



# General Assembly

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**Committee on the Peaceful  
Uses of Outer Space**  
Legal Subcommittee  
Sixty-third session  
Vienna, 15–26 April 2024

## Draft report

### Addendum

**V. Matters relating to the definition and delimitation of outer space and 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**

**B. 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**

1. Some delegations expressed the view that the geostationary orbit was a limited natural resource in clear danger of saturation and was not to be subject to national appropriation, and that its utilization should be governed by applicable international law and in accordance with the principle of non-appropriation of outer space, either by claim of sovereignty, by means of use or even by repeated use of an orbital position.
2. Some delegations expressed the view that the geostationary orbit should be used rationally and should be made available to all States, irrespective of their current technical capacities. That would afford States the possibility of gaining access to the geostationary orbit under equitable conditions, bearing in mind, in particular, the needs and interests of developing countries and the geographical position of certain countries, and taking into account the processes of ITU and relevant norms and decisions of the United Nations.
3. The view was expressed that the geostationary orbit should be used in line with international law and while respecting and observing the sovereign rights of States over that natural resource.



4. Some delegations expressed the view that it was necessary to ensure fair, efficient and equitable access to orbital positions in the geostationary orbit, taking into account the needs of developing countries.
5. The view was expressed that the accumulation of fragments of space debris in the geostationary orbit was a matter of concern. The delegation expressing that view was also of the view that orbital servicing operations and the active removal of space debris in the geostationary orbit were also of concern because those actions lacked transparency and could lead to tensions and undermine trust.
6. The view was expressed that equitable access to the geostationary orbit involved matters outside the remit of ITU and that access to the geostationary orbit was a critical issue for developing countries and should be addressed within the Committee.
7. The view was expressed that commitment to equitable access to the geostationary orbit for the benefit of all was demonstrated through the free provision of resources such as the Global Positioning System of the United States, as well as the free provision of a variety of weather and Earth observation data, including information about hurricanes, volcanic eruptions, effluent flooding, droughts and related environmental matters, and the International Cospas-Sarsat Programme, the satellite system for search and rescue that provided a means for ships, aircraft and others in distress to signal their need for help and their location.
8. Some delegations expressed the view that it was necessary to keep the issue on the agenda of the Legal Subcommittee in order to develop adequate mechanisms that could ensure the sustainability of and equitable access to the geostationary orbit.
9. The view was expressed that the topic under examination should remain under permanent discussion within the Committee and its two subcommittees. The delegation expressing that view was also of the view that a dedicated sub-item on the analysis of the situation regarding the use of the geostationary orbit from the perspective of equitable access could be established, with a view to prioritizing the requirements of projects addressing the needs of countries, in particular developing countries, and facilitating their inclusion in such projects.
10. The view was expressed that it would be appropriate for the Legal Subcommittee to create a working group with a view to achieving a common understanding of the standard of fair access not only to the geostationary orbit but also to other orbits and outer space as a whole, and to hold international scientific events on that topic.
11. The view was expressed that in order to ensure the application of the principle of equitable access for all States, in particular developing countries and countries with particular geographical conditions, the geostationary orbit should be regulated by a sui generis regime.

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