

B.21

# TARUMANAGARA

## Law Review

Volume 1 |  
Issue 1 |  
January 2019 |

Publisher:  
**Faculty of Law**  
Tarumanagara University



# Tarumanagara

## *Law Review*

### Table of Content

<b>Suyud Margono</b>	<b>001-023</b>
<i>Harmonization Arbitration Law: A Discourse for Investor-State Arbitration in the ASEAN Economic Community</i>	
<b>Ibnu Sina Chandranegara &amp; Syaiful Bakhri</b>	<b>024-046</b>
<i>The Role of Political Ideology on Devolution of State Objectives</i>	
<b>Amad Sudiro &amp; Naomi Jesica</b>	<b>047-061</b>
<i>The Liabilities of the Drone Operators on the Loss of the Third Parties Based on Indonesian Regulation</i>	
<b>Indriyane Vera Natalia &amp; Maret Priyanta</b>	<b>062-090</b>
<i>Law Enforcement Towards Environmental Damage and Pollution Caused by Open-Pit Coal</i>	
<b>Ahmad Redi &amp; Luthfi Marfungah</b>	<b>091-119</b>
<i>Energy Conservation Policy Reform in Indonesia: Attempt to Trace Its Basic Reason of Change</i>	



## The Liabilities of the Drone Operators on the Loss of the Third Parties Based on Indonesian Regulation

by

**Amad Sudiro**

(Dean Faculty of Law University of Tarumanagara)  
(email: [ahmads@fh.untar.ac.id](mailto:ahmads@fh.untar.ac.id))

**Naomi Jesica**

(Undergraduate Student Faculty of Law University of Tarumanagara)  
(email: [naomihartanto@yahoo.com](mailto:naomihartanto@yahoo.com))

*Received:* 19/01/2019 | *Accepted:* 28/01/2019 | *Published:* 27/02/2019

### ABSTRACT

*Air transport has experienced many developments; now air transport can be controlled remotely and being called drones. In practice, the operation of the drone can bring harm to the third party. The reason why the author chose the topic is because of the attractiveness of technological developments affecting air transport. The author would like to find out more about the liability of the operators of drones against the damage of the third party. The research questions in this paper related to the legal status of the drone as an aircraft according to Indonesian national regulation and the liability of the operators of drone against the losses of the third party. The method research in this paper using qualitative normative research methods that are supported by the data of the interview. Data research results indicate that drone could be considered as an aircraft, but drones as the aircraft included in model aircraft. The liability of the operators of drones against the damage of the third party using the system of strict liability where it is not needed any proof, absolute liability system is regulated in Law No. 1 of 2009 concerning Aviation. The author recommends the regulations for drone has to be clarified and regulated more specifically about the drone operator's liability towards third parties, a quantity of insurance, and legal status as an aircraft.*

**Keywords:** *drone; operator; third party liability; Indonesia regulations*

### 1. Introduction

Indonesia is an archipelagic country with a geographically located between islands, and other islands are far apart. Indonesia has a very strategic geographical location. Recognizing Indonesia's prominent position in relations between nations, the country