|  |  |
| --- | --- |
| **World Radiocommunication Conference (WRC-15)Geneva, 2-27 November 2015** |  |
| **INTERNATIONAL TELECOMMUNICATION UNION** |  |
|  |  |
| **PLENARY MEETING** | **Document 505-E** |
| **23 November 2015** |
| **Original: French** |

|  |
| --- |
| MINUTESOF THEEIGHTH PLENARY MEETING |
| Monday, 23 November 2015, at 1045 hours |
| **Chairman:** Mr F.Y.N. DAUDU (Nigeria) |

|  |  |  |
| --- | --- | --- |
|  | Subjects discussed | Documents |
| 1 | Reports by the Chairmen of Committees 2, 3, 4, 5 and 6 | 398, 416, 425, 427 |
| 2 | Twelfth series of texts submitted by the Editorial Committee for first reading (B12) | 421 |
| 3 | Twelfth series of texts submitted by the Editorial Committee (B12) – second reading | 421 |
| 4 | Proposal to create an ad hoc group of the plenary on item 1.6 of the conference agenda  | 424 |

# 1 Reports by the Chairmen of Committees 2, 3, 4, 5 and 6 (Documents 398, 416, 425 and 427)

1.1 The **Chairman of Committee 2** said that since his report (Document 307(Rev.1)) had come out, the Committee had received three new original credentials deemed to be in order, bringing the total number of originals deemed to be in order to 139 out of 159 Member States participating in the present conference.

1.2 The oral report of the Chairman of Committee 2 was **noted**.

1.3 The **Chairman** **of Committee 3** said that as at 19 November, conference expenditure amounted to CHF 4 810 000 and should remain within the budget limits. The definitive figures would appear in the Committee’s final report, which would be submitted to the subsequent meeting of the plenary.

1.4 The oral report of the Chairman of Committee 3 was **noted**.

1.5 The **Chairman of Committee 4** reported that the Committee had held its final meeting and that the results of its work on agenda item 1.3 were set out in Document 421 submitted by the Editorial Committee to the present meeting of the plenary. With regard to that document, he noted that in *resolves* 5 of Resolution 646 (Rev.WRC-15), the use of the verb “must”, which was highly unusual in ITU texts of that kind, had resulted from a difficult compromise, a fact which he urged participants to take into account when examining the text. Committee 4 had completed its work on agenda items 1.2, 1.4, 1.15, 1.16, 1.17, 1.18 and 9.2 but had been unable to reach agreement on items 1.1 and 1.5. In order to make progress, three ad hoc groups had been set up. The first, chaired by Mr Glushko (Russian Federation), had been discussing agenda item 1.5 for several days. The second, chaired by Mr Atarashi (Japan), was discussing the L-band and other bands under agenda item 1.1, while the third was dealing with the C-band, also under agenda item 1.1, and was chaired by Mr Kraemer (Germany). The three groups would submit the results of their discussions directly to a future meeting of the plenary. The other pending issues were dealt with in a report (Document 419) that would be submitted to a later plenary meeting. The Chairman of Committee 4 emphasized that the discussions on item 1.1 and on the UHF bands, in particular the 470‑694/698 MHz band, had not resulted in an agreement on the regulatory texts. It had become clear from the most recent informal discussions during the previous weekend that in the case of the UHF bands, the solution would involve making no change for Region 1 and considering the question under an agenda item at WRC-23, and in the case of Regions 2 and 3, making use of country footnotes. Stressing that those were only informal options, he invited the plenary to indicate its views on the way in which the informal discussions currently under way among the various regional groups could be summarized and submitted, and on the establishment of an ad hoc group for that purpose. In conclusion he thanked all the chairmen and vice-chairmen of the working groups, subgroups and drafting groups, as well as the ITU secretariat, for their sustained efforts.

1.6 The **delegate of the Islamic Republic of Iran,** turning again to the use of the verb “must” in a Resolution, recalled that the term had never been used in an ITU Resolution. Nevertheless, given the sensitive nature of the issue and the difficulties encountered in reaching consensus, he indicated that he was prepared to accept the term on an entirely exceptional basis for the Resolution in question during the current WRC, on condition that it should not establish a precedent for using the verb “must” in any Resolution or in any provision of the Radio Regulations. He asked the Director of BR to make clear, in the circular letter which he would be sending to administrations to inform them of the measures adopted under the Resolution in question, that the verb “must” was used in the specific case on an entirely exceptional basis and not intended as a precedent.

1.7 The observation was **noted**.

1.8 The **Chairman** proposed that an ad hoc group be set up to collect and collate the results of the informal discussions and other activities under way and report to the ninth plenary meeting.

1.9 The **delegate of the Islamic Republic of Iran** drew the attention of participants to the impartiality required to chair the ad hoc group; the person chosen should not already have expressed an opinion for or against the options proposed for the bands in question.

1.10 The **delegate of Saudi Arabia** said that he had no objection to the establishment of the ad hoc group but was concerned that it might reopen discussions, when a solution had been found for Region 1 and proposals had been formulated for Regions 2 and 3.

1.11 The **Chairman** pointed out that the ad hoc group would only collate the results of discussions held during the previous weekend for presentation at the ninth plenary meeting. As had already been emphasized, a solution appeared to have been found for Region 1 and progress was being made with regard to Regions 2 and 3. The group should thus not encounter any major difficulties.

1.12 The **delegate of Qatar** wished to have some clarification regarding the proposal to include an item concerning the UHF band on the agenda of WRC-23.

1.13 The **Chairman** reiterated that the ad hoc group would collate the results of the informal discussions and decisions of the previous weekend and would submit them to the ninth plenary meeting. He called on participants not to prejudge the outcome of the group’s discussions.

1.14 The **delegate of Brazil**, while expressing support for the move to set up the ad hoc group, noted that he had not been invited to take part in the discussions during the previous weekend and that the informal proposal to make no change with regard to Region 1 was supported by a number of countries.

1.15 The **delegate of the Russian Federation**, supporting the creation of the ad hoc group, hoped that the informal discussions would be consolidated to produce proposals that were acceptable to everyone. It would in his view be regrettable if each Region were to adopt a different solution, and for that reason he advocated a global solution.

1.16 The **delegate of the Republic of South Africa** supported the establishment of the ad hoc group, as did the **delegate of the Islamic Republic of Iran**, who proposed that it should be chaired by the Chairman of the Conference.

1.17 The **Chairman** regretted that, for lack of time, he was not able to chair the ad hoc group which would collect and collate the proposed options for the 470-694/698 MHz bands under agenda item 1.1 and present the results to the ninth plenary meeting.

1.18 Replying to a request for clarification from the **delegate of Saudi Arabia**, who considered that it was impossible to achieve harmonization at the global level, the Chairman recalled that the goal was not to harmonize frequency allocations but to present a consolidated summary of discussions in a report.

1.19 With regard to the matter of chairing the ad hoc group, the **delegate of the Islamic Republic of Iran** emphasized the impartiality required for that activity, and suggested that consultations be arranged with a view to appointing a chairman.

1.20 It was so **agreed**.

1.21 The oral report by the Chairman of Committee 4 was **noted.**

1.22 The **Chairman of Committee 5** reported that the Committee had completed work on its agenda items except for items 1.6, 1.9.1, 1.10, and 1.12. The two ad hoc groups that had been established to deal with items 1.9.1 and 1.10, respectively, would submit their conclusions directly to a subsequent plenary meeting.

1.23 The oral report by the Chairman of Committee 5 was **noted.**

1.24 Introducing Document 398 concerning agenda items 7 and 9, the Chairman of Committee 5 noted that, with regard to Issue L under agenda item 7, the Committee had found that there could be cases where the Bureau’s assistance was needed for countries experiencing a case of *force majeure*. With regard to the application of the concept described in § 6*d*i) of Appendix 5 of the Radio Regulations, the Committee proposed that it should also be possible to invoke the concept under Nos 11.32A or 11.41 of the Radio Regulations. With regard to radionavigation satellite services (RNSS) in the frequency band 1 164‑1 215 MHz, the Committee proposed to include a reminder of the provisions of Resolution 609 (Rev.WRC-07). Finally, the Committee had formulated its conclusions concerning coordination among non-GSO FSS systems and notification of typical earth stations in the fixed-satellite service. It was proposed that those conclusions be approved and included in the minutes of the present plenary meeting.

1.25 The **delegate of the Islamic Republic of Iran** commended Committee 5 for the work it had accomplished, but emphasized that extending the concept described in § 6*d*i) of RR Appendix 5 to Nos 11.32A or 11.41 had implications of a purely regulatory nature. The minutes of a plenary meeting did no more than reflect exchanges of views, and a plenary meeting was in no way authorized to modify the provisions of a regulatory text having the status of a treaty, such as the Radio Regulations. The speaker had no objection to the inclusion in minutes of text instructing the Director of BR or ITU-R to conduct studies, but pointed out than any modification of Appendix 5 had to be made under an item of the agenda of another conference. He also noted that no purpose was served by a reminder of the provisions of Resolution 609 (Rev.WRC-07) with regard to RNSS systems in the frequency band 1 164‑1 215 MHz because that Resolution was still in force and required no confirmation by a plenary meeting. Consequently, he considered it inappropriate to include in the minutes of the present plenary meeting the conclusion of Committee 5 concerning the application of the concept described in § 6*d*i) of Appendix 5 to RNSS systems.

1.26 **The delegate of the Russian Federation** endorsed that analysis.

1.27 The **delegate of Sweden**, speaking on behalf of the European Conference of Postal and Telecommunications Administrations (CEPT), considered that the conclusions in question could be included in the plenary minutes, given that they had been discussed at length by working groups and sub-groups and had been drafted and approved by many administrations. Nothing in the Radio Regulations precluded the application of the concept described in § 6*d*i) to No. 11.32A, for example. BR on a number of occasions had sought clarification from the conference on that point, and the CEPT took the view that it was appropriate to include such a clarification in the minutes.

1.28 The **delegate of Spain** agreed with the previous speaker and recalled that the issue had been discussed in Committee 5 before being submitted to the Legal Affairs Unit, which had expressed a favourable opinion. The text in question should be included in the minutes as it clarified the notification procedure.

1.29 The **Legal Adviser** said that, on being consulted regarding the possibility of recording decisions pertaining to certain agenda items in the minutes of the plenary meeting in which they were discussed, he had expressed serious reservations as to the desirability of doing so in the specific case of the second proposal in Document 398 concerning the application of the concept described in § 6*d*i) of Appendix 5 of the Radio Regulation, in view of the implications of that proposal for the regulatory corpus. Replying to requests for clarification from the **delegates of France**, **the United Kingdom** and **Sweden**, he added that the third proposed decision, concerning RNSS systems in the 1 164-1 215 MHz frequency band, did not create the same type of problem and could therefore be recorded in the minutes.

1.30 The **delegate of France**, supported by the **delegate of the United Kingdom**, said that with regard to the second proposal in Document 398, the most consensual solution would be to indicate that, should difficulties arise in the application of the concept described in § 6*d*i) of Appendix 5 of the Radio Regulations, BR could ask the Radio Regulations Board (RRB) to draw up a Rule of Procedure on which Member States would be consulted in accordance with Article 13.

1.31 The **delegate of the Islamic Republic of Iran** said that he was totally opposed to that solution, since it was not for the RRB to interpret a perfectly clear provision of the Radio Regulations. If difficulties or problems arose, they would have to be included in the agenda of a future WRC. With regard to the third proposal in Document 398, if it were to be included in the minutes, it could not be included in its current wording, which was unclear and ambiguous and raised the question as to why administrations had to be reminded of the provisions of Resolution 609 (Rev.WRC-07) more than of any other existing Resolution.

1.32 The **Chairman** proposed that a decision be taken separately on each of the five proposals set out in Document 398.

1.33 The first proposal, concerning Issue L, was **approved**, with the following wording:

 “In discussing the issue of possible modifications to the Regions 1 and 3 Appendices 30 and 30A Plans WRC-15 recognized that there can be cases where the assistance of the Bureau may be required for countries experiencing a case of *force majeure*. For the administrations of those countries, it may not be possible to either receive incoming correspondence from the Bureau, or to reply to such correspondence within the time limits established in § 4.1.10a‑4.1.10d of Article 4 of RR Appendices 30 and 30A, and lack of such correspondence could negatively impact the reference situation of the Plan assignments of those administrations. In such cases, those administrations could benefit from specific actions taken by the Bureau to address this situation and WRC-15 instructs the Director of the Radiocommunication Bureau to explore the issues and to request the Radio Regulations Board to address those specific situations.”

1.34 It was **agreed** that the second proposal, concerning the application of the concept described in § 6*d*i) of Appendix 5 to the Radio Regulations, would not be included in the minutes of the meeting.

1.35 It was **agreed** that further consultations would be held on the text of the third proposal, concerning RNSS systems in the 1 164-1 215 MHz frequency band, and that a revised version would be submitted to the subsequent plenary meeting.

1.36 The fourth proposal, concerning coordination among non-GSO FSS systems, was **approved**, with the following wording:

 “WRC-15 received a contribution dealing with Section 3.2.2.4.3 of the Director’s Report (Document [4](http://www.itu.int/md/R15-WRC15-C-0004/en)(Add.2)(Rev.1)) on coordination among non-GSO FSS systems. WRC-15 recognizes that notifying administrations may mutually agree on the organization of multilateral coordination meetings for non-GSO FSS systems and may wish to seek the assistance of the Bureau under existing procedures.

The coordination among non-GSO FSS systems in bands subject to Section II of RR Article 9 can be further studied in ITU-R, and any modifications to the procedures, if required, can be submitted under WRC-19 agenda item 7.”

1.37 The fifth proposal, concerning notification of typical earth stations in the fixed-satellite service, was **approved**, with the following wording:

 “In considering the issue of notification of typical earth stations in the fixed-satellite service in the Director’s Report (Document 4(Add.2)(Rev.1) § 3.2.3.8), WRC-15 concluded that further ITU-R studies are needed before any regulatory decision can be made. For the purposes of these studies, WRC-15 agreed to instruct the Bureau to publish a Circular letter containing a common format according to which administrations may wish to submit to the Bureau, on a voluntary basis, characteristics and number of typical earth stations deployed in their countries, to the extent available, for information purposes only.”

1.38 Document 398, without the second and third proposals contained in it, was **approved**.

1.39 The **Chairman of Committee 5** introduced Document 416, containing the sixth report of Committee 5 to the plenary meeting and presenting the results of the Committee’s discussions under agenda item 9.2. The report requested the plenary to endorse the conclusion of Committee 5 and to instruct the Radio Regulations Board and the Radiocommunication Bureau to take appropriate actions.

1.40 The **delegate of the Islamic Republic of Iran** requested the Director of BR to confirm that, in the event of difficulties in applying the Radio Regulations, it would continue to proceed in the usual manner by seeking the opinions of the study groups and applying all the relevant Resolutions in force. The **Director of BR** said that it was indeed his intention to adhere to established practice.

1.41 The **Chairman** proposed that Document 416 be approved as a whole, taking into account the observations of the delegate of the Islamic Republic of Iran and of the Director of BR.

1.42 It was so **agreed**.

1.43 The **Chairman of Committee 5** introduced Document 425, containing the seventh report from Committee 5 to the plenary meeting and reporting on progress in work on agenda items 1.9.1 and 1.10. As it was not yet possible to bridge the respective positions, two ad hoc groups had been established to continue discussions and report to the Committee.

1.44 Document 425 was **noted**.

1.45 The **Chairman of Committee 5** introduced Document 427, containing the tenth report from Committee 5 to the plenary meeting and following-up the examination of Document 110 from the Administration of Colombia containing a request to extend the regulatory deadline for bringing into use of the assignments of SATCOL 1B satellite network at 70.9º W. The Administration of Colombia had submitted the following text to the Chairman of Committee 5 for submission to plenary:

 “The Administration of Colombia requested in Document 110 that WRC-15 consider an extension of the regulatory period for bringing into use the frequency assignments of the SATCOL 1B satellite network, taking into account Article 44 of the ITU Constitution and Recommendation 6 of the Plenipotentiary Conference 2014 (PP14). The Administration of Columbia sought the endorsement of WRC-15 to instruct the Radiocommunication Bureau to extend the regulatory period for bringing into use the assignments of SATCOL 1B until 28 November 2018. Discussions took place amongst the concerned administrations to reach agreement on the protection of their satellite networks. On the basis of the agreements reached between the concerned administrations WRC-15 instructed the Radiocommunication Bureau to extend the regulatory period for bringing into use the assignments of SATCOL 1B until 28 November 2018.”

1.46 The **delegate of the Islamic Republic of Iran** said that the conference should respond positively to the request from Colombia, a developing country experiencing numerous difficulties.

1.47 The **Chairman** proposed that the Conference unanimously approve the text from the Administration of Colombia, thereby instructing the Radiocommunication Bureau to extend the regulatory period for bringing into use the frequency assignments of the SATCOL 1B satellite network until 28 November 2018, and to record that decision in the minutes of the meeting.

1.48 It was so **agreed**.

1.49 The **delegate of Colombia** said that his government was endeavouring to ensure broadband access for the entire population and sought constantly to comply with the Radio Regulations and agreements applicable in that area.

1.50 The **Chairman of Committee 6** in her oral report said that the Committee had completed its work on a number of pending issues, in particular under agenda item 2, and that it would examine the draft agenda for WRC-19 and the preliminary draft agenda for WRC-23.

1.51 The **delegate of the Islamic Republic of Iran** urged the Chairman of Committee 6 to ensure, in drawing up future agendas, that item 9.2 would be reserved for those parts of the BR Director’s report that dealt with difficulties and inconsistencies encountered in applying the Radio Regulations, and not be the subject of proposals or contributions from administrations, especially if they concerned frequency allocations.

1.52 The **Chairman of Committee 6** said that the Committee had discussed the question at length and would return to it in plenary when it presented the results of its work on the subject.

1.53 The oral report by the Chairman of Committee 6 was **noted.**

# 2 Twelfth series of texts submitted by the Editorial Committee for first reading (B12) (Document 421)

2.1 The **Chairman of the Editorial Committee,** introducing Document 421, said that the square brackets around the date 1 January 2017 in a number of Resolutions would be removed once the date of entry into force of the Final Acts had been approved.

2.2 The **Chairman** invited the delegates to consider the texts submitted in Document 421 for first reading.

MOD Resolution 49 (Rev.WRC-12); MOD Resolution 55 (Rev.WRC-12); MOD Resolution 81 (WRC-2000); MOD Resolution 552 (WRC-12)

**2.3 Approved.**

**MOD Resolution 646 (Rev.WRC-12)**

**2.4 Approved**,on the understanding that the use of the verb “must” in the text, which had resulted from a difficult compromise, was exceptional and should not establish a precedent.

MOD Resolution 903 (WRC-07); ADD Resolution COM5/3 (WRC-15) – Transitional measures for elimination of advance publication filings by administrations for frequency assignments to satellite networks and systems subject to Section II of Article 9; ADD Resolution COM5/4 (WRC-15) – Use of one space station to bring frequency assignments to geostationary-satellite networks at different orbital locations into use within a short period of time; ADD Resolution COM5/5 (WRC-15) – Application of power flux-density criteria to assess the potential for harmful interference under No. 11.32A for fixed-satellite and broadcasting-satellite service networks in the 6 GHz and 10/11/12/14 GHz bands not subject to a Plan; ADD Resolution COM5/6 (WRC-15) – Study of technical and operational issues and regulatory provisions for new non-geostationary-satellite orbit systems in the 3 700-4 200 MHz, 4 500-4 800 MHz, 5 925-6 425 MHz and 6 725-7 025 MHz frequency bands allocated to the fixed-satellite service

2.5 **Approved**.

ADD Resolution COM5/7 (WRC-15) – Stations on board sub-orbital vehicles

2.6 **Approved**, on the understanding that the precise meaning of the term “sub-orbital vehicles” remained to be defined and studied.

ADD Resolution COM5/8 (CMR-15) – Conversion of all analogue assignments in the Appendices 30 and 30A Regions 1 and 3 Plan and List into digital assignments; SUP Resolution 547 (Rev.WRC-07) ; SUP Resolution 648 (WRC-12); SUP Resolution 756 (WRC‑12)

2.7 **Approved**.

2.8 The twelfth series of texts submitted by the Editorial Committee (B12) (Document 421), was **approved** on first reading, taking into account the observations noted in the course of the discussions.

# 3 Twelfth series of texts submitted by the Editorial Committee (B12) – second reading (Document 421)

3.1 The twelfth series of texts submitted by the Editorial Committee (B12) (Document 421) was **approved** on second reading, taking into account the observations made on first reading.

# 4 Proposal to create an ad hoc group of the plenary on item 1.6 of the conference agenda (Document 424)

4.1 The **delegate of the Russian Federation** noted that it would be difficult in the plenary meeting to examine Document 424, containing the results of the work of Committee 5 under agenda item 1.6, given its complexity. He proposed the establishment of an ad hoc group to examine the document in question and other proposals and submit its conclusions to the plenary.

4.2 The **delegate of Italy** said that lengthy discussion on the subject by the Committee and its groups and subgroups had not led to any agreement on substance or on methods to adopt for further discussions. No purpose would be served by setting up an ad hoc group, which would have no chance of success in the little time that remained. Given the situation of total disagreement, it was necessary to maintain “NOC” and devise a new agenda item for allocating frequencies in a different band.

4.3 The **delegates of the United States** and **Egypt** concurred with the delegate of Italy.

4.4 The **Chairman**, noting the absence of an agreement on the creation of an ad hoc group, proposed that the delegations concerned continue with their consultations and return to the subsequent plenary meeting if the consultations were successful.

4.5 It was so **agreed**.

**The meeting rose at 1220 hours.**

The Secretary-General: The Chairman:

H. ZHAO F.Y.N. DAUDU