

## **CONTRIBUTION FROM THE CHAIRMAN WORKING GROUP METHODOLOGY**

### **1 INTRODUCTION**

The WG was established by the 41<sup>ST</sup> Assembly of Parties (AP-41) to develop a comprehensive report with strategic recommendations for consideration at the next Assembly of Parties. The focus will be on ensuring the resilience of the International Telecommunications Satellite Organization (ITSO) and safeguarding the Common Heritage

Building on the work initiated by the AP-40 Ad Hoc Working Groups 1 and 2, and in light of recent developments in the satellite industry, it is proposed to develop measures aimed at shaping a stronger, more effective, and responsive ITSO. These measures should ensure that ITSO remains closely aligned with the evolving interests of all Parties and the future strategic direction of the Organization. This process will involve consultations with all relevant stakeholders, including but not limited to ITSO, Notifying Administrations, Intelsat, ITU, and the Parties, to ensure comprehensive input and alignment with industry and regulatory advancements.

The WG will be reporting to the IAC on the progress and to the next AP. In order to ensure that the Working Group provides its report on time, below is a proposed methodology.

### **2 MEMBERSHIP**

Participation in the Working Group will be open to all Parties, ensuring inclusivity and broad representation. To facilitate the work of the WG it is suggested that there is a core representation with representatives from different ITSO regions (the number of representatives per region to be agreed during the first meeting of the WG in January 2025).

### **3 PROPOSED LEADERSHIP STRUCTURE FOR THE WG (SEE ANNEX 2)**

The WG shall be led by a chairperson designated by the AP-41 (Abdouramane El Hadjar from the Party of Cameroon).

Two rapporteurs will be nominated by the first meeting of the WG. The rapporteurs will assist the Chair in preparing summary minutes of the WG meeting as well as preparing documents and finalizing the WG Report.

#### 4 MEETING ORGANIZATION

All WG meetings shall be conducted in virtual mode.

WG meetings will be held approximately every other month.

The ITSO Secretariat will send invitations together with the link for the meeting at least two weeks before the date of the meeting.

All meetings shall be conducted in English only.

#### 5 WORKING METHODOLOGY

The drafting work will be done by correspondence in order to save time during the WG meetings.

The list of the ToRs can be found in **attachment 1**.

We propose to group the ToR into related issues and to designate Coordinators and Vice Coordinators for the Terms of Reference, according to the proposal from **Attachment 2**. The WG shall designate Coordinators and Vice Coordinators of each ToR grouping during the first meeting of the WG.

The Coordinator of a ToR shall be available and responsible to initiate a discussion document of that specific ToR based on contributions from members of the WG, ITSO Parties, and ITSO Secretariat.

The contributions shall be submitted to the ITSO Secretariat with copies to Coordinators of the ToR and to the Regional Vice Chairs; see **attachment 3**.

The ITSO Secretariat shall post all updated documents in Word format available for download on the ITSO website under “About Us/Governance and Groups/Working Group/AP-41 Ad Hoc WG”.

The meeting will be primarily for the review and approval of the draft documents initiated by Coordinators of different ToR.

The WG shall generally work on a consensus basis.

If members of the WG do not agree on a particular text, alternative options may be developed and/or the text shall be kept in square brackets and be discussed at high level (IAC or AP-42).

All the documents to be reviewed by the WG meeting shall be made available to all members at least one week before the meeting. Nevertheless, if the meeting agrees, a specific document/proposal may be discussed within a regular meeting even if it has been circulated/submitted less than a week before the meeting.

.

In case the WG wishes to seek information from or respond to any other group under ITSO, it shall be done by liaison statement.

The Chair, assisted by the two rapporteurs of the WG and the ITSO Secretariat, will compile all documents from Coordinators of the ToR and the compiled and approved document will be presented to the IAC and AP-42.

## **Attachment 1: Terms of Reference for the Working Group**

ITSO RESTRICTED

ATTACHMENT NO. 1 TO  
AP-41-3E FINAL W10/24

### **TERMS OF REFERENCE FOR AD HOC WORKING GROUP TO ADDRESS ISSUES ON THE FUTURE OF ITSO AND THE PROTECTION OF THE COMMON HERITAGE**

#### **Preamble**

At the AP-40 session, two Ad-Hoc Working Groups were established to explore and recommend solutions to ensure the resilience of the International Telecommunications Satellite Organization (ITSO) and the protection of Common Heritage. However, due to limited time, several crucial issues were identified: some were addressed while some were left insufficiently addressed.

Additionally, ongoing challenges in the relationship between ITSO and Intelsat, along with unresolved questions surrounding the acquisition of Intelsat by SES, highlight the need for further dialogue at a level of a working group in order to identify potential solutions to be decided upon by the subsequent AP.

In light of these considerations, it is proposed that a new Ad Hoc Working Group be formed with the following as key elements:

#### **Output**

Establish a Working Group (WG) to develop a comprehensive report with strategic recommendations for consideration at the next Assembly of Parties. The focus will be on ensuring the resilience of the International Telecommunications Satellite Organization (ITSO) and safeguarding the Common Heritage.

#### **Objective**

Building on the work initiated by the AP-40 Ad Hoc Working Groups 1 and 2, and in light of recent developments in the satellite industry, it is proposed to develop measures aimed at shaping a stronger, more effective, and responsive ITSO. These measures should ensure that ITSO remains closely aligned with the evolving interests of all Parties and the future strategic direction of the Organization.

This process will involve consultations with all relevant stakeholders, including but not limited to ITSO, Notifying Administrations, Intelsat, ITU, and the Parties, to ensure comprehensive input and alignment with industry and regulatory advancements.

Participation in the Working Group will be open to all Parties, ensuring inclusivity and broad representation.

**TERMS OF REFERENCE**

1. Consider the circumstances, expertise and experience of ITSO, to include a focus on strengths, weaknesses and opportunities in the formulation of recommendations for a more successful ITSO, while including mechanisms to ensure the company provides the minimum required funding for ITSO.
2. Taking into consideration recommendations of WG1 and WG2 approved by the AP-41, consider and make recommendations to enhance the collaboration between ITSO and the Notifying Administrations that supports the implementation of Article XII (c) of the ITSO Agreement.
3. Review and make recommendations on possible way to improve the PSA for better collaboration between Intelsat or any other operator and ITSO
4. Assess the processes and mechanisms for the assignment and management of the Common Heritage, ensure its protection and make appropriate recommendations for closer alignment between the work of ITSO and the Notifying Administrations.
5. Identify and make recommendations on the various issues that may arise in connection with specific decisions that could be undertaken by Intelsat or any other operator which have a direct impact on the Common Heritage such as bankruptcy, mergers, change of ownership, etc.
6. Identify the circumstances under which unused Common Heritage orbital locations could be suppressed and make recommendations for re-assignment to other operators.
7. Recommend mechanisms of transferring the non-exploited CH to another company that has undertaken to comply with PSA obligations, taking into account the ITSO Agreement.
8. Recommend mechanisms to fill gaps that could lead to a replacement of suppressed CH filing by new filings from other Administrations other than the NAs of the CH
9. Further consider and make recommendations on the proposal that was submitted by Region D to AP-40 to have one NA per region.

**Attachment 2: Terms of Reference and Coordinators**

| <b>TERMS OF REFERENCE</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <b>PROPOSED COORDINATOR</b>              |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------|
| <p><b>ToR 1</b><br/>Consider the circumstances, expertise and experience of ITSO, to include a focus on strengths, weaknesses and opportunities in the formulation of recommendations for a more successful ITSO, while including mechanisms to ensure the company provides the minimum required funding for ITSO.</p> <p><b>ToR 3</b><br/>Review and make recommendations on possible way to improve the PSA for better collaboration between Intelsat or any other operator and ITSO</p> <p><b>ToR 5</b><br/>Identify and make recommendations on the various issues that may arise in connection with specific decisions that could be undertaken by Intelsat or any other operator which have a direct impact on the Common Heritage such as bankruptcy, mergers, change of ownership, etc.</p> | <p><b>Region TBD/<br/>Person TBD</b></p> |
| <p><b>ToR 2</b><br/>Taking into consideration recommendations of WG1 and WG2 approved by the AP-41, consider and make recommendations to enhance the collaboration between ITSO and the Notifying Administrations that supports the implementation of Article XII (c) of the ITSO Agreement.</p> <p><b>ToR 4</b><br/>Assess the processes and mechanisms for the assignment and management of the Common Heritage, ensure its protection and make appropriate recommendations for closer alignment between the work of ITSO and the Notifying Administrations.</p> <p><b>ToR 6</b><br/>Identify the circumstances under which unused Common Heritage orbital locations could be suppressed and make recommendations for re-assignment to other operators.</p>                                       | <p><b>Region TBD/<br/>Person TBD</b></p> |
| <p><b>ToR 7</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                          |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                          |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------|
| <p>Recommend mechanisms of transferring the non-exploited CH to another company that has undertaken to comply with PSA obligations, taking into account the ITSO Agreement.</p> <p><b>ToR 8</b><br/>Recommend mechanisms to fill gaps that could lead to a replacement of suppressed CH filing by new filings from other Administrations other than the NAs of the CH.</p> <p><b>ToR 9</b><br/>Further consider and make recommendations on the proposal that was submitted by Region D to AP-40 to have one NA per region.</p> | <p><b>Region TBD/<br/>Person TBD</b></p> |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------|

### **Attachment 3: Regional Vice Chairs**

Mr. Douglas May  
representative of the Party of the United States  
(Region A, The Americas)

Dr. Bianca Lins  
representative of the Party of Liechtenstein  
(Region B, Western Europe)

Mr. Tomasz Piñciurek  
representative of the Party of Poland  
(Region C, Eastern Europe & Northern Asia)

Dr. Zolana João  
representative of the Party of Angola  
(Region D, Africa)

Mr. Nedal Al Samara  
representative of the Party of Jordan  
(Region E, Asia and Australasia)