domestic value-added from its natural resources. By encouraging the construction of domestic smelters, Indonesia hopes to process raw nickel ore into high value-added products before exporting. This not only increases state revenue from mining, but also creates local jobs and reduces dependence on raw material exports.

Impact on Global Market

Indonesia's nickel ore export restrictions have had a significant impact on the global market, particularly in terms of overall nickel supply and prices. As one of the main exporters of raw nickel ore, mainly to China, this policy has changed the dynamics of global nickel supply. Data analysis shows that these restrictions have affected the global supply of raw nickel ore, reducing the volume available to the international market. The impact is also seen in nickel prices, where the export restriction policy has contributed to significant price fluctuations. International markets, including major importing countries of raw nickel, have had to adjust their supply strategies to cope with the decrease in supply from Indonesia. This also creates opportunities for other nickel producing countries to enter markets that may be more open or increase their production to offset the resulting supply deficit.

In addition, restrictions on nickel ore exports also affect the market for finished products such as ferronickel and nickel matte. An increase in the production of finished products at Indonesian smelters may affect global competition in this sector, with the potential to increase the competitiveness of Indonesian products in the international market. Overall, this phenomenon suggests that Indonesia's nickel ore export restriction policy not only has a domestic impact on the development of downstream industries, but also affects global dynamics in nickel supply and prices as well as finished product competition. In this context, smart and responsive adaptation strategies from other nickel importing and producing countries are key to managing the impact of this Indonesian national economic policy globally.

Overall, the policy and legal aspects of nickel ore export restrictions require Indonesia to carefully consider the domestic and international implications of its economic policy, and to ensure that the policy does not violate existing commitments in international trade regulations. Overall, Indonesia's nickel ore export restrictions serve the strategic purpose of increasing the added value of the domestic nickel industry and reducing dependence on raw ore exports. However, effective implementation as well as comprehensive infrastructure, technology and supporting policy support from the government are essential to successfully achieve this goal. In addition, this policy also has significant socio-economic impacts, including increased investment in infrastructure and human resources needed for smelter operations. The government strives to create an investment environment conducive to the development of the mineral industry, both through fiscal incentives and administrative facilities that simplify the licensing process. However, the export restriction policy is also not free from challenges, such as high investment costs to build smelters and the time needed to build supporting infrastructure. In addition, coordination between the government, the private sector, and the community needs to be improved so that the implementation of this policy runs smoothly and has a maximum impact on the national economy.

The nickel ore export restriction policy reflects the Indonesian government's commitment to manage natural resources sustainably, increase the added value of domestic products, and reduce dependence on raw material exports. With this strategy, Indonesia is expected to strengthen its position in the global market as a producer and exporter of high value-added minerals, which in turn will support inclusive and sustainable economic growth.¹³ More broadly, this policy of economic protectionism reflects the strategy taken by Indonesia to protect domestic industries from global market pressures and enhance economic independence. However, in the context of a closely

¹³ Bambang Yuniarto, 'Analisis Dampak Kebijakan Nilai Tambah Mineral Indonesia Terhadap Ekspor Dan Ketenagakerjaan', *Jurnal Teknologi Mineral Dan Batubara*, 10.3 (2014), 127–41 <<https://jurnal.tekmira.esdm.go.id/index.php/minerba/article/view/729>>.

connected global economy, the implementation of such protectionist policies also poses challenges in maintaining good trade relations with other countries as well as responding to changing global market dynamics.

The outcome of these nickel ore export restrictions is a combination of challenges and opportunities for Indonesia. The government needs to continue to conduct an in-depth evaluation of the impact of this policy, including considering aspects such as the efficiency of the downstream process, the development of supporting infrastructure, and responses to global trade dynamics. This evaluation is important to ensure that the policy can support sustainable economic development goals, while maintaining the stability of Indonesia's international trade relations with partner countries.¹⁴ The implications of the Indonesian government's nickel ore export policy on nickel trade at large can be seen from several aspects that affect market dynamics and the national economy.

IV. CONCLUSION

Limiting nickel ore exports is an effort taken by the government to overcome the depletion of Indonesia's natural resources, in order to protect domestic nickel ore supplies. The restrictions imposed by the government are a protection against domestic nickel depletion, where nickel is a non-renewable natural resource. Restrictions by the Indonesian government are getting tighter, with these restrictions the government allows the export of nickel commodities by downstreaming in the country. Thus, mineral products that were previously exported in raw form will now be further processed domestically before being exported, which in turn can create jobs, this is done to maintain the availability of nickel and strengthen the domestic industry and increase foreign exchange.

This policy is an effort to increase the added value of the nickel downstream industry in the country, by requiring nickel ore producers to process or process before exporting. By encouraging producers to participate in the development of the downstream industry, especially in the construction of smelters. This restriction has a significant impact on the mineral sector and the national economy, because nickel is one of Indonesia's important commodities, and Indonesia is the world's largest producer with abundant reserves. The policy of limiting nickel ore exports has complex implications for several aspects, namely the development of downstream industries, economic impacts, policy and legal aspects, and influence on the global market.

¹⁴ Ilmi, K., Kurniawati, D. E., & Prasodjo, H. (2022). Hubungan Internasional Indonesia dan Uni Eropa Terhadap Kebijakan Ekspor Nikel Sebagai Tantangan Perekonomian. *Journal of Business and Economics Research (JBE)*, 3(2), 181-185.

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