

ABSTRAK

Korea Utara melakukan uji coba dan pengembangan nuklir secara terus menerus, antara lain dimulai pada 29 Maret 2016 lalu dengan menembakkan rudal jarak dekat ke arah pantai timur Korea Utara dan pada 1 April 2016 Korea Utara menembakkan rudal ke arah Laut Timur Jepang. Perbuatan Korea Utara tersebut telah melanggar banyak perjanjian internasional, salah satunya Perjanjian Non-Proliferasi Nuklir (NPT) 1970 yang melarang suatu negara untuk memperoleh, mengembangkan, dan melakukan uji coba senjata nuklir. Pelanggaran demi pelanggaran uji coba nuklir yang dilakukan oleh Korea Utara mengakibatkan DK-PBB mengeluarkan resolusi.

Penelitian ini bertujuan mengetahui pengaturan senjata nuklir dalam hukum internasional dan penolakan Korea Utara atas resolusi dan sanksi Dewan Keamanan mengenai larangan uji coba senjata nuklir. Penelitian ini menggunakan metode yuridis normatif dan dianalisis secara kualitatif, jenis data yang digunakan yaitu data sekunder yang terdiri dari bahan hukum primer, bahan hukum sekunder, dan bahan hukum tersier. Pengumpulan data menggunakan teknik studi pustaka.

Pengaturan senjata nuklir dalam hukum internasional dibagi menjadi dua, yaitu pengaturan berdasarkan larangan uji coba (*test ban*) senjata nuklir dan pengaturan berdasarkan zona bebas senjata nuklir. Pengaturan berdasarkan uji coba senjata nuklir terdiri dari Perjanjian Uji Coba Senjata Nuklir 1963, Perjanjian Uji Coba Nuklir dengan Ambang Batas Tertentu 1974, dan Perjanjian Perdamaian Ledakan Nuklir 1976. Pengaturan berdasarkan zona bebas nuklir terdiri dari Perjanjian Antartika 1959, Perjanjian Luar Angkasa 1967, Perjanjian Tlatelolco 1967, Perjanjian Dasar Laut 1971, Perjanjian Bulan 1979, Perjanjian Rarotonga 1985, dan Perjanjian Pelindaba 1996. Akibat bagi Korea Utara atas penolakan resolusi Dewan Keamanan antara lain larangan impor, larangan menambah pekerja migran, larangan investasi baru, dan menyebabkan Korea Utara dilanda krisis bahan bakar dengan adanya pembatasan per tahun.

Kata Kunci: Korea Utara, senjata nuklir, resolusi Dewan Keamanan, PBB

ABSTRACT

North Korea conducts a test and nuclear development continuously, such as began on March 29, 2016 by firing missiles at close range towards the East coast of North Korea and then on April 1, 2016, North Korea fire missiles into the East sea of Japan. The deeds of the North Korea violates many international agreements, including the Nuclear Non-Proliferation Treaty (NPT) 1970 which prohibits a State to acquire, develop, and stop testing nuclear weapons. Violations of nuclear test conducted by North Korea results the United Nations Security Council issued a resolution.

This research aimed to know the regulation of nuclear weapons in international law, and the refusal of North Korea over the resolutions and sanctions of the Security Council concerning the ban on testing nuclear weapons. This research use the juridical normative method and analyzed qualitatively, the types of data that were used was secondary data are used include primary legal materials, legal secondary materials, and legal materials tertiary. The technique study of literature and another data sourced from the internet were used as the data collection techniques.

The regulation of nuclear weapons in international law divided into two, they were arrangements based on a prohibition test (test ban) of nuclear weapons and arrangements based on free zone of nuclear weapons. The arrangements based on testing of nuclear weapons consisted of The Treaty of Nuclear Weapon Test 1963, The Treaty of nuclear test by Specific Thresholds 1974, and The Peace Treaty of Nuclear Blast 1976. The regulation based on nuclear-free zone consisted of the Treaty of Antarctic 1959, The Treaty of outer space 1967, The Treaty of Tlatelolco 1967, The Treaty of Seabed 1971, The Treaty of Moon 1979, The Treaty of Rarotonga 1985 and The Treaty of Pelindaba 1996. The consequences for North Korea over the rejection of Security Council resolutions include import restrictions, prohibitions on adding migrant workers, new investment restrictions, and causing North Korea to be hit by a fuel crisis with limitations per year.

Keywords: *North Korea, nuclear weapons, the resolutions of Security Council, United Nations (UN)*