

**REPORT OF THE CHAIRMAN OF THE FREQUENCY WORKING PARTY****I. EXECUTIVE SUMMARY**

1. The 33<sup>rd</sup> meeting of the ITSO Assembly of Parties (AP-33) in 2009 noted that the Notifying Administrations intended to follow a procedure to supplement the implementation of Article XII (e) (iv) of the ITSO Agreement, and that this procedure would be applied as quickly as possible and that the results obtained in its implementation would be reviewed by the next ordinary Assembly.
2. A Frequency Working Party (FWP) was created by the same AP with the objective to advise the Director General on matters relating to the implementation of the above procedure and to complement as well as support the ITSO Executive Organ in its work on issues related to frequency spectrum management that requires specialized expertise on matters concerning ITU.
3. At the Assembly of Parties meeting held in June 2022(AP-40), it was decided to note the work of the Frequency Working Party. It was also decided to extend the term of the Frequency Working Party to the next Ordinary Assembly of Parties (AP) Meeting, with the Terms of Reference contained in Attachment No 2. The Frequency Working Party (FWP) is currently made up of one expert from each of the five ITU regions, as permanent members, plus other experts indicated by Parties; all of them (both the permanent members plus the other experts) are listed in Attachment No. 1.
4. The FWP has carried out its duties since AP-40, when the FWP presented its last report to an Ordinary Assembly of Parties, primarily through electronic means and audio conferences in order to reduce the costs to a minimum. During this period, it held three electronic meetings, FWP – 12, held on 31st May 2023, a joint meeting with ITSO WG1 and ITSO WG2 held on 13th November 2023, as well as FWP -14, held on May 13th, 2024.
5. Since the last Ordinary Assembly of Parties meeting (AP-40), the FWP has contributed to the work of implementing ITU Radiocommunication Assembly Resolution ITU-R 69, preparing ITSO position on key agenda items of the WRC-23, as well as reviewing the evolution of Common Heritage and key issues related to the protection of the frequency assignments of the Common Heritage, by way of providing advice to the Director General. The FWP was also involved in providing to the Director General inputs to the WRC-23 Agenda Items related to Satellite issues. With its work, the FWP contributed to the decision by the ITU - R Radiocommunication Assembly 2023 to maintain Resolution ITU-R 69 – 1 through the next cycle of ITU Radiocommunication Assembly, including significant updates and extension of the mandate to ITU-R and ITU-D on promotion of satellite broadband.

6. In light of the fact that the Fortieth Assembly of Parties (AP-40) decided that the ITSO Agreement will continue to be in force, it is anticipated that the FWP will continue to provide inputs and advice to help the Director General effectively contribute, as may be applicable; (i) to the studies to be undertaken by the ITU-R while implementing the ITU Radiocommunication Assembly Resolution ITU-R 69 - 1; (ii) to issues related to WRC-27 satellite matters; and (iii) to issues related to the ITSO Parties' Common Heritage.

7. The FWP believes that the scope of the Terms of Reference enabled it to provide advice to the Director General that was both useful and opportune, given the issues at hand which the Organization had to deal with. Furthermore, the FWP is of the view that the reasons for its creation at AP-33 are still valid and the studies and contributions of this Working Group are useful and valuable to the Director General and the Assembly of Parties.

## II. RECOMMENDATION

8. The FWP recommends that the Assembly of Parties **DECIDE** to:

- (a) **NOTE** the work carried out by the Frequency Working Party since AP-40 to date, and specifically the advice to DG on the need of revised content of the annual report of the evolution of Common Heritage combining simplicity and more granularity on some key indicators,
- (b) **PROVIDE GUIDANCE** on the specific actions which the DG should undertake to address the suspensions of some frequency assignments, in particular, the recently notified suspensions at orbital positions 310°E and 340°E,
- (c) **EXTEND** the term of the Frequency Working Party to the next ordinary Assembly of Parties meeting, as per the Terms of Reference laid out in Attachment No. 2.

## III. BACKGROUND

9. At the time of privatization, the 25<sup>th</sup> Assembly of Parties (AP-25) established a first Frequency Working Party with the objective of assisting the Parties in the development of more equitable procedures for the management of the radio frequency spectrum and orbital locations. For that purpose, the Assembly approved comprehensive Terms of Reference for the FWP. In its first report to the Assembly, the Working Party stated:

*“The Intelsat global satellite network, before privatization, was supported by spectrum/orbit resources, which form a common heritage of all Parties. The Assembly of Parties has transferred the Intelsat heritage to two administrations, the USA and UK, who will manage the registration of satellite networks and the coordination request process. The Parties expect this heritage will be maintained properly in order for Intelsat Limited to fulfill its Core Principles.”*

It submitted its final report to the 28<sup>th</sup> meeting of the Assembly.

10. Article XII (e) (iv) of the ITSO Agreement stipulates that *“each Party selected as a Notifying Administration [for the Parties’ Common Heritage orbital locations and associated frequency assignments] shall notify and consult with the Director General on ITU satellite system co-ordinations that are undertaken on behalf of the Company to assure that global connectivity and service to lifeline users are maintained”*.

11. The 33<sup>rd</sup> meeting of the Assembly (AP-33), held in 2009, noted that the Notifying Administrations intended to follow a procedure to supplement the implementation of Article XII(e)(iv) of the ITSO Agreement and that this procedure would be applied as quickly as possible and that the results obtained in its implementation would be reviewed by the next ordinary Assembly.

12. To complement and support the ITSO Executive Organ in its work on issues related to frequency spectrum management that requires specialized expertise on matters concerning ITU, a new group (the Frequency Working Party) made up of one frequency expert from each of the five ITU regions, was then established by AP-33 with the objective to advise the Director General on matters related to the above procedure.

13. At the 34<sup>th</sup> Assembly of Parties meeting (AP-34), the Terms of Reference of the FWP were expanded, providing for an expanded membership and scope of work. The composition of FWP as a result of the AP-34 decision includes frequency experts from all the five regions of the ITU, with at least one expert being a designated representative of the region. The decision by the Assembly was taken primarily in recognition of the complexity of the frequency co-ordination process; the necessity to include a mechanism that allows the Parties to review all items associated with frequency management issues that are related to the ITSO Agreement; and the need to advise the Director General on all technical or regulatory issues arising from the Parties Common Heritage in accordance with his duties under Article X (j) of the Agreement.

14. At the 35<sup>th</sup> Assembly of Parties meeting (AP-35), the Terms of Reference were amended to include the provision of advice and inputs, as may be necessary, with respect to ITSO’s contribution to the studies to be carried out by ITU-R in response to WRC-12 Resolution 11.

15. At the 36<sup>th</sup> Assembly of Parties meeting (AP-36), the Terms of Reference were amended again in order to include the provision of advice and inputs, as may be necessary, with respect to ITSO’s contribution to the studies to be carried out by ITU-R in response to the ITU Radiocommunication Assembly 2015 Resolution ITU-R 69. This activity did continue during ITU RA 2019 and ITU RA 2023.

#### IV. FWP ACTIVITIES

16. The process that was established at AP-33 to follow a procedure that supplements the implementation of Article XII(e)(iv) of the ITSO Agreement has been applied twice, both at the request of the Notifying Administration of the UK and the details in respect of the outcomes were reported at the Thirty Fourth Assembly of Parties (AP-34). Since AP-34, neither of the two Notifying Administrations has had to apply the procedure established at AP-33.

17. One of the major responsibilities of the current FWP was the follow up on developments in respect of all WRC-23 issues that are relevant to ITSO's interests. There were many Agenda Items for WRC-23 that impacted directly on satellite matters including considerations related to: the existing spectrum; identification of frequency bands for future developments of other services (such as IMT); regulatory flexibility on Satellite Services; additional satellite spectrum and ITU Radiocommunication Assembly Resolution ITU-R 69, etc. During the intervening period between AP-40 and AP-41, and as part of its work program, the FWP was fully involved in following up on the preparatory work related to WRC-23 and the implementation of ITU Radiocommunication Assembly 2019, Resolution ITU-R 69, concerning the use of satellite orbital slots and associated frequency spectrum to deliver international public telecommunications services in developing countries. Finally, ITU Radiocommunication Assembly 2023 decided to maintain and extend the scope of the Resolution ITU-R 69-1: Development and deployment of international public telecommunications via satellite in developing countries (2015-2023).

18. Within the ITU, the work related to Resolution ITU-R 69 is taking place in ITU-R Study Group 4, WP4A and WP4B. The WP4A did develop a new revision for Recommendation ITU-R S.1782-0, "*Possibilities for global broadband Internet access by fixed-satellite service systems*", that covers the Resolves 3 of Resolution ITU-R 69. The Recommendation ITU-R S.1782-0 provides examples and technical characteristics of possible GSO/FSS system implementations to provide global broadband Internet access.

19. Furthermore, in respect of the WP4B activities, the Group developed Report ITU-R REPORT ITU-R M.2460-0 "*Key elements for integration of satellite systems into Next Generation Access Technologies*", July 2019. This NGAT technology will allow a new era of mobile communications in three main areas: enhanced Mobile Broadband (eMBB), massive Machine Type Communications (mMTC) and Ultra-reliable and low-latency communications (URLLC).

20. The contributions by ITSO Member States supported by the FWP to the work in WP4A and WP4B have been instrumental in the progress of the Resolution ITU-R 69 implementation. ITSO has continued to follow up Resolution ITU-R 69 till its update at WRC-23 and should continue cooperating with ITU-R and ITU-D on effective implementation of the resolves of the ITU-R Resolution 69.

**V. FWP ACTIVITIES FOR 2025 AND BEYOND:**

21. In case the ordinary Assembly of Parties AP-41 decides to renew the mandate of the FWP, the group will continue giving advice to the Director General on matters related to the Common Heritage issues, based on analysis of information availed to it and originating from the Notifying Administrations.

22. The FWP will also continue studying and giving its advice to the Director General on all ITU-R matters related to ITSO mission and in particular with regard to preparations for the next World Radiocommunication Conference 2027 (WRC-27).

23. The FWP will also continue studying and giving its advice to the Director General on all ITU-D matters related to ITSO mission and in particular with regard to promotion of the use of satellite as an optimum solution to deploy broadband connectivity infrastructures, as endorsed by Radiocommunications Assembly 2023 (RA-23), which will have a potential for fruitful study cycle till RA-27.

24. The FWP Report to AP-41: The FWP discussed and agreed on the report to be presented to the Forty First Ordinary Assembly of Parties meeting (AP-41). In addition to providing a summary of the work done by the FWP since the Fortieth Assembly of Parties meeting (AP-40), the report highlights the need and value to be derived from the continuation of the work related to inputs and advice by the FWP to the Director General.

25. The 14th meeting of the FWP examined a contribution from the ITSO's Director General providing background on the traditional process of monitoring the evolution of the Common Heritage. An annual report is prepared by the ITSO Director General and submitted for consideration by IAC, AP and, when so decided, by the ITSO Working Groups. The report was initially prepared back in 2010 including the evolution since 2001 and since then, it has used the same format while maintaining all data and information regarding previous years evolution of the Common Heritage, mainly based on the evolution of registered orbital positions. In 2016 additional data was introduced in the report to monitor the evolution of the frequency assignments.

26. The ITSO Director General's contribution recommends simplifying and focusing the content of the annual report by focusing on key elements characterizing the status of the Common Heritage, its evolution during past year, its risks related to potential suspension as well as enhancing the information related to the use of the Common Heritage. The proposal is to keep the 2023 annual report as the basis for the future main report but to produce new annual reports for 2024 evolution and years to come as Appendices to the main report, thus each new year will provide information on the evolution of the report during past year with all proposed new content to help assess the relevance of the evolution. Such new Appendices will continue to combine information provided by the Notifying Administrations, the Company Intelsat as well as the status of frequency assignments registered at the MIFR of the ITU. A specific template for the structure of the content of the new Appendices of the annual Common Heritage evolution was provided.

27. FWP received an informative document, FWP-14-07, elaborated by the ITSO DG informing the FWP about two letters from the USA Notifying Administration which were submitted on 15th April 2024 to the ITU Radiocommunications Bureau notifying the suspension of frequency assignments within some bands and for some satellite networks in orbital positions 340E/20W and 310E/50W. These suspensions mean that frequency assignments in orbital position 310E/50W are reduced while frequency assignments in orbital position 340E/20W are largely reduced. Some clarifications are still pending from the USA Notifying Administration to further understand the reasons for such suspensions as well as potential plans to bring the frequency assignments back into use. It was noted that ITSO is currently debating on possible procedures to be implemented when notification of suspensions are received by ITSO towards adopting actions preserving the Common Heritage. In accordance with ongoing discussions in ITSO Working Groups, the actions which ITSO can trigger when a suspension of frequency assignments is notified to ITU, should be accelerated in order to avoid the risks of the related assignments being finally suppressed, which could happen on 9 January 2027 and 20 January 2027 for frequency assignments at 310E/50W and at 340E/20W, respectively.

## **VI. CONCLUSION**

28. The FWP has been able to provide useful and necessary inputs to the Director General in accordance with its mandate and thereby also supporting him in executing his duties as required under the ITSO Agreement. Nonetheless the reasons for the creation of the FWP at AP-33 are still valid and therefore, it is desirable for its mandate to be extended for another term until the next ordinary Assembly of Parties.

**COMPOSITION OF THE FREQUENCY WORKING PARTY**

**Frequency Working Party - Permanent Members**

Region	Party	Title	First Name	Last Name
A	Argentina	Mr.	Leonel Enrique	Hochman
B	France	Mr.	Thomas	Welter
C	Russian Federation	Mr.	Andrey	Zhivov
D	Côte d'Ivoire	Mr.	Kouamé	Bini
E	India	Ms.	M.	Revathi

**Other Experts Indicated by Parties**

Region	Party	Title	First Name	Last Name
A	Argentina	Mr.	Hugo	Miguel
A	Dominican Republic	Mr.	Rafael	Núñez
A	USA	Mr.	Douglas	May
A	Venezuela	Mr.	Jesús	Rivera
B	Hungary	Mr.	Andras	Csudai
B	Türkiye	Mr.	Veli	Yanikgönül
C	Armenia	Mr.	Makar	Melikayan
C	Azerbaijan	Mr.	Shahin	Isamayilov
D	Algeria	Mr.	Belaid	Hamza
D	Madagascar	Ms.	Claudine	Rasoarivao
D	Somalia	Eng.	Ali Afey	Dhildug
D	South Africa	Ms.	Nonkquebela Thathakahle	Jordan
E	China	Mr.	Hu	Wei
E	Iran	Mr.	Fatemeh	Aghdasi

## **TERMS OF REFERENCE FOR THE FREQUENCY WORKING PARTY**

### **I. COMPOSITION**

1. The Frequency Working Party (FWP) shall be comprised of one frequency expert from each of the five (5) regions to the International Telecommunication Union (ITU). In addition, the FWP is open to all ITSO Member States.

### **II. TERMS OF REFERENCE**

2. The FWP shall undertake the following duties:

- a) advise the Director General on matters relating to the procedure to supplement the implementation of Article XII(e)(iv) of the ITSO Agreement as approved at AP-33;
- b) advise the Director General on all issues arising from frequency management, in particular about the Parties' Common Heritage in accordance with his duties under Article X (j) of the Agreement;
- c) Recommend to the Director General any actions to be undertaken in relation to the Parties' Common Heritage;
- d) Advise and provide inputs, as necessary, with respect to ITSO's contribution to the studies to be carried out by ITU-R in response to ITU Radiocommunication Assembly Resolution ITU-R 69.

### **III. WORKING METHODS**

3. In furtherance of the FWP's Terms of Reference:

- a) The FWP shall select a Chairman and a Vice Chairman from among its members;
- b) The FWP shall adopt its own working procedures compatible with those adopted by the Assembly of Parties;

ITSO RESTRICTED

ATTACHMENT NO. 2 TO

AP-41-19E W/10/24

Page 2

- c) The ITSO Executive Organ shall provide assistance to the FWP as may be necessary;
- d) The outcome of the FWP shall be communicated to the Director General;
- e) The Chairman of the FWP shall submit a report to each ordinary Assembly of Parties;  
and,
- f) Wherever possible the FWP will use electronic methods of conferencing to conduct its work, in order to minimize costs.

**IV. COSTS**

4. Costs associated with all travel, accommodation and subsistence of the members of the FWP at their meetings shall be borne by ITSO.

5. The Regional Vice-Chairman for each region shall designate one frequency expert from that region that shall be eligible for the cost reimbursement provided in Section IV.4.