

**KEBIJAKAN NASIONAL RUSIA DALAM PENEMPATAN
SENJATA NUKLIR DITINJAU DARI PRINSIP *PACTA SUNT*
SERVANDA: STUDI KASUS RUSIA DAN BELARUSIA**

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ABSTRAK

Rusia, sebagai negara senjata nuklir, menempatkan senjata nuklir di wilayah negara Belarusia, negara non-senjata nuklir pada tahun 2023. Kebijakan penempatan senjata nuklir tersebut didasari oleh kebijakan nasional Rusia *Fundamentals of State Policy of the Russian Federation on Nuclear Deterrence 2024*, yang dilatarbelakangi oleh konflik Rusia-Ukraina. Rusia dan Belarusia adalah negara pihak dari *Treaty on the Proliferation of Nuclear Weapons* (NPT) 1968, dimana pada Pasal I dan Pasal II NPT diatur mengenai larangan transfer, kontrol, atau perolehan senjata nuklir. Ratifikasi perjanjian internasional mengikat negara menurut asas *pacta sunt servanda* yang mensyaratkan pelaksanaan perjanjian dengan itikad baik berdasarkan Pasal 26 *Vienna Convention on the Law of Treaties* 1969. Studi ini bertujuan untuk menganalisis implementasi prinsip tersebut terhadap penempatan senjata nuklir Rusia di Belarusia ditinjau dari kewajiban yang diatur pada NPT 1968. Metode yang digunakan dalam penelitian ini adalah metode yuridis normatif, dengan fokus pada asas-asas, norma-norma, dan aturan Hukum Internasional yang berlaku. Rumusan masalah mencakup apakah penempatan tersebut melanggar kewajiban internasional berdasarkan NPT dilihat dari prinsip *pacta sunt servanda*. Hasil dari analisis menunjukkan bahwa kebijakan nasional Rusia dalam menempatkan senjata nuklirnya di Belarusia tidak melanggar NPT 1968 karena secara tekstual istilah “*transfer*” dan “*control*” dalam Pasal I dan II tidak mencakup larangan penempatan senjata nuklir di wilayah negara non-senjata nuklir. Dengan tujuan memperkuat pertahanan tanpa mengalihkan kendali atau kepemilikan senjata, tindakan Rusia dapat dipandang sesuai itikad baik dan memenuhi prinsip *pacta sunt servanda*.

Kata Kunci: “Penempatan Senjata Nuklir Rusia–Belarusia”, “Perjanjian Internasional Bilateral”, “Perjanjian Internasional Multilateral”, “*Prinsip Pacta Sunt Servanda*”, “Kewajiban Negara Pihak dalam *Treaty on the Non-Proliferation of Nuclear Weapons* (NPT)”.

***RUSSIA'S NATIONAL POLICY ON NUCLEAR WEAPONS
DEPLOYMENT FROM THE PERSPECTIVE OF THE PACTA
SUNT SERVANDA PRINCIPLE: A CASE STUDY OF RUSSIA
AND BELARUS***

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ABSTRACT

Russia, as a nuclear-weapon State, deployed its nuclear weapons on the territory of Belarus, a non-nuclear-weapon State, in 2023. This deployment policy is based on Russia's national policy, the Fundamentals of State Policy of the Russian Federation on Nuclear Deterrence 2024, which was shaped by the Russia–Ukraine conflict. Russia and Belarus are States Parties to the 1968 Treaty on the Non-Proliferation of Nuclear Weapons (NPT), in which Articles I and II prohibit the transfer, control, or acquisition of nuclear weapons. The ratification of international treaties binds States under the principle of pacta sunt servanda, requiring good-faith performance of treaty obligations as stipulated in Article 26 of the 1969 Vienna Convention on the Law of Treaties. This study aims to analyze the implementation of that principle in relation to Russia's deployment of nuclear weapons in Belarus, viewed through the obligations set out in the 1968 NPT. The research employs a normative juridical method, focusing on applicable principles, norms, and rules of international law. The research question concerns whether the deployment violates international obligations under the NPT when assessed through the principle of pacta sunt servanda. The analysis shows that Russia's national policy of deploying its nuclear weapons in Belarus does not violate the 1968 NPT because, textually, the terms "transfer" and "control" in Articles I and II do not include a prohibition on stationing nuclear weapons on the territory of a non-nuclear-weapon State. Since the purpose of the action is to strengthen defense without transferring ownership or control of the weapons, Russia's conduct may be viewed as consistent with good faith and in compliance with the principle of pacta sunt servanda.

Keywords: "Russia-Belarus Nuclear Weapon Deployment", "International Bilateral Treaty", "International Multilateral Treaty", "Pacta Sunt Servanda", "Obligations of tstaе party in Treaty on the Proliferation of Nuclear Weapon".