

**FLIGHT CLEARANCE (FC) ARRANGEMENT ACCORDING TO THE  
CONVENTION CHICAGO 1944 AND THE IMPLEMENTATION IN  
INDONESIA**

**(Case Study : Forced Down against Ethiopia Cargo Plane in Batam in 2019)**

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**ABSTRACT**

The state has full and exclusive sovereignty over its airspace, given the very strategic airspace area for its security and defense. Violations committed by flight aircraft civilian often occur. Like the case study that I picked up, the Ethiopian Cargo Airplane in Batam in 2019, which was put on the Forced Down action because it entered into the sovereignty of Indonesian airspace. The purpose of this study was to determine the Flight Clearance Arrangement in the 1944 Chicago Convention and the process of enforcing flight without a flight permit, the method used in this study uses Normative Law use of primary and secondary data such as literature, legislation, legal theory, research refers to national law and international law. the results of the study revealed that law enforcement against foreign aircraft entering the sovereign territory of Indonesian airspace by means of notification and warning through interception, expulsion from the no-fly zone, Forced Down, conducting investigations, as well as imposing sanctions on offenders and offenders. Offenders are subjected to administrative fines in the form of Landing Fees and complete procedures for flight approval licensing documents.

**Keywords: Flight Clearance, Air Law, Sovereignty.**

**PENGATURAN *FLIGHT CLEARANCE (FC)* MENURUT KONVENSI  
CHICAGO 1944 DAN IMPLEMENTASI DI INDONESIA**

**(Studi Kasus : *ForceDown* terhadap Pesawat Ethiopia *Cargo* di BATAM  
tahun 2019)**

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**ABSTRAK**

Negara memiliki kedaulatan yang penuh dan eksklusif atas ruang udaranya, mengingat sangat strategisnya wilayah ruang udara bagi pertahanan keamanannya. Pelanggaran yang dilakukan pesawat negara asing baik sipil sering terjadi. Seperti studi kasus yang saya angkat yaitu Pesawat Ethiopia Cargo di Batam pada tahun 2019 yang di kenakan tindakan *ForcedDown* karena masuk ke dalam kedaulatan wilayah udara Indonesia. Tujuan penelitian ini untuk mengetahui Pengaturan *FlightClearance* dalam Konvensi Chicago 1944 dan proses penegakan terhadap penerbangan tidak memiliki izin penerbangan, metode yang di gunakan dalam penelitian ini menggunakan Hukum Normatif yaitu menggunakan data primer dan data sekunder seperti kepustakaan ,peraturan perundang-undangan, teori hukum, penelitian mengacu pada hukum Nasional dan Hukum Internasional. hasil penelitian diketahui penegakan hukum terhadap pesawat asing yang masuk ke dalam daerah kedaulatan wilayah udara Indonesia dengan tindakan pemberitahuan dan peringatan melalui intersepsi, pengusiran dari zona larangan terbang, *ForcedDown*, melakukan penyidikan, serta menjatuhkan sanksi kepada pelaku pelanggar maupun negara pelanggar. Pelaku pelanggar dikenai denda administratif berupa *Landing Fee* dan melengkapi prosedur dokumen perizinan persetujuan terbang.

**Kata kunci : *FlightClearance*, Hukum Udara, Kedaulatan.**