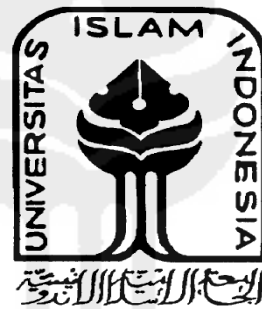


THE LEGAL TEST OF NATIONAL TREATMENT PRINCIPLE

IN INVESTMENT LAW

THESIS

Presented as the Partial Fulfillment of the Requirements
To Obtain the Bachelor Degree at the Faculty of Law
Universitas Islam Indonesia
Yogyakarta



By:

UNI TSULASI PUTRI

Student Number : 12410028

INTERNATIONAL PROGRAM

DEPARTEMENT OF LAW

FACULTY OF LAW

UNIVERSITAS ISLAM INDONESIA

2016

PAGE OF APPROVAL

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

**THE LEGAL TEST OF NATIONAL TREATMENT PRINCIPLE
IN INVESTMENT LAW**

Has Been Examined and Approved by the Thesis Advisor submitted
before the Board of Examiner in Final Thesis Examination
Dated on 21 March 2016

Yogyakarta, 02 March 2016

Thesis Advisor



Dr. Siti Anisah, S.H., M.Hum

NIK. 014100111

PAGE OF APPROVAL

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

THE LEGAL TEST OF NATIONAL TREATMENT PRINCIPLE
IN INVESTMENT LAW

Defended before the Board of Examiners

On 21 March 2016


And Declared Acceptable

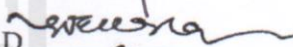
Yogyakarta, 21 March 2016


Board of examiners

Signature

1. Chief Examiner : Dr. Siti Anisah, S.H., M.Hum.
2. Examiner I : Nandang Sutrisno, S.H., M.Hum., LL.M., Ph.D
3. Examiner II : Drs. YUSDANI, M.Ag





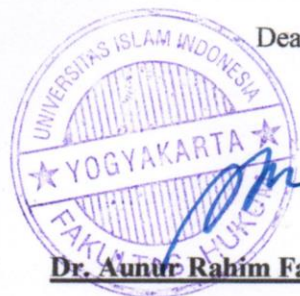


Universitas Islam Indonesia

Faculty of Law

International Program

Dean,



Dr. Aunur Rahim Faqih, SH., M.Hum.

NIK: 844100101

SURAT PERNYATAAN
ORISINALITAS KARYA TULIS ILMIAH BERUPA TUGAS AKHIR MAHASISWA
FAKULTAS HUKUM UNIVERSITAS ISLAM INDONESIA

Bismillahirrohman nirrohim

Yang bertanda tangan dibawah ini, saya:

Nama : **UNI TSULASI PUTRI**

No. mahasiswa : 12410028

adalah benar – benar mahasiswa Fakultas Hukum Universitas Islam Indonesia Yogyakarta yang telah melakukan penulisan Karya Ilmiah (Tugas Akhir) berupa skripsi dengan judul:

THE LEGAL TEST OF NATIONAL TREATMENT PRINCIPLE IN INVESTMENT LAW

Karya ilmiah ini akan saya ajukan kepada Tim Penguji dalam Ujian Pendadaran yang diselenggarakan oleh Fakultas Hukum UII.

Sehubungan dengan hal tersebut, dengan ini Saya menyatakan:

1. Bahwa karya tulis ilmiah ini adalah benar – benar hasil karya sendiri yang dalam penyusunannya tunduk dan patuh terhadap kaidah, etika dan norma – norma penulisan sebuah karya tulis ilmiah sesuai dengan ketentuan yang berlaku;
2. Bahwa saya menjamin hasil karya ini adalah benar – benar asli (orisinil), bebas dari unsur – unsur yang dapat dikategorikan sebagai melakukan perbuatan ‘penjiplakan karya ilmiah (plagiat)’;
3. Bahwa meskipun secara prinsip hak milik atas karya ilmiah ini ada pada saya, namun demi untuk kepentingan – kepentingan yang bersifat akademik dan pengembangannya, saya memberikan kewenangan kepada Perpustakaan Fakultas Hukum Uii dan perpustakaan dilingkungan Universitas Islam Indonesia untuk mempergunakan karya ilmiah saya tersebut.

Selanjutnya berkaitan dengan hal di atas (terutama pernyataan pada butir No 1 dan 2), saya sanggup menerima sanksi baik sanksi administratif, akademik bahkan sanksi pidana, jika saya terbukti secara kuat dan meyakinkan telah melakukan perbuatan yang menyimpang dari pernyataan tersebut. Saya juga akan bersikap kooperatif untuk hadir, menjawab, membuktikan, melakukan pembelaan terhadap hak – hak saya serta menandatangani Berita Acara terkait yang menjadi hak dan kewajiban saya, di depan ‘Majelis’ atau ‘Tim’ Fakultas Hukum Universitas Islam Indonesia yang ditunjuk oleh pimpinan fakultas, apabila tanda – tanda plagiat disinyalir ada/terjadi pada karya ilmiah saya ini oleh pihak Fakultas Hukum UII.

Demikian, surat pernyataan ini saya buat dengan sebenar – benarnya, dalam kondisi sehat jasmani dan rohani, dengan sadar serta tidak ada tekanan dalam bentuk apapun dan oleh siapapun.

Dibuat di : Yogyakarta

Pada tanggal : 02 Maret 2016

Yang membuat Pernyataan



Uni Tsulasi Putri

NIM. 12410028

CURRICULUM VITAE

Name : Uni Tsulasi Putri
Place of Birth : Gunungkidul
Date of Birth : 19 Oktober 1994
Gender : Female
Phone number : +6281 91554 9040.
Email : uni.tsulasi@gmail.com
Address : Karangasem RT 04/ RW 25, Sendangtirto, Berbah, Sleman,
D.I.Y PO.BOX 55573
Parents Identity :

- a. Father : Kardi, SH
Pekerjaan : Retired
b. Mother : Sustinah, A. Md.
Pekerjaan : Retired

I. EDUCATION

1. SDN Gedong Kuning Yogyakarta in 2000 – 2006
2. SMPN 9 Yogyakarta in 2006 – 2009
3. SMAN 5 Yogyakarta in 2009 – 2012
4. International Program of Law School, Universitas Islam Indonesiain 2012 – Present

II. ORGANISATION EXPERIENCE

1. Scout Division in OBDSP (OSIS Bhinneka Dharma Siswa Puspanegara) SMA N 5 Yogyakarta 2010 – 2011.
2. Chief of KOKITALIS (Komunitas Kita Cinta Menulis) Yogyakarta 2012 – present.
3. Secretary of Ki Juru Mertani Foundation Yogyakarta from 2013 – present.
4. Discussion Division Staff in Takmir Masjid Al-Azhar Faculty of Law Universitas Islam Indonesia 2013 – 2015.
5. President of UKM SAIL (Student Association of International Law) LEM Faculty of Law Universitas Islam Indonesia 2013 – 2015.
6. Radio Announcer from IP Chat Community in the Weekly Program of UNISI Radio during 2013 – 2014.
7. Training Coordinator of IP Buddy Program Batch II in 2013 – 2014.
8. Communication Network of EDS (English Debate Society) UII 2013 – 2014.
9. Public Relation Staff of Marketing Community of International Program Universitas Islam Indonesia 2013 – 2014.
10. Secretary of ISAC (International Student Advisory Council) of International Program Universitas Islam Indonesia 2014 – 2015.
11. English Teacher in NTC English Course from 2015 – present.

III. AWARDS

1. Champion of English Debate Competition 2010 in SMA N 9 Yogyakarta.
2. 2nd Runner up of English Debate Competition in 2011 SMA PAKEM Yogyakarta.
3. 1st Runner up of Science Olympic 2012 in ATMAJAYA University Yogyakarta.
4. Quarter finalist and team winner of “Spirit of Jessup” in the 2014 Indonesian

- Round Philip C. Jessup International Law Moot Court Competition in Universitas Pelita Harapan, Tangerang.
5. 7th Best Oralist, Semi Finalist and team winner of “Spirit of Moot Court” in the 2014 Indonesian Round of International Committee of Red Cross International Humanitarian Law Moot Court Competition in Puri Casablanca Hotel, West Jakarta.
 6. 1st Runner Up, 3rd Best Memorials, and team winner of “Spirit of Jessup” in the 2015 Indonesian Round Phillip C. Jessup International Law Moot Court Competition in Universitas Tarumanegara, Jakarta.
 7. 40th Best Team of 116 Participating Teams from 80s States in 2015 International Round Phillip C. Jessup International Law Moot Court Competition in Wahington, DC.

IV. LANGUAGES

1. Indonesian : Native Language
2. English : Speak, Write, Listen currently

V. PUBLICATION

1. Transliteration of the book owned by Sultan Iskandar Mahmud Badaruddin Darussalam (Palembangnese Sultan) entitled “*Serat Babad Tanah Jawa*”, in Javanese script from 1987, published in 2012.
2. “*H. Herry Zudianto, WAGIMAN (Walikota Gila Taman), Kepala Pelayan Masyarakat Yogyakarta 2001 – 2011*” written by and with KOKITALIS team, published in 2012.
3. “*Original Coffee: Karena Manis dan Pahit itu Kehidupan.*” written by and with KOKITALIS team, published in 2013.

Yogyakarta, 02 March 2016

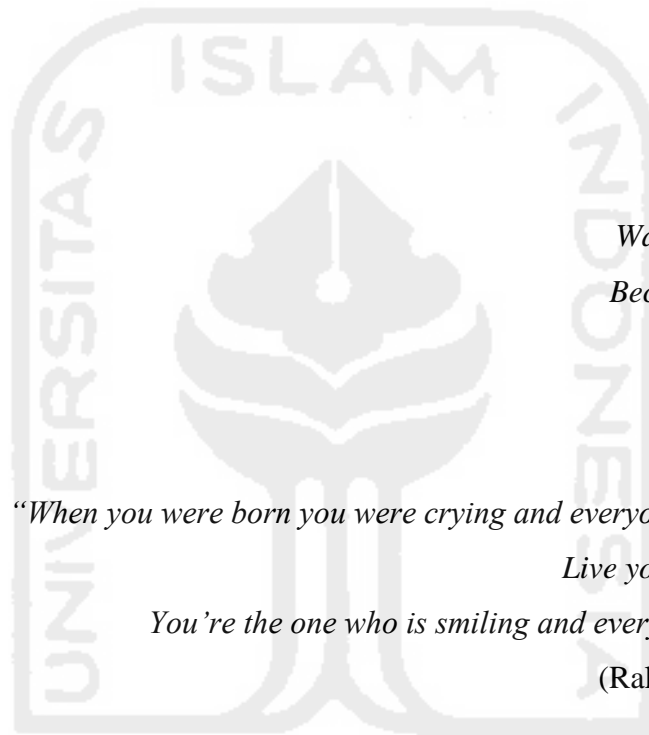
Regards,

Uni Tsulasi Putri

MOTTO

*Then which of the Blessings of your Lord
will you both (Jinn and men) deny?*

(QS. Ar-Rahman: 13)



Always get ready to

Fly around the sky

Sail around the sea

Walk around the world

Because life is an effort

(Uni Tsulasi Putri)

“When you were born you were crying and everyone else was smiling.

Live your life so at the end,

You’re the one who is smiling and everyone else is crying.”

(Ralph Waldo Emerson)



DEDICATIONS

This thesis is dedicated to:

Allah SWT All-Mighty, All-Knower that always assists and guides me.

My beloved Mom (Sustinah), Dad (Kardi) and Nanny (Wantinem). Thank you for every love, spirit, pray and attention.

My sisters Ani Susanti and Inna Shobariyah, brothers-in-law Sunaryadi and Daut Isbandi, nephews and nieces Wikan, Ririh, Afifa, and Ghani. Thank you for every smile and motivation.

My Thesis Advisor Siti Anisah and my language advisor Ani Susanti. Thank you for the every knowledge, advice, supervision and guidance.

All of my best friends. You show me the meaning of life.

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

ACKNOWLEDGEMENT

Assalamu'alaikum.wr.wb,

Alhamdulillahirabbil 'alamin, praise be to Allah SWT the Almighty, Most Gracious and Merciful, because of His Guidance the writer could finish this thesis as one of the requirements to obtain the Bachelor's Degree of Faculty of Law Universitas Islam Indonesia.

In accomplishing the research, the writer feels indebted to a lot of people for their guidance, assistance, and help. Therefore, there writer would like to express her special gratitude to:

1. Allah Almighty, who always give me love, mercy, and assistance so that this thesis can be well-finished.
2. Prophet Mohammed SAW, as a Holy Prophet who taught every kindness in the human life.
3. Dr. Ir. Harsoyo, M. Sc, as the Rector of Universitas Islam Indonesia.
4. Dr. Aunur Rahim Faqih, S.H., M.Hum, as the Dean of Faculty of Law Universitas Islam Indonesia.
5. Dr. Siti Anisah, SH., M.Hum as the Thesis Advisor and Ani Susanti, M.Pd.BI as the Language Advisor who have given advices, suggestions, and motivations.

6. Dr. Aroma Elmina Martha, SH., MH as the Academic Advisor, all lectures and staff of International Program Faculty of Law who have given support and motivation.
7. Beloved mother Sustinah, father Kardi, Nanny Inem, sisters Ani Susanti and Inna Shobariyah, brothers Sunaryadi and Daut Isbandi, nephews and nieces Wikan, Ririh, Afifa, and Ghani, who have given love, pray, spirit, attention and smile.
8. Everlasting best friend, Arga Mandala, Ajeng Ningtyas, Ajeng Herlina, Anisa Dianasari, Johan Robbi, Ririh, and Dela for every motivation, care, patient, and prayer.
9. 2012 batch students, Fikri, Lukman, Mazii, Fasya, Gemi, Ame, Sadika, Nesya, Dion, Fifi, Gandar, Lintang, Hanif, Meila, Saadan, Reza, Ryan, Windu, Ebby, Dimas and all family members of International Program Faculty of Law Universitas Islam Indonesia for this three years memories of happiness, sadness, madness, excitement, and enjoyment.
10. The Jessup and IHL Moot Court rangers, Fasya, Gemi, Khania, Johan Pahlevi, Kiki Sania, Meiske, Dion, Yaries, Haekal, Hanif, Faisol, Ratu, Saufa, Nabila, Vicky, Ria, Fia, Ilham, and others for the support, help, prayer, care and for giving the new memorable extraordinary experience.
11. The ex-boards, the boards and the members of Student Association of International Law (SAIL), Khania, Lukman, Gemi, Fasya, Dion, Windu, Mazii, Gandar, Yaries, Haekal and others for giving a memorable experience.

12. The family of Ashabul Takmir 2012 Johan, Putra, Yusuf, Mazii, Mentari, Dani, Rizka, Ayu, Uya, Putri, Arif, Nur Laili (Bedjo), Eka, Ucok, Husyaifan (Panjul), Randa, Riza, Burdha, Rizqy Putra, and all family of Takmir Masjid Al-Azhar Faculty of Law Universitas Islam Indonesia for the love, care, sacrifice, motivation, assistance, and for being the new and everlasting family.
13. Family of Social Service Team Unit 42, Hafidz, Billy, Istna, Puput, Rahma, Imam, Satria and the host of our temporary house Pak Jumari, Bu Pon, and the Chief of Villager Pak Supardi, for the exchange of knowledge, experience, assistance, care, support and motivation.
14. All person who cannot be mentioned one by one.

Finally, the writer recognizes that this thesis is still far from being perfect, so the writer wans the reader to give some criticism and suggestions. However, the writer expects that this thesis will be useful for anyone who reads this thesis.

Wassalammu'alaikum. Wr. Wb

Yogyakarta, 02 March 2016

The Writer

Uni Tsulasi Putri