

**TANGGUNG JAWAB INDONESIA SEBAGAI NEGARA PENERIMA  
ATAS TINDAKAN PERUSAKAN GEDUNG KEDUTAAN MALAYSIA  
DI INDONESIA**

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**ABSTRAK**

Penelitian ini dilakukan dengan tujuan (1) untuk mengetahui pengaturan hukum dalam Konvensi Wina 1961 di dalam membentuk perlindungan hukum kepada Negara pengirim, serta (2) untuk mengetahui tanggung jawab Indonesia terhadap kerusakan Gedung Kedutaan Besar Malaysia yang diakibatkan para demonstran. Dalam penelitian ini menggunakan penelitian hukum normatif, dengan melakukan pendekatan konseptual (*conceptual approach*) dan pendekatan kasus (*case approach*). Bahan hukum yang digunakan adalah bahan hukum primer, sekunder dan juga tersier sebagai dasar analisis. Berdasarkan hasil penelitian yang diperoleh menunjukkan bahwa (1) pengerusakan gedung Kedutaan Malaysia sudah melanggar peraturan di dalam Konvensi Wina 1961, (2) pengerusakan terjadi akibat dari kelalaian negara penerima karena kurangnya keamanan di daerah Gedung Perwakilan sehingga menimbulkan pelanggaran dan mewajibkan negara penerima bertanggung jawab atas hal tersebut. Pengaturan mengenai pelanggaran hak kekebalan diplomatik yang dimiliki para pejabat diplomat diatur di dalam Konvensi Wina 1961 pasal 29 dan pasal 37 ayat 1 dan mengenai gedung perwakilan diatur di dalam pasal 22 dan 30. Agen diplomatik diwajibkan mendapat perlindungan dari negara penerima agar merasakan keamanan di dalam menjalankan tugas dan misinya sehingga tidak ada perbuatan yang mengganggu ketentraman perwakilan asing.

**Kata kunci:** Negara, Konvensi Wina 1961, Hubungan Diplomatik.

**INDONESIA'S RESPONSIBILITY AS A RECEIVING COUNTRY  
FOR DESTRUCTION OF THE MALAYSIA EMBASSY BUILDING  
IN INDONESIA**

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**ABSTRACT**

*This research was conducted with the objectives of (1) to find out the legal arrangements in the 1961 Vienna Convention in establishing legal protection for sending countries, and (2) to determine Indonesia's responsibility for the damage to the Malaysian Embassy building caused by demonstrators. In this study using normative legal research, by taking a conceptual approach and a case approach. The legal materials used are primary, secondary and tertiary legal materials as the basis for analysis. Based on the results of the research obtained, it shows that (1) the destruction of the Malaysian Embassy building violated the regulations in the 1961 Vienna Convention, (2) the damage occurred as a result of the recipient country's negligence due to lack of security in the Representative Building area, causing violations and requiring the receiving country to be responsible for that matter. Regulations regarding violations of diplomatic immunity rights held by diplomatic officials are regulated in the 1961 Vienna Convention article 29 and article 37 paragraph 1 and regarding the representative building is regulated in articles 22 and 30. Diplomatic agents are required to receive protection from the receiving country in order to feel safe in carrying out their duties. duties and missions so that there are no acts that disturb the peace of foreign representatives.*

**Keywords:** *State, 1961 Vienna Convention, Diplomatic Relations.*