

Item 7 (b): Matters relating to the character and utilization of the geostationary orbit, including consideration of ways and means to ensure the rational and equitable use of the geostationary orbit without prejudice to the role of the International Telecommunication Union

By. Mr. Erik MANGAJAYA

Thank you for giving me the floor Madam Chair,

The Indonesian delegation takes note and acknowledges that the problem of equitable access to GSO is continuously remaining a challenge for many countries, namely, developing countries, countries with a specific geographical situation, equatorial countries as well as newcomers.

We also have heard concerns of different delegations regarding GSO slots that are not proportionally distributed among countries. Inequalities, inefficiencies, and bureaucratic congestion in the utilization of the GSO remain serious challenges that must be addressed by UNCOPUOS.

GSO, a limited natural resource, shall be consider as a specific area and special part of outer space which needs a specific technical and legal governance as well.

The Indonesian delegation would like to recall that, pursuant to the Space Treaty 1967, Article 44, paragraph 196.2, of the ITU Constitution 1998, and Annex III Report Legal Subcommittee of UNCOPUOS of Year 2000, we should take all practicable steps to enable developing countries or any other country to have an equitable access to the requested orbit/spectrum resource of GSO.

Distinguished ladies and gentlemen,

Indonesia believes that GSO utilization shall be made available to and for the benefit of all countries under the conditions of equality, irrespective of their technical capacities and taking into account the needs and interests of developing countries, countries with a specific geographical situation, equatorial countries, as well as newcomers.

With regard to the principle of equitable access, Indonesia is of the view that the principle of equitable access is defined as proportional and non-excessive use in accordance with real needs; non-discriminatory; taking into account specific conditions of countries (such as geographic conditions, needs, etc.).

Indonesian delegation, therefore, is of the view that the utilization of GSO needs to be regulated by a sui generis regime.

This sui generis system should elaborate certain legal principles concerning the utilization of GSO, inter alia, equitable access, freedom of use, non-appropriation and exclusive peaceful uses.

It is also worth mentioning that the Indonesian delegation presented and elaborated the proposal of sui generis regime of GSO in 2016. Indonesia has also repetitively

provided some explanations regarding the objectives, principles and legal parameters of such sui generis regime.

It is very unfortunate that despite numerous and repeated concerns expressed over the years by many member States under this agenda item, until to date, the Subcommittee has not developed any practical solutions to address those concerns.

This means, the objectives of equitable access to GSO have not been yet achieved.

Honorable delegations,

Without setting aside the efforts that have been made by ITU in finding solutions to the shortcoming of equitable access to GSO, it should also be noted that UNCOPUOS, including its sub-committees, is a body that is also be responsible for discussing this issue.

It is important for the UNCOPUOS to actively participates in the discussion of this matter and do not leave the full responsibility for dealing with this issue to ITU only.

Therefore, Indonesia restates that UNCOPUOS should keep discussing the establishment of sui generis regime to ensure future equitable and sustainable of GSO to developing countries and countries with specific geographical conditions.

We are of the opinion that this Subcommittee needs to find a practical solution, for example by working together, to discuss and to provide some recommendations to ITU.

In such consideration, this agenda item should remain firmly as an agenda of LSC.

The Indonesian delegation is considering to further engage the discussion in a more concrete proposal in the next subcommittee meeting. We will inform you this matter accordingly.

Thank you, Chair.