

ABSTRAK

Tujuan penelitian ini adalah: Untuk mengetahui dan menganalisis terhadap Prinsip *Non Diskriminasi Impor* Pakaian Bekas Dalam Prespektif *World Trade Organization* (WTO) dan Untuk menganalisis dan mengkritisi kegiatan impor pakaian bekas berdasarkan Undang-Undang. Adapun rumusan masalah: 1) Bagaimana Prinsip *Non Diskriminasi Impor* Pakaian Bekas Dalam Prespektif *World Trade Organization* (WTO)? dan 2) Apakah Kegiatan Import Pakaian Bekas Bertentangan dengan Undang-Undang di Indonesia?. Dengan rumusan masalah tersebut metode yang digunakan adalah yuridis *Normatif*, hasil penelitian terkait dengan 1) *WTO Ministerial Decision* walaupun terpisah dari *WTO Valuation Agreement*, karena merupakan bagian dari *WTO Agreement* maka status keberlakuan dan kekuatan hukumnya sama dengan *WTO Valuation agreement*. Adapun terhadap produk-produk hukum *World Customs Organization* berupa *Advisory Opinion*, *Commentaries*, *Explanatory Notes*, dan *Case Studies* yang telah dikeluarkan *WCO Technical Committee on Customs Valuation* dalam *Valuation Compendium-nya*,. Dalam praktek pengadilan Indonesia dapat digunakan metode interpretasi berdasarkan peraturan perundang-undangan yang ada untuk memberikan legal effect pada substansi Perjanjian Internasional. dan 2) Pada dasarnya ketentuan WTO dalam putaran Uruguay yang mencantumkan prinsip non-diskriminasi menginginkan adanya suatu komitmen dari setiap negara dalam transaksi perdagangan internasional untuk memberlakukan sistem yang adil, liberalisasi perdagangan, penghapusan hambatan, dan transparansi. Dengan demikian, seyogyanya dapat dijadikan guidance untuk negararaneegara anggota guna mengadopsi dan menerapkannya dalam legislasi nasional mereka dengan pertimbangan yang lebih luas guna terciptanya tatanan perdagangan dunia yang tertib sebagaimana Tujuan dari Hukum perdagangan Internasional menurut GATT dan WTO.

Kata Kunci: *Non Diskriminasi, Impor Pakaian Bekas dan World Trade Organizat*

ABSTRACT

Overview of the Principles of Non-Discrimination on the Import of Used Clothing in the World Trade Organization (WTO) Perspective

The objectives of this study are: To know and analyze the Principle of Non-Discrimination in the Import of Used Clothing in the Perspective of the World Trade Organization (WTO) and To analyze and criticize used clothing import activities based on the Law. The formulation of the problem: 1) What is the principle of non-discrimination on the import of used clothes in the perspective of the World Trade Organization (WTO)? and 2) Is the Activity of Importing Used Clothing Contrary to the Law in Indonesia? With the formulation of the problem, the method used is Normative juridical, the results of research related to 1) WTO Ministerial Decision even though it is separate from the WTO Valuation Agreement, because it is part of the WTO Agreement, the status of its enforcement and legal force is the same as the WTO Valuation agreement. As for the legal products of the World Customs Organization in the form of Advisory Opinions, Commentaries, Explanatory Notes, and Case Studies that have been issued by the WCO Technical Committee on Customs Valuation in its Valuation Compendium,. In practice, Indonesian courts can use interpretation methods based on existing laws and regulations to give legal effect to the substance of international treaties. and 2) Basically the WTO provisions in the Uruguay round that include the principle of non-discrimination require a commitment from every country in international trade transactions to impose a fair system, trade liberalization, removal of barriers, and transparency. Thus, it should be used as guidance for member states to adopt and implement it in their national legislation with broader considerations for the creation of an orderly world trade order as the purpose of international trade law according to GATT and WTO

Keywords: *Non Discrimination, Import of Used Clothing, and World Trade Organizations.*