

## DAFTAR PUSTAKA

### A. Buku:

- Agustina, *Hukum Internasional*, Suluh Media, Yogyakarta, 2019.
- American Chamber of Commerce to the European Union, *The Transatlantic Digital Economy*, American Chamber of Commerce to the European Union, 2022.
- Amirullah, (et.al), *Pengantar Hukum Perdata Internasional*, CV Keni Media, Bandung, 2020.
- Ashofa Burhan, *Metode Penelitian Hukum*, Rineka Cipta, Jakarta, 2013.
- Badan Pembinaan Hukum Nasional Departemen Hukum dan HAM RI, *Penelitian Tentang Perlindungan Hukum Data Digital*, BPHN, Jakarta, 2005.
- Bernard H Oxman, *Jurisdiction of States*, Max Planck Encyclopedia of Public International Law, England, 2007.
- Chris Edwards, (et.al.), *Information Technology & The Law*, Palgrave Macmillan, London, 1990.
- Chris Reed, *Internet Law Text and Materials Second Edition*, Cambridge University Press, London, 2004.
- Chesterman S., *Who Killed Privacy?*, Straits Times, 2012.
- Council of Europe, *European Union Agency for Fundamental Rights, Handbook on European Data Protection Law*, Council of Europe, France, 2018.
- David I. Bainbridge, *Introduction to Computer Law*, Pitman Publishing,

London, 1993.

Edmon Makarim, *Pengantar Hukum Telematika Suatu Kompilasi Kajian*, PT

Raja Grafindo Persada, Jakarta, 2005.

Ellison, N.B., (et.al), *Negotiating privacy concerns and social capital needs in a social media environment In Privacy Online*, Springer, Berlin, 2011.

Huala Adolf, *Aspek-Aspek Negara dalam Hukum Internasional*, Raja Grafindo Persada, Jakarta, 2002.

-----, *Hukum Perdagangan Internasional*, Rajagrafindo Persada, Jakarta, 2016.

I Made Pasek Diantha, *Metodologi Penelitian Hukum Normatif dalam Justifikasi Teori Hukum*, Kencana, Jakarta, 2016.

J.G. Starke, *Pengantar Hukum Internasional*, Sinar Grafika, Jakarta, 1989.

Lee-Makiyama Hosuk dan Lacey Simon, *Cross-Border Data Flows: The Impact of Data Localisation on IoT*, GSMA, 2021.

Malcolm N. Shaw, *International Law*, Essex Court Chambers/Lauterpacht Centre for International Law, University of Cambridge.

M. Syamsuddin, *Operasionalisasi Penelitian Hukum*, Grafindo Persada, Jakarta, 2007.

Mirza Satria Buana, *Hukum Internasional Teori dan Praktek*, Nusamedia, Bandung, 2007.

Nudirman Munir, *Pengantar Hukum Siber Indonesia*, PT Raja Grafindo Persada, Depok, 2017.

OECD, *OECD Guidelines on the Protection of Privacy and Transborder Flows*

*of Personal Data*, OECD Publishing, Germany , 2013

------. *Taking Stock Of Key Policies And Initiatives OECD Background Report For The G7 Digital And Technology Track*, OECD Publishing, Germany, 2022.

------. *Mapping Approaches To Data And Data Flows Report for the G20 Digital Economy Task Force*, OECD Library, Saudi Arabia, 2020.

Peter Mahmud Marzuki, *Penelitian Hukum Edisi Revisi*, Kencana Prenada Media Group, Jakarta, 2016.

Richard Morgan, Ruth Boardman, *Data Protection Strategy Implementing Data Protection Compliance*, Sweet and Maxwell, London, 2012.

Rebecca Wallace dan Olga Martin-Ortega, *International Law*, Sweet & Maxwell, USA, 2013.

Rudi Natamiharja, *Pengantar Hukum Internasional*, Suluh Media, Yogyakarta, 2021.

Shidarta, *Hukum Perlindungan Konsumen Indonesia*, Edisi Revisi, Gramedia Widiasarana Indonesia, Jakarta, 2006.

Sinta Dewi Rosadi, *Privacy on personal data from International Law, Regional and National Perspectives*, Refika Aditama, Jakarta, 2015.

Sinta Dewi Rosadi, *Cyber Law Aspek Data Privasi Menurut Hukum Internasional, Regional, dan Nasional*, Refika Aditama, Bandung, 2015.

Soerjono Soekanto dan Sri Mamudji, *Penelitian Hukum Normatif Suatu Tinjauan Singkat*, Rajawali Press, Jakarta, 1990.

Serlika Aprita dan Rio Adhitya, *Hukum Perdagangan Internasional*, PT Rajagrafindo Persada, Depok, 2020.

Sudargo Gautama, *Hukum Perdata Internasional*, Kinta, University of California, 1966.

The 1st ASEAN Digital Senior Officials' Meeting (ADGSOM), *ASEAN Data Management Framework: Data Governance and Protection Throughout The Data Lifecycle*, 2021.

United Nations Sustainable Development Group, *Data Privacy, Ethics And Protection Guidance Note On Big Data For Achievement Of The 2030 Agenda*, 2017.

Walden, I., Savage, N, Transborder Data Flows. In: Edwards, C., Savage, N., Walden, I. (eds) *Information Technology & The Law*, Palgrave Macmillan, London, 1990, hlm. 121

Westin. A. F., *Privacy and Freedom*, H: Wolff, New York, 1967.

Yoshifumi Onodera, *Data Protection & Privacy 2022 Japan: Law & Practices*, Chambers Global Practices Guides, Japan, 2022.

Zurich Insurance Group, *Cross-border data flows Designing a global architecture for growth and innovation*, Zurich Insurance Group, Swiss, 2022.

#### **B. Peraturan Perundang-undangan:**

Undang-Undang Nomor 27 Tahun 2022 Tentang Pelindungan Data Pribadi.

Peraturan Menteri Komunikasi dan Informatika Nomor 20 Tahun 2016, Tanggal 1 Desember 2016 tentang Perlindungan Data Pribadi dalam

Sistem Elektronik.

Peraturan Pemerintah Nomor 71 Tahun 2019 tentang Penyelenggaraan Sistem dan Transaksi Elektronik.

ASEAN Model Contractual Clauses for Cross Border Data Flows

Asia-Pacific Economic Cooperation in Privacy Framework

The EU General Data Protection Regulation.

*The Madrid Resolution International Standards on the Protection of Personal Data and Privacy* 2009.

Data Protection Act 2018.

Act on the Protection of Personal Information.

Undang-Undang Nomor 19 Tahun 2016 Tentang Perubahan Atas Undang-Undang Nomor 11 Tahun 2008 Tentang Informasi Dan Transaksi Elektronik

**C. Artikel/Jurnal Ilmiah:**

Adam Moore, "Defining privacy", *Journal of Social Philosophy*, Vol. 39, No. 3, 2008.

Alexander Zinser, "International Data Transfer Out of the European Union: The Adequate Level of Data Protection According to Article 25 of the European Data Protection Directive", *J. Marshall J. Computer & Information Law*, Vol. 21, No. 4, 2003.

Beling, Craig T. "Transborder Data Flows: International Privacy Protection and the Free Flow of Information". *Boston College International and Comparative Law Review*, Vol. 6, No. 2, 1983.

- Christopher Kuner, “Regulation of Transborder Data Flows under Data Protection and Privacy Law Past, Present And Future”, *OECD Digital Economy Papers*, , Paris: OECD Publishing, No. 187, 1996.
- Darrel C. Menthe, “Jurisdiction in Cyberspace: A Theory of International Spaces”, *4 Mich. Telecomm. & Tech. L.*, No. 69, 1998.
- Dorothy J. Glancy, “The Invention of The Right to Privacy”, *Arizona Law Review*, Vol. 21, No. 1, , 1979.
- D. Burk, “Jurisdiction In A World Without Borders”, *Virginia Journal Law & Technology*, 1 Va. J.L. & Tech. 3, 1997.
- Erlina Maria Christin Sinaga dan Merry Christian Putri, “Formulasi Legislasi Perlindungan Data Pribadi dalam Revolusi Industri 4.0”, *Jurnal Rechtsvinding*, Vol. 9, No. 2, 2020.
- Garry S. Grossman, “Transborder Data Flow: Separating the Privacy Interests of Individuals and Corporations”, *Northwestern Journal of International Law & Business*, Vol. 4, No. 1, 1982.
- Hardy, I.Trotter.,” Transborder Data Flow: An Overview and Critique of Recent Concerns”, *William & Mary Law School Scholarship Repository*, 1983.
- Lingjie Kong, “Data Protection and Transborder Data Flow in the European and Global Context”, *The European Journal of International Law*, Vol. 21, No. 2, 2010.
- Margaret Byrne Sedgewick, “Transborder Data Privacy as Trade”, *California Law Review. Inc.*, Vol. 105, No. 5, 2017.

- Nguyen, D. and M. Paczos, "Measuring the economic value of data and cross-border data flows: A business perspective", *OECD Digital Economy Papers*, No. 297, OECD Publishing, Paris, 2020.
- Novotny, "Transborder Data Flows and International Law: A Framework for Policy-Oriented Inquiry", *16 STAN. J. INT'L L.*, No. 141, 1980.
- Peter Robinson, "Legal Issues Raised by Transborder Data Flow", *Canada-United States Law Journal*, Vol. 11 No. 32, 1986.
- Sinta Dewi Rosadi, "Konsep Perlindungan Hukum Atas Privasi Dan Data Pribadi Dikaitkan Dengan Penggunaan Cloud Computing Di Indonesia", *Yustisia Jurnal Hukum*, Vol. 5, No. 1, 2016.
- , "Protecting Privacy On Personal Data In Digital Economic Era: Legal Framework In Indonesia", *Brawijaya Law Journal*, Vol. 5, No. 2, 2018.
- (dkk). "Urgensi Perlindungan data Privasidalam Era Ekonomi Digital Di Indonesia", *Veritas et Justitia*, Vol. 4, No. 1, 2018.
- Shakila Bu-Pasha, "Cross-Border Issues Under EU Data Protection Law With Regards To Personal Data Protection", *Information & Communications Technology Law*, Vol. 26, No. 3, 2017.
- OECD, "Transborder Data Flow Contracts in the Wider Framework of Mechanisms for Privacy Protection on Global Networks", *OECD Digital Economy Papers No. 66*, OECD Publishing, Paris, 2000.
- The OECD Digital Library, "Measuring the economic value of data and cross-border data flows", *OECD Digital Economy Papers*, No. 297, 2020.

Westin, A. F. Science, “Privacy, and Freedom: Issues and Proposals for the 1970's. Part I--The Current Impact of Surveillance on Privacy”, *Columbia Law Review*, Vol. 66, No. 6, 1966.

Yves Poullet, (et.al), “Data Protection and Privacy in Global Networks: A European Approach”, *8 Elec. Data Interchange L.R.*, No. 147, 2001.

#### **D. Sumber lain:**

Aptika Kominfo, Pentingnya Pelindungan Data Pribadi di Era Digital – Ditjen Aptika (kominfo.go.id), diakses pada 12 Juli 2023

Asosiasi Praktisi Pelindungan Data Pribadi, <https://appdi.or.id/tantangan-pengiriman-data-pribadi-lintas-negara/>, diakses pada 17 November 2022

Asosiasi Penyelenggara Jasa Internet Indonesia, <https://apjii.or.id/survei>, diakses pada 20 Juli 2022.

BSA, [https://www.bsa.org/files/policy-filings/BSA\\_2017CrossBorderDataFlows.pdf](https://www.bsa.org/files/policy-filings/BSA_2017CrossBorderDataFlows.pdf) diakses pada 15 Juni 2023

Britannica, <https://www.britannica.com/topic/internationallaw/Jurisdiction#ref795054>, diakses pada 07 Mei 2023.

Cornelia David, <https://www.mydata-trust.com/2023/01/10/new-eu-u-s-adequacy-decision-draft-advantages-and-key-aspects/>, diakses pada 23



Maret 2023.

Danny kobrata, <https://www.hukumonline.com/berita/a/advokat-ini-ingatkan-3-ketentuan-transfer-data-pribadi-ke-luar-negeri-lt633baec525388/>, diakses pada 15 Januari 2023.

Deloitte, <https://www2.deloitte.com/al/en/pages/legal/articles/gdpr.html>, diakses pada 15 Juni 2023.

Didomi, <https://blog.didomi.io/en/japan-data-protection-law-appi-everything-you-need-to-know>, diakses pada 07 Mei 2023

Direktorat Jenderal Aplikasi Informatika, Tugas dan Fungsi Direktorat Jenderal Aplikasi Informatika, <https://aptika.kominfo.go.id/profil/tugas-dan-fungsi/> diakses pada 07 Mei 2023

European Parliament, [https://www.europarl.europa.eu/doceo/document/TA-8-2018-0529\\_EN.html#def\\_1\\_2](https://www.europarl.europa.eu/doceo/document/TA-8-2018-0529_EN.html#def_1_2), diakses pada 15 Maret 2023.

European Commission, [https://commission.europa.eu/law/law-topic/data-protection/international-dimension-data-protection/adequacy-decisions\\_en](https://commission.europa.eu/law/law-topic/data-protection/international-dimension-data-protection/adequacy-decisions_en), diakses pada 17 Maret 2023.

-----.

[https://ec.europa.eu/commission/presscorner/detail/en/qanda\\_22\\_7632](https://ec.europa.eu/commission/presscorner/detail/en/qanda_22_7632), diakses pada 23 Maret 2023.

-----.

[https://ec.europa.eu/commission/presscorner/detail/en/MEMO\\_19\\_42](https://ec.europa.eu/commission/presscorner/detail/en/MEMO_19_42),  
2,

diakses pada 24 Mei 2023.

Haris Satiadi, <https://www.hukumonline.com/klinik/a/perbedaan-pengendalian-prosesor-data-pribadi-menurut-uu-pdp-lt636d1861766bc/>, diakses pada 21 Januari 2023.

Health and Safety Executive, <https://www.hse.gov.uk/enforce/enforcementguide/court/reporting-breach.htm#:~:text=Breach%20of%20confidence%20is%20the,3.>, diakses pada 13 Januari 2023.

Indonesia Financial Group, <https://ifgprogress.id/g20-indonesias-stand-on-cross-border-data-flow/>, diakses pada 15 Juni 2023

Information Commissioner's Office, <https://ico.org.uk/for-organisations/dp-at-the-end-of-the-transition-period/data-protection-and-the-eu-in-detail/adequacy/>, diakses pada 13 Desember 2022.

Information Committees Office, [What is personal data? | ICO](#), diakses pada 21 Januari 2023.

Ombudsman Cayman Island, <https://ombudsman.ky/images/pdf/guide/60-eighth-data-protection-principle-international-transfers.pdf>, diakses pada 17 November 2022.

Philosophy of Law, [Warren and Brandeis on Privacy \(pomona.edu\)](#) diakses pada 28 Juli 2023

Prof. Dr. Ahmad M Ramli, <https://nasional.kompas.com/read/2022/09/25/13335721/tafsir->

uuperlindungan-data-pribadi-yang-perlu-diketahui., diakses pada 16 Maret 2023.

Reed Smith LLP, <https://www.lexology.com/library/detail.aspx?g=a0ec5936-1360-4424-b200-5b7268a01073>, diakses pada 02 Mei 2023.

Science Direct,  
<https://www.sciencedirect.com/science/article/abs/pii/S0267364917302273>, diakses pada 15 Juni 2023.

Security, <https://securiti.ai/blog/cross-borders-data-transfers-pipl/>, diakses pada 13 Desember 2022.

Shanti Rachmadsyah, <https://www.hukumonline.com/klinik/a/pilihan-hukum-1t4c230b8066735/> diakses pada 27 Juli 2023.

Taylorwessing, <https://www.taylorwessing.com/en/insights-and-events/insights/2022/03/why-isnt-transferring-health-data-across-borders-for-research-purposes-easier>, diakses pada 15 Juni 2023.

Tim Hickman, Shino Asayama, <https://www.whitecase.com/insight-alert/eu-japan-adequacy-decision-now-force>, diakses pada 16 Maret 2023.

Wawancara dengan Bapak Rindi selaku Tim Pengendali Data Pribadi Kementerian Komunikasi dan Informatika Republik Indonesia melalui melalui surat nomor 1949/UN6.A.1/HM.01.01/2022 tanggal 27 April 2022.

Wawancara dengan Asosiasi Fintech Pendanaan Bersama Indonesia pada 13 Februari 2023.

Worldwide Quality Assurance. ISO 27001. <https://wqa.co.id/27001-2/> diakses pada 10 Juli 2023.

Yusuf, <https://aptika.kominfo.go.id/2020/08/transfer-data-antarnegara-bisa-dilakukan-jika-memiliki-aturan-setara-uu-pdp/>, diakses pada 20 Juli 2022.