AP-41 WORKING GROUP
2nd Report

Date: March 25, 2025 – Start time 08:00 AM ET
AP-41 WG Chairman: Mr. El Hadjar Abdouramane
Participants: see Annex I

<u>Agenda of the 2nd meeting of AP-41 WG – March 25th, 2025</u>

1. Adoption of the agenda
2. Adoption of the Kickoff Meeting Summary
3. Presentation of the ToRs' coordinators and vice-coordinators
4. Presentation of the WG membership
5. Contribution from the Director General
6. Presentation of the submitted contributions (TBC)
7. AOB
8. Closing remarks

Agenda items 1: Adoption of the Agenda

The Chairman, Mr. El Hadjar Abdouramane (Party of Cameroon), opened the meeting by welcoming the participants (Annex I - list of participants). The agenda was presented and formally adopted without modification.

The Chairman then invited the Director General (DG), to share his opening remarks. The DG welcomed participants and acknowledged the strong turnout. He noted that the Working Group would convene in a series of meetings, and that the Secretariat had prepared a contribution to be presented at the appropriate point on the agenda.

Agenda item 2: Adoption of the Kickoff Meeting Summary

The Chairman invited comments on the Draft Kickoff Meeting Summary, noting that it had been shared with members in advance. With no comment or amendment, the Summary was adopted as presented.

Agenda item 3: Presentation of the ToRs' Coordinators and Vice-Coordinators

The Chairman highlighted that the ToRs for the coordinators and vice-coordinators had been discussed during the kickoff meeting and invited the Secretariat to provide a recap of their structure, roles and responsibilities for participants' reference.

Dr. Renata Brazil-David informed the meeting that the proposed coordinators and vice-coordinators for the various ToR groups had been finalized and expressed gratitude to the nominees for accepting their respective roles. She provided information on the ToR grouping leadership as follows:

Group of ToR	Coordinator	Vice-coordinator
1,3 & 5	Dr. Maria Myers-Hamilton (Jamaica)	Mr. Flenk Mnisi (South Africa)
2,4 & 6	Mr. Nedal Al Samara (Jordan)	Mr. Thomas Welter (France)
7,8 & 9	Mr. George Kwizera (Rwanda)	Ms. M. Revathi (India)

The Chairman extended his appreciation to the nominees for accepting their responsibilities, as well as the Regional Vice-Chairs for their support in facilitating the nomination process. He then emphasized that the WG had reached an important milestone that would enable the efficient execution of the tasks assigned to the group.

The Chairman opened the floor for comments but there were no comments.

Agenda item 4: Presentation of the WG Membership

The Chairman noted that AP-41 WG called for members from different regions to actively participate, while keeping the meetings open to all Parties. He acknowledged the Regional Vice-Chairmen's role in facilitating member identification and invited the Secretariat to present the participants from each region.

Dr. Renata Brazil-David begun by recognizing the rapporteurs to the AP-41 WG, namely Mr. George William Kasangaki (Party of Uganda) and Ms. Nazgül Bağbaşı (Party of Türkiye). She also recognized the support and representation of the ITSO Notifying Administrations that is Mr. Callum Gray (United Kingdom) and Mr. Doug May (United States of America).

She then proceeded to present the leadership of the different regional groups as follows:

Region	Representation
A	Argentina, Brazil, Jamaica and Paraguay
B	Belgium, France and Turkey
C	Poland and Romania
D	Algeria, Angola, Kenya, Uganda, Rwanda, Benin, Congo, Nigeria, South Africa, Zimbabwe and Mauritius
E	Jordan, China and India

The Chairman expressed appreciation to the Regional Vice-Chairs for their support and opened the floor for comments. No comments were made.

Agenda item 5: Contribution from the Director General

The Chairman highlighted that the contribution from the Director General provides some background on the different topics that the WG would have to address through the TORs as provided by AP-41. He noted the usefulness of the document in helping the WG have better insight into the different issues to be addressed and see how it would plan for future meetings, have a better understanding of the key area where the WG will have to develop appropriate recommendations to be submitted for the next AP.

The Chairman then invited the DG to introduce the “Contribution from the Director General to the Second Meeting of the AP-41 Working Group”.

The Director General provided an overview of the continuing work of the AP-41 Working Group, building on recommendations from the AP-40 Working Groups. He emphasized that the focus remains on strengthening ITSO's effectiveness, ensuring sustainable funding, enhancing cooperation with Intelsat/SES, and protecting the Common Heritage. He provided an overview of the nine Terms of Reference (ToRs), grouped into three thematic blocks.

Group 1: ToRs 1, 3 and 5

The Director General then went into the details of the issues related to ToRs 1, 3 and 5 in Group 1, which focuses on improving the ITSO–Intelsat relationship, revising the Public Services Agreement (PSA), and managing risks related to bankruptcy or mergers.

The Chairman opened the floor for comments on Group 1.

The Representative from the Party of India (Ms. Revathi) commend the DG’s detailed presentation and requested clarification to appreciate the arrangement and work or responsibilities of AP-41, noting that it is taking forward the work that was started by AP-40 Working Groups 1 and 2. She asked whether this working group is different from the AP-40 Working Groups 1 and 2.

The Representative from the Party of Nigeria (Mr. Asuenize Adiga) praised the DG for putting together an elaborate document that would guide the work of the AP-41 WG. Mr. Adiga suggested an editorial changes on the document to have a futuristic outlook. He proposed that instead of only considering Intelsat/SES as an operator, room should be provided for another potential operator and suggested to include the phrase “other operator” and not limit it to Intelsat/SES.

In response to Nigeria’s comment, the Chairman highlighted that the ToR currently guiding the work of the AP-41 WG were approved by the AP. However, since a report will be shared, there is room to make recommendations thus, a language can be crafted to consider any futuristic consideration towards the evolution of the structure of Intelsat.

In response to the two comments, the DG clarified that Working Groups 1 and 2 formed at AP-40 concluded their work and were dissolved and a new working group was established, which is AP-41 Working Group, or rather Ad-Hoc Working Group. Thus, to avoid confusion, the DG advised that the working group be referred to as AP-41 WG going forward. With regard to Nigeria’s comment, the DG indicated that the Secretariat, in subsequent documents shall take into account the fact that these terms of reference are not necessarily tied just to Intelsat, but also to any other operator or even maybe not Intelsat per se, but the combined company, whether it will be called SES, Intelsat or it is SES, or any other.

The Representative from the Party of India (Ms. Revathi) noted the DG’s clarification regarding the naming of the working group and agreed that this WG should be called AP-41 WG.

The Chairman thanked India and asked if there were any additional comments.

The Representative from the Party of India (Ms. Revathi) requested clarification regarding ToR 5. She asked if the Reports from the Notifying Administrations can be made available to the participants.

The Director General said that the Secretariat can make those reports available to the participants and asked if the USA and UK Notifying Administrations had any challenges with India's request.

The Representative from the USA Notifying Administration (Mr. Doug May) said that this question is really for the Director General. He explained that they share the modernized reports with the DG twice a year as well as any other relevant activities happening and that the DG shares the information with the entire membership at every Assembly of Party meetings. So, what the DG wishes to do in the intervening period depends on his resources and ability to share them with the membership.

Since there were no additional comments, the Chairman asked the Director General to proceed with ToRs 2, 4 and 6.

Group 2: ToRs 2,4 & 6

The Director General then went into the details of the issues related to ToRs 2, 4 and 6 which focus on closer coordination with Notifying Administrations and ensuring updated mechanisms for Common Heritage management.

The Chairman thanked the Director General for his presentation and invited the meeting to share any comments or observations on Group 2.

The Representative from the Party of India (Ms. Revathi) noted that the Terms of Reference (ToR 4) extend to questions concerning whether the orbital locations are part of the Common Heritage, what frequency assignments are associated with them, the extent to which those frequencies are being utilized, and how they are being applied for PSA connectivity. She also highlighted the importance of assessing traffic levels and technological evolution. Ms. Revathi commended the ToR, noting that it contains very strong and valuable recommendations. However, Ms. Revathi requested clarification, noting that since Working Group 2 had already made this recommendation, and it may have been approved by the Assembly of Parties, the current Working Group must now focus on its implementation. This includes determining the type of reports that should be collected from the Notifying Administrations and establishing mechanisms for managing this information. She emphasized that closing this implementation gap is essential.

The Director General clarified that, regarding implementation and the level of detail required in the reports, extensive discussions had taken place with the Notifying Administrations. These discussions focused on the extent to which such information could be provided and whether it would be of practical value. In other words, there was significant debate around whether the level of detail being requested was necessary or if it might already be available from the company itself. Moving forward, the Working Group will need to assess to what extent these expectations are both feasible and practical, and whether the necessary information can indeed be obtained. He added that a related concern was whether the Notifying Administration would be expected to request this type of information from the company. Given that the Notifying Administrations serve as regulators overseeing licensing conditions, the question arises as to whether their licensing agreements with Intelsat require the company to report such data. He mentioned that the key issue, then, is determining how ITSO can access this information—whether it should be obtained through coordination with the Notifying Administrations or through direct submission by the company. These are the kinds of operational details that the Working Group will need to examine further. He suggested that it would be helpful to get some comments, maybe from the Notifying Administrations.

The Chairman noted that the plan is to identify specific topics to focus on in our future meeting, with the goal of developing practical recommendations. He then invited the Notifying Administration to provide some comments on that.

The USA Notifying Administration (Mr. Doug) expressed his support for the concerns raised by the DG. He added that some of the requirements are challenging for the Notifying Administrations to provide, and they are really for the service providers.

The Representative from the Party of India (Ms. Revathi) raised a point regarding ToR 6. She highlighted that, as explained by the DG, there is no intention of bringing the satellite back after suspension, or perhaps due to other reasons. She questioned whether the Notifying Administration would be able to offer the opportunity to another company interested in fulfilling the PSA agreement. She emphasized that such a company would need to operate in accordance with the domestic laws of the Notifying Administration, as the responsibility shifts from one company to another. This is crucial to ensure the possibility of restoring satellites to operation after suspension for any reason.

The Director General shared with the group that M. Revathi is a member of the Radio Regulations Board. So having her presence in this working group meeting brings us direct information in terms of expertise on what can happen and cannot happen. He added that the Secretariat looks forward to her continued work with the group.

The Representative from the Party of Uganda (Mr. George Kasangaki) pointed out a lack of coherence in the DG's submission under ToR 5. Specifically, he noted the disjointedness between the last bold bullet point, which discusses "the level of traffic and evolution of the technology to identify the efficiency related to the utilization of common use of the capacity," and the statement that follows it.

In response to the comments raised, the Director General clarified that necessary editorial changes should be made to the document before its submission. These changes would address issues such as punctuation, ensure consistency throughout the document, and eliminate any confusion that may arise from unclear phrasing.

Since there were no additional comments, the Chairman asked the Director General to proceed with ToRs 7, 8 and 9.

Group 3: ToRs 7,8 & 9

The Director General then went into the details of the issues related to ToRs 7, 8 and 9 which focuses on consideration of procedures for reallocating unused or suppressed Common Heritage resources and evaluating the feasibility of appointing additional or regional Notifying Administrations.

The Chairman commended the DG for an insightful presentation of the ToR 7, 8 and 9; and opened the floor for discussion.

Noted that there were no requests to make comments on the submission made by the DG.

The Chairman indicated that to have a better understanding of the different issues around each of the TORs, it would also help the WG to have more meaningful contribution for our future meeting especially for each of the area. He recalled that the outcome from this group will be a comprehensive report that should be submitted to AP-41 highlighting workable recommendations to address the main issues which have been highlighted in the DG's contribution.

The representative from the Party of Nigeria (Mr. Adiga) sought clarification on how the alternative Notifying Administration highlighted under ToR 9 would be recognized by the ITU.

In response to Nigeria's comment, the Chairman noted that, for the time being, the matter remains internal to ITSO. Regarding issues related to the ITU, there are existing ITU regulations that govern such processes. However, at present, this is still a matter under ITSO's consideration. The proposal presented by the Director General in this paper is intended merely as food for thought for our group—to explore how the concerns raised by parties in Region D might be addressed going forward.

In response to the comment raised by Nigeria and the clarification provided by the Chairman, the Director General noted that this is intended as *food for thought*. There is still considerable work to be done internally within ITSO, including by the Working Group and the Assembly of Parties, to reach a common understanding of what is applicable. This internal alignment is necessary before considering the processes that would need to be undertaken at the ITU. He added that when it comes to Notifying Administrations, it is important to adopt a forward-looking approach. Should the need arise in the future, it would be better to have anticipated and prepared for it, rather than initiating the process at that point. That is why these ideas are being introduced now—to begin the conversation. The Working Group may also wish to consider convening an extraordinary session of AP. He added that during the Working Group discussions, it was emphasized that all implications must be carefully examined before any final recommendation is submitted for approval by the Assembly of Parties and subsequent processes. The proposal remains food for thought, with a complex set of terms of reference and substantial work ahead.

The representative from the Party of India (Ms. Revathi) acknowledged Nigeria's question and, building on the Director General's clarification, added that it would be practical to designate the Notifying Administration as the responsible entity. The term used in this context is "operating administration." Within the ITU framework, it is possible for one administration to act as the notifying administration while another serves as an associate administration—this arrangement can be accommodated. Alternatively, there are mechanisms to work around such scenarios, including consultation with the ITU's Rules of Procedure. Further options are expected to emerge as discussions progress.

Upon the submission from India, the Chairman noted that there were no further requests for the floor. He also noted that the paper presented was well equipped with the different issues regarding each ToR and that the Working Group's future meetings would be able to use this document as a baseline complemented by other inputs either from the Secretariat or member contributions.

The Chairman noted that all Coordinators and Vice-Coordinators now have the presented paper and guidance on the expectations for the Working Group's output to AP-41. For future meetings, the Working Group will identify specific topics to focus on, starting with straightforward issues before tackling more complex ones.

The Chairman proposed a management team meeting with the leadership group to prioritize topics.

The Director General agreed with the Chairman’s emphasis on the next steps. He added that the Secretariat’s suggestion is to start with ToR 1, 3, and 5, as these are well-documented and discussed. The focus for the May meeting would be on these ToRs. The Secretariat will prepare a background document and Working Group members are encouraged to contribute to working documents. In the absence of contributions, the Coordinators for each ToR will be expected to provide input to facilitate the meeting’s progress. In other words, with the tasks spread out in this way, preparing for each meeting of the Working Group will allow enough detail to be gathered, enabling the group to develop potential working recommendations for IAC’s consideration.

In response to the DG’s submission, the Chairman confirmed that the next meeting of the WG will focus on ToR 1, 3, and 5. Following that, the June meeting will cover ToR 2, 4, and 6, while ToR 7, 8, and 9 will be reserved for the September meeting. However, this schedule is subject to further discussion with the leadership team to refine the work program.

Noting that there were no comments, the Chairman called the meeting to the next agenda.

Agenda item 6: Presentation of the submitted contributions

The Chairman invited the Secretariat to confirm if there were any formal submissions/inputs for this meeting from the membership.

Dr. Renata Brazil-David confirmed the absence of submissions to the meeting.

Agenda item 7: AOB

The Chairman invited the participants to make submissions in respect to this agenda.

The representative from the Party of the France (Mr. Amar Saidani) noted the DG’s detailed contribution and indicated that it would shape future contributions for the different dedicated groups. He also reminded the meeting that it was agreed that some information related to Intelsat’s licenses was to be posted on the ITSO website and asked for an update.

The Director General apologized for not having addressed this yet and requested to consult outside the meeting to ensure that the matter is addressed.

France reminded that the information needed for the website is described in document 8 of AP-41.

The Chairman requested the Secretariat to ensure that all the information earlier agreed to be posted on the website be made available accordingly.

Dr. Renata Brazil-David indicated that the Secretariat had received requests to change the dates of the next meetings, particularly the November meeting and thus wanted to check with the group the feasibility of 4th to 5th November and if there is any objection.

No objections were raised.

Dr. Renata Brazil-David shared with the members of the group the tentative dates for the ITSO Advisory Committee meeting, the IAC 26. For IAC 26, the meeting should take place in Washington DC from March 26th to March 27th. She mentioned that for those who usually attend the satellite week, that's the Thursday and Friday of the satellite week meeting to facilitate travel. The potential dates for AP 42 are September 30th to October 2nd, 2026.

The representative from the Party of Nigeria (Mr. Adiga) pointed out that some members attending the May meeting might have difficulty flying from China, where the ITU-R Working Party 4 meeting is taking place, to attend the ITSO meeting scheduled for the 20th of May. He suggested moving the meeting to a later date so that members can effectively participate in both events.

The Chairman invited the Secretariat to provide advice on the proposal to shift the meeting date from the 20th to the 27th of May.

The Secretariat confirmed that the proposed shift would not be an issue and requested the adoption of the 27th of May as the new date for the next AP-41 WG meeting.
There were no objections, and the meeting agreed to the new date of 27th May for the next AP-41 WG meeting.

Agenda item 8: Closing remarks

The Chairman invited the DG to give his closing remarks.

The Director General thanked members for their active participation in the working group call and encouraged members to submit contributions ahead of future meetings, emphasizing that this is the best time to delve into details and recommend specific actions for the Assembly's future.

The Chairman echoed the DG's thanks and expressed gratitude to the DG, the Secretariat, and the ITSO support team for their contributions to a productive meeting. He noted that, considering the DG's suggestions, there may be additional elements to improve deliverables on the discussed topics and invited members to provide further input.

The Chairman emphasized that the next meeting is scheduled for May 27th focusing on ToRs 1, 3, and 5. He encouraged members to submit their inputs as early as possible to ensure timely circulation in line with the working method agreed upon during the kickoff meeting.

Additionally, the Chairman mentioned that, as per the DG, the Secretariat would develop further materials to assist the working groups in progressing on the different ToRs. He also highlighted that members of the management team would receive communication from the Secretariat regarding a management team meeting to discuss how to fine-tune the organization of work, given the time constraints and the extensive tasks ahead.

With the above remark, the Chairman closed the meeting at 09:44 AM ET.

Annex I – List of participants:

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