

6 April 2017

English only

**Committee on the Peaceful
Uses of Outer Space**
Legal Subcommittee
Fifty-sixth session
Vienna, 27 March-7 April 2017

**Contribution of Indonesia to the 56th session of the Legal Subcommittee of
the United Nations Committee on the Peaceful Uses of Outer Space**

The following contribution of Indonesia under items 6 (a), 10 and 15 of the agenda of the fifty-sixth session of the Legal Subcommittee was received by the Secretariat on 6 April 2017, and is made available in the present conference room paper.





PERMANENT MISSION OF THE REPUBLIC OF INDONESIA
TO THE UNITED NATIONS AND OTHER
INTERNATIONAL ORGANIZATIONS IN VIENNA

Unofficial Translation

NO. 00311 /TI/04/2017/ POL

The Permanent Mission of the Republic of Indonesia to the United Nations and Other International Organizations in Vienna presents its compliments to the United Nations Office for Outer Space Affairs and has the honour to transmit herewith replies from Indonesia to questionnaires related to several agenda items of the 56th Session of the Legal Subcommittee of UNCOPUOS, as follows:

- a. Agenda item 6 (a): Matters relating to the Definition and Delimitation of Outer Space;
- b. Agenda item 10: General Exchange of Information and Views Legal Mechanism relating to Space Debris Mitigation Measures, taking into account the Work of the Scientific and Technical Subcommittee; and
- c. Agenda item 15: Review of International Mechanisms for Cooperation in the Peaceful Exploration and Use of Outer Space.

The Permanent Mission of the Republic of Indonesia to the United Nations and Other International Organizations in Vienna avails itself of this opportunity to renew to the United Nations Office for Outer Space Affairs the assurances of its highest consideration.

Vienna, 6 April 2017

SIGNED

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PERUTUSAN TETAP REPUBLIK INDONESIA
UNTUK PERSERIKATAN BANGSA-BANGSA DAN
ORGANISASI INTERNASIONAL LAINNYA DI WINA

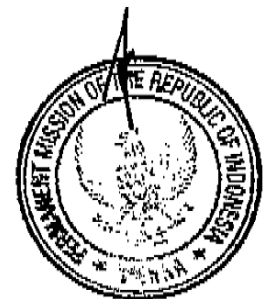
NO. 00311 /TI/04/2017/ POL

Perutusan Tetap Republik Indonesia untuk Perserikatan Bangsa-Bangsa dan Organisasi Internasional Lainnya di Wina menyampaikan salam hormatnya kepada Kantor Perserikatan Bangsa-Bangsa untuk Urusan Keantariksaan, dan bersama ini dengan hormat menyampaikan jawaban terlampir dari Indonesia atas kuesioner yang terkait dengan sejumlah mata agenda sidang Sesi ke-56 Sub-komite Hukum UNCOPUOS, sebagai berikut:

- a. *Agenda item 6 (a): Matters relating to the Definition and Delimitation of Outer Space;*
- b. *Agenda item 10: General Exchange of Information and Views Legal Mechanism relating to Space Debris Mitigation Measures, taking into account the Work of the Scientific and Technical Subcommittee; and*
- c. *Agenda item 15: Review of International Mechanisms for Cooperation in the Peaceful Exploration and Use of Outer Space.*

Perutusan Tetap Republik Indonesia untuk Perserikatan Bangsa-Bangsa dan Organisasi Internasional lainnya di Wina menggunakan kesempatan ini untuk sekali lagi menyampaikan kepada Kantor Perserikatan Bangsa-Bangsa untuk Urusan Keantariksaan penghargaan setinggi-tingginya.

Wina, 6 April 2017



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National legislation and practice relating to definition and delimitation of outer space

Indonesia

Indonesia has enacted the Law of the Republic of Indonesia Number 21 of 2013 on Space Activities. In Article 1, the Outer Space means a space including its all material that beyond the Airspace as well as the surrounding and the covers of Air Space"

With regards to delimitation of outer space, in the elucidation of the Law of the Republic of Indonesia Number 21 of 2013 on Space Activities mentions that "The outer space naturally located approximately begins at 100 or 110 km above sea level."

SPACE DEBRIS MITIGATION STANDARDS

Compendium of space debris mitigation standards adopted by States and international organizations

Contribution of Indonesia

National mechanism:

Indonesia has not adopted yet any national mechanism to implement Space Debris Mitigation Guidelines of the Committee or IADC Space Debris Mitigation Guidelines.

However, in the Law of the Republic of Indonesia Number 21 of 2013 on Space Activities, all space activities must take into consideration, among others, the protection of space environment.

Through LAPAN, Indonesia has a space debris automatic monitoring system to mitigate the impacts of re-entry of space objects within the Indonesia's territory. This system utilizes data acquired from the Space Track to detect space debris a few hours before its(their) re-entry and its (their) last track including the type of debris and the launching state of the debris.

Description:

None.

Applicability:

None.

Relation to international mechanisms:

As a member State of the Committee on the Peaceful Uses of Outer Space, Indonesia supports the initiatives aimed at mitigating the impact of space debris, and in accordance with the Space Debris Mitigation Guidelines of the Committee. Moreover, Indonesia supports the IADC Guidelines on Space Debris Mitigation and the ITU Recommendations ITU-R.S 1003.2 on the environmental protection of the geostationary satellite orbit. Furthermore, Indonesia puts emphasis on the importance of sharing information for monitoring space debris.

Link to other national mechanisms:

None.

References:

None.

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Review of International Mechanisms for Cooperation in the Peaceful Exploration and Use of Outer Space of the Legal Subcommittee of the Committee on the Peaceful Uses of Outer Space

Indonesia

- 1. What is the main area of your cooperation (e.g., space exploration, scientific research, testing, education and personnel training, global navigation, disaster management through remote sensing, commercial launch services, etc.)?*

Indonesia has conducted international cooperation in the peaceful exploration and use of outer space in the following areas: atmosphere and space scientific research, disaster management, remote sensing, commercial launch services, space operation, spacecraft development, as well as capacity building through education and personnel training.

- 2. Is this multilateral or bilateral cooperation (e.g., intergovernmental cooperation, interagency cooperation, cooperation between non-governmental entities, mixed cooperation, etc.)?*

Some of the cooperations are multilateral and some are bilateral. Examples of the multilateral cooperation in place are with UNOOSA (RSO-UNSPIDER), Asia-Pacific Regional Space Agency Forum-APRSAP (Safe Project, Sentinel Asia), ASEAN-Subcommittee on Space Technology and Applications (SCOSA). As for bilateral partners are space agencies or universities from China, France, Germany, India, Japan, the Netherlands, Russia, Ukraine, and United Kingdom.

- 3. What is the duration of the cooperation?*

Most of the cooperations are for 5 years duration (e.g. Memorandum of Understanding between LAPAN and United Kingdom Space Agency). A few lasts for 10 years (i.e. Agreement between the Government of the Republic of Indonesia and the Government of the Russian Federation). One particular cooperation does not set specific duration of cooperation (i.e. Cooperation Agreement between UNOOSA and LAPAN on the Establishment of the UN-SPIDER Regional Support Office which entered into force on the date of its signing, 19 February 2013).

- 4. Does a national space agency play a key role in the cooperation?*

Yes, the National Institute of Aeronautics and Space (LAPAN) of Indonesia plays a key and major role in the cooperation agreements, both multilateral and bilateral.

- 5. Does a national authority or institution other than a space agency play an important role in the cooperation (e.g., a scientific institution, meteorological agency, development or financial assistance authority, etc.)?*

As mentioned above, LAPAN is the focal point for international cooperation on outer space activities. However, in the process of of arranging such cooperation, LAPAN holds meetings and discussion with relevant Indonesian ministerials or institutions.

among others, Ministry of Foreign Affairs, Ministry of Research, Technology, and Higher Education.

6. *Are private companies or industries directly involved in the cooperation?*

None.

7. *Is the cooperation conducted within the framework of:*

(a) *The United Nations and its specialized agencies;*
Yes, i.e. UNOOSA in RSO-UNSPIDER

(b) *Independent intergovernmental organizations;*
No

(c) *Regional or interregional space cooperation organizations or mechanisms;*
Yes, i.e. APRSAF, ASEAN-SCOSA.

(d) *Non-governmental organizations;*
Yes, i.e. Center for International Forestry Research (CIFOR).

(e) *Other types of forums?*
No

8. *Is the cooperative mechanism multilateral or bilateral?*

See response for No. 2 question.

9. *Is the cooperative mechanism:*

(a) *A legally binding agreement;*

(b) *A non-legally binding arrangement (if so what kind of arrangement);*

(c) *A combination of both?*

Yes.

Some of the cooperation are put into legally binding documents (such as the Agreement between Indonesia and Russia), and some are written down in non-legally binding arrangement (for example the Memorandum of Understanding between LAPAN and UK Space Agency).

10. *Is the cooperative mechanism constituted by a framework agreement; either multilateral or bilateral, and is it accompanied by an implementing agreement or arrangement and/or a memorandum of understanding for technical cooperation and coordination within the cooperation?*

Yes, there are cooperative mechanisms constituted by framework agreement followed by implementing agreement or arrangement (example: the Agreement between the Government of the Republic of Indonesia and the Government of Japan on Scientific and Technological Cooperation followed by the Technical Agreement between LAPAN and ISEE of Nagoya University on Collaborative Research and Operation in the field of Space Weather Observations), while some cooperative mechanisms are constituted by memorandum of understanding and followed by technical agreement (example: MOU between LAPAN and Technische Universität Berlin on the Cooperation in the field of

Aerospace Technologies followed by Implementing Arrangement between LAPAN and Technische Universität Berlin for the Project of Aeronautics Research and Development).

11. *What kinds of provisions do the legally binding agreement and/or non-legally binding arrangement contain?*
- (a) Best effort clauses;
 - (b) Jurisdiction clauses;
 - (c) Financial arrangements or no exchange of funds;
 - (d) Exchange of technical data and goods;
 - (e) Provisions which pursue international responsibility and liability;
 - (f) Cross waiver of liability;
 - (g) Rules on intellectual property rights and ownership;
 - (h) Peaceful settlement of disputes clause;
 - (i) Other types of provision?

Mostly agreements and/or arrangements contain: (a), (d), (e), (f), (g), (h). Other provisions include: ("Confidentiality"), ("Customs"), and ("Release of Public Information").

12. *Is it clearly provided for in the legally binding agreement or non-legally binding arrangement that the operation of the project shall be conducted in accordance with the United Nations treaties on outer space and in consideration of principles on outer space and related General Assembly resolutions (resolutions on the concept of the launching State, registration practice, national legislation, etc.)?*

Generally, the reference to the UN Treaties on Outer Space as well as principles on outer space and related UNGA resolutions are not stated in the agreement or arrangement of cooperation that Indonesia has. The reference to the applicable UN Treaties on outer space (those which have been ratified by Indonesia and partner countries/institutions) indirectly made through the reference that the agreement or arrangement is in accordance with the Parties' laws and regulations. Thus, the principles and the provisions are embedded in the agreement and the arrangement.

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