

Item 7 (a): Matters relating to the definition and delimitation of outer space
By. Mr. Dr. Mardianis

Thank You, Madam Chair,

We emphasize the position of the Government of the Republic of Indonesia on this agenda is clear.

Indonesia has already set out the delimitation of outer space under Law Number 21 of 2013. In Article 1 of the Elucidation of Law No. 21 of 2013, we define outer space as an area including its contents that is beyond and surrounds the atmosphere of the Earth. Indonesia determine that the delimitation of outer space is between 100 to 110 kilometers above sea level. As we have elaborated before on several occasions including the previous legal subcommittee meeting, the rationale of this determination is based on comprehensive aspects, including the scientific, technical, and physical characteristic, namely: the atmospheric layers, aircraft altitude capacity, the perigee of spacecrafts, and the Karman Line.

In this regard, we encourage UNCOPUOS to facilitate a discussion among member states on legal basis of every state to exercise its sovereignty over the air space and conduct activities in outer space. Moreover, it is my delegation's view that the issue of definition and delimitation of outer space is closely linked to matters of safety and security that we should also discussed. A firm definition and delimitation of outer space is needed to clarify the liability and responsibility in the NewSpace Era activities to reduce the possibility of disputes among States.

Madam Chair

Indonesia would like to comment on document A/AC.105/769/Add.1 title "Historical summary on the consideration of the question on the definition and delimitation of outer space". Indonesia proposes to update and add Indonesia responds on National legislation and practice relating definition and delimitation of outer space as contained in document A/AC.105/C.2/2017/CRP.31 to the document.

Madam Chair,

We would like to conclude by reiterating the importance of the issues of the definition and delimitation of outer space to provide a legal clarity in the implementation of space law and air law, as well as to clarify the issues of the sovereignty and international responsibility of States, and the boundary between airspace and outer space.

The uncertainty of the definition/delimitation of outer space could lead to potential disputes between member States since a state might utilize part of the space as low as possible above the territory of another state for its own benefit and can enforce its sovereignty as high as possible in the air space above its territory.

Therefore, we hope that agenda item on the definition and delimitation of outer space will be kept in the upcoming Legal Subcommittee of 2023. Indonesia will look

forward to seeing a concrete proposal of how our meeting works in the next subcommittee meeting.

Thank You