COALITION PROVISIONAL AUTHORITY ORDER 11

LICENSING TELECOMMUNICATIONS SERVICES AND EQUIPMENT

Pursuant to my authority as Administrator of the Coalition Provisional Authority (CPA), and under the laws and usages of war, and consistent with relevant U.N. Security Council resolutions, including Resolution 1483 (2003),

Recognizing the need to restore essential telecommunications services throughout Iraq and to regulate licensing and frequency spectrum management on behalf of the people of Iraq,

I hereby promulgate the following:

Section 1
Definitions

1) *"Commercial telecommunications"* includes all telecommunications and radio services (and related equipment) that are offered for public use and for which a fee is charged;

2) *"frequency spectrum"* means the range of frequencies that are available for assignment to radio operators for the provision of commercial telecommunications, telecommunications, broadcasting and other such services;

3) *"telecommunication"* means the conveyance of speech, music and other sounds, visual images or signals by electric, magnetic, electro-magnetic, electro-chemical or electro-mechanical means.

Section 2
Authority to License

1) On behalf of the CPA, the Ministry of Transportation and Communications (the Ministry), shall assume responsibility for licensing all commercial telecommunications services in Iraq. Commercial telecommunications equipment may not be installed or operated without prior written authorization from the Ministry. Any equipment used for such commercial purposes without prior authorization will be subject to seizure without compensation.

2) This Order applies only to commercial telecommunications. Thus, services operated by government organizations, non-government organizations, international entities, and commercial enterprises for their own use, for which

no fees are charged, can continue to operate without the prior authorization of the Ministry, unless the equipment requires use of the frequency spectrum.

3) The Ministry shall control, plan, administer, manage and license the radio frequency spectrum. The Ministry shall honor Iraqi international commitments with respect to radio communication and telecommunication matters, unless prevented by security considerations or overriding international humanitarian law obligations. Accordingly, in exercising its responsibilities under this Order, the Ministry shall comply with applicable standards and requirements of the International Telecommunication Union and its Radio Regulations, as agreed to or adopted by Iraq, unless prevented by reason of security considerations or overriding international humanitarian law obligations.

4) Applications to provide commercial telecommunications services, or for civil use of the frequency spectrum, shall be made to the Ministry.

Section 3
Entry into Force

This Order shall enter into force on the date of signature.

6/9/03

L. Paul Bremer, Administrator
Coalition Provisional Authority