

**ANALISIS PRINSIP *MOST FAVOURED NATION* (MFN) WTO  
TERHADAP ANCAMAN TARIF AMERIKA SERIKAT ATAS NEGARA-  
NEGARA BRICS DALAM KONTEKS DEDOLARISASI**

**Oleh  
Nur Fitra Wardana  
NIM. 2205040115**

**ABSTRAK**

Penelitian ini bertujuan untuk menganalisis penerapan dan pengecualian prinsip *Most Favoured Nation* (MFN) dalam kerangka *World Trade Organization* (WTO) terhadap kebijakan ancaman tarif sepihak Amerika Serikat kepada negara-negara anggota BRICS (Brazil, Russia, India, China, dan South Africa), serta menilai implikasinya dalam konteks gerakan dedolarisasi. Penelitian ini menggunakan teori Pemanfaatan Hukum Internasional Hikmahanto Juwana mengenai hukum internasional sebagai alat penekan (*instrument of pressure*), yang menempatkan hukum internasional sebagai instrumen kekuasaan dalam hubungan ekonomi-politik global. Metode yang digunakan adalah yuridis normatif dengan pendekatan peraturan perundang-undangan (*statute approach*) dan pendekatan komparatif (*comparative approach*). Bahan hukum primer meliputi GATT 1994, *Enabling Clause* 1979, dan *Vienna Convention on the Law of Treaties* 1969. Hasil penelitian menunjukkan bahwa kebijakan tarif 100% yang diancamkan Amerika Serikat terhadap Rusia dan China merupakan pelanggaran terhadap prinsip MFN dan komitmen tarif multilateral karena tidak memiliki dasar hukum dalam perjanjian WTO. Sementara bagi Brazil, pengecualian prinsip MFN dapat dibenarkan melalui mekanisme *Special and Differential Treatment* (S&D Treatment) sebagaimana diatur dalam *Part IV GATT 1994* dan *Enabling Clause 1979*. Analisis teoritik menunjukkan bahwa tindakan Amerika Serikat merefleksikan penggunaan hukum internasional sebagai alat tekanan geopolitik terhadap negara-negara berkembang dalam mempertahankan dominasi dolar AS. Dengan demikian, prinsip MFN dalam WTO bersifat relatif dan perlu diterapkan secara kontekstual untuk menjamin keadilan substantif bagi negara berkembang dalam dinamika dedolarisasi BRICS.

Kata Kunci: *Most Favoured Nation* (MFN), WTO, BRICS, Dedolarisasi, Proteksionisme, GATT 1994.

**ANALYSIS OF THE WTO'S MOST FAVOURED NATION (MFN)  
PRINCIPLE ON THE THREAT OF UNITED STATES TARIFFS ON BRICS  
COUNTRIES IN THE CONTEXT OF DE-DOLARIZATION**

**By  
Nur Fitra Wardana  
NIM. 2205040115**

**ABSTRACT**

*This study aims to analyze the application and exceptions to the Most Favored Nation (MFN) principle within the World Trade Organization (WTO) framework against the United States' unilateral tariff threat policy against BRICS member countries (Brazil, Russia, India, China, and South Africa), and assess its implications in the context of the dedollarization movement. This study uses the theory of utilization of international law regarding international law as an instrument of pressure, which positions international law as an instrument of power in global political-economic relations. The method used is normative juridical with a statute approach and a comparative approach. Primary legal materials include GATT 1994, the Enabling Clause 1979, and the Vienna Convention on the Law of Treaties 1969. The results of the study indicate that the 100% tariff policy threatened by the United States against Russia and China is a violation of the MFN principle and multilateral tariff commitments because it has no legal basis in the WTO agreement. Meanwhile, for Brazil, the exception to the MFN principle can be justified through the Special and Differential Treatment (S&D Treatment) mechanism as stipulated in Part IV of the GATT 1994 and the Enabling Clause 1979. Theoretical analysis shows that the United States' actions reflect the use of international law as a tool of geopolitical pressure on developing countries in maintaining US dollar dominance. Thus, the MFN principle in the WTO is relative and needs to be applied contextually to ensure substantive justice for developing countries in the dynamics of BRICS dedollarization.*

*Keywords: Most Favoured Nation (MFN), WTO, BRICS, Dedollarization, Protectionism, GATT 1994.*