

## ABSTRACT

West Papua National Liberation Army The Free Papua Organization (TPNPB-OPM) is a separatist group active in the West Papua region, Indonesia. Their goal is to fight for the independence of West Papua from Indonesia, by using violence and acts of sabotage. TPNPB-OPM has existed since 1965 and has been involved in various conflicts with the Indonesian government. On 7 February 2023, a foreign Susi Air pilot who is a New Zealand nationality named Philip Marthens was reported to have been taken hostage by TPNPB-OPM in the Nduga area, Papua.

The research method used is normative juridical, namely an approach that is carried out by studying existing library materials. The problem approach used is the law approach, conceptual approach, and case approach. The collection of legal materials is carried out through library research and analyzed using normative qualitative analysis techniques.

The results of this study indicate that the act of taking hostages against civilians is contrary to what is stated in international conventions. The protection that should be received by civilians who become victims in a non-international armed conflict such as that which occurred in Papua can be found in several international conventions and international laws, so strict provisions are needed regarding this matter.

And also because this incident occurred in the territory of the Indonesian state, based on the territorial principle of criminal law, each country has jurisdiction over crimes committed within its territory. Thus, the Indonesian government is obligated to provide protection and assistance to the victims for the resolution of the case. So it should falls under the responsibility of the Indonesian state due to the incident that was occurred within its territory.

**Keywords: Legal Protection, Foreign Pilot Hostage, Armed Conflict**