

AGENDA ITEM 7(b)
THE CHARACTER AND UTILIZATION OF THE GEOSTATIONARY ORBIT

STATEMENT BY CAITLIN POLING, U.S. REPRESENTATIVE
TO THE LEGAL SUBCOMMITTEE
OF THE UN COMMITTEE ON THE PEACEFUL USES OF OUTER SPACE

April 17, 2024

Chair, the United States appreciates the opportunity to present its views on matters relating to the character and utilization of the geostationary orbit, including consideration of ways and means to ensure the rational and equitable use of the geostationary orbit without prejudice to the role of the International Telecommunication Union (ITU).

With respect to the geostationary orbit, or GSO, the United States continues its commitment to the rational, efficient, and economic use of the geostationary orbit, including the principle of equitable access to the GSO for all States, taking into account the special needs of developing countries. From the legal point-of-view, it is clear that the GSO is part of outer space and that its use is governed by the 1967 Outer Space Treaty as well as by the International Telecommunication Union's treaties. As set forth in Article I of the Outer Space Treaty, outer space shall be free for exploration and use by all States without discrimination of any kind, on a basis of equality and in accordance with international law. Article II of this Treaty further provides that outer space is not subject to national appropriation by claim of sovereignty, by means of use or occupation, or by any other means. These articles make clear that a party to the Outer Space Treaty cannot appropriate a position in outer space, such as an orbital location in the GSO, either by claim of sovereignty or by means of use, or even by repeated use, of such an orbital position.

As we have stated, the United States is committed to equitable access to the GSO and has taken numerous actions to further the use of the GSO, and other uniquely situated orbits, for the benefit of all. These actions include: free provision of its Global Positioning System (GPS); free provision of a variety of weather and other Earth observation data from its meteorological and environmental satellites; operated by the National Oceanic and Atmospheric

Administration (NOAA) in polar and geostationary orbit, including information about hurricanes, volcanic eruptions and effluent flooding, droughts, and related environmental matters. Additionally, the United States participates in the international satellite-aided search and rescue program known as COSPAS-SARSAT, as a means for ships, aircraft, and others in distress to signal their need for help and their locations.

Thank you, Chair.