

DAFTAR PUSTAKA

BUKU

Adnil Hasnan Habib, "Perang, Militerisme dan Kompleks Militer-Industri", dalam *Perang, Militerisme, dan Tantangan Perdamaian*, (Jakarta: Satya Wacana University Press, 1994)

Bryan Garner, *Black's Law Dictionary*, (Minnesota: Thomson West, 1998), <https://thelawdictionary.org/war/#:~:text=A%20state%20of%20forcible%20contention,or%20more%20nations%20or%20states.>

GPH Haryomataram, *Hukum Humaniter*, (Jakarta: Rajawali Pers, 2003)

ICRC, *Dictionary of International Law of Armed Conflict* (Jenewa: ICRC, 1992), <https://www.icrc.org/sites/default/files/external/doc/en/assets/files/publications/icrc-002-0453.pdf>

Jason Spitaletta dan Shana Marshall, "Al-Qaeda:1988-2001" dalam Paul J. Tompkins dan Chuck Crossett, *Casebook on Insurgency and Revolutionary Warfare Vol. II, North Carolina: United States Army Special Operations Command*, (North Carolina: US Army SOC, 2012), https://books.google.co.id/books?id=SPZdWxjMd6cC&pg=PA533&redir_esc=y#v=onepage&q&f=false

Jytte Klausen, *Western Jihadism: A Thirty-year History*, (Oxford: Oxford University Press, 2021), https://books.google.co.id/books?id=p7Q6EAAAQBAJ&pg=PA53&redir_esc=y#v=onepage&q&f=false

Malcolm Shaw, *International Law*, (Cambridge: Cambridge University Press, 2017)

Mochtar Kusumaatmadja, *Konvensi-Konvensi Palang Merah Tahun 1949*, (Bandung: Bina Cipta, 1986)

Nicholas Tsagourias dan Alasdair Morrison, *International Humanitarian Law: Cases, Materials, and Commentary*, (Cambridge: Cambridge University Press, 2018)

Ria Wierma Putri, *Hukum Humaniter Internasional*, (Bandar Lampung: Universitas Lampung, 2011)

Sumaryo Suryokusumo, *Studi Kasus Hukum Internasional*, (Jakarta: Tatanusa, 2007)

The Association for the Prevention of Torture, *Defusing the Ticking Bomb Scenario: Why we must say No to torture, Always*, (Geneva: The Association for the Prevention of Torture, 2007)
<https://www.apt.ch/sites/default/files/publications/tickingbombscenario.pdf>

W.F. Schulz, "Torture", dalam Michael Goodhart, *Human Rights: Politics and Practice*, (Oxford: Oxford University Press, 2016)

Yustina Trihoni Nalesti Dewi, *Kejahatan Perang dalam Hukum Internasional dan Hukum Nasional*, (Jakarta: Rajawali Pers, 2013)

ARTIKEL JURNAL

Herbert C. Kelman, "The Policy Context of Torture: A Social-Psychological Analysis", *International Review of the Red Cross*. 2005,
<https://international-review.icrc.org/sites/default/files/S1816383100181214a.pdf>

Avril McDonald, "Defining the War on Terror and the Status of Detainees: Comments on the Presentation of Judge George Aldrich", *International Review of the Red Cross*, 2002,
https://www.icrc.org/sites/default/files/external/doc/en/assets/files/other/avril_mcdonald-final.pdf

Jelf, E. A., "What Is 'War'? And What Is 'Aggressive War'?" *Transactions of the Grotius Society*, vol. 19, 1933, <http://www.jstor.org/stable/742910>.

Steven Metz dan Phillip Cuccia, "Defining War for The 21st Century", *Strategic Studies Institute, US Army War College*, 2011,
<http://www.jstor.org/stable/resrep11336>, diakses 26 Oktober 2024.

George B. Davis, "The Geneva Convention of 1906", *The American Journal of International Law*, 1 (2), 1907, <https://doi.org/10.2307/2186169>, diakses 26 Oktober 2024

Oona A. Hathaway, et al. "What is a War Crime." *Yale J. Int'l L.* 44, 2019,
<https://openyls.law.yale.edu/bitstream/handle/20.500.13051/6731/Hathaway.pdf>, diakses 29 Oktober 2024

Lisa Hajjar, "Bagram, Obama's Other Gitmo", *Middle East Report*, no. 260, 2011,
<http://www.jstor.org/stable/41408015>, diakses 30 Oktober 2024.

Johanna M. Leffler, "US War Crimes and Accountability with the International Criminal Court: A Critique." *Providence: Digital Commons - University of Rhode Island*, 2020

Géza Herczeg, "State of Emergency and Humanitarian Law — On Article 75 of Additional Protocol I", *International Review of the Red Cross*, 1984
<https://international-review.icrc.org/sites/default/files/S002086040007741Xa.pdf>

Evan J. Wallach, "The Logical Nexus Between the Decision to Deny Application of the Third Geneva Convention to the Taliban and al Qaeda and the Mistreatment of Prisoners in Abu Ghraib." *Case W. Res. J. Int'l L*, 36, 2004,
<https://scholarlycommons.law.case.edu/cgi/viewcontent.cgi?article=1413&context=jil>

George H. Aldrich, "The Taliban, al Qaeda, and the Determination of Illegal Combatants", *International Review of the Red Cross*, 2002,
https://www.icrc.org/sites/default/files/external/doc/en/assets/files/other/george_aldrich_3_final.pdf

Hina Shamsi dan Deborah Pearlstein, "Command's Responsibility: Detainee Deaths in U.S. Custody in Iraq and Afghanistan", *Human Rights First* 2006,
https://humanrightsfirst.org/wp-content/uploads/2022/12/HRF_Commands_Responsibility-2006.pdf, diakses 21 November 2024

Jamie Allan Williamson, "Some Considerations on Command Responsibility and Criminal Liability", *International Review of the Red Cross*, 2008,
https://international-review.icrc.org/sites/default/files/irrc-870_7.pdf

PERATURAN

First Additional Protocol of Geneva Convention 1977

Geneva Convention I: Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field

Geneva Convention II: Convention for the Amelioration of the Condition of the Wounded, Sick, and Shipwrecked Members of Armed Forces at Sea

Geneva Convention III: Convention Relative to the Treatment of Prisoners of War

Geneva Convention IV: Convention Relative to the Protection of Civilian Persons in Time of War

Hague Convention of 1907

UN Convention against Torture, and Other Cruel, Inhuman or Degrading Treatment or Punishment

SURAT KABAR

Tim Golden, "In U.S. Report, Brutal Details of 2 Afghan Inmates' Deaths", New York Times: New York, 2005, diakses dari <https://web.archive.org/web/20080125012206/http://www.nytimes.com/2005/05/20/international/asia/20abuse.html?ei=5088&en=4579c146cb14cfd6&ex=1274241600&pagewanted=all>

Bem Doherty, "Last Man Out: The Haunting Image of America's Final Moments in Afghanistan", (The Guardian: 2021) Dikutip dari <https://www.theguardian.com/world/2021/aug/31/last-man-out-the-haunting-image-of-americas-final-moments-in-afghanistan>

LAPORAN

Human Rights Watch, "Enduring Freedom: Abuses by U.S. Forces in Afghanistan", <https://www.hrw.org/sites/default/files/reports/afghanistan0304.pdf>

Human Rights Watch, "Getting Away with Torture: The Bush Administration and Mistreatment of Detainees", https://www.hrw.org/sites/default/files/reports/us0711webwcover_1.pdf

ICC Office of Prosecutor, "Report on Preliminary Examination Activities", 2016, https://www.icc-cpi.int/sites/default/files/iccdocs/otp/161114-otp-rep-PE_ENG.pdf

INTERNET

Britannica, The Editors of Encyclopaedia. "Taliban". Encyclopedia Britannica, 22 Jan. 2025, <https://www.britannica.com/topic/Taliban>.

George. W. Bush, "Presidential Memo of Feb. 7, 2002, Humane Treatment of Al Qaeda and Taliban Detainees", <https://www.aclu.org/legal-document/presidential-memo-feb-7-2002-humane-treatment-al-qaeda-and-taliban-detainees>, diakses 26 Oktober 2024

- Human Rights Watch, 2020, “Q&A: The International Criminal Court and the United States”, <https://www.hrw.org/news/2020/09/02/qa-international-criminal-court-and-united-states#>, diakses 18 Februari 2025
- ICRC, “Fundamentals of IHL”, https://casebook.icrc.org/law/fundamentals-ihl#b_iii_1_A, diakses 12 November 2024
- ICRC, “International Armed Conflict”, https://casebook.icrc.org/a_to_z/glossary/international-armed-conflict, diakses 12 November 2024
- ICRC, “Prisoners of War: What You Need to Know”, <https://www.icrc.org/en/document/prisoners-war-what-you-need-know>, diakses 13 November 2024
- ICRC, “Prohibition and Punishment of Torture and Other Forms of Ill-Treatment”, https://www.icrc.org/sites/default/files/document/file_list/prohibition-and-punishment-of-torture-icrc-eng.pdf, diakses pada 1 November 2024
- ICRC, “Torture and Other Forms of Ill-treatment: The Definitions Used by the ICRC”, <https://www.icrc.org/en/document/torture-and-other-forms-ill-treatment-de%EF%AC%81nitions-used-icrc>
- ICRC. “Customary IHL: Rule 90”. https://ihl-databases.icrc.org/en/customary-ihl/v1/rule90#Fn_59AAFF5E_00020
- ICRC. “Distinction between Combatants and Civilian Population” dalam Dictionary of International Law of Armed Conflict”, 1992, <https://www.icrc.org/sites/default/files/external/doc/en/assets/files/publications/icrc-002-0453.pdf>, diakses 26 Oktober 2024
- ICRC. “Fundamental Principles of IHL”. https://casebook.icrc.org/a_to_z/glossary/fundamental-principles-ihl, Diakses pada 31 Oktober 2024
- ICRC. “What are "Serious Violations of International Humanitarian Law?" Explanatory Note”. <https://www.icrc.org/sites/default/files/external/doc/en/assets/files/2012/att-what-are-serious-violations-of-ihl-icrc.pdf>, diakses 26 Oktober 2024
- Kongres Amerika Serikat , “PUBLIC LAW 107–40—SEPT. 18, 2001—AUMF[Cong. Res. 115 STAT. 224 from 107th Cong.]”, <https://www.congress.gov/107/plaws/publ40/PLAW-107publ40.pdf>.

Lindsay Maizland, "The Taliban in Afghanistan", Council on Foreign Relations, 2023, <https://www.cfr.org/background/taliban-afghanistan#chapter-title-0-6>

Malcolm Shaw, "Geneva Conventions" dalam Encyclopedia Britannica, <https://www.britannica.com/event/Geneva-Conventions>.

Peter L. Bergen, "September 11 attacks", Encyclopedia Britannica, 23 Jan. 2025, Diakses dari <https://www.britannica.com/event/September-11-attacks>.

Vox, "How the US Created a Disaster in Afghanistan [VIDEO]", 2021, Diakses dari <https://www.youtube.com/watch?v=2sueJoTVqpw>