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Universitas Gadjah Mada, 2024 | Diunduh dari http://etd.repository.ugm.ac.id/

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By: Dwinta Gusti Prameswari Yunarso[1] and Dr. Heribertus Jaka Triyana, S.H., LL.M., M.A.[2]

## ABSTRACT

This legal writing aims to examine the concept of territoriality within the International Criminal Court (ICC) through its legal frameworks, specifically focusing on whether the implementation of the effects doctrine as a way for establishing jurisdiction that aligns with the Court's defined powers. Additionally, this paper aims to explore the potential challenges and implications associated with the application of the effects doctrine within the ICC context. The method used in this research is doctrinal approach. This research has been constructed through a comprehensive review of international legal sources, including pertinent legal journals, books, and articles. This legal writing consists of a discussion of the concept of territoriality through principles of international law as well as interpretation of Article 12(2)(a) of the Rome Statute and the limitation from the application of the effects doctrine. This paper finds that the ICC has acknowledged the adoption of the effects doctrine within its jurisdictional ambit. While it acknowledges that while effects doctrine might present certain concerns, it inherently possesses distinct limitations and implications that must be thoroughly understood and navigated.

**Keywords: Territoriality, International Criminal Court, Jurisdiction, The Effects Doctrine, International Criminal Law.**

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*Oleh*: Dwinta Gusti Prameswari Yunarso[3] *dan* Dr. Heribertus Jaka Triyana, S.H., LL.M., M.A.[4]

## *INTISARI*

*Penulisan hukum ini bertujuan untuk meneliti konsep teritorialitas dalam Mahkamah Pidana Internasional (ICC) melalui kerangka hukumnya, khususnya fokus pada apakah implementasi doktrin efek sebagai cara untuk menetapkan yurisdiksi yang sejalan dengan kekuasaan yang didefinisikan oleh Pengadilan. Selain itu, makalah ini bertujuan untuk mengeksplorasi tantangan dan implikasi potensial yang terkait dengan penerapan doktrin efek dalam konteks ICC. Metode yang digunakan dalam penelitian ini adalah doktrinal. Penulisan ini telah dibangun melalui tinjauan komprehensif terhadap sumber-sumber hukum internasional, termasuk jurnal hukum, buku, dan artikel yang relevan. Penulisan hukum ini terdiri dari pembahasan konsep teritorialitas melalui prinsip-prinsip hukum internasional serta interpretasi Pasal 12(2)(a) dari Statuta Roma dan batasan dari penerapan doktrin efek. Makalah ini menemukan bahwa ICC telah mengakui adopsi doktrin efek dalam lingkup yurisdiksinya. Meskipun mengakui bahwa doktrin efek mungkin menimbulkan beberapa kekhawatiran, secara inheren memiliki batasan dan implikasi yang berbeda yang harus dipahami dan dinavigasi secara menyeluruh.*

***Kata kunci: Teritorialitas, Pengadilan Kriminal Internasional, Yurisdiksi, Doktrin Akibat, Hukum Pidana Internasional***

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