

Prinsip perbedaan dalam hubungannya dengan sistem hankamrata

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Abstrak

Distinction principle is distinguish between combatants with civilians. This principle is importing for civilian If incidence of armed conflict. According to the international humanitarian law, the civilians must be protected from objectives of arm conflict, Besides, the law's number 20/1982 about Hankamrata, to replace that the civilians can take part in armed conflict. So civilians can be objected of armed conflict. Data needed in this study were collected through library research by reading literatures related to this problems. The result shows that Indonesian government didnot applicate distinction principle but the Hankamrata system. Therefore, all Indonesian who are joint to defence of state can become object of war or armed conflict. It is suggested that government can distinguish explicitly between civilians and combatants