

ABSTRAK

Amerika Serikat menggunakan *Cluster Bomb* pertama kali dalam rangkaian perang Vietnam. Penggunaan *Cluster Bomb* pada perang Vietnam menimbulkan korban sipil yang meluas sampai ke daerah Laos. Efek yang ditimbulkan akibat penggunaan *Cluster Bomb* masih dirasakan oleh penduduk sipil di Laos. Berdasarkan hal ini penulis menganalisa 2 (dua) permasalahan hukum. Pertama, bagaimana ketentuan penggunaan *Cluster Bomb* sebagai alat perang ditinjau dari Hukum Humaniter, serta Pertanggungjawaban negara Amerika Serikat atas dampak penggunaan *Cluster Bomb* terhadap korban sipil di Laos.

Metode pendekatan dilakukan secara yuridis normatif. Spesifikasi Penelitian menggunakan deskriptif analitis, Metode pengumpulan data dengan studi kepustakaan, data yang digunakan yaitu data sekunder. Analisis data menggunakan metode kualitatif. Hasil penelitian menunjukkan penggunaan *Cluster Bomb* oleh Amerika Serikat melanggar prinsip umum Hukum Humaniter dan menimbulkan kerugian di Laos. Dengan itikad baik Amerika Serikat sudah memenuhi pertanggungjawaban berupa kompensasi ganti kerugian terhadap korban sipil di Laos.

Kata kunci: Perang Vietnam, *Cluster Bomb*, Pertanggungjawaban Negara

ABSTRACT

The United States used the first Cluster Bomb in the Vietnam war timeline. The use of the Cluster Bomb in the Vietnam war caused civilian victims that extended to the country of Laos. The effect caused by the use of Cluster Bombs is still felt by civilians in Laos. Based on this problem the author analyzes 2 (two) legal issues. First, the clause of the use of Cluster Bomb as a weapons of war from the Humanitarian Law perspective, and how United States proves their state responsibility for the impact of using Cluster Bombs on civilian victims in Laos.

The method used in this research was a normative juridical approach. Research specifications used in this research was descriptive analytical method. To collect data by using study of literature methods, using data by used from secondary data. Data analysis by used qualitative methods. The results of this study proved that using Cluster Bomb as a weapon on Vietnam War violated the general principle of Humanitarian law and causes a damage to Laos. The United States has proved a state responsibility for Laos in a good faith by to be held a compensation.

Keywords: Vietnam War, Cluster Bomb, State Responsibility,