

ABSTRACT

The Geneva Convention III is one of the Geneva Conventions series that are considered as International Humanitarian Law instruments and regulate about treatment and protection to prisoners of war. This convention has ratified by many country, including United States. In 2002, after the 9/11 Attack and the released of Global Terrorism on War campaign, United States established Guantanamo Bay Detention Camp addressed to hold the suspects of 9/11 Attack and to hold others with most serious crime. Through the passing of time, Guantanamo Bay Detention Camp was suspected to treat prisoners with violence and this was a violation against the Geneva Convention III for United States as the High Contracting Party. Thus, the writer intend to discuss how the implementation of Geneva Convention III in United States is and how United States should be responsible upon this violation.

This study was done by utilizing normative juridical research method which means that the approach taken is based on the main legal material by examining theories, concepts, principles of law and legislation related to this research. Then with the descriptive analysis method, the author hopes that this study be able to answer thoroughly about the issues regarding the use and position of this principle.

Based on the result of the study, United States proven to have make violation against the Geneva Convention III by treating Guantanamo Bay's prisoners with violence. To be responsible upon the violation itself, United States has to make national regulations that regulates about the effective penal sanction and apply it as it should. After this study, the writer hope that the High Contracting Parties respect and uphold the Geneva Convention III and be responsible in accordance with the national regulations that have been made.

Keyword: Geneva Convention III, Guantanamo Bay Detention Camp, State Responsibility

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