

Penerapan yuridiksi alien tort claim act dalam perspektif hukum pidana Internasional

Sefriani

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Abstrak

ATCA restricts its jurisdiction by imposing some doctrines such as minimum contact, forum non-convenience political question, international comity and act of state doctrine. Besides that, it also ignores the international criminal law principles such as presumption of innocence, expeditious trial, equity of arms and the attendance of the suspect in the court. The existence of *par im parem in habet imperium* principles recognized in international law causes the decision of American Court is meaningless.