



DAFTAR BACAAN

Buku

- Antonopoulos, Constantine, 1992, *The unilateral Use of Force by States in International Law*, thesis submitted to the university of Notingham for the degree of Doctor of Philosophy.
- Brierly, J.L, 1996, *Hukum Bangsa-Bangsa Suatu Pengantar Hukum Internasional*, Bharata, Jakarta.
- Bederman, David J, 2006, *International Law Frameworks, Second Edition*, Foundation Press, USA.
- Chen, T.C, 1951, *The International Law Of Recognition*, Stevens & Sons Limited, London.
- Conforti, Benedetto, 2005, *The Law and Practice of the United Nations Third Revised Edition*, Martinus Nijhoff Publishers, Leiden.
- Dixon, Martin, dan Robert Mccorquodale, 2003, *Cases And Materials On International Law*, Oxford University Press, New York.
- Dinstein, Yoram, 2003, *War, Aggression and Self Defence, Third Edition*, Cambridge University Press, New York.
- Evan, Gareth, *et al*, 2001, *The Responsibility To Protect Report Of The International Commission On Intervention And State Sovereignty*, ICISS, Canada.
- Franck, Thomas M, 2004, *Recourse To Force State Action Against Threats And Armed Attacks*, Cambridge University Press, UK.
- Gardam, Judith, 2004, *Necessity, Proportionality And Theuse Of Force By States*, Cambridge University Press, New York.
- Garner, Bryan A, 1999, *Black Law Dictionary, Seveth Edition*, West Group, US.
- Gray, Christine, "The Use of Force and the International Legal Order", in: Malcom D. Evans (ed.), *International Law, Third Edition*, 2010, 615 at 627.
- Gray, Christine, The Charter limitation on the use of force: Theory and Practice, pp. 86-98, dalam bukunya Vaughen Lowe, *et al*, 2008, *The United Nations*



Security Council and War, the evaluation of Thought and Practice Since 1945, Oxford University Press, New York.

Gray, Christine, 2008, *International Law And The Use Of Force, Third Edition*, Oxford University Press, New York.

Green, James A, 2009, *The International Court Of Justice And Self Defence In International Law*, Hart Publishing, US and Canada.

Green, Leslie C, 2000, *The Contemporary Law Of Armed Conflict, Second Edition*, Manchester University Press, UK.

Gerry, Simpson, *Law And Force In The Twenty-First Century*, Dalam *Routledge Handbook Of International Law*, Edited By David Armstrong, 2009, Routledge, London and New York.

Harris, D.J, 2004, *Cases and Materials on International Law*, Sweet & Maxwell, London.

Hartono, Sunaryati, 1994, *Penelitian Hukum Di Indonesia Pada Akhir Abad Ke 20*, Alumni, Bandung.

Hiller, Tim, 1998, *Sourcebook On Public International Law*, Cavendish Publishing Limited, London.

Istanto, Sugeng, 2007, *Penelitian Hukum*, CV Ganda, Yogyakarta.

Istanto, Sugeng, 2010, *Hukum Internasional*, Universitas Atma Jaya, Yogyakarta.

Janis, Mark Weston and John E. Noyes, 2011, *International Law Case And Commentary, Fourth Edition*, West Publishing, US.

Khan, Karim dan Rodney Dixon, 2005, *Archbold International Criminal Court, Practice, Procedure & Evidence*, Thomson, Sweet & Maxwell, London.

Kolb, Robert, 2009, *An Introduction To The Law Of The United Nations*, Hart Publishing, U.S and Canada.

Lauterpacht, H, 1948, *Recognition In International Law*, Cambridge University Press, London.

Lepard, Brian D, 2010, *Customary International Law; A New Theory With Practical Applications*, Cambridge University Press, New York,

Lowe, Vaughan, “*The Principle Of Non-Intervention; Use Of Force*”, dalam Colin Warbrick and Vaughan Lowe, 1994, *The United Nation And The*



Principles Of International Law Essay In Memory Of Michael Akehurst,
Routledge, London and New York, pp. 66-84.

Malanczuk, Peter, 1997, *Akehurt's Modern Introduction to International Law, Seventh Revised Edition*, Routledge, London and New York

Mauna, Boer, 2011, *Hukum Internasional Pengertian, Peranan, Dan Fungsi Dalam Era Dinamika Global*, Alumni, Bandung.

Marzuki, Suparman, 2012, *Pengadilan HAM di Indonesia Melanggengkan Impunity*, Jakarta, Erlangga.

O'Brien, John, 2001, *International Law*, Routledge-Cavendish Publishing, New York.

Rai'c, D, 2002, *Statehood And The Law Of Self Determination*, Kluwer International Law, Netherland.

Sayapin, Sergey, 2014, *The Crime of Aggression in International Criminal Law: Historical Development, Comparative Analysis and Present State*, T.M.C Asser Press, The Hague, The Nedherlands.

Suryokusumo, Sumaryo, 2007, *Studi Kasus Hukum Internasional*, Tata Nusa, Jakarta.

Soekanto, Soerjono, Dan Sri Mamudji, 2006, *Penelitian Hukum Normative Suatu Tinjauan Singkat*, Raja Grafindo Persada, Jakarta.

Sturchler, Nikolas, 2007, *The Threat Of Force In International Law*, Cambridge University Press, New York.

Starke, J.G, 2007, *Pengantar Hukum Internasional (Edisi Ke Sepuluh, Buku 1)* Penerjemah Bambang Viana Djajaatmaja, Sinar Grafika, Jakarta.

Shaw, Malcolm N, 2008, *International Law, Sixth Edition*, Cambridge University Press, New York.

Thontowi, Jawahir dan Pranoto Iskandar, 2006, *Hukum Internasional Kontemporer*, Refika Aditama, Bandung.

Tsani, Mohd. Burhan, 1990, *Hukum Dan Hubungan Internasional*, Liberty, Yogyakarta.

Thornberry, Patrick, *The Principle Of Self Determination*, dalam Colin Warbrick and Vaughan Lowe, 1998, *The United Nations And The Principle Of*



International Law Essays In Memory Of Michael Akehurst, Routledge, New York, pp. 175-203.

Warbrick, Colin, "The Principle Of Sovereign Equality," dalam Colin Warbrick and Vaughan Lowe, 1994, *The United Nation and The Principles of International Law* essay in memory of Michael Akehurst, Routledge, London and New York, pp. 204-229.

Wallace, Rebecca M.M, 1986, *Hukum Internasional*, Sweet & Maxwell, London.

Jurnal

Aral, Berdal, *Cases of Direct And Indirect Aggression As Violations Of International Law In Central Asia And The Caucasus*, A Paper Presented To The International Conference On The Geopolitical And Economic Transitions In Eurasia, Istanbul, Fatih University, 10-12 May 2001, dapat diakses di link <http://www.uam.es/centros/economicas/doctorado/deri/publicaciones/WorkingPapers/RIPS0201.pdf>.

Azubuikwe, Eustace Chikere, Probing The Scope Of Self Defense In International Law" *Annual Survey Of Int'l & Comp. Law*, Vol. Xvii, 2011, P. 129.

Bakircioglu, Onder, "The Right To Self-Defence In National And International Law: The Role Of The Imminence Requirement", *Ind. Int'l & Comp. L. Rev.* Vol.19:1, 2009, P. 9.

Bellamy, Alex J, "Feature - Legality Of The Use Of Force Against Iraq International Law And The War With Iraq International Law And The War With Iraq", *Melbourne Journal Of International Law*, Vol 4, 2003.

Bethlehem, Daniel, "Notes And Comments Principles Relevant To The Scope Of A State's right Of Self-Defense against An imminent Or actual armed attack By Non State Actors" *The American Journal Of International Law*, 2012, Vol. 106:000, P.3.

Bowett, D. W, "The Use of Force in the Protection of Nationals", *Transactions of the Grotius Society*, Vol. 43, Problems of Public and Private International Law, Transactions for the Year 1957 (1957), p. 111-126.

Brownlie, Ian, "*International Law and the Use of Force by States*" Revisited, hlm. 9. Downloaded from Gadjah Mada University on March 6, 2014 at <http://chinesejil.oxfordjournals.org/>.



- Burkadze, Khatuna, "The Use of Force and Self-Defense in the International Law", *Journal of Social Sciences*, Vol. 1(2), 2012, p. 13-22.
- Beck, Louise Doswald, "The Legal Validity of military Intervention By Invitation Of The Government", *British Yearbooks Of International Law*, P.191, diakses pada tanggal 18 Maret 2014 di website <http://bybil.oxfordjournals.org/>.
- Beck, Robert J, "Grenada", *Oxford Public International Law*, diakses pada tanggal 25 Desember 2014, di website, <http://opil.ouplaw.com/view/10.1093/law:epil/9780199231690/law-9780199231690-e1292>.
- Clark, Roger S, "Negotiating Provisions Defining the Crime of Aggression, its Elements and the Conditions for ICC Exercise of Jurisdiction Over It", *The European Journal of International Law* Vol. 20 no. 4, EJIL 2010, P.1105.
- Cismas, Ioana, "Secession in Theory and Practice: the Case of Kosovo and Beyond", *Goettingen Journal of International Law* 2 (2010) 2, p.531-587.
- Dunoff, Jeffrey L, Steven R. Ratner & David Wippman, *International Law: Norms, Actors, Process* (2d Ed. 2006). P. 112.
- De Wet, Erika "The modern practice of intervention by invitation in Africa and its implications for the prohibition of the use of force", p. 24, dapat diakses di website, http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2545723.
- D'Amato, Anthony, "The Invasion of Panama Was A Lawful Response to Tyranny" (1990). *Faculty Working Papers*. Paper 137, <http://scholarlycommons.law.northwestern.edu/facultyworkingpapers/137>.
- Fierstein, Daniel, "Kosovo's Declaration Of Independence: An Incident Analysis Of Legality, Policy And Future Implications", *Boston University International Law Journal* [Vol. 26:417 2008], pp. 417-442.
- Franck, Thomas M, "Who Killed Article 2(4)? or: Changing Norms Governing the Use of Force by States," *The American Journal of International Law*, Vol. 64, No. 5, October 1970, pp. 809-837.
- Friedmann, Wolfgang, 1965, "Intervention, Civil War And The Rôle Of International Law", *American Society of International Law* (Source: Proceedings of the American Society of International Law at Its Annual



- Meeting (1921-1969), Vol. 59, Development of International Law by International Organizations (APRIL 22-24, 1965)), p. 67-81.
- Green, James A, "Editorial Comment The Annexation Of Crimea: Russia, Passportisation And The Protection Of Nationals Revisited", *Journal On The Use Of Force And International Law*, Vol. 1 No. 1, 2014, P. 4.
- George Nolte, "Intervention by Invitation", *Oxford Public International Law*, diakses pada tanggal 25 Desember 2014 dilink <http://opil.ouplaw.com/view/10.1093/law:epil/9780199231690/law-9780199231690-e1702?rskey=UZxXqA&result=2&prd=EPIL>.
- Hanna, Roya M, "Right to Self-Determination in In Re Secession of Quebec", 23 *Md.J. Int' l L.* 213 (1999). P. 234, Available at: <http://digitalcommons.law.umaryland.edu/mjil/vol23/iss1/9>
- Jamnejad, Maziar dan Michael Wood, "The Principle Of Non Intervention", *Leiden Journal of International Law*, 22 (2009), pp. 345–381, p. 358.
- Jonte van Essen, "De Facto Regimes in International Law", *Merkourios - International and European Security Law* 2012 – Volume 28, Issue 74, pp. 31-49.
- Le Mon, Christopher J, "Unilateral Intervention By Invitation In Civil Wars: The Effective Control Test Tested", *International Law And Politics*, Vol. 35, 2003, P. 741-793.
- Murphy, Sean D, "Assessing the Legality of Invading Iraq," 92 *Geo. L.J.* 173, 2004.
- Nolte, Georg, and Albrecht Randelzhofer, "Ch.VII Action with Respect to Threats to the Peace, Breaches of the Peace, and Acts of Aggression, Article 51", From: *Oxford Public International Law* (<http://opil.ouplaw.com>). Oxford University Press, 2013.
- Nolte, Georg, "Intervention by invitation", *Max Planck Encyclopedia Of Public International Law* (MPEPIL), januari 2010. <http://opil.ouplaw.com>.
- Nowrot, Karste and Emily W. Schabacker. "The Use of Force to Restore Democracy: International Legal Implications of the ECOWAS Intervention in Sierra Leone." *American University International Law Review* 14, no. 2 (1998): 312-412. P. 325-329.
- O'connell, Mary Ellen, "Regulating The Use Of Force In The 21 St Century: The Continuing Importance Of State Autonomy", *Columbia Journal Of Transnational Law*, vol, 36, 1997, P. 473.



- O' Connell, Mary Ellen, dan Reyam El Molla, *The Prohibition on the Use of Force for Arms Control: The Case of Iran's Nuclear Program*, *Penn State Journal of Law & International Affairs*, Vol. 2, No. 2, 2013.
- Paulus, Andreas, "Second Thoughts on the Crime of Aggression", *The European Journal of International Law (EJIL)*, Vol. 20 No. 4, 2009, p. 1117–1128.
- Petro, Nicolai N, "Legal Case for Russian Intervention in Georgia," *Fordham International Law Journal*, Volume 32, Issue 5, 2008, Article 4, p.1524-1549.
- Ruys, Tom, "The 'Protection of Nationals' Doctrine Revisited", *Journal of Conflict & Security Law*, Vol. 13 No. 2, 2008, P. 233–271.
- Simon Fraser University, 2013, "*Human Security Report 2013*", Human Security Press, Canada, p. 90 dapat diakses di http://www.pcr.uu.se/research/ucdp/charts_and_graphs/.
- Serrano, Pilar Pozo, "The United Nations Charter And The Legal Regulation Of The Use Of Force: Some Problems Of Current Interpretation". *Journal Of The Spanish Institute Of Strategic Studies*, No. 1 / 2013, P. 2.
- Sloane, Robert D, "The Changing Face of Recognition in International Law: A Case Study of Tibet," 16 *Emory International Law Review* 107 (2002), P. 102.
- Sterio, Milena, "Right To External Self-Determination: "Selfistans," Secession, And The Great Powers' Rule", *Minnesota Journal Of International Law* [Vol. 19:1, 2010] p.137-176.
- Talmon, Stefan, "Who is a legitimate government in exile? Towards normative criteria for governmental legitimacy in international law", dalam Guy Goodwin-Gill/Stefan Talmon (eds.), 1999, *The Reality of International Law. Essays in Honour of Ian Brownlie*, Oxford University Press, pp. 499-537, p. 537.
- Thürer, Daniel & Thomas Burri, "Self –Determination", *Encyclopedia Entries December 2008, Oxford Public International Law* (<http://opil.ouplaw.com>). Oxford University Press, 2013.
- Thomson, Andrew W.R, "Doctrine of the Protection of Nationals Abroad: Rise of the Non-Combatant Evacuation Operation", 11 *Wash. U. Global Stud. L. Rev.* 627, 2012, http://openscholarship.wustl.edu/law_globalstudies/vol11/iss3/3.



Värk, René, “The Use Of Force In The Modern World: Recent Developments And Legal Regulation Of The Use Of Force”, *Baltic Defense Review*, No 10 Volume 2, 2003.

warbrick, Colin, “Recognition”, *The Modern Law Review*, Vol 56 January 1993, p. 94.

Walzer, Michael, “The Crime Of Aggressive War” *Washington University Global Studies Law Review*, Vol. 6, 2007.

Werle, Gerhard, “The Crime of Aggression between International and Domestic Criminal Law”, kongres internasional ke XV tentang Social Defence: Criminal Law between War and Peace: Justice and Cooperation in Military Matters in International Military Interventions, spanyol tanggal 20 – 22 September 2007, <http://www.defensesociale.org/xvcongreso/ponencias/GerhardWerle.pdf>.

Wood, Michael, “The Law On The Use Of Force: Current Challenges”, *Singapore Year Book of International Law and Contributors*, SYBIL Vol.11, 2007, p. 1–14.

Yoo, John C, “Using Force”, UC Berkeley, *Boalt Hall University of Chicago Law Review*, Vol. 71, Summer 2004, P. 8, dapat diakses pada: <http://ssrn.com/abstract=530022>.

Dokumen

Document UN Charter 1945.

Document Security Council No. S/ PV.7125, Pertemuan Dewan Keamanan ke 7125 pada hari minggu tanggal 3 Maret 2014, pukul 3.30 p.m. New York

Doc. S.C. S/PV.7157, SC 7157th meeting, Wednesday, 16 April 2014, 4 p.m. New York, diakses pada tanggal 25 Desember 2014 dilink http://www.un.org/en/ga/search/view_doc.asp?symbol=S/PV.7157

Document Security Council, S/PV.7144, 7144th meeting Wednesday, 19 March 2014, 3 p.m. New York, dapat di akses di http://www.un.org/en/ga/search/view_doc.asp?symbol=S/PV.7144

Document Draft Resolution S.C, [S/2014/189](http://www.un.org/en/ga/search/view_doc.asp?symbol=S/2014/189), di akses pada tanggal 25 Desember 2014 di link http://www.un.org/en/ga/search/view_doc.asp?symbol=S/2014/189

Document The Security Council Resolution 660, 2 August 1990, adopted at the 2932nd meeting.



Doc. S/PV.7134, 7134thmeeting Thursday, 13 March 2014, 3 p.m. New York, dapat diakses di website

http://www.un.org/en/ga/search/view_doc.asp?symbol=S/PV.7134

Document Security Council, S/PV.7124, dapat diakses di website http://www.un.org/en/ga/search/view_doc.asp?symbol=S/PV.7124

Document Security Council, SC/11302, Security Council 7124th Meeting Ukraine, In Emergency Meeting, Calls On Security Council To Stop Military Intervention By Russian Federation, dapat diakses di <http://www.un.org/News/Press/docs//2014/sc11302.doc.htm>.

Document General Assembly Resolution No. 2625 (XXV) (A/8082) Declaration On Principles Of International Law Concerning Friendly Relations And Co-Operation Among States In Accordance With The Charter Of The United Nation.

Document General Assembly Resolution 2131 (XX) Of 21 December 1965 Declaration On The Inadmissibility Of Intervention In The Domestic Affairs Of States And The Protection Of Their Independence And Sovereignty,

Document Memorandum on Security Assurances in Connection with Ukraine's Accession to the Treaty on the Non-Proliferation of Nuclear Weapons, ANNEX I, A/49/765, S/1994/1399, 19 December 1994.

Document General Assembly 3314 (XXIX) definition of aggression, 2319th plenary meeting 14 December 1974.

U.N.G.A Doc. A/RES/38/7, 2 November 1983 Meeting No.43, dapat diakses di link <http://www.un.org/documents/ga/res/38/a38r007.htm>

U.N.G.A Doc. **A/RES/44/240** 88th plenary meeting 29 December 1989, **diakses pada tanggal 25 Desember 2014 di link** <http://www.un.org/documents/ga/res/44/a44r240.htm>

Document Rome Statute Of The International Criminal Court Rome, (Depositary Notification C.N.651.2010.TREATIES-8) 17 July 1998, Amendments To The Rome Statute Of The International Criminal Court Kampala, 11 June 2010, Adoption Of Amendments On The Crime Of Aggression.

Document Montevideo Convention on Rights and Duties of States 1933, dapat diakses di <https://www.ilsa.org/jessup/jessup15/Montevideo%20Convention.pdf>,

Document Draft Resolution S.C, [S/2014/189](http://www.un.org/en/ga/search/view_doc.asp?symbol=S/2014/189), di akses di link http://www.un.org/en/ga/search/view_doc.asp?symbol=S/2014/189



Document General Assembly resolution 1514 (XV) of 14 December 1960, Declaration on the Granting of Independence to Colonial Countries and Peoples.

Document General Assembly Resolution 2105 (XX) Implementation Of Declaration On The Granting Of Independence To Colonial Countries And People, disetujui pada tanggal 20 Desember 1965.

Document I.C.J Report on *Corfu Channel case* 1949, diakses di www.icj-cij.org,

Document I.C.J, Dissenting opinion, judge Schwebel, P. 347-348, para, 172-173, dapat diakses di link <http://www.icj-cij.org/docket/files/70/6523.pdf>

Document International Court Of Justice Reports Of Judgments. Advisory Opinions And Orders Case Concerning Military And Paramilitary Activities In And Against Nicaragua (Nicaragua V. United States Of America) 27 June 1986, P. 99, Para 188, dapat dilihat di <http://www.icj-cij.org/docket/files/70/6503.pdf>

International Court Of Justice, I.C.J Reports Military and Paramilitary Activities in and against Nicaragua (Nicaragua v. United States of America) 1986, dapat di lihat di www.icj-cij.org/docket/files/70/9973.pdf

Document I.C.J Reports Of Judgments, Advisory Opinions And Orders Case Concerning Armed Activities On The Territory Of The Congo (Democratic Republic Of The Congo V. Uganda) Judgment Of 19 December 2005, dapat diakses di <http://www.icj-cij.org/docket/files/116/10455.pdf>

Document Supreme Court of Canada, Reference re Secession of Quebec, [1998] 2 S.C.R. 217, case number 25506, dapat diakses di <http://scc-csc.lexum.com/scc-csc/scc-csc/en/item/1643/index.do>

Document Council Of The European Union, Council conclusions on Ukraine Foreign Affairs Council meeting Brussels, 3 March 2014, Dapat diakses di press.office@consilium.europa.eu dan <http://www.consilium.europa.eu/Newsroom>.

Doc. Resolution on Present Problems of the Use of Force in International Law, Sub-Group C – Military assistance on request, dapat dilihat di website http://www.idi-iil.org/idiE/resolutionsE/2011_rhodes_10_C_en.pdf

Ministry Of Foreign Affairs Of The Rusia Federation, 2014, White Book On Violations Of Human Right And The Rule Of Law In Ukraine (November 2013-March 2014), Moscow, diakses pada tanggal 25 Desember 2014 di website www.voltairenet.org, dengan link <http://www.voltairenet.org/article183646.html>