

**ANALISIS YURIDIS PRINSIP KOMPLEMENTARI DALAM
INTERNASIONAL CRIMINAL COURT DITINJAU DARI STATUTA
ROMA 1998**

Keyzia Julika Winardhy

Fakultas Hukum Universitas Surabaya

Pembimbing

Dr. Wisnu Aryo Dewanto S.H., LL.M., LL.M.

Muhammad Insan Tarigan, S.H., M.H.

ABSTRAK

Penelitian ini bertujuan untuk mengetahui apakah prinsip komplementari yang dimiliki oleh Internasional Criminal Court dapat mengambil alih proses hukum terhadap kasus Mayor Mahmoud Mustafa Busayaf Al-Werfali. Penelitian ini merupakan penelitian dengan metode yuridis normatif, yaitu penelitian dengan melakukan studi kepustakaan terhadap bahan-bahan hukum yang telah diperoleh. Hasil penelitian ini menunjukkan bahwa meskipun Libya tidak termaksud dalam negara pihak statuta roma 1998 tetapi Mahmoud Mustafa Busayaf Al-Werfali dapat diadili karena Libya telah menjadi anggota PBB.

Kata kunci: Pembunuhan warga sipil, Tanggung jawab Mayor Mahmoud

Mustafa Busayaf Al-Werfali, komplementari

**JURIDICAL ANALYSIS OF COMPLEMENTARY PRINCIPLES IN THE
INTERNATIONAL CRIMINAL COURT FROM THE 1998 ROME
STATUTE**

Keyzia Julika Winardhy

Faculty of Law, University of Surabaya

Advisors:

Dr. Wisnu Aryo Dewanto S.H., LL.M., LL.M.

Muhammad Insan Tarigan, S.H., M.H.

ABSTRACT

This study aims to determine whether the complementary principles held by the International Criminal Court can take over the legal process in the case of Major Mahmoud Mustafa Busayaf Al-Werfali. This research is a normative juridical method, namely research by conducting literature studies of legal materials that have been obtained. The results of this study indicate that although Libya is not included in the state party to the 1998 Rome statute, Mahmoud Mustafa Busayaf Al-Werfali can be tried because Libya has become a member of the United Nations.

Keywords: *Murder of civilians, the responsibility of Major Mahmoud Mustafa Busayaf Al-Werfali, complementary*

