

**SKRIPSI**

**PERTANGGUNGJAWABAN NEGARA INDIA TERHADAP  
TUDUHAN TINDAKAN *EXTRAJUDICIAL KILLING* DALAM  
KASUS HARDEEP SINGH NIJJAR DI KANADA TAHUN 2023**

*Diajukan Guna Memenuhi Persyaratan Untuk Memperoleh Gelar Sarjana Hukum*

**OLEH:**

**AFIFAH ZHOVIRA**

UNIVERSITAS ANDALAS  
2010112168  
PROGRAM KEKHUSUSAN: HUKUM INTERNASIONAL (PK VI)



**Pembimbing:**

**Dr. Jean Elvardi, S.H., M.H.**

**Zimtya Zora, S.H., M.H.**

**FAKULTAS HUKUM**

**UNIVERSITAS ANDALAS**

**PADANG**

**2026**



LEMBAR PENGESAHAN

VALIDITY SHEET

No. Reg: 13/PK-VI/I/2026

PERTANGGUNGJAWABAN NEGARA TERHADAP TINDAKAN EXTRAJUDICIAL  
KILLING DALAM KASUS HARDEEP SINGH NIJJAR

STATE RESPONSIBILITY FOR EXTRAJUDICIAL KILLING IN THE CASE OF  
HARDEEP SINGH NIJJAR

Disusun Oleh

Author

AFIFAH ZHOVIRA

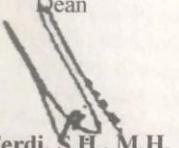
2010112168

Program Kekhususan: Hukum Internasional (PK VI)  
Concentration Program : International Law (CP VI)

Skripsi ini Telah Dipertahankan Dalam Sidang Ujian Komprehensif Pada Tanggal 28  
Januari 2026 dan Dinyatakan LULUS Oleh Tim Penguji Yang Terdiri Dari :

*This Minor Thesis Was Defended in the Comprehensif Examination Session on  
January 28<sup>th</sup>, 2026 and Approved by a Team of Examiners Consisting of:*

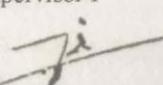
Dekan  
Dean

  
Dr. Ferdi, S.H., M.H.  
NIP. 196807231993021001

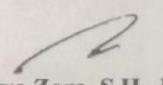
Wakil Dekan I  
Vice Dean I

  
Dr. Nani Mulyati, S.H., MCL.  
NIP. 198208092005012002

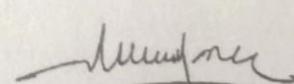
Pembimbing I  
Supervisor I

  
Dr. Jean Elvardi, S.H., M.H.  
NIP. 196111191989011001

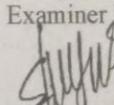
Pembimbing II  
Supervisor II

  
Zimtya Zora, S.H., M.H.  
NIP. 197908172006042001

Pengaji I  
Examiner I

  
Prof. Firman Hasan, S.H., LL.M.  
NIP. 195211111979031002

Pengaji II  
Examiner II

  
Dewi Enggriveni, S.H., M.H.  
NIP. 198212262010122004

No. Alumni Universitas	Afifah Zhovira	No. Alumni Fakultas
a. Tempat/Tgl Lahir : Serang/22 Maret b. Nama Orang Tua : Afrizal, Refni Yenti c. Fakultas : Hukum d. PK : Hukum Internasional e. NIM : 2010112168	f. Tanggal Lulus : 28 Januari 2026 g. Predikat Lulus : Sangat Memuaskan h. Lama Studi : 5 Tahun 6 Bulan i. IPK : 3.92 j. Alamat : Kota Serang, Banten	

**PERTANGGUNGJAWABAN NEGARA INDIA TERHADAP TUDUHAN TINDAKAN  
EXTRAJUDICIAL KILLING DALAM KASUS HARDEEP SINGH NIJJAR DI KANADA**  
**TAHUN 2023**

(Afifah Zhovira, 2010112168, Fakultas Hukum, Universitas Andalas, 87 Halaman, 2026)

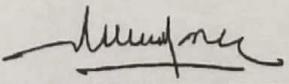
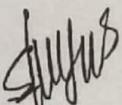
### ABSTRAK

Hak untuk hidup adalah hak fundamental dan bersifat *non-derogable* yang harus dijamin dan dilindungi oleh Negara. Pelanggaran hak ini terjadi pada kasus pembunuhan Hardeep Singh Nijjar di Kanada pada tahun 2023. Hardeep Singh Nijjar merupakan seorang warga negara Kanada sekaligus Ketua Sikh di Kanada, ia ditembak mati oleh dua pria berkewarganegaraan India di British Columbia, Kanada. Berdasarkan penyelidikan dari kepolisian Kanada, terdapat dugaan bahwa pemerintah India turut terlibat dalam aksi pembunuhan ini. Dugaan keterlibatan Pemerintah India dalam tindakan yang berpotensi dikualifikasikan sebagai *extrajudicial killing* ini semakin jelas dengan kemunculan dokumen dakwaan Departemen Kehakiman Amerika Serikat (AS) terkait rencana pembunuhan tokoh Sikh di AS, yang menyebut Nijjar sebagai target, sehingga menimbulkan isu tanggung jawab negara dalam hukum internasional. Oleh karena itu, dalam penulisan skripsi ini membahas tentang bagaimana pengaturan *extrajudicial killing* dalam hukum internasional? Dan bagaimana pertanggungjawaban negara terhadap tindakan *extrajudicial killing* dalam kasus pembunuhan Hardeep Singh Nijjar? Metode penelitian yang digunakan adalah metode penelitian hukum normatif dengan pendekatan perundang-undangan dan pendekatan kasus. Berdasarkan hasil penelitian ini dapat disimpulkan bahwa (1) Pengaturan terhadap larangan *extrajudicial killing* dalam hukum internasional terdapat pada: ICCPR 1966, *Principle on the Effective Prevention and Investigation of Extra-legal, Arbitrary, and Summary Executions* 1989, dan *The Minnesota Protocol on the Investigation of Potentially Unlawful Death* 2016. (2) Dugaan keterlibatan aktor non-negara dibawah arahan pejabat India berpotensi diatribusikan kepada negara, sehingga memenuhi unsur tanggung jawab negara menurut Pasal 2 ARSIWA 2001, serta atribusi dalam Pasal 4 dan 8 ARSIWA 2001. Apabila terbukti negara India terlibat dalam kasus ini, maka India wajib memberikan *full reparation* berupa *satisfaction*, seperti pengakuan pelanggaran atau permohonan maaf formal, sesuai dengan ketentuan Pasal 37 ARSIWA 2001.

Kata Kunci: **Tanggung Jawab Negara, Extrajudicial Killing, Hukum Internasional, Hardeep Singh Nijjar**

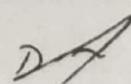
Skripsi ini telah dipertahankan di depan Tim Pengaji dan dinyatakan lulus pada 28 Januari 2026.

Pengaji,

Tanda Tangan	1. 	2. 
Nama	Prof. Firman Hasan, S.H., LL.M.	Dewi Enggriyeni, S.H., M.H.

Mengetahui,

Ketua Departemen Hukum Internasional: **Dr. Delfiyanti, S.H., M.H.**



Tanda Tangan

Alumnus telah mendaftar ke Fakultas/Universitas dan mendapat nomor alumnus:

	Petugas Fakultas/Universitas
No. Alumni Fakultas	Nama: _____ Tanda Tangan: _____
No. Alumni Universitas	Nama: _____ Tanda Tangan: _____

	No. Alumni University	Afifah Zhovira	No. Alumni Faculty
	a. Place/Date of Birth : Serang/March 22 <sup>nd</sup> b. Parent Name : Afrizal, Refni Yenti c. Faculty : Law d. Concentration : International Law e. NIM : 2010112168	f. Graduation Date : January 28 <sup>th</sup> , 2026 g. Pass Predicate : Very Satisfactory h. Length Of Study : 5 Years 6 Months i. GPA : 3.92 j. Address : Kota Serang, Banten	

## INDIAN STATES RESPONSIBILITY FOR ALLEGED EXTRAJUDICIAL KILLING IN THE HARDEEP SINGH NIJJAR CASE IN CANADA IN 2023

(Afifah Zhovira, 2010112168, Faculty of Law, University of Andalas, 87 Pages, 2026)

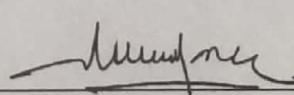
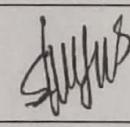
### ABSTRACT

The right to life is a fundamental and non-derogable right that must be guaranteed and protected by the state. A violation of this right occurred in the murder of Hardeep Singh Nijjar in Canada in 2023. Hardeep Singh Nijjar, a Canadian citizen and the head of the Sikh community in Canada, was shot dead by two Indian men in his pickup truck parked at the Gurdawara Temple in British Columbia, Canada. A Canadian police investigation has revealed that an Indian Government's was involved in the killing. Allegations of the Indian Government's involvement in this act, which could potentially qualify as an extrajudicial killing, are reinforced by the United States Department of Justice's indictment document regarding the planned assassination of Sikh figures in the US, which named Nijjar as a target, thus raising the issue of state responsibility under international law. Therefore, this thesis discusses how extrajudicial killing is regulated in international law? And how is the state responsibility for extrajudicial killing in the murder of Hardeep Singh Nijjar? The research method used is a normative legal research method with statute approach and case approach. Based on the result of this research, it can be concluded that (1) Regulation regarding the prohibition of extrajudicial killing in international law are found in: ICCPR 1966 (explained more detail in General Comment No. 36 Article 6), Principles on the Effective Prevention and Investigation of Extra-legal, Arbitrary, and Summary Executions 1989, and The Minnesota Protocol on the Investigation of Potentially Unlawful Death 2016. (2) The alleged involvement of non-state actors under the direction of India officials has the potential to be attributed to the state, thus fulfilling the element of state responsibility according to Article 2 of the Article on Responsibility of States for Internationally Wrongful Acts (ARSIWA) 2001, as well as the attribution in Article 4 and 8 of ARSIWA 2001. If India is proven to be involved in this case, the India is obliged to provide full reparation in the form of satisfaction, such as an admission of violations or a formal apology, in accordance with the provisions of Article 37 of ARSIWA 2001.

**Keywords:** State Responsibility, Extrajudicial Killing, International Law, Hardeep Singh Nijjar

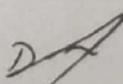
This Minor Thesis has been successfully defended and regarded to graduate by January 28<sup>th</sup>, 2026.

Examiner,

Signature	1. 	2. 
Name	Prof. Firman Hasan, S.H., LL.M.	Dewi Enggriyeni, S.H., M.H.

Acquainted,

Head of the Department of International Law: **Dr. Delfiyanti, S.H., M.H.**



Signature

Alumni has been registered in the Faculty/University under the number:

No. Alumni Faculty	Faculty/University:	
Name:		Signature:
No. Alumni University	Name:	Signature: