

INTISARI

IMPLEMENTASI CONVENTION ON INTERNATIONAL LIABILITY FOR DAMAGE CAUSED BY SPACE OBJECTS 1972 DALAM HAL TANGGUNG JAWAB NEGARA TERHADAP JATUHNYA SATELIT ATAU BENDA ANGKASA

Oleh : Juwita Perwitasari*

Endang Purwaningsih**

Satelit diperuntukkan dalam berbagai macam bidang seperti ilmu pengetahuan; prediksi cuaca; navigasi; komunikasi; dsb. Namun selain memberikan manfaat positif, pemanfaatan ruang angkasa melalui satelit dan benda angkasa juga dapat menimbulkan dampak negatif seperti kerusakan lingkungan. Hal tersebut dapat terjadi dikarenakan satelit atau benda angkasa yang sudah tidak berfungsi lagi pada akhirnya akan menjadi sampah ruang angkasa dan pada masa tertentu akan jatuh kembali ke bumi. Hingga saat ini tidak terhitung banyaknya kasus satelit atau benda angkasa yang jatuh ke bumi. Guna mencegah dampak negatif dari pemanfaatan ruang angkasa tersebut, maka dibentuklah suatu aturan hukum yang mengatur mengenai tanggung jawab negara dalam hal jatuhnya satelit atau benda angkasa yaitu *Convention on International Liability for Damage Caused by Space Objects 1972*

Penulisan Hukum ini bertujuan untuk mengetahui sejauh mana telah terimplementasinya *Convention on International Liability for Damage Caused by Space Objects 1972* dalam hal tanggung jawab negara terhadap jatuhnya satelit atau benda angkasa serta kendala-kendala yang menyebabkan tidak optimalnya penyelesaian sengketa jatuhnya satelit atau benda angkasa. Metode penelitian normatif digunakan dalam penelitian hukum ini dengan mengambil data kepustakaan (data sekunder) sebagai sumber hukum. Sedangkan metode deskriptif-kualitatif digunakan dalam Analisis data penulisan hukum ini.

Berdasarkan hasil penelitian yang telah dilaksanakan, *Convention on International Liability for Damage Caused by Space Objects 1972* pada praktiknya belum terimplementasi secara baik. Sedangkan kendala-kendala yang menyebabkan tidak optimalnya penyelesaian sengketa sebelumnya yaitu, metode diplomatik yang digunakan sebagai sarana kepentingan suatu negara; kurangnya teknologi yang dimiliki; kurangnya rasa tanggung jawab negara peluncur mengenai kerusakan yang disebabkan serta kurangnya kerja sama antar negara.

Kata kunci : hukum ruang angkasa, satelit, benda angkasa, Liability Convention 1972

ABSTRACT

THE IMPLIMENTATION OF CONVENTION ON INTERNATIONAL LIABILITY FOR DAMAGE CAUSED BY SPACE OBJECTS 1972 IN TERMS OF STATE RESPONSIBILITY TOWARD THE FALL OF SATELLITES OR SPACE OBJECTS

By : Juwita Perwitasari

Endang Purwaningsih

Satellite was used in various sector such as science; weather prediction; navigation; telecommunication; etc. Beside having many advantages space exploration through satellite and space object it may also create negative impacts such as environmental damage. It happens because satellite or space object - which has been no longer used- became space debris and at certain period will turn back into the earth. Nowadays, a certain number of satellites or space objects fall into the earth. In order to avoid negative impacts from space exploration, the establishment of rule of law is arranged on the state responsibility -in terms of satellite or space object accidents- which called Convention on International Liability for Damage Caused by Space Objects 1972.

This Legal Research aims to determine the Convention on International Liability for Damage Caused by Space Objects 1972 in terms of state responsibility toward satellite or space object accidents which has been implemented and the barriers that caused dispute settlement in satellite or space object accidents is not optimal. This Legal Thesis used a normative research method by taking literature data (secondary data) as source of law. While a descriptive qualitative used in the analysis of this Legal Thesis.

According to the research results, The Convention on International Liability for Damage Caused by Space Objects 1972 has not been properly implemented in practice. While the barriers that caused dispute settlement in previous cases not optimal are diplomatic methods that used as a means of the interest of a state, the lack of technology; the lack of launching state responsibility regarding the damage caused by it and the lack of states cooperation.

Keywords : space law, satellite, space object, Liability Convention 1972