

## CCIA Europe Explainer

# EU 2 GHz Mobile Satellite Services Regulation

June 2026

On 27 May 2026, the European **Commission published the proposed 2 GHz Mobile Satellite Services (MSS) Regulation<sup>1</sup> to replace the EU's existing 2008 MSS Framework,<sup>2</sup>** which governed spectrum licences set to expire in May 2027. The proposed regulation would establish two sets of preferences for European operators: it would reserve one-third of the 2 GHz band for a secure MSS/hybrid system supporting government, security, and defence communications; another third for commercial use for European “new entrants”; and the remaining one-third for commercial MSS services for any qualified applicant, regardless of nationality.

Beyond reallocating spectrum, the proposal introduces new ownership, jurisdictional, cybersecurity, operational, and industrial-policy requirements that would govern who can access the band and under what conditions. More broadly, it represents an early step towards the **Commission's vision of EU-level satellite spectrum management under the Digital Networks Act.<sup>3</sup>**

Reserving two-thirds of the 2 GHz MSS band for operators meeting EU-specific ownership, control, and jurisdictional requirements would leave non-EU providers competing for only one-third of the spectrum, while favouring applicants that strengthen EU industrial capabilities and incorporate Union technologies. The proposal could therefore take the unprecedented step of stripping allocations from operators that are currently serving customers under existing International Telecommunication Union (ITU) and EU licences, all in order to direct a greater share towards EU operators.

Compounding these concerns, the Commission proposes to allocate spectrum through a qualitative evaluation process, introducing significant discretion into decisions over access to commercially valuable spectrum. Together, these provisions raise concerns regarding the discriminatory treatment of foreign operators and the compatibility of the proposal with the EU's trade commitments in both the World Trade Organisation (WTO) and in bilateral free trade agreements.

## Industry concerns

### Application for commercial MSS system (Articles 9-12)

The proposal allocates two-thirds of the 2 GHz MSS band (four paired 5 MHz blocks, or 40 MHz) for commercial MSS services. Two of these blocks are reserved for “Union new

---

<sup>1</sup> European Commission. (27 May 2026). Proposal for the EU-level authorisation of systems providing mobile satellite services (MSS).

<https://digital-strategy.ec.europa.eu/en/library/proposal-eu-level-authorisation-systems-providing-mobile-satellite-services-mss>.

<sup>2</sup> Decision No 626/2008/EC of the European Parliament and of the Council of 30 June 2008 on the selection and authorisation of systems providing mobile satellite services (MSS) [European Union] Document 32008D0626. (2008). <https://eur-lex.europa.eu/eli/dec/2008/626%282%29/oj>.

<sup>3</sup> European Commission. (21 January 2026). The Digital Networks Act. <https://digital-strategy.ec.europa.eu/en/policies/digital-networks-act>.

entrants,” a category limited to operators that satisfy EU establishment, ownership, control, and jurisdictional requirements, while the remaining two blocks are open to all eligible applicants, including third-country operators.

Applicants must also satisfy requirements relating to coverage, technical and financial capacity, cybersecurity, traffic landing within the EU, and security of operations. Where demand (as expected) exceeds available spectrum, the Commission proposes to rank applicants on the basis of factors including coverage, service quality, competition benefits, spectrum efficiency, and the extent to which proposed systems reinforce EU industrial capabilities and integrate Union technologies.

Reserving two of the four commercial MSS spectrum blocks for “Union new entrants” is discriminatory on its face and thus implicates the EU’s longstanding WTO services commitments. As part of the 1997 Basic Telecommunications Agreement,<sup>4</sup> the EU made broad, technology-neutral commitments covering telecommunications services, including satellite services, and did not maintain relevant reservations limiting foreign participation in this sector.

By conditioning eligibility for half of the commercial MSS spectrum on EU establishment, ownership, control, and jurisdictional requirements (Articles 9(1)(a)-(c)), the proposal accords EU operators more favourable treatment than similarly situated foreign operators. This implicates the EU’s national treatment obligations under Article XVII of the GATS<sup>5</sup> and relevant free trade agreements.<sup>6</sup>

The proposal also raises concerns under the WTO Telecommunications Reference Paper (and analogous free trade commitments), which requires that procedures for the allocation and use of scarce resources, including spectrum, be administered in a non-discriminatory manner.<sup>7</sup> Rather than relying on a neutral allocation mechanism, the proposal expressly reserves commercially valuable spectrum for a category of operators defined by EU-specific ownership and control criteria and further evaluates applicants based in part on their contribution to EU industrial capabilities and integration of Union technologies (Article 12(1)(d)).

To the extent access to spectrum is conditioned on characteristics linked to nationality, ownership, jurisdiction, or industrial policy objectives, the proposal departs from the principle that scarce telecommunications resources should be allocated through objective and non-discriminatory procedures.

---

<sup>4</sup> European Communities and their Member States, Schedule of Specific Commitments, Supplement 3 [World Trade Organisation] GATS/SC/31/Suppl.3. (1997).  
<https://docs.wto.org/dol2fe/Pages/SS/directdoc.aspx?filename=O:/SCHD/GATS-SC/SC31S3.pdf&Open=True>.

<sup>5</sup> World Trade Organisation. (nd). General Agreement on Trade in Services.  
[https://www.wto.org/english/docs\\_e/legal\\_e/gats\\_e.htm](https://www.wto.org/english/docs_e/legal_e/gats_e.htm).

<sup>6</sup> Eg Article 137 of Consolidated text: Trade and Cooperation Agreement between the European Union and the European Atomic Energy Community, of the one part, and the United Kingdom of Great Britain and Northern Ireland, of the other part [European Union] Document 02021A0430(01)-20211201. (2025).  
[https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:02021A0430\(01\)-20211201#art\\_137](https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:02021A0430(01)-20211201#art_137).

<sup>7</sup> Supra note 4.

## Application for secure MSS/hybrid system (Articles 6-8)

The proposal reserves one-third of the 2 GHz MSS band (two paired 5 MHz blocks) for a secure MSS/hybrid authorisation. Applicants must be EU-established, EU-controlled, free from third-country jurisdiction, and capable of providing secure government communications, including through integration with the nascent Infrastructure for Resilience, Interconnectivity and Security by Satellite (IRIS<sup>2</sup>), EU-based manufacturing of key components, and compliance with extensive security and operational requirements. Where multiple applicants qualify, the Commission will rank them based on coverage, resilience, support for government communications, and contributions to EU industrial capabilities and Union technologies.

The secure MSS/hybrid authorisation is expressly designed for government, security, and defence communications and is therefore the portion of the proposal most likely to benefit from the national security exceptions found in the WTO and many trade agreements.<sup>8</sup> Nevertheless, the practical effect is to place one-third of the 2 GHz MSS band beyond the reach of non-EU operators through EU ownership and control requirements (Article 6(1)(b)), restrictions on entities subject to third-country jurisdiction (Article 6(1)(c)), EU-based operational requirements (Article 6(1)(e)), EU manufacturing and Union technology requirements (Article 7(1)(f)), and selection criteria rewarding EU industrial capabilities and integration of Union technologies (Article 8(1)(g)).

While these provisions may be more readily justified in the context of secure government communications, they nonetheless contribute to a broader restructuring of the band that significantly narrows spectrum opportunities for foreign providers. Combined with the proposal's separate preference for EU-controlled "Union new entrants" in the commercial MSS allocation, the framework increasingly conditions access to valuable spectrum on EU ownership, jurisdictional, industrial-policy, and technology criteria.

## Recommendations

**The Commission should revise the proposal to ensure that access to commercial MSS spectrum is not conditioned on EU ownership, control, or jurisdictional criteria.** In particular, the reservation of two paired 5 MHz commercial blocks for "Union new entrants" should be made available on a technology-neutral and non-discriminatory basis to all qualified operators, regardless of nationality or ownership structure.

**The Commission should ensure that commercial MSS spectrum is allocated using objective, transparent, technology-neutral, and competitively neutral criteria.** Selection factors that reward applicants for reinforcing EU industrial capabilities, integrating Union technologies, or satisfying vague and broadly framed resilience objectives unrelated to the technical performance, security, or efficient use of spectrum should be removed or narrowed. Any security- or resilience-related requirements applicable to commercial MSS services should be carefully tailored to legitimate regulatory objectives and applied in a manner that does not unnecessarily disadvantage foreign operators or undermine the non-discriminatory allocation of scarce telecommunications resources.

<sup>8</sup> See articles XIV and XIV bis of the GATS, World Trade Organisation. (nd). General Agreement on Trade in Services. [https://www.wto.org/english/docs\\_e/legal\\_e/gats\\_e.htm](https://www.wto.org/english/docs_e/legal_e/gats_e.htm).

**Finally, the Commission should preserve opportunities for existing MSS operators to realise the value of their spectrum investments through leasing, transfer, and partnership arrangements.** Existing authorisation holders should retain the ability to transfer, lease, share, or otherwise commercialise spectrum rights, subject to appropriate competition and security safeguards, without such transactions being rendered impracticable by ownership, nationality, or jurisdictional restrictions unrelated to the provision of commercial MSS services. Preserving secondary-market flexibility would promote efficient spectrum use, support continued investment in satellite infrastructure, and avoid unnecessarily devaluing existing spectrum rights as the EU transitions to the new framework.

## About CCIA Europe

The Computer & Communications Industry Association (CCIA) is an international, not-for-profit association representing a broad cross section of computer, communications, and internet industry firms.

As an advocate for a thriving European digital economy, CCIA Europe has been actively contributing to EU policy making since 2009. CCIA's Brussels-based team seeks to improve understanding of our industry and share the tech sector's collective expertise, with a view to fostering balanced and well-informed policy making in Europe.

Visit [ccianet.eu](https://ccianet.eu), [x.com/CCIAEurope](https://x.com/CCIAEurope), or [linkedin.com/showcase/cciaeurope](https://linkedin.com/showcase/cciaeurope) to learn more.

## About CCIA's Space & Spectrum Policy Center

CCIA's Space & Spectrum Policy Center champions sensible policies that foster the growth of the satellite broadband industry. Recognising the transformative power of low earth orbit (LEO) constellations to connect people and the critical importance of spectrum as a finite resource, we advocate for regulatory frameworks that encourage deployment, competition, and innovation. CCIA aims to ensure that satellite broadband can reach underserved and remote regions while maintaining high performance and reliability. Our growing partnerships across government and industry help shape global policy debates and enable a resilient, connected future.

Visit [CCIA Space & Spectrum Policy Center](#) to learn more.