

BIBLIOGRAPHY

Books

- Abidin, S. Z. *Public Policy*. Jakarta, 2012.
- Aminuddin Ilmar, S. H. *Investment Law in Indonesia*. Jakarta: Prenada Media, 2018.
- Anshori, A. G. *Islamic Contract Law in Indonesia: Concept, Regulation, and Implementation*. Yogyakarta: UGM Press, 2018.
- Atmaja, G. M. W., N. L. G. Astariyani, N. M. Aryani, and B. Hermanto. *Public Policy Law*. Denpasar: Swasta Nulus, 2022.
- Barda Nawawi Arief. *Civil Law and Business Law in Indonesia*. Jakarta: Kencana, 2014.
- Bassiouni, M. C. *International Criminal Law*. 3rd ed. Leiden: Martinus Nijhoff Publishers, 2013.
- Black, H. C., B. A. Garner, B. R. McDaniel, D. W. Schultz, and West Publishing Company. *Black's Law Dictionary*. Vol. 196. St. Paul, MN: West Group, 1999.
- Briggs, A. *Civil Jurisdiction and Judgments*. London: Informa Law from Routledge, 2015.
- Brownlie, I. *Principles of Public International Law*. 7th ed. Oxford: Oxford University Press, 2008.
- Chen-Wishart, M. *Contract Law*. Oxford: Oxford University Press, 2012.
- Dunn, W. N. *Public Policy Analysis*. London: Routledge, 2015.
- Global Legal Trends Institute. *The Growing Importance of NDAs in Global Commerce*. Jakarta: Global Legal Publishing, 2020.
- Harahap, M. Y. *Indonesian Civil Procedure Law*. Jakarta: Sinar Grafika, 2000.
- Hartono, D. *Contract Law in Business Practice in Indonesia*. Jakarta: Salemba Empat, 2018.
- Indonesia Business Law Center. *Legal Standards for NDAs in Indonesia's Intellectual Property Landscape*. Jakarta, Indonesia, 2021.
- Jakarta Law School. *The Role of Confidentiality Agreements in Indonesian Law*. Jakarta, Indonesia, 2018.

- Kamil, A. *Principles of Jurisprudence*. Jakarta, 2004.
- Kartini, A. *Basics of Indonesian Law*. Bandung: Sinar Baru, 2014.
- Kusumaatmadja, M. *Introduction to Legal Science*. Bandung: Binacipta, 1986.
- Manullang, E. F. M. *Legalism, Legality, and Legal Certainty*. Jakarta: Prenada Media, 2017.
- Marzuki, P. M. *Law Enforcement in Contract Law Practice*. Jakarta: Rajawali Press, 2016.
- Mertokusumo, S. *Agreements in Indonesian Civil Law*. Yogyakarta: Liberty, 2012.
- Muchlinski, P. *Multinational Enterprises and the Law*. Oxford: Oxford University Press, 2017.
- Negara, P. T. *Public Policy*. Jakarta, 2014.
- Sadhana, K. *Realities of Public Policy*. Jakarta, 2011.
- Setiawan, I. K. O. *Law of Obligations*. Jakarta: Bumi Aksara, 2021.
- Soekanto, S. *Introduction to Social Law*. Jakarta: Rajawali Pers, 2004.
- Soekanto, S. *Sociology of Law*. Jakarta: RajaGrafindo Persada, 2007.
- Soemardi, D. *Sources of Positive Law*. Jakarta, 1986.
- Sugiarto, U. S. *Introduction to Indonesian Law*. Jakarta: Sinar Grafika, 2021.
- Sulistiani, S. L., and M. E. Sy. *Customary Law in Indonesia*. Jakarta: Bumi Aksara, 2021.
- Suhayati, E. *Definition of Law, Law and Society, and Systematics of Civil Law*. Jakarta, 2020.
- Szirmai, A. *Socio-economic Development*. Cambridge: Cambridge University Press, 2015.
- Tambunan, T. S., and W. R. Tambunan. *Business Law*. Jakarta: Prenada Media, 2019.
- Tomasic, R., S. Bottomley, and R. McQueen. *Corporations Law in Australia*. Sydney: Federation Press, 2022.
- Wahab, S. A. *Policy Analysis: From Formulation to Developing Models for Public Policy Implementation*. Jakarta: Bumi Aksara, 2021.
- Wajdi, F. *Law and Public Policy*. Jakarta: Sinar Grafika, 2022.

Watson, A. *The Spirit of Roman Law*. Vol. 1. Athens, GA: University of Georgia Press, 2008.

Journals

Afdawaiza, A. "Formation of Contracts in Islamic Contract Law." *Al-Mawarid: Jurnal Hukum Islam* 18 (2015).

Anderson, S., and C. MacDonald. "NDAs and Their Importance in Corporate Transactions." *Corporate Transactions Journal* 5, no. 3 (2017): 123–137.

Arifin, D. "The Intersection of NDAs and Intellectual Property in Indonesia's Business Law." *Indonesian Corporate Law Review* 16, no. 1 (2021): 35–50.

Arifin, J. "Substance of Contracts in Sharia Transactions." *Al-Amwal: Jurnal Ekonomi dan Perbankan Syari'ah* 6, no. 1 (2016): [pages not available].

Baily, S. "The Role of Non-disclosure Agreements in Protecting Business Information." *Journal of Business Law and Ethics* 15, no. 2 (2017): 42–54. <https://doi.org/10.1177/1079732017716123>.

Bank, P. "How NDAs Help Secure Confidential Financial Data in Multinational Corporations." *Financial Law Review* 20, no. 1 (2018): 83–98.

Bartlett, N. "Non-disclosure Agreements: A Protective Measure in High-risk Industries." *Risk Management Law Review* 13, no. 3 (2021): 67–79.

Bayles, M. D. "Introduction: The Purpose of Contract Law." *Valparaiso University Law Review* 17 (1983): 613–[end page not available].

Berge, W. "Criminal Jurisdiction and the Territorial Principle." *Michigan Law Review* 30 (1931): 238.

Berg, S. V., and P. Friedman. "Impacts of Domestic Joint Ventures on Industrial Rates of Return: A Pooled Cross-section Analysis, 1964-1975." *The Review of Economics and Statistics* (1981): 293–298.

Born, G. B. "Reflections on Judicial Jurisdiction in International Cases." *Georgia Journal of International and Comparative Law* 17 (1987): 1.

Branson, S., and G. Yates. "NDAs in Employment Contracts: Legal Enforcement and Practices in Indonesia." *Employment Law Review* 18, no. 2 (2020): 54–56.

Budiwati, S. "Contracts as the Framework for Sharia Business Transactions." *Jurnal Jurisprudence* 7, no. 2 (2018): 152–159.

- Chandra, S. "Global Enforcement of NDAs: A Comparative Study." *Global Law Review* 21, no. 2 (2019): 67–80.
- Cunningham, P. "NDAs and Intellectual Property: A Global Perspective." *International Business Review* 21, no. 3 (2018): 23–29.
- Darmawati, D. "Contracts in Sharia Economic Transactions." *Sulesana: Jurnal Wawasan Keislaman* 12, no. 2 (2018): 143–167.
- Davidson, K., and R. Smythe. "NDAs in High-tech Industries: A Case Study of the Tech Industry in Indonesia." *Technology and Law Journal* 33, no. 2 (2021): 78–90.
- Davis, J. "Ending the Nonsense: The In Pari Delicto Doctrine Has Nothing to Do with What Is 541 Property of the Bankruptcy Estate." *Emory Bankruptcy Developments Journal* 21 (2004): 519.
- Deeks, A. S. "A (Qualified) Defense of Secret Agreements." *Arizona State Law Journal* 49 (2017): 713.
- Dowling, S., and M. Melnick. "Exploring the Enforcement Mechanisms of NDAs Globally." *Journal of International Business and Law* 18, no. 3 (2020): 125–139.
- Dufresne, L. "The Role of NDAs in Investor Relationships and Equity Funding." *Venture Capital Law Review* 14, no. 3 (2020): 115–127.
- Durham, M., and S. Odia. "Non-disclosure Agreements in the World of #MeToo." *Nevada Lawyer* 27 (2019): 16.
- Egan, B. F. "Non-disclosure and Other Preliminary Agreements in Business Transactions." *Texas Journal of Business Law* 49 (2020): i.
- Effendy, T. "Trade Secrets as Part of Intellectual Property Rights." *Al-Adl: Jurnal Hukum* 6, no. 12 (2014).
- Fidhayanti, D. "Standard Contracts According to Sharia Principles (Juridical Review of Financing Practices in Sharia Banking)." *De Jure: Jurnal Hukum dan Syar'iah* 6, no. 2 (2014).
- Friedman, L. M., and S. Macaulay. "Contract Law and Contract Teaching: Past, Present, and Future." *Wisconsin Law Review* (1967): 805.
- Gill, A., and P. Mathur. "Protecting Trade Secrets through NDAs in the Technology Sector." *Technology and Law Review* 10, no. 1 (2018): 34–47.

- Gutterman, A. S. "Business Law and Non-disclosure Agreements: Protecting Trade Secrets." *American Business Law Journal* 58, no. 4 (2020): 357–375. <https://doi.org/10.1002/ablj.217>.
- Hadi, A., and S. Hasan. "The Influence of Islamic Law in the Development of Law in Indonesia." *Nurani: Jurnal Kajian Syari'ah dan Masyarakat* 15, no. 2 (2015): 89–100.
- Hadisuprpto, P. "Legal Science and Its Approaches." *Jurnal Hukum Progresif* 2, no. 2 (2011): 35.
- Hariyanto, E. "BURGELIJK WETBOEK (Tracing the History of Its Legal Application in Indonesia)." *AL-IHKAM: Jurnal Hukum & Pranata Sosial* 4, no. 1 (2009): 140–152.
- Hartono, S. "The Law of Contract in Indonesia." *Malaya Law Review* 20 (1978): 142.
- Herdiana, D. "Socialization of Public Policy: Definition and Basic Concepts." *Jurnal Ilmiah Wawasan Insan Akademik* 1, no. 3 (2018): 13–26.
- Henkel, S., and C. Malek. "Strategic Use of NDAs in Mergers and Acquisitions." *International Journal of Mergers and Acquisitions* 11, no. 3 (2019): 245–259.
- Hogan, J. C. "Joseph Story's Encyclopedia Americana Law Articles." *Law Library Journal* 48 (1955): 117.
- Holtzman, L. "Preventing Leaks in the Tech Industry through Non-disclosure Agreements." *Tech Law Review* 17, no. 3 (2019): 56–68.
- Jalil, A. "Islamic Contract Law: Theoretical Study and Its Implementation in Indonesia." *Cendekia: Jurnal Studi Keislaman* 6, no. 2 (2020): 214–233.
- Jeffrey, M. "Legal Consequences of Breach of Contract by One Party in a Non-Disclosure Agreement (Confidentiality Agreement) That Is Difficult to Prove." *Jurnal Hukum Kaidah: Media Komunikasi dan Informasi Hukum dan Masyarakat* 20, no. 3 (2021): 408–418.
- Komar, J. "Protecting Intellectual Property in Asia through NDAs." *Journal of Intellectual Property Law* 20, no. 4 (2017): 35–40.
- Kumalasari, D., and D. W. Ningsih. "Validity Requirements of Agreements Regarding Legal Capacity According to Article 1320 Paragraph (2) of the Civil Code." [Journal not specified] (2018).

- Kwak, H. H. “Non-disclosure Agreements in the Context of Joint Ventures.” *Asian Business Law Review* 7, no. 1 (2019): 56–67.
- Larasati, E. I., and A. L. Ramadhan. “Use of Preferred Shares in Determining Joint Ventures.” *Gorontalo Law Review* 5, no. 1 (2022): 63–74.
- Laycock, D. “Equal Citizens of Equal and Territorial States: The Constitutional Foundations of Choice of Law.” *Columbia Law Review* 92 (1992): 249.
- Le, S., and T. Ponniah. “The Effectiveness of NDAs in International Partnerships.” *International Business Law Review* 28, no. 3 (2020): 45–58.
- Lee, K. “Legal Considerations for NDAs in Intellectual Property Protection.” *Journal of Corporate Law and Ethics* 11, no. 2 (2019): 62–74.
- Lindsay, D. “An Exploration of the Conceptual Basis of Privacy and the Implications for the Future of Australian Privacy Law.” *Melbourne University Law Review* 29, no. 1 (2005): 131–178.
- López-Quiñones, A. G. “A Secret Agreement: The Historical Memory Debate and the Limits of Recognition.” [Journal not specified] (2012).
- Lubis, A. E. N., and F. D. Fahmi. “Introduction and General Definition of Law (Literature Review on Ethics).” *Jurnal Ilmu Manajemen Terapan* 2, no. 6 (2021): 768–789.
- Lukashuk, I. I. “The Principle Pacta Sunt Servanda and the Nature of Obligation under International Law.” *American Journal of International Law* 83, no. 3 (1989): 513–518.
- Mann, F. A. “Anglo-American Conflict of International Jurisdiction.” *International & Comparative Law Quarterly* 13, no. 4 (1964): 1460–1465.
- Manggalatung, S. “Relationship between Facts, Norms, Morals, and Legal Doctrine in Judicial Considerations.” [Journal not specified] (2014).
- Maurer, U. M. “Secret Key Agreement by Public Discussion from Common Information.” *IEEE Transactions on Information Theory* 39, no. 3 (1993): 733–742.
- Michael, R. “Non-disclosure Agreements in the Art World: Protecting Valuable Creations.” *Art Law Review* 11, no. 2 (2018): 58–72.
- Muayyad, U. “Principles of Contracts in Islamic Contract Law.” *Anil Islam: Jurnal Kebudayaan dan Ilmu Keislaman* 8, no. 1 (2015): 1–24.

- Muftadin, D. “Fundamentals of Sharia Contract Law and Its Application in Sharia Transactions.” *Al-'Adl* 11, no. 1 (2018): 100–118.
- Nadine, M. “Legal Challenges Surrounding NDAs in Employee Relationships.” *Journal of Employment Law and Ethics* 14, no. 4 (2020): 44–55.
- Ngo, D. M. “Enforcing NDAs: How Businesses Can Protect Confidential Data.” *Corporate Law and Security Journal* 22, no. 2 (2021): 78–92.
- Nippa, M., and J. J. Reuer. “On the Future of International Joint Venture Research.” *Journal of International Business Studies* 50 (2019): 555–597.
- Nurhardianto, F. “Legal System and Indonesia’s Legal Position.” *Jurnal Tapis: Jurnal Teropong Aspirasi Politik Islam* 11, no. 1 (2015): 33–44.
- Oren, N., T. J. Norman, and A. Preece. “Arguing with Confidential Information.” *Frontiers in Artificial Intelligence and Applications* 141 (2006): 280.
- Othman, M. B. B., and M. F. B. A. Samah. “The Australian Privacy Act 1988: Lesson to Be Learned.” *Malaysian Journal of Social Sciences and Humanities (MJSSH)* 7, no. 9 (2022): e001766.
- Paltiel, M. “Recent Amendments to the Australian Privacy Act.” *Journal of Bioethical Inquiry* 20, no. 2 (2023): 161–167.
- Reza, T. “Best Practices for Drafting Non-disclosure Agreements in the Modern Business Environment.” *Business Legal Drafting Journal* 3, no. 1 (2021): 44–55.
- Richman, W. M. “Understanding Personal Jurisdiction.” *Arizona State Law Journal* 25 (1993): 599.
- Roesli, M., S. Sarbini, and B. Nugroho. “Position of Standard Contracts in Relation to the Principle of Freedom of Contract.” *DiH: Jurnal Ilmu Hukum* 15, no. 1 (2019): 1–8.
- Romli, M. “Concept of Valid Contract Conditions in Islamic Law and Valid Contract Conditions in Article 1320 of the Civil Code.” *Jurnal Tahkim* 17, no. 2 (2021): 173–188.
- Rose, A. “1995 Australian Criminal Code Act: Corporate Criminal Provisions.” *Criminal Law Forum* 6 (1995): 129–[end page not available].
- Semaun, S. “Legal Protection for Trade Secrets.” *DIKTUM: Jurnal Syariah dan Hukum* 9, no. 1 (2011): 30–42.

- Sharif, R., and T. Ng. "Global Non-disclosure Agreements: Protecting Corporate Secrets across Borders." *Global Business and Legal Perspectives* 12, no. 2 (2018): 92–104.
- Sharma, T., and R. Srivastav. "Non-disclosure Agreement: A Curve in a Glossy Path." *DME Journal of Management* 1, no. 01 (2020): 126–145.
- Singh, R. "Corporate Use of NDAs in International Business Agreements." *Journal of Corporate Legal Affairs* 18, no. 2 (2017): 99–113.
- Stern, J. Y. "Property, Exclusivity, and Jurisdiction." *Virginia Law Review* 100 (2014): 111–[end page not available].
- Sudarto, F. "Commercial Agreements in Indonesia: NDAs as Critical Tools in Protecting Corporate Secrets." *Indonesian Business Review* 24, no. 1 (2020): 33–48.
- Syadewa, M. R. A. "Hybrid Investment Schemes in Joint Venture Structures for Foreign Investment in Indonesia." *UNES Law Review* 6, no. 1 (2023): 3936–3947.
- Tarina, D. D. Y. "Legal Consequences of Breach of Contract by Sellers to Buyers in Land and Building Sale Agreements (Study of Decision Number 108/Pdt. G/2023/PN Jkt. Tim)." *Causa: Jurnal Hukum dan Kewarganegaraan* 1, no. 8 (2023): 11–20.
- Thomas, R. "NDAs in Protecting Proprietary Business Plans: A Case Study." *Journal of Intellectual Property and Business Law* 14, no. 1 (2019): 61–67.
- Turagan, A. F. "Implementation of Agreements in Good Faith According to Article 1338 of the Civil Code." *Lex Privatum* 7, no. 1 (2019): [pages not available].
- Ubertazzi, B. *Exclusive Jurisdiction in Intellectual Property*. Vol. 273. Tübingen: Mohr Siebeck, 2012.
- Van Der Laan, S., and G. Dean. "Corporate Groups in Australia: State of Play." *Australian Accounting Review* 20, no. 2 (2020): 121–133.
- Widerski, P. "Non-Disclosure Agreement in the Process of Protection of Intangible Property." *Zeszyty Naukowe Wyższej Szkoły Finansów i Prawa w Bielsku-Białej* (3) (2017): 129–150.
- Wijayanti, N. L. P. E. "Validity of an Agreement Based on the Civil Code." *Bagian Hukum Bisnis Fakultas Hukum Universitas Udayana* 1 (2019): 1–5.

Yuanitasari, D., and H. Kusmayanti. "Development of Contract Law in the Implementation of the Principle of Good Faith in the Pre-contractual Stage." *ACTA DIURNAL Jurnal Ilmu Hukum Kenotariatan* 3, no. 2 (2020): 292–304.

Zulfikar, M., and L. Sutrisno. "Non-disclosure Agreements in the Protection of R&D in Indonesia." *Indonesian Business Law Review* 17, no. 1 (2018): 25–37.

Speech

Rajagukguk, E. "The Role of Law in Development in the Era of Globalization: Implications for Legal Education in Indonesia." Inaugural Speech as Professor at FH-UI, Jakarta, 1997.

Online Sources

American Bar Association. "Enforceability of Non-Disclosure Agreements." May 2021. https://www.americanbar.org/groups/business_law/publications/blt/2021/05/01_clauses/.

Antara News. "Acting Regent of Intan Jaya: We Never Issued a Recommendation for Blok Wabu." January 8, 2025. <https://papua.antaraneews.com/berita/71505/pj-bupati-intan-jaya-kami-tidak-pernah-keluarkan-rekomendasi-blok-wabu>.

Australian Government. *The Australian Privacy Act 1988 (C2004A03712)*. <https://www.legislation.gov.au/C2004A03712/2019-08-13/text>.

Betahita. "Traces of Toba Sejahtera in Papua's Gold in the Haris Fatia Trial." January 8, 2025. <https://betahita.id/news/detail/902/jejak-toba-sejahtera-di-emas-papua-dalam-sidang-haris-fatia.html?v=1700070360>.

Entrepreneur. "Non-Disclosure Agreements: A Guide for Entrepreneurs." <https://www.entrepreneur.com/article/274878>.

FindLaw. "What Is a Non-Disclosure Agreement (NDA)?" <https://www.findlaw.com/business/contracts/non-disclosure-agreement-nda.html>.

Harvard Law School. "Non-disclosure Agreements in Business Transactions." <https://www.law.harvard.edu>.

International Trade Administration. "Confidentiality Agreements and Non-disclosure Agreements." <https://www.trade.gov/doing-business-usa/confidentiality-agreements>.

Katadata. “Increasing Foreign Investment in Indonesia, Reaching a Record in 2023.” March 7, 2024. <https://databoks.katadata.co.id/datapublish/2024/03/07/makin-banyak-investasi-asing-masuk-indonesia-tembus-rekor-pada-2023>.

Kompas. “Papua Governor Requests Termination of Gold Mining Permit in Blok Wabu, Intan Jaya.” May 27, 2022. <https://www.kompas.id/baca/polhuk/2022/05/27/gubernur-papua-minta-izin-penambangan-emas-di-blok-wabu-intan-jaya-dihentikan>.

LawDepot. “Non-Disclosure Agreement (NDA) Types and Uses.” <https://www.lawdepot.com/contracts/non-disclosure-agreement/>.

LegalMatch. “The Legal Significance of Non-Disclosure Agreements.” <https://www.legalmatch.com/law-library/article/non-disclosure-agreements.html>.

Lexology. “Non-Disclosure Agreements in Mergers and Acquisitions.” <https://www.lexology.com/library/detail.aspx?g=bb810cfa-b1c4-4f24-a160-697a8bc779f4>.

PandaDoc. “A Complete Guide to Non-Disclosure Agreements (NDA).” <https://www.pandadoc.com/non-disclosure-agreement>.

Rocket Lawyer. “The Essential Guide to Non-Disclosure Agreements.” <https://www.rocketlawyer.com/business-and-contracts/business-operations/non-disclosure-agreement>.

Suara Papua. “All Parties in Intan Jaya Agree to Reject Exploitation of Blok Wabu.” January 27, 2024. <https://suarapapua.com/2024/01/27/semua-bagian-di-intan-jaya-sepakat-tolak-eksploitasi-blok-wabu>.

Tempo. “Traces of Luhut Binsar Pandjaitan in Blok Wabu Papua.” January 8, 2025. <https://www.tempo.co/politik/jejak-luhut-binsar-pandjaitan-di-blok-wabu-papua-845678>.

UpCounsel. “Non-disclosure Agreements: Everything You Need to Know.” <https://www.upcounsel.com/non-disclosure-agreement>.

UpCounsel. “Non-disclosure Agreements: Legal Enforceability.” <https://www.upcounsel.com/non-disclosure-agreement-enforceability>.

Report

West Wist Mining Limited. *Annual Report 2019*. West Wist Mining Limited, 2019.

