

SUMMARY

Tiara Noor Pratiwi, Hukum Internasional, Fakultas Hukum Universitas Brawijaya, Juni 2014, TANGGUNG JAWAB NEGARA TERHADAP SAMPAH ANGKASA (*SPACE DEBRIS*) (STUDI TERHADAP INSIDEN TABRAKAN SAMPAH ANGKASA MILIK CINA DENGAN SATELIT MILIK RUSIA), Setyo Widagdo, SH. MHum, Nurdin, SH.MHum.

China and Russia are both launching states involved in a collision in Low Earth Orbit on January, 2013. The collision involved a space debris derived from Fengyun-1C, a meteorological satellite which is owned by China, and it is deliberately detonated in 2007 on a mission; an anti-satellite demonstration, or mostly known as the Chinese ASAT Test, carried out by Chinese Military on that moment. It is reported that the explosion produced thousands of small debris with size 1-10 centimeters. Six years later, the space debris involved in the collision with a satellite which was known as Russian nanoreflector satellite called BLITS (Ball Lens in The Space). Related to the collision, The Center for Space Standards and Innovation (CSSI) presented a report which it said that space debris of Fengyun-1C as the result of the explosion of Chinese ASAT Test is the only space object in the collision that passed and hit BLITS in Low Earth Orbit, and caused a damage to BLITS.

According to International Law, specifically in Convention on International Liability for Damage caused by Space Objects 1972, or also known as Liability Convention 1972, a state can be asked for international liability in case of its space objects or its space debris fall dan damage other territory of state, also if it damages other state's space objects. It can be a conclusion from collision above, China is violated a freedom to explore the space as written in Space Treaty 1967 and according to Liability Convention 1972 that China can be claimed by Russia to provide compensation in accordance to damage and loss suffered by BLITS.

Related to the collision, author decided to pick questionable problem about what principle can be applied to the collision to claim China so it would provide a compensation for damage and loss after collision happened by its space debris and suffered by BLITS. Author also decided to pick other questionable problem about what are the things can be obtained by Russia in demand due to damage of BLITS caused by collision with Chinese space debris.

This paper uses juridical-normative method; to analyze international responsibility principles written in Liability Convention 1972 that can be applied to launching state. Approaching methods used in the paper are statute approach and case approach. Applicable legal references in this paper are primer legal reference, second legal reference, and tertiary legal reference to be used to analyze all the possible rules in convention or other international legal basis to solve the problem. Those legal references consist of international conventions, United Nations General Assembly Resolutions on Space Exploration Activities, Books, and Legal Journals.