

- (k) »Public telecommunications services« means fixed or mobile telecommunications services which can be provided by satellite and which are available to the public, such as telephony; telegraphy; telex; facsimile; data transmission; videotex; transmission of radio and television programmes between approved earth stations having access to the EUTELSAT space segment for further transmission to the public; multiservice transmissions; and leased circuits to be used in any of these services;
- (l) »Specialized telecommunications services« means telecommunications services which can be provided by satellite, other than those defined in paragraph k) of this Article, including, but not limited to, radio navigation services, broadcasting satellite services, space research services, meteorological services, and remote sensing of earth resources.
- (a) The main purpose of EUTELSAT shall be the design, development, construction, establishment, operation and maintenance of the space segment of the European telecommunications satellite system or systems. In this context, EUTELSAT shall have as its prime objective the provision of the space segment required for international public telecommunications services in Europe.
- (b) The EUTELSAT Space Segment shall also be made available on the same basis as international public telecommunications services for domestic public telecommunications services in Europe, either between areas separated by areas which do not fall under the jurisdiction of the same Party or between areas falling under the jurisdiction of the same Party but separated by the high seas.
- (c) As long as the ability of EUTELSAT to achieve its prime objective is not impaired, the EUTELSAT Space Segment may also be made available for other domestic or international public telecommunications services.
- (d) In the implementation of its activities EUTELSAT shall apply the principle of non-discrimination as between Signatories.
- (e) On request and under appropriate terms and conditions, the EUTELSAT Space Segment, existing or being implemented at the time of such a request, may also be utilized in Europe for specialized telecommunications services either international or domestic as defined in paragraph 1) Article I of the Convention, but not for military purposes, provided that:
- (i) the provision of public telecommunications services is not unfavourably affected;
 - (ii) the arrangements are otherwise acceptable from a technical and economic point of view.
- (f) EUTELSAT may, on request and under appropriate terms and conditions, provide satellites and associated equipment separate from those for the EUTELSAT Space Segment for:
- (i) domestic public telecommunications services;
 - (ii) international public telecommunications services;

Article II

Establishment of EUTELSAT

- (a) The Parties hereby establish the European Telecommunications Satellite Organization »EUTELSAT«, hereinafter referred to as »EUTELSAT«.
- (b) Each Party shall designate a public or private telecommunications entity subject to its jurisdiction to sign the Operating Agreement, unless such Party itself signs the Operating Agreement.
- (c) Telecommunications administrations and entities may, subject to applicable domestic law, negotiate and enter directly into traffic agreements for their use of telecommunications facilities provided under the Convention and the Operating Agreement, as well as for services to the public, installations, division of revenues and related business arrangements.
- (d) The relevant provisions of Annex A to the convention shall apply for the purpose of ensuring continuity between the activities of INTERIM EUTELSAT and those of EUTELSAT.

Article III

Scope of EUTELSAT activities