

RESOLUTION 25 (REV.WRC-03)

Operation of global satellite systems for personal communications

The World Radiocommunication Conference (Geneva, 2003),

considering

- a)* that, in accordance with No. 6 of its Constitution (Geneva, 1992), one of the purposes of the Union is “to promote the extension of the benefits of the new telecommunication technologies to all the world’s inhabitants”;
- b)* that, to this end, the Union is fostering the use of new technologies in telecommunications and is studying questions relating to this use in the Radiocommunication and the Telecommunication Standardization Sectors;
- c)* that the Telecommunication Development Sector is studying questions aimed at identifying the benefits that developing countries may derive from using new technologies;
- d)* that, among these new technologies, some constellations of non-geostationary satellites may provide global coverage and facilitate low-cost communications;
- e)* that the theme “global mobile personal communications by satellite” (GMPCS) was discussed at the first World Telecommunication Policy Forum established by Resolution 2 (Kyoto, 1994) of the Plenipotentiary Conference;
- f)* that Council Resolution 1116 instructs the Secretary-General to act as depositary of the GMPCS Memorandum of Understanding (MoU) and its Arrangements, to act as the registry for type-approval procedures and terminal types and to authorize the use of the abbreviation “ITU” as part of the GMPCS-MoU mark;
- g)* Recommendations ITU-R M.1343 and ITU-R M.1480 on the essential technical requirements of GMPCS earth stations that should be used by administrations as a common technical basis facilitating the global circulation and use of such GMPCS terminals in conformity with these Recommendations,

recognizing

- a)* that the spectrum available to global satellite systems for personal communications is limited;
- b)* that successful coordination does not in any way imply licensing authorization to provide a service within the territory of a Member State,

considering further

that other countries intending to use these systems should be guaranteed that they will be operated in accordance with the Constitution, the Convention and the Administrative Regulations,

noting

- a) that the Constitution recognizes the sovereign right of each State to regulate its telecommunications;
- b) that the International Telecommunication Regulations “recognize the right of any Member, subject to national law and should it decide to do so, to require that administrations and private operating agencies, which operate in its territory and provide an international telecommunication service to the public, be authorized by that Member”, and specifies that “within the framework of the present Regulations, the provision and operation of international telecommunication services in each relation is pursuant to mutual agreement between administrations”;
- c) that Article 18 specifies the authorities for licensing the operation of stations within any given territory;
- d) the right of each Member State to decide on its participation in these systems, and the obligations for entities and organizations providing international or national telecommunication services by means of these systems to comply with the legal, financial and regulatory requirements of the administrations in whose territory these services are authorized,

resolves

that administrations licensing global satellite systems and stations intended to provide public personal communications by means of fixed, mobile or transportable terminals shall ensure, when licensing these systems and stations, that they can be operated only from the territory or territories of administrations having authorized such service and stations in compliance with Articles 17 and 18, in particular No. 18.1,

requests administrations

- 1 to continue cooperating with worldwide satellite system operators in improving the established arrangements for the provision of service within their territories and with the Secretary-General in implementing the GMPCS-MoU and its Arrangements;
- 2 to participate actively in ITU-R studies in developing and improving relevant Recommendations,

reminds operators of such systems

to take account, when contracting agreements on the operation of their systems from the territory of a country, of any potential loss of revenue that the country may suffer from a possible reduction of its international traffic existing at the time such agreements are executed.