

ABSTRACT

THE ACTION OF UNITED STATES TO AGAINST THE TERRORISM IN AFGHANISTAN AND ITS RELATION WITH THE PRINCIPLE OF NON INTERVENTION

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The country is a subject of international law which has an obligation to defend its territory from the existence of various threats, both from intern or extern, including from the threat of terrorist attacks. Terrorism is an international crime that must be fought by every country, but a country is not allowed to fight terrorism in the territory of another country, because it is contrary to the principle of non-intervention, which stresses the principle of the sovereign equality of every country as stipulated in Article 2 paragraph (1) of the UN Charter. But in fact, the United States has committed military attacks against Afghanistan which resulted in many civilian casualties, Afghans people died, and they didn't include the thousands of people who had to flee to the surrounding countries.

This research aimed to examine and analyze the principle of non-intervention on the regulations according to the international law and its relations with action of the United States to combat the terrorism in Afghanistan. The Research in this thesis conducted in normative legal research; with data collection was done through literature and documents from primary legal materials and secondary legal materials related to the issue of this thesis. After that, the author did data classification which was carried over the normative analysis of these data.

The results showed that the regulation on non-intervention principle governed by international law was regulation in general legal principles, the UN Charter, and UN General Assembly Resolution No. 2131 on the protection declaration of independence and sovereignty and non-acceptance of intervention in the domestic territory of the country. It was also stipulated in the Resolution of UN General Assembly No. 2625 on the declaration of principles of international law concerning the relationship and cooperation between countries in accordance with the UN Charter. It was also known that the US intervention into Afghanistan are

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carried out by humanitarian reasons, self defence and in an effort to catch and prosecute the perpetrators of terrorism is an act that violates the principle of non-intervention in international law. It happened because there is no evidence of crimes against humanity in Afghanistan. United States also intervened without permission from the government of Afghanistan and didn't coordinated with the UN Security Council, so that the reasons given by the US to attack Afghanistan was not appropriate and it was not justified under international law. In fact, as a result of such action would lead to the view that the purpose of the United States was not only to fight against the perpetrators of terrorism, but also to change the form of government of Afghanistan.

Key words: *Intervention, Terrorism Crime*