



International Civil Aviation Organization

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## **ASSEMBLY — 36TH SESSION**

### **PLENARY**

#### **Agenda Item 2: Statements by delegations of Contracting States and of Observers**

#### **STATEMENT BY THE DIRECTOR OF THE INTERNATIONAL MOBILE SATELLITE ORGANIZATION (IMSO)**

Mr President, Mr Secretary-General, distinguished delegates,

It is an honour for me to introduce myself, Captain Esteban Pacha Vicente and to address this Assembly for the first time since I took over as Director of the International Mobile Satellite Organization (IMSO) in April 2007. Many of you may remember my predecessor Mr Jerzy Vonau, who retired in April 2007. IMSO is the intergovernmental organization with 91 Member States that oversees the public interests in aeronautical and maritime communication safety services provided by Inmarsat.

IMSO has enjoyed observer status with ICAO as part of the Agreement of Cooperation between our two organizations, originally signed in June 1989 and subsequently revised as a consequence of the substantial amendments to the IMSO Convention which entered into force in April 1999, and signed in September 2000.

The Agreement of Cooperation maintains consultation, cooperation and exchange of information between IMSO and ICAO, and in particular IMSO ensures that Inmarsat takes into account the applicable ICAO Standards and Recommended Practices (SARPs) in line with the Public Services Agreement, and regularly informs ICAO accordingly.

However, when the IMSO Convention was amended in 1999, it no longer directly referred to the issue of cooperation with ICAO. Now, the IMSO Convention has once again been amended – to extend IMSO's oversight to **all** providers of the Global Maritime Distress and Safety System (GMDSS) and to also give IMSO the task of overseeing long range tracking and identification of ships (LRIT) – a new initiative of IMO which has been developed as part of IMO's response to improve maritime security, safety and environment protection. These amendments entered into force on the basis of provisional application on 7 March 2007, pending their formal entry into force.

When originally submitted by the Party of Denmark, the amendments proposed that IMSO's scope be extended to oversee other public services, including aeronautical safety services. However, as the ICAO Council, in September 2003, decided that it would not express a position on the proposed amendments, the IMSO Assembly decided not to include reference to ICAO in the revised text.

In his letter dated 18 November 2005 the ICAO Secretary General stated, and I quote *“I trust that, in accordance with paragraph (b) of the Agreement of Cooperation between ICAO and IMSO, signed in Montreal on 20 September 2000, IMSO will continue to ensure that the Company takes into account the applicable ICAO Standards and Recommended Practices (SARPs), as referenced in Clause 3 of the current PSA.”*

In addition, in his letter dated 10 July 2006, the ICAO Secretary General drew attention (and once again I quote) *“to the fact that certain amendments to the IMSO Convention would seem to indicate that IMSO, in the future, would sign Public Service Agreements (PSAs) exclusively with entities providing services for the Global Maritime Distress and Safety System (GMDSS) through a mobile satellite communications system recognized by the International Maritime Organization (IMO). Consequently, there was a perceived possibility that the IMSO Convention might then be eventually considered as the basis for addressing in PSAs maritime services only, without specific reference to aeronautical safety services.”*

At the moment, the Public Services Agreement (PSA) with Inmarsat states that Inmarsat shall take into account the relevant international standards, regulations, resolutions, procedures and recommendations of the International Civil Aviation Organization. However, to reflect the latest revisions to the IMSO Convention, the current text of the draft Reference Public Services Agreement, designed to apply generically to all and any providers of maritime mobile satellite services, including Inmarsat, no longer contains such a provision and there is the clear prospect that my Organization's involvement with maintaining the standards of certain safety-related aeronautical satellite communications will lapse in the foreseeable future.

Having said this, as IMSO continues its oversight of Inmarsat's GMDSS services, we will continue to monitor functions common between Inmarsat's maritime and aeronautical safety services – most importantly, contingency operations capability. At this point, ICAO would need to consider how oversight of **new** providers of mobile satellite safety communications should be carried out in order to ensure that they comply with applicable ICAO Standards and Recommended Practices and to ensure there are fair and equal expectations on each relevant provider of aeronautical safety services

Under the present Agreement of Cooperation with ICAO, IMSO continues to maintain good and mutually beneficial relationships with ICAO. I look to you, the ICAO Assembly, to help ensure that this happy situation continues into the future.

Thank you Mr President

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