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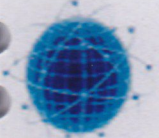
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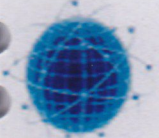
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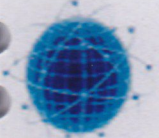
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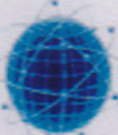
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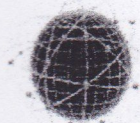
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The Civil Aviation, Climate Change Reduction and Legal Aspects of Forest Fires in Indonesia

Dr Gunawan Djajaputra,¹ Dr Ahmad Redi² and Dr K.Martono³

Abstract: This article describes general review such as introduction and historical background; legal ground such as Indonesian Constitution of 1945, Act Number 6 Year 1994, Act Number 23 Year 1997, Act Number 17 Year 2004, Act Number 25 Year 2004, Act Number 1 Year 2009, Act Number 32 Year 2009 and Presidential Regulation Number 46 Year 2008; action to be taken to reduce climate change in the international as well as national level such as membership of UNFCCC, commits to support ICAO's recommendation, environmental measure project (EMP), cooperation with IATA and other agencies, discussion with Switzerland related to climate change, such as the policy approach to climate change, socialization and coordination of a national action plan, eco-friendly airport, alternative fuel for aircraft operation, sustainable air transport and aviation alternative fuels, the emission trading scheme; establishment of national committee on climate change, aviation biofuels and renewable energy at the airport; and two kinds of legal aspect such as liability regime and responsibility regime related to dispute arrangement to achieve sustainability development.

Keywords: civil aviation, climate change and legal aspect of forest fires.

I. Introduction

Indonesia is the world's largest archipelago State. Its consists of 17,508 Islands, about 6,000 of which are inhabited. Referring to the 2010 national census, the population of Indonesia was 237,6 million. In archipelagic State such as Indonesia, air transportation has a major role to play in connecting the Islands. It shall provide connectivity for national, regional and remote areas and connect Indonesia to international destinations as well. It enables to transport goods, passengers, business travel as civil servant, leisure peoples, business peoples, tourism, employment, family visit, friends and finally increase to support the development of the national economic development in Indonesia. In addition, air transportation also provides for rapid, efficient and affordable connections to support national logistic flow of goods, including when necessary government missions for disaster relief. However, sustainable development of air transport and aviation industry shall be considered and consistently keep an optimum balance between economic, social and global environmental factors (emphasize added).

Global climate change has impact to the air transport and aviation industry, taking into account that air transport and aviation industry growth can affect global climate change and contributes to the Green House Gas (GHG) pollutant in terms of carbon emissions. In this connection, the President of the Republic of Indonesia (ROI) Joko Widodo, issued the Presidential Decree No.61 of 2011.⁴ It provides for GHG emission reduction and the obligation for the energy and transport Sector is 26% cumulative up to the year 2020 and 41% with contribution of international support.

II. Historical Background of Climate Change In Indonesia

The impact of global warming is already evident in Indonesia and it will likely worsen due to further human-induced climate change. The review from the global conservation organization, climate change in Indonesia affects for human and nature. Highlights that annual rainfall in Indonesia is ready down by 2 to 3 per cent, and the seasons are changing. The combination of high population density and high levels of biodiversity, together with a staggering 80,000 kilometers of coastline and 17,500 Islands, make Indonesia one of the most vulnerable country to the impacts of climate change. Shifting weather patterns have made it increasingly difficult for Indonesia's farmers to decide when to plant crops and erratic droughts and rainfall has led to crop failures. A recent study by a local research institute provides that Indonesia had lost 300,000 tons of crop production every

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² Dr. Ahmad Redi, S.H., M.H Graduate Study and PhD (Indonesian University). Previously was civil servant work for the State Secretary Minister, dealing with, among others, UNDP expert consultant, prepare mineral coal act. Dr Ahmad Redi also writes several journal and book related to his specialist and lecturer in the University of Tarumanagara.

³ Prof.Dr.H.K.Martono, S.H.(Indonesian University),LL.M (Mc Gill). PhD (Diponegoro University) Previously served as the chief of the legal division of the Directorate General of Civil Aviation, at Indonesia's Ministry of Communications. He has written extensively about aviation law and regulations in Indonesia and was the parliamentary resource person for when Indonesia was drafting the Civil Aviation Act of 2009.Prof.Dr.H.K.Martono serves as lecturer at the University of Tarumanagara (UNTAR), the Islamic University of Jakarta (UIJ) and Suryadarma University (UNSUR).

⁴ Presidential Decree Concerning National Action Plan to reduce GHG emissions (RAN-GRK) (Pres. Decree No.61 Year 2011).