

**THE PROTECTION OF CIVILIAN POPULATION IN THE NIAC (NON-  
INTERNATIONAL ARMED CONFLICT) UNDER INTERNATIONAL  
HUMANITARIAN LAW: CASE OF BOKO HARAM**

**UNDERGRADUATED THESIS**



This Undergraduate Thesis is submitted as one of the requirements to obtain  
the degree of Bachelor of Laws at Faculty of Law

Universitas Muhammadiyah Yogyakarta

**Name** : Marudut Pakpahan  
**Student number** : 20130610339  
**Faculty** : Law  
**Major** : International Program For Law & Sharia (IPOLS)  
**Field of study** : International Law

**FACULTY OF LAW  
UNIVERSITAS MUHAMMADIYAH YOGYAKARTA**

**2017**

## DECLARATION OF RESEARCH AUTHENTICITY



I hereby declare that the undergraduate thesis under the title “**The Protection of Civilian Population in the NIAC (Non-International Armed Conflict) under International Humanitarian Law: Case of Boko Haram**”, its contents is truly the work of my own and I did not do plagiarism in way that are inconsistent with the prevailing ethic in the scientific community. On this statement, I am ready to bear the risk/any sanctions imposed to me in accordance with applicable regulations, if the future found a breach of scientific ethics, I am willing to accept the sanctions.

Written by:

Name : Marudut Pakpahan  
Student Number : 20130610339  
Faculty : Law  
Major : International Program for Law & Sharia  
University : Universitas Muhammadiyah Yogyakarta

Yogyakarta, July 14<sup>th</sup>, 2017

Marudut Pakpahan

**MOTTO PAGE**

“Money would drive you to the entire world, but faith would drive you to the true  
world”

**Marudut Pakpahan**

## **DEDICATION PAGE**

**This Undergraduate Thesis dedicate to:**

Allah Subhanahu wa Ta'ala

Prophet Muhammad Shallallahu 'alaihi Wa Sallam

My beloved parents, Shodik Pakpahan and Sumarni Gultom

All of My Family

## PREFACE

Alhamdulillah, thank you Allah S.W.T, The Most Merciful and The Most Gracious who has given His bless and opportunity to accomplish my Undergraduate Thesis entitled “**The Protection of Civilian Population in the NIAC (Non-International Armed Conflict) under International Humanitarian Law: Case of Boko Haram**” in Universitas Muhammadiyah Yogyakarta. Thank you for my advisors, Dr. M. Nur Islami, S.H., M.Hum and Mr. Yordan Gunawan, S.H., Int. MBA., M.H who guided me with patient, wisdom, and compassion.

I would like to say thanks to Dr. Trisno Raharjo., S.H., M.Hum as the Dean of Faculty of Law, Mr.Nasrullah, S.H., S.Ag., MCL as the director of International Program for Law & Sharia (IPOLS) Faculty of Law UMY, Dr. M. Khaeruddin Hamsin, Lc., M.A as the Director of International Centre for Law and Sharia Studies (ICLASS) Faculty of Law UMY, Mr.Iwan Satriawan, S.H., MCL., Ph.D., Mr. Muhammad Endrio Susilo, S.H., MCL (Ph.D Cand) and all of the Lectures in Faculty of Law Universitas Muhammadiyah Yogyakarta.

Special gratitude to my parents: Shodik Pakpahan & Sumarni Gultom. Your pray, support, guide and affection are being my strength all the way through my life. Thanks to my lovely brother and sister, Tino Mauliate Pakpahan and Anisa Uli Pakpahan, I love you all so much.

Thank you for all of my friends in IPOLS batch 2013, Alfian Ferianto Iman, Try Hardyanti, Eka Widi Astuti, Banu Putera Arutala, Aisyah Agustin, Firdaus Al-Amarrie, Novian Fahreza, Lisca Suryandari, Dania Amareza Pratiwi, Yuliani Iriani Sitompul, Andi Zamharira Nurdin P, Ahmad Zulfikar Pical, Hikma Fajar, Muhammad Azwar Abdullah, Ibnu Alwi Syaifuddin, Leksono Ade Pranata, Haris Chaebar, Dhimas Daru Jati Saputro, Andi Agus Salim, Falah Al-Ghozali, Mufidah Haulah Ramrainy, Melisa Nasution.

Last, I do realize that there are so many mistakes in my undergraduate thesis and I hope it could benefit for all mankind with the presence of this undergraduate thesis.

Yogyakarta, August 25<sup>th</sup>, 2017

Marudut Pakpahan

## TABLE OF CONTENTS

<b>ABSTRACT.....</b>	<b>i</b>
<b>APPROVAL PAGE .....</b>	<b>ii</b>
<b>ENDORSEMENT PAGE.....</b>	<b>iii</b>
<b>DECLARATION OF RESEARCH AUTHENTICITY.....</b>	<b>iv</b>
<b>MOTTO PAGE.....</b>	<b>v</b>
<b>DEDICATION PAGE.....</b>	<b>vi</b>
<b>PREFACE.....</b>	<b>vii</b>
<b>TABLE OF CONTENTS.....</b>	<b>ix</b>
<b>CHAPTER I: INTRODUCTION</b>	
A. Background.....	1
B. Research Question.....	5
C. Research Objective.....	5
D. Benefit of Research.....	5

## **CHAPTER II: LITERATURE REVIEW**

A.	The Protection of Civilian Population.....	6
B.	International Armed Conflict.....	7
C.	Non-International Armed Conflict.....	8
D.	International Humanitarian Law (IHL).....	9

## **CHAPTER III: RESEARCH METHOD**

A.	Type of Research.....	12
B.	Type of Data.....	12
C.	Technique of Collecting Data.....	13
D.	Data Analysis.....	14
E.	Outline.....	14

## **CHAPTER IV: FINDING & ANALYSIS**

A.	The Brief History of Boko Haram in Nigeria.....	16
B.	The Legal Protection of Civilian Population in Nigeria.....	20
C.	The Application of IHL in Nigeria.....	36



**CHAPTER V: CLOSING**

A. Conclusion.....56

B. Recommendation.....57

**REFERENCES**