

# Republic of Iraq

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*Communications and Media Commission*

*Communications Regulatory Office*

## **Regulations for licensing terrestrial stations for space services**

**(First Issue/ July 2024)**

**Issued as to CMC Commissioners' Council Decision**

**No. 78 q/23-7-2024**

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According to the provisions of sections (3) & (5) of the valid Legislative Order No. (65) of the year 2004 and to implement the regulations of satellite communications service license in Iraq pursuant to Commissioners Council Decision No (2022 Q6) dated 9/1/2024 and according to Commissioners Council Decision No. (2024 Q78) dated on 23/7/2024 CMC issued the following regulations:

# Regulations for licensing terrestrial stations for space services

## **Item (1) : Definitions**

The terms and expressions described in this regulation will adopt the meanings set out below:

- 1- Competent Administration: It means any governmental administration (whether it is in the Republic of Iraq or in any country member of International Telecommunications Union (ITU) and would be responsible for fulfilling the obligations stipulated in ITU Constitution, in the Convention and in the administrative regulations.
- 2- Applicant: In this context, it means: any person who applies for an Aircraft Radio License, or Ship Radio License, or to obtain a permit for terrestrial station pursuant to the regulation framework issued by CMC.
- 3- Terrestrial Station: It means a station located on earth or on the main part of the air prepared for communications with one or more stations, or with one or more satellite station of the same kind, via one or more reflecting satellite, or across other space objects.
- 4- Commission: It is Communications and Media Commission (CMC) as to its authorities granted by the valid legislative order No. 65 for the year 2004.
- 5- AES Stations: They are terrestrial stations on aircraft's board (Aircraft Earth Station).

- 6- ESV Station: They are terrestrial stations installed on ship's board (Earth Station on Board Vessel).
- 7- ESIM Stations: They are Earth stations in motion including marine mobile stations (ESIM-M), aircraft mobile stations (ESIM-A), and terrestrial mobile stations (ESIM-L).
- 8- Orbit GSO: It is Geo – Stationary Orbit in which satellites, where they are stationary relative to the Earth.
- 9- Fixed-Satellite Service (FSS): It means Radio communications Service among terrestrial stations in certain locations by using one satellite or more.
- 10- Harmful interference: It is an Interference that causes degradation or obstruction of operation of the radio communications service, or frequent interruption.
- 11- International telecommunications Union (ITU): It is a specialized agency of the United Nations that deals with communications and information technology affairs.
- 12- Radio Regulations (RR): It means the regulations issued by the International Telecommunications Union, and are being adopted by the International Conference for Radio Communications.
- 13- Coast line: It is the sectional line of islands located at the shallow water and on lands.

- 14- Marine Mobile Satellite Service: It is a satellite mobile service in which the mobile terrestrial stations are located on ships' boards.
- 15- Minimum distances: They mean the distances from the coast line according to the (ITU) in relation to Radio Communications No. 902.
- 16- Mobile terrestrial station: It is a terrestrial station on mobile satellite service ready for use while in motion or stopping at unspecified points.
- 17- Mobile Satellite Service (MSS): It is a radio communications service among mobile terrestrial stations with one space station or more that are using such service.
- 18- **NGSO** : It means non-geostationary orbit.
- 19- **Satellite: It is an object** rotates around another body with a predominant mass and moves in a way that is determined primarily and permanently by the force of attraction of that other body.
- 20- Territorial waters: It means the territorial sea as to the definition mentioned in UN Convention – Sea Law – UNCLOS1980 except the inland water. Harbors and ports.
- 21- **The State:** It means the Republic of Iraq including its Territorial Waters and Airspace.
- 22- **WRC Council:** It means the Global Council for Radio Communications belong to ITU.

## **Item (2) – Objectives:**

According to the regulation of the Satellite Communications Services in Iraq, and in order to develop the technology and regulations related to the Mobile Terrestrial Stations Licenses to cope with the development technology of space services and organizing the performance of these stations upon which this regulation has been issued.

## **Item (3) Frequency Spectrum**

<b>License Type</b>	<b>Frequency Domain</b>
ESV License	4.2 – 3.8 GHz (Space / Earth) 6.425 – 5.925 GHz (Earth / Space) 12.75 – 10.70 GHz (Space / Earth) 14.5 – 14 GHz (Earth / Space)
AES License	14 – 14.5 GHz (Earth / Space) 10.7 – 11.7 GHz (Space / Earth) 12.5 – 12.75 GHz (Space / Earth)
ESIM License	20.2 – 19.7 GHz (Space / Earth) 30 – 28.5 GHz (Earth / Space) 19.7 – 17.7 GHz (Space / Earth) 29.5 – 27.5 GHz (Earth / Space) 13.25 – 12.75 GHz (Earth / Space) only Navy and Aviation

## **Item (4) License categories**

**First: Licensing terrestrial stations on ships' board (ESV)**

- 1- Using terrestrial station installed on ship's board (ESV) within frequency ranges 3.8 – 4.2 GHz, 5.925 – 6.425 GHz, 12.15 – 10.75 GHz and 14.50 – 14.0 according to the decision No. 902 as to the radio regulation belong to International Telecommunication Union (WRC – 03).

- 2- Using of (ESV) station license is granted in Iraqi Territorial Waters for ships registered in Republic of Iraq, such ships can use (ESV) station installed on their boards in Iraqi Territorial Waters, and in other countries' territorial waters if they are allowed using (ESV) by these countries.
- 3- The responsibility for complying with national regulations in territorial waters of any country for the assigned ships registered in these countries will be on the ship's owner or on the ship's operator.
- 4- Registered foreign ships may own terrestrial station installed on (ESV) ship board at the region located between the Iraqi coast line and the minimum distance (stipulated in ITU decision No. 902) if the ship's radio license includes a permission for terrestrial station installed on (ESV) ship board. Moreover it is necessary to abide with terms and conditions stated in regulation.
- 5- The concerned administration, or the owner, or the operator of the registered foreign ship that intend to use terrestrial station installed on (ESV) ship board at the minimum distance and the Iraqi territorial waters must inform the CMC about the contact . .
- 6- -The terrestrial station installed on (ESV) ship board must be shut down immediately and in all cases whenever a directive is issued to that effect by the CMC.
- 7- The ships registered with Communications and Media Commission have the right requesting CMC for support to coordinate terrestrial stations installed on (ESV) ships board at concerned administration level for using its stations at the minimum distance of other countries.
- 8- Frequency Domains allocated for these stations shall be used on secondary basis and must not cause any interference with the basic services that are operating on the same frequency domain.

9- Licensee is obliged to provide access service to the satellite net for ship's passengers only. Such service is not allowed to be provided out of the ship domain.

10- Mobile Terrestrial Station (ESIM-L) should be followed a

In case of monitoring any interference on fixed services or on terrestrial stations in Iraq because of operating a terrestrial station installed on (ESV) ship's board within the minimum distance, then, the broadcast must be stopped immediately.

### **Second – licensing mobile terrestrial stations (ESIM)**

1- License for using mobile stations (ESIM) is granted pursuant to the decision No, (156) within ITU Radio Regulation (WRC-15).

2- License for using mobile stations (ESIM) is granted within the frequency domain 17.7 – 19.7 GHz (Space/Earth) according to the decision No. (156) of ITU Radio Regulations (WRC- 15).

3- It is not permissible for terrestrial station to ask for protection, or impose restrictions on the development of terrestrial services operating within the frequency domain 19.7 – 20.1 GHz.

4- Navy mobile terrestrial stations (M-ESIM) operating in International Waters, and aircraft mobile terrestrial stations (A-ESIM) operating in the International airspace are obliged not to do any harm interference with the terrestrial systems operating in frequency domain 29.5 – 29.9 GHz.

5- Licensor must specify a contact point to follow up any possible interference case from mobile terrestrial stations (ESIM).

- 6- Once CMC gets a report of harmful interference in any terrestrial system Licensor must promptly stop transmitting.
- 7- As to ITU Radio Regulation a license shall be granted for using terrestrial station (M-ESIM) and (A-ESIM) within the frequency domain 12.75 – 13.25 GH.
- 8- Aircraft mobile stations (ESIM – A) are not allowed to operate at altitudes less than 3000 m above sea level.

9-An operation license is granted for mobile terrestrial stations (ESIM-L) located on mobile terrestrial platforms (cars, trains and vehicles) within licensed satellite operators net that have got comprehensive license (Blanket ESIM-L) or individual one.

10-(ESIM-L) Mobile terrestrial stations must be subjected to continuous follow up and control by a specialized center for following up and controlling. Such Centre should have the ability to receive transmission activation orders or stop transmission.

### **Third – Licensing terrestrial stations on aircrafts board (AES)**

- 1- (AES) license is granted to provide communications and internet service for planes while crossing the Iraqi airspace by using satellites, But such services are not provided for planes parking on Iraqi airport lands.
- 2- Operation of (AES) station across licensed satellites is allowed to provide fixed satellite services (FSS) and mobile satellite aviation (AMSS) that have completed coordination and reporting procedures pursuant to the valid process being followed in ITU Radio Regulation.
- 3- Using of frequency domains allocated for these stations would be on secondary basis and should not cause any

interference with the main services that are operating in this frequency domain.

- 4- Adhere to the technical regularity and operation requirements for stations installed on aircrafts board as stated in recommendation No. (ITU-R M-1643) issued by International Telecommunications Union.
- 5- (AES) stations are not allowed to operate at altitudes less than 3000 m above sea level.
- 6- These stations are not allowed to operate while aircraft taking-off or landing in Iraqi airports.
- 7- (E.I.R.O) Radiation transmission power shall not exceed 50dBW for (AES) stations.

#### **Item (5): Cooperation related to frequency spectrum**

- 1- Radio Frequencies for Terrestrial Stations are coordinated at national, regional and international levels by CMC.
- 2- CMC may allow licensees, or operators to perform coordination responsibility among operators. That must be done after getting prior approval by CMC.
- 3- Radio Frequencies should be reported and registered with ITU through CMC according to the procedures specified in Radio Regulation.
- 4- Licensee or operator must support coordination procedures.

#### **Item (6): License period**

- 1- License period for (ESV, AES, ESIM) services should be (one or two or three years) and could be renewed through a request by licensee vide CMC approval. Renewal request must be submitted before 30 days of license expiry.

- 2- License period (Comprehensive licensing) is: (one year, or two, or three, or five years) It may be determined as to licensee's request approved by CMC. The request should be submitted before 90 days of license expiry.
- 3- All fees due must be paid while renewal pursuant to item (8) of this regulation.

### **Item (7): License Requirements**

- 1- Filling Technical Information Form.
- 2- Licensee shall authorize a delegate or legal representative in Iraq undertakes to keep data updated constantly.
- 3- Licensee must sign a legal pledge according to the adopted legal text.
- 4- Paying the fees incurred for issuing or renewing the license.

### **Item (8): License Terms**

- 1- Licensee shall comply with any regulatory conditions and controls imposed by CMC related to technical, or legal, or service quality matters, or security or environmental matters for instance. Licensee has no right to object.
- 2- Licensee must stop the service once he is asked to do so by CMC, and he should provide CMC any information about customers it needs. Any access to the network for the purpose of intercepting information must be in accordance with judicial orders pursuant to the valid Iraqi laws.
- 3- Compliance with ITU standards and recommendations and limits of protection against interference for networks operating in dedicated packages.
- 4- Licensee must stop using the system once any harmful interference appears caused by misusing its system operating, or appearance of health effects. Licensee is

obliged to replace or modify devices without incurring CMC any charges.

- 5- Commitment not to use any of rare resources related to the frequency spectrum, or system codes, or figures domains, or other resources that are organized by CMC which they are needed to support system operation unless getting official approvals by CMC according to the applicable controls.
- 6- Any amendments that licensee needs to do may be considered by CMC and it has the right to approve or reject such amendments.

### **Item (9): license fees**

CMC will get the fees set out below toward granting licenses according to this regulation, as below:

#### **First – ESV License**

It is granted as individual license as to the following fees:

- 1- License fees i.e. ID (2 000 000) per year for each station.
- 2- Administrative charges for each technical information form i.e. ID (50 000).
- 3- License amendment fees i.e. ID (50 000)

#### **Second – AES License**

It is granted as individual license as to the following fees:

- 1- License fees i.e. ID (2 000 000) per year for each station.
- 2- Administrative charges for each technical information form i.e. ID (50 000).
- 3- License amendment fees i.e. ID (50 000).

#### **Third – ESIM License:**

It is granted as individual license as to the following fees:

- 1- (ESIM-M) Mobile Navy License stations, (ESIM-A) Mobile Aircraft stations fees and (ESIM-L) Mobile Terrestrial stations i.e.Z ID (2 000 000) per year for each station.
- 2- Administrative charges for each technical information form i.e. ID (50 000) for ESIM License ID (50 000).
- 3- ESIM License Amendments ID (50 000)

#### **Fourth - Comprehensive licenses.**

- 1- (Blanket) Comprehensive licenses are granted no more than (3) license for each service: (ESIM, AES, ESV).
- 2- The fees for Comprehensive licenses (for each Comprehensive license) ID (50 000 000) to be paid while licensing or on yearly renewal.
- 3- Last yearly fees for each major station( Hub Station) i.e. ID (5 000 000) per year.
- 4- Amendments of Blanket License i.e. ID (500 000)

#### **Fifth – Licensing**

- 1- Individual licenses are granted according to stations' basis (individual systems), a license for each station.
- 2- Comprehensive licenses are granted for companies and institutes where licensee can provide service across more than one station( group of systems).

#### **Item (10) - Penalties & sanctions**

CMC has the right to suspend or cancel any license granted according to these regulations in the followings cases. Licensee has no right to object:

- 1- The license will be cancelled if Licensee doesn't get CMC approval to do any basic technical amendments that could affect negatively on satellite or terrestrial radio services that are using the frequency spectrum, and their conditions have not been corrected for such

amendments within a period of 15 working days from the date of receiving CMC written notice that asks for correction.

- 2- The license will be cancelled if Licensee has not paid for his financial obligations to CMC in the specified time.
- 3- The license will be cancelled if Licensee misuses the licensed equipment for purposes violate the national security.
- 4- Pursuant to the public interest assessments CMC has the right to suspend using the license for a period it specifies. Licensee has no right to object. The license will be extended for the same suspended period.
- 5- CMC will not incur any financial consequences in case of license suspension or cancellation.
- 6- CMC has the right to suspend license if it violate the peace of public community, or in any other circumstances estimated by CMC to suspend the license. If the violation continues for a period of (10) days the License will be cancelled.

### **Item (11): General provisions**

- 1- This regulation is considered an integral part of the Satellite Communications Services License Regulation in Iraq, issued by CMC Board of Commissioners decision No. 6q/2022 dated 9/1/2022.
- 2- These regulation and licenses issued accordingly are subject to CMC specifying exclusively.
- 3- CMC keeps its right to review license's fees, terms and conditions mentioned in this regulation from time to time.

4- In case CMC rejects license issuance for an applicant. It shall inform the applicant the reasons of rejection, or not due to public interest reasons.

**Item (12): Final Provisions**

- 1- This regulation shall come into force from the date of approval by CMC Board of Commissioners. It will be published on CMC website.
- 2- CMC may amend the items of this regulation to cope with the applicable legislations, national interest and technical requirements.