

Analisa keabsahan pengerahan multi national joint task force (MNJTF) di Nigeria oleh African Union Peace and Security Council dari perspektif hak membela diri secara kolektif (right of collective self-defense) = An analysis of the legality of the deployment of multi national joint task force (MNTJF) in Nigeria by the African Union Peace and Security Council from the perspective of the right of collective self defense

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Abstrak

Skripsi ini membahas dan menganalisa keabsahan pengerahan pasukan multi nasional (MNJTF) oleh African Union Peace and Security Council di Nigeria sebagai tanggapan atas serangan bersenjata (armed attack) yang dilakukan oleh Boko Haram. Dengan mengingat pengerahan MNJTF didasarkan pada doktrin right of selfdefense, khususnya collective self-defense, maka akan dilakukan pembahasan tentang sejarah, pengaturan, dan perkembangan daripada doktrin right of self-defense dan collective self-defense. Pembahasan dasar pengaturan yang dimaksud mengacu pada Piagam Perserikatan Bangsa-Bangsa, terutama Pasal 51 piagam tersebut. Status Boko haram sebagai suatu aktor bukan negara (non-state actor) menimbulkan pertanyaan, apakah terhadapnya dapat diterapkan doktrin collective self-defense. Oleh karena itu, dalam penelitian ini akan dibahas pula perkembangan dan syarat-syarat penerapan self-defense terhadap non-state actor.

*This thesis discusses and analyzes the legality of the authorization and deployment of a multi national joint task force (MNJTF) by the African Union Peace and Security Council in Nigeria. The aforementioned deployment was conducted in response to armed attack mounted by Boko Haram. Considering that said deployment was justified under the doctrine of right of self-defense, in particular collective self-defense, it is necessary to discuss the history, regulation, and development of right of self-defense and collective self-defense. The analysis will be based on the Charter of the United Nations, in particular Article 51 of the Charter. Boko Haram's status as a non-state actor necessitates the discussion about the applicability of collective self-defense as a justification in this case. Thus, this thesis will also include discussion about the conditions upon which self-defense could be applied to armed attacks conducted by non-state actors.*