

## TABLE OF CONTENTS

COVER .....	i
APPROVAL SHEET .....	ii
DECLARATION .....	iii
PREFACE .....	iv
ABSTRACT .....	v
TABLE OF CONTENTS .....	vi
<b>CHAPTER I INTRODUCTION .....</b>	<b>1</b>
A. Background .....	1
B. Research Questions .....	4
C. Research Objectives and Benefits .....	4
<b>CHAPTER II LITERATURE REVIEW .....</b>	<b>6</b>
A. Conceptual and Legal Framework .....	7
1. Legal system .....	7
2. Geneva Protocol 1925 .....	8
A. History of protocol .....	8
B. Violation of protocol .....	11
C. Subsequent interpretation of protocol .....	12
3. International humanitarian law .....	14
A. History of international humanitarian law .....	15
B. Purpose of international humanitarian law .....	19
C. Source of international humanitarian law .....	20
D. Principles of international humanitarian law .....	28
4. States responsibility .....	32
5. International criminal court.....	34
6. Diplomatic protection .....	37
7. The united nations and human rights.....	37
8. The obligations of states to protect human rights .....	40
9. The Role of united nations.....	45
10. Sovereignty states.....	48
11. Humanitarian intervention .....	49
A. Philosophy of humanitarian intervention .....	51
B. Humanitarian intervention legal grounds .....	54
B. Theoretical Framework .....	55
<b>CHAPTER III RESEARCH METHODOLOGY .....</b>	<b>57</b>
A. Type of Research .....	57
B. Type of Data .....	60
C. Data Collection Technique .....	61
D. Data Analysis Method .....	61

<b>CHAPTER IV RESEARCH FINDINGS AND DISCUSSIONS .....</b>	<b>64</b>
A. Research Findings .....	64
1. General Description on the Invasion in Iraq .....	64
A. Iraq disarmament and prewar intelligence .....	65
B. The beginning of invasion.....	66
2. Iraq violations under united nations security Council resolution.....	67
3. The United nations mandate on 2004 .....	68
4. International Criminal Courts analysis for the invasion...	69
A. Personal and territorial Jurisdiction. ....	69
B. Legality of the conflict .....	69
5. The measure that Security council take against Iraq.....	70
6. Iraq material breach against security council resolution.	79
B. Discussions .....	83
1. Legal Grounds adopted by United states in the invasion 2003 .....	83
2. The Invasion 2003 by United States is illegal .....	85
3. Invasion on Iraq are not humanitarian intervention .....	89
 <b>CHAPTER V CONCLUSIONS, LIMITATIONS, AND RECOMMENDATIONS .....</b>	 <b>92</b>
A. Conclusions .....	92
B. Limitations .....	93
C. Recommendations .....	94
 BIBLIOGRAPHY .....	 95
ENCLOSURES	