



To: Contracting Parties to the International Agreement on the use of INMARSAT Ship Earth Stations within the Territorial Sea and Ports ("SES Agreement")
IMSO Member States that are not Contracting Parties to the SES Agreement
Contracting Governments to the International Convention for the Safety of Life at Sea, 1974 that are neither Contracting Parties to the SES Agreement, nor IMSO Member States
Recognised Satellite Service Providers
IMO and IMSO Observers

From: IMSO Director General 

Subject: New Date of the International Conference of Contracting Parties to the International Agreement on the use of INMARSAT Ship Earth Stations within the Territorial Sea and Ports

Date: 16 February 2021

Reference: IMSO/CL/008

NEW DATE OF THE SES CONFERENCE

1 The Director General refers to Circular Letter – IMSO/CL/006 dated 9 October 2020 on the Rescheduling of the International Conference of Contracting Parties to International Agreement on the use of INMARSAT Ship Earth Stations within the Territorial Sea and Ports (hereinafter referred to as "SES Conference").

2 Subsequently, a new date has been agreed with the IMO and the Director General is pleased to inform that the SES Conference is scheduled to be convened virtually from **19 to 21 July 2021 on the KUDO e-conferencing platform**. The details of the SES Conference are provided in the attachment.

3 The Director General avails himself of this opportunity to convey the assurance of his highest consideration.

THE SES CONFERENCE (19 – 21 July 2021) on the KUDO platform

Conference web page

IMSO has created a dedicated web page for the Conference which is located at <https://imso.org/ses-conference>

Background

Having anticipated that an additional mobile satellite service provider's participation in the GMDSS, the twenty-fifth session of the IMSO Assembly, which was held from 9 to 12 October 2018, discussed the necessity of amendments to the SES Agreement and the view was also expressed that termination should be seriously considered.

The Assembly, noting that the SES Agreement did not contain provisions for its amendment, decided to agree with the solution of convening an international conference of Contracting Parties to the SES Agreement coinciding with the next regular session of the Assembly in 2020 for half-day duration (Paragraph 4.4.7 of A 25 Record of Decisions).

The Director General originally planned to convene the SES Conference on 9 November 2020 and issued an invitation on 31 January 2020. However, as noted in IMSO/CL/006 dated 9 October 2020, the Conference has been postponed to 2021 due to the Covid-19 pandemic.

Virtual Conference

Due to the Covid-19 pandemic, the Conference will be virtually held on the KUDO platform from 11:00 to 14:00 (UTC) on 19 to 21 July 2021. User manuals for KUDO platform can be downloaded from the Conference web page.

Draft Rules of Procedure

The draft RULES OF PROCEDURE FOR THE DIPLOMATIC CONFERENCE, which was circulated by IMSO/CL/004 dated 15 September 2020, is reproduced in the **ANNEX**. These rules are expected to be adopted at the beginning of the Conference.

Draft Provisional Agenda and Documentation

A draft Provisional Agenda and basic documents for the Conference can be downloaded from the Conference web page. Based on Rule 8 and 9 of the draft Rules of Procedures, Participating States and Observers wishing to submit proposals for the draft Provisional Agenda and documents shall endeavour to ensure that they are received by the Director General no later than 14 days in advance of the Conference (**Deadline: 5 July 2021**).

Registration for participation to the Conference

All Parties to the SES Agreement, other participants and Observers are requested to register their delegations using the online registration form which is available on the Conference web page.

Election of the Chair and the Vice-Chair of the Conference

The Chair and a Vice-Chair shall be elected at the Conference. Until the Chair and the Vice-Chair has been elected, the Director General, shall act as the Chair.

Credentials for the Conference

Based on the Rule 7 of the draft Rules of Procedure, the Credentials of delegations and Observers shall be transmitted to the Director General in advance of the Conference (Rule 7(1)), and Credentials of delegations shall be signed by or on behalf of the Head of State, or Prime Minister, or Minister/Secretary of Foreign Affairs, or equivalent Ministry, or Ambassador/High Commissioner (Rule 7(2)).

With consideration to the remote nature of the Assembly, the Director General will accept electronic copies of Credentials. It is therefore requested that the names of Representatives, Alternate(s) and Adviser(s), and their Credentials be transmitted to the Director General (E-mail: info@imso.org) **not later than 5 July 2021**. Model form of credentials and proxy can be downloaded from the Conference web page (See the "Invitation" tab in the site).

Due to the limitations imposed by the virtual nature of the Conference, the Director-General proposes to facilitate advanced consideration of Credentials by establishing the Credentials Committee prior to the Conference to begin their examination. Details of the Credentials Committee will be distributed by a separate letter in due course.

Conference Preparatory Meetings

Several Conference Preparatory Meetings (CPMs) will be held before the Conference for successful deliberations. The first CPM is planned to be held on the Microsoft Teams platform in March 2021. Details of the CPM will be distributed by a separate letter at a later stage.

Participation at the Conference

In addition to Parties to the SES Agreement, the Director General will, in accordance with Rule 5 of the Rules of Procedure, invite the following observers to attend the Conference:

- The following international organizations:
 - United Nations Office for Outer Space Affairs (UNOOSA)
 - International Maritime Organization (IMO)
 - International Civil Aviation Organization (ICAO)
 - International Telecommunication Union (ITU)
 - International Telecommunications Satellite Organization (ITSO)
 - European Telecommunications Satellite Organization (EUTELSAT IGO)
 - COSPAS-SARSAT
 - Commonwealth Telecommunications Organization (CTO)
 - International Hydrographic Organization (IHO)
 - European Commission (EC)
 - Comité International Radio-Maritime (CIRM)
 - International Chamber of Shipping (ICS)
 - International Association of Marine Aids to Navigation and Lighthouse Authorities (IALA)
 - International Organization for Standardization (ISO)
 - Potential GMDSS Satellite Providers which have already applied to the International Maritime Organization for recognition
 - Any other organizations in consultative status with IMO

Under Rule 6 of the Rules of Procedure, the Director General will also invite the Chairman of the Board of Inmarsat and Iridium, or their representatives, to attend the Conference.

ANNEX

DRAFT RULES OF PROCEDURE FOR THE DIPLOMATIC CONFERENCES HOSTED BY THE DIRECTOR GENERAL OF IMSO

PART I: GENERAL

Rule 1: Application

These rules of procedure apply to the diplomatic conference hosted by the Director General (hereinafter referred to as "the Conference".)

Rule 2: Place of Conferences

The Conference shall be held in the vicinity of the Organization's headquarters unless decided otherwise. No meeting shall be held elsewhere unless the prospective host agrees to defray the additional expenditure involved.

Rule 3: Virtual Conferences

The Director General may convene a virtual conference using an e-conferencing platform if it is difficult to convene a physical conference due to unusual reasons such as a pandemic. An operational guidance on a specific e-conferencing platform will be provided by the Director-General.

PART II: PARTICIPANTS

Rule 4: Delegates

Each State may designate as its delegates one representative and such alternates and advisers as it deems necessary.

Rule 5: Observers

The Director General may invite observers to the Conference:

Rule 6: Providers

The Chairman of the Board of each Provider as referred to in Article 1(c) of the IMSO Convention, or his representative, shall be invited to attend the Conference, without right to vote, on matters arising under the Public Services Agreements.

Rule 7: Credentials

- (1) Original Credentials of delegations and Observers shall be transmitted to the Director General in advance of each conference.
- (2) Credentials of delegations shall be signed by or on behalf of the Head of State, or Prime Minister, or Minister/Secretary of Foreign Affairs, or equivalent Ministry, or Ambassador/High Commissioner.
- (3) Only duly accredited representatives shall be permitted to vote under Part VI of these Rules.

- (4) The Conference shall elect a Credentials Committee, composed of five representatives, ensuring regional representation. The Credentials Committee shall appoint its own Chairman. The Credentials Committee shall examine the Credentials submitted, and shall report to the Conference.

PART III: AGENDA AND DOCUMENTATION

Rule 8: Agenda of the Conference

- (1) The Director-General shall assemble and circulate a draft provisional agenda 40 days before the start of the Conference, taking account of any advice received from Member States.
- (2) Participating States, Observers and the Director General may propose or comment on items for inclusion on the agenda of a conference. Proposals or comments shall be received by the Director General 14 days before the beginning of the Conference. Each proposal shall be in writing and shall state the nature of the proposal and the reasons why it should be considered at the Conference.
- (2) The Director General shall assemble and coordinate the proposals received into a provisional agenda which shall also include all matters required by the Conference to consider. The Director General shall communicate the provisional agenda to all Participating States and Observers at least 7 days before the beginning of the conference.
- (4) The Conference shall adopt the agenda by a simple majority.

Rule 9: Documentation

Participating States and Observers wishing to submit documents shall endeavour to ensure that they are received by the Director General no later than 14 days in advance of the Conference.

PART IV: OFFICERS

Rule 10: Regional Representation

- (1) The Conference shall ensure that, in the election of Chairman and Vice-Chairmen of the Conference and membership of the Credentials Committee, regional representation is taken into account. For this purpose, the participants are assumed to be grouped into four regions: Africa, the Americas, Asia-Pacific and Europe.
- (2) The Director General will be responsible for coordinating regional activities at the conference.

Rule 11: Chairman and Vice-Chairmen of the Conference

At the first meeting of the Conference, the Conference shall elect a Chairman and three Vice-Chairmen from among the representatives of the States, ensuring full regional representation. They shall assume office immediately and shall remain in office until the end of the Conference.

Rule 12: Temporary Chairman

At the opening of the Conference the Director General shall act as Chairman until a new Chairman has been elected.

Rule 13: Election

If an officer is not elected by acclamation, the election shall be held by secret ballot by a simple majority vote taken as follows:

- (a) The Secretary shall collect the ballots and, together with two tellers appointed by the Conference by a simple majority vote, count the votes in the presence of the Conference.
- (b) If two or more candidates obtain an equal number of votes, a further ballot shall be held with respect to these candidates only. If the votes are again divided equally, the Chairman shall decide by the drawing of lots.
- (c) If there are more than two candidates and none of them obtains a simple majority, a new ballot shall be held between the two candidates who obtained the largest number of votes. If the votes for second place are equally divided, a new ballot shall be held between the candidates obtaining the largest number of votes and those in second place. If no candidate obtains a majority on the second ballot, a third ballot shall be held between the candidate obtaining the largest number of votes and one of the candidates in second place drawn by lots by the Chairman.

Rule 14: Chairman's Voting

- (1) The Chairman or the acting Chairman of the conference shall not vote.
- (2) The Chairman of a subsidiary organ may vote for his delegation unless he has designated another member of his delegation to do so.

PART V: CONDUCT OF BUSINESS

Rule 15: Quorum

- (1) The Conference shall not take place unless there is a quorum present.
- (2) A quorum shall consist of [30] States.
- (3) In order to avoid the risk that a conference will have to be abandoned or cancelled in the event of lack of quorum, the Director General, in the invitation to the Conference, shall urge States to make every effort to be represented at the Conference, and shall draw attention to the consequence of a quorum not being achieved. One week before the start of the Conference, the Director General shall advise Participating States and organizations of the likely status of quorum.
- (4) At the commencement of the first meeting of the Conference, the Secretary will announce whether or not a quorum is present.
- (5) In the event that there is no quorum present, the formal opening of the Conference may be delayed for no more than half a day.
- (6) The quorum may be checked at any time during the Conference.

Rule 16: Public and Private Meetings

- (1) Meetings of the Conference shall not be open to the general public or press, unless otherwise decided.
- (2) The Conference may decide to limit attendance to any meeting to Parties to a specific treaty, a convention or an agreement only. In that case, only members of delegations may receive documents relating to such a meeting unless otherwise decided.

Rule 17: Responsibilities of the Chairman

- (1) The Chairman shall exercise the powers of his office in accordance with customary practice. He or she shall remain under the authority of the meeting.
- (2) The Chairman shall open and close the meetings, direct the deliberations, ensure that these Rules are applied, give the floor to speakers, put questions to the vote and announce decisions adopted.
- (3) The Chairman shall ensure that discussion is confined to the point at issue. He may interrupt any speaker who departs therefrom.

Rule 18: Procedural Motions

- (1) Speakers on procedural motions and points of order shall be given priority over speakers on the substance, but may not then deal with the substance of the matter under discussion.
- (2) The following motions shall have precedence, in the order indicated below, over all other proposals or motions:
 - (a) to suspend a meeting;
 - (b) to adjourn a meeting;
 - (c) to adjourn the debate on the question under discussion;
 - (d) to close the debate on the question under discussion.

Permission to speak shall be granted only to one speaker in favour of the motion in addition to the proposer and to two speakers against, after which it shall immediately be put to the vote.

- (3) During the discussion of any matter a delegate may raise a point of order. The Chairman shall immediately decide the point of order in accordance with these Rules.
- (4) A delegate may appeal against a ruling of the Chairman. The appeal shall be put to the vote and the Chairman's ruling shall stand unless overruled by a simple majority.

Rule 19: Substantive Proposals

- (1) Substantive proposals shall normally be presented in writing before their consideration at any meeting.
- (2) A proposal may be withdrawn by its author before voting on it has begun if no amendments have been made by other delegates. The proposal may be reintroduced at any time by any delegate.

Rule 20: Reconsideration

When a proposal has been adopted or rejected, it may not be reconsidered at the Conference unless the Conference by a two-thirds majority decides in favour of reconsideration. Permission to speak on a motion to reconsider shall be accorded only to one speaker in favour of the motion in addition to the proposer and to two against, after which it shall immediately be put to the vote.

Rule 21: Speeches

- (1) No delegate may speak without permission of the Chairman. Speakers shall be called upon in the order in which they request the floor.
- (2) During the discussion, the Chairman may read the list of speakers and declare the closure of that list. Nevertheless, he or she may grant the right of reply to any delegate when an intervention made after the closure of the list of speakers makes it necessary.
- (3) The Chairman may limit the time given to each speaker or the number of speeches by each delegation on a given question. When the debate is restricted and a delegate exceeds the time granted, the Chairman shall call the speaker to order.

Rule 22: Working Methods

- (1) At its discretion the Conference may organize its work by establishing subsidiary Committees and Drafting Committee as it may consider necessary. The selection of Chairmen and Vice-Chairman to manage their business shall be subject to the same procedure of acclamation or election as provided for in Rule 11, again respecting the objective of achieving a balance of regional representation.
- (2) The subsidiary Committees and Drafting Committee shall work *mutandis mutandi* in accordance with the same procedures as set out in Rules 17 through to 21 above and Parts VI and VII of these Rules hereunder.

Rule 23: Records

- (1) The Director General shall prepare records and final act of the Conference as the Chairman of the Conference may determine. Records shall contain:
 - (a) the record of decisions.
 - (b) a summary of the discussions; and
 - (c) statements submitted by representatives in accordance with paragraph (2).
- (2) Individual representatives wishing to include in the record statements made during the discussion shall, before the end of each meeting, submit the complete texts to the Director General.
- (3) The records and final act shall be approved by the Conference before the end of the Conference and shall be the only official record of the conference's proceedings.

PART VI: VOTING

Rule 24: Majority Required

- (1) Each State shall have one vote in the Conference. In case of an amendment or a termination of a specific treaty, a convention or an agreement, only State Parties shall have votes.
- (2) Decisions on matters of substance shall be taken by a two-thirds majority, and on procedural matters by a simple majority.

- (3) Decisions whether a question is procedural, or substantive shall be made by the Chairman. His decisions may be overruled by a two-thirds majority.
- (4) Simple and two-thirds majorities are always calculated on the basis of the States which have voted. States which abstain from voting shall be considered as not voting.

Rule 25: Method of Voting

- (1) Unless technical means are used, or the vote is taken by secret ballot in accordance with paragraph (2), votes shall be taken by a show of hands or, if any delegate so requests, by roll call. Roll calls shall be taken in the alphabetical order of the English names of the States, beginning with the State chosen by the Chairman by random.
- (2) Voting shall be by secret ballot when at least three delegations so request.

Rule 26: Interruption of the Voting

After the Chairman has announced the beginning of a vote, no delegate shall interrupt the voting except on a point of order in connection with the actual conduct of the voting. Delegates may explain their votes after the voting, except when the vote is secret. The Chairman may limit the time to be allowed for such explanations.

Rule 27: Voting Upon Parts of a Proposal

- (1) A delegate may move that part of a proposal or of an amendment shall be voted on separately.
- (2) If objection is made to the request for division, the motion for division shall be voted upon. Permission to speak on the motion for division shall be given only to one speaker in favour in addition to the proposer and two speakers against.
- (3) If the motion for division is carried, those parts of the proposal or of the amendment which are subsequently approved shall be put to a vote as a whole.
- (4) If all operative parts of the proposal or the amendment have been rejected, the proposal or the amendment shall be considered to have been rejected as a whole.

Rule 28: Order of Voting on Amendments

- (1) When an amendment is moved to a proposal, the amendment shall be voted on first. A motion is considered an amendment to a proposal if it merely adds to, deletes from or revises part of the proposal.
- (2) When two or more amendments are moved to a proposal, the conference shall first vote on the amendment furthest removed in substance from the original proposal and then on the amendment next furthest removed therefrom, and so on until all amendments have been put to the vote. Where, however, the adoption of one amendment necessarily implies the rejection of another amendment, the latter amendment shall not be put to the vote.
- (3) If one or more amendments are adopted, the proposal as amended shall then be voted upon.

Rule 29: Order of Voting on Proposals

Several proposals relating to the same question shall be put to the vote in the order in which they are received, unless otherwise decided. After each vote the meeting may decide not to

vote on the other proposals. If there are more than two proposals, an indicative vote may be held first.

Rule30: Equally Divided Votes

If on any issue, other than elections, the votes are equally divided, a second vote shall be taken immediately after a 30-minute break for consultations. If in the second vote the votes are again equally divided, the proposal is regarded as rejected.

PART VII: MISCELLANEOUS

Rule 31: Languages

- (1) The official languages of the conference are English, French, Russian and Spanish. The working language is English.
- (2) Speeches made in any of the four official languages shall be interpreted into the three other official languages.
- (3) Exceptionally, Conferences that have to be convened as a virtual meeting under the condition of force majeure (e.g., the Covid-19 pandemic) may be conducted in English only, instead of all of the official languages of the Organization, in order to avoid considerable technical and procedural difficulties that could compromise the smooth running of the Conference and result in its failure.

Rule 32: Amendment of the Rules

The Conference may amend these Rules by a two-thirds majority. Proposals for amendment shall be considered at the Conference.
