

Indonesia
Item Agenda 4: General exchange of views.

By: Ms. Runggu A. Ardes

Mr. Chair,
Ladies and gentlemen,

I would like to join others in congratulating and welcoming you as the Chair of Legal Subcommittee of the United Nations Committee on the Peaceful Uses of Outer Space (UNCOPUOS) for the period 2024–2025. I believe your wise and able leadership will lead this Session be successful in discussing numerous issues of outer space peaceful purposes cooperation.

We would also like to thank Ms. Nomfuneko Majaja of South Africa as the Chair of LSC period of 2022–2023.

We thank the Director UNOOSA and the Secretariat for their hard works in preparing this meeting.

Mr. Chair,

My delegation associates itself with the statement of G77 and China delivered by Her Excellency Ambassador Laura Gil, Permanent Representative of Colombia. We would further like to add the following remarks in our national capacity.

Let me share you some following topics that are important for Indonesia, among others:

First, Indonesia welcomes the discussion of Article XI Outer Space Treaty 1967 and we will contribute further elaboration on the discussion of agenda “status and application of the five United Nations treaties on outer space, and ways and means, including capacity-building, to promote their implementation”

Second, on the issue of definition and delimitation of outer space, we would like to reiterate our position that there is a need to define and delimit outer space for the purpose of defining the exact boundary between airspace and outer space, clarifying the issues of the sovereignty, establish legal certainty of the scope of application of outer space law and air law, strengthening the implementation of the international responsibility of States, and reducing the possibility of disputes among States. Furthermore, we are of the view that this definition and delimitation of outer space is essential element in the discussion of the issue of exploitation, exploration and utilization of outer space resources.

Third, regarding the geostationary orbit (GSO), Indonesia would like to make reference to the decision of the Committee at its session in 2001 which agreed on the following statement: “The geostationary orbit, characterized by its special properties, is part of outer space.” Furthermore, according to the Space Treaty 1967, outer space, including the Moon and other celestial bodies, shall be free for exploration and use by all States without discrimination of any kind, on a basis of equality and in accordance with international law, and there shall be free access to all areas of celestial bodies.

In this regard, we believe that the application of GSO as a part of outer space shall be rational, balanced, efficient, and equitable providing access for all countries without seeing their technical development in outer space technology.

In doing so, we should consider GSO as a specific area and special part of outer space, which needs specific technical and legal governance as well. Therefore, in order to ensure the application of principles of equitable access for all States, particularly the needs of developing countries and countries which have special geographical conditions, my delegation believes that GSO should be regulated by a sui generis regime, according to the Outer Space Treaty and the Article 44 of ITU Constitution.

Fourth, with respect to the discussion of potential legal model for exploration, exploitation and utilization of space resources, we observe that this issue is a very complex exercise. We should discuss this issue through an interdisciplinary approach of branches of international laws. We also believe that many international models and international jurisprudence and processes could be utilized to assist in creating a governance of space resources use, both for scientific and commercial purposes. Indonesia believes that such arrangement should be in line with OST 1967 and other UN treaties.

We urge the Legal Subcommittee to continue the discussion of exploration, exploitation and utilization of outer space. We will join the discussion on this issue in the Working Group.

Fifth, on the issue legal aspect of small satellite, we acknowledge that there is no specific international regulation regarding small satellites and small satellite constellations. Indonesia is of the view that special international regulations should be established. Such regulations should guarantee rational, fair and efficient access to develop and use of small satellites. Such special regulatory also should include ways and means to ensure the rational and equitable use of the low Earth orbit and frequency spectrum.

Mr. Chair,

Allow me to reiterate that sustainability of space activities can only be achieved through the development of environmentally sound space technology and applications. Thus, utilization of space and terrestrial object should continue to be conducted based on the principle of fair and mutual benefit, as well as full respect for territorial integrity and sovereignty of States.

In this regard, the Indonesian delegation will continue to provide a strong support and contribution for the work and deliberations of this Subcommittee. We are convinced that the 63th session of the Legal Subcommittee will be successful.

Indonesia reserves our rights to provide further comments in other related agenda items.

Thank you